

Chason Affinity earns favorable court ruling to move forward with Elmwood development

April 11, 2014 | **PRESS RELEASES**

BUFFALO, NY- Buffalo, NY – Chason Affinity Cos. today welcomed a positive court ruling that will result in the advancement of the company’s proposed mixed-use development project, located at the corner of Elmwood Avenue and Forest Avenue in the City of Buffalo. The prospective structure will replace several existing buildings already owned by Chason Affinity Cos.

Following a two week trial, State Supreme Court Judge John A. Mickalek ruled today that a deed covenant dating back to 1892 which prohibited business development on a wide track of land in the Elmwood /Forest area no longer served its original purpose.

During the trial, Chase Affinity’s attorney, Dennis C. Vacco of Lippes Mathias Wexler Friedman, established that businesses had operated on the property in violation of the deed restriction for decades. In his ruling Judge Michalek also determined that the Elmwood Village today is a vibrant urban community compared to the vacant farmland which existed at the time of the establishment of the deed restriction.

“This ruling is important not only to my client, and not only to the Elmwood section of Buffalo, it is important to the entire region,” Vacco said. “I believe this gateway intersection of Buffalo is a critical piece of the puzzle as we collectively continue to create more jobs so that our children can stay here and raise families.”

Mark Chason, President of Chason Affinity Cos., expressed his gratitude to all of the business leaders and residents of Elmwood Village who consistently supported the development.

“This is very good news for the City of Buffalo and for the Elmwood Village,” said Chason Affinity Cos. Chief Executive Officer Jeffrey Birtch. “There are many great projects underway in the region, and our intent is to deliver yet another transformational development that will promote and complement this already vibrant neighborhood.”

Originally proposed in 2009, the project is expected to include a combination of residential, hotel, restaurant, and retail uses. This could include: 125 hotel rooms, 20-30 residential units ranging in size from 800 sq. ft. to 4,500 sq. ft., street-level retail or restaurant spaces along Elmwood Avenue, and multi-level indoor parking. Additional details on the project will be announced in the near future.

Related Team



Dennis C. Vacco

Partner | Executive
Committee | Team
Co-Leader -
Government &
Corporate
Investigations