



Submit as Exhibit VIII.C.3.a. copies of current local zoning approvals and any rezoning or variances that are required and any land use approvals, a detailed explanation of the status of any request for any of the foregoing with copies of all filings, including a specific schedule of applications for zoning approvals and anticipated approval dates.

Overview of the Status of Local Zoning and Land Use Approvals for the Gaming Facility

There are no zoning or planning obstacles that would prevent Montreign Resort Casino or the other components of the Gaming Facility (i.e., the Indoor Waterpark Lodge, the Entertainment Village, the redesign of the Monster Golf Course and related infrastructure improvements) from opening within 24 months of an award of a License. All local zoning and land use approvals for Montreign Resort Casino have been secured and are in effect, including Final Site Plan approval, which was obtained from the Town of Thompson Planning Board (“Planning Board”) on July 10, 2013, with a minor amendment approved by the Planning Board on June 11, 2014.

Compliance with the State Environmental Quality Review Act (“SEQRA”),¹ a pre-requisite to the issuance of local zoning and land use approvals, has been completed for Montreign and its related infrastructure, including the Resort Entry Road, Interchange 106 re-design and utility improvements. A site specific

¹ Documents related to the SEQRA process are separately bound and identified as: (1) “Final Generic Environmental Impact Statement and Final Environmental Impact Statement for Phase 1” (“FGEIS-FEIS”); (2) “Draft Generic Environmental Impact Statement and Draft Environmental Impact Statement for Phase 1 – Volume 1” (“DGEIS-DEIS”); (3) “Draft Generic Environmental Impact Statement and Draft Environmental Impact Statement for Phase 1 – Volume 2 – Appendices” (“DGEIS-DEIS”); (4) “Generic Statement of Findings – Statement of Findings for Phase 1”; and (5) “Site Environmental Reports.” The Site Environmental Reports include the Technical Memorandum with Exhibits, and the Technical Memorandum includes the new Traffic Impact Study submitted in support of the Minor Site Plan Amendment.



- 1 Casino Resort and Entertainment Village**
Casino Hotel and Spa, Full Scale Gaming (Slots and Table Games), Fine Dining, Resort Retail and Entertainment
- 2 Golf**
18 Hole Monster Golf Course and Clubhouse
- 3 Family Resort Hotel**
Indoor Waterpark, Event and Conference Center, Zip Lines, Ropes Course, Mountain Coaster
- 4 Sporting Club**
Lower Density Hotel and Spa, Experiential-based Hospitality, Resort Homes
- 5 Village**
Retail, Service, Commercial, Apartments, Townhouses, Residential Lots

Environmental Impact Statement (“EIS”) for Montreign and infrastructure improvements has been completed and a Negative Declaration of Environmental Significance has been issued for the Minor Site Plan Amendment to the Montreign Resort Casino. Additionally, a comprehensive Generic Environmental Impact Statement (“GEIS”), pursuant to SEQRA, has been completed for the remainder of the Project Site, including the other uses proposed for the 710-acre Gaming Facility site. Although site specific SEQRA review and site plan approval will be required for the components and related infrastructure improvements of the Gaming Facility other than Montreign, completion of a GEIS for development of the entire Project Site streamlines the process and ensures that construction of the Gaming Facility will commence promptly upon award of a License.

Detailed Explanation of the Status of Local Zoning and Land Use Approvals for the Gaming Facility

An explanation of each of the local zoning, land use and related approvals which are in effect for the Gaming Facility are set forth below:

The SEQRA process was initiated in March 2012. Over a period of eleven (11) months, the EIS, including all required technical studies, were reviewed and noticed as complete. Following a public hearing and public comment period, and after an extensive coordinated review, the Town of Thompson Town Board (“Town Board”), by Resolution dated January 15, 2013, adopted a Findings Statement pursuant to SEQRA in connection with the Project Site. (Attachments VIII.C.3.a.-1.) The Findings

Statement is separately bound and identified as "Generic Statement of Findings – Statement of Findings for Phase 1." On the same date, the Town Board also approved a Zoning Text Amendment to the Planned Resort Development ("PRD") Section of the Zoning Code (Attachment VIII.C.3.a.-2) and approved the PRD Comprehensive Development Plan ("CDP") for the development of the entire Project Site. (Attachment VIII.C.3.a.-3.)

The Planning Board, as an involved agency under SEQRA, reviewed the EIS and supporting studies and Lead Agency Findings, and ratified the Findings Statement of the Town Board by Resolution dated April 10, 2013. (Attachment VIII.C.3.a.-4.) On that same day, the Planning Board approved a Lot Improvement/Consolidation Plan to merge certain parcels in a fewer number of larger lots to facilitate the development of the Gaming Facility (Attachment VIII.C.3.a.-5) and also approved a Preliminary Subdivision Plan to subdivide certain lots. (Attachment VIII.C.3.a.-6.) Final Subdivision Approval is expected on or about July 9, 2014.



After extensive review of preliminary and final development plans, drawings and submissions, and the EIS, on April 10, 2013, the Planning Board approved a Preliminary Site Development Plan for Montreign (Attachment VIII.C.3.a.-7) and, on July 10, 2013, the Planning Board approved a Final Site Development Plan for the Casino Resort. (Attachment VIII.C.3.a.-8.)

On April 17, 2014, an application for a Minor Amendment to the Site Development Plan Approval for Montreign was made to the Planning Board. The Minor Site Plan Amendment included a minor design change, and an increase in the number of hotel rooms

and additional parking. By Resolution dated June 3, 2014, the Town Board determined that no further environmental review under SEQRA was required in connection with the proposed Minor Site Plan Amendment and issued a Negative Declaration of Environmental Significance. (Attachment VIII.C.3.a.-9.) The Planning Board approved the Minor Site Plan Amendment by Resolution dated June 11, 2014. (Attachment VIII.C.3.a.-10.)

For the other areas of the Gaming Facility, on April 30, 2014, EPR and the developer of the Indoor Waterpark Lodge presented a conceptual design for the hotel and water parks to the Planning Board. Site plan approval for the Indoor Waterpark Lodge and the redesign of the Monster Golf Course is expected in or about Spring 2015. These development programs, together with the Entertainment Village and all other program elements included in the CDP, were comprehensively reviewed through SEQRA in the GEIS, which is separately bound and identified as noted above. The GEIS identified and analyzed the potential significant adverse environmental impacts associated with wetlands, storm water, traffic, water and sewer, air quality, noise, economic conditions, cultural, natural and visual resources, among others, for the development of the entire Project Site. Since a generic environmental review has been completed for the Indoor Waterpark Lodge, the Entertainment Village and redesign of the Monster Golf Course, further review by the Planning Board is limited to site specific concerns related to the final designs, if any, which may not have been previously addressed.

The Town Board has accepted Petitions for the creation of Special Water and Sewer Improvement Districts in connection with the Project Site. By Resolutions dated August 6, 2013, the Town Board authorized

appropriation for the preparation of maps, plans and reports for the formation of a Special Water District and Special Sewer District in furtherance of the development of Adelaar. (Attachment VIII.C.3.a.-11.) Additionally, by Resolution dated September 6, 2013, and supplemental Resolution dated October 15, 2013, the Village of Monticello Village Board approved the execution of a Water Supply Agreement for 375,000 gallons per day of water to the Project Site. (Attachments VIII.C.3.a.-12 and -13.) The Water Supply Agreement ensures that the water demands for Montreign Resort Casino are satisfied. The Water Supply Agreement is attached as Attachment VIII.B.10.-1 to Exhibit VIII.B.10.

In addition to securing over the past three years all necessary local zoning and land use approvals for Montreign, and streamlining the local zoning and planning approval process for the other components of the Gaming Facility (i.e., the Indoor Waterpark Lodge, the Entertainment Village, redesign of the Monster Golf Course and related infrastructure improvements), most of the federal, State and local permits necessary to actually construct Montreign have also been obtained or are in the process of being obtained. These permits are more fully described in Attachment VIII.C.3.c.-1 to Exhibit VIII.C.3.c. and include, but are not limited to, permits from the United States Army Corps of Engineers ("USACE") and New York State Department of Environmental Conservation ("NYS DEC") for the disturbance of regulated wetlands, Highway and Occupancy Permits from New York State Department of Transportation for roadway improvements, concurrence with proposed mitigation from the New York State Office of Parks, Recreation and Historic Preservation, and NYS DEC Pollution Discharge Elimination System permits.