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## NOTICE OF PUBLIC HEARING

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**NOTICE IS HEREBY GIVEN** that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the Town of Riverhead Industrial Development Agency (the “**Agency**”) on the 17th day of July, 2023, at 5:00 p.m. local time, at the Town of Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York in connection with the following matters:

By Application dated November 3, 2006, Browning Hotel Properties, LLC (the “**Company**”) sought financial assistance from the Agency for the construction and equipping of a 114 key, 62,589 square foot Hilton Garden Inn Hotel.

The Agency adopted a determination by resolution dated February 5, 2007, which resolution provided financial assistance to construct and equip a 114 key, 62,589 square foot Hilton Garden Inn Hotel (the “**Hilton Project**”) at a total project cost of \$18,110,489.

The Agency adopted a determination by resolution, dated April 6, 2015, which resolution provided financial assistance to construct and equip the Phase II facility consisting of 140 key, 114,900 square foot Marriott Residence Inn (the “**Marriott Project**”, and together with the Hilton Project, the “**Project**”) with meeting space and amenities at a total project cost of \$26,849,775. All documents necessary to provide Agency assistance were executed and delivered at a closing October 22, 2015.

The Hilton Project and the Marriott Project are a phased development with common features of design for ingress and egress, plantings and site layout on a single tax map parcel at 2012 Old Country Road, Riverhead, New York 11901, Suffolk County Tax Map Number 0600-118-2-3.2 (the “**Tax Map Parcel**”). The Hilton Project and the Marriott Project continue to be owned, operated, and managed by the Company.

The Agency took title to the Hilton Project and the Marriott Project by deed dated May 4, 2007, and entered into the Sale Agreement dated May 4, 2007, as amended, with the Company. The Agency requires that the Company make payments-in-lieu-of-tax payments (the “**PILOT Payments**”) with respect to the Land and the Project pursuant to a Payment In Lieu of Tax Agreement, dated May 4, 2007, as amended and restated pursuant to an Amended and Restated Payment In Lieu of Tax Agreement, dated October 22, 2015 (collectively, the “**PILOT Agreement**”).

The PILOT Payments required by the PILOT Agreement were based on the assessed value of the Project as determined by the Town of Riverhead Board of Assessors (the “**Board of Assessors**”) at the time of the execution of the PILOT Agreement. The Company has duly and successfully challenged the Board of Assessor’s assessment of the Facility in a tax certiorari proceeding, and by court order dated April 11, 2023 (the “**Court Order**”), the assessed value of the Project has been reduced from \$5,054,000 to \$3,739,086 for tax years 2020/2021 through 2022/2023. The Court Order also provides to the extent the PILOT Payments in the preceding years exceeds the amount due on the reduced assessment, such excess shall appear as a credit on

the next future statement for PILOT Payments, consistent with the requirements of the PILOT agreement. The Company has now requested the Agency's assistance in further amending and modifying the PILOT Agreement in order to reflect the reduction of assessed value of the Project (the "**2023 PILOT Amendment**").

The Agency contemplates that it will provide financial assistance to the Company in the form of the modification and amendment of current abatements of real property taxes, consistent with the uniform tax exemption policies ("**UTEP**") of the Agency and the terms of the PILOT Agreement.

A representative of the Agency will, at the above-stated time and place, hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Project.

Further information on the proposed Project, is available for public inspection upon scheduled appointment at the office of the Agency located at 542 East Main Street, Suite 1, Riverhead, New York, during normal business hours.

Dated: June 5, 2023

TOWN OF RIVERHEAD INDUSTRIAL  
DEVELOPMENT AGENCY

By: Tracy Stark-James  
Title: Executive Director