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IN THE MATTER OF A NOTICE OF
PUBLIC HEARING
RE: THE GARDENS AT BUFFALO LLC

-----X

46 North Ocean Avenue
Freeport, New York

August 11, 2026
10:00 a.m.

B E F O R E:

MICHAEL LODATO, Deputy Executive Director
MARK DAVELLA, Member
VILMA LANCASTER, Member
LADONNA TAYLOR, Member

Tracie A. Cinquemani,
Court Reporter

A P P E A R A N C E S :

TOWN OF HEMPSTEAD
INDUSTRIAL DEVELOPMENT AGENCY
350 Front Street
Hempstead, New York 11550
BY: MICHAEL LODATO, Deputy Executive Director

1 THE GARDENS AT BUFFALO LLC

2 MR. LODATO: Good morning. My
3 name is Michael Lodato. I'm the deputy
4 executive director of the Town of
5 Hempstead Industrial Development Agency.

6 We are here with our Freeport
7 Village IDA members. Thank you very
8 much for attending and for allowing us
9 to use your Village Hall for this.

10 We are here for The Gardens At
11 Buffalo LLC Public Hearing. I will now
12 read the Notice of Hearing into the
13 record for the stenographer:

14 "Notice is hereby given that a
15 public hearing pursuant to Title 1 of
16 Article 18-A of the New York State
17 General Municipal Law (the "Hearing")
18 will be held by the Town of Hempstead
19 Industrial Development Agency (the
20 "Agency") on the 11th day of August,
21 2026, at 10:00 a.m. local time, at 46
22 North Ocean Avenue, Village of Freeport,
23 Town of Hempstead, New York, in
24 connection with the following matters:

25 The Gardens at Buffalo LLC, a

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limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of The Gardens at Buffalo LLC, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company"), submitted an application for financial assistance (the "Application") to the Town of Hempstead Industrial Development Agency (the "Agency") to enter into a transaction in which the Company has requested that the Agency assist in the acquisition of an interest in an approximately 2.5355-acre parcel of land located at 80-84 Albany Avenue and 17-33 Buffalo Avenue, Village of Freeport, Town of Hempstead, Nassau County, New York (together, the "Land"), the demolition of an existing approximately 11,451-square-foot structure and certain other improvements on the Land, the renovation of an existing approximately 85,932-square-foot building on the Land,

THE GARDENS AT BUFFALO LLC

and the construction of an approximately 80,004-square-foot addition to such building and related improvements on the Land (collectively, the "Improvements"), and the acquisition of certain fixtures, equipment, and personal property necessary for the completion thereof (the "Equipment"; and together with the Land and the Improvements, the "Facility"), which Facility would be subleased by the Agency to the Company and further sub-subleased by the Company to future tenants for use as a multi-family rental housing facility consisting of approximately 10 studio units, 100 one-bedroom units, 70 two-bedroom units, and 20 three-bedroom units, at least 10 percent of which units shall be workforce housing units (the "Project").

The Agency appointed the Company as agent of the Agency to undertake the acquisition, construction, renovation, installation, and equipping of the

THE GARDENS AT BUFFALO LLC

Facility, and the Agency subleased the Facility to the Company all pursuant to the terms and conditions set forth in the Lease and Project Agreement dated as of October 1, 2023 (as amended to date, the "Lease Agreement") by and between the Agency and the Company, and the other transaction documents as defined in the Lease Agreement.

Pursuant to an amended application for financial assistance dated June 5, 2026 (the "Amended Application"), the Company has requested that the Agency (i) authorize the refinancing of certain indebtedness secured by one of the mortgages currently encumbering the Facility, (ii) grant additional "financial assistance" (as such term is defined in Section 854 of the Act), in the form of (A) exemptions from sales and use taxes in an amount not to exceed \$1,293,750 in connection with the purchase or lease of equipment, building materials, services,

THE GARDENS AT BUFFALO LLC

or other personal property with respect to the Facility, (B) an exemption from mortgage recording tax in an amount not to exceed \$328,399 in connection with the financing or refinancing of the costs of the acquisition, construction, renovation, equipping, and furnishing of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing, renovating, equipping, and furnishing of the Facility, and (C) an amended abatement of real property taxes; provided, however, that all such financial assistance remains subject to further adjustment until the adoption of an Amended Authorizing Resolution (collectively, the "Additional Financial Assistance"), and (iii) consent to the amendment of the Lease Agreement and the other Transaction Documents in connection with the foregoing (collectively, the "Amendment Request").

The Agency contemplates that it

1 THE GARDENS AT BUFFALO LLC

2 would provide the Additional Financial
3 Assistance to the Company in the form of
4 additional exemptions from mortgage
5 recording taxes in connection with the
6 financing or any subsequent refinancing
7 of the Facility, additional exemptions
8 from sales and use taxes, and an amended
9 abatement of real property taxes.

10 The Company has requested that
11 the Agency approve an amended abatement
12 of real property taxes pursuant to which
13 certain annual PILOT payments during the
14 existing 25-year term of the PILOT would
15 be amended (the "Amended PILOT
16 Benefit").

17 The proposed Amended PILOT
18 Benefit deviates from the Agency's
19 Uniform Tax Exemption Policy and
20 Guidelines, as amended to date (the
21 "Policy") because the proposed PILOT
22 Benefit would continue to be for a term
23 of up to 25 years instead of 10 years.

24 Copies of the proposed PILOT
25 payment schedule are available on the

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Agency's website at www.tohida.org.

The Agency is considering the proposed deviation from the Policy due to the current nature of the property and because the Amended PILOT Benefit is necessary to make the Project financeable.

A representative of the Agency will, at the above-stated time and place, hear and accept oral comments from all persons with views in favor of or opposed to the granting of the Additional Financial Assistance.

Comments may also be submitted to the Agency in writing or electronically prior to or during the Hearing by emailing them to idamail@hempsteadny.gov. Minutes of the Hearing will be transcribed and posted on the Agency's website.

Members of the public have the opportunity to review the Amended Application filed by the Company with the Agency and an analysis of the costs

1 THE GARDENS AT BUFFALO LLC

2 and benefits of the Project, which can
3 be found on the Agency's website at
4 www.tohida.org.

5 To the extent practicable, the
6 Hearing will be streamed on the Agency's
7 website in real-time in accordance with
8 Section 857 of the New York State
9 General Municipal Law. A video
10 recording of the Hearing will be posted
11 on the Agency's website, all in
12 accordance with Section 857 of the New
13 York State General Municipal Law.

14 The Agency anticipates that the
15 members of the Agency will consider a
16 resolution to approve the Additional
17 Financial Assistance, including the
18 Amended PILOT Benefit, at the Agency's
19 Board Meeting (the "Board Meeting") to
20 be held on August 18, 2026, at 9:00 a.m.
21 local time, at Town of Hempstead Town
22 Hall, Town Hall Old Courtroom, 350 Front
23 Street, Hempstead, New York 11550."

24 Thank you. If anyone would like
25 to speak, please state your name for the

1 THE GARDENS AT BUFFALO LLC

2 stenographer and come up.

3 (Whereupon, no response was
4 heard.)

5 MR. LODATO: Mark, did you have
6 any questions?

7 MR. DAVELLA: Yeah. So am I to
8 understand that we're having a hearing
9 in regards to the The Gardens at
10 Buffalo, and nobody is here to answer
11 any questions?

12 MR. LODATO: The attorney for The
13 Gardens is not here; however, I can
14 definitely explain. So what we did --
15 let me just find my file.

16 We modified -- so, normally, the
17 way in which the IDA works is the first
18 three years are frozen at the vacant or
19 land-only value. Because of the
20 difficulty The Gardens is having in
21 financing the project as well as --
22 starting the project, I should say as
23 well as continuing it -- they need a
24 fourth year freeze so that vacant land
25 amount would be going forward in the

1 THE GARDENS AT BUFFALO LLC

2 fourth year. And then in the fifth
3 year, I believe the initial amount is
4 going to be 300,000 or 350,000. We
5 lowered that down to 200,000 or 250,000.
6 I'd have to grab my PILOT file. I don't
7 have that in front of me, but I can pull
8 it up on the website on my phone.

9 And that's the modification to
10 the PILOT that they have requested.
11 They also are increasing their sales tax
12 and mortgage recording tax amount
13 because since the project started and
14 then stopped, the numbers have all
15 increased over the past two and a half
16 years or so. So that's the ask so to
17 speak.

18 MR. DAVELLA: But they're not
19 here to answer any questions.

20 MR. LODATO: No. I can reach out
21 to their attorney if you want to give me
22 a moment. I can see if he's en route.

23 MR. DAVELLA: Good.

24 (Whereupon, Mr. Lodato left the
25 meeting room.)

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2 MR. DAVELLA: Off the record.

3 (Whereupon, a discussion was held
4 off the record beginning at 10:09 a.m.
5 with the proceedings resuming at
6 10:14 a.m. as follows:)

7 MR. LODATO: Back on the record.
8 He didn't answer his phone.

9 (Whereupon, there was a sidebar
10 discussion held between Mr. Lodato and
11 Mr. Davella.)

12 MR. LODATO: We'll probably leave
13 it open another 14 or 15 minutes. We
14 usually do it about a half an hour to
15 see if anyone shows up.

16 Seeing that we don't have anyone
17 else attending that would like to speak,
18 we would like to close this public
19 hearing on The Gardens at Buffalo LLC.

20 I would like to thank the Village
21 of Freeport members for attending and
22 for accommodating us with this beautiful
23 facility. Thank you. And for the
24 videographer.

25 (Continued on next page.)

1 THE GARDENS AT BUFFALO LLC

2 MR. LODATO: We are now closing
3 this meeting on The Gardens of Buffalo
4 LLC, sini die. It is 10:30 a.m. on
5 August 11th. Thank you.

6 (Time noted: 10:30 a.m.)

7
8 * * * *

C E R T I F I C A T E

I, TRACIE A. CINQUEMANI, Court
Reporter and Notary Public in and for the
State of New York, do hereby certify:

THAT the within transcript was
prepared by me and is a true and accurate
record of this hearing to the best of my
ability.

I further certify that I am not
related, either by blood or marriage, to any
of the parties in this action; and

THAT I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 11th day of August, 2026.


TRACIE A. CINQUEMANI

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