

Public Hearing for Burger Factory Niagara Falls Inc. dba A & W Franchise Restaurant  
January 30, 2023 at 1:00 p.m.  
Niagara Falls City Hall – 745 Main Street

Andrea Klyczek: Welcome. This public hearing is now open; it is 1:04 p.m. My name is Andrea Klyczek. I am the Assistant Director of the Niagara County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. Notice of this public hearing was published in the Niagara Gazette on January 14, 2023.

We are here to hold the public hearing on Burger Factory Niagara Falls Inc. dba A & W Franchise Restaurant and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project.

The proposed project (the "Project") includes the renovation of a vacant building at 303 Rainbow Boulevard to house an A & W Franchise Restaurant. The project location is in a highly distressed area as defined by Federal poverty rate and New York State unemployment rate. This factor makes the project eligible for assistance under New York State statute.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and mortgage recording tax exemption benefits (in compliance with Agency's tax exemption policy), and a partial real property tax abatement.

The project application and project summary are posted on the Agency's website at niagaracountybusiness.com and I have copies with me today.

If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to Agency at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132 until the comment period closes on February 3, 2023.

If anyone is interested in making a comment, please, state your name and address; if you are representing a company, please identify the company. Please limit your comments to no more than 3 minutes in length.

Michael Casale: My name is Michael Casale and I am the Commissioner of the Niagara County Department of Economic Development. In early October of last year, I had the pleasure of participating in a statewide conference at the Niagara Falls Convention Center, which as many of you know is located in the heart of the downtown Niagara Falls Tourism District.

The convention center is a great facility with state-of-the-art meeting and event space, a beautiful outdoor area along Old Falls Street, located within walking distance of Niagara Falls State Park, and a natural wonder of the world, Niagara Falls.

For three days, while exhibiting at the statewide conference, I had numerous people approach me asking where they might go to get something to eat. They said they had walked the area around the convention center, but nothing was open.

The convention center is a facility that helps create that much needed economic impact in the tourism shoulder seasons, bringing groups and conventions to downtown Niagara Falls at a time where activity is sorely needed.

Being able to offer convention delegates and conference attendees a variety of dining options is an important selling point to win this important business for Niagara Falls.

Brett Stewart:

Good afternoon, my name is Brett Stewart. I'm the Vice President of Revenue Management for the Merani Hotel Group and our company is in full support of this project. We fully endorse it. Just a couple of facts that will piggyback off what you had mentioned in regards to the need. One of the largest complaints that customers have when coming into this area in the summer months is the lack of dining establishments.

I just want to put a couple of numbers out there for you. These are factual numbers. There are 14 hotels in the immediate downtown area. These 14 hotels represent just under 1,900 room nights a day. So if you take those 1,900 rooms a day with a family of 4, that is 2 adults and 2 children, you're talking about 7,500 people a day in the summer when we're running full occupancy in the months of July and August that are looking for breakfast, lunch and dinner.

Yes, it's nice that we get the breakfast business in our hotels, but people want to be outside to experience the area. We just don't have that capacity at this moment. This is a huge need for this area. We have the Red Coach, the Hard Rock, the Rain Forest Café and the Anchor Bar. After that, there's really no other viable options for a family to go to, so bringing this in as an option for the family is a huge need that will go a long way. It's competition for our properties, but I recognize the need and that it's going to help our community and the other businesses, and it's going to give a better feel for the area.

Frank Strangio:

Hi, my name is Frank Strangio. Our family owns Plati Niagara Inc., Quality Inn and Antonio's Banquet, the Wingate by Wyndham hotel and we are currently developing and building the Cambria Hotel Niagara Falls. I was born and raised in the City of Niagara Falls, so I'm well aware of the issues that we have here and I'm also well aware of the economic situation in the downtown area. I couldn't agree more that this is a distressed area that needs any spark it can get.

We're in the hotel business and I have to reiterate what the previous speaker Brett said. The number one need, complaint and comment that we hear from guests from all over the world is that we need more options for dining and for attractions. People want to stay here longer, but we don't give them enough reason to do that. So, in my opinion, incentives like this are tailor made for this type of project. This is exactly what we're looking for.

There is no question that the restaurants that are being proposed here would be a boost for tourism in our area and not only in the short term during the tourism months, but it would be long term. It would be a 12-month proposition. Having leasing space available in the downtown area, one of the things that we learned was convincing foodservice purveyors why they should be in our downtown area when they are only going to have 6 months of really strong business. So, it precludes them from going there because they're afraid of the off-season.

If we were to incentivize to bridge the gap so that we can more guarantee a positive result for some of these places so that they can survive. What you'll do is, it's an economics lesson, you incentivize them, they survive and they bring the critical mass. So now, when you go to Center Street in Lewiston, it's there all year round and people are not afraid to venture out there.

So if we have the food service establishments available here, people can go there all year long and now you're bringing people into the downtown area. The employees that are able to work in these new businesses will try to live in the downtown area and grow critical mass there and then you get to a point where you don't have to incentivize anymore because now I'm not afraid anymore because the critical mass is there. So this, to me, is exactly the route we're going.

I'll say two other quick things. Jobs are jobs. The people are talking about high paying jobs. We need jobs. It doesn't matter what they are. So if can incentivize to get that, it's a good thing.

I know the gentleman and the family that is doing these projects. I've met them. He's a gentleman and for me always with developers, it's about proven track record. Have you opened businesses and actually gotten things done, and this group has done that and we want more people like that in or area. Our family, who has invested heavily in thisCity is very much behind this incentive and more like it.

Andrea Klyczek: There are no other comments in person today, but the NCDA has had a number of comments submitted to us, which I will read for the record. The first comment is from Gary Siddall, President and CEO of the Aquarium of Niagara

“Safe and family friendly economic development opportunities in the City of Niagara Falls are important for the continued progress being made in our host community. Our visitors are known to ask for diversified retail and food service opportunities that complement the experience being offered by the Aquarium, as well as other cultural organizations and attractions. In addition to improving the amenities provided to our visitors, the Aquarium often seeks collaboration with recently established local businesses for philanthropy and creative partnerships that support the ongoing work of our mission. We recognize that fewer vacancies in the downtown district of the City of Niagara Falls is a positive reflection to current and potential visitors to the destination.”

Andrea Klyczek: The next letter is from Kory Schuler, President and CEO of Niagara USA Chamber

“On behalf of the Niagara USA Chamber, we support the proposed A&W Restaurant project on Rainbow Boulevard in Niagara Falls. This project will help bolster a family restaurant in an area that is sorely lacking places for families to find affordable accommodations for meals. This will also help create more year round opportunities in a community that faces a down turn in business outside of the tourist season.

While some have described the use of incentives on this project as "exploiting a loophole," the fact remains that this type of incentive is legal and meets the requirements within the state law. In fact, in 2013 the State made exceptions for these types of projects within tourist destinations as well as those within impoverished areas. Niagara Falls meets both of those requirements.

The Niagara County IDA has been a strong champion of this region and we respect their decision on this project. There are also many other community stakeholders that feel the same way. The Niagara USA Chamber supports this project, and we thank you for your support of it as well.”

Respectfully, Kory Schuler President & CEO Niagara USA Chamber

Andrea Klyczek: The next letter is from Paul Brown, Business Manager of Plasterers Local 9 and President of the Niagara County Building Trades

“My name is Paul Brown. I am the business manager of the Plasterers Local 9 and the President of the Niagara County Building Trades.

I am writing/speaking in favor of the A&W tax breaks from the Niagara County IDA. Senator Sean Ryan has no clue about Niagara County. People who are ignorant on a subject should just simply keep their mouths shut. The project being voted on will definitely keep people on our side of the falls longer, and that has been the goal for a long time. I am glad to see the IDA take some initiative instead of just being a roadblock like certain senators.”

Andrea Klyczek: The next letter is from Nirel Patel, President of Rupal Hospitality

“Good Morning Andrea. I am writing you to clarify our position on the NCIDA and the tools it has employed to facilitate the development of the City of Niagara Falls. The IDA has been instrumental in the continued transformation of long dormant and underutilized properties. Particularly these programs have been crucial to the tourism sector as the tourism industry is the primary economic generator for our city. My family and I have called Niagara Falls home for the past 25 years; and in this time due to the IDA’s financial support many otherwise unfeasible projects, largely due to the challenging economic environment, have been brought to life.

This has attracted the attention of lenders, investors, and developers whom are noticing the changing landscape of the city and seeking to invest their capital here. This is crucial to building a sustainable vibrant city we can all call home.

From my family to the number of other developers in our city, we thank you for your continued support of our community and look forward to the brighter future ahead.

Best Regards. Nirel Patel, President, Rupal Hospitality.”

Andrea Klyczek: The next letter is from Russell Petrozzi, Vice President of Capitol Cleaners

“As a small business owner within Niagara Falls, I was excited to hear of the arrival of a year round, affordable family restaurant coming to our City. I was dismayed that Albany politicians would try to derail the project by attacking lawful incentives offered by the Niagara County IDA. Niagara Falls needs businesses. An even passing glance at the city would reveal its depressed state, partly by decisions made by those in Albany. It is about time Albany respects home rule and lets those actually involved in the revitalization of City do their jobs instead of taking to the press and making comments against those trying to uplift the city and bringing businesses here. The A&W project is a good project and will serve this community well. I think it will benefit all business owners and I for one look forward to having them in our community.”

Thank you,

Russel Petrozzi Vice President Capitol Cleaners

Andrea Klyczek: Are ther any more comments? Hearing no further comments, I will now adjourn the meeting. It is now 1:19 p.m. Thank you.

**SIGN IN SHEET  
PUBLIC HEARING**

January 30, 2023 - 1 p.m.  
Niagara Falls City Hall

regarding:

**Burger Factory Niagara Falls Inc. dba A & W Franchise Restaurant. and/or Individual(s) or  
Affiliate(s), Subsidiary(ies),  
or Entity(ies) formed or to be formed on its behalf**

Name	Company and/or Address	X box to speak/ comment
JOHN SHOENAKER	59 PARK AVE LOCKPORT, NY 14094	
Brett Stewart	Merani Hotel Group	
Michael Casale	Niagara Co. Econ. Development	
Frank Strangio	Plati Niagara Inc/Wingate/Quality Inn Antonio's - 7708 NF Blvd, NFBY 14304	

## Statement

Gary Siddall <[gsiddall@aquariumofniagara.org](mailto:gsiddall@aquariumofniagara.org)>

Mon 1/30/2023 10:45 AM

To: Andrea L Klyczek <[Andrea.Klyczek@niagaracounty.com](mailto:Andrea.Klyczek@niagaracounty.com)>

Hi Andrea, See below – hope this helps! Gary

“Safe and family friendly economic development opportunities in the City of Niagara Falls are important for the continued progress being made in our host community. Our visitors are known to ask for diversified retail and food service opportunities that complement the experience being offered by the Aquarium, as well as other cultural organizations and attractions. In addition to improving the amenities provided to our visitors, the Aquarium often seeks collaboration with recently established local businesses for philanthropy and creative partnerships that support the ongoing work of our mission. We recognize that fewer vacancies in the downtown district of the City of Niagara Falls is a positive reflection to current and potential visitors to the destination.”



**gary siddall**

president and ceo

m. 716.421.2270

o. 716.285.3575 ext 202

[gsiddall@aquariumofniagara.org](mailto:gsiddall@aquariumofniagara.org)

701 whirlpool street  
niagara falls, new york 14301  
[aquariumofniagara.org](http://aquariumofniagara.org)



January 30, 2023

To Whom it May Concern,

On behalf of the Niagara USA Chamber, we support the proposed A&W Restaurant project on Rainbow Boulevard in Niagara Falls. This project will help bolster a family restaurant in an area that is sorely lacking places for families to find affordable accommodations for meals. This will also help create more year round opportunities in a community that faces a down turn in business outside of the tourist season.

While some have described the use of incentives on this project as “exploiting a loophole,” the fact remains that this type of incentive is legal and meets the requirements within the state law. In fact, in 2013 the State made exceptions for these types of projects within tourist destinations as well as those within impoverished areas. Niagara Falls meets both of those requirements.

The Niagara County IDA has been a strong champion of this region and we respect their decision on this project. There are also many other community stakeholders that feel the same way. The Niagara USA Chamber supports this project, and we thank you for your support of it as well.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Kory Schuler', written in a cursive style.

Kory Schuler  
President & CEO  
Niagara USA Chamber



## *Plasterers & Cement Masons Union*

---

**Local #9**  
**Buffalo, New York**

---

January 30, 2023

Sue Langdon:

My name is Paul Brown. I am the business manager of the Plasterers Local 9 and the President of the Niagara County Building Trades.

I am writing/speaking in favor of the A&W tax breaks from the Niagara County IDA.

Senator Sean Ryan has no clue about Niagara County. People who are ignorant on a subject should just simply keep their mouths shut.

The project being voted on will definitely keep people on our side of the falls longer, and that has been the goal for a long time. I am glad to see the IDA take some initiative instead of just being a roadblock like certain senators.

Paul Brown

Paul Brown, Business Agent  
168 Robinson St.  
North Tonawanda, NY 14120  
Phone: (716) 432-1294

Eric Brown, Financial Secretary  
153 Christiana St.  
North Tonawanda, NY 14120  
Phone: (716) 525-1299



## Coleen Duncan

---

**From:** Andrea L Klyczek <Andrea.Klyczek@niagaracounty.com>  
**Sent:** Monday, January 30, 2023 12:43 PM  
**To:** Coleen Duncan  
**Subject:** Fwd: NCIDA Letter of Support

Get [Outlook for iOS](#)

---

**From:** Nirel Patel <Nirel.Patel@RupalHospitality.com>  
**Sent:** Monday, January 30, 2023 12:39 PM  
**To:** Andrea L Klyczek <Andrea.Klyczek@niagaracounty.com>  
**Subject:** NCIDA Letter of Support

Good Morning Andrea,

I am writing you to clarify our position on the NCIDA and the tools it has employed to facilitate the development of the City of Niagara Falls. The IDA has been instrumental in the continued transformation of long dormant and underutilized properties. Particularly these programs have been crucial to the tourism sector as the tourism industry is the primary economic generator for our city. My family and I have called Niagara Falls home for the past 25 years; and in this time due to the IDA's financial support many otherwise unfeasible projects, largely due to the challenging economic environment, have been brought to life.

This has attracted the attention of lenders, investors, and developers whom are noticing the changing landscape of the city and seeking to invest their capital here. This is crucial to building a sustainable vibrant city we can all call home.

From my family to the number of other developers in our city, we thank you for your continued support of our community and look forward to the brighter future ahead.

Best Regards,

Nirel Patel  
PRESIDENT  
RUPAL HOSPITALITY  
O 716.285.0904  
M 310.502.8895

Notice: This electronic transmission is intended for the sole use of the individual or entity to which it is addressed and



1227 Main St Niagara Falls, NY 14301

January 30, 2023

To Susan Langdon,

As a small business owner within Niagara Falls, I was excited to hear of the arrival of a year round, affordable family restaurant coming to our City. I was dismayed that Albany politicians would try to derail the project by attacking lawful incentives offered by the Niagara County IDA. Niagara Falls needs businesses. An even passing glance at the city would reveal its depressed state, partly by decisions made by those in Albany. It is about time Albany respects home rule and lets those actually involved in the revitalization of City do their jobs instead of taking to the press and making comments against those trying to uplift the city and bringing businesses here. The A&W project is a good project and will serve this community well. I think it will benefit all business owners and I for one look forward to having them in our community.

Thank you,

Russel Petrozzi  
Vice President  
Capitol Cleaners



January 31, 2023

Susan Langdon  
Executive Director  
Niagara County Industrial Development Agency  
6311 Inducon Corporate Drive  
Samuel M. Ferraro Center, Suite One  
Sanborn, NY 14132

Dear Susan:

On behalf of Destination Niagara USA, I am writing to extend my support of Niagara Falls International Cuisine, Inc., Burger Factory Niagara Falls, Inc. and Muhammad Shoab's plans to open a Moe's Southwest Grill and A&W Restaurant in Niagara Falls. We welcome the expansion of dining options for visitors to downtown Niagara Falls, and it is especially beneficial to have nationally recognized brands open year-round within the destination. The opening of these two restaurants with consistent hours will help the destination meet the needs of tourists and convention attendees during the offseason.

Sincerely,

A handwritten signature in black ink that reads "John Percy". The signature is fluid and cursive, with a large loop at the end.

John Percy  
President and CEO  
Destination Niagara USA

