



BOARD MEETING AGENDA

July 21, 2026

12:00 p.m. CityPlace Building

- A. Call Meeting to Order
- B. Pledge of Allegiance
- C. Approval of Minutes – June 16, 2026
- D. Public Comments
- E. Local Labor Monitoring Report
- F. Local Labor Exemptions Report
- G. Financial Report
- H. Applications for Consideration
 - 1. Qualitrol Company LLC
 - 2. WDG2, LLC
 - 3. 2695 Commercial LLC
- I. Project Modifications
 - 1. Howitt Bayview, LLC – Increase
 - 2. Lang & Son's – Increase
 - 3. Erie Materials LLC – PILOT Modification
 - 4. Legacy Tower – PILOT Modification
 - 5. Charlotte Square Apartments, LLC – Assumption
- J. Compliance Committee Report
- K. Executive Director – Discussion Items
 - VisitRochester Financial Request
 - Dashboard
- L. Chair Discussion Items
- M. Adjourn Meeting

Next meeting: Tuesday, August 18, 2026



BOARD MEETING MINUTES

June 16, 2026

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

Board Present: T. Tolefree, N. Jones, R. King, L. Bolzner, R. Ryerse, B. Hickey, M. Velazquez

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 12:02 p.m. and R. King led the board in the Pledge of Allegiance.

On motion by B. Hickey, second by R. King, all aye, minutes of the May 19, 2026 meeting were approved.

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

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

G. Genovese presented the Financial Report for May 2026.

Executive Director Liss presented the following projects for consideration:

Erie Materials

Erie Materials, Inc., a building materials distributor, is purchasing 911 Brooks Ave, the vacant hotel located in the Town of Gates. The applicant is planning to demolish the existing building and construct a 49,000 square foot warehouse and a 13,000 square foot office and showroom. A RESTORE NY grant through the Town of Gates is assisting with the demolition costs. Erie Materials anticipates creating 35 new FTEs. The \$18.7 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 24:1.

The applicant was represented by Stephen Chabot, Vice President. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant stated that he anticipates one exemption will be needed for the metal building shell based on warranty. The applicant further stated that they would try to utilize some local labor. R. Finnerty stated there were no comments at the public hearing held on June 11, 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 JUNE 11, 2026, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY ERIE MATERIALS, INC., 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, 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.UTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS.

On motion by N. Jones, second by L. Bolzner 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	Yea	R. Ryerse	Yea
M. Velazquez	Yea		

47 West Main Street Properties LLC

47 West Main Steet Property LLC proposes the redevelopment of the vacant Rochester Savings Bank, a 30,000 square foot building located at 47 West Main St. in the City of Rochester. This project will create 23 new apartment units comprised of 18 one-bedroom apartments and 5 two-bedroom apartments. Rents will range from \$1,800- \$2,100 for one-bedroom units and \$2,000 - \$2,600 for two- bedroom units. At least 20% of the units (5) will be affordable units with rents averaging 60% AMI, based on household size. Approximately 5,100 square feet will be developed into commercial space and 4,500 square feet will set aside for tenant amenities. The \$9 million project is seeking a mortgage recording tax exemption, sales tax exemption, and qualifies for the Premier HousingPlus real property tax abatement recommended in the recently approved housing study. The cost benefit ratio is 9:1.

The applicant was represented by Joel Barrett and Eric Bonsignore. 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 June 11, 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 JUNE 11, 2026, WITH RESPECT TO A CERTAIN BEING UNDERTAKEN BY 47 WEST MAIN STREET PROPERTY 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, (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 M. Velazquez, 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	Yea	R. Ryerse	Yea
M. Velazquez	Yea		

Executive Director Liss presented the following modifications for considerations:

120 Redev, LLC – Mortgage Recording Tax Exemption Correction

120 Redev, LLC proposes the redevelopment of 120 East Ave, a mostly vacant 36,646 square foot building located in the City of Rochester. 120 Redev, LLC plans to create 33 affordable residential condos with the intent to sell units to families earning between 80-100% of Area Median Income. The applicant was approved for sales and mortgage recording tax exemptions in October 2025 and the JobsPlus real property tax abatement as part of the City of Rochester's CHOICE Program. The applicant is requesting a correction to the previously approved mortgage recording tax exemption amount of \$30,876. The new exemption amount is \$85,583.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO 120 REDEV, LLC (IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by B. Hickey, to approve an increase in the mortgage recording tax exemption in an amount not to exceed \$85,583, 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	Yea	R. Ryerse	Yea
M. Velazquez	Yea		

Director Liss introduced Pat Gooch, Monroe County Senior Associate Planner, to provide an update on the Comprehensive Plan.

Director Liss introduced Don Jeffries, President, VisitRochester and Andy Moore, Director, Greater Rochester International Airport. Mr. Jeffries and Mr. Moore discussed the need for additional air service in and out of Rochester and the role improved connectivity plays in supporting tourism, business growth, and regional economic development

On motion by R. King, second by R. Ryerse, all aye, with abstention by M. Velazquez, to approve the execution and delivery of a contract with VisitRochester in an amount not to exceed \$150,000 for marketing to attract additional air service.

Executive Director Liss presented the Dashboard for May.

COMIDA Board Meeting Minutes

June 16, 2026

Page 4

On motion by M. Velazquez, second by N. Jones the board entered into Executive Session at 1:00 p.m. under Section 105(d) of the Public Officers Law to discuss litigation strategy in connection with 1733 Ridge Road Condemnation.

On motion by N. Jones, second by L. Bolzner the board came out of Executive Session at 1:42 pm.

N. Jones discussed ways in which COMIDA could support the Rochester City School District. On Motion by N. Jones, second by L. Bolzner, to allocate fifty percent (50%) of the administrative fee paid to COMIDA in connection with the Rochester Joint Schools Construction Board bond issuance to the Workforce Development Fund, all aye, the motion carried.

There being no further business to discuss, on motion by N. Jones, second by R. King, all aye, the regular meeting of the Board was adjourned at 1:44 p.m.



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

July 6th, 2026

1. This report covers our site visits between **June 1st, 2026** and **June 30th, 2026**.
2. During this period Loewke Brill made **68** monthly site visits.
3. During this period Loewke Brill made **3** Follow-up visit.
4. Loewke Brill checked for residence with **833** workers.
5. Of those workers, there were **5** non-compliant.
 - a. 4 – No proof of residence
 - i. Paylocity Corporation – 06/02/26 – 2 from Leo J Roth no ID, both compliant on follow up visit 06/03/26
 - ii. DelMonte Development LLC – 06/15/26 – 1 from Colonia Fire no ID, compliant on follow up 06/16/26
 - iii. McAlpin Industries, Inc. – 06/15/26 – 1 from Lefrois no ID, compliant on follow up 06/16/26
 - b. 1 – Out of Area
 - i. McAlpin Industries, Inc. – 06/15/26 – 1 from Sumner-Leigh no ID, worker off site on follow up 06/16/26
 - c. 0 – Invalid ID
6. There were “4” new COMIDA sign(s) delivered
 1. Love Beets Production LLC
 2. 135 Fedex Way LLC
 3. Phillips Real Estate LLC
 4. 120 ReDev, LLC

June 2026 COMIDA Verified Local Labor Exemption Report

Board Meeting – July 21st, 2026

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

- McAlpin Industries, Inc. – Midwest Finishing Systems, Inc – Warranty - Midwest Finishing Systems, Inc, located in Mishawaka Indiana, will be installing new powder coating equipment at the McAlpin Industries, Inc. project located at 865 Hard Road in Webster. The manufacturer of the equipment, Midwest Finishing Systems, provides a warranty for their equipment as long as it is installed by their own in-house trained employees. This will consist of pretreatment equipment and a conveyor for a powder paint system. The installation requires moving large equipment modules with forklifts, extensive field welding of structural members, start-up of the ovens and pretreatment washer which have industrial gas burners, and the start-up of a continuous conveyor system. This equipment is all designed to the specifications of McAlpin Industries. The waiver is for a total of 9 employees who are expected to be on site for under 2 months. There are no manufacturers of powder coating systems within the defined local labor area.

COMIDA
Statement of Financial Position

	Year To Date 06/30/2026	Year Ending 12/31/2025
	Actual	Actual
Assets		
Current Assets		
Cash and Cash Equivalents	1,400,411	593,478
Cash - Grant Funding	4,926,931	9,448,940
Short Term Investments	16,124,877	17,431,162
Prepaid Expenses	27,035	27,203
Other Current Assets	109,585	141,170
Total Current Assets	22,588,839	27,641,953
Long-term Assets		
Property & Equipment	11,269	12,683
Other Long-term Assets	150,041	150,041
Total Long-term Assets	161,310	162,724
Total Assets	22,750,149	27,804,677
Liabilities and Net Assets		
Liabilities		
Short-term Liabilities		
Accounts Payable	21,763	160,254
Accrued Liabilities	993,484	599,977
Grant Liabilities	4,926,931	9,448,940
Total Short-term Liabilities	5,942,178	10,209,171
Long Term Liabilities	227,418	227,418
Total Liabilities	6,169,596	10,436,589
Net Assets		
Net Assets	17,368,088	18,998,413
Change In Net Assets	(787,535)	(1,630,325)
Total Net Assets	16,580,553	17,368,088
Total Liabilities and Net Assets	22,750,149	27,804,677

Summary Statement of Activities - All Funds with Prior Year

	Year To Date 06/30/2026	Year To Date Prior Year To Date 06/30/2026	Year To Date 06/30/2025
	Actual	Budget	Actual
Revenue			
Fee Income	1,214,913	169,468	506,697
Interest Income	216,235	332,628	412,490
Gain on Sale of Fixed Assets	0	0	30,902
Total Revenue	1,431,148	502,096	950,089
Payroll	287,018	294,600	258,091
Program & Community Development	1,542,607	1,234,218	871,080
General & Administrative	438,291	503,150	439,987
APEX Activity, Net	(49,232)	0	(99,333)
Total Expenses	2,218,683	2,031,968	1,469,824
Change In Net Assets	(787,535)	(1,529,872)	(519,735)



APPLICATION SUMMARY

DATE: July 21, 2026

APPLICANT:

Qualitrol Corp.
1385 Fairport Road
Fairport, NY 14450

PROJECT LOCATION:

1385 Fairport Road
Fairport, NY 14450

PROJECT SUMMARY:

Qualitrol Corp., a manufacturer of substation and transformer monitoring and protection devices used by electric utilities and original equipment manufacturing companies, is proposing the expansion of its 30,000 square foot facility in the Town of Perinton by an additional 60,000 square feet. The proposed expansion will allow Qualitrol to add new equipment and increase employees to meet growth goals. Qualitrol plans to create 117 new FTEs in addition to its existing 245 FTEs. The \$15.5 million project is seeking a custom real property tax abatement supported by the Town of Perinton and a sales tax exemption. The cost benefit ratio is 163:1.

PROJECT AMOUNT:

\$15,500,000 Lease/Leaseback with Abatement
\$540,000 Sales Tax Exemption

JOBS: EXISTING:

245 FTEs

NEW:

117 FTEs

REQUIREMENT:

24 FTE

PUBLIC HEARING DATE:

April 15, 2026

BENEFIT TO INCENTIVE RATIO:

163:1

SEQR:

REVIEWED AND PROCESS IS COMPLETE.

ELIGIBILITY:

NEW COMMERCIAL CONSTRUCTION WITH INCREASE TO THE TAX
BASE

APPROVED PURPOSE:

JOB CREATION

County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

Date April 21, 2026
Project Title Qualitrol Corp.
Project Location 1385 Fairport Road

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

[Project Total Investment](#)

\$15,500,000

Temporary (Construction)

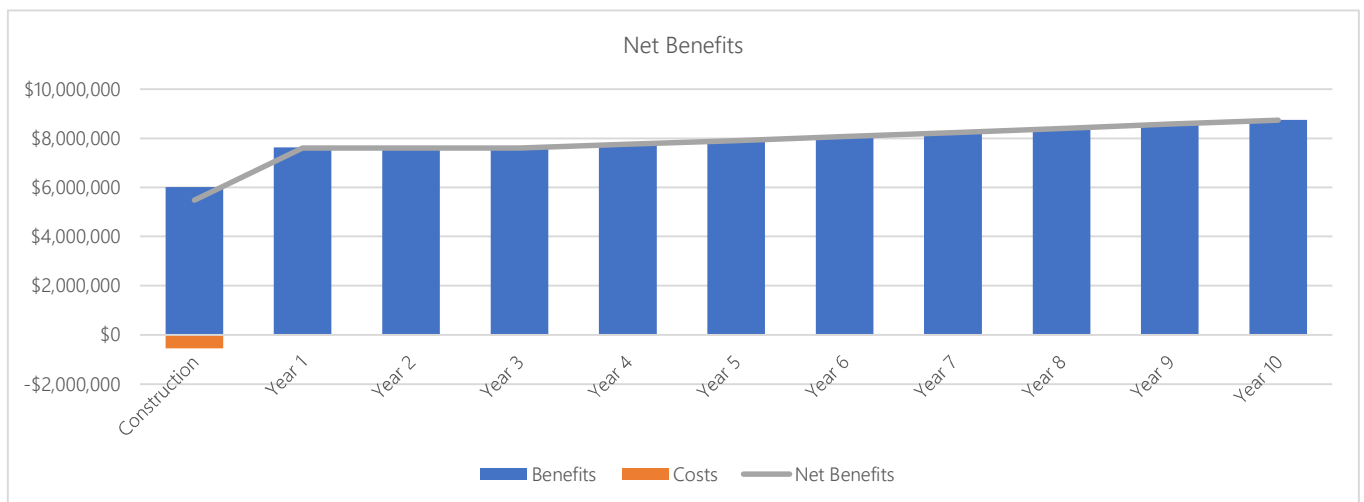
	Direct	Indirect	Total
Jobs	78	18	96
Earnings	\$4,778,684	\$906,713	\$5,685,397
Local Spend	\$12,400,000	\$3,086,594	\$15,486,594

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	117	0	117
Earnings	\$120,023,325	\$0	\$120,023,325

Figure 1



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

Figure 2

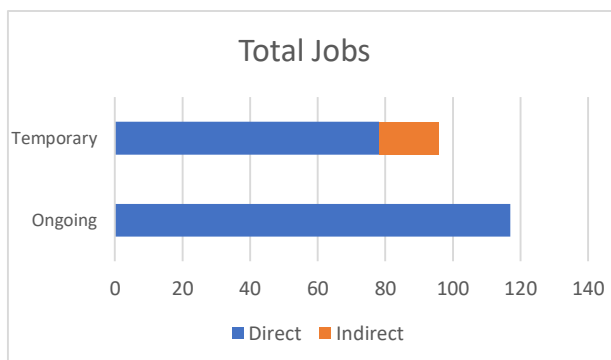
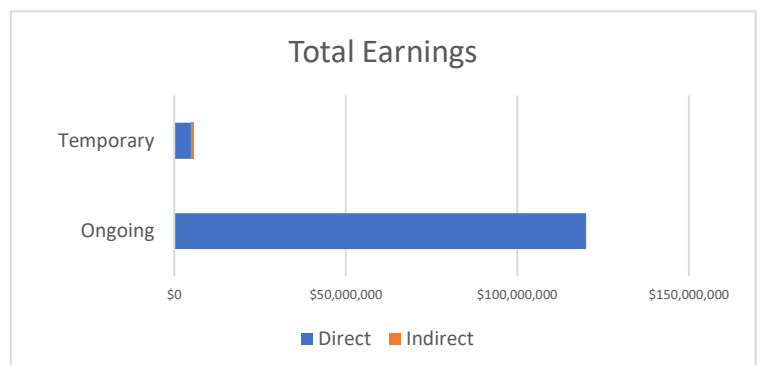


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$182,080	\$160,112
Sales Tax Exemption	\$540,000	\$540,000
Local Sales Tax Exemption	\$270,000	\$270,000
State Sales Tax Exemption	\$270,000	\$270,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$722,080	\$700,112

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$126,783,172	\$108,716,871
To Private Individuals	\$125,708,723	\$107,802,144
Temporary Payroll	\$5,685,397	\$5,685,397
Ongoing Payroll	\$120,023,325	\$102,116,746
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,074,449	\$914,727
Increase in Property Tax Revenue	\$194,488	\$160,112
Temporary Jobs - Sales Tax Revenue	\$39,798	\$39,798
Ongoing Jobs - Sales Tax Revenue	\$840,163	\$714,817
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$6,536,854	\$5,605,711
To the Public	\$6,536,854	\$5,605,711
Temporary Income Tax Revenue	\$255,843	\$255,843
Ongoing Income Tax Revenue	\$5,401,050	\$4,595,254
Temporary Jobs - Sales Tax Revenue	\$39,798	\$39,798
Ongoing Jobs - Sales Tax Revenue	\$840,163	\$714,817
Total Benefits to State & Region	\$133,320,026	\$114,322,582

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$108,716,871	\$430,112	253:1
State	\$5,605,711	\$270,000	21:1
Grand Total	\$114,322,582	\$700,112	163:1

*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

Motion By: _____
Seconded By: _____

RESOLUTION
(Qualitrol Corporation Project)
OSC Code 2602-26-016A

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 (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON APRIL 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY QUALITROL CORPORATION, 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 ACQUISITION, CONSTRUCTION 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.

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, **QUALITROL CORPORATION**, a New York corporation 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 construction of an approximately 60,000 square-foot addition (the "Improvements") to the Company's existing approximately 30,000 square-foot building located at 1385 Fairport Road in the Town of Perinton, New York 14450 and all other lands in the Town of Perinton where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); and (B) 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"), all for use by the Company in its business of manufacturing substation and transformer monitoring and protection devices; 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 Wednesday, April 15, 2026, at 12:30 p.m., local time, in the Perinton Recreation Center, Room 204-C in the Perinton Town Hall, 1350 Turk Hill Road, Fairport, New York 14450, 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 and (b) a partial real property tax abatement structured through the PILOT Agreement; and

WHEREAS, the terms of the PILOT Agreement deviate from the Agency's Uniform Tax Exemption Policy (the "UTEP") as set forth on **Schedule A** attached hereto; 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 Planning Board of the Town of Perinton (the "Planning Board"), as lead agency, conducted a 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 June 29, 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 Planning 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 a "Type 1 Action" pursuant to SEQRA, the Planning Board also issued a Negative Declaration on June 29, 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 Planning 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, 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 **\$6,750,000** which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$540,000**. 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 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. Upon due consideration of the Company's application, the various economic impacts of the Project, and the Project's general satisfaction of several considerations set forth in the UTEP, including, but not limited to (1) the retention of job opportunities in Monroe County and (2) the substantial capital investment associated with the Project, the Agency hereby approves the form and substance of the PILOT Agreement, which deviates from the UTEP, as set forth on Schedule A attached hereto.

Section 8. The form and substance of the Lease Agreement and the Leaseback 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 9. 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 10. 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 11. 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 12. 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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
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 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

SCHEDULE A

<u>PILOT Year</u>	<u>Abatement</u>
1	75%
2	75%
3	75%
4	75%
5	75%
6	50%
7	50%
8	50%
9	50%
10	50%
11	25%
12	25%
13	25%
14	25%
15	25%



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: Qualitrol Corp.
Address: 1385 FAIRPORT ROAD
City/State/Zip: FAIRPORT, NY 14450
Tax Id No.: 472408097
Contact Name: Nick Pietrantonio
Title: Finance Director
Telephone: [REDACTED]
E-Mail: [REDACTED]

B. Applicant's Legal Counsel

Name: Slone Pearson
Firm: Ralliant Corporation
Address: 4000 Center at North Hills St, Suite 430
City/State/Zip: Raleigh, NC 27609
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
<u>Serveron Holding Corporation</u>	<u>100</u>	<u>Holding Corporation</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

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: 1385 FAIRPORT ROAD

Tax Map Parcel Number: 152.15-2-9.1

City/Town/Village: FAIRPORT, NY

School District: Fairport (264401)

Zip: 14450

Current Legal Owner of Property:

Qualitrol Corp.

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
<u>Serveron Holding Corporation</u>	<u>100</u>	<u>Holding Corporation</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

F. Project Timeline

Proposed Date of Acquisition: _____

Proposed Commencement Date of Construction: 5/1/2026

Anticipated Completion Date: 9/1/2027

G. Contractor(s)

Navalis Construction Services

II.PROJECT (cont'd)

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

33531
NAICS Code: _____

Qualitrol manufactures substation and transformer monitoring and protection devices used by electric utilities and original equipment manufacturing (OEM) companies. It is the global leader in sales and installations of transformer asset protection equipment, fault recorders, and fault locators. Established in 1945, Qualitrol produces thousands of different types of products on demand, customized to meet unique requirements.

Qualitrol occupies its own 30,000 square foot manufacturing and office facility in Fairport, NY. It is one of several locations within the U.S. controlled by its corporate parent. Current staff in Fairport is comprised of 245 full-time positions ranging from C-suite executives, engineers, marketing, finance, human resources, quality control, and production line workers. Average annual wages for current staff is around \$61,500.

If financial assistance is received, Qualitrol plans to expand their facility by up to 60,000 sq. ft. and purchase new machinery and equipment in the Village of Fairport, Monroe County. Our goal is to utilize the financial support from New York to retain all NY employees and hire an additional 192 production associates and manager/engineering level positions at the Fairport location over the next 5 years. This will allow Qualitrol to achieve its parent company's growth goals while remaining in Qualitrol's preferred location.

The goal of this project will be to maintain global dominance in transformer asset protection through purchasing new advanced machinery and equipment such as: Evaporators, Aqueous Water Treatment Systems, Rod Benders for Fabrications, Automated Screw Feeders, Chromate Automations, LPRD Potting Stations, New Calibration Stations, Helium Leak Detectors, and Co-bots for Production Assembly, among others.

We anticipate the project to be completed in 2027.

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 a surge in demand for Qualitrol products, our parent company has directed that Qualitrol expand capacity, and compare the cost of doing so in Fairport with other lower cost locations across the U.S.

Securing financial assistance will allow Qualitrol to expand manufacturing to meet the projected 5-year growth plan while avoiding a costly relocation out of NY.

We would utilize this financial assistance to secure 245 NY jobs while looking to expand our current equipment and engineering labs in NY.

We estimate that with financial assistance we could add an additional 192 production associates and manager/engineering level positions over 5 years.

It is our hope that both parties would immediately benefit following completion of the expanded facility, as we estimate that the company's presence in Fairport would generate more than \$1.2 million annually in state and local tax revenues.

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

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

Check One:

☐ **JOBSPPLUS**

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 JOBSPPLUS**

Requirements:

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

☐ **GREEN JOBSPPLUS**

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.

☒ **Local Tax Jurisdiction Sponsored PILOT**

☐ **NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT**

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. \$ 5.75M
b. Labor b. \$ 5.75M

Site Work

- c. Materials c. \$ _____
d. Labor d. \$ _____
e. Non-Manufacturing Equipment e. \$ _____
f. Manufacturing Equipment f. \$ 3.0M
g. Equipment Furniture and Fixtures g. \$ 1.0M
h. Land and/or Building Purchase h. \$ _____
i. Soft Costs (Legal, Architect, Engineering) i. \$ _____
Other (specify) j. _____ j. \$ _____
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____
Total Project Costs \$ 15.5M
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ _____
b. Taxable Industrial Revenue Bond b. \$ _____
c. Bank Financing c. \$ _____
d. TOTAL Public Sources d. \$ _____

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

_____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

- e. Equity e. \$ 15.5M
TOTAL SOURCES \$ 15.5M
(must equal Total Project Costs)

- 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
Qualitrol Corp.

A. IDA PILOT Benefits:

Current Assessment	\$2,723,500
Value of New Construction & Renovation Costs	\$5,750,000
Estimated New Assessed Value Subject to IDA	\$8,473,500
Current Taxes	\$103,139
Current Taxes Escalator	2%
PILOT Terms - Years	15
County Tax rate/\$1,000	9.04000
Local Tax Rate* Tax Rate/\$1,000	2.52000
School Tax Rate /\$1,000	26.31000
Total Tax Rate	37.87000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$540,000
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:	\$2,360,802
Project Construction Costs:	\$15,500,000
	15.23%

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	\$464,266	\$129,419	\$1,351,198	\$1,944,883	\$3,765,685	\$1,820,802
1	75%	\$12,995	\$3,623	\$37,821	\$54,438	\$217,753	\$163,314
2	75%	\$13,255	\$3,695	\$38,577	\$55,527	\$222,108	\$166,581
3	75%	\$13,520	\$3,769	\$39,349	\$56,637	\$226,550	\$169,912
4	75%	\$13,790	\$3,844	\$40,136	\$57,770	\$231,081	\$173,311
5	75%	\$14,066	\$3,921	\$40,938	\$58,926	\$235,702	\$176,777
6	50%	\$28,695	\$7,999	\$83,514	\$120,208	\$240,416	\$120,208
7	50%	\$29,269	\$8,159	\$85,184	\$122,612	\$245,225	\$122,612
8	50%	\$29,854	\$8,322	\$86,888	\$125,065	\$250,129	\$125,065
9	50%	\$30,451	\$8,489	\$88,626	\$127,566	\$255,132	\$127,566
10	50%	\$31,060	\$8,658	\$90,398	\$130,117	\$260,234	\$130,117
11	25%	\$47,522	\$13,247	\$138,309	\$199,079	\$265,439	\$66,360
12	25%	\$48,473	\$13,512	\$141,076	\$203,061	\$270,748	\$67,687
13	25%	\$49,442	\$13,783	\$143,897	\$207,122	\$276,163	\$69,041
14	25%	\$50,431	\$14,058	\$146,775	\$211,265	\$281,686	\$70,422
15	25%	\$51,440	\$14,339	\$149,711	\$215,490	\$287,320	\$71,830

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Qualitrol Corp.

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)	245	245	117	117
Part Time (PTE)	0	0	0	0
Total	245	245	117	117

** 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 Qualitrol Company 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.

NP

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.**

NP

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.

NP

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.

NP

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.

NP

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.

NP

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.

Qualitrol Company LLC

(APPLICANT COMPANY)

 Finance Director 8/13/2025
Signature, Title Date

Qualitrol Company LLC

(TENANT COMPANY)

 Finance Director 8/13/2025
Signature, Title Date

IX. FEEES

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.

Qualitrol Company LLC

(APPLICANT COMPANY)

Neil R. A. Finance Director 8/13/2025

Signature, Title Date

Qualitrol Company LLC

(TENANT COMPANY)

 Finance Director 8/13/2025

Signature, Title Date

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

Qualitrol Company LLC

Nia R. A. Finance Director 8/13/2025
Signature, Title Date

TENANT COMPANY

Qualitrol Company LLC

Nia R. A. Finance Director 8/13/2025
Signature, Title Date

SEQR
Negative Declaration
Notice of Determination of Non-Significance

Lead Agency: Town of Perinton, Planning Board
Address: 1350 Turk Hill Road
Fairport, NY 14450

Project No. (if any): N/A

Date:

8/29/20

This notice is issued pursuant to 6 NYCRR Part 617 (and local law # _____, if any) of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The lead agency has considered the Environmental Assessment Form along with the supporting information for this project and determined that the proposed action described below will not have a significant effect on the environment based on the facts and conclusions written below in the Reasons Supporting this Determination.

Title of Action: Qualitrol Addition – Site Plan Approval

SEQR Status: Type 1 ☒
Unlisted ☐

Description of Action:

Qualitrol Company LLC is proposing to construct a two-story, 50,000-sf addition to the south side of their 69,000-sf building on their 9.94-acre parcel. The first floor of the addition will be used for manufacturing and the second floor for offices and lunchroom. In addition, various site improvements will be made to the property, including a parking lot expansion, site lighting, grading, landscaping, and access management enhancements. Said property being zoned Industrial.

Location:

The project is located at 1385 Fairport Road (NYS Route 31F), in the northwest portion of the Town of Perinton, Monroe County. A location map has been enclosed to aid in identifying the project location.

Reasons Supporting this Determination:

Land Use - The proposed project supports the Town's economic development goals identified in the 2011 Town of Perinton Comprehensive Plan Update by reinvesting in an existing employer and strengthening the local job base. The Comprehensive Plan supports appropriate commercial development and business expansion as well as attracting and retaining high technology industrial businesses.

The proposed project also emphasizes and encourages the attraction, and expansion of businesses to provide jobs and a healthy tax base for the community.

Intensity of Land – The proposed project will result in a green space area of 41.7%, which is greater than the 35% minimum required by Town Code, and a building coverage of 21.8%, which is less than the 30% maximum allowed by Town Code.

Neighborhood Character – The proposed project is compatible with underlying zoning classification of Industrial. The surrounding neighborhood contains numerous commercial and retail businesses adjacent to the property. The proposed project represents growth of an allowable use on an existing industrial parcel and will not require any bulk or area variances.

Critical Environmental Area & Habitats- According to the NYSDEC Environmental Resource Mapper, there are no Critical Environmental Areas, significant natural habitat areas, National Natural Landmarks, or Unique Geologic Features located within the limits of the project area.

Further, the project area does not contain any habitat supportive of any listed threatened or endangered plant or animal species.

Natural Resources – According to the NYSDEC Environmental Resource Mapper, there are no federal or state wetlands present within the limits of the project area. Further, there are no stream corridors or other regulated waterbodies located within the project area. Further, there will be no impact to any areas within the Perinton Limited Development District.

Archaeological - The NYS State Historic Preservation Office has issued a No Effect Determination letter indicating that the proposed project will not impact any known archeological artifacts/resources.

Historic - According to the NYSOPRHP Cultural Resource Information System, the proposed project site is not within or have a direct impact on a known or eligible listed National or State Registered Historic Site or Place or district. Further, NYS State Historic Preservation Office has issued a letter of No Effect Determination indicating that the proposed project will not have an impact on any known historic resources.

Stormwater Management – Increased stormwater run-off resulting from additional impervious areas will be mitigated by implementing an infiltration stormwater management practice to provide attenuation of increase stormwater flows as well as provide water quality enhancements.

Environmental Health – The remedial effort to address contamination on the Quailtrol site was completed under the supervision and direction of the NYSDEC through its Brownfield Clean-up Program. A certification of completion was issued by the NYSDEC on 12/28/2023. All work on-site will comply with the Site Management Plan approved by the NYSDEC.

Open Space and Recreation – The proposed project will not result in the loss of or disturbance to park or open spaces areas and will not impact the recreational uses or the public's access to the Canal Path or nearby Perinton Park.

Visual - The proposed project will alter the visual appearance of the existing property. However, this impact is not considered a significant adverse environmental impact as the proposed project will consist of an appropriately scaled addition with similar architectural features of the existing building, which is consistent with other commercial, retail, and re-purposed industrial buildings along the Erie Canal in the Village of Fairport and Town of Perinton.

Noise & Light – The proposed project will not create increased noise levels in the adjacent neighborhood beyond what exists presently, which already contains numerous commercial/retail uses along this portion of Fairport Road (NYS Route 31F).

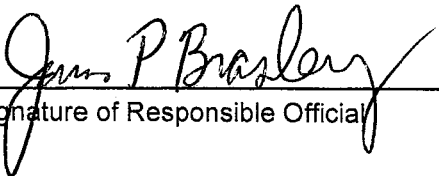
Additional lighting for the parking lot and building expansion will not adversely impact the neighborhood by incorporating dark-sky compliant light fixtures and limiting any light spillage to adjacent properties to less than 0.5 foot-candle of light intensity, per Town Code 208-54(E)(13).

The Perinton Conservation Board has thoroughly reviewed the Environmental Assessment Form associated with this action. The applicant appeared before the Conservation Board on 3/3/2026 and provided follow-up/supplemental information on 3/6/2026 addressing questions raised during that meeting. The Conservation Board supports the proposed project, and this support was made in writing to the Perinton Planning Board on 6/14/2026. The Perinton Conservation Board recommends the issuance of a SEQR Negative Declaration for this project based on the findings above.

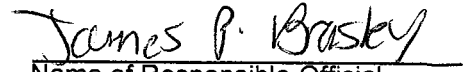
Certification to Approve/Fund/Undertake:

The lead Agency having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

- 1) The requirements of 6 NYCRR Part 617 have been met; and
- 2) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
- 3) (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.


Signature of Responsible Official

Name of Agency:


Name of Responsible Official

Chair – Perinton Planning Board
Title of Responsible Official

6/29/26
Date

Address of Agency: Town of Perinton, 1350 Turk Hill Road, Fairport, NY 14450
Phone No.: (585) 223-0770

Copies of this Notice Sent to:

NOTE: Negative Declarations for Unlisted Actions need not be filed with DEC or any other agency (see 617.12).



APPLICATION SUMMARY

DATE: July 21, 2026

APPLICANT:	WDG2, LLC PO Box 177 Pittsford, NY 14534
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PROJECT LOCATION:	589-597 Pittsford-Victor Road Pittsford, NY 14534
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PROJECT SUMMARY:	WDG2, LLC, is planning to construct a 24-unit residential development consisting of seven buildings and a mix of one, two, and three-bedroom units in the Town of Perinton. Rents will range from \$2,900 to \$4,000. The \$10.6 million project is seeking a mortgage recording tax exemption, sales tax exemption, and qualifies for the HousingPlus real property tax abatement recommended in the Housing Study. The project is projected to create 2 direct FTEs and has a benefit/incentive ratio of 8:1
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PROJECT AMOUNT:	\$10,630,000 Lease/Leaseback with Abatement \$392,000 Sales Tax Exemption \$60,000 Mortgage Recording Tax Exemption
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JOBS: EXISTING:	0 FTEs
NEW:	2 FTEs - Direct

PUBLIC HEARING DATE:	July 15, 2026
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BENEFIT TO INCENTIVE RATIO:	8:1
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SEQR:	REVIEWED AND PROCESS IS COMPLETE.
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ELIGIBILITY:	NEW COMMERCIAL CONSTRUCTION WITH INCREASE TO THE TAX BASE
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APPROVED PURPOSE:	COMMUNITY DEVELOPMENT
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County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

Date: July 21, 2026
Project Title: WDG2 LLC (Hartwell Heights)
Project Location: Town of Perinton



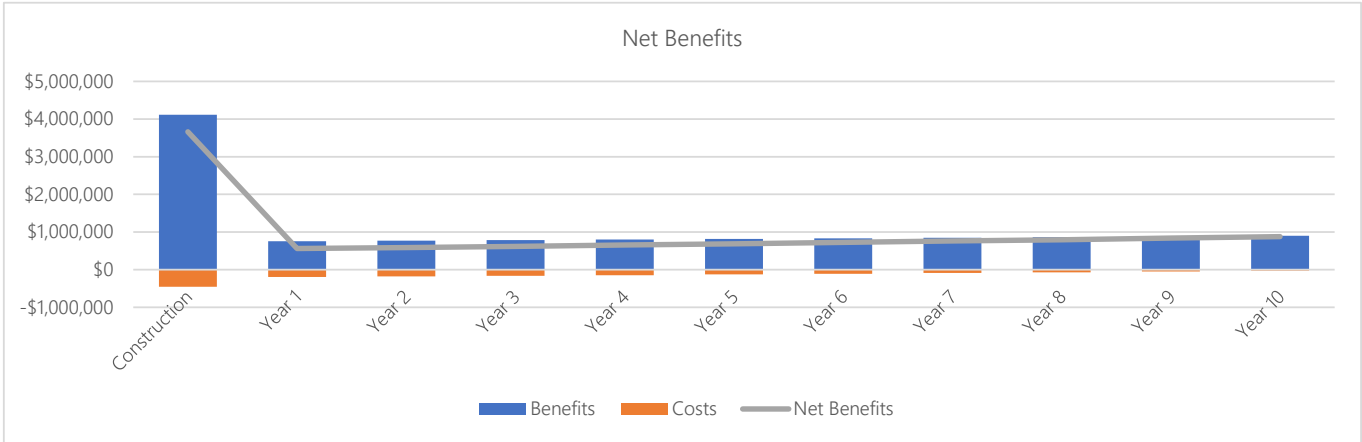
Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Project Total Investment
\$10,630,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	60	12	72
Earnings	\$3,275,988	\$608,255	\$3,884,243
Local Spend	\$8,504,000	\$2,083,596	\$10,587,596

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	12	3	15
Earnings	\$6,042,036	\$1,665,966	\$7,708,002

Figure 1



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

Figure 2

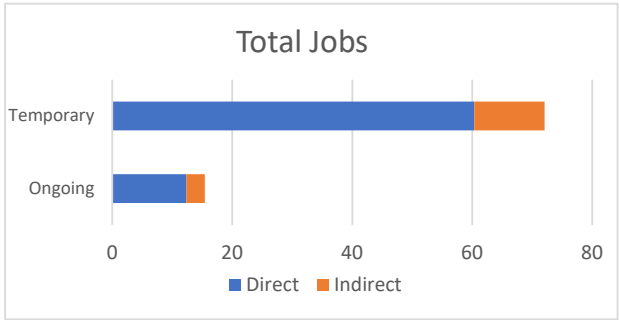
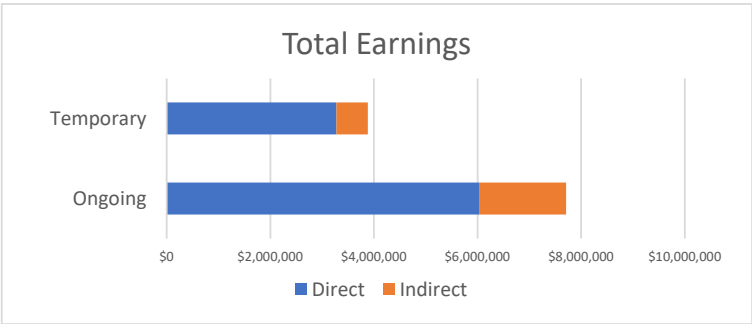


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,150,781	\$1,061,883
Sales Tax Exemption	\$392,000	\$392,000
Local Sales Tax Exemption	\$196,000	\$196,000
State Sales Tax Exemption	\$196,000	\$196,000
Mortgage Recording Tax Exemption	\$60,000	\$60,000
Local Mortgage Recording Tax Exemption	\$20,000	\$20,000
State Mortgage Recording Tax Exemption	\$40,000	\$40,000
Total Costs	\$1,602,781	\$1,513,883

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$12,722,431	\$11,769,602
To Private Individuals	\$11,592,245	\$10,786,352
Temporary Payroll	\$3,884,243	\$3,884,243
Ongoing Payroll	\$7,708,002	\$6,902,108
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,130,187	\$983,250
Increase in Property Tax Revenue	\$1,005,558	\$868,813
Temporary Jobs - Sales Tax Revenue	\$27,190	\$27,190
Ongoing Jobs - Sales Tax Revenue	\$97,439	\$87,247
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$646,280	\$599,823
To the Public	\$646,280	\$599,823
Temporary Income Tax Revenue	\$174,791	\$174,791
Ongoing Income Tax Revenue	\$346,860	\$310,595
Temporary Jobs - Sales Tax Revenue	\$27,190	\$27,190
Ongoing Jobs - Sales Tax Revenue	\$97,439	\$87,247
Total Benefits to State & Region	\$13,368,711	\$12,369,425

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$11,769,602	\$1,277,883	9:1
State	\$599,823	\$236,000	3:1
Grand Total	\$12,369,425	\$1,513,883	8:1

*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

Motion By: _____
Seconded By: _____

RESOLUTION
(WDG2 LLC Project)
OSC Code 2602-26-025A

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 (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY WDG2 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 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.

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, **WDG2 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 aggregate approximately 3.50-acre parcel of vacant land located on Pittsford-Victor Road and Thornell Road in the Town of Perinton, New York 14534 and all other lands in the Town of Perinton 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 market-rate apartment complex consisting of approximately nine (9) buildings containing, in the aggregate, 24 rental units (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 Wednesday, July 15, 2026, at 10:00 a.m., local time, in the Conference Room at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, New York 14450, 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;

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 Town Board of the Town of Perinton (the "Town Board"), as lead agency, conducted a 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 August 13, 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 a "Unlisted" Action pursuant to SEQRA, the Town Board also issued a Negative Declaration on August 13, 2025, 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, 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 **\$4,900,000** which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$392,000**. 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 **\$8,000,000**, resulting in a mortgage tax exemption not to exceed **\$60,000**; 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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
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 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



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: WDG2, LLC
Address: PO Box 177
City/State/Zip: Pittsford/NY/14534
Tax Id No.: 88-2386968
Contact Name: Dennis Wilmot
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
<u>Dennis Wilmot</u>	<u>50</u>	<u>Member</u>
<u>James Barbato</u>	<u>50</u>	<u>Member</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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: 589-597 Pittsford-Victor Rd

Tax Map Parcel Number: 179 09-2-8, 179 09-2-9, 179 09-2-10, 179 09-2-11, 111

City/Town/Village: Pittsford

School District: Pittsford

Zip: 14534

Current Legal Owner of Property:

WDG2, LLC, WDG3, LLC, WDG5, 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: March 2023

Proposed Commencement Date of Construction: July 2026

Anticipated Completion Date: January 2028

G. Contractor(s)

Pride Mark Homes

II.PROJECT (cont'd)

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

NAICS Code: 236116

The project will offer 24 market rate apartments (4 - 1 bedroom, 16 - 2 bedrooms, and 4 - 3 bedrooms) consisting of 7 new buildings and 1 existing (historical) house. Two of the buildings are 2 stories and the remaining are single story. Anticipated monthly rental rates will range between \$2,900 - \$4,000. The demand for this product is driven by a serious housing shortage in Rochester. The Town of Perinton, where this project is located, currently has 96.7% occupancy of single family homes and apartments, which is well above county and state averages. The gap between supply and demand for housing continues to grow and Hartwell Heights is one small step towards inventory relief. In spite of the fact that the project use and program complies with all Town zoning, code, and the the Comprehensive Plan, there was oposition on the number of units (density) by both the public and Town officials and Boards. In order to assuage these concerns, the density had to be reduced by 20% even though code and zoning didn't didn't require it. This reduction along with escalating costs in construction and financing has negatively impacted the marketable returns on this project and the pursuit for bank financing. The sales and mortgage tax savings along with the property tax abatement will improve the prospects for financing the project by improving the debt coverage ratios.

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.

Securing a PILOT was not initially contemplated in the business plan for this project. Financial headwinds outlined below changed the need for a PILOT. This project cannot proceed without the requested benefits. Many factors contributed to the degradation of the financial modeling of this project. First, due to opposition from neighbors, the Town boards ultimately required significantly less density than code would have allowed. Maximum building heights, massing, and greenspace requirements per code would have permitted 20%-25% more units. However, the vocal opposition, which would have preferred the parcel continue to be untouched in spite of the zoning, was persuasive enough to have the density reduced. Also, the project is in the Bushnell Basin Historic District and received additional scrutiny from the Town Historic Architecture Commission. Significant costs were incurred to conform to certain subjective criteria. The costs to secure entitlements far exceed budget in spite of the allowed use and density. Second, construction costs such as material and labor continue to escalate to levels significantly above pre-covid levels. Third, higher interest rates and restrictive loan covenants increase financing costs and covenants.

- 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

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

Check One:

☐ **JOBSPPLUS**

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 1.

☐ **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**

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. \$ 4,240,000
b. Labor b. \$ 2,860,000

Site Work

- c. Materials c. \$ 660,000
d. Labor d. \$ 440,000
e. Non-Manufacturing Equipment e. \$ NA
f. Manufacturing Equipment f. \$ NA
g. Equipment Furniture and Fixtures g. \$ _____
h. Land and/or Building Purchase h. \$ 800,000
i. Soft Costs (Legal, Architect, Engineering) i. \$ 275,000
Other (specify) j. Bank/Finance Fees j. \$ 440,000
k. Mortgage Tax k. \$ 85,000
l. Title Insurance l. \$ 20,000
m. Builder Profit/Overhead m. \$ 810,000
Total Project Costs \$ 10,630,000
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ NA
b. Taxable Industrial Revenue Bond b. \$ NA
c. Bank Financing c. \$ 8,000,000
d. TOTAL Public Sources d. \$ NA

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

_____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

- e. Equity e. \$ 2,630,000
TOTAL SOURCES \$ 10,630,000
(must equal Total Project Costs)

- 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
WDG2 LLC (Hartwell Heights)**

A. IDA PILOT Benefits:

Current Assessment	\$516,200
Value of New Construction & Renovation Costs	\$4,900,000
Estimated New Assessed Value Subject to IDA	\$5,416,200
Current Taxes	\$20,746
Current Taxes Escalator	2%
PILOT Terms - Years	10
County Tax rate/\$1,000	9.04000
Local Tax Rate* Tax Rate/\$1,000	2.52000
School Tax Rate /\$1,000	28.63000
Total Tax Rate	40.19000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$392,000
Estimated duration of ST exemption:	12/31/2028

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$60,000
--------------------------	----------

D. Industrial Revenue Bond Benefit

IRB inducement amount:	\$0
------------------------	-----

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

Total Value of Incentives:	\$1,602,781
Project Construction Costs:	\$10,630,000
	15.08%

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	\$226,182	\$63,051	\$716,326	\$1,005,558	\$2,156,340	\$1,150,781
1	100%	\$0	\$0	\$0	\$0	\$196,931	\$196,931
2	90%	\$4,518	\$1,259	\$14,309	\$20,087	\$200,870	\$180,783
3	80%	\$9,217	\$2,569	\$29,191	\$40,977	\$204,887	\$163,910
4	70%	\$14,102	\$3,931	\$44,662	\$62,695	\$208,985	\$146,289
5	60%	\$19,179	\$5,346	\$60,740	\$85,266	\$213,164	\$127,899
6	50%	\$24,453	\$6,817	\$77,444	\$108,714	\$217,428	\$108,714
7	40%	\$29,931	\$8,344	\$94,792	\$133,066	\$221,776	\$88,711
8	30%	\$35,618	\$9,929	\$112,802	\$158,348	\$226,212	\$67,864
9	20%	\$41,520	\$11,574	\$131,495	\$184,589	\$230,736	\$46,147
10	10%	\$47,644	\$13,281	\$150,890	\$211,816	\$235,351	\$23,535

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: WDG2, 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)	1	1	1	1
Part Time (PTE)	1	1	1	1
Total	2	2	2	2

** 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 WDG2, 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.

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.

WDG2, LLC

(APPLICANT COMPANY)

(TENANT COMPANY)

Member

5/21/20

Signature

, Title

Date

Signature

, Title

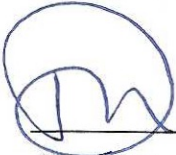
Date

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.

WDG2, LLC

_____ (APPLICANT COMPANY)			_____ (TENANT COMPANY)		
	Member	5/21/26			
Signature	, Title	Date	Signature	, Title	Date

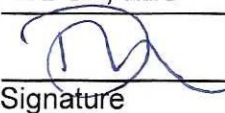
X. CERTIFICATION

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

WDG2, LLC

 _____
Signature, Title, Date 5/21/26

TENANT COMPANY

Signature, Title, Date



TOWN OF PERINTON

1350 TURK HILL ROAD ■ FAIRPORT, NEW YORK 14450-8796
(585) 223-0770 ■ Fax: (585) 223-3629 ■ www.perinton.org

August 19, 2025

TOWN CLERK RECEIVER OF TAXES

Dennis Wilmot
WDG2, LLC
PO Box 34
Pittsford, NY 14534

Peter Vars
Ryan Destro
BME Associates
10 Liftbridge Lane East
Fairport, NY 14450

Dear Sirs,

Re: Thornell Road & NYS Route 96 – Hartwell Heights

The Perinton Town Board has considered the Environmental Assessment Form along with the supporting information for this project and determined that the proposed action described below will not have a significant effect on the environment based on the facts and conclusions written below in the Reasons Supporting this Determination. By resolution of the Perinton Town Board, at a meeting on August 13, 2025, a Negative Declaration of SEQR was granted.

Further, references had to the SEQR Negative Declaration Notice of Determination of Non-Significance, dated August 13, 2025, a signed copy of which is attached hereto and made a part of hereof, and the thorough description of the background of this project and the reasons and rationale set forth in supporting this motion and said determination is incorporated and adopted by reference of this motion.

Reasons Supporting this Determination:

Land Use – The proposed project area has been identified in the most recent Comprehensive Plan Update as suitable for a Mixed-Use District land use. Mixed-Use development combines residential, commercial, industrial, and open space in areas that vary from pedestrian-friendly town centers to more auto-oriented corridors. These areas are located where infrastructure can support higher density and more intensive uses, making them prime spots for infill or redevelopment. The goal is to integrate compatible uses with thoughtful design, scale, and multi-modal accessibility to create a strong sense of place. Common uses include retail, hospitality,



housing, offices, and employment centers, with an emphasis on quality design and maintaining the Town's character.

The site currently contains a chapel-turned-office along Thornell Road and a small cottage-style bungalow, both built in the 1940s and slated to remain. Infill development of such sites benefits the environment by reducing sprawl and repurposing underutilized land with uses that meet current market demand.

The proposed project meets the following goals of the current Comprehensive Plan: 1) Encourage compatible infill development and adaptive reuse of historic structures in the Town to retain existing character, celebrate our history, and support business development. 2) Encourage development in mixed-use areas to improve walkable access to services and commerce. 3) Encourage the development of a range of housing types enhancing access and choice to support a diverse and inclusive population. 4) Protect the long-term viability of residential areas in the Town.

The proposed project does not result in the removal or elimination of any structures, facilities, or areas of historic importance and is not identified as a local property of interest or landmark.

Neighborhood Character –The proposed project will be in general harmony with the surrounding community's architectural scale and character. There are commercial uses to the east, including a shopping plaza and office building, and commercial uses to the north, across Pittsford-Victor Rd, including a microbrewery and doctor's office. There are detached single family homes to the south and west.

Intensity/Impact to Land – The proposed project features 45 percent impervious surface, which is lower than the neighboring properties in the Bushnell's Basin district. Density is proposed to be 8.2 units per acre, which is less than the maximum density for units in an Apartment district and less than multi-family developments in other commercial areas in Town, such as the Glen at Perinton Hills (10.2 units per acre) and Whitney Town Center (9.8 units per acre).

Traffic: Anticipated vehicle trips generated by the proposed project were determined using Institute of Traffic Engineers (ITE) criteria, an industry standard. During the AM peak, a total of 14 cars (4 entering, 10 exiting) are generated by the project, which equates to approximately 1 vehicle every 4.5 minutes. During the PM peak, a total of 17 cars (10 entering, 7 exiting) are generated by the project, or approximately 1 vehicle every 3.5 minutes. This low level of traffic generation is consistent with small-scale residential development. With reduced sight distance for motorists wanting to turn left out of the proposed driveway onto Route 96, and limited gaps in traffic during the peak hours, turning movements will be restricted to right in, right out and left in from Route 96. Other traffic safety mitigation measures will be assessed in greater detail should the project advance to site plan approval. The proposed project will not result in adverse traffic impacts.

Wetland, Stream & Other Natural Resources – According to the NYSDEC Environmental Resource Mapper and direct field observations, there are no mapped or field observed federal, or state regulated wetlands, surface waterbodies (streams), critical environmental areas, or any threatened or endangered plant or animal species located on the property. The project will not

involve pumping of or direct discharge to groundwater, therefore will not impact any local or regional groundwater resources/aquifer.

Cultural Resources - According to the NYSDEC EAF Mapper and NYSOPRHP CRIS Mapper, the project site does not contain any known or eligible listed National or State Registered Historic Site or Place. However, the project is located within an element occurrence boundary of an archaeological sensitive site. During the site plan approval process, additional project reviews will be required by NYSOPRHP to determine whether the project will have an adverse impact on archeological resources.

Stormwater Management – Stormwater management for the proposed development will be designed in accordance with the Town of Perinton Design Criteria and Construction Standards for the attenuation of peak stormwater flows, and the standards of the NYS Department of Environmental Conservation. Stormwater treatment will be assessed in greater detail should the project advance to site plan approval.

Environmental Health – The proposed project site is not listed in the Town of Perinton Inventory of Waste Disposal Sites and therefore should not result in an exposure to hazardous substances or contaminants which may impact human health. Further, the proposed project will connect to public sanitary sewer and therefore not have an impact on the surrounding environmental health.

Open Space and Recreation – The proposed project will not result in the loss of or disturbance to park or open spaces areas.

Visual - The proposed project will feature buildings that will not exceed the 40-foot height limit of the Town Code. Additionally, the four buildings along Pittsford-Victor Rd. will be detached single family dwellings that will be similar in scale to the small cottages for which Bushnell's Basin was known and the architectural massing of the buildings to the north. The two buildings along the south property line are proposed to be single-story buildings to reduce the visual impact from Great Oak Lane.

Noise - The proposed project is consistent with the surrounding residential and retail/commercial land uses and will not create additional noise above the current ambient levels in Bushnell's Basin.

Lighting - The lighting aspect of the proposed project will be evaluated in detail at the time of site plan approval but will be consistent with Town Code regulations of dark sky compliant fixtures, limited pole heights and light spillage limitations onto adjoining properties.

The Perinton Conservation Board has thoroughly reviewed the environmental impacts associated with this proposed project at its meeting with the applicant on June 4 and supports the issuance of a Negative SEQR Declaration for the proposed project SUP based on the findings stated above. This support was made in writing to the Perinton Town Board on June 16. The Perinton Planning Board reviewed the proposed project SUP at its meeting on June 18 and issued a letter of unanimous support of the project on August 6.
Motion Carries 3-0.

By resolution of the Perinton Town Board, at a meeting on August 13, 2025, the Special Use Permit for the Hartwell Heights Mixed Use development at 2 Thornell Road was granted. The Town Board made the following findings in accordance with Town Code § 208-54:

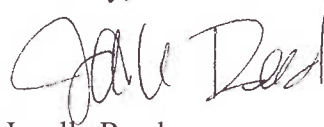
1. The proposal is a permitted use in a Mixed-Use Zone and appropriate set-backs and buffers are proposed.
2. The project provides high-quality housing consistent with the Town's Comprehensive Plan to allow for a mix of housing types, models and densities.
3. The proposed project supports public welfare by expanding housing and housing options for the community.
4. The site is generally flat and suitable for development.
5. The proposal includes a 50' minimum landscape buffer
6. The proposal aligns with the Town's Comprehensive Plan goals for mixed-use development, walkability, and diverse housing.
7. The surrounding area is residential in nature with a transition to a commercial area within the Basin. The proposed mixed use aligns with this intent.
8. Infrastructure for stormwater, utilities, and emergency access is adequate and environmentally sound.
9. The proposal complies with all applicable local, state, and federal regulations.

Town Board hereby approves the Special Use Permit for the Hartwell Heights Project with the following conditions:

1. NYSDOT and Town of Perinton Staff comments and recommended improvements on the completed traffic study be addressed at Site Plan.

Motion Carries 3-0.

Cordially,



Janelle Reed
Town Clerk

Enclosure

cc: James Barbato, Pridemark Homes, (jpbarbato@pmhomes.com)
C. Hanna
J. LaFay
G. Seigfred
M. Doser
L. Stid
C. Mueller
S. O'Hern

Involved Agencies:

MCWA
NYSDOT
NYSDEC
MCDOT

Interested Agencies:

Pittsford Central School District

SEQR
Negative Declaration
Notice of Determination of Non-Significance

Lead Agency: Town of Perinton, Town Board
Address: 1350 Turk Hill Road
Fairport, NY 14450

Project No. (if any): N/A

Date: 8/13/25

This notice is issued pursuant to 6 NYCRR Part 617 (and local law # _____, if any) of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The lead agency has considered the Environmental Assessment Form along with the supporting information for this project and determined that the proposed action described below will not have a significant effect on the environment based on the facts and conclusions written below in the Reasons Supporting this Determination.

Title of Action: Special Use Permit, Hartwell Heights, Thornell Rd. & NYS-96

SEQR Status: Type 1 ☐
Unlisted ☒

Description of Action:

Special Use Permit to authorize development of 27 attached / semi-detached single-family residential units in 8 buildings on 3.42 acres in Mixed Use District zoning.

Location:

The project is in the southwest quadrant of the Town, in the historic district of Bushnell's Basin.

Reasons Supporting this Determination:

Land Use – The proposed project area has been identified in the most recent Comprehensive Plan Update as suitable for a Mixed Use District land use. Mixed-use development combines residential, commercial, industrial, and open space in areas that vary from pedestrian-friendly town centers to more auto-oriented corridors. These areas are located where infrastructure can support higher density and more intensive uses, making them prime spots for infill or redevelopment. The goal is to integrate compatible uses with thoughtful design, scale, and multi-modal accessibility to create a strong sense of place. Common uses include retail, hospitality, housing, offices, and employment centers, with an emphasis on quality design and maintaining the Town's character.

The site currently contains a chapel-turned-office along Thornell Road and a small cottage-style bungalow, both built in the 1940s and slated to remain. Infill development of such sites benefits the environment by reducing sprawl and repurposing underutilized land with uses that meet current market demand.

The proposed project meets the following goals of the current Comprehensive Plan: 1) Encourage compatible infill development and adaptive reuse of historic structures in the Town to retain existing character, celebrate our history, and support business development. 2) Encourage development in mixed-use areas to improve walkable access to services and commerce. 3) Encourage the development of a range of housing types enhancing access and choice to support

a diverse and inclusive population. 4) Protect the long-term viability of residential areas in the Town.

The proposed project does not result in the removal or elimination of any structures, facilities, or areas of historic importance and is not identified as a local property of interest or landmark.

Neighborhood Character – The proposed project will be in general harmony with the surrounding community's architectural scale and character. There are commercial uses to the east, including a shopping plaza and office building, and commercial uses to the north, across Pittsford-Victor Rd, including a microbrewery and doctor's office. There are detached single family homes to the south and west.

Intensity/Impact to Land – The proposed project features 45 percent impervious surface, which is lower than the neighboring properties in the Bushnell's Basin district. Density is proposed to be 8.2 units per acre, which is less than the maximum density for units in an Apartment district and less than multi-family developments in other commercial areas in Town, such as the Glen at Perinton Hills (10.2 units per acre) and Whitney Town Center (9.8 units per acre).

Traffic: Anticipated vehicle trips generated by the proposed project were determined using Institute of Traffic Engineers (ITE) criteria, an industry standard. During the AM peak, a total of 14 cars (4 entering, 10 exiting) are generated by the project, which equates to approximately 1 vehicle every 4.5 minutes. During the PM peak, a total of 17 cars (10 entering, 7 exiting) are generated by the project, or approximately 1 vehicle every 3.5 minutes. This low level of traffic generation is consistent with small-scale residential development. With reduced sight distance for motorists wanting to turn left out of the proposed driveway onto Route 96, and limited gaps in traffic during the peak hours, turning movements will be restricted to right in, right out and left in from Route 96. Other traffic safety mitigation measures will be assessed in greater detail should the project advance to site plan approval. The proposed project will not result in adverse traffic impacts.

Wetland, Stream & Other Natural Resources – According to the NYSDEC Environmental Resource Mapper and direct field observations, there are no mapped or field observed federal, or state regulated wetlands, surface waterbodies (streams), critical environmental areas, or any threatened or endangered plant or animal species located on the property. The project will not involve pumping of or direct discharge to groundwater, therefore will not impact any local or regional groundwater resources/aquifer.

Cultural Resources - According to the NYSDEC EAF Mapper and NYSOPRHP CRIS Mapper, the project site does not contain any known or eligible listed National or State Registered Historic Site or Place. However, the project is located within an element occurrence boundary of an archaeological sensitive site. During the site plan approval process, additional project reviews will be required by NYSOPRHP to determine whether the project will have an adverse impact on archeological resources.

Stormwater Management – Stormwater management for the proposed development will be designed in accordance with the Town of Perinton Design Criteria and Construction Standards for the attenuation of peak stormwater flows, and the standards of the NYS Department of Environmental Conservation. Stormwater treatment will be assessed in greater detail should the project advance to site plan approval.

Environmental Health – The proposed project site is not listed in the Town of Perinton Inventory of Waste Disposal Sites and therefore should not result in an exposure to hazardous substances or contaminants which may impact human health. Further, the proposed project will connect to public sanitary sewer and therefore not have an impact on the surrounding environmental health.

Open Space and Recreation – The proposed project will not result in the loss of or disturbance to park or open spaces areas.

Visual - The proposed project will feature buildings that will not exceed the 40-foot height limit of the Town Code. Additionally, the four buildings along Pittsford-Victor Rd. will be detached single family dwellings that will be similar in scale to the small cottages for which Bushnell's Basin was known and the architectural massing of the buildings to the north. The two buildings along the south property line are proposed to be single-story buildings to reduce the visual impact from Great Oak Lane.

Noise - The proposed project is consistent with the surrounding residential and retail/commercial land uses and will not create additional noise above the current ambient levels in Bushnell's Basin.

Lighting - The lighting aspect of the proposed project will be evaluated in detail at the time of site plan approval but will be consistent with Town Code regulations of dark sky compliant fixtures, limited pole heights and light spillage limitations onto adjoining properties.

The Perinton Conservation Board has thoroughly reviewed the environmental impacts associated with this proposed project at its meeting with the applicant on June 4 and supports the issuance of a Negative SEQR Declaration for the proposed project SUP based on the findings stated above. This support was made in writing to the Perinton Town Board on June 16. The Perinton Planning Board reviewed the proposed project SUP at its meeting on June 18 and issued a letter of support of the project on August 6.

Certification to Approve/Fund/Undertake:

The lead Agency having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

- 1) The requirements of 6 NYCRR Part 617 have been met; and
- 2) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
- 3) (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.


Signature of Responsible Official

Name of Agency:

Ciaran T. Hanna
Name of Responsible Official

Town Supervisor
Title of Responsible Official

8/13/2025
Date

Address of Agency: Town of Perinton, 1350 Turk Hill Road, Fairport, NY 14450
Phone No.: (585) 223-0770

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.

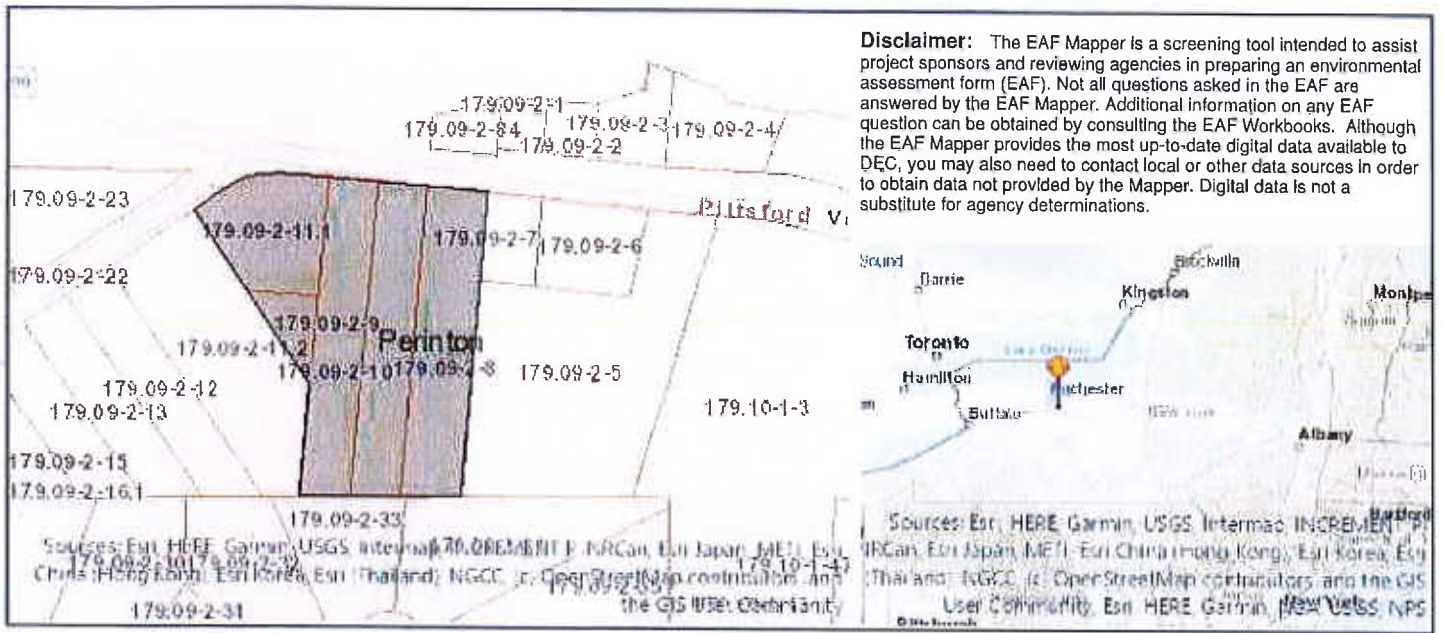
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Hartwell Heights			
Project Location (describe, and attach a location map): 597 Pittsford-Victor Road, Pittsford, NY 14534			
Brief Description of Proposed Action: The proposed action is a request for a Special Use Permit to allow (27) new residential units consisting of: two (2) 10-unit multi-family apartment buildings, one (1) 2-unit townhome structure, and five (5) single-family, single-story cottages. The proposed action also includes an existing single-family home and an existing ±1,900 SF office building (both of which are proposed to remain) at 2 Thornell Road on ±3.42 acres in the Mixed-Use District. Per §208-43.C.(1) of the Perinton Town Code: "Lot areas greater than one acre shall require a special use permit issued by the Town Board."			
Name of Applicant or Sponsor: WDG2, LLC		Telephone: (585) 721-7463 E-Mail: dennis@wilmotdg.com	
Address: P.O. BOX 34			
City/PO: Pittsford		State: NY	Zip Code: 14534
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
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: Perinton Town Board - Special Use Permit Perinton Planning Board - Site Plan Approval		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		±3.42 acres ±2.6 acres ±3.42 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): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
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?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☐	☒	
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?	☐	☒	
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?	NO	YES	
	☐	☒	
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: _____ The nearest adjacent waterbody/wetland area is the Erie Canal to the north on the opposite side of NYS Route 96. No wetlands or waterbodies are mapped on the subject property, and no disturbances are proposed to any wetlands or waterbodies. _____ _____			

EAF Mapper Summary Report

Thursday, February 20, 2025 8:10 AM



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 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

*** NOTE: THIS IS A DRAFT OF PART 2 OF THE SHORT EAF PREPARED BY BME ASSOCIATES FOR INFORMATIONAL PURPOSES ONLY PER TOWN REQUEST. THE LEAD AGENCY SHALL REVIEW & COMPLETE AS PART OF THE SEQ REVIEW.**

Agency Use Only [If applicable]

Project:

Date:

CTA

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

*** NOTE: THIS IS A DRAFT OF PART 3 OF THE SHORT EAF PREPARED BY BME ASSOCIATES FOR INFORMATIONAL PURPOSES ONLY PER TOWN REQUEST. THE LEAD AGENCY SHALL REVIEW & COMPLETE AS PART OF THE SEQR REVIEW.**

Agency Use Only [If applicable]

Project:

Date:

CTA

**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.
<u>Town of Pennington</u>	<u>8/13/25</u>
Name of Lead Agency	Date
<u>CIARAN HANNA</u>	<u>Town Supervisor</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u><i>CTA</i></u>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



APPLICATION SUMMARY

DATE: July 21, 2026

APPLICANT:

2695 Commercial LLC 7 Van Auker Street Rochester, NY 14608
--

PROJECT LOCATION:

105 Fair Avenue Henrietta, NY 14467
--

PROJECT SUMMARY:

2695 Commercial LLC, is planning to construct a four-story apartment building containing 86, age-restricted residential units for adults aged 55 and older in the Town of Henrietta. Rents will range from \$1,620 for a one bedroom to \$2,620 for a 3 bedroom. Community-based amenities include indoor pickleball court, fitness center, and gathering center. The \$24.5 million project is seeking a mortgage recording tax exemption, sales tax exemption, and qualifies for the Enhanced HousingPlus real property tax abatement recommended in the Housing Study. The project is projected to create 2 direct FTEs and has a benefit/incentive ratio of 10:1.

PROJECT AMOUNT:

\$24,500,000 Lease/Leaseback with Abatement \$1,086,720 Sales Tax Exemption \$137,813 Mortgage Recording Tax Exemption
--

JOBS: EXISTING:

0	FTEs
1	FTEs - Direct

NEW:

PUBLIC HEARING DATE:

July 15, 2026

BENEFIT TO INCENTIVE RATIO:

10:1

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

Date July 21, 2026
Project Title 2695 Commercial LLC
Project Location Town of Henrietta

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

\$24,500,000

Temporary (Construction)

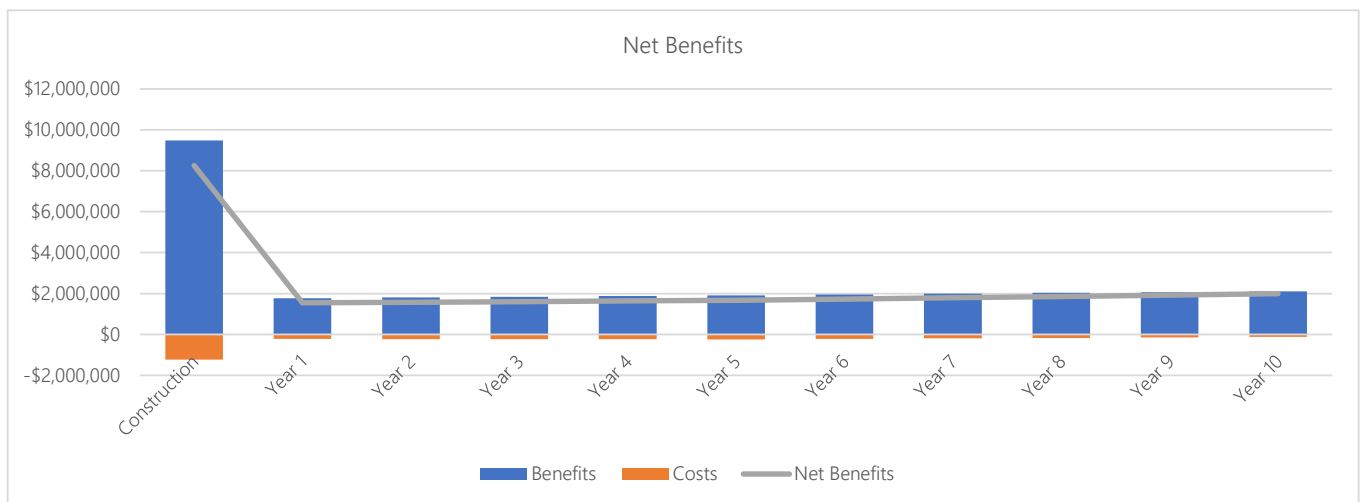
	Direct	Indirect	Total
Jobs	139	27	166
Earnings	\$7,550,491	\$1,401,904	\$8,952,395
Local Spend	\$19,600,000	\$4,802,268	\$24,402,268

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	30	8	38
Earnings	\$18,400,989	\$5,776,321	\$24,177,309

Figure 1



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

Figure 2

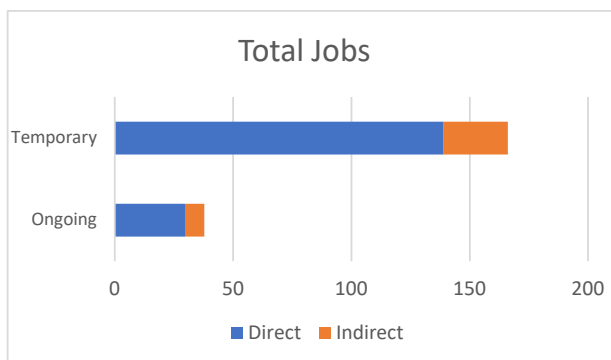
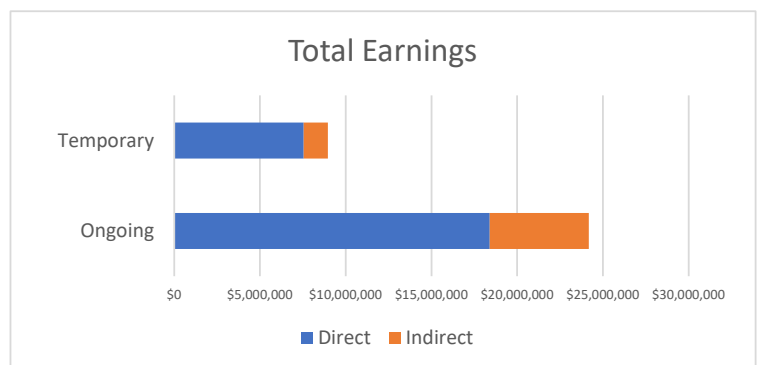


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$2,195,379	\$1,970,045
Sales Tax Exemption	\$1,086,720	\$1,086,720
Local Sales Tax Exemption	\$543,360	\$543,360
State Sales Tax Exemption	\$543,360	\$543,360
Mortgage Recording Tax Exemption	\$137,813	\$137,813
Local Mortgage Recording Tax Exemption	\$45,938	\$45,938
State Mortgage Recording Tax Exemption	\$91,875	\$91,875
Total Costs	\$3,419,912	\$3,194,578

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$34,972,124	\$31,486,940
To Private Individuals	\$33,129,704	\$29,943,203
Temporary Payroll	\$8,952,395	\$8,952,395
Ongoing Payroll	\$24,177,309	\$20,990,808
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,842,420	\$1,543,737
Increase in Property Tax Revenue	\$1,446,514	\$1,191,756
Temporary Jobs - Sales Tax Revenue	\$62,667	\$62,667
Ongoing Jobs - Sales Tax Revenue	\$333,240	\$289,314
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$1,886,743	\$1,699,425
To the Public	\$1,886,743	\$1,699,425
Temporary Income Tax Revenue	\$402,858	\$402,858
Ongoing Income Tax Revenue	\$1,087,979	\$944,586
Temporary Jobs - Sales Tax Revenue	\$62,667	\$62,667
Ongoing Jobs - Sales Tax Revenue	\$333,240	\$289,314
Total Benefits to State & Region	\$36,858,867	\$33,186,365

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$31,486,940	\$2,559,343	12:1
State	\$1,699,425	\$635,235	3:1
Grand Total	\$33,186,365	\$3,194,578	10:1

*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

Motion By: _____
Seconded By: _____

RESOLUTION
(2695 Commercial LLC Project)
OSC Code 2602-26-024A

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 (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 15, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY 2695 COMMERCIAL 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 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.

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, **2695 COMMERCIAL 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 4.03-acre parcel of land located at 105 Fair Avenue in the Town of Henrietta, New York 14467 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 (i) a four-story, approximately 106,376 square-foot apartment building consisting of approximately 86 units designed exclusively for adults age 55 and older and (ii) two detached garage buildings totaling approximately 6,624 square feet to provide parking and storage for residents (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 Wednesday, July 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;

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 Town Board of the Town of Henrietta (the "Town Board"), as lead agency, conducted a 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 5, 2003 (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 a "Type I" Action pursuant to SEQRA, the Town Board also issued a Negative Declaration on March 5, 2003, 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 **\$13,584,000** which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$1,086,720**. 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 **\$18,375,000**, resulting in a mortgage tax exemption not to exceed **\$137,813**; 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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
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 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



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: 2695 Commercial LLC
Address: 7 Van Auker Street
City/State/Zip: Rochester, NY 14608
Tax Id No.: 81-4647895
Contact Name: Michael Spoleta
Title: Managing Member
Telephone: [REDACTED]
E-Mail: [REDACTED]

B. Applicant's Legal Counsel

Name: Peter Lutz
Firm: Hodgson Russ LLP
Address: 90 Linden Oaks, Suite 110
City/State/Zip: Rochester, NY 14625
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
Michael M. Spoleta	25	Managing Member
David Spoleta	25	
Lacy Morgan Katz Trust	24.5	
Robyn K Morgan Trust	24.5	
TM I Irrevocable Trust	.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: 105 Fair Avenue

Tax Map Parcel Number: 176.05-1-59.23

City/Town/Village: Henrietta

School District: Henrietta

Zip: 14467

Current Legal Owner of Property:

2695 Commercial 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: Same as Applicant

Address: _____

City/State/Zip: _____

Tax ID No: _____

Contact Name: _____

Title: _____

Telephone: _____

Email: _____

% 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
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_____	_____	_____
-------	-------	-------

_____	_____	_____
-------	-------	-------

_____	_____	_____
-------	-------	-------

_____	_____	_____
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F. Project Timeline

Proposed Date of Acquisition: _____

Proposed Commencement Date of Construction: 09-01-2026

Anticipated Completion Date: 12-31-2027

G. Contractor(s)

Spoleta Construction Corp.

7 Van Auker Street, Rochester, NY 14608

II.PROJECT (cont'd)

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

NAICS Code: **53**

Fair Ground Apartments is a proposed new age-restricted residential development designed exclusively for adults age 55 and older. The project will be constructed adjacent to the existing Fairview at Town Center Apartment Homes, which is owned and operated by the same organization. The development will expand housing opportunities for older adults seeking independent living accommodations in a professionally managed community.

The project consists of a four-story apartment building containing 86 residential units and approximately 106,376 square feet of living space. Two detached garage buildings totaling 6,624 square feet will also be constructed to provide parking and storage for residents.

The residential unit mix includes:

- * 41 one-bedroom apartments
- * 34 two-bedroom apartments
- * 11 three-bedroom apartments

The development has been thoughtfully designed to meet the needs of active adults and seniors by providing modern, accessible housing options that support independent living while fostering a sense of community. The project will offer residents a maintenance-free lifestyle with convenient access to local shopping, healthcare services, recreation, dining, and other community amenities.

The Fair Ground Apartments project represents a significant private investment in the local community and will generate substantial economic activity during construction through the employment of contractors, subcontractors, suppliers, and related trades. Upon completion, the development will create permanent employment opportunities, including property management, leasing, maintenance, and groundskeeping positions necessary to support the operation of the community.

Fair Ground Apartments will serve adults age 55 and older who are seeking high-quality rental housing that allows them to maintain an active and independent lifestyle. The community is intended for individuals and couples who desire the convenience of professionally managed housing without the responsibilities associated with home ownership, including maintenance, repairs, lawn care, and snow removal.

The development will provide housing options for a broad range of older adults, including retirees, empty nesters, and individuals looking to downsize from single-family homes while remaining in the community they know and value. The mix of one-, two-, and three-bedroom apartments will accommodate varying household sizes and lifestyles, allowing residents flexibility to host family members and caregivers when needed.

As the population of older adults continues to grow, there is an increasing need for attractive, accessible, and age-appropriate housing options. Fair Ground Apartments will help address this demand by providing modern rental housing designed specifically for residents age 55 and older. The project will allow seniors to remain active and engaged within the community while benefiting from proximity to healthcare providers, retail services, recreational opportunities, and social activities.

By expanding the availability of quality housing for older adults, the project will support the community's long-term housing needs while contributing to local economic development and enhancing the overall quality of life for its residents.

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.

Financial assistance through COMIDA is necessary to help offset the substantial costs associated with developing the Fair Ground Apartments project. Like many multifamily residential developments, the project faces significant financial challenges due to rising construction costs, increased material pricing, labor shortages, higher interest rates, and escalating financing expenses.

The proposed development requires a substantial upfront capital investment for site development, infrastructure improvements, building construction, utilities, and related project costs. While the demand for quality rental housing in the area remains strong, rental rates must remain competitive and affordable within the local market, limiting the ability to recover escalating development costs through rents alone.

COMIDA assistance will help bridge the gap between project costs and achievable revenues, improving the overall financial feasibility of the development. The incentives will enable ownership to move forward with the project, create new housing opportunities, generate construction and permanent jobs, and expand the local tax base through new investment.

Without financial assistance, the project's financial viability would be significantly challenged, potentially resulting in delays, reductions in scope, or the inability to proceed as planned. COMIDA support will provide critical assistance that helps make the project economically feasible while delivering long-term benefits to the community through increased housing availability, job creation, and economic growth.

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

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

Check One:

☐ **JOBSPUS**

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 JOBSPUS**

Requirements:

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

☐ **GREEN JOBSPUS**

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**

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. \$ 12,135,000.00
b. Labor b. \$ 8,090,000.00

Site Work

- c. Materials c. \$ 1,174,000.00
d. Labor d. \$ 826,000.00
e. Non-Manufacturing Equipment e. \$ _____
f. Manufacturing Equipment f. \$ _____
g. Equipment Furniture and Fixtures g. \$ 275,000.00
h. Land and/or Building Purchase h. \$ _____
i. Soft Costs (Legal, Architect, Engineering) i. \$ 1,105,000.00
Other (specify) j. Construction Interest j. \$ 895,000.00
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____
Total Project Costs \$ 24,500,000.00
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ _____
b. Taxable Industrial Revenue Bond b. \$ _____
c. Bank Financing c. \$ 18,375,000.00
d. TOTAL Public Sources d. \$ _____

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

_____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

- e. Equity e. \$ 6,125,000.00
TOTAL SOURCES \$ 24,500,000.00
(must equal Total Project Costs)

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

☒ Yes ☐ No

If yes, please specify bank, underwriter, etc.

Five Star Bank

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
2695 Commercial LLC

A. IDA PILOT Benefits:

Current Assessment	\$360,000
Value of New Construction & Renovation Costs	\$13,309,000
Estimated New Assessed Value Subject to IDA	\$13,669,000
Current Taxes	\$6,710
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:	\$1,086,720
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$137,813
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D. Industrial Revenue Bond Benefit

IRB inducement amount:	\$0
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E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	\$3,419,912
Project Construction Costs:	\$24,500,000
	13.96%

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	\$415,950	\$58,202	\$972,361	\$1,446,514	\$3,641,893	\$2,195,379
1	90%	\$7,134	\$998	\$16,676	\$24,808	\$248,080	\$223,272
2	90%	\$7,276	\$1,018	\$17,010	\$25,304	\$253,041	\$227,737
3	90%	\$7,422	\$1,039	\$17,350	\$25,810	\$258,102	\$232,292
4	90%	\$7,570	\$1,059	\$17,697	\$26,326	\$263,264	\$236,938
5	90%	\$7,722	\$1,080	\$18,051	\$26,853	\$268,530	\$241,677
6	80%	\$15,752	\$2,204	\$36,824	\$54,780	\$273,900	\$219,120
7	70%	\$24,101	\$3,372	\$56,340	\$83,813	\$279,378	\$195,565
8	60%	\$32,777	\$4,586	\$76,623	\$113,986	\$284,966	\$170,979
9	50%	\$41,791	\$5,848	\$97,694	\$145,332	\$290,665	\$145,332
10	40%	\$51,152	\$7,157	\$119,577	\$177,887	\$296,478	\$118,591
11	30%	\$60,871	\$8,517	\$142,297	\$211,685	\$302,408	\$90,722
12	20%	\$70,958	\$9,929	\$165,878	\$246,765	\$308,456	\$61,691
13	10%	\$81,424	\$11,393	\$190,345	\$283,163	\$314,625	\$31,463

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: 2695 Commercial 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	2	1	3
Part Time (PTE)	0	0	0	0
Total	0	2	1	3

** 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 2695 Commercial 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.

2-1-2

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.**

2-1-2

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.

2-1-2

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.

2-1-2

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.

[Handwritten initials]

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.

[Handwritten initials]

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.

2695 Commercial LLC

(APPLICANT COMPANY)

(TENANT COMPANY)

[Handwritten Signature] 6/8/26

Signature, Title Date

Signature, Title Date

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.

(APPLICANT COMPANY)

John A. Feltus Partner 6/8/26
Signature, Title Date

(TENANT COMPANY)

Signature, Title Date

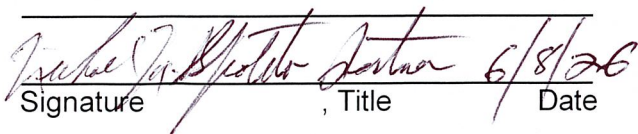
X. CERTIFICATION

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

TENANT COMPANY


Signature _____, Title _____, Date 6/8/26

Signature _____, Title _____, Date _____

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 15th DAY OF JULY 2015 AT 7:00 P.M.

RESOLUTION #14-185/2015

On Motion of
Councilman Mulligan

Seconded by
Councilman Breese

WHEREAS, on or about April 13, 2015, the Henrietta Town Clerk received three (3) applications (the "Applications") from Passero Associates on behalf of Morgan Management LLC, which applications were subsequently amended, and

WHEREAS, one application seeks to rezone approximately 9 acres of a 37.56 acre parcel located on the south side of Calkins Road (County Road 39), approximately 2,000 feet west of the intersection of East Henrietta Road (NYS Route 15A) and Calkins Road (tax map identification #176.05-1-59) ("37-Acre Parcel") that is currently zoned "Residential" to "Commercial," and said Property is currently owned by the 2695 East Henrietta Holdings, LLC, and

WHEREAS, a second application from Passero Associates submitted on behalf of Morgan Management LLC seeks a Special Use Permit to construct multi-family housing on 17 acres of land located at the southwest corner of the 37-Acre Parcel, and

WHEREAS, a third application from Passero Associates submitted on behalf of Morgan Management LLC seeks a rezoning from Residential R-1-15 to Commercial B-1 on an adjoining 11.38 acre parcel of property at 2695 East Henrietta Road on which the Dome Center is currently located (tax map parcel #176.06-1-74.1) ("11-Acre Parcel") and said Property is currently owned by the 2695 East Henrietta Holdings, LLC, and said 11-Acre Parcel is currently being used consistent with a Commercial B-1 use despite its Residential R-1-15 zoning due to its longstanding status as a pre-existing nonconforming use, and

WHEREAS, the Town's Comprehensive Plan also contemplates the construction of a Library in this area and a Recreation Center that may be constructed on a portion of the parcel of Town-owned property located at 475 Calkins Road (tax map identification number 176.05-1-55.11), and

WHEREAS, the Town declared the potential construction of the Library and Recreation Center, and the relief sought in the three (3) Applications, all being related elements, as a single Type 1 action (the "Action") subject to environmental review pursuant to the State Environmental Quality Review Act ("SEQR"), and

WHEREAS, the Town Board declared its intent to serve as lead agency in relation to the Action, more than 30 days has passed, and the Town has received no objections to its request to become lead agency, and

WHEREAS, Passero Associates has also submitted an Environmental Assessment

Form ("EAF") to the Town Board.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board is the Lead Agency for the Action.

BE IT FURTHER RESOLVED, that the Town Board, in its capacity as lead agency, has carefully considered all relevant documentary, testimonial and other evidence submitted and collected in relation to the Action, including the Applications, the EAF Parts 1, 2 and 3, the findings of the Town Engineer, and all other related information and documents submitted in relation to the Action.

BE IT FURTHER RESOLVED, with the assistance of its Town Engineer and Deputy Town Supervisor / Planning Board Chairman, the Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.

BE IT FURTHER RESOLVED, the Town Board hereby approves of the attached Part 2 of said EAF.

BE IT FURTHER RESOLVED, that the Town Board hereby finds that the Action will not have any significant adverse environmental impacts, as more fully set forth in Part 3 of the EAF, including in the attachment thereto.

BE IT FURTHER RESOLVED, that the Town Board hereby approves Part 3 of the EAF, confirming its findings in Part 2 of the EAF, and setting forth its basis and reasoning for finding that there are no potential significant adverse environmental impacts as a result of the Action.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to execute Part 3 of the EAF.

BE IT FURTHER RESOLVED, that in accordance with its adoption of Part 3 of the EAF, the Town Board hereby issues a Negative Declaration with regard to the Action, finding that it will not have any significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Town Board hereby directs that the Negative Declaration be filed in accordance with SEQR Regulations.

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute such necessary documents and to take such other actions as will facilitate and complete an orderly and proper SEQR process.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye

Carried

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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Town Center & Dome Redevelopment		
Project Location (describe, and attach a general location map): SW Corner of Calkins Road and East Henrietta Road		
Brief Description of Proposed Action (include purpose or need): Redevelopment of Dome parcel to include 1,600 Parking Spaces and a 5,000 SF Restaurant, 122 Market Rate Apartments, (2) 10,000 Commercial Pad Sites, a 30,000 SF Library and a 40,000 SF Town Recreation Center.		
Name of Applicant/Sponsor: Spoleta Development	Telephone: 585-436-2701	
	E-Mail: mmspoleta@spoleta.com	
Address: 7 Van Auker Street		
City/PO: Rochester	State: NY	Zip Code: 146085
Project Contact (if not same as sponsor; give name and title/role): Jess D. Sudol, P.E. - Passero Associates	Telephone: 585-325-1000	
	E-Mail: jsudol@passero.com	
Address: 242 W. Main Street, Suite 100		
City/PO: Rochester	State: NY	Zip Code: 14614
Property Owner (if not same as sponsor): Monroe County Fair Associates & Town of Henrietta	Telephone: 585-334-7700	
	E-Mail:	
Address: 2695 East Henrietta Road/475 Calkins Road,		
City/PO: Henrietta	State: NY	Zip Code: 14467585-3

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 Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Rezoning & Special Use Permit	4/15/15
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	Site Plan Approval	6/1/15
c. City Council, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		6/1/15
d. Other local agencies ☒ Yes ☐ No	Conservation Board (Town)	6/1/15
e. County agencies ☒ Yes ☐ No	MCWA - Watermain Extension, Health Dept. - Water & Sewer, County DOT	6/1/15
f. Regional agencies ☐ Yes ☒ No		6/1/15
g. State agencies ☒ Yes ☐ No	DEC - Article 15 Permit & SPDES Permit	6/1/15
h. Federal agencies ☒ Yes ☐ No	FEMA - LOMAR	6/1/15
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No If Yes, 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 I

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):

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. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
<u>R-1-15, R-2-15, B-1</u>	
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? <u>B-1, Commercial (+/- 9 Acres only)</u>	
C.4. Existing community services.	
a. In what school district is the project site located?	<u>Rush Henrietta Central</u>
b. What police or other public protection forces serve the project site?	<u>Monroe County Sheriff</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Henrietta Fire District, Henrietta Volunteer Ambulance</u>
d. What parks serve the project site?	<u>Veterans Memorial Park</u>

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)? <u>Mixed (Civic, Multi-Family, Commercial, Recreational)</u>	
b. a. Total acreage of the site of the proposed action?	<u>+/- 56</u> acres
b. Total acreage to be physically disturbed?	<u>50</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>140</u> acres (Includes Town owned Land)
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)? % <u>50 (Domestic)</u> 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) <u>Residential, Commercial and Recreational</u>	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No	
iii. Number of lots proposed? <u>3</u>	
iv. Minimum and maximum proposed lot sizes? Minimum <u>9</u> Maximum <u>30</u>	
e. Will proposed action be constructed in multiple phases? ☒ Yes ☐ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated <u>3</u>	
• Anticipated commencement date of phase 1 (including demolition) <u>9</u> month <u>15</u> year	
• Anticipated completion date of final phase <u>9</u> month <u>18</u> year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	
Initial phase will include utility improvements to service future phases. _____	

f. Does the project include new residential uses? ☒ Yes ☐ No
If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				122
At completion				
of all phases				122

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

i. Total number of structures 5
ii. Dimensions (in feet) of largest proposed structure: 40 height; 145 width; and 315 length
iii. Approximate extent of building space to be heated or cooled: 100,000 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: Compensatory Flood Storage & Stormwater Management
ii. If a water impoundment, the principal source of the water: ☒ Ground water ☐ Surface water streams ☐ Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: 6.5 million gallons; surface area: 2.5 acres
v. Dimensions of the proposed dam or impounding structure: 2 height; 50 length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Earth Fill

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? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
• Volume (specify tons or cubic yards): _____
• Over what duration of time? _____
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
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? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ 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 proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will 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: _____ 75,000 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: _____
Extension of 8" dedicated main.
- Source(s) of supply for the district: MCWA - Hemlock Lake

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), 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: _____ 60,000 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 Wastewater

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

- Name of wastewater treatment plant to be used: Van Lare
- Name of district: Town of Henrietta Sewer 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? _____ • Will line extension within an existing district be necessary to serve the project? _____	☒ Yes ☐ No ☒ Yes ☐ No
If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	
Extension of line along Calkins Road. _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No
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? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ 35 acres (impervious surface) _____ Square feet or _____ 56 acres (parcel size) ii. Describe types of new point sources. <u>New Storm Sewers and Swales</u> 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)? _____	☒ Yes ☐ No
Regional Stormwater Management Area on Town Parcel _____	
• If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	☒ Yes ☐ No ☒ 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? _____ 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) _____	☐ Yes ☒ No
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? _____ 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (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 semi-trailer truck trips/day: _____ 0-5

iii. Parking spaces: Existing 1,000 Proposed +/- 2,150 Net increase/decrease +1,150

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:
 Construction of a dedicated road off Calkins and private roads to connect the mixed uses.

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: _____
 +/- 10 KW/HR

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

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:	ii. During Operations:
• Monday - Friday: 7 AM - 4 PM	• Monday - Friday: Varies per use
• Saturday: 7 AM - 4 PM	• Saturday: Varies per use
• Sunday: 7 AM - 4 PM	• Sunday: Varies per use
• Holidays: N/A	• Holidays: Varies per use

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: _____

ii. Will 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:
 30' LED for Dome, 14' LED for Residential, 20' LED for Commercial, Recreation Center and Library

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 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: _____ 5 tons per _____ day (unit of time)
 • Operation : _____ 2 tons per _____ week (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Use of recycled materials and waste management
 • Operation: Recycling collection
 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: High Acres Landfill
 • Operation: High Acres Landfill

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 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): Town Park

ii. If mix of uses, generally describe: _____

Residential to South, Park to West, Commercial to North and East

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	13	35	+22
• Forested	1.5	1.0	-0.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	1	3.5	+ 2.5
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: <u>Lawn Area</u>	40.5	16.5	-24

c. Is the project site presently used by members of the community for public recreation? ☒ Yes ☐ No
i. If Yes: explain: Project Includes Public Recreation Center

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:
Day Care East of site, Veterans Memorial Park to West

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? _____ >8 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:

Silt Loam	_____	60 %
Silty Clay	_____	40 %
_____	_____	%

d. What is the average depth to the water table on the project site? Average: _____ 2-6 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ % of site
☒ Moderately Well Drained: _____ 80 % of site
☒ Poorly Drained _____ 20 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 95 % of site
☒ 10-15%: _____ 3 % of site
☒ 15% or greater: _____ 2 % 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	Tributary to Red Creek	Classification	C
• Lakes or Ponds:	Name	_____	Classification	_____
• Wetlands:	Name	_____	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
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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: Squirrel _____ Groundhog _____ Rabbit _____		
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> 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		
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		
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: _____		
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> 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>i.</i> Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature <i>ii.</i> 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>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____		

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]	
Project :	Hennetta Town Center
Date :	July 13, 2015

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) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> ☐ NO ☒ YES			
	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	☒	☐

1. Other impacts: _____ _____		☐	☐
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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) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		☒ NO	☐ YES
	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) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		☐ 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 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: _____ _____		☐	☐
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

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) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g 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 <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	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, E1b	☐	☐
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.	E1 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.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	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 1/2 -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.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☒ YES
	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 or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National 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 "Yes", 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 - g. 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 I.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> ☐ NO ☒ YES			
	Relevant Part I Question(s)	No, or small impact may occur	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.
(See Part 1. C.1, C.2. and C.3.)

☒ NO☐ YES

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, E1b	☐	☐
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.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

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

Project :

Date :

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.

SEE ATTACHMENT.

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

Entitled Town Center SEORA Report

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.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: Town Center

Name of Lead Agency: Henrietta Town Board

Name of Responsible Officer in Lead Agency: Jack Moore - Supervisor

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Jack W. Moore

Date: 7-15-15

Signature of Preparer (if different from Responsible Officer)

Christopher E. Martin

Date: 7/15/2015

For Further Information:

Contact Person: Peter Minotti / Christopher Martin

Address: 475 Calkins Road, Henrietta, NY

Telephone Number: (585) 359-7026 / (585) 359-7070

E-mail: pminotti@henrietta.org / 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

Town Center and Dome Redevelopment SEQR Part 3 Analysis

SEQRA Review - Part 3

Evaluation of Environmental Impacts

July 15, 2015

The SEQR Determination is based upon the following reasoned elaboration, as well as the additional attached "State Environmental Quality Review Report" dated June 0215 and prepared by Passero Associates, which is incorporated herein and made a part hereof.

1. Impact on Land.

1(a) – Potential Moderate Impact. The construction will be on land where the water table is less than 3 feet deep in some areas. However, the project will use de-watering measures which are regulated through the projects Stormwater Pollution Prevention Plan (SWPPP) to eliminate any potential impacts. Furthermore, no groundwater, including potable water, will be impacted. Therefore, there will be no significant adverse environmental impact

1(b)-1(d) - No Impact.

1(e). – Potential Moderate Impact. The construction of the project will last more than one year and, typical of large developments, will include multiple phases. As currently proposed, there will be up to 5 phases of construction. Each phase will be subject to Site Plan approval by the Town Planning Board. The Site Plan review process will help to ensure that each phase is handled properly with respect to potential impacts of phasing. Additionally, the Town will have third party inspections performed to ensure that the actual construction activities do not impact adjacent properties. Furthermore, construction will occur during restricted, construction hours only, so as to limit noise, light and other construction impacts early in the morning or late at night. As a result, there will be no significant adverse environmental impact.

1(f). Small Impact. The project will include the removal of ground cover in the areas which aren't currently developed. The site contains very little sloped land – 95% of the site has slopes of 0-10%. Furthermore, the site does not comprise an important aquatic habitat for rare, endangered or threatened species. In order to manage the potential for erosion control, the project will include a stormwater pollution prevention plan which requires proper erosion control measures and weekly stormwater inspections. Given the above, adherence to this plan will eliminate any potential significant adverse environmental impacts.

1(g). No Impact.

3. Impacts on Surface Water.

3(a). Potential Moderate Impact. A stormwater management facility will be created to collect stormwater runoff from the developed site and regulate the discharge rates to a tributary of Red Creek, and to improve water quality by acting as a permanent de-siltation area. The stormwater

facility will also be used to provide compensation for the portion of the floodplain being filled. The stormwater retention pond will be designed with a safety shelf to address any safety concerns. The stormwater management system will be designed to meet NYSDEC and local regulations. Additionally, there will be no damming of streams or rivers, or channeling water from wetlands. Notably, the project does not contain any regulated wetlands. As a result, there will be no significant adverse environmental impact.

3(b)-(d). No Impact.

3(e), (h) and (i). Potential Moderate Impact. Notably the site does not contain any regulated wetlands. However, due to the potential for erosion at the site, there is the possibility of turbidity in the adjacent creek. However, such erosion potential is limited for a number of reasons, one of which is the temporary nature of construction, which is the prime potential contributor of erosion. A grading and erosion control plan will be prepared by the developer's engineer in accordance with NYSDEC and Town requirements, and the contractor will be required to install and maintain the devices to prevent erosion and sediment from entering the creek, consistent with a stormwater pollution prevention plan which requires proper erosion control measures and weekly stormwater inspections. Furthermore, the vegetated buffer which runs along the creek bed will be maintained. As a result, there will be no significant adverse environmental impact.

3(f), (g) and (k). No Impact.

5. Impact on Flooding .

5(a). Potential Moderate Impact. The project area does include a designated floodway, however, no development is proposed within the floodway, save for a single stream crossing. The stream crossing will be designed such that it does not restrict flow in the floodway. As a result, there will be no significant adverse environmental impact.

5(b), (c) & (e). Potential Moderate Impact. The project includes fill in the designated floodplain for the construction of the Recreation Center and portions of the Multi Family project. As cited in the attached SEQRA Report, the impacts to the floodplain will be mitigated with the construction of regional compensatory flood storage. Also, the applicant will have to comply with the Town's floodplain requirements. As a result, there will be no significant adverse environmental impact.

5(d). Potential Small Impact. The drainage patterns will remain largely intact except that the runoff from the individual sites will be diverted to stormwater management areas where the runoff is treated for quality and quantity in accordance with the requirements of the NYSDEC. As a result, there will be no significant adverse environmental impact.

5(f). No Impact.

7. Impact on Plants and Animals.

7(a)-(i). No Impact. Though the project does include the elimination of some ground cover, specifically for the Recreation Center and Commercial Development area, that area has been previously disturbed and does not contain any significant habitat. Said area comprises almost entirely lawn-type area, and thus does not rise to the quality of habitat that would merit a finding that a potential environmental impact is severe and/or otherwise consequential.

The remaining project area includes the redevelopment of the Dome Center which does not contain any significant ground cover or fauna. The project will also maintain the existing riparian buffer along the creek as outlined in the attached SEQRA report. From correspondence from the NYSDEC dated April 23, 2015, there does not appear to be any threatened or endangered rare animals or plant species in the vicinity of the project site.

Finally, in total, only .5 acres of forested land will be disturbed. As a result, there will be no significant adverse environmental impact.

10. Impact on Historic and Archeological Resources.

10(a). No Impact.

10(b). Potentially Moderate Impact. The site does fall within an archeologically sensitive area; however, the site has been previously significantly and materially disturbed and is a re-development project, thus the potential for intact, significant archaeological resources to exist is very minimal. Furthermore, the plans will to be submitted and reviewed by the New York State Office of Parks, Recreation, & Historic Preservation as part of the Stormwater Pollution Prevention Plan process to confirm no significant disturbances. As a result, there will be no significant adverse environmental impact.

10 (c), (d) and (e). No Impact.

11. Impact on Open Space and Recreation.

11(a)-(c). No

11(d). Potentially Moderate Impact. The proposed Recreation Center is located within the Veteran's Memorial Park which is Town owned land. The Recreation Center is consistent with a parkland use. Therefore, though a portion of the park will be utilized for the project which will reduce the open space, the Recreation Center will create a usable space for residents that can be used year round, including during the lengthy winter season where the Park's outdoor open space is rarely used. As a result, there will be no significant adverse environmental impact.

13. Impact on Transportation .

13(a). Potentially Moderate Impact. As outlined extensively in the attached State Environmental Quality Review Report and Traffic Impact Study, the project will include mitigation to offset any potential impact to the existing road network, and, thus, the existing road network has ample capacity to support the proposed project. Notably, a scoping meeting was held with the Monroe County Department of Transportation, the Town of Henrietta, and the developer's engineer to discuss the limits of the study and potential traffic concerns. As is set forth more specifically and fully in the attached referenced Traffic Impact Study, there will be no significant adverse environmental impact.

13(b). Potentially Moderate Impact. The construction does include greater than 500 parking spaces. Parking areas are designed to be shared amongst the different phases of the project to reduce the total number of required spaces. Impact resulting from the additional impervious area will be mitigated through the implementation of post construction stormwater practices and the SWPPP. As a result, there will be no significant adverse environmental impact.

13(c). No Impact.

13(d). No Impact. The project will improve pedestrian and bicyclist access through the development of a Town Center which includes paths and roadways between the multiple land uses. Additional accommodations will include bike paths and passive recreation areas.

13(e). Potentially Moderate Impact. The Town Center is designed to be a local and regional attraction which will alter the pattern and movement of people who do not currently utilize the site. However, by drawing more people to the Town Center there will be ancillary benefits for existing businesses within the area. Nonetheless, as is set forth more specifically and fully in the attached referenced Traffic Impact Study, there will be no significant adverse environmental impact.

14. Impact on Energy.

14(a). Potentially Moderate Impact. Due to the proposed energy consumption for the proposed projects, an upgrade could be required to the existing energy system; this will have to be reviewed by Rochester Gas & Electric. However, Rochester Gas & Electric has the capacity and resources to complete any potential upgrades that may be required. As a result, there will be no significant adverse environmental impact.

14(b) & 14(c). No Impact.

14(d). Potentially Moderate Impact. The project will involve heating and cooling for the existing, but rehabilitated Dome as well as the other phases of the development. All electric and gas appliances will be high efficiency with most being constructed to energy star or equivalent rating. The Dome Arena rehabilitation project presents the opportunity to utilize a higher

efficiency system than what previously existed. As a result, there will be no significant adverse environmental impact.

15. Impact on Noise, Odor and Light

15a. Small Impact. The project will result in temporary noise during construction. However it will not exceed local ambient noise levels. Also, per the Town's Noise Ordinance at chapter 168 of the Town Code, no construction activities can take place between 9:00 p.m. and 7:00 a.m. As a result, there will be no significant adverse environmental impact.

15(b) & 15(c). No Impact.

15(d). No Impact. The project will include LED lighting which ensures that the proposed fixtures do not result in light trespass onto adjacent properties. LED lights are highly efficient and easily controlled to minimize impacts to neighbors. Also, to the extent necessary, a landscape berm could be utilized along Calkins Road to provide a lighting barrier for the residences located on the north side of Calkins Road. As a result, there will be no significant adverse environmental impact.

15(e). No Impact. All lighting will be Dark Sky Compliant so that it does not contribute to sky glow. Lighting specifications for the individual fixtures will be supplied to the Planning Board and Engineering Department during the site plan review process. As a result, there will be no significant adverse environmental impact.

16. Impact on Human Health.

16(a). Small Impact. The project is located within 1,500 feet of a day care center and a senior apartment building. However, the project is not industrial in nature and is not suspected to create any dangerous or hazardous substances that could affect the health of seniors or children. In fact, the proposed Town Recreation Center and Library will be a benefit to both the day care center and the senior apartments by providing Town services within walking distance. As a result, there will be no significant adverse environmental impact.

16(b)-(l). No Impact.

17. Consistency with Community Plans

As indicated in the attached "State Environmental Quality Review Report for the Henrietta Town Center", the proposed Town Center provides a mixed use of commercial, recreation and civic uses which is exactly what is prescribed in the Town's comprehensive plan.

On March 5, 2003, the Henrietta Town Board passed Town Board Resolution #6-79/2003 which accepted and adopted the "Town of Henrietta 2003 Comprehensive Land Use Plan". Also, as part of this resolution, the Town Board issued a Negative Declaration under the State SEQRA Law. In chapter 4 of the comprehensive land use plan, one of the action items was the development of a Town Center along Calkins Road and the Monroe County Fairgrounds. The action item states "The Town should evaluate the feasibility of retrofitting the existing Town Hall/Library/Park/Senior Center/Public Works campus on Calkins Road and the adjoining sites, into a new, mixed-use Henrietta Town Center". The proposed project accomplishes this task by creating a new and enhanced Town recreation center and library, providing a residential apartment complex in close proximity to single family homes, and by creating additional commercial, retail, and civic uses.

What makes this area of Henrietta attractive as a Town Center is its close proximity to municipal offices, community services, adjoining residential neighborhoods, retail centers, public transit system, and an adequate transportation and utility network. The report further states that should the land along Calkins Road and the Monroe County Fairgrounds become available for redevelopment, that it would make an ideal Town Center. The comprehensive plan further states "Development of the Town Center would foster community pride, loyalty, and quality of life. It would leave a legacy for future generations, who would benefit from belonging to a town with an enriched sense of identity. Special events should be held frequently, throughout the year, and on a regular basis. This is one of the fastest ways to foster community spirit and identification with the area as the Town Center".

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 5TH DAY OF MARCH, 2003 AT 8:00 P.M.

RESOLUTION #6-79/2003

On Motion of
Supervisor Breese

Seconded by
Councilman Yudelson

WHEREAS, through Resolution #3-48/2003, the Henrietta Town Board declared itself as Lead Agency regarding the Town's Comprehensive Land Use Plan under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, after consideration by the Henrietta Town Board that the Town's Comprehensive Land Use Plan exceeds one or more thresholds for a Type I Action as listed in Section 617.4 of the New York State Environmental Quality Review Act, and

WHEREAS, pursuant to SEQRA, such an Action is a Type I Action, and

WHEREAS, a Full Environmental Assessment Form (EAF) has been prepared and reviewed, and

WHEREAS, the Henrietta Planning Board has reviewed the Town's Comprehensive Land Use Plan, and a Public Hearing was held on December 17, 2002 to hear all comments with regard to said Master Plan, and

WHEREAS, the Henrietta Planning Board accepted said Master Plan on January 28, 2003 and has submitted it to the Town Board for its consideration, and

WHEREAS, the Henrietta Town Board has reviewed the Town's Comprehensive Land Use Plan, and a Public Hearing was held on February 5, 2003 to hear all comments with regard to said Master Plan, and

WHEREAS, the Henrietta Town Board is the sole approval Board or Agency effected by this Action, and

WHEREAS, the Henrietta Town Board has taken a hard look at the environmental issues raised by the Town's Comprehensive Land Use Plan, and

WHEREAS, the Henrietta Town Board hereby concludes that this Action will not result in any significant impacts on the environment.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby issues a Negative Declaration under the State SEQRA Law and accepts and adopts the 2003 Town's Comprehensive Land Use Plan for the Town of Henrietta, as amended.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

site. It is recommended that any such development be required to be an "eco-industrial park." Eco-industrial parks are based on the following concepts:

- Clustering development on the least sensitive portions of the site,
- Preserving large amounts of open space, preferably with public access,
- Mixed-use,
- On-site usage of alternative energy and green technology systems,
- Walkability within, as well as to and from, the site,
- Bike paths,
- Parks and squares, and
- On-site reuse of waste materials, water recycling, etc.

ACTION: DEVELOP A HENRIETTA TOWN CENTER

The Town should evaluate the feasibility of retrofitting the existing Town Hall/Library/Park/Senior Center/Public Works campus on Calkins Road and the adjoining Monroe County Fairgrounds, and additional adjoining sites, into a new, mixed-use "Henrietta Town Center." The area already contains the following critical components of a traditional town center:

- Central municipal offices
- Park
- Community services (e.g., library)
- Adjoining residential neighborhoods
- Retail
- Public transit (e.g., buses)

Redesign and integration of the different land uses, which are currently located in close proximity to each other but isolated and segregated by roadways, parking lots, and driveways, needs to be done to develop a walkable, traditional central place for Town residents. Developing and retrofitting the area as a Town Center could include the following components:

Proposed Land Uses

- Develop additional mixed-use features on the Monroe County Fairgrounds site, should it become available for redevelopment. Potential uses include senior housing, townhouse development, and mixed-use buildings (residential apartments above retail stores or professional offices).
- Larger commercial uses may be accommodated in the Town Center's "Center Street" shopping district. The larger retail use should be as close as practical to the eastern portion of the Town Center district to blend in with higher density commercial development nearby.

Town of Henrietta Comprehensive Land Use Plan

- Places for community gathering, such as a community center, a cultural or performing arts center, a skating rink/reflecting pool, an art museum or gallery.
- Additional town, school district, and other public community facilities should be located in the Town Center whenever practicable.
- Provide a small-scale retail area for restaurants, small-scale shops, and other typical pedestrian-oriented downtown uses.
- Encourage the U.S. Postal Service to site a post office satellite location in the Town Center.

Improvements to Enhance Walkability and Bicycle and Transit Access

- A landscaped median in the center of Calkins Road between East Henrietta Road and the new Center Street intersection. This would "calm" traffic in the area and signal the drivers' entry into a pedestrian-oriented neighborhood. It would also facilitate safe access to the Town Center at this busy location from the opposite side of Calkins Road, by providing a midway point for pedestrians to wait. The median would also soften the appearance and enhance the visual character of the area.
- Develop sidewalks to connect all land uses within and adjacent to the Town Center. Sidewalks should line both sides of all streets in the Town Center.
- Dedicated pedestrian-only time should be provided on demand at the traffic signal at the existing Town Hall entrance and at other signalized intersections that may lead into the Town Center.
- Designated loops or pullovers at key locations within the Town Center for public transportation services.
- Connect the Town Center with the Lehigh Valley Trail.
- Create a bike lane along Calkins Road that will connect RIT and other areas with the Town Center.

Town Center Design Principles

- Development should reflect traditional village-scale and downtown design. This includes buildings built up to the sidewalk line, small footprints or the breaking down of larger building masses visually into smaller "units", frequently-spaced window and door openings (no blank boxes fronting the street), two- to three-story development, mixed-use, parking taking a secondary location (i.e., in back of buildings).
- To fit in with the scale of a village-style development pattern, larger masses of "big box"-style retailers must be broken down and articulated in a way that gives the visual impression of a smaller structure. A contextual design with a facade that has window and doorway openings, roofline detailing and variation, corner treatments to create the impression of a building edge and/or a veneer of shallow retail units along much of the frontage is required. The facade must give the impression of a two-story building, typical of a "Main Street" setting. The building must be built up to the sidewalk line of the new central street, with parking to the rear and sides.
- Landscaping/islands should be provided in all parking areas.

- All streets should be lined with trees and have a green buffer between the street and the sidewalk.
- Flags, banners, and signage designating the area the "Henrietta Town Center"

Development of the Town Center would foster community pride, loyalty, and quality of life. It would leave a legacy for future generations, who would benefit from belonging to a town with an enriched sense of identity. Special events should be held frequently, throughout the year, and on a regular basis. This is one of the fastest ways to foster community spirit and identification with the area as the Town Center.

ACTION: PROMOTE A SUSTAINABLE LAND USE PATTERN BASED ON THE CAPACITY OF THE LAND

The paragraphs that follow detail some of the concepts behind the "Generalized Land Use Plan" for the Town. This section indicates the general land use categories and relative development densities (i.e., low, moderate, high) that are recommended. The land use groups are generally presented in order of intensity, starting with the most restrictive (i.e., Parks).

Parks, Greenways, and Conservation Lands

The Plan recommends a system of publicly accessible parks, nature preserves and conservation lands, and greenways to preserve river and stream corridors and link the various open spaces and provide pedestrian alternatives to vehicular access in a highly auto-oriented environment. As shown in the Land Use Plan, "green" areas are recommended along the Genesee River, streams, on public parks and nature preserves, along the Lehigh Valley Trail, and adjacent to the I-90 right-of-way. Public boat launches are proposed at several alternate locations along the Genesee River on larger parcels in the southern and central section of the Town.

Agriculture/Rural Residential

The A/RR land use pattern includes agriculture (including horse stables), single-family dwellings, community facilities and parks, and a very narrow range of agriculture-related commercial uses (e.g., farm stands, bed and breakfasts). It is recommended that in these areas, the Town should require subdivisions to follow rural design guidelines, provide a wide buffer area between the proposed residential use and farming uses, and minimize potential impacts on agriculture. To help slow the conversion of agricultural land to residential land, the number of subdivisions, as well as the number of lots allowed in each subdivision, would be limited in addition to the frequency a parcel would be permitted to be subdivided. The Town should also allow flexibility in the adaptive reuse of farm structures in Agricultural/Rural Residential areas.

Resource Conservation/Residential

Resource Conservation/Residential lands are located in areas adjacent to Agricultural Districts and in environmentally sensitive areas (e.g., characterized by wetlands, proximity to creeks or the River). Town zoning and policies should protect the natural and scenic resources of these areas. Conservation design residential development would be allowed at low densities, with the development focused in a way that minimizes impacts to the environment. The Resource Conservation/Residential lands are also intended to serve as a buffer between Agricultural/Rural Residential areas and more intensive development, predominantly to the north.

TOWN OF HENRIETTA

INTEROFFICE MEMORANDUM

DATE: JULY 13, 2015

TO: TOWN BOARD

FROM: CHRISTOPHER E. MARTIN, P.E. *CEM*
DIRECTOR OF ENGINEERING & PLANNING

Re: SPECIAL USE PERMIT APPL. No. SP2015-007
& REZONING

APPLICATION: Henrietta Town Center

STAGE: Special Use Permit and Rezoning

The SEQR Documentation for the above referenced application has been reviewed and the following comments are offered:

A. GENERAL

1. As stated in the SEQR Documentation, site plan and subdivision approval will be required from the Henrietta Planning Board for the proposed projects.
2. As indicated on the drawings, this project is located within the one hundred year floodplain. A Conditional Letter of Map Revision (CLOMR) may be required to be submitted to FEMA for review and approval and the necessary Town procedures will need to be followed.
3. Permits will be required from the U.S. Army Corps of Engineers and from the New York State Department of Environmental Conservation for the installation of the roadway and utilities across the tributary to Red Creek.
4. The proposed project appears to be located in an archeologically sensitive area. Therefore, the plans will need to be submitted to the New York State Office of Parks, Recreation, & Historic Preservation and the Phase 1A and Phase 1B archaeological survey should be submitted to the Town when it is completed.

B. TRAFFIC IMPACT STUDY

1. We have reviewed the traffic impact study and agree with recommendations provided within the report.
2. The traffic impact study will have to be provided to the New York State Department of Transportation and the Monroe County Department of Transportation for review if it hasn't already been submitted.

C. WATER

1. Future plan submissions for the water supply system should meet Monroe County Water Authority and Monroe County Department of Health requirements.
2. The diameter and material for the existing and proposed water mains should be indicated on future drawings.
3. A letter should be provided by the Monroe County Water Authority stating that the project has an adequate supply of water to service the proposed developments.
4. A portion of this parcel is located within an existing water district. A new water district will need to be formed for the remaining area that is not in a water district.

D. SANITARY SEWER

1. Future plans for the sanitary sewer system should meet Town of Henrietta and Monroe County Health Department standards.
2. A portion of the parcel is located within an existing sanitary sewer district. A new sanitary sewer district will need to be formed for the remaining area that is not in a sewer district.
3. As part of the proposed project a sanitary sewer will be provided to the west to connect into a trunk sewer that has more capacity than the closer trunk sewer. Also, the Town will look into the possibility of connecting the two trunk sewers in order to improve capacity during significant storm events.

E. DRAINAGE & GRADING

1. Drainage calculations will need to be provided for sizing the proposed stormwater management facilities and storm sewers. Also, a stormwater pollution prevention plan will be required in accordance with the new SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002.
2. An erosion and sediment control plan will be required for future submissions.
3. This parcel is located within the Town's consolidated drainage district.



MODIFICATION SUMMARY

DATE: July 21, 2026

APPLICANT:

Howitt-Bayview, LLC
758 South Avenue
Rochester, NY 14620

PROJECT LOCATION:

1211 Empire Blvd.
Webster, NY 14609

MODIFICATION REQUEST:

Howitt-Bayview, LLC, is in the process of constructing a 60-unit, four-story residential apartment building in the town of Penfield. The project includes set asides for senior living and affordable housing. The project was approved by the board in January 2022 for a mortgage recording tax exemption, sales tax exemption and real property tax abatement. The applicant was approved for an extension in 2025 due to construction delays. The applicant is now requesting an increase in sales tax exemption due to realization of additional construction and material costs. The new sales tax exemption is now not to exceed \$659,940.

PROJECT AMOUNT

<u>ORIGINAL</u>	<u>REQUESTED</u>	<u>NEW TOTAL</u>
\$13,412,476	\$3,051,630	\$16,464,096

Motion By: _____
Seconded By: _____

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.

[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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
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 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



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: [REDACTED] Contact Phone: [REDACTED]

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



MODIFICATION SUMMARY

DATE: July 21, 2026

APPLICANT:

Lang and Son's Properties LLC
1759 Middle Road
Rush, NY 14543

TENANT/PROJECT LOCATION:

Kaplan Schmidt Electric, Inc.
240 Lucius Gordon Drive
West Henrietta, NY 14586

MODIFICATION REQUEST:

Lang and Son's Properties LLC, a real estate holding company, is in the process of constructing a 16,000 square foot building in the Town of Henrietta for its tenant, Kaplan Schmidt Electric Inc., a related entity. The project was approved for sales and mortgage recording tax exemptions, and a real property tax abatement by the board in February 2026. The applicant is requesting an increase in sales and mortgage recording tax exemptions due to cost increases attributed to rising prices, unforeseen site work costs, labor shortages, and permitting costs. The new sales tax exemption is not to exceed \$112,640 and the new mortgage recording tax exemption is not to exceed \$18,750. The total project cost is now \$3,000,000.

PROJECT AMOUNT

<u>CURRENT</u>	<u>REQUESTED</u>	<u>NEW TOTAL</u>
\$2,000,000	\$1,000,000	\$3,000,000

Motion By: _____
Seconded By: _____

RESOLUTION

(Lang and Son's Properties LLC Project Modification)
OSC Code 2602-26-005B

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 LANG AND SON'S PROPERTIES 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 Resolution duly adopted on February 17, 2026 (the "Authorizing Resolution"), the Agency appointed **Lang and Son's Properties LLC**, a New York limited liability company, for itself or an 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 1.75-acre parcel of land located at 240 Lucius Gordon Drive 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 16,000 square-foot building, approximately 4,000 square feet of which will be used as office space and approximately 12,000 square feet of which will be used as warehousing 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"), all for use by Kaplan Schmidt Electric (the "Tenant") in its business as a commercial electrical contractor; 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 \$958,000, which would result in New York State and local sales and use tax exemption benefits not to exceed \$76,640; and

WHEREAS, the Agency, at the time of the Authorizing Resolution, authorized financial assistance, including, but not limited to, 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 \$1,500,000, resulting in a mortgage tax exemption not to exceed \$11,250; and

WHEREAS, by the Project Modification Request, dated July 9, 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 **\$1,408,000**, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$112,640** (as increased, the "Sales and Use Tax Exemption Benefits"), (ii) an increase in the principal amount of the mortgage for financing relating to the Project in an amount up to **\$2,500,000** which would result in a partial exemption of mortgage recording tax in the amount of **\$18,750**; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) an increase in the sales tax exemption benefits, (ii) an increase in the partial mortgage recording tax exemption for financing related to the Project and (iii) 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 **\$1,408,000**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$112,640**. 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 Agency hereby authorizes and approves the Company to obtain a mortgage for financing relating to the Project in an amount not to exceed **\$2,500,000** which would result in a partial mortgage recording tax exemption of **\$18,750**.

Section 3. 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, and the increase in the partial mortgage recording tax exemption.

Section 4. 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 5. 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:

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

The Resolutions were thereupon duly adopted.

[Remainder of this Page is 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 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

PROJECT MODIFICATION REQUEST

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

Applicant:	Lang and Son's Properties LLC	
Project Address:	240 Lucius Gordon Dr, West Henrietta, NY 14586	
Contact Name:	Jeff Lang	
Contact Company:	Lang and Son's Properties LLC	
Contact Address:	1759 Middle Road, Rush, NY 14543	
Contact Email:	[REDACTED]	Contact Phone: [REDACTED]

Employment in Monroe County:	<u>35</u>	<u>0</u>	<u>1/22/26</u>
	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: \$ 1,500,000 \$ 1,000,000 \$ _____
 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: Jeff Lang Date: 07/09/2026
 Print Name and Title: Jeff Lang, President

Staff Use Only:	2/20
Date Received <u>7/9/2026</u> Date of Original Approval: <u>2/17/2026</u> New Code 2602_26 005 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	\$ 633,000	\$ 400,000	\$ 1,033,000
b. Labor	\$ 400,000	\$ 387,000	\$ 787,000
Site Work			
c. Materials	\$ 300,000	\$ 50,000	\$ 350,000
d. Labor	\$ 100,000	\$ 25,000	\$ 125,000
e. Non-Manufacturing Equipment	\$	\$	\$ 0
f. Furniture & Fixtures	\$ 25,000	\$ 0	\$ 25,000
g. Land and/or Building Purchase	\$ 500,000	\$ 0	\$ 500,000
h. Manufacturing Equipment	\$	\$	\$ 0
i. Soft Costs (Legal, Architect, Engineer)	\$ 42,000	\$ 23,000	\$ 65,000
Other Costs (specify)			
j. Bank Closing Costs	\$ 0	\$ 40,000	\$ 40,000
k. Bank Interest Costs	\$ 0	\$ 75,000	\$ 75,000
l. _____	\$	\$	\$ 0
m. _____	\$	\$	\$ 0
Total Project Costs	\$ 2,000,000	\$ 1,000,000	\$ 3,000,000

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)	\$ 1,500,000	\$ 1,000,000	\$ 2,500,000
e. Public Sources	\$	\$	\$ 0
f. Equity	\$ 500,000	\$	\$ 500,000
Total Sources	\$ 2,000,000	\$ 1,000,000	\$ 3,000,000

B. Reason for Increase:

Rising material prices, skilled labor shortages, complex permitting costs, unforeseen site work due to existing utilities.

C. Amount of Sale Tax Exemptions Taken to Date: \$ 38,571.04



MODIFICATION SUMMARY

DATE: July 21, 2026

APPLICANT:

Erie Materials, Inc.
500 Factory Ave, PO Box 476
Syracuse, NY 13211

TENANT/PROJECT LOCATION:

911 Brooks Ave
Rochester, NY 14624

MODIFICATION REQUEST:

Erie Materials, Inc., a building materials distributor, is purchasing 911 Brooks Ave, the vacant hotel in the Town of Gates. The applicant is planning to demolish the building and construct a 49,000 square foot warehouse and a 13,000 square foot office and showroom. In June of 2026, the project was approved for a sales tax exemption, mortgage tax exemption, and real property tax abatement. The Agency is considering modifying its previously approved real property tax abatement to help offset approximately \$400,000 in unanticipated costs that the applicant is required to incur to repair and maintain county-owned infrastructure located within a county easement on the project site. A new public hearing was held on July 20th. The new cost benefit ratio is now 20:1 (originally 24:1).

PROJECT AMOUNT

ORIGINAL
\$18,700,000

County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

Date July 14, 2026
 Project Title Erie Materials
 Project Location 911 Brooks Ave Rochester, NY 14624

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

[Project Total Investment](#)

\$18,700,000

Temporary (Construction)

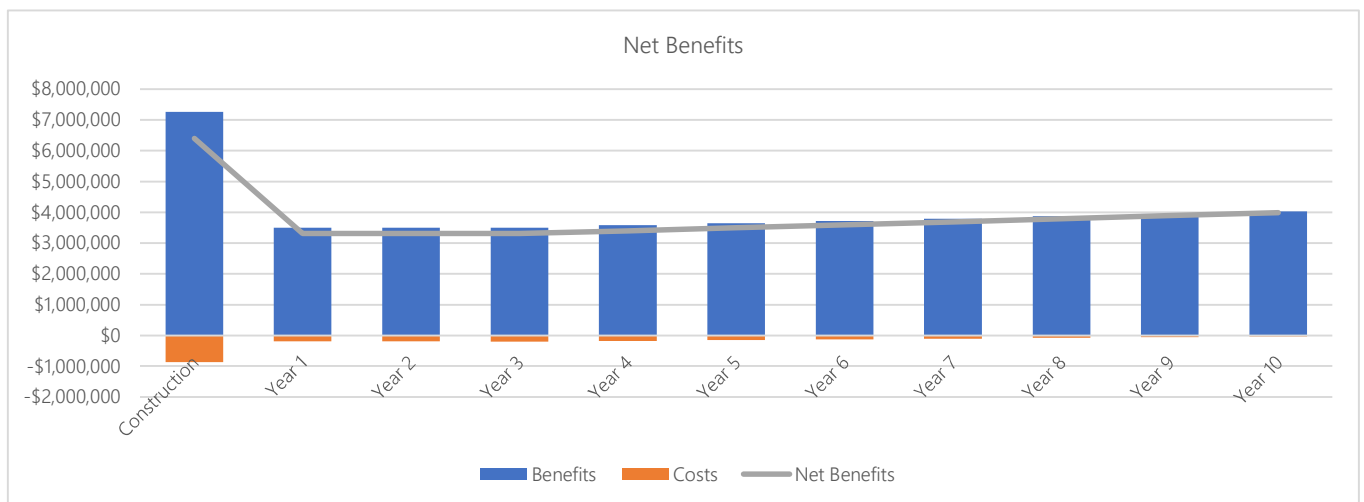
	Direct	Indirect	Total
Jobs	94	21	115
Earnings	\$5,765,251	\$1,093,906	\$6,859,157
Local Spend	\$14,960,000	\$3,723,827	\$18,683,827

Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	35	20	55
Earnings	\$25,928,274	\$9,094,575	\$35,022,850

Figure 1



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

Figure 2

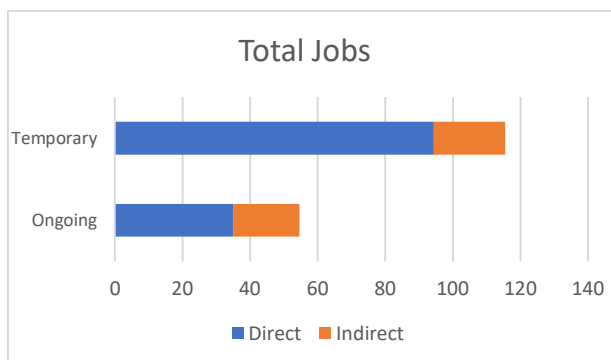
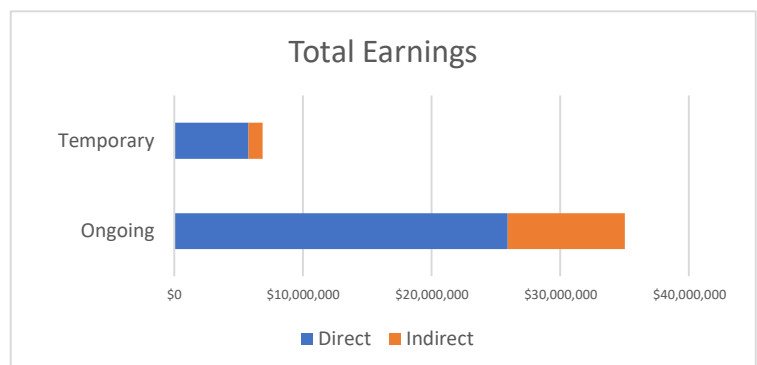


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,323,252	\$1,217,326
Sales Tax Exemption	\$768,000	\$768,000
Local Sales Tax Exemption	\$384,000	\$384,000
State Sales Tax Exemption	\$384,000	\$384,000
Mortgage Recording Tax Exemption	\$97,500	\$97,500
Local Mortgage Recording Tax Exemption	\$32,500	\$32,500
State Mortgage Recording Tax Exemption	\$65,000	\$65,000
Total Costs	\$2,188,752	\$2,082,826

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$42,943,615	\$39,155,457
To Private Individuals	\$41,882,006	\$38,232,347
Temporary Payroll	\$6,859,157	\$6,859,157
Ongoing Payroll	\$35,022,850	\$31,373,191
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,061,609	\$923,110
Increase in Property Tax Revenue	\$768,435	\$655,483
Temporary Jobs - Sales Tax Revenue	\$48,014	\$48,014
Ongoing Jobs - Sales Tax Revenue	\$245,160	\$219,612
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$2,177,864	\$1,988,082
To the Public	\$2,177,864	\$1,988,082
Temporary Income Tax Revenue	\$308,662	\$308,662
Ongoing Income Tax Revenue	\$1,576,028	\$1,411,794
Temporary Jobs - Sales Tax Revenue	\$48,014	\$48,014
Ongoing Jobs - Sales Tax Revenue	\$245,160	\$219,612
Total Benefits to State & Region	\$45,121,479	\$41,143,539

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$39,155,457	\$1,633,826	24:1
State	\$1,988,082	\$449,000	4:1
Grand Total	\$41,143,539	\$2,082,826	20:1

*Discounted at 2%

Additional Comments from IDA

0

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

Motion By: _____
Seconded By: _____

RESOLUTION

(Erie Materials, Inc. Project Modification)
OSC Code 2602-26-022B

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 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 more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 20, 2026, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY ERIE MATERIALS, INC., OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AND (ii) AUTHORIZING THE MODIFICATION OF THE REAL PROPERTY TAX ABATEMENT PREVIOUSLY APPROVED BY THE AGENCY AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

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 June 16, 2026, the Agency appointed **ERIE MATERIALS, INC.**, a New York corporation, for itself or an 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 9.65-acre parcel of land located on Erie Ridge Drive in the Town of Henrietta, New York 14467 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 on the Land of a senior living community comprised of approximately 73 apartment and townhouse units including, but not limited to, garages, zero-grade entries, wheelchair accessibility, handrails and other safety features, a community center and pickleball courts (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, in order to offset the costs associated with a public sewer line easement, the Agency desires to amend the real property tax abatement previously approved by the Agency; and

WHEREAS, the proposed real property tax abatement is set forth on **Schedule A** attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency to negotiate, execute and deliver any and all documents necessary to modify the real property tax abatement.

Section 2. 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 3. These Resolutions 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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
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 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

SCHEDULE A

<u>PILOT Year</u>	<u>Abatement</u>
1	100%
2	100%
3	100%
4	90%
5	75%
6	60%
7	50%
8	35%
9	25%
10	15%



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: Erie Materials, Inc.
Address: 500 Factory Ave, PO Box 476
City/State/Zip: Syracuse, NY 13211
Tax Id No.: 15-0528388
Contact Name: Stephen Chabot
Title: Vice President
Telephone: [REDACTED]
E-Mail: [REDACTED]

B. Applicant's Legal Counsel

Name: Kevin Pole
Firm: Bond Schoeneck & King, PLLC
Address: One Lincoln Center
City/State/Zip: Syracuse, NY 13202
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
<u>Chris Neumann</u>	<u>100</u>	<u>CEO & President</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

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: 911 Brooks Ave

Tax Map Parcel Number: 135.10-1-1

City/Town/Village: Rochester, Town of Gates

School District: Rochester

Zip: 14624

Current Legal Owner of Property:

HDDA - Rochester 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) Demolition of existing hotel

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: Erie Materials, Inc. (or other under common control)

Address: 500 Factory Ave, PO Box 476

City/State/Zip: Syracuse, NY 13211

Tax ID No: 15-0528388

Contact Name: Stephen Chabot

Title: Vice President

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
<u>Chris Neumann</u>	<u>100</u>	<u>CEO & President</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

F. Project Timeline

Proposed Date of Acquisition: July 2026

Proposed Commencement Date of Construction: August 2026

Anticipated Completion Date: October 2027

G. Contractor(s)

Nichols Construction Team

II.PROJECT (cont'd)

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

NAICS Code: **423330**

Erie Materials is a fifty-three year old family business with Chris Neumann being the owner, CEO, President. Erie is headquartered in Syracuse, New York, has 400 employees and 10 branches across New York & Pennsylvania.

Erie is a distributor of exterior building materials primarily for residential remodeling and new construction, commercial, and multi-family. Product categories include residential roofing, commercial roofing, metal roofing, windows, doors, siding, decking, stone and seamless gutter.

Erie Materials is looking to expand into the Rochester market. 911 Brooks Ave is currently an abandoned hotel which has significant environmental issues. The project includes purchase of 911 & 0 Brooks Ave, demolition and disposal of the contaminated materials, bringing the site back to a usable state, paving ~8 acres, followed by construction of a 49,000 square foot warehouse and a 13,000 square foot office and showroom.

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 current property which has been a vacant hotel for many years, is full of asbestos and is completely unusable. Between the site acquisition, demolition of asbestos contaminated material, and site work to prepare the site - it requires spending \$6M - \$7M, plus the cost of constructing a new warehouse and showroom. This location has been vacant due to these risks and upfront cash outlay, which other developers have been unwilling to undertake.

This is an ideal location for Erie Materials, however the return on investment must be reasonable and meet our corporate goals. Without this assistance we will continue to pursue branch expansion within other regions of NYS and/or adjacent states, since we have not been to find a suitable location within the Rochester market.

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

☒ Yes ☐ No

Location:

Syracuse, Utica, Albany, Poughkeepsie,
Binghamton, Elmira, Watertown, Auburn

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

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

Check One:

☒ **JOBSPUS**

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 ¹_____.

☐ **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 JOBSPUS**

Requirements:

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

☐ **GREEN JOBSPUS**

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.

☐ **Local Tax Jurisdiction Sponsored PILOT**

☐ **NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT**

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. \$ 5,650,000
b. Labor b. \$ 4,800,000

Site Work

- c. Materials c. \$ 1,700,000
d. Labor d. \$ 1,100,000
e. Non-Manufacturing Equipment e. \$ 1,600,000
f. Manufacturing Equipment f. \$ _____
g. Equipment Furniture and Fixtures g. \$ 650,000
h. Land and/or Building Purchase h. \$ 1,400,000
i. Soft Costs (Legal, Architect, Engineering) i. \$ 1,800,000
Other (specify) j. _____ j. \$ _____
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____
Total Project Costs \$ 18,700,000
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ _____
b. Taxable Industrial Revenue Bond b. \$ _____
c. Bank Financing c. \$ 13,000,000
d. TOTAL Public Sources d. \$ 2,000,000

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

ESD Grant (thru Town of Gates) \$ 2,000,000
\$ _____
\$ _____
\$ _____

- e. Equity e. \$ 3,700,000

TOTAL SOURCES \$ 18,700,000
(must equal Total Project Costs)

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

☒ Yes ☐ No

If yes, please specify bank, underwriter, etc.

under existing arrangements with M&T Bank

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
Erie Materials**A. IDA PILOT Benefits:**

Current Assessment	\$3,218,900
Value of New Construction & Renovation Costs	\$7,350,000
Estimated New Assessed Value Subject to IDA	\$10,568,900
Current Taxes	\$83,659
Current Taxes Escalator	2%
PILOT Terms - Years	10
County Tax rate/\$1,000	5.33000
Local Tax Rate* Tax Rate/\$1,000	4.58000
School Tax Rate /\$1,000	16.08000
Total Tax Rate	25.99000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$768,000
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$97,500
--------------------------	----------

D. Industrial Revenue Bond Benefit

IRB inducement amount:	\$0
------------------------	-----

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

Total Value of Incentives:	\$2,188,752
Project Construction Costs:	\$18,700,000
	11.70%

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	\$157,590	\$135,415	\$475,430	\$768,435	\$2,091,687	\$1,323,252
1	100%	\$0	\$0	\$0	\$0	\$191,027	\$191,027
2	100%	\$0	\$0	\$0	\$0	\$194,847	\$194,847
3	100%	\$0	\$0	\$0	\$0	\$198,744	\$198,744
4	90%	\$4,157	\$3,572	\$12,542	\$20,272	\$202,719	\$182,447
5	75%	\$10,601	\$9,109	\$31,983	\$51,693	\$206,773	\$155,080
6	60%	\$17,301	\$14,867	\$52,196	\$84,363	\$210,909	\$126,545
7	50%	\$22,059	\$18,955	\$66,549	\$107,563	\$215,127	\$107,563
8	35%	\$29,250	\$25,134	\$88,245	\$142,629	\$219,429	\$76,800
9	25%	\$34,425	\$29,581	\$103,857	\$167,863	\$223,818	\$55,954
10	15%	\$39,796	\$34,196	\$120,059	\$194,050	\$228,294	\$34,244

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Erie Materials, Inc.

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		35	32
Part Time (PTE)	0			
Total	0	0	35	32

** 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 Erie Materials, Inc.

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.

SC

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.**

SC

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.

SC

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.

SC

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.

SC

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.

SC

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.

Erie Materials, Inc.

(APPLICANT COMPANY)

Stephen
Chabot

Digitally signed by
Stephen Chabot
Date: 2026.05.22
06:56:20 -04'00'

Vice President 05/22/26

Signature

, Title

Date

Erie Materials, Inc.

(TENANT COMPANY)

Stephen
Chabot

Digitally signed by Stephen Chabot
Date: 2026.05.22 06:57:13 -04'00'

Vice President 05/22/26

Signature

, Title

Date

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.

Erie Materials, Inc.

(APPLICANT COMPANY)

Stephen
Chabot

Digitally signed by
Stephen Chabot
Date: 2026.05.22
06:57:55 -04'00'

Vice President 05/22/26

Signature

, Title

Date

Erie Materials, Inc.

(TENANT COMPANY)

Stephen
Chabot

Digitally signed by Stephen Chabot
Date: 2026.05.22 06:58:34 -04'00'

Vice President 05/22/26

Signature

, Title

Date

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

Erie Materials, Inc.

Stephen Chabot	Digitally signed by Stephen Chabot Date: 2026.05.22 07:00:13 -04'00'	Vice President	05/22/26
Signature		, Title	Date

TENANT COMPANY

Erie Materials, Inc.

Stephen Chabot	Digitally signed by Stephen Chabot Date: 2026.05.22 07:02:17 -04'00'	Vice President	05/22/26
Signature		, Title	Date



MODIFICATION SUMMARY

DATE: July 21, 2026

APPLICANT:

Legacy Tower, LLC
259 Alexander Street
Rochester, NY 14607

PROJECT LOCATION:

1 Bausch and Lomb Place
Rochester, NY 14607

MODIFICATION REQUEST:

Legacy Tower, LLC, the former Bausch & Lomb tower located in the City of Rochester, has requested a modification to the existing PILOT Agreement. Originally approved in 2014, the custom twenty-year PILOT Agreement was put in place to enable the developer to lower occupancy costs to incentivize current tenants to renew leases and attract out-of-town firms to relocate to Rochester. Recently, the Company has stated that the PILOT payments exceed the amount of real property taxes that would otherwise be payable absent the PILOT Agreement and have requested an amendment to adjust the PILOT payments for the remainder of the term.

PROJECT AMOUNT

ORIGINAL
\$21,100,000

Motion By: _____
Seconded By: _____

RESOLUTION
(Legacy Tower LLC Project Modification)
OSC Code 2602-14-036B

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 (THE "AGENCY") AUTHORIZING THE AMENDMENT TO THAT CERTAIN PAYMENT IN LIEU OF TAX AGREEMENT, DATED AS OF AUGUST 1, 2014, BY AND BETWEEN THE AGENCY AND LEGACY TOWER LLC (THE "COMPANY") WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) 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 July 15, 2014, the Agency authorized the execution of certain documents by and between Clinton Court LLC ("Clinton Court") and the Agency with respect to a certain project (the "Project") consisting of: (A) the renovation of the Bausch and Lomb Tower located at the Property and (B) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property; and

WHEREAS, in furtherance of the Project, the Agency and Clinton Court entered into that certain Payment In Lieu of Tax Agreement, dated as of August 1, 2014, as amended by that certain First Amendment to PILOT Agreement, dated as of March 1, 2018 (as amended, the "PILOT Agreement"), which PILOT Agreement was assigned to Legacy Tower LLC (the "Company") pursuant to that certain Assignment and Assumption of Agreements, dated as of June 1, 2019, from Clinton Court to the Company and acknowledged by the Agency; and

WHEREAS, the City of Rochester and the Company have represented that the PILOT Payments (as defined in the PILOT Agreement) required under the PILOT Agreement exceed the amount of real property taxes that would otherwise be payable absent the PILOT Agreement, and have therefore requested an amendment to the PILOT Agreement to adjust the PILOT Payments; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the amendment to the PILOT Agreement to adjust the PILOT Payments 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. The Agency hereby approves the amendment of the PILOT Agreement to adjust the remaining PILOT Payments as set forth in **Schedule A** attached hereto.

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 partial real property tax abatement.

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:

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

The Resolutions were thereupon duly adopted.

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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

SCHEDULE A

Year	Schedule I (original)	Schedule I (revised)
Year 12 (2026-2027)	\$1,085,443	\$542,722
Year 13 (2027-2028)	\$1,139,715	\$542,722
Year 14 (2028-2029)	\$1,196,701	\$542,722
Year 15 (2029-2030)	\$1,256,536	\$569,858
Year 16 (2030-2031)	\$1,319,363	\$598,351
Year 17 (2031-2032)	\$1,385,331	\$628,268
Year 18 (2032-2033)	\$1,454,597	\$659,682
Year 19 (2033-2034)	\$1,527,327	\$692,666
Year 20 (2034-2035)	\$1,603,694	\$727,299

From: Beath, Patrick <Patrick.Beath@CityofRochester.Gov>
Sent: Wednesday, July 1, 2026 10:00 AM
To: rbaranello@harrisbeachmurtha.com; Schwartz, Matthew <matthewschwartz@monroecounty.gov>
Cc: Robert Jacobson <robert@jacobsonesq.com>; Aaron Jacobson <aaron@jacobsonesq.com>; Campolieto, John M. <John.Campolieto@CityofRochester.Gov>; Webb, Randy A. <Randy.Webb@CityofRochester.Gov>; Mineo, Enza <Enza.Mineo@CityofRochester.Gov>; Burns, Michael T. <Michael.Burns@CityofRochester.Gov>
Subject: Legacy Tower COMIDA PILOT

Rachel and Matt,

I have been working with Bob Jacobson, who represents the owners of Legacy Tower, concerning the terms of the PILOT agreement. A copy of the PILOT and a prior amendment to the PILOT is attached. The long and short of it is that the current PILOT agreement prescribes a specific payment schedule (see Schedule I to the PILOT agreement) which, over time, has deviated significantly higher than what would be owed if the building were on the tax rolls. The Legacy owners project that the amount of these payments going forward will negatively impact the financial success of the building. After some back and forth, Legacy and the City have agreed to the following payment schedule for the remainder of the PILOT term. The schedule reduces the 2026-2027 payment by 50%, holds it there for the following two years, then increases annually by 5%.

Year	Schedule I (original)	Schedule I (revised)
Year 12 (2026-2027)	\$1,085,443	\$542,722
Year 13 (2027-2028)	\$1,139,715	\$542,722
Year 14 (2028-2029)	\$1,196,701	\$542,722
Year 15 (2029-2030)	\$1,256,536	\$569,858
Year 16 (2030-2031)	\$1,319,363	\$598,351
Year 17 (2031-2032)	\$1,385,331	\$628,268
Year 18 (2032-2033)	\$1,454,597	\$659,682
Year 19 (2033-2034)	\$1,527,327	\$692,666
Year 20 (2034-2035)	\$1,603,694	\$727,299

We would like to move forward with a second amendment to the PILOT to reflect this revised payment schedule. Please let me know what the process is for COMIDA to consider and (hopefully) adopt the amended schedule, and what else you would need from the City or from the owners of Legacy.

Patrick



Patrick Beath (he/him)
Corporation Counsel
Law Department
30 Church Street | Room 400A
Rochester, New York 14614
Office: 585-428-6812
Mobile: 585-794-9632



ASSIGNMENT/ASSUMPTION SUMMARY

DATE: July 21, 2026

APPLICANT:

Assignor: Charlotte Square Apartments, LLC
180 Clinton Square
Rochester, NY 14604

Assignee: Charlotte Square Property, LLC
972 International Parkway
Lake Mary, Florida 32746

PROJECT LOCATION:

11-58 Charlotte Street
Rochester, NY 146204

ORIGINAL APPROVAL DATE:

July 21, 2015

MODIFICATION REQUEST:

Charlotte Square Property, a real estate holding company, is purchasing the apartment building in the City of Rochester located on Charlotte Street. The building consists of 72 market rate apartments with eight units set aside for those earning up to 100% AMI. The original approval included a special twelve-year PILOT that is expected to end in 2029.

ORIGINAL PROJECT AMOUNT:

\$15,214,577

Motion By: _____
Seconded By: _____

RESOLUTION

(Assignment of Charlotte Square Apartments, LLC Project to Charlotte Square Property, LLC)
OSC Code 2602-26-026A

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 (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY CHARLOTTE SQUARE APARTMENTS, LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS (EACH AS DEFINED BELOW) IN CONNECTION WITH A CERTAIN PROJECT LOCATED ON CHARLOTTE STREET IN THE CITY OF ROCHESTER, NEW YORK, TO CHARLOTTE SQUARE PROPERTY, LLC OR AN ENTITY FORMED OR TO BE FORMED ON ITS BEHALF; 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 July 21, 2015, the Agency appointed Charlotte Square Apartments, LLC, a New York limited liability company ("Charlotte Square Apartments"), 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 various parcels of land comprising in the aggregate, approximately 1.40-acres located at 14-16, 26, 28-30, 32-34, 36, 42 and 48-58 Charlotte Street in the City of Rochester, New York (collectively, the "Land"); (B) the construction on the Land of a 4-story podium-style building comprised of 72 apartment units (8 of which will be reserved for residents with incomes under 100% area median income) and will include terraces/balconies, in-unit stackable washer/dryer units, ground-level parking under the building, some sound-proof practice rooms for musician tenants, a community room and an outdoor pocket park (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 and Charlotte Square Apartments executed and delivered (i) a certain Lease Agreement, dated as of July 1, 2015, pursuant to which Charlotte Square Apartments 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 July 24, 2015 in Liber 11566 of Deeds, at Page 557; (ii) a certain Leaseback Agreement, dated as of July

1, 2015, pursuant to which the Agency leased the Facility back to Charlotte Square Apartments (the "Leaseback Agreement"), a memorandum of which was recorded in the Monroe County Clerk's Office on July 24, 2015 in Liber 11566 of Deeds, at Page 566 (the "Memorandum of Leaseback"); and (iii) a certain Payment-In-Lieu-Of-Tax Agreement, dated as of July 1, 2015, by and between the Agency and Charlotte Square Apartments (the "PILOT Agreement"; and, together with Lease Agreement and the Leaseback Agreement, the "Documents"); and

WHEREAS, pursuant to the Documents, the Agency provided financial assistance (the "Financial Assistance") to Charlotte Square Apartments in the form of (a) sales and use tax exemptions 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 Application for Assumption, dated July 1, 2026, Charlotte Square Apartments (hereinafter, the "Assignor") has requested the Agency's approval of the transfer of ownership of the Facility and assignment of the Financial Assistance and the Documents to Charlotte Square Property, LLC, a New York limited liability company or an entity formed or to be formed on its behalf (collectively, herein, the "Assignee"); and

WHEREAS, Assignor and the Assignee represent that the transfer of ownership of the Facility to the Assignee will not in any way change the use of the Facility and that the Facility will continue to constitute a "project" as defined in the Act; and

WHEREAS, the Agency now desires to adopt a resolution: (i) approving the transfer of in ownership of the Facility, (ii) approving the assignment of the Financial Assistance and the Documents to the Assignee 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 transfer of Assignor's rights, title and interests in and to the Facility to the Assignee.

Section 2. The Agency hereby consents to the assignment of the Financial Assistance and the Documents from Assignor to the Assignee.

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.

[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:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
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 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



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 50 Charlotte Street
City/State/Zip Rochester, New York 14607
TAX Map No 106.81-02-36.2
- b. Current Project Owner
Charlotte Square Apartments, 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 Charlotte Square Property, LLC
Address 972 International Parkway
City/State/Zip Lake Mary, Florida 32746
TAX ID No 41-4592781
Contact Name Brent Zartler
Title Member
Telephone # [REDACTED]
Email [REDACTED]

- b. Owners of 20% or more Applicant Company
Collaborative Fund I-Charlotte Square Income,

Do any of these owners currently own property within Monroe County New York? YES ☒ NO ☐

III. APPLICANT Legal Counsel

Name Christopher Hoke
Firm Woods Oviatt Gilman LLP
Address 1900 Basuch and Lomb PL
City/State/Zip Rochester, New York 14607
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:

CSPH
Name, Title

7/1/2026
Date

Assignee:

BZ
Name, Title

7/2/2026
Date

2025 Waiver Request Summary

Code	2023 Reported	2024 Reported	2025 Reported	Required Jobs	Shortfall	Shortfall Percentage	Past Waivers	Jobs as of 6/30/25
2602 13 068	86	88	50	100	50	50%	2019, 2020, 2022, 2023, 2024	50
2602 14 029	14	13	12	16	4	25%	2023, 2024	12
2602 15 065	101	111	96	101	5	5%	N/A	86
2602 15 079	73	89	72	95	23	24%	2018, 2019, 2020, 2022, 2023, 2024	73
2602 16 031	35	32	30	43	13	30%	2021, 2022, 2023, 2024	36.5
2602 16 055	5	3	2	3	1	33%	N/A	2
2602 17 004	70	68	75	77	2	3%	2021, 2022, 2023, 2024	73
2602 18 062	74	67	39	206	167	81%	2019, 2020, 2021, 2022, 2023, 2024	36
2602 19 011	12	13	12	18	6	33%	2023, 2024	13
2602 19 017	44	36	33	49	16	33%	2023, 2024	32
2602 19 027	193	174	182	225	43	19%	N/A	173
2602 19 028	100	1171	1083	1102	19	2%	N/A	1111
2602 19 048	61	61	52	62	10	16%	2024	52
2602 20 003	91	108	99	130	31	24%	2024	128
2602 20 007	11	9	8	9	1	11%	N/A	8
2602 20 012	34	38	31	38	7	18%	N/A	32.5
2602 20 039	40	40	27	44	17	39%	N/A	27
2602 21 018 A	0	0	140	150	10	7%	N/A	220
2602 21 050	6	6	5	20	15	75%	2022, 2023, 2024	6

To: COMIDA

Re: America 250 Event Funding

Dear Members of the COMIDA Board:

We are requesting an additional contribution of \$15,000 from COMIDA to help cover the remaining costs associated with the America 250 celebration.

The original event budget was \$200,000, with funding anticipated from two sources: \$150,000 from COMIDA and \$50,000 from a New York State grant that was expected to be awarded to Monroe County.

After planning was underway, we learned that the New York State grant, administered through the State Education Department, included several eligibility requirements and restrictions that could not be met by this event. As a result, those grant funds were ultimately unavailable to support the project.

Despite this unforeseen funding gap, Visit Rochester carefully managed the event budget and completed the project for approximately \$165,000, significantly below the original budget. Even with these cost savings, Visit Rochester absorbed a \$15,000 shortfall.

We respectfully request an additional \$15,000 to reimburse Visit Rochester for these unrecovered expenses resulting from the loss of the anticipated state grant funding.

Thank you for your consideration and continued support.

Sincerely,


Don Jeffries

Visit Rochester