



**NOTICE LETTER  
J & R FANCHER PROPERTY HOLDINGS, LLC PROJECT**

May 14, 2020

**VIA CERTIFIED MAIL**

To: Chief Executive Officers of  
Affected Taxing Jurisdiction Listed on Attached Schedule A

Re: Genesee County Industrial Development Agency d/b/a Genesee County  
Economic Development Center and J & R Fancher Property Holdings, LLC:  
Public Hearing

Ladies and Gentlemen:

On Tuesday, May 26, 2020, at 10:00 a.m., the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Enclosed is a copy of the Notice of Public Hearing describing the project and the financial assistance being contemplated by the Agency. The Notice has been submitted to *The Batavia Daily News* for publication.

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 (<https://zoom.us/j/94303375341?pwd=NvY0MjZPZ0VrN2FSWlJyY2R6UzVpdz09>), 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 **94303375341**, passcode **293291**.

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 "Re: J & R Fancher Property Holdings, LLC", no later than Tuesday, June 2, 2020.

The public hearing is being conducted pursuant to Section 859-a of the General Municipal Law. We are providing this notice to you, pursuant to General Municipal Law Section 859-a, as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

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

Enclosure

Schedule A

Chief Executive Officers  
of Affected Tax Jurisdictions

**Via Certified Mail**

**No. 9489-0090-0027-6195-9852-10**

Genesee County Manager  
Genesee County Courthouse  
Old Courthouse  
7 Main Street  
Batavia, New York 14020

**Via Certified Mail**

**No. 9489-0090-0027-6195-9852-27**

Genesee County Legislature  
Attn: Chairman  
Old Courthouse  
7 Main Street  
Batavia, New York 14020

**Via Certified Mail**

**No. 9489-0090-0027-6195-9852-34**

Town of Pembroke  
Attn: Town Supervisor  
1145 Main Road  
Corfu, New York 14036

**Via Certified Mail**

**No. 9489-0090-0027-6195-9852-41**

Pembroke Central School District  
Attn: Board of Education President  
8750 Allegheny Road  
Routes 5 and 77  
Corfu, New York 14036

**Via Certified Mail**

**No. 9489-0090-0027-6195-9852-58**

Pembroke Central School District  
Attn: Superintendent  
8750 Allegheny Road  
Routes 5 and 77  
Corfu, New York 14036

## 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 Tuesday, May 26, 2020, at 10:00 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.**

J & R Fancher Property Holdings, LLC, for itself or on behalf of an entity formed or to be formed on behalf of the foregoing (the "Company") has submitted an application (the "Application") requesting the Agency's assistance with a project (the "Project") consisting of: (A) the acquisition by the Agency of a leasehold or other interest in certain property located across from Pembroke High School on Route 77 in the Town of Pembroke, Genesee County, New York (the "Land"); (B) the construction on the Land of an approximately 30,000 3-story building that will accommodate retail space on the first floor and apartments on the second and third floors (collectively, the "Improvements"); and (C) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire a leasehold 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 interests will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of 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, and equipping of the Facility, (b) a partial real property tax abatement structured within a payment-in-lieu-of-tax agreement, and (c) a mortgage recording tax exemption for financing or re-financing related to the Project (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

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Dated: May 16, 2020

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