



203 Park Club Lane

[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	203 PCL Roswell Park
Project Summary	Pursuant to the issuance of a Certificate of Need by the State of New York Department of Health, the proposed project will consist of constructing a new two-story building, approximately 30,000 sf. developer-owned building in which Roswell Park will be the sole tenant under a 15-year lease agreement with options to renew. The project is for an off-campus hospital extension clinic at the Park Club Lane campus located in Amherst, New York which will involve relocating Roswell's existing extension clinic (currently located in 7,564 GSF at 100 College Parkway in Williamsville) to a newly constructed building. This expansion project will support the clinical, educational, and research needs of cancer patients residing in Central and Western New York, the Finger Lakes and Mid-Hudson regions, and outside of New York including Canada. As an NCI-designated Comprehensive Cancer Center, Roswell Park ensures that access to evidence-based, comprehensive cancer care is available within our region. The opening of the proposed expanded facility will allow Roswell Park to expand its offerings for comprehensive services and provide life-saving healthcare services to patients unable to access the downtown Buffalo Roswell campus for screening, cancer diagnostic testing, chemotherapy treatment and support services. The Certificate of Need attached to this application will serve as the third party market study justifying the need for this facility.
Applicant Name	199 Park Club Lane LLC or an affiliate, and Amherst 203 APL RKC, LLC or an affiliate (collectively, the co-applicants)
Applicant Address	50 FOUNTAIN PLAZA
Applicant Address 2	Suite 500
Applicant City	BUFFALO
Applicant State	New York
Applicant Zip	14202
Phone	(716) 631-8000
Fax	(716) 631-8034
E-mail	jgottstine@ciminelli.com
Website	www.ciminelli.com
NAICS Code	N

Business Organization

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

Individual Completing Application

Name James M. Gottstine
Title Chief Operating Officer
Address 50 Fountain Plaza
Address 2 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 Blaine Schwartz
Firm Name Lippes Mathias Wexler Friedman LLP
Address 50 Fountain Plaza
Address 2 Suite 1700
City Buffalo
State New York
Zip 14202
Phone (716) 853-5100
Fax (716) 853-5199
E-Mail Bschwartz@lippes.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. 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, the 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: Paul F. Ciminelli

Estimated % of sales within Erie County	80 %
Estimated % of sales outside Erie County but within New York State	10 %
Estimated % of sales outside New York State but within the U.S.	5 %
Estimated % of sales outside the U.S.	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?

70

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

203 Park Club Lane

Town/City/Village of Project Site

Amherst

School District of Project Site

Amherst Central

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

part of 80.07-1-1.22 (approximately 1/3 acre)

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

\$137,365.94 (includes 1 story medical office at 199 Park Club Lane)

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

Land

\$ 0

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.)

The current 29,675 sf building is leased to Roswell Park and Great Lakes Imaging

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)

The New York State Department of Health has recognized the need for comprehensive cancer care availability in communities that would have difficulty going to a downtown Buffalo location and has thus provided an approved Certificate of Need. The new 30,000 sf building will be located adjacent to 199 Park Club Lane and upon completion it is envisioned that Roswell Park will lease 100% of both buildings. This expansion project will support the clinical, educational, and research needs of cancer patients residing in Central and Western New York, the Finger Lakes and Mid-Hudson regions, and outside of New York including Canada. The opening of the proposed expanded facility will allow Roswell Park to expand its offerings for comprehensive services and provide life-saving healthcare services to patients unable to access the downtown Buffalo Roswell campus for screening, cancer diagnostic testing, chemotherapy treatment and support services.

Municipality or Municipalities of current operations

City of Buffalo, Town of Amherst, Town of Orchard Park

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 this expansion building for Roswell Park which is a non-profit governmental entity. The state, in issuing the Certificate of Need, takes project costs and estimated operating costs into consideration when making their determination.

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)

Given the activities and special equipment being brought in, it is imperative the construction costs be as low as possible for the economic viability of the operations of the facility.

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 this project's costs exceed the value of construction rendering the project unfeasible, the WNY community will lose the opportunity to benefit from an off campus hospital extension clinic and its offerings for comprehensive cancer services.

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)

NFTA bus stop is at Main Street and Park Club Lane. Roswell has contracted the services of Buffalo Transportation Inc. to provide free taxi, wheelchair or stretcher van to any patient requesting access to one of our Article 28 facilities (downtown or 203 Park Club Lane).

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

Office Building district

Describe required zoning/land use, if different

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?

Yes

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?

Yes

If yes, describe the efficiencies achieved

All mechanical equipment will utilize state of the art components and design.

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?

Yes

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)** **No Commercial** **No Equipment Purchase**
- No Facility for the Aging** **No Industrial** **No Life Care Facility (CCRC)**
- No Market Rate Housing** **No Mixed Use** **No Multi-Tenant**
- Yes Retail** **No Senior Housing** **No Manufacturing**
- No Renewable Energy** **Yes Other**

Healthcare Services

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	square feet	\$	0	0%
Retail	30,000 square feet	\$	16,400,000	100%
Office	square feet	\$	0	0%
Specify Other	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

4/1/2022

End date : Estimated completion date of project

9/1/2023

Project occupancy : estimated starting date of occupancy

9/1/2023

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 0 square feet acres

2.) New Building Construction

\$ 15,000,000 30,000 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.)

\$ 1,400,000

9.) Other Cost

\$ 0

**Explain Other
Costs**

Total Cost \$ 16,400,000

Construction Cost Breakdown:

Total Cost of Construction	\$ 15,000,000 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	\$ 4,500,000
% sourced in Erie County	80%

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 \$ 4,500,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 393,750

** 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): \$ 0

Bank Financing: \$ 16,400,000

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: \$16,400,000

Have you secured financing for the project? No

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/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%): \$0

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): 0

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).

	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	24	24	25	25
Part time	3	3	3	3
Total	27	27	28	

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	3	\$ 96,250	\$ 49,568	\$ 0	\$ 0

Professional	45	\$ 115,173	\$ 43,956	\$ 63,850	\$ 32,883
Administrative	7	\$ 38,000	\$ 19,570	\$ 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.

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

Payroll Information

Annual Payroll at Proposed Project Site upon completion

5,413,000

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

100,678

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

203,125

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

96,700

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

63,850

Estimated salary range of jobs to be created

From (Full Time)	38,000	To (Full Time)	115,000
From (Part Time)	38,000	To (Part Time)	68,000

Section III: Facility Type - Single or Multi Tenant

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

Single Use Facility

For Single Use Facility.

Occupant Name Roswell Park
Address Elm & Carlton Streets
Contact Person Jim Constantin
Phone
Fax
E-Mail Jim.Constantin@RoswellPark.org
Federal ID #
SIC/NAICS Code

SS

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?

34 %

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?

Yes

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

Under the terms and conditions of the Certificate of Need which is attached to this application as third party market analysis, Roswell will provide services that will increase the overall number of jobs.

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?

<BLANK>

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

Yes

Within Erie County

Yes

If Yes to either question, please, explain

Relocation from 100 College Parkway to 203 Park Club Lane

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.)

This facility will allow Roswell Park to provide comprehensive life-saving services to residents of WNY unable to travel to the City of Buffalo for screening, cancer diagnostic testing, chemotherapy treatment and support services.

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