

ZONING

Exhibit VIII. C.3.a

The development of the Resorts World Hudson Valley site will require an amendment to the Town of Montgomery Zoning Code. The Resorts World Hudson Valley site, which is comprised of ten (10) parcels, identified on the Tax Maps of the Town of Montgomery as Section 31, Block 1, Lots 75.2, 74.2, 58, 94, 95, 65.22, 64, 54.211, 89 & 70.2 (SBLs, 31-1-75.2, 31-1-74.2, 31-1-58, 31-1-94, 31-1-95, 31-1-65.22, 31-1-64, 31-1-54.211, 31-1-89 & 31-1-70.2), is primarily located within two (2) zoning districts, including the Industrial Park – Major Access (I-2) Zoning District (SBLs 31-1-75.2, 74.2, 94, 95, & 54.211) and the Interchange Business (IB) Zoning District (SBLs 31-1-64, 65.22, & 58) to the northeast of the Resorts World Hudson Valley site (see Appendices VIII. C.3.a-1 and c-2 behind the exhibit).

The Town of Montgomery's Community Economic Development Plan recommended facilitating development of industrial-zoned property in the Town because development of that type would have the most significant positive impact on taxpayers throughout the entire community and will ensure that resources are available to achieve community-wide goals. Further, the Town's Community Economic Development Plan identified facilitating future development on commercial property along I-84.

Resorts World Hudson Valley Zoning Amendment

On June 30, 2014, the applicant plans to submit a proposed resort development local law, which would establish the Gaming Overlay zoning district, and would permit a resort development on the Resorts World Hudson Valley site (see Appendix VIII. C.3.a-3 behind the exhibit). The required amendment, through a proposed local law, will be submitted for approval to all required local authorities, namely the Town of Montgomery Town Board and Town Planning Board. Once the Town of Montgomery commences its review of the proposed Gaming Overlay local law, the Town Board would refer the local law to the Town of Montgomery Planning Board and the Orange County Department of Planning for their review and comments.

The draft Gaming Overlay local law combines the Town's existing Business and Industrial zoning and the goals of the Montgomery Community Economic Development Plan with the resort development Gaming Overlay.

It is expected that the proposed Gaming Overlay local law will be approved, considering its consistency with the Town of Montgomery Comprehensive Plan Amendment of 2010 and the Town of Montgomery Community Economic Development Plan.

As drafted, the Resorts World Hudson Valley development would require a special use exception permit, subject to Town Board approval. The special exception use permit would allow for concurrent review of the Resorts World Hudson Valley proposal by the Town Board and the Town Planning Board, provided that no approvals would occur until the Town Board approves the special exception use permit. The applicant has proposed to the Town of Montgomery that a joint public hearing can be held by the Town Board on the special exception use permit and the Planning Board on the site plan. This will allow both the Town Board and Planning Board to hear all public comments together.

ZONING

Schedule of Applications for Zoning Approvals and Anticipated Approval Dates

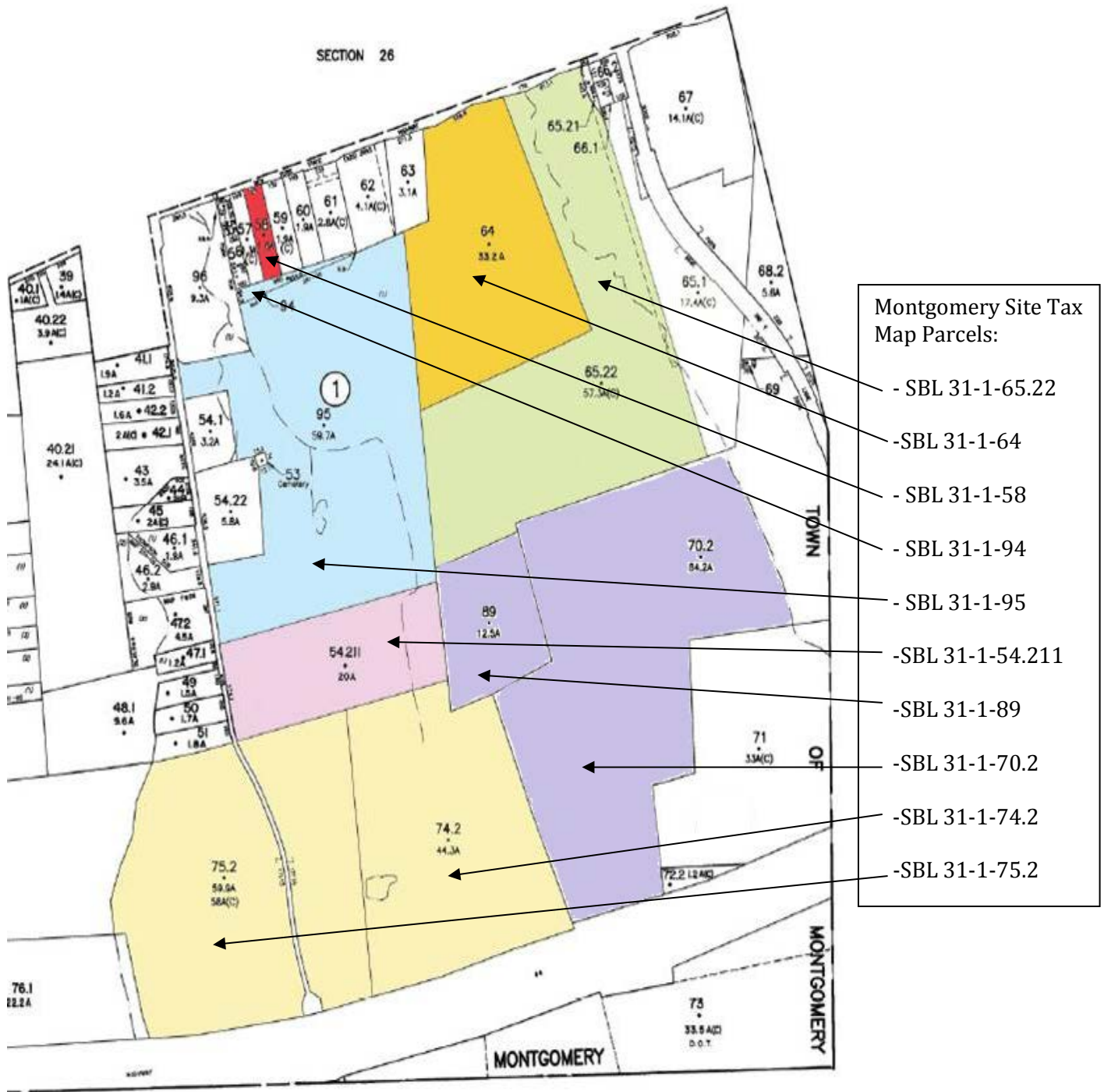
The specific schedule of applications for zoning approvals in the Town of Montgomery with respect to the Resorts World Hudson Valley site is as follows:

Table VIII. C.3.a.-1. Schedule of Applications for Zoning Approvals

Potential Approval(s) or Permit(s) Required	Agency	Application Date	Estimated Date of Receipt*
Local			
Host Community Agreement	Montgomery Town Board	6/12/2014	6/27/2014
Gaming Overlay Zoning District Zoning Amendment	Montgomery Town Board and Town of Montgomery Planning Board	6/30/2014	8/31/2014
Special Use Exception Permit	Montgomery Town Board	7/30/2014	11/24/2014
Site Plan Approval	Town of Montgomery Planning Board	7/30/2014	12/9/2014
County Site Plan Review (GML §239m)	Orange County Planning Department	7/30/2014	9/30/2014
Maple Avenue Partial Abandonment	Town of Montgomery Board	7/30/2014	8/31/2014
Building Permit	Town of Montgomery Building Department	12/1/2014	12/17/2014
Water Supply	Orange County Health Department	12/1/2014	1/1/2015

ZONING

Figure VIII. C.3.a-1. Town of Montgomery Tax Map Parcels



ZONING

Figure VIII. C.3.a-2. Town of Montgomery Zoning Map

