

Buffalo Urban Development Corporation

95 Perry Street

Suite 404

Buffalo, New York 14203

phone: 716-856-6525

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Buffalo Urban Development Corporation Real Estate Committee Meeting Tuesday, February 20, 2018 at Noon 95 Perry Street, 4th Floor Vista Room

Agenda

- 1) Approval of Minutes – Meeting of 1/23/2018 (*Action*) (*Enclosure*)
- 2) Northland Beltline Project
 - a) 612 Northland – Electrical Proposals for Phase I (*Recommendation*) (*Handout*)
 - b) 612 Northland – Entrepreneur Center Naming (*Information*) (*Handout*)
 - c) 683 Northland – BCP Update & Additional Work Proposal - LiRo (*Recomm.*) (*Encl.*)
 - d) 683 Northland – F.F.& E. Bid Results (*Recommendation*) (*Handout*)
 - e) 683 Northland – Audio-Visual Equipment & Systems Bid Update (*Information*) (*Encl.*)
 - f) 683 Northland – Gilbane Recommendations to Award (*Information*) (*Handout*)
 - g) 683 Northland – GMP Owner Contingency and Allowance Update (*Info.*) (*Handout*)
 - h) 683 Northland – Buffalo Brownfields Redevelopment Fund Update (*Info.*) (*Handout*)
 - i) 683 Northland – Food Service Vendor Procurement Update (*Information*) (*Handout*)
 - j) 683 Northland – Construction Update (*Information*) (*Handout*)
 - k) 683 Northland – Historic Preservation Cert. Part 2 Update (*Information*) (*Enclosure*)
 - l) 683 Northland – State & National Historic Register Update (*Information*) (*Enclosure*)
 - m) 683 Northland – EDG/WTC Lease Amendment (*Information*)
 - n) 683 Northland – Common Area Pattern Wall Project w/ SACRA (*Information*)
 - o) 683 Northland – Phase II / BMW Funding Update (*Information*)
 - p) 537 East Delavan – Fence Relocation (*Information*) (*Handout*)
 - q) 541 East Delavan – Schematic Design Update (*Information*)
 - r) Northland Beltline Funding Updates (ESD, NYPA, CDBG, Restore NY) (*Information*)
 - s) NorDel II (BUDC)/City of Buffalo Potential Land Swap Update (*Information*)
- 3) Buffalo Lakeside Commerce Park
 - a) Prospects Update (*Information*)
 - b) Brochure Update (*Information*)
- 4) C.O.B. Brownfield Opportunities Update (*Information*)
- 5) Adjournment (*Action*)

**Minutes of the Meeting
of the
Real Estate Committee
of
Buffalo Urban Development Corporation**

**95 Perry Street
Buffalo, New York
January 23, 2018
12:00 p.m.**

Committee Members Present:

Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel
Dennis M. Penman
Maria R. Whyte

Committee Members Absent:

Janique S. Curry
Craig A. Slater (Chair)

Officers Present:

Peter M. Cammarata, President
David A. Stebbins, Executive Vice President
Brandye Merriweather, Vice President
Mollie Profic, Treasurer
Kevin J. Zanner, Secretary

Guests Present: Atiqa Abidi, ECIDA Senior Accountant; Dawn Boudreau, ECIDA Compliance Officer; Stephen Frank, LiRo Engineers; Terry LoConte, Gilbane Building Company; Thomas Mancuso, Mancuso Business Development, Inc.; Brett Stiehler, Gilbane Building Company; and Steven Weathers, ECIDA President & CEO.

Roll Call – The Secretary called the roll at 12:10 p.m. and a quorum was determined to be present. Ms. Whyte joined the meeting during the presentation of item 2(e).

1.0 Presentation of Meeting Minutes – The minutes of the December 12, 2017 meeting of the Real Estate Committee were presented. Mr. Kucharski made a motion to approve the meeting minutes. The motion was seconded by Mr. Penman and unanimously carried.

2.0 Northland Beltline Project

(a) **683 Northland – GMP Owner Contingency and Allowance Update** – Mr. Stebbins reviewed with the Committee a one-page summary of owner allowances and owner contingencies for the 683 Northland construction project. Mr. Stebbins noted that the amount committed for the skylights and clerestories work is expected to exceed the original GMP budget allowance by \$800,000 due to SHPO design requirements. Mr. Stebbins then explained that the amounts committed for other elements of the work are lower than original GMP budget allowances, which, along with adjustments to certain budgeted owner contingencies, will offset the increased expense for the skylights and clerestories work. The updated owner contingency line item shows a balance of \$312,700.

(b) **683 Northland – Financing Update** – Mr. Stebbins reported that BUDC closed on the historic

tax credits, New Markets tax credits and KeyBank bridge loan financing transactions in late December. Mr. Stebbins indicated that closing the transactions required a total team effort, and he thanked BUDC executive staff, Cannon, Heyman & Weiss, Hurwitz & Fine, Freed Maxick and the entire the tax credits consulting team for their efforts in accomplishing the closing prior to the end of the calendar year. Mr. Stebbins then reviewed with the Committee an updated sources and uses summary for the 683 Northland construction project, which reflects the new sources resulting from the tax credits and bridge loan financing transactions.

- (c) **683 Northland – Buffalo Brownfields Redevelopment Fund Update** – Ms. Profic reviewed the Buffalo Brownfields Redevelopment Fund (BBRF) summary of activity for the period from November 30, 2017 through January 12, 2018. Ms. Profic explained that on December 27th, BUDC utilized \$1,450,000 from the BBRF account on a temporary basis for the purpose of initially funding closing costs for the tax credits and KeyBank financing transactions. These funds were expected to be returned to the BBRF account the same day as part of the overall flow of funds model. However, due to a wire room delay, the funds were not returned to the BBRF account until January 2, 2018. As a result, the BBRF year-end financial statements will reflect a balance of \$797,594 instead of \$2,375,065.
- (d) **683 Northland – Food Service Expressions of Interest Update** – Mr. Stebbins updated the Committee regarding the solicitation for expressions of interest for a food service vendor at 683 Northland. Five vendors submitted proposals, which are now under review.
- (e) **683 Northland – Construction Update** – Mr. Stebbins circulated the Gilbane monthly project report and reviewed the construction milestones portion of the report. Due to the delay in obtaining National Parks Service approvals, portions of the work identified in red in the report are behind schedule. Mr. Stiehler then presented an update regarding the construction work.

At the conclusion of Mr. Stiehler's presentation, Mr. Stebbins introduced a proposed late file item relating to pre-construction services for Phase II of the 683 Northland project. Gilbane is proposing to provide pre-construction services for Phase II of the project at a cost of \$142,640. This work would be processed as an amendment to the construction management agreement between Gilbane and 683 Northland LLC. The Committee discussed the proposal. Ms. Minkel asked about the funding of Phase II of the project. Mr. Cammarata responded that ESD issued a grant incentive letter in the amount of 21.5 million dollars, and that formal grant authorization will be sought from the ESD Board in February. Mr. Cammarata further indicated that BUDC could pay for the pre-construction work from the first ESD grant or from the BBRF. At the conclusion of the discussion, Mr. Penman made a motion to recommend that the Board of Directors approve an amendment to the construction management agreement between Gilbane Building Company and 683 Northland LLC for Gilbane to provide pre-construction services for Phase II of the 683 Northland project at a cost of \$142,640. The motion was seconded by Ms. Minkel and unanimously carried.

- (f) **683 Northland – Brownfield Cleanup Program Update** – Mr. Cammarata referred the Committee to the January 9, 2018 letter from the United States EPA and the January 10, 2018 letter from NYSDEC, copies of which were included in the Board agenda packet. The EPA approved an application submitted by LiRo Engineers relating to a plan for the cleanup and disposal of PCBs at 683 Northland. NYSDEC has approved a modification to the interim remedial measure work plan that will allow for the deferral of tank removal work until after the final remedy is selected. A BCP tax credits status and timeframe document was then circulated and reviewed with the Committee. A certificate of completion for the BCP is anticipated to be issued by December 31, 2018, with the tax credits refund to follow by May 2020. Mr. Cammarata then introduced Stephen Frank of LiRo Engineers, who updated the Committee regarding environmental remediation activities at 683 Northland.

- (g) **683 Northland – F.F. & E. Bid** – Mr. Stebbins referred the Committee to the public advertisement for bids issued by 683 Northland LLC for furniture and furnishings for the workforce training center. 683 Northland LLC will purchase the furniture and furnishings under the New York State contract and will utilize ESD grant funds for payment. A pre-bid meeting was held on January 16th; bids are due on January 26th.
- (h) **683 Northland – Economic Development Group Lease Execution and Amendment** – Mr. Cammarata reported that the Workforce Training Center sublease with The Economic Development Group, Inc. (EDG) was executed in late December as a requirement to the closing of the tax credits transaction. Mr. Zanner then reported on a technical amendment to the sublease relating to NYPA lab space requirements.
- (i) **612 Northland – Phase I Renovation Project Update** – Mr. Cammarata updated the Committee regarding the 612 Northland project. A number of contracts have been executed for this work, which are detailed in the BBRP summary of activity report reviewed with the Committee as part of item 2(c) of the meeting agenda. Mr. Cammarata noted that M/WBE participation on the 612 Northland project is very high. With the exception of one company, all companies working on this project are either MBE or WBE companies.
- (j) **541 East Delavan – Schematic Design Update** – Mr. Stebbins reviewed the schematic design layout for 541 East Delavan prepared by Watts Architecture & Engineering. He indicated that Watts asked BUDC to consider completing an entire bay of the building first, rather than repairing/replacing the entire roofing system. The Committee discussed the matter. Concerns were expressed about delaying the roofing work. Mr. Stebbins noted that completing a single bay would facilitate leasing opportunities, which could provide additional revenue to help fund additional work. The Committee requested that a Watts representative attend the next Committee meeting to further discuss the project.
- (k) **Mustard Seed (Sandy White) Public Outreach Contract** – Mr. Cammarata updated the Committee regarding community outreach services provided by Sandy White (d/b/a Mustard Seed World Consulting) for the Northland Beltline project. The funding allocated under the current agreement with the consultant has been fully expended as of this month. Mr. Cammarata commented on the importance of the consultant's work over the past two years and indicated that a new contract with the consultant is expected at a fee of \$24,000 per year in order to continue the work.
- (l) **Northland Beltline Funding Updates (ESD, NYPA, CDBG, Restore NY)** – Mr. Cammarata presented an update regarding the status of CDBG and NYPA grant funding for the project. He noted that a condition to receiving the final three million dollars of the NYPA grant was the execution of the sublease for the workforce training center, which was completed last month. Mr. Stebbins then provided an update regarding the Restore NY IV grant.
- (m) **NorDel II (BUDC)/City of Buffalo Potential Land Swap Update** – Mr. Cammarata reported that BUDC continues to work with the City of Buffalo on a transaction that will result in the exchange of properties in the Northland Corridor.
- (n) **COB DPW Road & ROW Project Update** – Mr. Stebbins updated the Committee regarding the Northland Avenue road and infrastructure project. Work on the project has been suspended for the winter. Mr. Stebbins then introduced a late file item for consideration by the Committee. He explained that the cost of this project is paid with ESD grant funds, but that the timing for reimbursements can result in a two-three month lag in payments to contractors. To help bridge this cash flow issue, BUDC executive staff is suggesting the utilization of up to one million dollars

from the Buffalo Brownfields Redevelopment Fund (BBRF) to advance payments for the project. The Committee discussed the proposal. At the conclusion of the discussion, Ms. Whyte made a motion to recommend that the Board of Directors authorize the utilization of up to one million dollars in BBRF funds for the project for a period of up to 90 days, with further Board authorization required for any extension of the 90 day time period. The motion was seconded by Mr. Kucharski and unanimously carried.

3.0 Buffalo Lakeside Commerce Park

(a) **Prospects Update** – Mr. Cammarata provided an update to the Committee regarding two potential prospects interested in locating at Buffalo Lakeside Commerce Park.


4.0 ULI Panel Report – Central Terminal – Mr. Stebbins referred the Committee to the ULI Advisory Services Panel report for the Central Terminal, the key recommendations of which were included in the meeting agenda packet. A complete copy of the report is available to Committee members upon request.

5.0 2018 BUDC Insurance Coverage – Mr. Cammarata circulated and reviewed with the Committee a summary of 2018 insurance coverage for BUDC, NorDel I, LLC, NorDel II, LLC, 683 Northland LLC and 683 WTC, LLC.

6.0 Other C.O.B. Brownfield Opportunities Update – Mr. Cammarata updated the Committee regarding a potential brownfield acquisition opportunity.

7.0 Adjournment – Upon motion made by Ms. Whyte, seconded by Ms. Minkel and unanimously carried, the January 23, 2018 meeting of the Real Estate Committee was adjourned at 1:30 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary



LiRo Engineers, Inc.
A LiRo Group Company

690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.5476 Facsimile 716.882.9640

February 9, 2018

David A. Stebbins, AICP
Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York, 14203

**Re: Proposal for 683 Northland Avenue, Brownfield Cleanup Program (Site #C915310)
IRM-2 and Additional Work Required by NYSDEC**

Dear Mr. Stebbins,

LiRo has prepared this work proposal and cost estimate for completion of additional work at the 683 Northland Site. The additional work was or will be beyond the scope of our previous authorized work proposals (dated 11/21/16 and 4/18/17) and is required to advance the site utility work by completing an Interim remedial Measure Work Plan (IRM-2) and to complete additional investigations requested and required by the New York State Department of Environmental Conservation (NYSDEC).

The additional work is described below.

Supplemental Borings for PCB Delineation and Groundwater Sampling

LiRo advanced and sampled seven Geoprobe borings for the delineation of hazardous level PCB contamination to confirm the PCB levels in the utility excavation areas identified in the IRM-2 Work Plan. This sampling was required by NYSDEC to ensure that the IRM-2 work did not encounter hazardous waste. NYSDEC also required a second round of groundwater samples from the existing Site monitoring wells for completion of the Site Remedial Investigation.

IRM-2 Oversight and Documentation Sampling

LiRo is providing a site inspector to oversee the IRM-2 construction work relating including the removal of contaminated soil, reporting of ongoing subsurface condition findings to NYSDEC, and collection of environmental samples required by NYSDEC. LiRo is also conducting air monitoring for organic vapors and for dust as required by the Community Air Monitoring Plan. LiRo is documenting the removal and import of soil/fill materials in compliance with IRM-2 Work Plan.

Oil Delineation and Off-Site Groundwater Contamination Determination

During IRM-2 excavation for the Site storm water retention basin, oil and groundwater seeped into the southwestern portion of the excavation. NYSDEC is requiring additional test pits to determine the extent of the oil contamination. If oil is observed in these test pits, additional groundwater monitoring wells may also be required. LiRo will prepare Work Plans for the test pit work and any required groundwater monitoring wells and submit/revise the plans to obtain NYSDEC approval. LiRo will also incorporate the results of these oil and groundwater investigations into the Remedial Investigation Report/Alternatives Analysis/Remedial Action Work Plan that was previously submitted to NYSDEC.

IRM-2 Construction Completion Report

LiRo will provide details of completion of IRM-2 activities in an IRM-2 Closure Report and submitted to the NYSDEC. The results of all sampling and analysis will be presented. The IRM Report will be stamped by a Professional Engineer and will include (at a minimum):



- Text describing the IRM activities performed; a description of any deviations from the work plan and associated corrective measures taken; and other pertinent information necessary to document that Site activities were carried out in accordance with this IRM Work Plan.
- A Site map showing the sampling locations with sample identification; and significant Site features.
- Tabular quantity summaries of volume of materials removed.
- Documentation on the disposition of material removed from the Site.
- Tabular comparison of soil sampling analytical results to applicable criteria.
- Copies of daily inspection reports.

Estimated Cost

LiRo's manpower estimate and proposed costs are provided in the attached Table-1. The attached Table-2 summarizes anticipated laboratory and subcontracted well installation costs.

Terms and Conditions

The work for the tasks described above is to be performed in accordance with the Terms and Conditions of our Master Consulting Services Agreement dated February 24, 2015 for the Northland-Beltline Corridor Redevelopment Project.

If you find this proposal acceptable, please acknowledge by signing at the space provided and return a copy to our office. Please call me at (716) 882-5476 (x406) at your earliest convenience if you have any questions.

Sincerely,
LiRo Engineers, Inc.

Robert Kreuzer
Vice President

The Customer hereby accepts the Proposal and authorizes LiRo Engineers, Inc. to proceed with the Services as described.

Authorized Signature

Title

Date

TABLE-1
Labor Cost Estimate for Additional BCP Work Required by NYSDEC
683 Northland Avenue, Brownfield Cleanup Program (Site #C915310)

Expense Category	Supplemental PCB Borings (Aug 2017) and Groundwater Samples (Nov 2017)	Utilities Installation (IRM-2) Oversight (10 weeks)	Oil Delimitation Off-site Groundwater Contamination Determination	IRM-2 Completion Report	TOTAL HOURS OR UNITS	TOTAL COSTS
Labor						
	Rates/Hour					
Certifying Engineer/PE	\$ 165.00	1	1	2	4	\$ 660.00
Project Geologist/Engineer	\$ 82.00	40	24	30	486	\$ 39,852.00
Environmental Project Manager	\$ 118.00	4	1	2	15	\$ 1,770.00
Draftsman	\$ 55.00	2	2	8	12	\$ 660.00
Environmental Scientist	\$ 78.00				0	\$ -
	TOTAL Hours	409	28	42	517	
	SUBTOTAL Labor	\$ 33,910.00	\$ 2,361.00	\$ 3,466.00		\$ 42,942.00

TABLE-2
Expenses Cost Estimate for Additional BCP Work Required by NYSDEC
683 Northland Avenue, Brownfield Cleanup Program (Site #C915310)

Equipment	Supplemental PCB Borings (Aug 2017) and Groundwater Samples (Nov 2017)	Utilities Installation (IRM-2) Oversight	Oil Delimitation Off-site Groundwater Contamination Determination	IRM-2 Completion Report	TOTAL HOURS OR UNITS	TOTAL COSTS
Equipment						
Sample Shipping and Field Sampling	\$ 400.00	\$ 4,400.00				\$ 4,800.00
CAMP Rental Equipment	\$ -	\$ 4,800.00				\$ 4,800.00
Subtotal Expenses and Equipment	\$ -	\$ 9,200.00	\$ -	\$ -		\$ 9,200.00
Subcontractor Costs						
Drilling	\$ 1,615.00		\$ 3,500.00			\$ 5,115.00
Laboratory Analysis (soil, groundwater)	\$ 4,458.50	\$ 37,100.00				\$ 41,558.50
Data Validation and DIUSR Preparation	\$ 250.00	\$ 1,600.00				\$ 1,850.00
Land Survey of Sample Locations	\$ -	\$ 3,500.00				\$ 3,500.00
Subtotal Subcontractors	\$ 6,323.50	\$ 42,200.00	\$ 3,500.00	\$ -		\$ 52,023.50
TOTAL EXPENSES, EQUIPMENT AND SUBCONTRACTOR COSTS	\$ 6,323.50	\$ 47,000.00	\$ 3,500.00	\$ -		\$ 56,823.50

NOTES:
 1. L/Ro will pass through subcontractor and rental equipment invoices with no markup

Northland Workforce Training Center
 Furniture, Furnishings and Equipment: Audio-Visual Equipment and Systems
 683 Northland Avenue, Buffalo, New York

January 19, 2018

ADVERTISEMENT FOR BIDS

Sealed Bids for the quotation of Audio-Visual Equipment and Systems for the **Workforce Training Center** located at **683 Northland Avenue in Buffalo, New York** will be received at the offices of 683 Northland LLC, an affiliated organization of the Buffalo Urban Development Corporation (BUDC), 95 Perry Street, Suite 404, Buffalo, New York, 14203 until **2:00 p.m. Local Time on February 16, 2018** at which time a public bid opening will occur. The project consists of the provision and installation of Audio-Visual Equipment and Systems for approximately 118,000 SF of the building located at 683 Northland. Audio-Visual Equipment and Systems will be provided for the spaces inclusive of the Workforce Training Center, Offices for the Workforce Training Center, Lounges, Café/Cafeteria and other spaces as specified in the Contract Documents. BUDC is an authorized customer (user) under the New York State Office of General Services (NYSOGS) Centralized Customer System.

A pre-bid conference will be held at 683 Northland Avenue in the Gilbane Construction office on **January 29, 2018 at 10:00 a.m.** The agenda will include a briefing on the project scope of work, special conditions, health and safety considerations, and regulatory requirements, and will include a walk-through of the project area. Hard-hats, safety vests and sturdy boots are required; warm outerwear is recommended.

Complete sets of Documents will be available for each Contractor for the purpose of preparing a bona fide Quotation. Beginning Tuesday, **January 23, 2018 at 10:00 a.m.**, these documents may be obtained for direct purchase through Avalon Document Services, 741 Main Street, Buffalo, NY 14203 or through their secure website: <https://www.avalonbuff-planroom.com/public.php>. Neither the Owner nor the Architect will be responsible for full or partial sets of Bidding Documents, including any addenda, obtained from other sources. Payment for Documents shall be made according to Avalon Document Services' requirements. Requests for Information will be received by 683 Northland LLC until Friday, **February 2, 2018 at 5:00 p.m.**; responses will be provided by Friday **February 9, 2018 at 5:00 p.m.**

Bid security shall be provided in accordance with *AIA Document A251 – General Conditions of the Contract for Furniture, Furnishings and Equipment*. Bidders shall provide proof of qualifications to perform the work as described in *AIA Document A305 – Contractor's Qualification Statement*. Bidders shall comply with all statutory requirements in accordance with Instructions to Bidders, Additional Information for Bidders and AIA Document A305. Contract time of commencement and completion will be in accordance with *Sample Document: AIA Document A151 – Standard Form of Agreement between Owner and Vendor for Furniture, Furnishings and Equipment*.

OWNER:

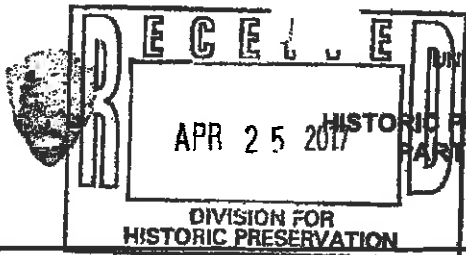
683 Northland, LLC
 c/o Buffalo Urban Development Corp.
 95 Perry Street, Suite 404
 Buffalo, New York 14203
 Phone: (716) 362-8378
 Fax: (716) 819-3664

CONSULTING ARCHITECT:

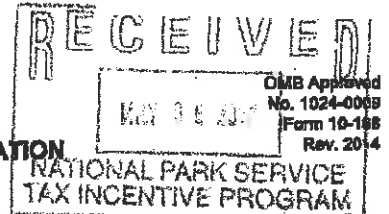
Watts Architecture & Engineering
 95 Perry Street, Suite 300
 Buffalo, New York 14203
 Phone: (716) 206-5100
 Fax: (716) 206-5199

CONSTRUCTION MANAGER

Gilbane Building Company
 1021 Main Street
 Buffalo, New York 14203



UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE



APR 25 2017

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 2 - DESCRIPTION OF REHABILITATION

DIVISION FOR
HISTORIC PRESERVATION

NPS Project Number **35984**

Instructions: This page must bear the applicant's original signature and must be dated. The National Park Service certification decision is based on the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form takes precedence. A copy of this form will be provided to the Internal Revenue Service.

1. Property Name Niagara Machine & Tool Works Main Factory & Pattern Shed

Street 583 Northland Avenue

City Buffalo County Erie State NY Zip 14211

Name of Historic District Niagara Machine & Tool Works Factory

Listed individually in the National Register of Historic Places; date of listing _____

Located in a Registered Historic District; name of district _____

Part 1 - Evaluation of Significance submitted? Date submitted 4/10/17 Date of certification _____

2. Project Data

Date of building 1910-1981 Estimated rehabilitation costs (QRE) \$67,516,250

Number of buildings in project 2 Floor area before / after rehabilitation 193,010 / 193,010 sq ft

Start date (estimated) 06/01/2017 Use(s) before / after rehabilitation Vacant / Light Man

Completion date (estimated) 09/30/2018 Number of housing units before / after rehabilitation 0 / 0

Number of phases in project 2 Number of low-moderate income housing units before / after rehabilitation 0 / 0

3. Project Contact (if different from applicant)

Name Barbara A. Campagna, FAIA Company BAC/Architecture + Planning, PLLC

Street 514 Main Street #201 City Buffalo State NY

Zip 14202 Telephone (716) 768-4062 Email Address bcampagna@bcampagna.com

4. Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. I further attest that [check one or both boxes, as applicable] (1) I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011), and/or (2) I am not the fee simple owner of the above-described property, the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which (i) either is attached to this application form and incorporated herein, or has been previously submitted, and (ii) meets the requirements of 36 CFR § 67.2(a)(1) (2011). For purposes of this attestation, the singular shall include the plural wherever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 5 years.

Name Peter Cammarata, President Signature Peter M. Cammarata Date 03/24/2017

Applicant Entity 683 Northland LLC (Buffalo Urban Development Corp) SSN _____ or TIN 35-2580394

Street 95 Perry Street, Suite 404 City Buffalo State NY

Zip 14203 Telephone (716) 856-6525 Email Address pcammarata@buffalourbandevelopment.com

Applicant, SSN, or TIN has changed since previously submitted application.

NPS Official Use Only

The National Park Service has reviewed the Historic Preservation Certification Application - Part 2 for the above-named property and has determined that:

the rehabilitation described herein is consistent with the historic character of the property and, where applicable, with the district in which it is located and that the project meets the Secretary of the Interior's Standards for Rehabilitation. This letter is a preliminary determination only, since a formal certification of rehabilitation can be issued only to the owner of a "certified historic structure" after rehabilitation work is complete.

the rehabilitation or proposed rehabilitation will meet the Secretary of the Interior's Standards for Rehabilitation if the attached conditions are met.

the rehabilitation described herein is not consistent with the historic character of the property or the district in which it is located and that the project does not meet the Secretary of the Interior's Standards for Rehabilitation.

Date

1/24/2018

National Park Service Authorized Signature

Rebecca A. Suter NPS

NPS conditions or comments attached

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

CONDITIONS SHEET
Historic Preservation Certification Application

Property name: Niagara Machine & Tool Works

Project Number: 35984

Property address: 683 Northland Avenue, Buffalo, NY

The rehabilitation of this property as described in the Historic Preservation Certification Application will meet the Secretary of the Interior's Standards for Rehabilitation only if the following condition(s) is/are met:

Pattern Shed and Iron Storage Shed. This approval does not extend to the Pattern Shed, a freestanding building, and the Iron Storage Shed, part of the larger factory. The Part 2 proposes that all exterior materials will be removed in Phase 1 and replaced in Phase 2. The Part 2 does not provide justification that the sheds are deteriorated to the point that total replacement of the exterior materials is warranted. If that level of deterioration can be documented, it will be necessary to replace the materials in kind. We recommend that the exterior materials not be removed until a detailed plan for the treatment of the sheds is reviewed and approved.

Future work. This approval does not extend to Phase 2, which has not been fully described in sufficient detail in the material submitted to date. Federal regulations governing this program require evaluation of an entire project. This approval will be superseded if it is found that the overall rehabilitation does not meet the Secretary's Standards. Amendments describing the work in Phase 2 should be submitted for review and approval as soon as it is available, to ensure that the entire rehabilitation project will meet the Standards.

Please note that, in all cases, the Part 2 application and amendments signed by the owner take precedence over other materials submitted, such as architectural plans and reports. In the event of a discrepancy between the application and other materials, the application takes precedence. Treatments shown on plans or mentioned in accompanying materials, but not described in the application, cannot be assumed to be approved, and, in fact, could contribute to a denial of certification if they are executed and do not meet the Standards. We bring this to your attention because some of the rehabilitation treatments are described only generally in the application narrative, with most of the treatment detail found on the plans. We recommend that you review the application and plans to ensure that all proposed rehabilitation treatments are described in the Part 2 application or an amendment.

Information in response to these conditions must be submitted through the New York State Historic Preservation Office.

Photographs documenting that the conditions have been met must be submitted with the Request for Certification of Completed Work.

Any substantive change in the work as described in the application should be brought to the attention of the State Historic Preservation Office and the National Park Service in writing prior to execution to ensure that the proposed project continues to meet the Standards.

The National Park Service has determined that this project will meet the Secretary of the Interior Standards for Rehabilitation if the condition(s) listed in the box above are met.

1/24/2018
Date

Rebecca A. Sniffen
National Park Service Signature

NPS



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

February 12, 2018

Peter Cammarata, President
683 Northland LLC (c/o Buffalo Urban Development Corporation)
95 Perry Street, Suite 404
Buffalo, NY 14203

RE: Niagara Machine and Tool Works Factory, 631-683 Northland Avenue, Buffalo, Erie Co, NY 14211
NYSHPO Project Number 17PR02367; NPS Project Number Pending

Dear Mr. Cammarata,

Thank you for contacting the New York State Historic Preservation Office regarding the status of the State and National Registers of Historic Places nomination for the Niagara Machine and Tool Works Factory.

This nomination was presented to the State Board for Historic Preservation on December 7, 2017 where it was unanimously recommended for listing on the State Register of Historic Places. After some final edits and cleanup, the nomination was signed by our Deputy Commissioner R. Daniel Mackay and listed on the State Register on February 6, 2018. The nomination was subsequently sent to the National Park Service on February 9, 2018. While we have requested an expedited review on this project, please note that there is a mandatory 15-day public comment period and they have 45-days to review and list the project. As soon as our office receives notification that the Niagara Machine and Tool Works Factory nomination is listed on the National Register of Historic Places by NPS, we will issue a letter to all project stakeholders that we were provided noting the date of National Register listing.

If you have any questions about this project, please do not hesitate to contact me at (518) 268-2137.

Sincerely,

Jennifer Walkowski
Historic Preservation Specialist
National Register Unit - Western NY Region

Division for Historic Preservation

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