



Town of Tyre

NEW YORK

PLANNING BOARD

Chair: Robert C. Seem

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Seneca Falls, NY 13148-9751

Phone: 315-568-5637

Vice Chair: Alan Smith

2613 Durling Rd.

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Secretary: Larry Kesel

1234 Middle Black Brook Rd.

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Phone: 315-568-5330

Minutes of the meeting held: **APRIL 15, 2014** Magee Fire Department Hall

Members in Attendance: Robert Seem, Alan Smith, Larry Kesel, Deborah Geary, Kenneth Hauenstein, David Kain, Neil Worden.

Absent with notice: 0

Absent without notice: 0

Guests: Virginia C. Robbins, Esq. Bond, Schoeneck & King,
Michael A. Simon, BME Associates
Sharon T. Lilla, Barton & Loguidice,
Adam J. Frosino, P.E., McFarland Johnson

The Special Planning Board meeting for the purpose of reviewing the Planned Unit Development District Application and proposed Development Plan submitted by Whitetail 414, LLC was called to order at 7:30 P.M. by Chairman Robert Seem.

Adam Frosino reviewed the Traffic Impact Study from the Appendices to Engineer's Report which was reviewed individually prior to the meeting by the Planning Board members.

Michael Simon completed the site plan review and addressed all questions.

After a discussion the Planning Board decided to vote on the resolution adding the following three conditions stated on the next page.

**RESOLUTION OF THE PLANNING BOARD
FOR THE TOWN OF TYRE
CONCERNING ITS RECOMMENDATION TO THE TOWN BOARD FOR THE TOWN OF TYRE
REGARDING THE APPLICATION AND THE DEVELOPMENT PLAN RELATING TO THE CREATION
OF A PLANNED UNIT DEVELOPMENT DISTRICT IN THE TOWN FOR THE WILMOT CASINO AND
RESORT PROJECT**

April 15, 2014

WHEREAS, the Town Board for the Town of Tyre ("Town Board") has received an application to create a planned unit development district (the "PUD District Application") in the Town of Tyre (the "Town") for the Wilmot Casino and Resort, together with a proposed Development Plan and Part 1 of a Full Environmental Assessment Form ("EAF") under the State Environmental Quality Review Act submitted by Whitetail 414, LLC;

WHEREAS, the PUD District Application, the proposed Development Plan and the EAF are contained in a two-volume submission entitled "SEQRA Documentation and Engineer's Report" and "Appendixes to Engineer's Report"; and

WHEREAS, pursuant section 2A.203(D) of the Town Zoning Law, the Town Board referred the PUD District Application and proposed Development Plan to the Town of Tyre Planning Board ("Planning Board") for review and recommendation regarding the proposed PUD district, such review and recommendation to be complete within thirty (30) days of referral by the Town Board; and

WHEREAS, at its March 20, 2014 meeting, the Town Board directed the Town Clerk to refer the PUD District Application and proposed Development Plan to the Planning Board for review and a written recommendation, and copies of the PUD District Application, proposed Development Plan and the EAF were distributed to the Planning Board members on or about March 21, 2014; and

WHEREAS, the Planning Board held a work session meeting on April 8, 2014 at 7:00 p.m., which meeting was publicly noticed, to review and discuss the PUD District Application and proposed Development Plan with the Town's engineers, Barton & Loguidice; and

WHEREAS, at such work session meeting, representatives of Whitetail 414, LLC submitted visual simulations to be considered as part of the review of the proposed Development Plan, and such simulations and other aspects of the Development Plan were reviewed and discussed by the Planning Board; and

WHEREAS, at its April 15, 2014 meeting, the Planning Board gave consideration to the factors set forth in Section 2A.203(D)(1)(a-d) of the Town's Zoning Law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Planning Board recommends that the PUD District Application and proposed Development Plan be approved by the Town Board with the following conditions:
 - (a) The Town Board shall request the Town's engineers (Barton & Loguidice) to review and advise the Town Board regarding the McFarland supplemental traffic assessment of the Whiskey Hill/Route 318 and Gravel Road/Route 318 intersections;
 - (b) The Town Board shall evaluate the impact, if any, of the timbering that occurred in the last week on the project land on visual impact and landscaping; and
 - (c) The Town Board shall request information from Whitetail 414, LLC regarding the relocation of the burial site on the project land.

The adoption of the foregoing Resolution was moved by Alan Smith, seconded by Larry Kesel, and duly put to vote, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Robert C. Seem	[X]	[]	[]	[]
Alan Smith	[X]	[]	[]	[]
Larry Kesel	[X]	[]	[]	[]
Deborah J. Geary	[X]	[]	[]	[]
Kenneth L. Hauenstein	[]	[X]	[]	[]
David Kain	[]	[X]	[]	[]
Neil Worden	[]	[X]	[]	[]

The Resolution was thereupon duly adopted.

April 15, 2014

