



**Economic  
Development Center**

**Report of the Genesee County Industrial Development Agency d/b/a/ Genesee County Economic Development Center Public Hearing of CLP Darien Lake, LLC held on Friday, March 1, 2013, 4:00 PM – Darien Town Hall, 10569 Alleghany Road, Darien Center, New York**

**I. ATTENDANCE**

Chris Suozzi, Vice President of Business Development, Genesee County EDC  
Penny Kennett, Office Manager, Genesee County EDC  
Bob Montgomery, CLP Darien Lake, LLC  
David Hagelberger, Darien Town Supervisor  
Marcia Hagelberger, Town of Darien Resident  
Michael Plitt, Town of Darien Councilman

**II. CALL TO ORDER**

The public hearing of CLP Darien Lake, LLC was called to order at 4:00 pm at the Darien Town Hall.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript. The notice of public hearing was read to attendees.

**III. PROJECT SUMMARY**

C. Suozzi described the project as follows:

Darien Lake is investing \$5.2 million into new park attractions and construction of new accommodations. Specifically they would like to construct new cabins/ accommodations for multi-family units, and install a new "launch ride" and laser light attraction. These upgrades will help Darien Lake add an additional six (full time equivalent) employees to their organization over the next three years after completion of their project. These additional six employees will bring Darien Lake's annual full time equivalent employees to 428. Of the \$5.2 million investment Darien Lake would like assistance on \$2.52 million worth of investment. The GCEDC is seeking to assist the project with a sales tax exemption in the amount of \$181,600 and property tax abatement based on the increase in assessed value estimated at \$147,339.

**Darien Lake History:**

Darien Lake provides over 400 full time equivalent jobs with an estimated annual payroll of \$11 million. Furthermore, Darien Lake generates approximately \$2.5 million in revenues to local governments and school districts annually via property tax and sales taxes generated from the park.

Darien Lake was acquired by CNL Properties, a lifestyles properties real estate investment trust from Jacksonville, FL, in 2007. Darien Lake continues to be a major employer and economic contributor here in Genesee County and has made significant investments in our community despite an incredibly challenging economy. They remain one of the largest economic drivers in Genesee County and hire as many as 2,000 seasonal employees.

Board Appr. 3/7/13  
emailed 3/6/13 AA

#### **IV. COMMENTS**

Mr. Suozzi accepted the following comments from attendees:

Michael Plitt first thanked Bob Montgomery and Darien Lake for their investments in Darien. He then said that he would not be representing the Town of Darien residents well without discussing the cost verse the benefit of having Darien Lake located in the Town of Darien. He mentioned that he was concerned that they did not receive any of the mortgage tax proceeds and that because much of the property has a PILOT on it they are unable to receive their full share of the sales tax generated in Genesee County.

Bob Montgomery commented that it is in the Town of Darien's best interest and they will receive the best value from Darien Lake if investments are being made and the Park grows and attendance increases. If investments are not made less people will visit the Park resulting in less income for the Town of Darien.

Mr. Montgomery also commented that changes are being made to the concert venue. They are increasing their capital investments, increasing their security presence, they put up a fence to control people coming into the parking lot, they are taking a second look at the types of acts that are performing and they are looking into sound issues.

Mr. Plitt mentioned that criminal cases actually cost the Town money; it is not a revenue generator like speeding tickets. Funds generated from criminal cases are sent to the state, so it actually costs the Town money to prosecute criminal offenders.

Mr. Montgomery added that he wished that criminal offenders could be treated tougher as he feels like they are "bluffing" in a lot of cases because not a lot is done or can be done. They do hope that as the word gets out that this type of behavior will not be tolerated that there will be less criminal arrests made. Other changes are being discussed to combat under aged drinking, tail gating, drinking in the parking lots and changes to the entrance and exits of the parking lots are being looked at.

He mentioned that they are starting to bring local venues into the park like Anchor Bar buffalo wings and Webber mustard and that a major ride attraction is planned for 2014.

Mr. Montgomery sees the most growth from people who stay overnight verses the day visitors. In 2016 Darien Lake will be sold and in the end he hopes that we can work together to ensure that the Town of Darien has the right operator for Darien Lake that will offer stability. The Park will not be stable unless investments are being made.

Dave Hagelberger noted that Darien Lake should see a reduction in their County taxes as they were able to send the County \$50,000 to help reduce taxes for the Town of Darien residence and businesses.

#### **V. ADJOURNMENT**

The public hearing was closed at 4:58 PM



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Friday, March 1, 2013, at 4:00 p.m. local time, at Darien Town Hall, 10569 Allegheny Road, Darien Center, New York 14040, in connection with the following matter:

CLP Darien Lake, LLC, for itself or on behalf of an entity to be formed (the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition (or retention) of title to, or a leasehold interest in, a parcel of land located at 9993 Allegheny Road in the Town of Darien, Genesee County, New York (the "Land"), (ii) the construction and equipping on the Land of (A) a "Blast Off" ride located in the Waterfront Boardwalk area of the Company's existing theme park; (B) upgrades to the "Laser Blast Show", including upgrades in water technology, pyrotechnics and 60' water screen; and (C) an expansion to the Company's existing accommodations area, including multi-family rental units (collectively, the "Improvements"), and (iii) the acquisition in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment," and collectively with the Land and the Improvements, the "Facility").

The Agency will acquire (or retain) title to, or 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 Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application (including a cost-benefit analysis) and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: February 15, 2013

By:

GENESEE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY D/B/A  
GENESEE COUNTY ECONOMIC  
DEVELOPMENT CENTER