

**RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF TYRE (1) EXTENDING THE PUBLIC COMMENT PERIOD FOR ENVIRONMENTAL IMPACT REVIEW PURPOSES TO AUGUST 20, 2015, (2) RESCINDING THE PREVIOUSLY SCHEDULED AUGUST 24, 2015 SPECIAL MEETING OF THE TOWN BOARD, AND (3) SCHEDULING SPECIAL MEETINGS OF THE TOWN BOARD ON SEPTEMBER 3, 2015, SEPTEMBER 9, 2015 AND SEPTEMBER 14, 2015.**

**August 14, 2015**

**WHEREAS**, on July 16, 2015, the Town Board for the Town of Tyre (the "Town Board") received for review and approval from BME Associates, on behalf of Lago Resort & Casino, LLC ("Lago"), copies of the following documents relating to the proposed Lago Resort and Casino (the "Project"), which is a proposed development that has been under review by the Town Board since March 2014: a Planned Unit Development ("PUD") District Application and a proposed Development Plan with minor modifications from the Development Plan initially submitted to and considered by the Town Board in 2014; a proposed Site Plan that reflects revisions to the initial Site Plan submitted to and considered by the Town Board in 2014; Part 1 of the Full Environmental Assessment Form ("FEAF") that was originally submitted to the Town Board on March 20, 2014 together with an amended Part 1 of the FEAF dated July 16, 2015 reflecting the revisions to the Project since the initial Part 1 of the FEAF was submitted; and other Project documents identified in the July 16, 2015 transmittal letter from BME Associates (the "July 2015 Project Documents"); and

**WHEREAS**, the Town Board resolved at its regular meeting on July 16, 2015 to accept written public comments about the documents under review by the Town Board relating to the Project and about any potential adverse environmental impacts associated with the Project, for receipt by the Town Engineer, Barton & Loguidice, D.P.C., no later than August 10, 2015; and

**WHEREAS**, the Town Board published notice of this public comment period in the Finger Lakes Times newspaper and on the Town of Tyre's website on July 20, 2015, and made available for public review at the Seneca Falls Public Library and the Town Clerk's Office, and to the extent practicable on the Town of Tyre's website, the July 2015 Project Documents and other documents under review by the Town Board relating to the Project; and

**WHEREAS**, at its regular meeting on July 16, 2015, the Town Board also resolved to hold a special meeting on August 24, 2015, at 7:30 p.m. at the Magee Volunteer Fire Department Building, having an address at 1807 NYS Route 318, Seneca Falls, NY 13148; and

**WHEREAS**, the Town Board recognizes that since March 2014 the details associated with this Project have been under review by the Town Board, have been considered by various agencies including involved and interested agencies, to some of which the Town Board has made Project referrals, and have been examined by

members of the public, whom the Town Board has endeavored to keep informed throughout its review process; and

**WHEREAS**, the Town Board recognizes that the spirit of the State Environmental Quality Review Act (“SEQRA”) aims to involve the public in the Town Board’s assessment of the potential environmental impacts of the Project, but the Town Board also has a responsibility under SEQRA pursuant to 6 NYCRR § 617.3(h) to carry out the requirements of SEQRA in a timely fashion; and

**WHEREAS**, in light of a request made to extend the public comment period, the Town Board desires to allow ten days of additional time for public comments; and

**WHEREAS**, the Town Board also desires to hold additional meetings where the Town Board can review and evaluate the Project, as well as the materials and comments submitted concerning it;

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The Town Board hereby resolves: (a) to extend the deadline of the public comment period from August 10, 2015 to August 20, 2015, requiring that written comments about the Project and any potential environmental impacts associated with it must be received no later than August 20, 2015 by the Town Engineer, either by regular mail addressed to Adam Cummings, Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, NY 14614, or by electronic mail sent to the electronic mail address [tyre.public.comments@bartonandloguidice.com](mailto:tyre.public.comments@bartonandloguidice.com); and (b) to publish notice of the extension of the public comment period; and further
2. The Town Board hereby resolves to rescind its previously scheduled special meeting of August 24, 2015 at 7:30 p.m. at the Magee Volunteer Fire Department Building, 1807 NYS Route 318, Seneca Falls, NY 13148, and therefore, no special meeting of the Town Board will be held on that date; and further
3. The Town Board hereby resolves to hold a special meeting of the Town Board on September 3, 2015, on September 9, 2015 and on September 14, 2015, each to be held at 7:30 p.m. in the Town of Tyre at the Magee Volunteer Fire Department Building having an address at 1807 NYS Route 318, Seneca Falls, NY 13148, for the purpose of reviewing matters relating to the Project and any other matter that is properly brought before the Town Board; and further
4. The Town Board hereby directs the Town Clerk to publish notice of the extension of the public comment period and the special meetings in accordance with the requirements of applicable law.

The adoption of the foregoing Resolution was moved by Councilman Aceto and seconded by Councilman Rogers, and duly put to vote, which resulted as follows:

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Supervisor Ronald F. McGreevy	[ X ]	[ ]	[ ]	[ ]
Councilman Joseph Delpapa	[ X ]	[ ]	[ ]	[ ]
Councilman James Rogers	[ X ]	[ ]	[ ]	[ ]
Councilman Reginald Aceto	[ X ]	[ ]	[ ]	[ ]
Councilman Thomas Thomson	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

August 14, 2015