



SENECA COUNTY

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

September 11, 2015

**RE: TT 2015-5 / TT 12-1-36 B2, PUD App., Zon. Amend. & Dev. Plan, Lago Resort & Casino
TT 15-1-7.112, Subdivision, Site Plan Review & Special Use Permit, Better
Housing of Tompkins County & Ithaca Neighborhood Housing Services**

Mrs. Elizabeth Sutterby, Clerk
Town of Tyre
636 Sutterby Road
Seneca Falls, NY 13148

Dear Mrs. Sutterby:

The Seneca County Planning Board has completed its reviews of the above-mentioned reports at the regular meeting held September 10, 2015. You will find enclosed the reports and resolutions. Our office should be advised of your final action within 30 days after the action.

If you have any questions regarding the reports and resolutions, please feel free to contact our office.

Sincerely,

Harriet A. Haynes
Planner

HAH/md

enclosures

xc w/enclosures: Mr. Ronald McGreevy, Supervisor, Town of Tyre
Mr. Robert Seem, Chairperson, Tyre Town Planning Board
Mr. David Page, Tyre Town Zon. & Code Enforcement Officer

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WATERLOO, NEW YORK 13165-1681
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WHEREAS, this request for Planned Unit Development (PUD) Application with Development Plan Review and for Local Law #5 of 2015, Zoning Amendments, was forwarded by the Town of Tyre for review under Section 239 of the General Municipal Law, and

WHEREAS, the Seneca County Department of Planning and Community Development did review said request and prepared a report dated September 9, 2015, and

WHEREAS, the Seneca County Planning Board did meet on September 10, 2015 to consider this request, the report of the Seneca County Department of Planning and Community Development, and other pertinent information, and

WHEREAS, the Seneca County Planning Board at its April 10, 2104 meeting found that the Application for PUD and Development Plan, while having the potential for significant impacts on the community character, was proposed so as to minimize the impacts on the natural environment and, thereby, offset any negative impacts with the benefits of economic growth, and recommend the Town of Tyre approve and accept the Application for Planned Unit Development and the proposed Development Plan, be it

RESOLVED, that the Seneca County Planning Board recommends the Town of Tyre accept and approve the Application for Planned Unit Development, and the proposed Development Plan for Development of a Resort and Casino on Town of Tyre Tax Parcel 12-1-36, and be it

FURTHER RESOLVED, that the Seneca County Planning Board recommends adoption of proposed Local Law #5 of 2015, that adds clarifying language to the Town of Tyre Zoning Law regarding Planned Unit Development, and amends the Town of Tyre Zoning Map such that Tax Parcel 12-1-36 be Zoned Planned Unit Development (PUD) for the purposes of the development of a Resort and Casino, and be it

FURTHER RESOLVED, that the Seneca County Planning reaffirms its approval of the Site Plan for Lago Resort and Casino as reviewed by this Board on August 13, 2015, and be it

FURTHER RESOLVED that the Seneca County Department of Planning and Community Development be directed to forward word of this action to the Town of Tyre.

Motion	<u>Gordon Burgess</u>
Second	<u>Donald Denman</u>
Ayes	<u>12</u>
Nays	<u>0</u>
Abstain	<u>0</u>

Mary DeSjano
Secretary

TT 2015-5 / TT 12-1-36 B2
PUD Application, Zoning Amendment &
Development Plan
Lago Resort and Casino
Town of Tyre

TO: Seneca County Planning Board
FROM: Seneca Co. Dept. of Plan. & Community Development
DATE: September 9, 2015

This request to review a Planned Unit Development (PUD) Application and Development Plan and Amendments of the Town of Tyre Zoning requires review under Section 239 of the General Municipal Law because it is within 500 feet of State Route 318 and Agricultural District #6.

GENERAL INFORMATION & ANALYSIS

The Town of Tyre received an application to have Tax Parcel 12-1-36 rezoned as a Planned Unit Development Zone, and a Development Plan, for development of the property as a Resort and Casino. This is substantially a resubmission of the application originally received in March of 2014. The Application for PUD, Development Plan, and proposed Local Law #5 of 2015 are before the County Planning Board. They are being reviewed again to assure that the Development Plan and Site Plan are substantially the same.

The Development Plan is largely the same as submitted in March 2014 and reviewed by this Board at the April 10, 2014 meeting, and again at the August 13, 2015 Meeting. This additional review of the Development Plan is submitted so as to assure that the Development Plan and the Site Plan are in full agreement. The project includes:

- 1) a six-story, 208 room hotel with guest rooms, meeting rooms, a ballroom and a pool area,
- 2) a 210,640+/- square foot casino with support service areas, restaurants, and a theatre, and
- 3) a four-story parking garage for 790+/- vehicles, and surface parking for approximately 2,400 vehicles.

At the meeting on April 10, 2014, the Seneca County Planning Board found that "this application, while having the potential for significant impacts on the community character, has been proposed so as to minimize the impacts on the natural environment and, thereby, offset any negative impacts with the benefits of economic growth".

Local Law #5 of 2015 for the Town of Tyre will do the following:

- 1) Article II Section 2.202 of the Town Zoning Law will be amended by adding to this section the term "Planned Unit Development" to the list of Type of District and by adding the designation "PUD" for such district.
- 2) Article XI Section 11.1102 of the Town of Tyre Zoning Law shall be amended by adding the following definition to this section:

Planned Unit Development District: a district created for development in accordance with a single development plan and associated site plan for the permitted uses authorized in Article II.A Section 2A.202.B of this Law and placement of building which may not correspond to the bulk, yard, height and other regulations of this Law.

- 3) Zoning Map Amendment for Planned Unit Development for Lago Resort and Casino: The Zoning Map will be amended to show the 84.957 Acre Parcel at the northeast corner of the intersection of the New York State Thruway and State Route 414, formerly owned by James and Jeanne Leonard, and which are described in the Law, as being zoned a Planned Unit Development District.
- 4) The permitted uses within the PUD shall be a casino complex and accessory uses.
- 5) The development shall be consistent with the Plans submitted and filed with the Tyre Town Clerk.

The proposed Zoning Amendment to a "PUD" for the purposes of the development of the resort and casino is consistent with the Town of Tyre Comprehensive Plan which identifies the desire of maintaining the rural character of the Town and the need to balance that with the necessity of expanding the tax base and have growth along the major highways.

SEQR: Full EAF submitted was previously submitted and a new Part I reflecting current conditions have also been submitted. The Town Board is serving as lead agency. In order to avoid segmentation of the project, the same EAF is being used for the PUD Application, Development Plan and the Town of Tyre Local Law #5-15.

RECOMMENDATION

The Seneca County Department of Planning and Community Development advises the Seneca County Planning Board to recommend: 1) acceptance and approval of the Planned Unit Development (PUD) Application, 2) recommend acceptance and approval of the Development Plan, 3) recommend adoption of the Zoning Amendments, and 4) to reaffirm the County Planning Board's approval of the Site Plan submitted and reviewed at the August 13, 2015 meeting.

DOCUMENTS AVAILABLE

PUD Application and Development Plan
Copy of Proposed Local Law #5
Full EAF (Filed with Project Files)
GML Review Files for Town of Tyre Tax Parcel 12-1-36