

ORIGINAL

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY
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PUBLIC HEARING

RE: CREATIVE ENVIRONMENTS, LLC
and HENRY STOUT

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Town of Shandaken Town Hall
7209 Route 28
Shandaken, New York

June 7, 2017
7:00 p.m.

BEFORE: JOHN LIVERMORE,
the Acting Chair

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

IDA Staff:

Suzanne Holt, Executive Director

John Livermore, Assistant Secretary

Evelyn Heinbach

A. Joseph Scott, Esq., UCIDA Counsel

Michael Densmore, Managing Director, Creative
Environments, LLC

Reported by:

Kari L. Reed

* * *

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2 MR. LIVERMORE: Good evening. My name is
3 John Livermore, and I am Assistant Secretary of the
4 Ulster County Industrial Development Agency, (the
5 "Agency") in connection with the project which is
6 the subject of this public hearing.

7 Today we are holding this Public Hearing
8 to allow citizens to make a statement, for the
9 record, relating to the involvement of the Agency
10 with a project, (the "Proposed Project") for the
11 benefit of Creative Environments, LLC, a New York
12 limited liability company, and Henry Stout, an
13 individual, ("Stout") (Creative and Stout being
14 collectively referred to as the "Company").

15 The proposed project consists of the
16 following:

17 (A) (1) The acquisition of an interest in
18 an approximately one (1) acre parcel of land
19 located at 1 Valley View Road (being a portion of
20 Tax Map number 23.-2-28) in the Town of Shandaken,
21 Ulster County, New York (the "Land"), together with
22 various buildings located thereon (collectively,
23 the "Existing Facility");

24 (2) The renovation of the Existing
25 Facility and the construction of approximately ten

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2 cottages (the "Cottages"), one pavilion (the
3 "Pavilion"), and one cabana (the "Cabana"), on the
4 land containing in the aggregate approximately
5 8,300 square feet of space (collectively, the "New
6 Facility" and, together with the Existing Facility,
7 the "Facility"); and

8 (3) The acquisition and installation
9 therein and thereon of certain machinery,
10 equipment, and other personal property,
11 (collectively the "Equipment"), all of the
12 foregoing to constitute a resort and directly and
13 indirectly related uses;

14 (B) The granting of certain "financial
15 assistance" ("within the meaning of Section 854(14)
16 of the Act), with respect to the foregoing,
17 including potential exemptions from certain sales
18 and use taxes, real property taxes, real estate
19 transfer taxes and mortgage recording taxes
20 (collectively "the Financial Assistance"); and

21 (C) The lease (with an obligation to
22 purchase) or sale of the Project Facility to the
23 Company or such other person as may be designated
24 by the Company and agreed upon by the Agency.

25 I intend to provide general information

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2 on the Agency's general authority and the public
3 purpose to provide assistance to this Proposed
4 Project. I will then open the comment period to
5 receive comments from all present who wish to
6 comment on either the Proposed Project or the
7 Financial Assistance contemplated by the Agency
8 with respect to the Proposed Project.

9 Legal Authorization and Powers of the
10 Agency.

11 The provisions of Chapter 1030 of Laws of
12 1996 of New York, constituting Title I of Article
13 18-A of the General Municipal Law, Chapter 24 of
14 the Consolidated Laws of New York, as amended, and
15 Chapter 787 of the 1976 Laws of New York, as
16 amended, constituting Section 923 of said General
17 Municipal Law, (collectively, the "Act") authorize
18 the Agency to promote, develop, encourage and
19 assist in the acquiring, constructing,
20 reconstructing, improving, maintaining and
21 equipping and furnishing of manufacturing,
22 warehousing, research, commercial and industrial
23 facilities, among others.

24 Purpose of the Public Hearing.

25 Pursuant to Section 859-a(2) of the

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2 General Municipal Law of New York (the "Act"),
3 prior to the Agency providing any "financial
4 assistance" (as defined in the Act) of more than
5 \$100,000 to any project, the Agency, among other
6 things, must hold a public hearing pursuant to
7 Section 859-a of the Act with respect to said
8 project. Since the proposed "financial assistance"
9 to be provided by the Agency with respect to the
10 Proposed Project may exceed \$100,000, then, prior
11 to providing any "financial assistance" (as defined
12 in the Act) of more than \$100,000 to the Proposed
13 Project, the Agency must hold a public hearing on
14 the nature and location of the Project Facility and
15 the proposed "financial assistance" to be provided
16 by the Agency with respect to the Proposed Project.

17 After consideration of the application
18 received from the Company, the members of the
19 Agency adopted a resolution on April 12, 2017, (the
20 "Public Hearing Resolution") authorizing the Agency
21 to conduct this public hearing with respect to the
22 Proposed Project, pursuant to Section 859-a(2) of
23 the Act.

24 By way of background, notice of this
25 public hearing was published on May 25th, 2017 in

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the Almanac Weekly and the Shawangunk Journal, each being newspapers of general circulation available to the residents of the Town of Shandaken, Ulster County, New York. In addition, as required by New York law, the notice of this Public Hearing was mailed on May 18, 2017 to the Town of Shandaken, the Ulster County Executive, the Onteora Central School District, and the Chairman of the Ulster County Legislature. Lastly, copies of the Public Hearing Notice were posted on May 19, 2017, on the bulletin board located at the Town of Shandaken Town Hall, 7209 Route 28, in the Town of Shandaken, Ulster County, New York, and was posted on May 19, 2017, on the Agency's website.

Copies of the notice of this public hearing are available on the table.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of this public hearing and instead request that the full text of the notice of this public hearing be inserted into the record of this public hearing.

The comments received today at this public hearing will be presented to the members of

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2 the Agency at or prior to the meeting at which the
3 members of the Agency will consider whether to
4 approve the undertaking of the Proposed Project by
5 the Agency and the granting by the Agency of any
6 "financial assistance" in excess of \$100,000 with
7 respect to the Proposed Project. The Agency
8 currently intends to consider the Proposed Project
9 at the meeting of the Agency to be held on
10 Wednesday, July 12, 2017. This meeting, like all
11 meetings of the Agency, is open to the public.

12 Written Comments.

13 The notice of this public hearing
14 indicated that written comments could be addressed
15 to Suzanne Holt, the Director of the Office of
16 Economic Development of the Agency. No written
17 comments have been received by the Agency prior to
18 this hearing.

19 I will now open this public hearing for
20 public comment at 7:06 p.m. By way of operating
21 rules, if you wish to make a public comment, please
22 raise your hand. I will call on you. Please wait
23 to be recognized. Once recognized, please stand
24 and state your name and address for the record.

25 When everyone has had an opportunity to

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2 speak, I will conclude this public hearing. A
3 record of this public hearing will be prepared and
4 reviewed by the members of the Agency in connection
5 with the Agency's consideration of the Proposed
6 Project.

7 Again, the purpose of this public hearing
8 is to solicit comment. We are not here to answer
9 questions. However, we will, in the course of this
10 public hearing, consider questions if we have the
11 information to answer the questions and there is
12 sufficient time to consider such questions.

13 I will now ask if there is anyone in
14 attendance who wishes to comment on either the
15 nature and location of the Project Facility or the
16 proposed "financial assistance" being contemplated
17 by the Agency with respect to the Proposed Project.
18 For the record, please state your name and indicate
19 your comments on either the Proposed Project or the
20 proposed "financial assistance" being contemplated
21 by the Agency with respect to the Proposed Project.

22 (No response.)

23 MR. LIVERMORE: Being that we have such a
24 limited turnout, we will leave the meeting open for
25 fifteen minutes, and should nobody attend, we will

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move to close our public hearing.

(Recess taken)

MR. LIVERMORE: So if there are no further comments, I will now close this public hearing at 7:25 p.m. Thank you all for attending.

(Time noted: 7:25 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

I, KARI L. REED, a Registered Professional Reporter (Stenotype) and Notary Public with and for the State of New York, do hereby certify:

I reported the proceedings in the within-entitled matter and that the within transcript is a true record of such proceedings.

I further certify that I am not related, by blood or marriage, to any of the parties in this matter and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of June, 2017.

Kari L. Reed

KARI L. REED

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ERRATA SHEET
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ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY PUBLIC HEARING
CREATIVE ENVIRONMENTS, LLC
June 07, 2017

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SIGNATURE OF WITNESS

DATE