

**Exhibit VIII.C.3.a**  
**Current Zoning/Proposed Rezoning or Variance**

*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.*

**Local Law**

The current zoning classification for the property upon which the casino gaming facility and related uses will be located is C-3 Waterfront Mixed Use. C-3 Waterfront Mixed Use is regulated by standards contained within Schenectady City Code §264-14.

Pursuant to authority conferred by NYS General City Law §83, NYS Second Class Cities Law §3, NYS Municipal Home Rule Law §10 and Schenectady City Code Article XIX, it is expected that the City Council will introduce for consideration a proposed Local Law to create a new zoning district classification for the project property to be known as “C-3G Gaming and Recreational Planned District.” It is anticipated that this Local Law will be introduced at a regularly scheduled City Council meeting in July 2014. See Exhibit VIII.C.3.b for a copy of the text of the proposed Local Law.

Pursuant to Schenectady City Code §264-130, the proposed Local Law will then be referred to the City of Schenectady Planning Commission for a recommendation and report thereon. It is expected that the Planning Commission will commence review and consideration of the proposed Local Law in July or August 2014. The City Council will conduct a Public Hearing upon the proposed Local Law upon receipt of the Planning Commission’s recommendation. It is expected that the City Council will enact the Local Law shortly after adoption of the SEQRA Findings Statement by the SEQRA Lead Agency, as discussed below.

**SEQRA**

The potential for a gaming facility and related facilities upon the project property is currently undergoing review pursuant to Article 8 of the NYS Environmental Conservation Law, the NYS Environmental Quality Review Act (SEQRA). The project property was previously the subject of an Environmental Impact Statement with the Schenectady Metroplex Development Authority acting as Lead Agency. A SEQRA Findings statement was adopted by the Lead Agency on May 26, 2010. This previous SEQRA analysis did not analyze the potential for a gaming facility use upon the property.

On April 16, 2014, the Schenectady Metroplex Development Authority confirmed its SEQRA Lead Agency status and issued a Positive Declaration requiring that a Supplemental Environmental Impact Statement (SEIS) be prepared. This SEIS will

consider potential environmental impacts that could result from the siting of a gaming facility and related facilities upon the project property.

In June 2014, a Supplemental Draft Environmental Impact Statement (SDEIS) was submitted to the Schenectady Metroplex Development Authority acting as SEQRA Lead Agency. It is expected the SEQRA review process will be completed by the Lead Agency and Findings adopted in September 2014.

Upon completion of the SEQRA process by the Lead Agency, expected in September 2014, the Schenectady City Council will also adopt a SEQRA Findings Statement and vote upon the proposed zoning district Local Law.

If selected by the Gaming Facility Location Board, the Applicant will prepare a site plan application, expected to take approximately 60 days, and then apply for Site Plan Approval before the Schenectady Planning Commission pursuant to Article XIII of Chapter 264 of the Schenectady City Code. A Public Hearing upon the site plan application will occur with final action by the Planning Commission expected within 60 days from submission of the site plan application.