



Bliss Mixed-Use Building

Instructions and Insurance Requirements Document

Section I: Applicant Background Information

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.

Applicant Information- Company Receiving Benefit

Project Name	6790 Main Street, LLC
Project Summary	Proposed three-story mixed-use building consisting of 20,745 sq. ft. and related site improvements.
Applicant Name	6790 Main Street, LLC
Applicant Address	6790 Main Street, Suite 100
Applicant Address 2	
Applicant City	Williamsville
Applicant State	New York
Applicant Zip	14221
Phone	(716) 515-5200
Fax	(716) 204-2911
E-mail	pbliss@blissco.net
Website	bliss
NAICS Code	

Business Organization

Type of Business	Limited Liability Company
Year Established	2018
State in which Organization is established	New York

Individual Completing Application

Name	Paul Bliss
Title	Owner
Address	6790 Main Street, Suite 100
Address 2	
City	East Amherst
State	New York
Zip	14221
Phone	(716) 204-2910

Fax (716) 204-2911
E-Mail pbliss@blissco.net

Company Contact (if different from individual completing application)

Name Paul Bliss
Title Owner
Address 6790 Main Street
Address 2
City Williamsville
State New York
Zip 14221
Phone (716) 515-5200
Fax (716) 204-2911
E-Mail pbliss@blissco.net

Company Counsel

Name of Attorney Sean Hopkins
Firm Name Hopkins Sorgi & McCarthy PLLC
Address 5500 Main Street, Suite 343
Address 2
City Williamsville
State New York
Zip 14221
Phone (716) 510-4338
Fax
E-Mail shopkins@hsr-legal.com

Benefits Requested (select all that apply)

Exemption from Sales Tax	Yes
Exemption from Mortgage Tax	Yes
Exemption from Real Property Tax	Yes
Tax Exempt Financing*	No

* (typically for not-for-profits & small qualified manufacturers)

Applicant Business Description

Describe in detail company background, history, products and customers. Description is critical in determining eligibility.

The project consists of 12 upper floor market rate apartments and 7,000 square feet of first floor commercial office space.

Estimated % of sales within Erie County	80 %
Estimated % of sales outside Erie County but within New York State	15 %
Estimated % of sales outside New York State but within the U.S.	5 %
Estimated % of sales outside the U.S.	0 %

(*Percentage to equal 100%)

For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services

are purchased from firms in Erie County?

80

Describe vendors within Erie County for major purchases

concrete, stone, reinforcing steel, structural steel, asphalt, landscaping material, plants, metal panels, siding, brick, rubber roofing, electrical supplies, plumbing supplies, heating and air conditioning supplies and equipment, elevator, metal studs, insulation, drywall, paint, wood, aluminum railings, wood fence, windows, doors, frames, hardware, kitchen cabinets, countertops, appliances, window blinds and treatments, carpeting, vinyl tile, ceramic tile, cleaning supplies, signage.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

6770 & 6790 Main Street [Parcels to be merged as 6790 Main Street]

Town/City/Village of Project Site

Town of Amherst

School District of Project Site

Clarence Central Schools

Current Address (if different)

6770 Main Street

Current Town/City/Village of Project Site (if different)**SBL Number(s) for proposed Project**

70.17-2-19 [to be merged with 70.17-2-18]

What are the current real estate taxes on the proposed Project Site

Approximately \$9,250.00

If amount of current taxes is not available, provide assessed value for each.

Land

\$ 400,000.00

Building(s)

\$ 4,400,000.00

If available include a copy of current tax receipt.

Are Real Property Taxes current at project location?

Yes

If no please explain**Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?**

Yes

If No, indicate name of present owner of the Project Site**Does Applicant or related entity have an option/contract to purchase the Project site?**

No

Describe the present use of the proposed Project site (vacant land, existing building, etc.)

Former photography studio recently demolished such that the project site currently consists of vacant land.

Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)

A new three story mixed-use building 20,745 square feet with 12 market rate apartments on the second and third floor. The first floor will consist of 6,915 sq. ft. with a maximum of 5,000 sq. ft. of retail space. The mixed use project includes on site parking, detached garages (15 spaces), lighting, landscaping, storm water management and utility improvements and connections. The Planning Board granted Site Plan Approval for the mixed-use project during its meeting on April 23, 2020 and also issued a negative declaration pursuant to the State Environmental Quality Review Act ("SEQRA").

Municipality or Municipalities of current operations

Town of Amherst

Will the Proposed Project be located within a Municipality identified above?

Yes

Will the completion of 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 OR in the abandonment of one or more plants or facilities of the project occupant located within the state?

No

If the Proposed Project is located in a different Municipality within New York State than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?

No

(If yes, you will need to complete the Intermunicipal Move Determination section of this application)

Is the project reasonably necessary to prevent the project occupant from moving out of New York State?

No

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?

No

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

Amherst IDA

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

The proposed mixed-use project is eligible pursuant to the UTEP and is consistent the mixed-use redevelopment goals and objectives contained in the adopted Town of Amherst Bicentennial Comprehensive Plan ("Comprehensive Plan"). A more detailed narrative regarding reasons the mixed-use project should be approved for a Financial Assistance by the Agency is attached as Exhibit "2".

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

The Agency's financial assistance is necessary for the successful implementation of the proposed mixed-use redevelopment project. Given the enhanced buildings materials and improvements per the Site Plan approved by the Planning Board, the cost to construct the mixed-use project is greater per sq. ft. than a typical standalone commercial or multifamily project. Obtaining the necessary project financing for the successful implementation of the proposed mixed-use project has become much more challenging for reasons entirely outside the control of the Applicant that are largely attributable to the Covid-19 pandemic including increased equity requirement of lenders, increased construction costs, increased labor costs due to lack of supply of skilled trades, etc. Lenders have also been much less willing to provide financing for projects that include commercial space.

Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency

Yes

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and Erie County?

In the absence of financial assistance, there will be negative impacts to the Applicant given that it will not be able successfully implement the mixed-use redevelopment project per the Site Plan approved by the Planning Board. Additionally, if the mixed-use project does not occur, there will be negative fiscal impacts to the Town of Amherst, Erie County and the school district since the annual property taxes with financial assistance in place from the IDA will be substantially greater than the current annual property taxes attributable to the site.

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

office equipment

Site Characteristics

Is your project located near public transportation?

Yes

If yes describe if site is accessible by either metro or bus line (provide route number for bus lines)

NFTA Bus Routes 48 and 66

Has a project related site plan approval application been submitted to the appropriate planning department?

Yes

Will the Project meet zoning/land use requirements at the proposed location?

Yes

Describe the present zoning/land use

The Project Site is zoned General Business District ("GB") and Residential District Three ("R-3") pursuant to the Town of Amherst Zoning Map. The necessary approvals for the mixed-use redevelopment project have been obtained from both the Town of Amherst Zoning Board of Appeals and the Town of Amherst Planning Board.

Describe required zoning/land use, if different

Not applicable.

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements

Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?

No

If yes, please provide a copy.

Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

No

If yes, please provide copies of the study.

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

No

If yes, describe the efficiencies achieved

You may also attach additional information about the machinery and equipment at the end of the application.

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

No

If yes, include percentage of operating expenses attributed to R&D activities and provide details.

Select Project Type for all end users at project site (you may check more than one)

For purposes of the following, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

Retail Sales Yes

Services Yes

Please check any and all end uses as identified below.

- | | | |
|--|---------------------------|-------------------------------------|
| No Acquisition of Existing Facility | No Assisted Living | No Back Office |
| No Civic Facility (not for profit) | Yes Commercial | No Equipment Purchase |
| No Facility for the Aging | No Industrial | No Life Care Facility (CCRC) |
| Yes Market Rate Housing | Yes Mixed Use | Yes Multi-Tenant |
| Yes Retail | No Senior Housing | No Manufacturing |
| No Other | | |

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

			Cost	% of Total Cost
Manufacturing/Processing	square feet	\$	0	0%
Warehouse	square feet	\$	0	0%
Research & Development	square feet	\$	0	0%
Commercial	5,000 square feet	\$	1,118,000	25%
Retail	square feet	\$	0	0%
Office	1,915 square feet	\$	333,400	8%
Specify Other	13,830 square feet	\$	2,948,000	67%

If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?

No

If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)

<BLANK>

Provide estimate of additional construction cost as a result of LEED certification you are seeking < BLANK >

Will project result in significant utility infrastructure cost or uses Yes

What is the estimated project timetable (provide dates)

Start date : acquisition of equipment or construction of facilities

9/1/2020

End date : Estimated completion date of project

6/1/2021

Project occupancy : estimated starting date of occupancy

6/1/2021

Project Information

Estimated costs in connection with Project

Land and/or Building Acquisition

\$ 400,000 26,190 square feet acres

New Building Construction

\$ 4,400,000 20,745 square feet

New Building addition(s)

\$ 0 square feet

Reconstruction/Renovation

\$ 0 square feet

Manufacturing Equipment

\$ 0

Infrastructure Work

\$ 0

Non-Manufacturing Equipment: (furniture, fixtures, etc.)

\$ 0

Soft Costs: (Legal, architect, engineering, etc.)

\$ 800,000

Other Cost

\$ 0

Explain Other Costs

Total Cost 5,600,000

Construction Cost Breakdown:

Total Cost of Construction	\$4,400,000 (sum of 2, 3, 4 and 5 in Project Information, above)
Cost of materials	\$2,200,000.00
% sourced in Erie County	95%

Sales and Use Tax:

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit	\$2,200,000.00
Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):	\$182,875.00

** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only) \$0

Have any of the above costs been paid or incurred as of the date of this Application? No

If Yes, describe particulars:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	\$1,000,000
Bank Financing:	\$0
Tax Exempt Bond Issuance (if applicable):	\$0
Taxable Bond Issuance (if applicable):	\$0
Public Sources (Include sum total of all state and federal grants and tax credits):	\$0
Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)	0
Total Sources of Funds for Project Costs:	\$1,000,000
Have you secured financing for the project?	Yes

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent 4,400,000

/bridge financing).

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$33,000

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):

The Project Site is located within a designated 485-B Enhancement Area

IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

Is project necessary to expand project employment?

No

Is project necessary to retain existing employment?

No

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

office equipment

Employment Plan (Specific to the proposed project location)

You must include a copy of the most recent NYS-45 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return.

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time	0	0	0	0
Part time	0	0	0	0
Total	0	0	0	

If you estimated new job growth over the next 2 years, please provide a short description of how those estimates were calculated (i.e. jobs per square foot, new contracts/increased revenues, etc.)

Salary and Fringe Benefits for Jobs to be Retained and Created

Category of Jobs to be Retained and/or Created	# of Employees Retained and/or Created	Average Salary for Full Time	Average Fringe Benefits for Full Time	Average Salary for Part Time (if applicable)	Average Fringe Benefits for Part Time (if applicable)
Management	0	\$0	\$0	\$0	\$0
Professional	0	\$0	\$0	\$0	\$0

Administrative	0	\$0	\$0	\$0	\$0
Production	0	\$0	\$0	\$0	\$0
Independent Contractor	0	\$0	\$0	\$0	\$0
Other	0	\$0	\$0	\$0	\$0

** Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

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

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

Payroll Information

Annual Payroll at Proposed Project Site upon completion

0

Estimated average annual salary of jobs to be retained (Full Time)

0

Estimated average annual salary of jobs to be retained (Part Time)

0

Estimated average annual salary of jobs to be created (Full Time)

0

Estimated average annual salary of jobs to be created (Part Time)

0

Estimated salary range of jobs to be created

From (Full Time)	0	To (Full Time)	0
From (Part Time)	0	To (Part Time)	0

Section III: Facility Type - Single or Multi Tenant

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

Multi-Tenant Facility

Multi-Tenant Facility (to be filled out by developer)

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

The Project Site is located on a portion of Main Street that is walkable with easy access to many amenities including restaurants, places of employment, retail uses, etc. There is a trend towards prospective office and residential tenants being interested in being located in a mixed-use building that is walkable and close to amenities.

Have any tenant leases been entered into for this project?

No

If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

Tenant Name	Current Address (city, state, # of sq ft and % of total to be zip)	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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*fill out table for each tenant and known future tenants

Section V: Retail Determination

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes

If yes, complete the Retail Questionnaire Supplement below.

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

<BLANK>

If the answer is yes, please continue. **If no, proceed to the next section.**

What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?

25 %

If the answer to this is **less than 33%** do not complete the remainder of the page, proceed to the next section.

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

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

<BLANK>

Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located?

<BLANK>

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

Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services?

<BLANK>

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

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York?

<BLANK>

If yes, explain

Is the project located in a Highly Distressed Area?

<BLANK>

■ Section VI: Adaptive Reuse Projects

Adaptive Reuse is the process of adapting old structures or sites for new purposes.

Are you applying for tax incentives under the Adaptive Reuse Program?

No

Section VII: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results 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, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Current Address

City/Town

State

Zip Code

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?

No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

No

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

Does this project involve relocation or consolidation of a project occupant from another municipality?

Within New York State

No

Within Erie County

No

If Yes to either question, please, explain

Will the project result in a relocation of an existing business operation from the City of Buffalo?

No

If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)

If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?

<BLANK>

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

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.

Section VIII: Senior Housing

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

Are you applying for tax incentives under the Senior Rental Housing policy?

No