

PUBLIC HEARING
TRILLIUM LODGE
AUGUST 2, 2017
5:00 P.M.

My name is Carol Rasmussen. I am the Business Development Manager for the County of Chautauqua Industrial Development Agency. Accompanying me today is counsel for the Agency, Matthew Mazgaj of the Phillips Lytle law firm in Jamestown. Members of the Agency have directed me to hold this public hearing. Today is August 2, 2017 and the time is now 5:04 p.m. We are at the Town of Cherry Creek Town Hall, 6845 Main Street, Cherry Creek, County of Chautauqua, New York.

This is a public hearing pursuant to section 859-a of the New York General Municipal Law, as amended. The Agency has received an application for financial assistance in connection with the following matter (which I will refer to as the "Project"):

The Agency received an application from The Trillium Lodge, a restaurant owned by Deborah Bernard as its sole proprietor, and qualified to do business in New York. I will refer to the Trillium Lodge as the "Applicant." The Applicant presented an Application to the Agency, which Application requested that the Agency consider undertaking the following "Project": (A) (1) the acquisition of an interest in land located at 6830 Main Street, Cherry Creek, County of Chautauqua, New York, (2) the construction of a new 5,400 square foot building on the Land with potential parking, landscaping and related improvements to the Land, and (3) the acquisition and installation therein and thereon of certain furniture, fixtures, machinery and equipment, all of the foregoing for use by the Applicant as a restaurant, that will replace the building located on the Land damaged by fire. The Land, Building and Equipment proposed will constitute the Project Facility for this Project; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions or partial exemptions from sales and use taxes and real property taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility back to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency.

With respect to Financial Assistance, the Applicant requested real property tax abatement and sales tax abatement but did not request any abatement of mortgage recording taxes. As to real property taxes, the Applicant made a request for abatement that falls outside of the Agency's Uniform Tax Exemption Policy, that Policy provides the typical schedule for payments in lieu of taxes for Agency projects. The Applicant's request here is for ten-year PILOT agreement. For the term of the PILOT, the Applicant will make tax payments based on the applicable tax rate and the current assessed value

of the property based on the pre-fire assessment of Trillium Lodge. After the ten-year PILOT, the Applicant would be responsible for property taxes based on the value of the new construction proposed.

The purpose of this hearing is to provide an opportunity for all interested parties from the public to present their views, both orally and in writing, with respect to the Agency's involvement in this Project and the Financial Assistance proposed in the Application. I am here on behalf of the Agency, not the Applicant. I cannot address any of the specifics of the Project itself; that is the task of the Applicant. During the course of this hearing, the Agency will be unable to respond to comments or questions. The Agency will, however, transcribe all of the comments made by those interested in the Agency's proposed involvement with the Project and provide that transcription to the Agency's Board of Directors.

Notice of this public hearing was published in the *Post-Journal* on July 20, 2017 and mailed to the Chief Executive Officer of each affected tax jurisdiction on July 19, 2017.

Is there anyone wishing to be heard with respect to the Project?

It is now 5:09 p.m. No one has indicated a desire to comment with respect to the Project. I therefore call this hearing to a close at 5:09 p.m.

Thank you.

Respectively,



Carol Rasmussen

Business Development Manager

8/5/2007

Public Hearing

Trillium Lodge, Town of Cherry Creek, NY

<u>NAME</u>	<u>Affiliation</u>
Carol Pommison	CCIDA
Mia Abbey	Court Clerk
Mary J. Sullivan	Town Clerk -
Matt Mazgaj	Phillips Lytle - Counsel for CCIDA