

## VIII. ECONOMIC ACTIVITY AND BUSINESS DEVELOPMENT

### C. LAND, CONSTRUCTION AND DESIGN OF PHYSICAL PLANT

#### 3. ZONING

##### *VIII C 3 a, Zoning Approvals*

*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.*

Response:

The entire Project is an allowable use under the South Blooming Grove Zoning Ordinance. The proposed Casino use is an allowable zoning use in accordance with New York State Gaming Commission under the Upstate New York Gaming Economic Development Act of 2013. The Village ORI District permits the restaurant, hotel, entertainment conference center and related uses. Restaurants are a permitted use subject to a Conditional Use Permit by the Planning Board and entertainment, hotels, conference centers and related uses are permitted uses subject to a Special Use Permit by the Village Board.

The Project will require i) approval of a Special Use Permit application from the Village Board of Trustees of the Village of Blooming Grove, ii) variances from the Village of South Blooming Grove Zoning Board of Appeals with respect to building height and Surface Water Overlay District setback requirements, and iii) a Conditional Use Permit approval from the Village of South Blooming Grove Planning Board for restaurant uses within the Project and Site Plan approval for the entire Project by the Planning Board.

##### **Special Use Permit Required**

The Applicant filed an application for a Special Use Permit with the Village Board of Trustees on May 17, 2104. Following is a summary of the status of that application:

- May 17, 2014 – Submitted Application for Special Use Permit, including SEQRA Long EAF to the Village of South Blooming Grove Town Board. (See Attachment A and B)
- May 20, 2014 - Village of South Blooming Grove Town Board accepted application for Special Use Permit and designated Intent to be Lead Agency under SEQR.
- May 23, 2014 - Village of South Blooming Grove distributed Notice of Intent for Lead Agency to all involved and interested agencies. (See Attachment C)

- A. Special Use Permit Application
- B. Long Environmental Assessment Form
- C. Village distribution of Intent for Lead Agency.

**Zoning Variances Anticipated**

Within the next few months, a variance application will be submitted to the Village Zoning Board of Appeals in accordance with Article XVII, Zoning Board of Appeals, of the Village Zoning Code upon referral from the Planning Board or Village Board. Necessary variances from the Village Zoning Code are summarized below:

- Primary and Accessory Structure Height – Per ORI Zone and Overlay District regulations
- Surface Water Setback Requirement – Per the Surface Water Overlay District regulations
- Signs – Size and number of signs may require variances as well

**Site Plan/Conditional Use Permit Approval**

Within the next few weeks, an application for Site Plan Review and a Conditional Use Permit will be filed with the Village of South Blooming Grove Planning Board.

**Approval Dates**

It is anticipated that the approvals from the respective boards will be received as follows:

Special Use Permit	Village Board	February 23, 2015
Variances	Zoning Board of Appeals	March 11, 2015
Site Plan Review/Conditional Use Approval	Planning Board	March 29, 2015

These dates anticipate that the Findings Statement under SEQRA has been completed and filed by the Lead Agency; a condition precedent before any other agency can take action on an application.