

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF TYRE TO (1) SCHEDULE PUBLIC HEARINGS ON THE PLANNED UNIT DEVELOPMENT DISTRICT APPLICATION AND DEVELOPMENT PLAN FOR THE PROPOSED LAGO RESORT AND CASINO AND ON PROPOSED LOCAL LAW NO. 5 OF 2015, (2) RESCHEDULE THE TIME OF THE OCTOBER 1, 2015 SPECIAL MEETING OF THE TOWN BOARD, AND (3) SCHEDULE A SPECIAL MEETING FOR OCTOBER 8, 2015

September 9, 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 (formerly known as the Wilmot Casino and Resort) (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 ("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 15, 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, upon the recommendation of the Town Engineer, Barton & Loguidice, D.P.C., the Town Board has since received a revised version of the Development Plan and related documents, which the Town Engineer deemed complete for review and referral on August 31, 2015; and

WHEREAS, the Town Board has introduced proposed Local Law No. 5 of 2015 which relates to the Project, the draft under review being dated August 27, 2015, which local law would amend the Town of Tyre Zoning Law ("Town Zoning Law") to: (i) add the term "Planned Unit Development" to the list of "Type of District" under Article II, Section 2.202, and add the designation "PUD" for such district; (ii) add a definition of Planned Unit Development District to Article XI, Section 11.1102; and (iii) amend the Town Zoning Map to show the Planned Unit Development District for the Lago Resort and Casino as the land within the Town of Tyre in the area east of New York State Route 414 and north of the New York State Thruway, consisting of approximately 84.95 acres of land (Tax Account No. 12.00-01-36), thereby changing the Agricultural use designation for that land to a Planned Unit Development District designation; and

WHEREAS, the Town Board desires to reschedule, pursuant to applicable laws, the public hearings required on the PUD District Application, the Development Plan, and proposed Local Law No. 5 of 2015; and

WHEREAS, at its August 27, 2015 meeting, the Town Board scheduled a special meeting for October 1, 2015, at 7:30 p.m. in the Town of Tyre at the Magee Volunteer Fire Department Building, 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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board hereby reschedules the public hearing on the PUD District Application and the Development Plan to October 1, 2015, to be held at 7:30 p.m. in the Town of Tyre at the Magee Volunteer Fire Department Building, having an address of 1807 NYS Route 318, Seneca Falls, NY 13148; and
2. The Town Board hereby reschedules the public hearing on proposed Local Law No. 5 of 2015 to October 1, 2015, to be held in the Town of Tyre at the Magee Volunteer Fire Department Building, 1807 NYS Route 318, Seneca Falls, NY 13148, at 8:00 p.m., or at such time as the public hearing to be held on the same date at the same location at 7:30 p.m. on the PUD District Application and Development Plan for the Project has concluded; and
3. The Town Board hereby reschedules the time of the October 1, 2015 special meeting of the Town Board in the Town of Tyre at the Magee Volunteer Fire Department Building, 1807 NYS Route 318, Seneca Falls, NY 13148, to 8:30 p.m., or at such time as the earlier public hearings to be held on the same date in the same location have ended, for the purpose of reviewing matters relating to the Project and any other matter that is properly brought before the Town Board; and
4. The Town Board hereby resolves to hold a special meeting of the Town Board on October 8, 2015, at 7:30 p.m. in the Town of Tyre at the Magee Volunteer Fire Department Building, 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
5. The Town Board directs the Town Clerk for the Town of Tyre to publish notice of the October 1, 2015 public hearings on the PUD District Application, Development Plan, and proposed Local Law No. 5 of 2015, and further to publish notice of the October 1 and October 8, 2015 special meetings of the Town Board, and to the extent practicable, to post these notices on the Town of Tyre's website; and
6. The Town Board directs the Town Clerk to communicate with any agencies, neighboring municipalities and counties, and any other entities as necessary to provide an update on the Project and the public hearings on the PUD District Application, the Development Plan, and proposed Local Law No. 5 of 2015; and

7. This resolution takes effect immediately.

The adoption of the foregoing Resolution was moved by Councilman Rogers and seconded by Councilman Delpapa 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 9, 2015