



## Amherst Collaborative Medical Facility

[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

<b>Project Name</b>	Amherst Collaborative Medical Facility
<b>Project Summary</b>	The proposed state-of-the-art healthcare facility will total approximately 163,000 square feet and related site improvements including public infrastructure improvements per the Site Plan approved by the Town of Amherst Planning Board. Developed with demand from a collection of Western New York's leading 501C3 medical providers, the integrated mix of healthcare tenants a single location will provide opportunities for healthcare collaboration, community synergies, and most importantly improved patient outcomes. The Project Site is centrally located in the NYS region, proximate to the SUNY at Buffalo's North Campus, and easily accessible from the surrounding roadway network.
<b>Applicant Name</b>	Ciminelli Real Estate Corporation as agent for 111 North Maplemere LLC
<b>Applicant Address</b>	50 Fountain Plaza
<b>Applicant Address 2</b>	Suite 500
<b>Applicant City</b>	Buffalo
<b>Applicant State</b>	New York
<b>Applicant Zip</b>	14202
<b>Phone</b>	(716) 631-8000
<b>Fax</b>	(716) 631-8034
<b>E-mail</b>	jgottstine@ciminelli.com
<b>Website</b>	www.ciminelli.com
<b>NAICS Code</b>	None

#### Business Organization

<b>Type of Business</b>	Limited Liability Company
<b>Year Established</b>	2020
<b>State in which Organization is established</b>	New York

#### Individual Completing Application

<b>Name</b>	James M. Gottstine
<b>Title</b>	Chief Operating Officer
<b>Address</b>	50 Fountain Plaza
<b>Address 2</b>	Suite 500

**City** Buffalo  
**State** New York  
**Zip** 14202  
**Phone** (716) 631-8000  
**Fax** (716) 631-8034  
**E-Mail** jgottstine@ciminelli.com

Company Contact (if different from individual completing application).

**Name**  
**Title**  
**Address**  
**Address 2**  
**City**  
**State**  
**Zip**  
**Phone**  
**Fax**  
**E-Mail**

Company Counsel

**Name of Attorney** Sean Hopkins, Esq.  
**Firm Name** Hopkins Sorgi & McCarthy PLLC  
**Address** 500 Main Street, Suite 343  
**Address 2**  
**City** Williamsville  
**State** New York  
**Zip** 142221  
**Phone** (716) 510-4338  
**Fax** (716) 427-6501  
**E-Mail** shopkins@hsmlegal.com

Benefits Requested (select all that apply).

<b>Exemption from Sales Tax</b>	Yes
<b>Exemption from Mortgage Tax</b>	Yes
<b>Exemption from Real Property Tax</b>	Yes
<b>Tax Exempt Financing*</b>	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. Also list all stockholders, members, or partners with % ownership greater than 20%.

Ciminelli Real Estate Corporation, acting as Agent and Developer for the project, has been one of the region's most prolific, and established developers for the past 35 years. Specifically, in the Town of Amherst, Ciminelli has developed over 20 buildings, attracted national, regional and local businesses, and supported initiatives to better the community, all contributing to the Town of Amherst's continued success. Over the past 35 years, Ciminelli has grown into a full-service real estate firm managing a commercial real estate portfolio totaling more than 23 million square feet and covering 7 states. Member: Quaker 20A Realty, LLC Quaker 20A Realty LLC has three members: 1. Ciminelli Real Estate Ventures, LLC 2. Bonedoc OP LLC 3. Bones & Guts LLC

<b>Estimated % of sales within Erie County</b>	80 %
<b>Estimated % of sales outside Erie County but within New York State</b>	10 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	5 %
<b>Estimated % of sales outside the U.S.</b>	5 %

(\*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**

Construction of the project will begin with an entirely bid process to identify skilled and qualified vendors and contractors. It is anticipated that 80% of contractors, vendors, and laborers, will be from Erie County. Specific needs include but are not limited to steel workers, roofers, masons, glass installers, drywall finishers.

## Section II: Eligibility Questionnaire - Project Description & Details

### Project Location

**Address of Proposed Project Facility**

111 North Maplemere

**Town/City/Village of Project Site**

Amherst

**School District of Project Site**

Sweethome Central School District

**Current Address (if different)**

N/A

**Current Town/City/Village of Project Site (if different)**

N/A

**SBL Number(s) for proposed Project**

55.03-1-12

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

\$66,500.00

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

Land

\$ 2,982,000

Building(s)

\$ 0

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?**

Yes

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

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)**

See Project Narrative attached as Exhibit "1".

**Municipality or Municipalities of current operations**

**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**

**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:**

Financial assistance is being requested to offset acquisition and construction costs associated with developing a building of this scope and the required site improvements including new public roadways and related public improvements to be dedicated to the Town of Amherst. The proforma for this particular collection of healthcare tenants is unique in that individually, their development efforts and the resulting real estate would not only fail to create the type of service and collaboration anticipated for the surrounding community. By bringing the mix of healthcare tenants together at one state-of-the-art facility, the project will support the Town of Amherst's continued success through annual tax revenues and providing an essential service at a convenient location.

**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)**

Due to close proximity to the UB North Campus and the unique mix of tenants under one large roof, the agencies assistance is necessary to offset the cost of construction including public improvements requested by the Town of Amherst such as public roadways.

**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?**

If the project does is not economically feasible, it cannot be financed and constructed. If project costs exceed the value of construction rendering the project economically not feasible, taxing jurisdictions including the Town of Amherst, Sweet Home Central School District and Erie County would lose the proposed regionally important state-of-the art healthcare facility and the resulting annual tax revenues and related economic benefits.

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

### 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)**

Metro Bus # 35

**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**



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.

			<b>Cost</b>	<b>% of Total Cost</b>
<b>Manufacturing/Processing</b>	square feet	\$	0	0%
<b>Warehouse</b>	square feet	\$	0	0%
<b>Research &amp; Development</b>	square feet	\$	0	0%
<b>Commercial</b>	163,000 square feet	\$	45,905,211	100%
<b>Retail</b>	square feet	\$	0	0%
<b>Office</b>	square feet	\$	0	0%
<b>Specify Other</b>	square feet	\$	0	0%

**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** No

What is the estimated project timetable (provide dates).

**Start date : acquisition of equipment or construction of facilities**

9/1/2021

**End date : Estimated completion date of project**

1/1/2023

**Project occupancy : estimated starting date of occupancy**

1/1/2023

Capital Project Plan / Budget

**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

\$ 3,000,000 square feet acres

**2.) New Building Construction**

\$ 45,905,211 square feet

**3.) New Building addition(s)**

\$ 0 square feet

**4.) Reconstruction/Renovation**

\$ 0 square feet

**5.) Manufacturing Equipment**

\$ 0



**6.) Infrastructure Work**

\$ 0

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

\$ 0

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

\$ 14,344,796

**9.) Other Cost**

\$ 0

**Explain Other  
Costs**

**Total Cost**     \$ 63,250,007

Construction Cost Breakdown:

<b>Total Cost of Construction</b>	\$ 45,905,211 (sum of 2, 3, 4 and 6 in Project Information, above)
<b>Cost of materials</b>	\$ 25,247,000
<b>% sourced in Erie County</b>	80%

Sales and Use Tax:

<b>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</b>	\$ 25,247,000
<b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>	\$ 2,209,112

\*\* 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:

<b>Equity (excluding equity that is attributed to grants/tax credits):</b>	\$ 19,812,501
<b>Bank Financing:</b>	\$ 47,437,505
<b>Tax Exempt Bond Issuance (if applicable):</b>	\$ 0
<b>Taxable Bond Issuance (if applicable):</b>	\$ 0
<b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>	\$ 0
<b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b>	0
<b>Total Sources of Funds for Project Costs:</b>	\$67,250,006
<b>Have you secured financing for the project?</b>	No

Mortgage Recording Tax Exemption Benefit:

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

<b>Mortgage Amount (include sum total of construction/permanent/bridge financing).</b>	47,437,505
<b>Lender Name, if Known</b>	
<b>Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):</b>	\$355,781

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):**

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?**

Yes

**Is project necessary to retain existing employment?**

Yes

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

Employment Plan (Specific to the proposed project location)

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

	<b>Current # of jobs at proposed project location or to be relocated at project location</b>	<b>If financial assistance is granted – project the number of FT and PT jobs to be retained</b>	<b>If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion</b>	<b>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 **</b>
<b>Full time</b>	190	190	70	260
<b>Part time</b>	32	32	13	45
<b>Total</b>	222	222	83	

**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.)**

It is estimated the increased size and revenue will create the need for additional staff at the state-of-the art integrated healthcare facility as listed above.



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	101	\$ 70,000	\$ 19,000	\$ 40,000	\$ 2,100
Professional	70	\$ 200,000	\$ 0	\$ 50,000	\$ 2,500
Administrative	75	\$ 37,000	\$ 11,000	\$ 20,000	\$ 2,000
Production	58	\$ 57,000	\$ 6,700	\$ 0	\$ 0
Independent Contractor	1	\$ 100,000	\$ 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.

No  By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.

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

Address	University at Buffalo Surgeons, Inc. - 100 High Street, Buffalo, NY 14203	Great Lakes Medical Imaging, LLC - 199 Park Club Lane, Williamsville, NY 14221	University Orthopaedic Services, Inc. - 4949 Harlem Road, Amherst, NY 14226
Full time	16	38	39
Part time	0	2	18
Total	16	40	57

Payroll Information

**Annual Payroll at Proposed Project Site upon completion**

29,131,000

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

88,637

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

37,037

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

88,637

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

37,037

**Estimated salary range of jobs to be created**

From (Full Time)	37,000	To (Full Time)	200,000
From (Part Time)	20,000	To (Part Time)	50,000

### 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 state-of-the-art healthcare facility will fill a need for comprehensive and integrated healthcare for patients requiring various medical procedures, diagnostic work, physician consultation and rehabilitation. The services to be provided will be available to a diverse range of patients including athletes and the growing elderly population requiring high quality medical services at a convenient location. The proposed facility, as designed will be able to support a diverse range of interrelated medical providers and more importantly patients in Western New York with convenient state-of-the art procedures. More detailed information is provided at Narrative attached as Exhibit "1" and the Market Study prepared by Donald Griebner of Real Property Services LLC is attached as Exhibit "9".

**Have any tenant leases been entered into for this project?**

Yes

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, zip)	# of sq ft and % of total to be occupied at new project site	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 IV: Tenant Information

### PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)

**Tenant Name**

University at Buffalo Surgeons, Inc.

**Property Address:**

100 High Street

**City/Town/Village**

Buffalo

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

20,282

**What percentage of the building does this represent?**

13

**Are terms of lease:**

NET

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

**Estimated date of occupancy**

2/1/2023

### PART 2 TO BE COMPLETED BY PROPOSED TENANT

**Company Name:**

University at Buffalo Surgeons, Inc.

**Local Contact Person:**

Jim Mills

**Title:**

Chief Financial Officer

**Current Address:**

100 Hight Street

**Phone:**

(716) 859-7332

**Fax:**

(716) 859-7349

**E-Mail:**

jpmills2@buffalo.edu

**Website:**

ubmdsurgery.com

**Company President/General Manager:**

Steven Schwaitzberg, MD

**Number of employees moving to new project location:**

**Full-Time:**

16

**Part-Time:**

0

**Total:**

16

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**  
Multi-disciplinary surgery practice.

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

University at Buffalo Surgeons, Inc. is a multidisciplinary surgical practice plan for the Department of Surgery at the University of Buffalo. UBMD Surgery is a 501(c)3 non profit with multiple locations throughout the WNY area. UBMD Surgery currently employs 122 part time & full time employees

**Please list the square footage which the proposed tenant will lease at the Project location**

20,282

**Please list the square footage which the proposed tenant leases at its present location(s)**

3,000

**Describe the economic reason for either the increase or decrease in leased space.**

UBMD Surgery is experiencing growth in the Northtowns. By expanding the amount of space leased in the Town of Amherst we are able to provide better patient care in a modern facility at one centralized and state-of-the-art location.

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

Yes

**If owned, what will happen to the existing facility once vacated?**

The project will result in a relocation of the existing facility located at 1150 Youngs Road in the Town of Amherst. The facility located at 100 High Street in the City of Buffalo will remain.

**If leased, when does lease expire?**

6/1/2023

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

**If yes, please provide details as to location, and amount of leased space, how long leased?**

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

Bones & Guts LLC

**Property Address:**

4225 Genesee Street

**City/Town/Village**

Cheektowaga

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

39,840

**What percentage of the building does this represent?**

25

**Are terms of lease:**

NET

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

**Estimated date of occupancy**

4/1/2023

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

Bones & Guts, LLC

**Local Contact Person:**

Brian McGrath

**Title:**

Managing Member

**Current Address:**

**Phone:**

**Fax:**

**E-Mail:**

**Website:**

**Company President/General Manager:**

Brian McGrath

**Number of employees moving to new project location:**

**Full-Time:**

0

**Part-Time:**

0

**Total:**

0

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

This ambulatory surgery center serves the 8 counties of WNY and Ontario.

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

This is a privately owned practice in partnership with Kaleida Health.

**Please list the square footage which the proposed tenant will lease at the Project location**

39,840

**Please list the square footage which the proposed tenant leases at its present location(s)**

**Describe the economic reason for either the increase or decrease in leased space.**

This is a new location and does not involve a relocation of an existing facility.

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

No

**If owned, what will happen to the existing facility once vacated?**

Not applicable.

**If leased, when does lease expire?**

12/31/1969

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

If yes, please provide details as to location, and amount of leased space, how long leased?

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

General Physician, PC

**Property Address:**

726 Exchange Street, Suite 710



**City/Town/Village**

Buffalo, NY 14210

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

22,053

**What percentage of the building does this represent?**

14

**Are terms of lease:**

NET

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

**Estimated date of occupancy**

4/1/2024

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

General Physician, P.C.

**Local Contact Person:**

Robert Bragg

**Title:**

**Current Address:**

**Phone:**

(716) 852-4772

**Fax:**

**E-Mail:**

**Website:**

**Company President/General Manager:**

**Number of employees moving to new project location:**

**Full-Time:**

**Part-Time:**

**Total:**

0

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

Primary care - NAISC 62111

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

Existing professional corporation.

**Please list the square footage which the proposed tenant will lease at the Project location**

22,053

**Please list the square footage which the proposed tenant leases at its present location(s)**

**Describe the economic reason for either the increase or decrease in leased space.**

Consolidation of services currently provided at 4 other locations.

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

No

If owned, what will happen to the existing facility once vacated?

If leased, when does lease expire?

4/24/2024

Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?

No

If yes, please provide details as to location, and amount of leased space, how long leased?

## **PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

### **Tenant Name**

Great Lakes Medical Imaging, LLC

### **Property Address:**

199 Park Club Lane

### **City/Town/Village**

Williamsville

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

### **Amount of space to be leased (square feet)**

16,480

### **What percentage of the building does this represent?**

10

### **Are terms of lease:**

NET

### **If GROSS lease, please explain how Agency benefits are passed to the tenant**

### **Estimated date of occupancy**

7/1/2023

## **PART 2 TO BE COMPLETED BY PROPOSED TENANT**

### **Company Name:**

Great Lakes Medical Imaging, LLC

### **Local Contact Person:**

Amber DiNatale / Jason Floreano

### **Title:**

COO / CFO

### **Current Address:**

199 Park Club Lane

### **Phone:**

(716) 836-4646

### **Fax:**

(716) 836-4696

### **E-Mail:**

adinatale@wnyrad.com /

jfloreano@wnyrad.com

### **Website:**

greatlakesmedicalimaging.com

### **Company President/General Manager:**

Dr. James Rinaldi

### **Number of employees moving to new project location:**

### **Full-Time:**

38

### **Part-Time:**

2

**Total:**

40

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

NAICS: 62111 Outpatient radiology services including, x-ray, ultrasound, CT, MRI, nuclear medicine, and PET CT.

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

Great Lakes Medical Imaging has been providing outpatient radiology services in WNY for over 10 years.

**Please list the square footage which the proposed tenant will lease at the Project location**

15,000

**Please list the square footage which the proposed tenant leases at its present location(s)**

15,000

**Describe the economic reason for either the increase or decrease in leased space.**

Not applicable.

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

Yes

**If owned, what will happen to the existing facility once vacated?**

The existing space to be vacated at 199 Park Club Lane in the Town of Amherst will be leased to a new tenant.

**If leased, when does lease expire?**

7/1/2023

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

If yes, please provide details as to location, and amount of leased space, how long leased?

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

University Orthopaedic Services, Inc

**Property Address:**

4225 Genesee Street

**City/Town/Village**

Cheektowaga, NY 14225

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

50,322

**What percentage of the building does this represent?**

31

**Are terms of lease:**

NET

If GROSS lease, please explain how Agency benefits are passed to the tenant

**Estimated date of occupancy**

3/1/2023

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

University Orthopaedic Services, Inc.  
d/b/a UBMD Orthopaedics & Sports  
Medicine

**Local Contact Person:**

Michael Rogers

**Title:**

Director of Finance & Operations

**Current Address:**

4949 Harlem Road, Amherst, NY  
14226

**Phone:**

(716) 906-5929

**Fax:**

(716) 204-4061

**E-Mail:**

mrogers5@buffalo.edu

**Website:**

ubortho.com

**Company President/General Manager:**

Les Bisson, M.D.

**Number of employees moving to new project location:**

**Full-Time:**

65

**Part-Time:**

15

**Total:**

80

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

Orthopaedic Surgery Medical Practice

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

UBMD Orthopaedics has been in existence since 1999. We are the Orthopaedic clinical Practice Plan for the Department of Orthopaedics at the University at Buffalo. UBMD Orthopaedics is a 501(c)3 Mon-Profit with eight locations within Erie County and ten locations overall. UBMD Orthopaedics employs 300 full and part time employees.

**Please list the square footage which the proposed tenant will lease at the Project location**

50,322

**Please list the square footage which the proposed tenant leases at its present location(s)**

27,682

**Describe the economic reason for either the increase or decrease in leased space.**

UBMD Orthopaedics & Sports Medicine continues to grow, adding new physicians and services which require additional space. We have outgrown our 4949 Harlem Road office and desire a medical office on a single floor to improve efficiencies (we currently utilize four floors at Harlem Road).

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

Yes

**If owned, what will happen to the existing facility once vacated?**

Not applicable.

**If leased, when does lease expire?**

5/1/2022

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

If yes, please provide details as to location, and amount of leased space, how long leased?



## 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. 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?**

90 %

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?**

No

**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?**

Yes

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?**

Yes

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?**

Yes

**If yes, explain**

The job projections are outlined in the relevant section of this AIDA Application.

**Is the project located in a Highly Distressed Area?**

No

## **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:

N/A

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.)

N/A

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?

No

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

N/A

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

N/A

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.

N/A

## **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



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**Exhibit 1 - Narrative in Support of  
Requested Benefits from the Town of  
Amherst Industrial Development Agency**

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## EXHIBIT 1

### NARRATIVE PROVIDING JUSTIFICATION FOR REQUESTED BENEFITS FROM THE TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY

#### **I. Description of the Proposed Use Project:**

The proposed project consists of the development of a portion of 500 Maple Road consisting of approximately 14.97 acres (“Project Site”) that is properly zoned Community Facilities District (“CF”) as a state-of-the art healthcare facility building consisting of 163,200 sq. ft. and all related site improvements including 816 parking spaces, the installation of public roadways and related public infrastructure (proposed UBMD Boulevard), extensive landscaping, lighting and storm water management improvements. A copy of the Site Plan approved by the Planning Board on September 23, 2021 that depicts the layout for the Project including required public improvements is attached as Exhibit “2”. Color copies of the PowerPoint presentations given to the Town of Amherst Planning Board during the public hearings it held in connection with the site plan review approval process on May 20, 2021 and September 23, 2021 are attached as Exhibits “3A” and “3B”.<sup>1</sup>

The project is a Type I action pursuant to the State Environmental Quality Review Act (“SEQRA”). Attached as Exhibit “4” is a completed Part 1 of the Full Environmental Assessment Form with Attachments “A” to “E” consisting of the following:

- Attachment “A”: Negative Declaration issued by the Planning Board on September 23, 2021;
- Attachment “B”: Negative Declaration issued by the Planning Board on May 20, 2021;

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<sup>1</sup> The PowerPoint presentations given to the Planning Board during public hearings it held on May 20, 2021 and September 23, 2021 provide detailed information regarding the approved project including color building renderings, the landscaping plan and a summary of the project history.



- Attachment “C”: Negative Declaration issued by the Town Board on July 6, 2020;
- Attachment “D”: Wetland Investigation Letter of Scott J. Livingstone of Earth Dimensions, Inc. dated March 22, 2020<sup>2</sup>; and
- Attachment “E”: No Impact Determination Letter of Nancy Herter of the NYS Office of Parks, Recreation and Historic Preservation dated June 7, 2019

The negative declarations issued by the Planning Board on September 23, 2021 and May 20, 2021 and also by the Town Board on July 6, 2020 were each issued at the completion of coordinated environmental reviews of the Project that were conducted as required by the SEQRA Regulations because the Project was properly classified a Type I action.<sup>3</sup>

In addition to the coordinated environmental reviews of the Project pursuant to SEQRA as described above that resulted in the issuance of negative declarations by both the Planning Board and the Town Board, the Project has been the subject to a comprehensive review process that consisted of obtaining all of the required approvals from the municipal boards of the Town of Amherst.

On July 8, 2020, the Town of Amherst Town Board adopted Resolution 2020-567 by a unanimous vote for the purpose of amending the adopted Bicentennial Comprehensive Plan (“Comprehensive Plan”) to designate the Project Site as appropriate for “Community Facilities” use and also for the purpose of amending the zoning classification of the Project Site from Recreation Conservation District (“RC”) to Community Facilities District (“CF”) to accommodate

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<sup>2</sup> The wetland investigation letter issued by Scott J. Livingstone of Earth Dimensions, Inc. on March 22, 2020 confirmed that there are not any wetlands subject to the jurisdiction of either the United States Army Corps of Engineers (“USACE”) or the New York State Department of Environmental Conservation (“NYSDEC”) located on the Project Site.

<sup>3</sup> None of the numerous involved and interested agencies that participated in the coordinated environmental reviews of the Project pursuant to SEQRA raised any concerns that the project would result in any potentially significant adverse environmental impacts.

the Project. A certified copy of Resolution 2020-567 as adopted by the Town Board by a unanimous vote on July 8, 2020 is attached as Exhibit “5”.

On August 18, 2021, the Town’s Zoning Board of Appeals granted the required area variances for the Project. A copy of the resolution adopted by the Zoning Board of Appeals by a unanimous vote on August 18, 2021 granting the required area variances is provided at Exhibit “6”.

On May 20, 2021, the Planning Board granted Site Plan Approval for the Project. A copy of the resolution adopted by the Planning Board on May 20, 2021 granting Site Plan Approval for the Project is attached as Exhibit “7”. The Site Plan approved by the Planning Board on May 20, 2021 did not include the public infrastructure improvements including the public roadway and related public infrastructure to be located in the Right-of-Way of the public roadways to be dedicated to the Town.

On September 23, 2021, the Planning Board approved an Amended Site Plan for the Project for the purpose of approving the public infrastructure improvements including approximately 1,300 lineal feet of public roadway improvements, intersection realignments, along with the public utilities for water, sanitary and storm sewer improvements necessary to service the 163,200 sq. ft. integrated healthcare facility building approved by the Planning Board on May 20, 2021. A copy of the resolution adopted by the Planning Board on September 23, 2021 granting Site Plan Approval for public infrastructure improvements is attached as Exhibit “8”.

**II. Justification for Requested Benefits from the Town of Amherst Industrial Development Agency:**

The Applicant is seeking a PILOT, an exemption of sales tax on construction materials and a partial mortgage tax exemption from the Town of Amherst Industrial Development Agency



("AIDA") in order for the approved state-of-the-art healthcare facility Project that will consist of a diverse range of healthcare service providers to be economically feasible. The Project will not result in a relocation of an existing business operation from the City of Buffalo.

During the term of the proposed PILOT, the Project will generate substantial annual tax revenues for taxing jurisdictions including the Town of Amherst, the Sweet Home Central School District and Erie County that would not be realized in the absence of the Project. In addition to the requested PILOT, the Applicant is seeking a sales tax exemption on construction materials which is necessary for the Project to be economically feasible. It is important to mention that Applicant began the process of undertaking a collaborative planning process for the acquisition of the Project Site, the design of the Project, and project budgeting prior to the dramatic unforeseen increase of construction costs resulting from the Covid-19 pandemic. The projected overall Project cost of \$63,250,007 has increased dramatically since the project planning process commenced.

The Project qualifies for the requested benefits being sought from the AIDA pursuant to the Countywide Industrial Development Agency Uniform Tax Exemption Policy ("UTEP") since it will provide high quality medical services within a multitenant healthcare facility building that are not currently available. A Market Analysis Report was prepared by Donald A. Griebner of Real Property Services which concluded the Project clearly satisfies the eligibility requirements for the benefits being sought from the AIDA. A copy of the Market Analysis Report dated August 2, 2021 is provided at Exhibit "9".

The specific scope of the Market Analysis conducted by Real Property Services, LLC was to investigate whether the Project will provide medical services to the marketplace and region that are not currently available. The scope of the Market Analysis further examined the Project's contribution of leading edge technology to the marketplace, with an associated local research component.

Market research was completed by Real Property Services, LLC relative to each of the specific areas of medical service to be provided within the Project. The market research focused on identifying the following:

- Identification of medical service providers of each specialty practice within a 5-county area (Erie, Niagara, Chautauqua, Cattaraugus, Orleans).
- Identification of the range of service offerings provided by each, along with any specialized technology.
- Identification of the level of integration of services if any with other specialized medical providers.
- Identification of whether these medical service providers are involved in research projects or educational training at a significant level.

The comprehensive review of the competitive medical marketplace contained in the Market Analysis Report concluded the Project will provide medical services that are not generally available in the marketplace. The Market Study also indicated the Project will introduce leading edge medical technology to the region and will offer advanced research and educational programs.

The integrated healthcare facility Project will offer a unique mix of integrated medical services to the region, providing the following specific benefits:

- The integrated medical service offerings under one roof is unique to the region. The medical service providers will include:
  - University Orthopaedic Services, Inc.;
  - Great Lakes Medical Imaging, LLC;
  - University at Buffalo Surgeons, Inc.;
  - Ambulatory Surgery Center; and
  - General Physicians Group
- The Ambulatory Surgery center will be the only one of its kind to offer robotic surgery. This is a significant enhancement to medical care in the region.

- The Ambulatory Surgery Center will perform complex procedures that are not provided by competitors (robotic hip and knee replacements, vascular procedures, and complex abdominal procedures).
- The Project will include a world class Concussion Practice that will both provide concussion treatment as well as train physicians.
- The Project will include a comprehensive Pediatric Sports Medicine practice that will be unique to the region.
- There is potential for a new large-scale athletic fieldhouse to be developed adjacent to the subject Project, which would provide high school and college athletes from across Western New York access to the highest level of training, treatment, and rehabilitation services.
- The Project will provide for the training and education of the next generation of medical professionals in an outpatient setting.
- The Project will include a General Physicians Group that specializes in 17 areas of medicine.

### **III. The Project is Consistent with the Adopted Bicentennial Comprehensive Plan:**

The Project is consistent with the Town’s adopted Comprehensive Plan.<sup>4</sup> As mentioned above in Part I, on July 8, 2020, the Town Board adopted Resolution 2020-567 for the purpose of amending the adopted Comprehensive Plan to designate the Project Site as appropriate for “Community Facilities” use.<sup>5</sup>

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<sup>4</sup> The Town of Amherst adopted the Bicentennial Comprehensive Plan in January of 2007 after completing a lengthy planning process that included numerous public meetings and public hearings involving the Comprehensive Plan Advisory Committee, the Planning Board and the Town Board.<sup>4</sup> On December 14, 2020, the Town Board most recently adopted amendments to the Bicentennial Comprehensive Plan. A copy of the resolution adopted by the Town Board on January 2, 2007 for the purpose of adopting the Bicentennial Comprehensive Plan pursuant to Town Law Section 272-a is included at the beginning of the Comprehensive Plan. This resolution recites the lengthy planning history that incorporated numerous opportunities for public input as well as a coordinated environmental review pursuant to SEQRA that involved the preparation a Generic EIS and the issuance of a Findings Statement.

<sup>5</sup> A certified copy of Resolution 2020-567 as adopted by the Town Board by a unanimous vote on July 8, 2020 is attached as Exhibit “5”.



Chapter 5 of the adopted Comprehensive Plan is titled “Economic Development” and provides support for the IDA approving the requested benefits for the Project. Section 5.2 of the Comprehensive Plan sets forth the economic goal of the Town as including creation of a strong tax base and providing development in convenient and accessible locations. One of policies as set forth on Page 5-3 of the Comprehensive Plan in implementing the Town’s economic goal and policies is as follows: “Target economic development policies, programs, capital expenditures, and incentives to attract and retain higher paying employment and promote desired forms and locations of development and redevelopment.”<sup>6</sup> The Project will create numerous high quality jobs and represents an example of a desired form of development at an appropriate location as demonstrated by the facts the use of the Project Site is consistent with the Comprehensive Plan Amendment approved by the Town Board on July 8, 2020 and also that the Project Site is properly zoned CF.<sup>7</sup>

Another one of the economic policies set forth in Chapter 5 of the Comprehensive Plan is set forth on Page 5-6 of the Comprehensive Plan as follows: “Promote economic development through collaborations between government, educational institutions, health care organizations, and private industries.” The Project will fulfill this economic goal by providing synergistic opportunities for collaborations among the tenants of the state-of-the-art healthcare facility as well as nearby community facilities including the Northtown Center and the University of Buffalo.

Chapter 9 of the adopted Comprehensive Plan is titled “Community Facilities and Services” and discusses the importance of facilities and services for the benefit of Town residents including healthcare facilities. One of the Community and Facilities policies set forth in Chapter

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<sup>6</sup> See Policy 5-1 for Economic Development.

<sup>7</sup> The project is projected to create 184 jobs including 162 full-time jobs and 22 part-time jobs. The projected annual payroll for the positions including numerous professional and management jobs is \$22,629,000.

9 of the Comprehensive Plan is to “expand partnerships with other service providers, private organizations, and businesses to provide community facilities and services.” The location of the Project has been selected deliberately to encourage opportunities for collaboration that will result from the Northtown Center being on the contiguous property directly to west as well as the close proximity of the Project Site to the University of Buffalo. It is important to mention that the Town played an integral role in terms of selecting the location of the Project and the planning process including the public infrastructure improvements that will also benefit potential future projects in the vicinity of the Project Site.

**IV. Conclusion:**

The Applicant respectfully requests that the IDA Board of Directors approve the requested financial incentives for the Project for the reasons described within the Application including this supporting narrative and the supporting documentation attached hereto as Exhibits “2” to “9”.