

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF TYRE TO (1) REFER THE LAGO RESORT AND CASINO PLANNED UNIT DEVELOPMENT DISTRICT APPLICATION, PROPOSED DEVELOPMENT PLAN, PROPOSED SITE PLAN AND PROPOSED LOCAL LAW NO. 5 OF 2015 TO THE SENECA COUNTY PLANNING BOARD AND (2) SCHEDULE A SPECIAL MEETING FOR SEPTEMBER 29, 2015

September 24, 2015

WHEREAS, the Town Board for the Town of Tyre (“Town Board”) previously resolved to refer, and did refer, for review and recommendation to the Seneca County Planning Board (“SCPB”), as required pursuant to the Town of Tyre Zoning Law and General Municipal Law Section 239-m (collectively, the “Applicable Law”), the Planned Unit Development (“PUD”) District Application, the proposed Development Plan dated August 2015 and the proposed Project Site Plan dated July 16, 2015, relating to the proposed Lago Resort and Casino (formerly known as the Wilmot Casino and Resort) (the “Project”), submitted by the Project applicant, Lago Resort & Casino, LLC (the “Applicant”), and proposed Local Law No. 5 of 2015, draft dated August 27, 2015 (collectively, the “Referred Documents”); and

WHEREAS, the most recent request submitted by the Town Board to the SCPB for review and recommendation regarding the Referred Documents was delivered to the SCPB on September 1, 2015; and

WHEREAS, after September 1, 2015, the Project Applicant submitted additional materials required by the Town Board in order to make its determination of significance pursuant to the State Environmental Quality Review Act (“SEQRA”) under Article 8 of the Environmental Conservation Law and its implementing regulations; and

WHEREAS, the Town Board desires again to refer to the SCPB for review and recommendation the Referred Documents together with copies of all SEQRA materials that the Town Board is considering for the Project and all other materials required to be submitted to the SCPB in connection with its review and recommendation pursuant to Applicable Law; and

WHEREAS, the Town Board desires to schedule a special meeting of the Town Board for September 29, 2015;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board hereby directs the Town Clerk to refer to the SCPB the PUD District Application, the proposed Development Plan dated August 2015, and the Site Plan dated July 16, 2015 submitted to the Town Board by the Applicant, as well as proposed Local Law No. 5 of 2015 (draft dated August 27, 2015), together with all SEQRA materials that are being considered by the Town Board in connection with the Project and any other materials required to

be submitted to the SCPB pursuant to Applicable Law in connection with SCPB's review and written recommendation; and

2. The Town Board hereby resolves to hold a special meeting of the Town Board on September 29, 2015, in the Town of Tyre at the Magee Volunteer Fire Department Building, 1807 NYS Route 318, Seneca Falls, NY 13148, at 7:30 p.m. for the purpose of reviewing matters relating to the Project and any other matter that is properly brought before the Town Board; and further
3. This resolution takes effect immediately.

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

	Yea	Nay	Abstain	Absent
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.

September 24, 2015