

MINUTES – AGENCY MEETING – January 21, 2014

Time & Place: 12:00 Noon, Ebenezer Watts Conference Center,
49 S. Fitzhugh Street, Rochester, New York

Board Present: T. Mazzullo (Chair), A. Burr, E. Caccamise, C. Campbell,
R. Gerbracht, S. Moore

Board Excused: J. Popli

Also Present: J. Seil (Executive Director), R. Yolevich (Monroe County Legislature),
E. Liberti, M. Townsend, Esq.

Chair Mazzullo called the meeting to order. E. Caccamise led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. There being no speakers, the Public Forum was closed. Chair Mazzullo introduced Delmonize Smith, City of Rochester Commissioner of Neighborhood and Business Development.

A report on the Requests for Verified Exemptions was presented by Brian LaFountain of The Bonadio Group. During the last month, The Bonadio Group has received a request for exemption from the local labor requirements for the 155 East Main Street project, under the criteria of significant cost differential. The Bonadio Group also received two requests for exemption from the local labor requirements for the Collegetown project, one under the criteria “no local labor available” and one under the criteria specialized construction criteria. Mr. LaFountain reported that upon review, the Bonadio Group found the requests valid.

Yvonne Lowrey of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of December 1, 2013 - December 31, 2013. During that time, 67 monthly visits were conducted. Of the 402 workers that were identified, none were noncompliant on the initial visit. As of December 31, 2013 all monitored sites were compliant. Loewke & Brill delivered signs to 2 new projects. R. Gerbracht recapped the Annual Labor report, noting more than 900 site visits and identification checks for more than 5,600 workers.

J. Seil presented the following applications for agency consideration:

Franklin Bevier LLC Lease/Leaseback with Custom Abatement

The company was represented by Doug Sutherland. Franklin Bevier, LLC, a Syracuse real estate development company, is proposing a certified historic rehabilitation of the National Register listed Bevier Memorial Building in the City of Rochester. Designed by Claude Bragdon and completed in 1910, the Bevier Memorial Building was constructed for the Rochester Athenaeum and Mechanics Institutes School of Art and Design, the precursor to RIT. RIT vacated the building in the late 1960’s and the building has been vacant for approximately 15 years. The \$3,850,000 project will convert the 26,000 square foot 4-story building to mixed use, including fifteen market rate loft style rental apartments and 5,000 square feet of Class A office space. The project is projected to create 1 new FTE over the next three years. The City of Rochester has asked COMIDA to provide a custom tax abatement program. A Public Hearing was held in the City of Rochester on January 21, 2014. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by E. Caccamise and seconded by A. Burr, a resolution was adopted approving SEQR for the

subject property. All Aye. On a motion made by A. Burr and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

Hive@155, LLC Lease/Leaseback with CUE

The company was represented by Dan Morgenstern. Hive@155 LLC, a local real estate development company, is proposing the rehabilitation of two adjacent, currently vacant commercial buildings in the St. Paul corridor of the City of Rochester. The buildings, totaling approximately 53,000 square feet, have been designated as “Historically Significant” by the New York State Historic Preservation Office. The \$6.8 Million project will create a mixed use property with 54 live/work lofts and approximately 4,000 square feet of street level retail. The project is projected to create 3 new FTEs over the next three years. The project qualifies for the City CUE program and is applying to COMIDA for sales and mortgage tax exemption only. A Public Hearing was held in the City of Rochester on January 21, 2014. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by C. Campbell and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Gerbracht and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

Morgan Hard Road LLC/ Royal Highlands Lease/Leaseback with Jobs Plus

The company was represented by Robert Morgan. Morgan Hard Road LLC, a local real estate development company, is proposing Royal Highlands senior housing in the Town of Webster. The project will include 150 senior rental units in total, with 74 units in a three-story building, 16 four unit buildings, and 6 duplex buildings, along with associated pool and community center accommodations on 27 acres. Total square footage is 196,197 square feet. The \$24,300,000 project is projected to create 4 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus tax abatement program. The job creation requirement is 1 FTE. A Public Hearing was held in the Town of Webster on January 20, 2014. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by E. Caccamise and seconded by R. Gerbracht, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by E. Caccamise and seconded by R. Gerbracht, an inducement resolution was adopted approving subject project. All Aye.

On motion made by A. Burr and seconded by R. Gerbracht, minutes for the meeting of December 17, 2013 were reviewed and adopted and approved. All Aye.

Executive Director updated the Board on a previously approved project, Your Local Pharmacy. The project was approved in 2011. Since that time, the project is no longer operating as a pharmacy, but is now a dollar store offering groceries and general merchandise, but not tobacco or alcohol. The City of Rochester has asked COMIDA to continue the PILOT agreement despite the change in use, noting that the project provides needed goods and services to an underserved neighborhood. Citing the City’s request, on a motion made by A. Burr and seconded by E. Caccamise, a resolution was adopted approving continuation of the PILOT agreement, subject to annual monitoring and prohibitions regarding sale of tobacco or alcohol. All Aye. Mr. Townsend will draft documents, to be executed by the beneficiary, which will acknowledge the agreement for continuation and incorporation of prohibitions in change in use.

M. Townsend, Board Counsel, presented the following items for Agency Action:

Miscellaneous:

- Legacy at Erie Station

On a motion made by A. Burr and seconded by E. Caccamise, a resolution was adopted approving reinstatement of PILOT agreement terminated in error. All Aye.

-Wegmans - Eastway

On a motion made by E. Caccamise and seconded by S. Moore, a resolution was adopted approving the release of a portion of the above named project. All Aye.

-384 East Ave (John Billone)

On a motion made by S. Moore and seconded by A. Burr, a resolution was adopted approving a mortgage modification. All Aye

- H&T Development LLC – Urgent Care

On a motion made by C. Campbell and seconded by R. Gerbracht, a resolution was adopted approving the release of a portion of the above named project. All Aye.

- North Forest #3, LLC – 103 Canal Landings

On a motion made by S. Moore and seconded by C. Campbell, a resolution was adopted approving LTK Consulting Services Inc. as an additional tenant. All Aye.

-Cucinelli Family LLC

On a motion made by C. Campbell and seconded by R. Gerbracht, a resolution was adopted approving amending existing lease to remove #30 Hytec Circle (Lot R7). All Aye

- Cloverwood Senior Living

On a motion made by C. Campbell and seconded by E. Caccamise, a resolution was adopted approving execution of Defeasance Agreement. All Aye.

There being no further business, on a motion made by R. Gerbracht and seconded by A. Burr, the meeting was adjourned.