

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Wednesday, April 14, 2021, at 10:30 a.m., local time, in connection with the matter described below. **PLEASE NOTE THE SPECIAL PUBLIC HEARING LOGISTICS AND INSTRUCTIONS INCLUDED AT THE END OF THIS NOTICE.**

Batavia Special Needs Apartments, L.P., for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company") has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a project (the "Project") consisting of: (i) the retention by the Agency of its leasehold in certain contiguous parcels of land located at 555 East Main Street in the City of Batavia, Genesee County, New York (collectively, the "Land"); (ii) the planning, design, construction and addition to the existing approximately 42,600 square-foot forty-two (42) unit apartment facility for mentally handicapped and mentally challenged adults (the "Existing Improvements") of an approximately two-story 20,100 square-foot addition to consist principally of approximately twenty (20) affordable housing units, all of which will serve those at 50% Area Median Income, a central elevator, computer lounges, on-site laundry services, community rooms and related amenities (the "Improvements"); and (iii) the acquisition and installation in and around the Existing Improvements and Improvements of certain items of machinery, equipment and other items of tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements, and Improvements, the "Facility").

The Agency will retain its leasehold or other interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interest of the Agency will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, reconstruction, renovation and equipping of the Facility, consistent with the policies of the Agency, and (b) a partial real property tax abatement structured within a Tax Agreement (collectively, the "Financial Assistance").

### **PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:**

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's Project Application, which is also available for viewing on the Agency's website at: [gcedc.com/index.php/news/gcedc-approved-projects](https://gcedc.com/index.php/news/gcedc-approved-projects).

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable

opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live on a video conference at: <https://zoom.us/s/99588259354>, with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: [1-929-205-6099], meeting ID [995 8825 9354]. Online livestreaming of the public hearing will be available at <https://vimeo.com/530542509>.

The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to GCEDC, Attention: Mark Masse, Senior Vice President of Operations, 99 MedTech Drive, Suite 106, Batavia, New York 14020, and/or via email at [gcedc@gcedc.com](mailto:gcedc@gcedc.com), with the subject line being "Batavia Special Needs", no later than Friday, April 16, 2021

Dated: April 1, 2021

GENESEE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY d/b/a  
GENESEE COUNTY ECONOMIC  
DEVELOPMENT CENTER