New York Gaming Facility Location Board
Response to Request for Applications to Develop and Operate a
Gaming Facility in New York State

TIOGA DOWNS RACETRACK, LLC

Exhibit VIII.C.1.f.

SEQR Submission

Larson Design Group®

May 23, 2012

Mr. James Branston, Supervisor
PO Box 296
54 East River Road
Nichols, NY 13812

Re: Tioga Downs Racetrack LLC- Tioga Downs Gaming Hotel, and Related Amenities Expansion

Dear Mr. Branston:

Larson Design Group [**LDG**] has compiled information on the Tioga Downs Gaming, Hotel, and Related Amenities Expansion [**Project**], which is being proposed for construction at the 2384 West River Road location of the existing Tioga Downs Casino. The proposed Project will be constructed and owned by Tioga Downs Racetrack, LLC [**Owner**]. Many of the proposed Project facilities have been previously evaluated in various studies/reviews, and determinations and approvals have been previously completed. In consideration of this proposed Project, the Site Master Plan, Traffic Study, and Stormwater Management Plan were updated for consideration by the Town of Nichols in determining the reasonable magnitude of the Project.

In order for the Town of Nichols [**Lead Agency**] to complete the regulatory reviews (state environmental quality review, site plan review, area variance for building height review, and building permit), LDG has enclosed two (2) copies of the:

- Full Environmental Assessment Form [**EAF**], and the
- Project Narrative Report.

Because the areas that are expected to be impacted by the proposed Project construction have been previously disturbed by existing developments within the proposed Project limits, it is expected that the impacts will be small to moderate, and any anticipated impacts due to the expected generation of traffic from the Project will be examined/satisfied with the New York State Department of Transportation [**NYSDOT**].

Please feel free to contact me with any Project questions or requests for additional information at the Larson Design Group Apalachin Office at 607.590.6578 or at mpm@larsondesigngroup.com.

Very truly yours,

LARSON DESIGN GROUP

Michael P. McDonnell
Project Manager – Site Engineering

CC: Owner, Client, and File

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PROJECT NARRATIVE

Town of Nichols Planning Board

Tioga Downs Gaming/Hotel/Related Amenities Expansion
Town of Nichols, Tioga County New York

Prepared for:
TIOGA DOWNS RACETRACK, LLC
2384 West River Road
Nichols, NY 13812

Prepared by:
LARSON DESIGN GROUP
8836 Route 434, Suite 1
Apalachin, NY 13732

LDG Project No. 6644-001

Original Date: May 23, 2012

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1.0 PROJECT OVERVIEW

Larson Design Group [**LDG**] has compiled information on the Tioga Downs Gaming, Hotel, and Related Amenities Expansion [**Project**] proposed for construction at the 2384 West River Road location of the existing Tioga Downs Casino in the Town of Nichols, Tioga County, New York (*see Figure 1.1 Site Master Plan in Appendix A*). The proposed Project will be connected to the existing Tioga Downs Casino and will be constructed/owned by Tioga Downs Racetrack, LLC [**Owner**]. The Project is anticipated to start in March of 2013 with expected completion in December of 2015. The expected Construction Projects are described in the following:

1. Existing Tioga Downs Casino Renovations (Gaming Area of 5,100± sf for 14 Table Games, and Lounge Area of 2,700± sf for Improvements/Updates).
2. Proposed Casino Expansion (17,400± sf).
3. Proposed Tioga Downs Casino Hotel (136 Rooms).
4. Proposed Hotel Amenities on two floors (Multi-Purpose Room, Restaurant, Operational Areas, Guest Services).
5. Proposed Parking Garage (300 Parking Spaces total over Three Levels).
6. Proposed Second Floor Office Expansion (1,900± square feet).
7. Proposed Water Slide.
8. New Paddock (Spring 2012 completion).
9. Proposed Relocation of Existing Paddock.
10. Proposed Pylon Sign.
11. Proposed Hotel Parking Lot (204 Parking Spaces total in Two Areas).
12. Proposed Roof Deck and Outdoor Patios.
13. Proposed Interior Drive Realignment.

The proposed Project facilities have been previously evaluated in various studies and reviews, and updates have been made to the Site Master Plan, Traffic Study, and Stormwater Management Plan for consideration in a new Full Environmental Assessment Form [**EAF**], which is being provided along with a copy of this report to the Town of Nichols for their regulatory review.

2.0 GENERAL DESCRIPTION

The expected Construction Projects, as illustrated on the *Site Master Plan* (*see Figure 1.1 in Appendix A*), are anticipated to involve the proposed facilities summarized in the following:

2.1 EXISTING TIOGA DOWNS CASINO RENOVATIONS

PROJECT 1 involves Renovations to: {1} approximately 5,100 square feet of floor area in the southwesterly corner of the existing Tioga Downs Casino to accommodate the proposed Game Area addition of 14 Table Games, and {2} approximately 2,700 square feet of floor area in the northeasterly corner of the existing Tioga Downs Casino to accommodate Improvements/Updates in the Lounge Area (*see Figure 2.1 of Existing Tioga Downs Casino Renovations in Appendix A*).

2.2 PROPOSED CASINO EXPANSION

PROJECT 2 involves a proposed new facility that is expected to be an addition of approximately 17,400-sf in the southwesterly corner of the existing Tioga Downs Casino (*see Figure 2.2 Proposed Casino Expansion in Appendix A*). The proposed facilities are expected to accommodate the components noted in the following:

1. SLOTS: Approximately 280 New Video Machines.
2. POKER ROOM: Approximately 12 Table Games.
3. CASINO AMENITIES: Bar, Smoking Area, and Mens and Ladies Restrooms.
4. OPERATIONAL AREAS: Breakroom, Cage, Managers Offices, and Storage Rooms.

2.3 PROPOSED TIOGA DOWNS CASINO HOTEL WITH PROPOSED HOTEL AMENITIES

PROJECT 3 involves the proposed 136 Room Hotel with the PROJECT 4 Amenities. These proposed facilities are expected to involve a 43,000-sf addition at the northeasterly most area of the proposed expansion. The Hotel is expected to have two floors below the Casino floor level, (ground and second floor level of the Hotel), one floor at the Casino floor level (third floor level of the Hotel), and three floors above the Casino floor level (fourth, fifth and sixth floor levels of the Hotel). The components of each floor level of the Hotel and the proposed adjacent Amenities that are connected to the First and Third Floors of the Hotel are summarized in the following:

1. GROUND FLOOR: Hotel (PROJECT 3) having a gross floor area of approximately 14,000-sf (*see Figure 2.3.1 Proposed Hotel - Ground Floor in Appendix A*) to accommodate 16 Guest Rooms with 10 Verandas, Elevators, Lobbies, Check-in, Business Centre, Mens and Ladies Restrooms, with Amenities (PROJECT 4) having a gross floor area of approximately 29,000-sf (*see Figure 2.3.2 Proposed Amenities - Ground Floor in Appendix A*) to accommodate Operational Areas (Offices, House-keeping, Laundry, Garbage/Recycling Rooms, Loading/Receiving, Mechanical/Electrical Rooms, Storage Rooms), and Guest Services (Exercise Room, Swimming Pool, Spa).

2. SECOND FLOOR: Hotel (PROJECT 3) having a gross floor area of approximately 14,000-sf (*see Figure 2.3.3 Proposed Hotel - Second Floor*) to accommodate 24 Guest Rooms, 10 Balconies, Elevators, Lobby, and House-keeping (*see Figure 2.3.3 Proposed Hotel - Second Floor in Appendix A*)

3. THIRD FLOOR: Hotel (PROJECT 3) having a Gross floor area of 14,000-sf (*see Figure 2.3.4 Proposed Hotel - Third Floor in Appendix A*) to house 24 Guest Rooms, 10 Balconies, Elevators, Lobby, and House-keeping with Amenities (PROJECT 4) having a Gross floor area of 28,000-sf (*see Figure 2.3.5 Proposed Amenities - Third Floor in Appendix A*) to accommodate the 400 Seat Multi-Purpose Room/Pre-function Room/Green Room, Kitchen, 80 Seat Restaurant, Mens and Ladies Restrooms, and Private Dining/Breakout Rooms.

4. FOURTH THROUGH SIXTH FLOORS: The top three levels of Hotel are each expected to have a gross floor area of 14,000-sf (*see Figure 2.3.6 Proposed Hotel Fourth through Sixth Floors in Appendix A*) for 24 Guest Rooms, Elevators, Lobby, and House-keeping.

2.4 PROPOSED PARKING GARAGE

PROJECT 5 involves the proposed 300 Parking Space Garage which is expected to be located to the south of the proposed Amenities Area between the existing Tioga Downs Casino and the proposed Tioga Downs Casino Hotel (*see Figures 2.4.1 through 2.4.3 Proposed Parking Garage in Appendix A*).

2.5 PROPOSED SECOND FLOOR OFFICE EXPANSION

PROJECT 6 involves the proposed Second Floor Office Area, which is expected to be located adjacent to the west side of the existing Second Floor Office area and to the north of the proposed Casino Expansion (*see Figure 2.5.1 Proposed Second Floor Office Expansion in Appendix A*). The proposed construction is expected to involve a floor area of approximately 1,900-sf addition to accommodate 7 additional Offices and Operational Space.

2.6 PROPOSED WATER SLIDE

PROJECT 7 involves the proposed Water Slide enclosed in a structure near the northeast corner of the existing Casino and adjacent to the east side of the existing Racetrack Bleachers (*see Figure 2.6.1 Proposed Relaxation/Activity Areas in Appendix A*). The proposed construction is expected to involve a Double Flume Water Slide constructed of a combination of fiberglass and polyethylene, with 360 degree curved slides, both open air and enclosed. The slide is expected to start from a 14'-7" high platform and end at a swimming pool below.

2.7 NEW PADDOCK

PROJECT 8 involves the construction of a New Paddock, which was approved under a separate Town of Nichols regulatory review in 2011, to provide for the housing of horses associated with the race activities (*see Figure 2.6.2 New Paddock in Appendix A*). The construction of this project is expected to be completed in the Spring of 2012.

2.8 PROPOSED RELOCATION OF EXISTING PADDOCK

PROJECT 9 is anticipated to involve the relocation of the existing Paddock from its current position, which is within the footprint of the proposed Hotel, to a location to the north of the New Paddock, which is anticipated to be completed in the Spring of 2012 (PROJECT 8).

2.9 PROPOSED PYLON SIGN

PROJECT 10 involves the proposed Pylon Sign, which is expected to be a free standing structure of approximately 35′ in height and illuminated on both sides.

2.10 PROPOSED HOTEL PARKING LOT

PROJECT 11 involves two proposed paved Parking Lots adjacent to the proposed Hotel, which will provide a total of 204 new parking spaces. A summary of all existing and proposed Parking Spaces is provided in the following:

1.	EXISTING WEST SIDE PAVED PARKING:	22-Bus and 170-car parking spaces.
2.	EXISTING WEST SIDE GRAVEL PARKING:	526-car parking spaces.
3.	EXISTING EAST SIDE PAVED PARKING:	553-car parking spaces.
4.	EXISTING EAST SIDE GRAVEL PARKING:	446-car parking spaces.
5.	PROPOSED PARKING GARAGE:	300-car parking spaces.
6.	PROPOSED HOTEL PARKING:	204-car parking spaces.
	TOTAL PAVED AND GRAVEL PARKING:	22-Bus and 2,199-car parking spaces.

The proposed Parking Spaces are in addition to the existing parking spaces, as none of the existing parking spaces are expected to be eliminated by the proposed construction.

2.11 PROPOSED OUTDOOR PATIOS AND ROOF DECK

PROJECT 12 involves an Outdoor Patio Level 3 Area, which will connect to the Third Floor of the proposed Hotel (PROJECT 3), the Third Floor Amenities (PROJECT 4) and the Casino floor level. PROJECT 12 also involves an Outdoor Upper Roof Deck Patio Level 6 Area to provide outdoor relaxation and activity areas.

2.12 PROPOSED INTERIOR DRIVE REALIGNMENT

PROJECT 13 involves the realignment of the Main Interior Drive in order to accommodate the proposed Casino Expansion.

3.0 EARTHWORK

The preparation of the Project site for construction requires the grading of various soil materials from within the proposed building and pavement areas in order to cut/fill/compact to the proper subgrade elevations. An overview of the expected Project site earthwork is noted in the following:

3.1 PROJECT SOILS

The soils within the area of disturbance at the Project site are classified as Unadilla silt loam and Howard gravelly loam, having slopes generally between 0 and 3 percent. According to the United States Department of Agriculture's [**USDA**] Web Soil Survey, these project soils are in Hydrologic Soil Group rating "B", and "A" respectively, and are generally considered as Well Drained, Gravelly loamy, Sandy, and Gravelly (Glaciofluvial Deposits). Detailed soils information is provided in the *Custom Soil Resource Report* found in *Appendix B* of this report.

3.2 PROJECT GRADING, EXCAVATION AND COMPACTED FILL

The Project site earthwork activities will require all topsoil/upper subsoil, disturbed for the construction of buildings and pavement areas, to be stockpiled on site and utilized in lawn areas of the site. It is expected that granular materials will be delivered to the Project site and they will be compacted, as required, to provide suitable structural fill below the proposed improvements.

3.3 CONSTRUCTION ACTIVITY RUNOFF

The quantity/quality of Project site stormwater runoff during the expected earthwork activities will be preserved through the execution of an *Erosion and Sediment Control Plan* that will be installed and maintained throughout construction in order to prevent downstream degradation and sediment loading to adjacent off site properties. The construction stormwater runoff will be maintained in compliance with the New York State Department of Environmental Conservation [**NYSDEC**] regulations outlined in the State Pollution Discharge Elimination System [**SPDES**] General Permit GP-0-10-001. Before any Project site earthwork activities begin, a Notice of Intent [**NOI**] and a Stormwater Pollution Prevention Plan [**SWPPP**] will be prepared and submitted to the NYSDEC for implementation at the Project site.

4.0 DRAINAGE

The Project drainage components are expected to be constructed on site in order to capture, treat and retain the increased stormwater runoff from the Project development so that the post-development stormwater discharges are equal to the pre-development stormwater discharges. The existing off site stormwater runoff that flows through and around the Project site will continue to be routed through the existing drainage components without any new treatment measures. The stormwater management measures for the proposed Project development will be constructed in compliance with the NYSDEC Stormwater Design Manual. The major temporary and permanent stormwater management measures are expected to involve the features discussed in the following:

4.1 TEMPORARY STORMWATER MANAGEMENT MEASURES

The temporary control features that are expected to be in the *Erosion and Sediment Control Plan* will be installed and maintained throughout the duration of the construction activities to prevent downstream degradation. Regular site assessment and inspection of the temporary control features will be performed in order to ensure their adequacy to control soil erosion. The major elements of the temporary erosion control features are expected to involve the following:

1. SILT FENCE: A temporary geotextile fabric fence is proposed to intercept sediment runoff. Erosion control fencing will be installed and maintained throughout the site in accordance with the New York State Guidelines for Urban Erosion and Sediment Control.
2. STABILIZED CONSTRUCTION ENTRANCE: A crushed stone driveway will be installed at the site during construction to collect sediment from construction vehicles exiting the site, to minimize soil deposits onto roads. This practice will be removed at the completion of the project.
3. SITE STABILIZATION: The contractor will be directed to seed and mulch all disturbed areas as soon as possible in order to establish vegetation as quickly as possible. Additionally, stabilization measures will be initiated within fourteen (14) days where construction activities are not expected to be initiated within that time frame. The contractor shall remove excessive top soil and cut volumes and transport it on-site to

the assigned location that is currently used for stockpiling. The developer and contractor are responsible to maintain all necessary NYSDEC and any other state or local permits to store and use this material.

4.2 PERMANENT STORMWATER MANAGEMENT MEASURES

In addition to the temporary control features described above, the Project site development plans are expected to incorporate permanent features that are to be installed as early as practical during construction. These features will be maintained as permanent measures to reduce soil erosion. The major elements of the permanent stormwater management measures are expected to involve the following:

1. PERMANENT DENSE GRASS VEGETATION: The use of grass vegetative covering and Rolled Erosion Fabric for areas with slopes 3:1 or steeper is proposed in order to reduce the amount of sediment runoff during storm events. A temporary geotextile fabric fence is proposed to intercept sediment runoff.
2. VEGETATED OPEN SWALES: The establishment, where applicable, of turf lined open channels having 6′ wide bottoms and 3 to 1 side slopes to promote natural treatment/infiltration, and to reduce times of concentration/discharges by conveying, treating, and infiltrating stormwater runoff without using underground drainage piping.
3. INLETS AND UNDERGROUND DRAINAGE PIPING: The utilization of inlets to collect sheet flow from Project site impermeable surfaces with conveyance through underground drainage piping to either underground infiltration systems or aboveground ponding areas.
4. DRYWELLS: The use of drywells to capture/infiltrate rooftop stormwater runoff in order to promote groundwater recharge and to reduce stormwater discharges from the Project development.
5. UNDERGROUND OR ABOVEGROUND INFILTRATION PONDING: The establishment of underground or aboveground stormwater storage/infiltration ponds to accept stormwater in order for the post-development stormwater discharges to be equal to the pre-development stormwater discharges.

5.0 UTILITIES

The proposed Project is expected to be served by existing utility facilities through new services extended from existing utility mains. The existing capacities of the existing utility facilities appear to be adequate for the proposed Project demands. The utility services for the proposed Project are expected to involve the components described in the following:

1. POTABLE AND FIRE SUPPRESSION WATER: Water service is expected to be provided from the Owner's on-site water supply wells and elevated water storage tank. New separate potable water and fire suppression lines are expected to be extended from the existing on-site facilities to the Project site in order to provide the required flows.
2. SANITARY SEWER: The wastewater generated by the proposed Project is expected to be handled by the existing 75,000 gallon per day Wastewater Treatment Facility that was constructed, commissioned, and permitted by the NYSDEC in 2011. This facility was constructed in order to accommodate the expected wastewater generated from the current facilities and from the proposed Project. New sanitary sewer lines are expected to be extended from the to the Project site to existing sanitary sewer lines for the required flows.
3. ELECTRIC AND NATURAL GAS: New York State Electric and Gas is expected to provide new services to the Project from existing services, and it is anticipated that this provider has adequate capacity to accommodate the expected demands from the proposed Project.
4. TELEPHONE AND INTERNET: Time Warner Cable is expected to provide new services to the Project from existing services, and it is anticipated that this provider has adequate capacity to accommodate the expected demands from the proposed Project.

6.0 TRAFFIC

Automobile and truck traffic is a concern for any type of development to both the surrounding municipalities and the developer. This concern resulted in a re-evaluation of the potential traffic impacts that were previously evaluated in a 2005 Traffic Impact Study for a development similar in scope to the proposed Project, which concluded that the existing road network was adequate to handle the anticipated increase in traffic.

An *April 2012 Tioga Downs Racino Expansion Traffic Impact Study found in Appendix C* of this report was completed in order to evaluate four intersections: (1) West River Rd and Nichols Eastbound NYS Route 17 Off-ramp, (2) West River Rd and State Route 282, (3) West River Rd and the Tioga Downs Entrance, (4) West River Rd and Nichols Westbound NYS Route 17 Off-ramp. A kick-off meeting was held on site with the New York State Department of Transportation [**NYSDOT**] on July 29th, 2011 to determine the specific methods, practices, and rationale that would be followed in developing the *April 2012 Tioga Downs Racino Expansion Traffic Impact Study*. The conclusions of the 2012 Traffic Study are summarized in the following:

1. The existing road network appears to be adequate to handle the existing traffic loading along with the addition of the anticipated increase in traffic from the proposed Project.
2. There were no mitigation measures or improvements recommended for the existing road network to operate at an acceptable level of service when handling the increased traffic generated by the Project.
3. The NYSDOT reviewed the *April 2012 Tioga Downs Racino Expansion Traffic Impact Study and commented as to the need for examination and identification of possible mitigation efforts to improve the anticipated Level of Services during Weekend peak PM hours and special events.*

7.0 DEVELOPMENT CONSIDERATIONS

Various environmental studies and determinations have been previously completed in the vicinity of the Project site, and the areas expected to be impacted by the proposed Project have been previously disturbed by existing developments. A summary of the previous environmental determinations is provided in the following:

1. RARE AND/OR ENDANGERED SPECIES/HABITATS: No NYSDEC Fish Wildlife and Marine Resources records identified any rare/state listed animals or plants, significant natural communities/significant habitats on or in the Project site.
2. WETLANDS: No National Wetlands Inventory Mapping, New York State Division of Environmental Permits, or Wetland Delineation Studies have identified jurisdictional and/or regulated wetlands in the vicinity of the Project site.
3. HISTORIC AND/OR PREHISTORIC CULTURAL RESOURCES: No New York State Office of Parks, Recreation and Historic Preservation, or Phase 1 and/or Phase 2 Archeological Surveys have identified any concerns with regard to historic and/or archeological resources on or in the Project site.
4. 100 YEAR FLOOD PLAIN: The Flood Insurance Rate Map [**FIRM**] representing the 100 Year Flood Plain in the vicinity of the areas proposed for Project construction activities was evaluated (*see Figure 7.1 FIRM 36107C0368E Panel 0368E dated 04/17/12 in Appendix A*), and a summary of the findings is provided in the following:
    1. The 100 Year Flood Plain Elevation, in the vicinity of the areas proposed for Project construction activities, is at an elevation of 787.5±.
    2. The existing Casino floor level is at an elevation of 824.8, which is approximately 37′ above the 100 Year Flood Plain Elevation.
    3. The lowest floor level expected in the areas proposed for Project construction activities is associated with the New Paddock (PROJECT 8) at an elevation of 820.2, which is approximately 32′ above the 100 Year Flood Plain Elevation.

5. BUILDING HEIGHT: On June 7, 2006 The Town of Nichol Zoning Board of Appeals approved the Owner's request for an area Variance (Building Height) to raise the Variance from 35 feet to 71.6 feet, plus the Flag in order to accommodate the Existing Tioga Downs Casino. The proposed Project facilities associated with proposed Construction Project 3 (Proposed Tioga Downs Casino Hotel) will require review by the Town of Nichol Zoning Board of Appeals with regard to a new area Variance (Building Height) to raise the Variance from 71.6 feet to 88 feet in order to accommodate the proposed top of parapet associated with the Proposed Tioga Downs Casino Hotel. It is noted that the approved Variance allows for the top of the Existing Tioga Downs Casino to be at an elevation of 896.4 (finished floor elevation of 824.8 plus 71.6 feet), and because the finished first floor of the Proposed Tioga Downs Casino Hotel is at an approximate elevation of 802, the proposed top of parapet is expected to be at an elevation of 890.0 (finished floor elevation of 802 plus 88 feet), which will result in the top of the Proposed Tioga Downs Casino Hotel being approximately 6.4 feet below the top of the Existing Tioga Downs Casino.

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Appendix A

Figures

- *Figure 1.1 Site Master Plan*
- *Figure 2.1 Existing Tioga Downs Casino Renovations*
- *Figure 2.2 Proposed Casino Expansion*
- *Figure 2.3.1 Proposed Hotel - Ground Floor*
- *Figure 2.3.2 Proposed Amenities - Ground Floor*
- *Figure 2.3.3 Proposed Hotel Second Floor*
- *Figure 2.3.4 Proposed Hotel - Third Floor*
- *Figure 2.3.5 Proposed Amenities - Third Floor*
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- *Figures 2.4.1 Proposed Parking Garage – Level 1*
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- *Figures 2.4.3 Proposed Parking Garage – Level 3*
- *Figure 2.5.1 Proposed Second Floor Office Expansion*
- *Figure 2.6.1 Proposed Relaxation/Activity Areas*
- *Figure 2.6.2 New Paddock*
- *Figure 7.1 Flood Insurance Rate Map (04/17/12)*

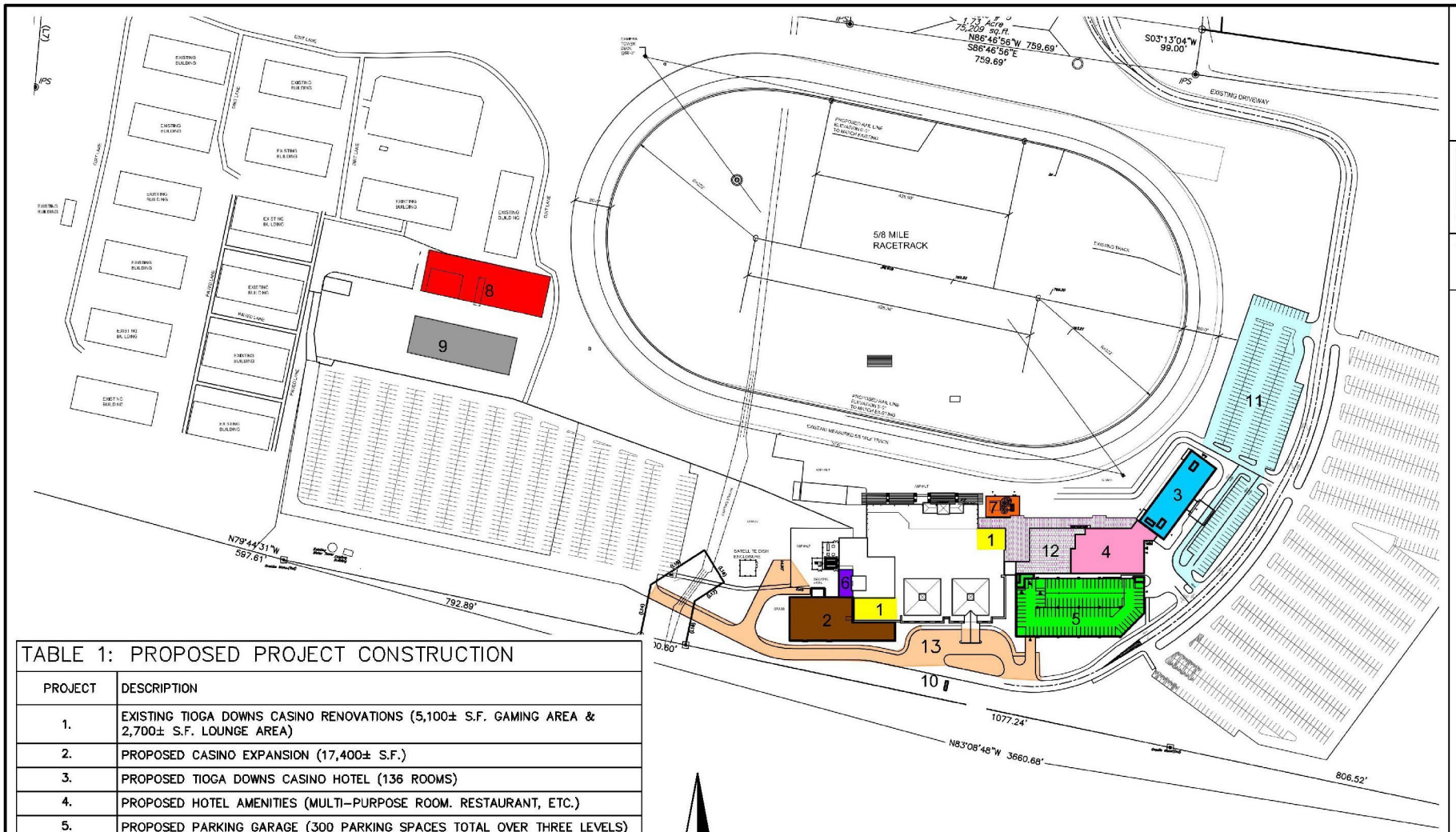

TABLE 1: PROPOSED PROJECT CONSTRUCTION

PROJECT	DESCRIPTION
1.	EXISTING TIOGA DOWNS CASINO RENOVATIONS (5,100± S.F. GAMING AREA & 2,700± S.F. LOUNGE AREA)
2.	PROPOSED CASINO EXPANSION (17,400± S.F.)
3.	PROPOSED TIOGA DOWNS CASINO HOTEL (136 ROOMS)
4.	PROPOSED HOTEL AMENITIES (MULTI-PURPOSE ROOM. RESTAURANT, ETC.)
5.	PROPOSED PARKING GARAGE (300 PARKING SPACES TOTAL OVER THREE LEVELS)
6.	PROPOSED SECOND FLOOR OFFICE EXPANSION (1,900± S.F.)
7.	PROPOSED WATER SLIDE
8.	NEW PADDOCK (SPRING 2012 COMPLETION)
9.	PROPOSED RELOCATION OF EXISTING PADDOCK
10.	PROPOSED PYLON SIGN
11.	PROPOSED HOTEL PARKING LOT (204 PARKING SPACES TOTAL IN TWO AREAS)
12.	PROPOSED OUTDOOR PATIOS AND ROOF DECK
13.	PROPOSED INTERIOR DRIVE REALIGNMENT

LDG
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CGL
CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

SITE MASTER PLAN

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

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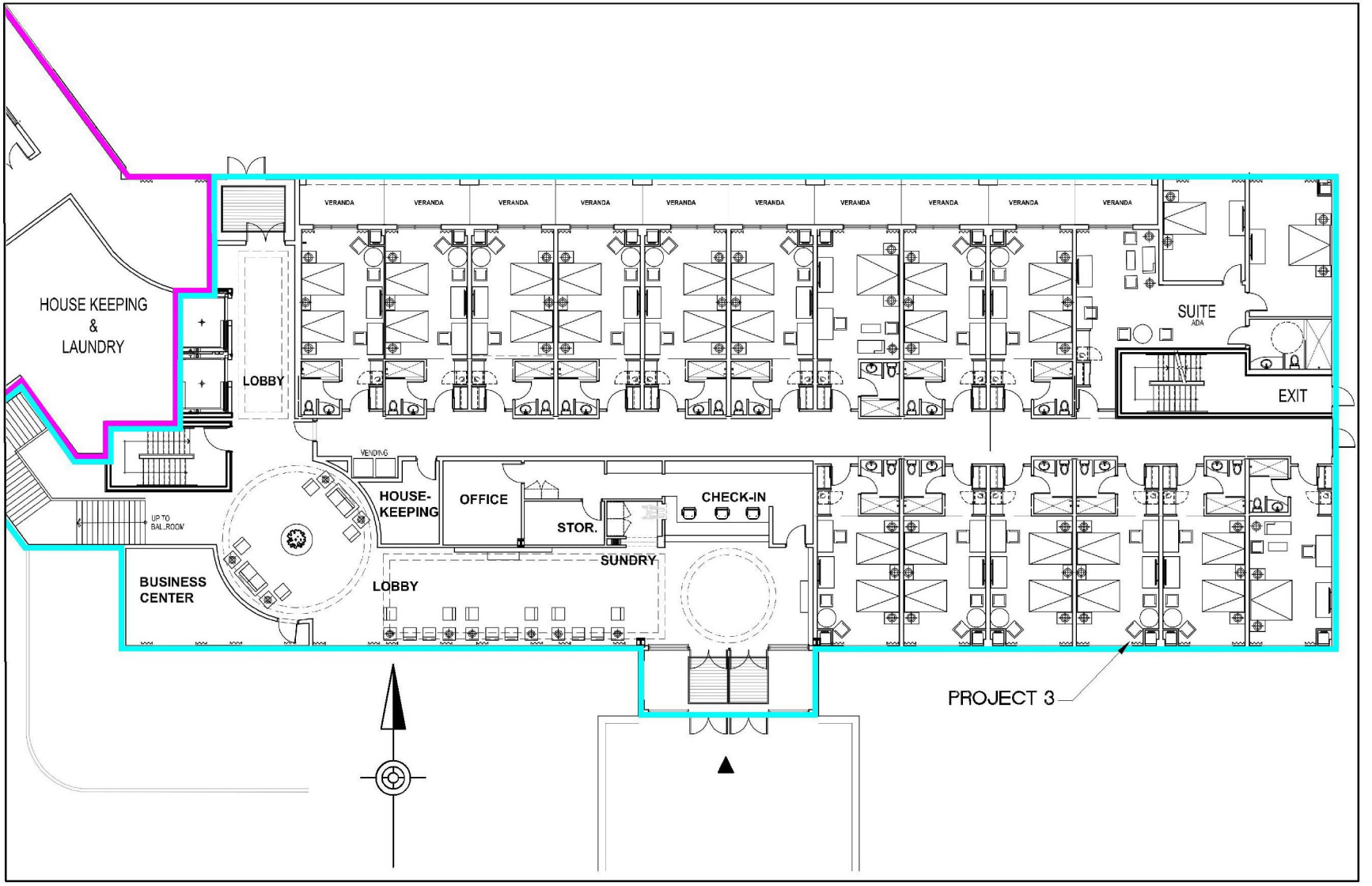
FIGURE NO.: 1.1
PROJECT NO.: 6644-001



PROPOSED TIOGA DOWNS CASINO HOTEL

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TIOGA DOWNS Casino

PROPOSED HOTEL - GROUND FLOOR

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENTIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

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PROJECT NO.:	6644-001

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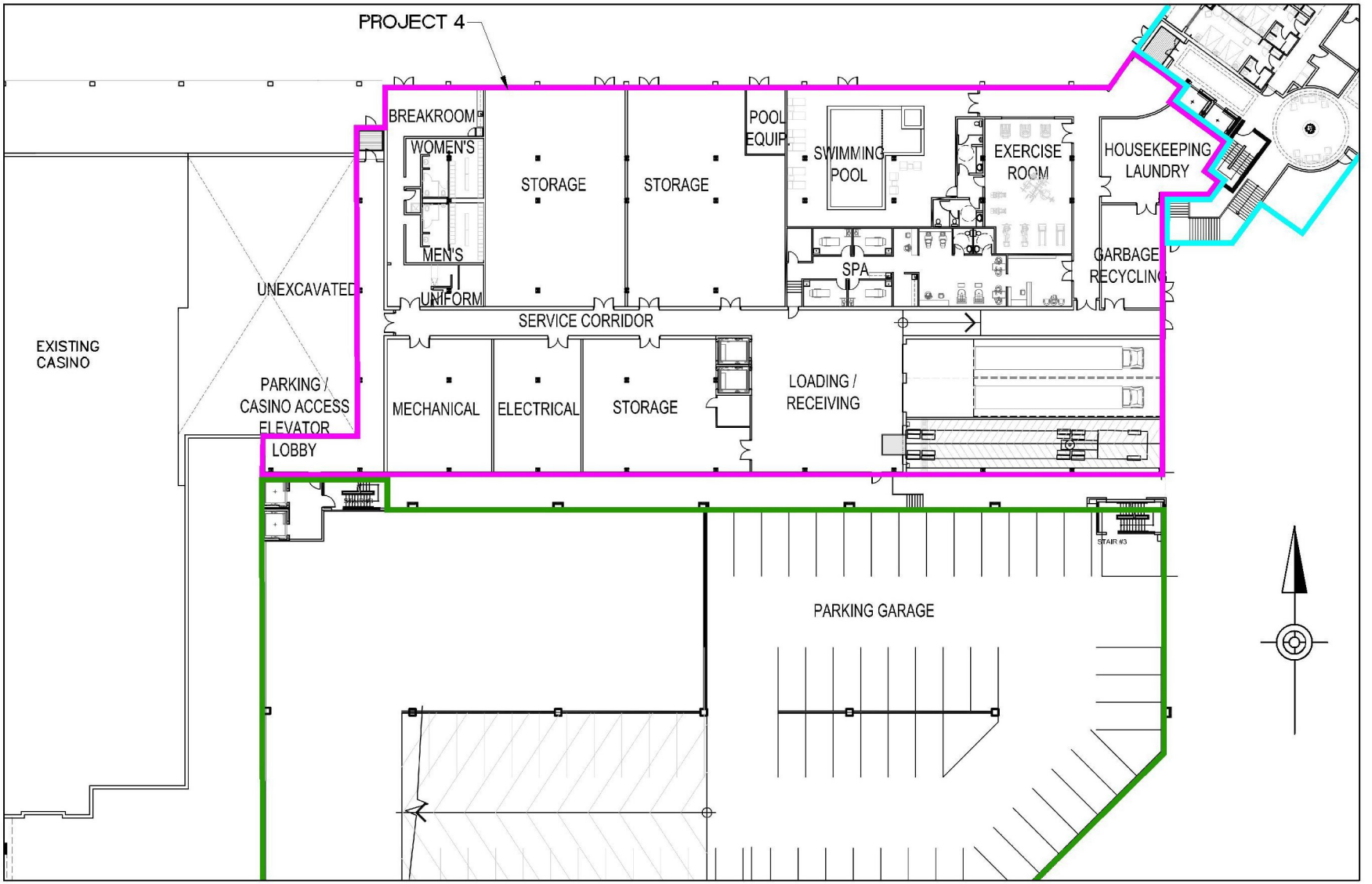

PROPOSED HOTEL AMENITIES (OPERATIONAL AREA & GUEST SERVICES)

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TIOGA DOWNS Casino

PROPOSED AMENITIES - GROUND FLOOR

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

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PROJECT NO.:	6644-001

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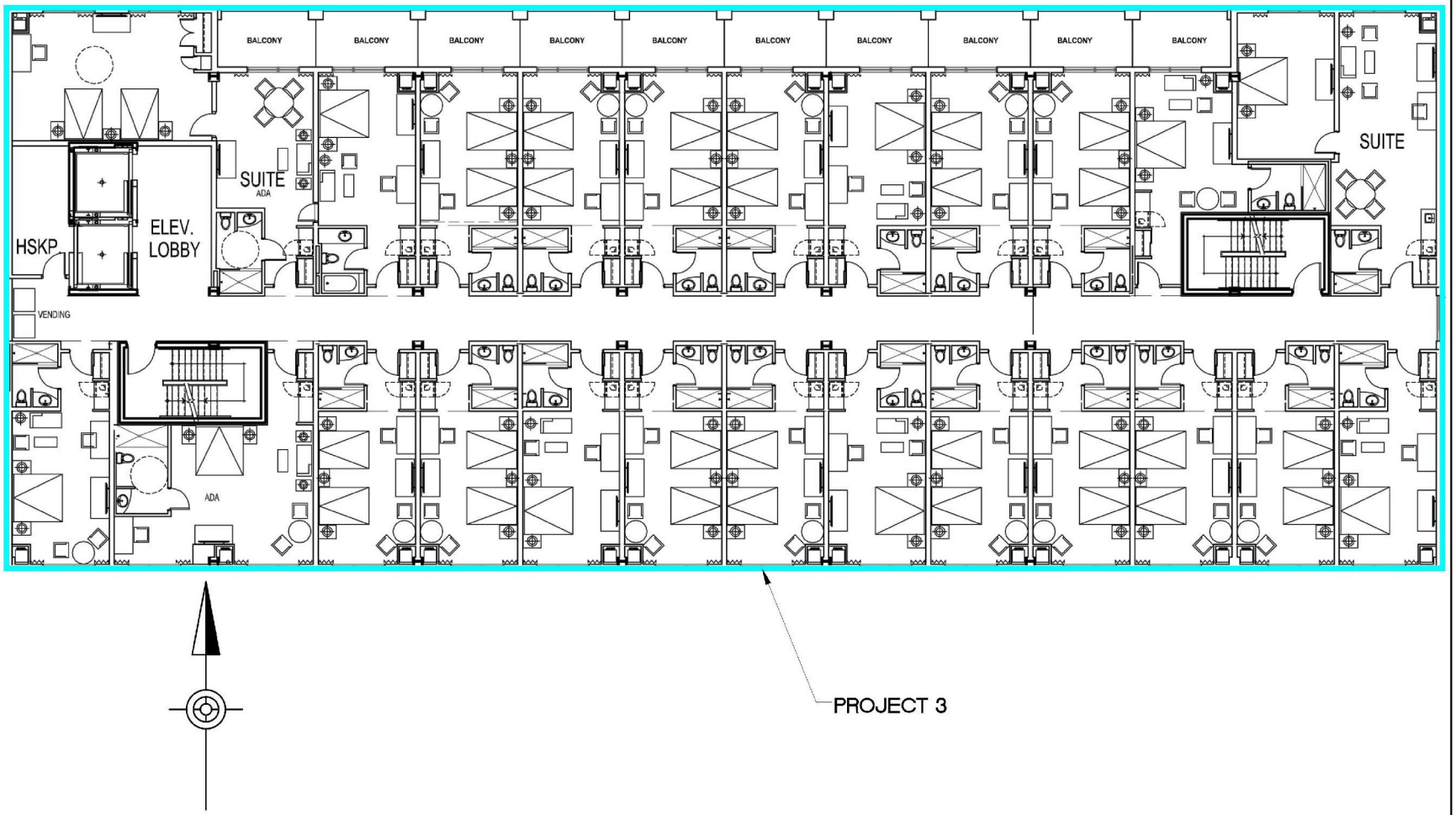

PROPOSED TIOGA DOWNS CASINO HOTEL

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CGL
CLIMANS GREEN LIANG
architects inc.

TIOGA DOWNS
Casino

PROPOSED HOTEL - SECOND FLOOR

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

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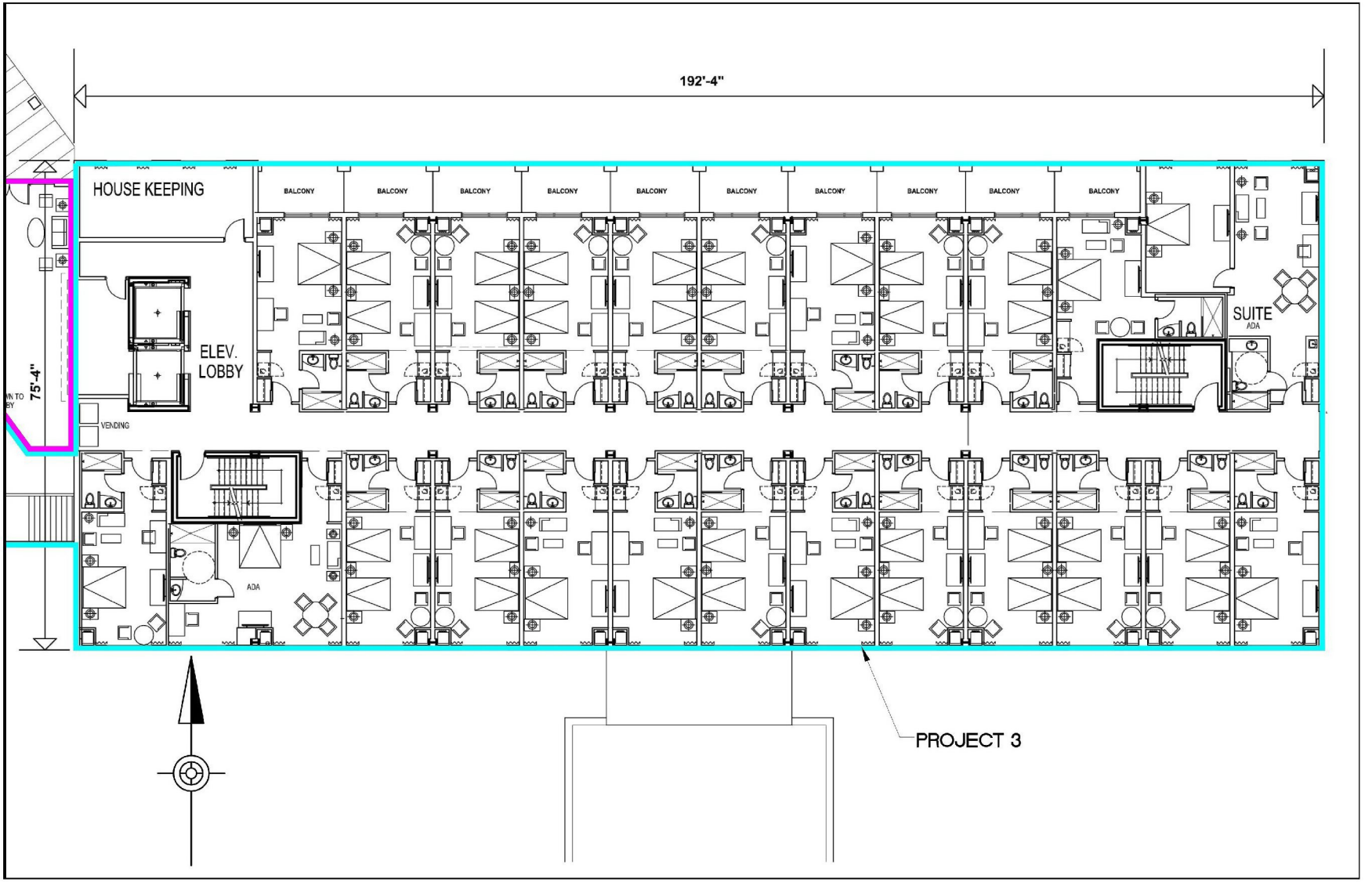
FIGURE NO.:	2.3.3
PROJECT NO.:	6644-001



PROPOSED TIOGA DOWNS CASINO HOTEL

Larson Design Group®

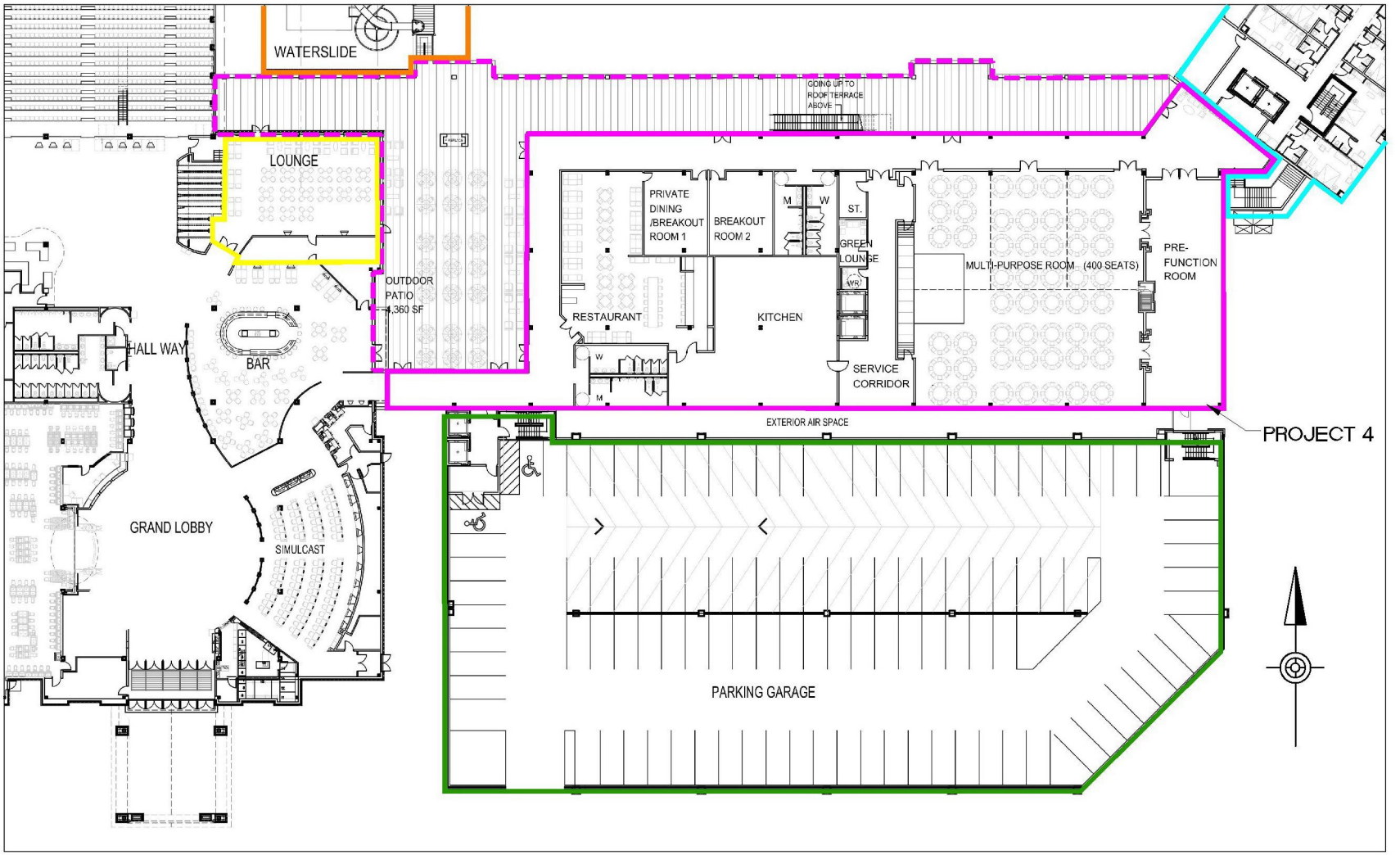
CLIMANS GREEN LIANG architects inc.

TIOGA DOWNS Casino

PROPOSED HOTEL - THIRD FLOOR

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.3.4
PROJECT NO.:	6644-001



PROPOSED HOTEL AMENITIES (MULTI-PURPOSE ROOM, RESTAURANT, OPERATIONAL AREAS & GUEST SERVICES)

LDG
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CGL
CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

PROPOSED AMENITIES - THIRD FLOOR

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.3.5
PROJECT NO.:	6644-001

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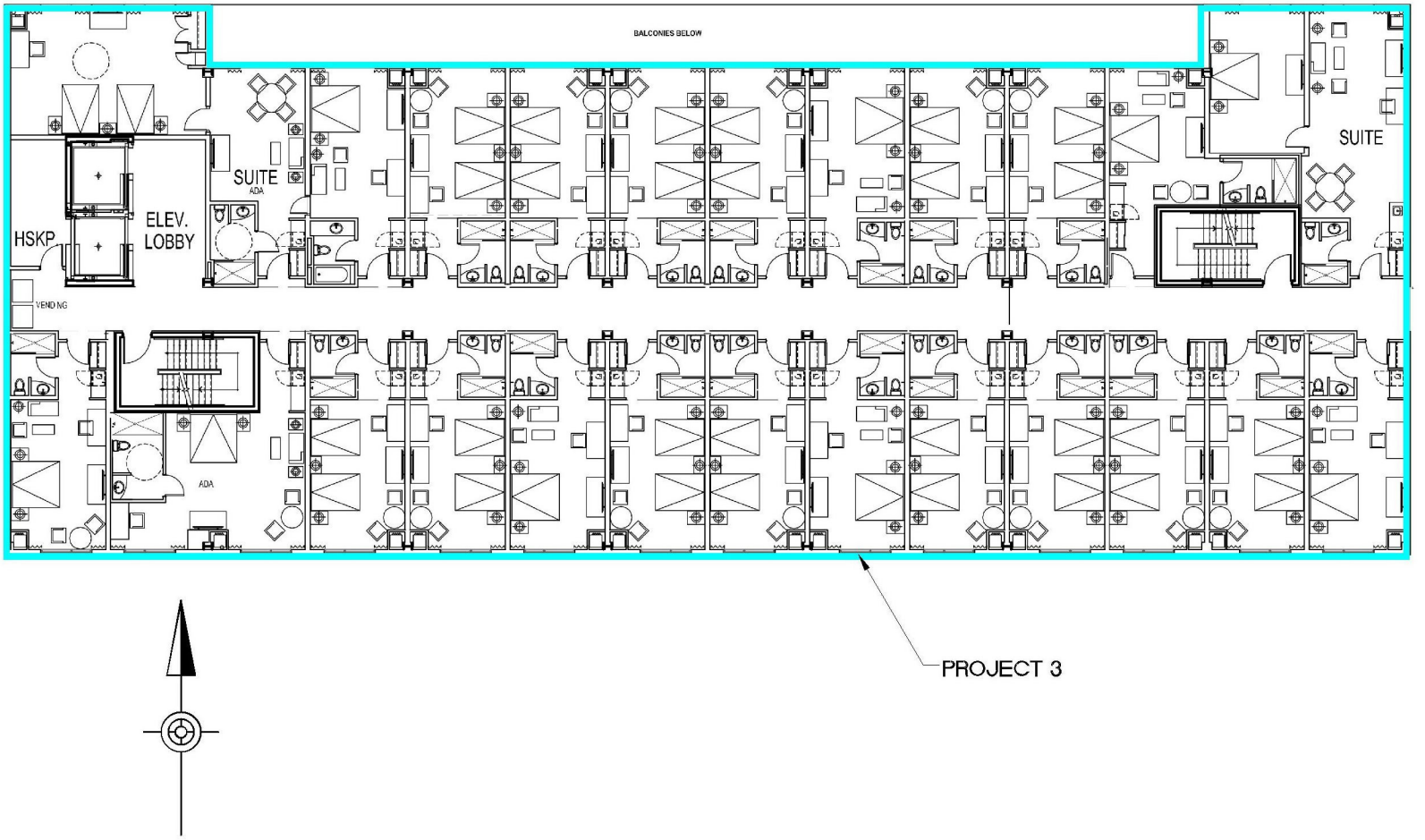

PROPOSED TIOGA DOWNS CASINO HOTEL

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CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

PROPOSED HOTEL - FOURTH THROUGH SIXTH FLOOR

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.3.6
PROJECT NO.:	6644-001

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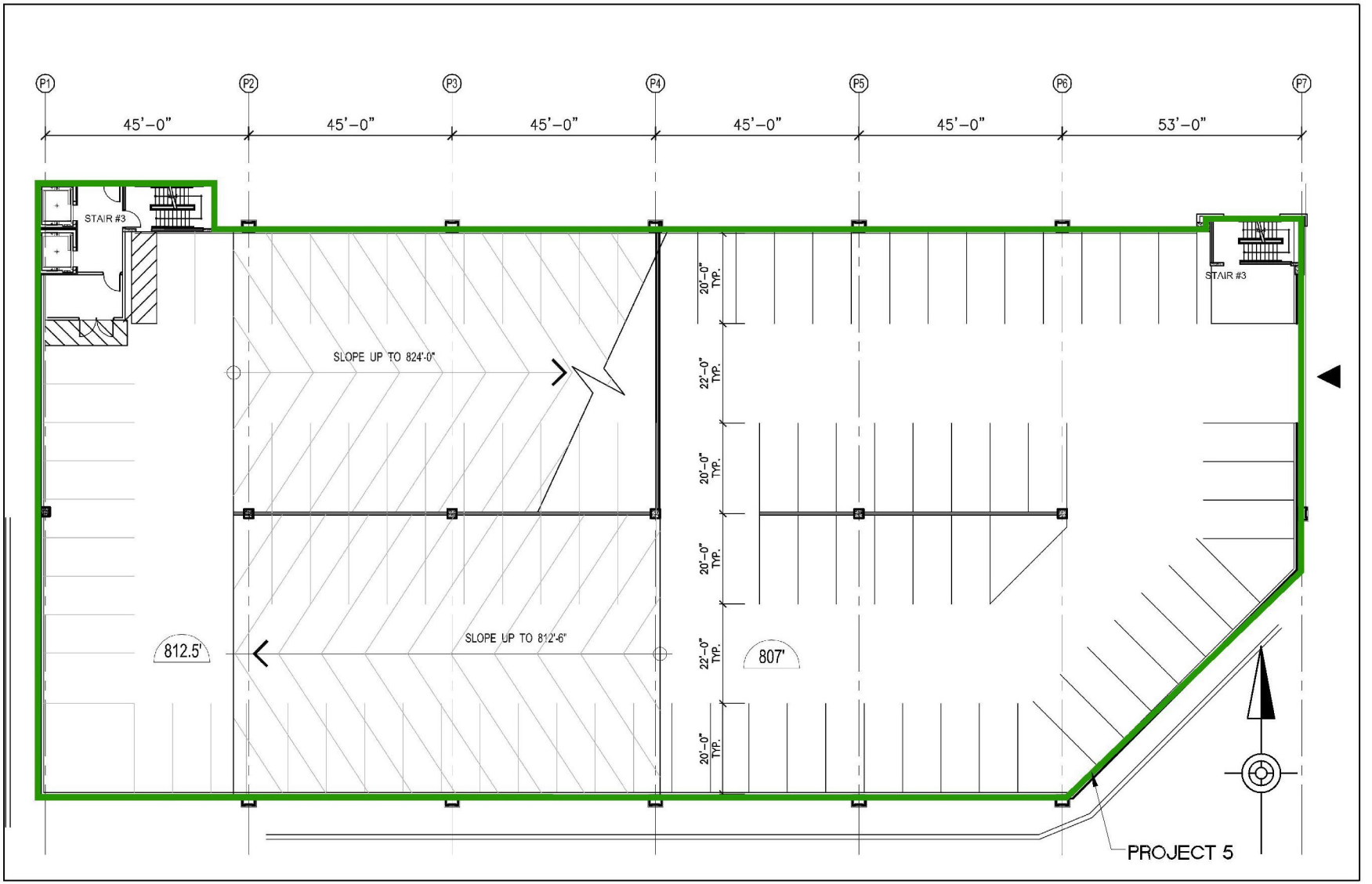

PROPOSED 300 PARKING SPACE GARAGE

Larson Design Group®

CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

PROPOSED PARKING GARAGE - FIRST LEVEL

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.4.1
PROJECT NO.:	6644-001

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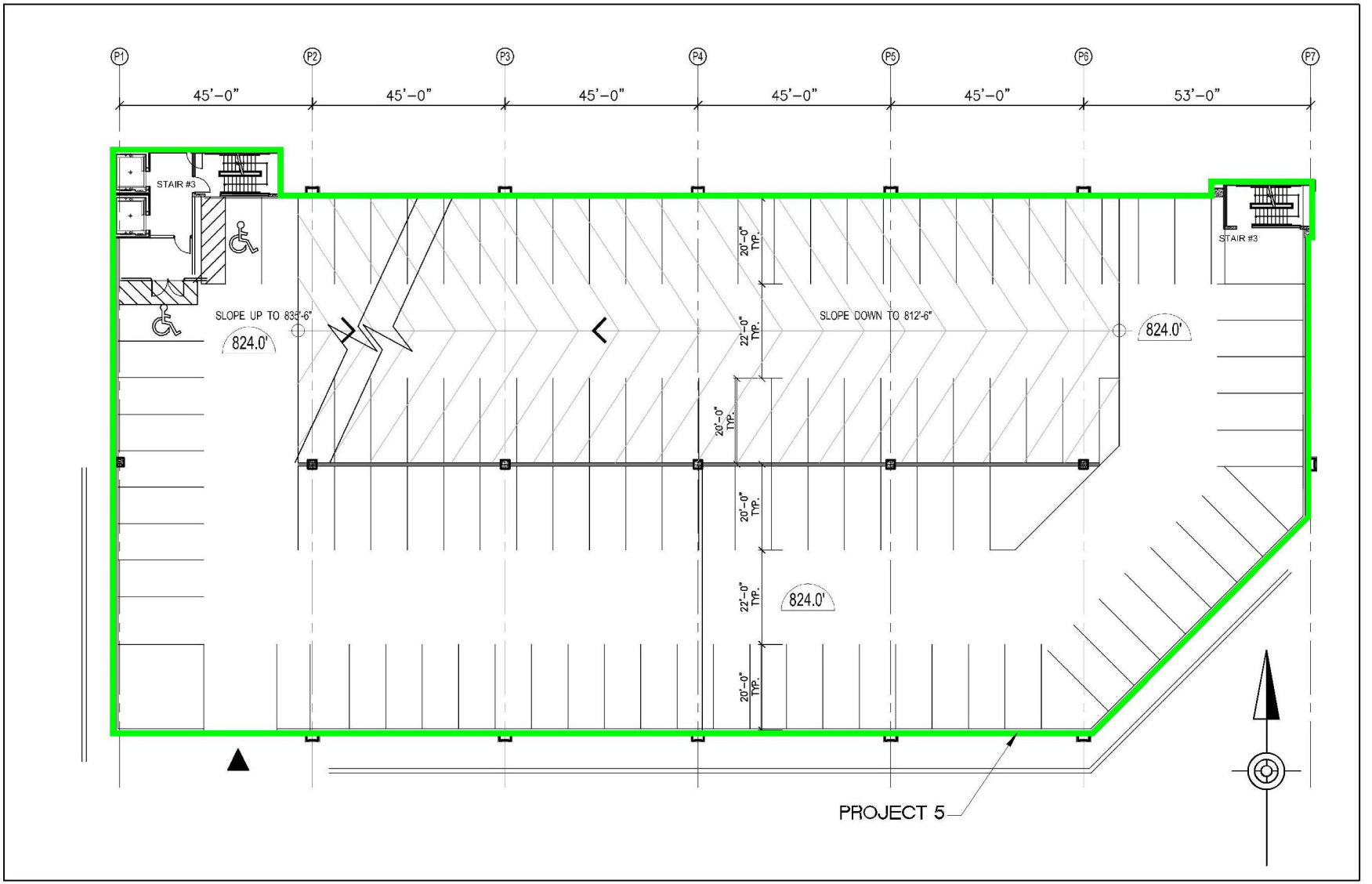

PROPOSED 300 PARKING SPACE GARAGE

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CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

PROPOSED PARKING GARAGE - LEVEL 2

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.4.2
PROJECT NO.:	6644-001

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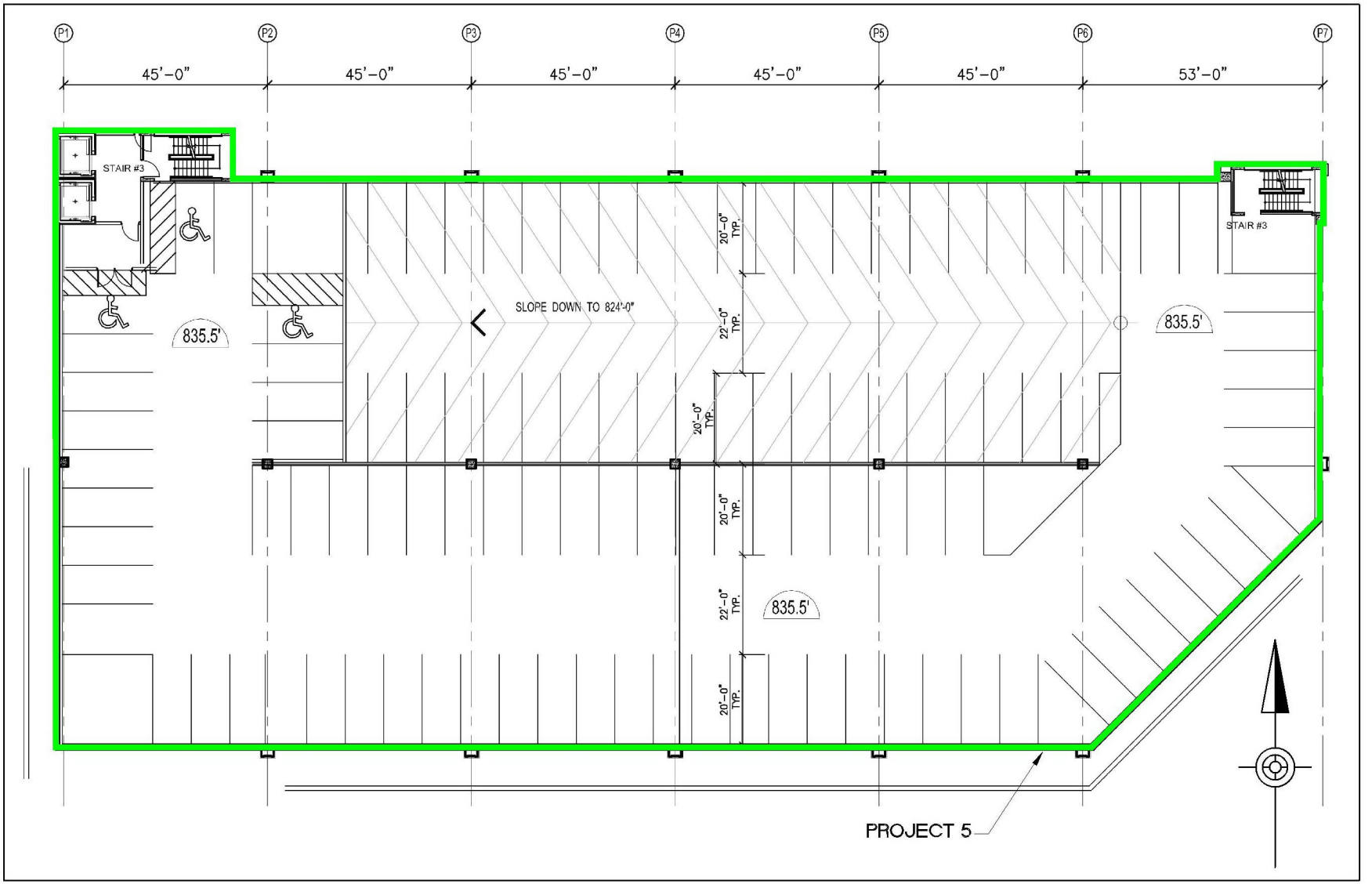

PROPOSED 300 PARKING SPACE GARAGE

Larson Design Group®

CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

PROPOSED PARKING GARAGE - LEVEL 3

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.4.3
PROJECT NO.:	6644-001

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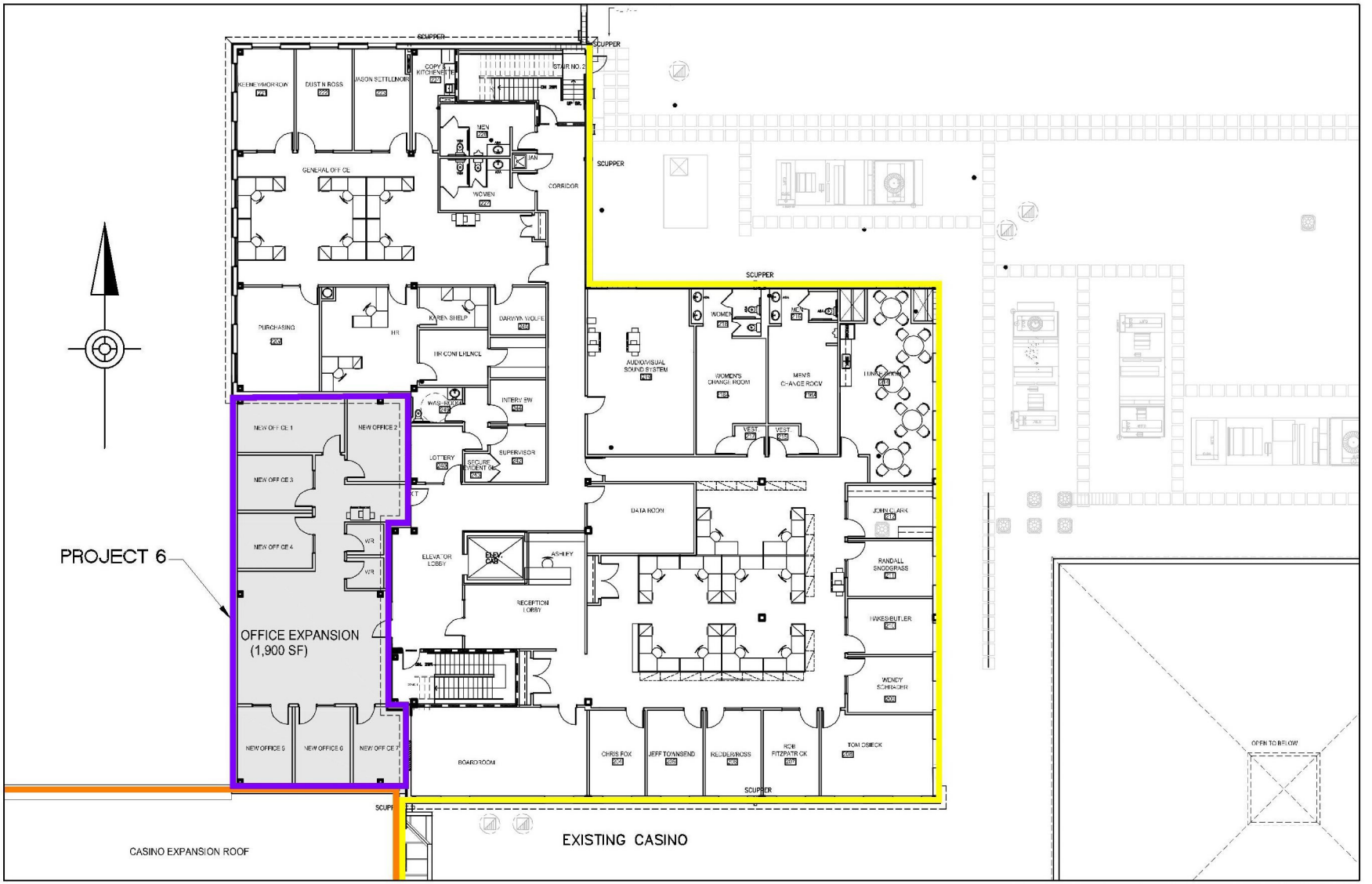

PROPOSED SECOND FLOOR OFFICE EXPANSION

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TIOGA DOWNS Casino

PROPOSED SECOND FLOOR OFFICE EXPANSION

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION

TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.5.1
PROJECT NO.:	6644-001

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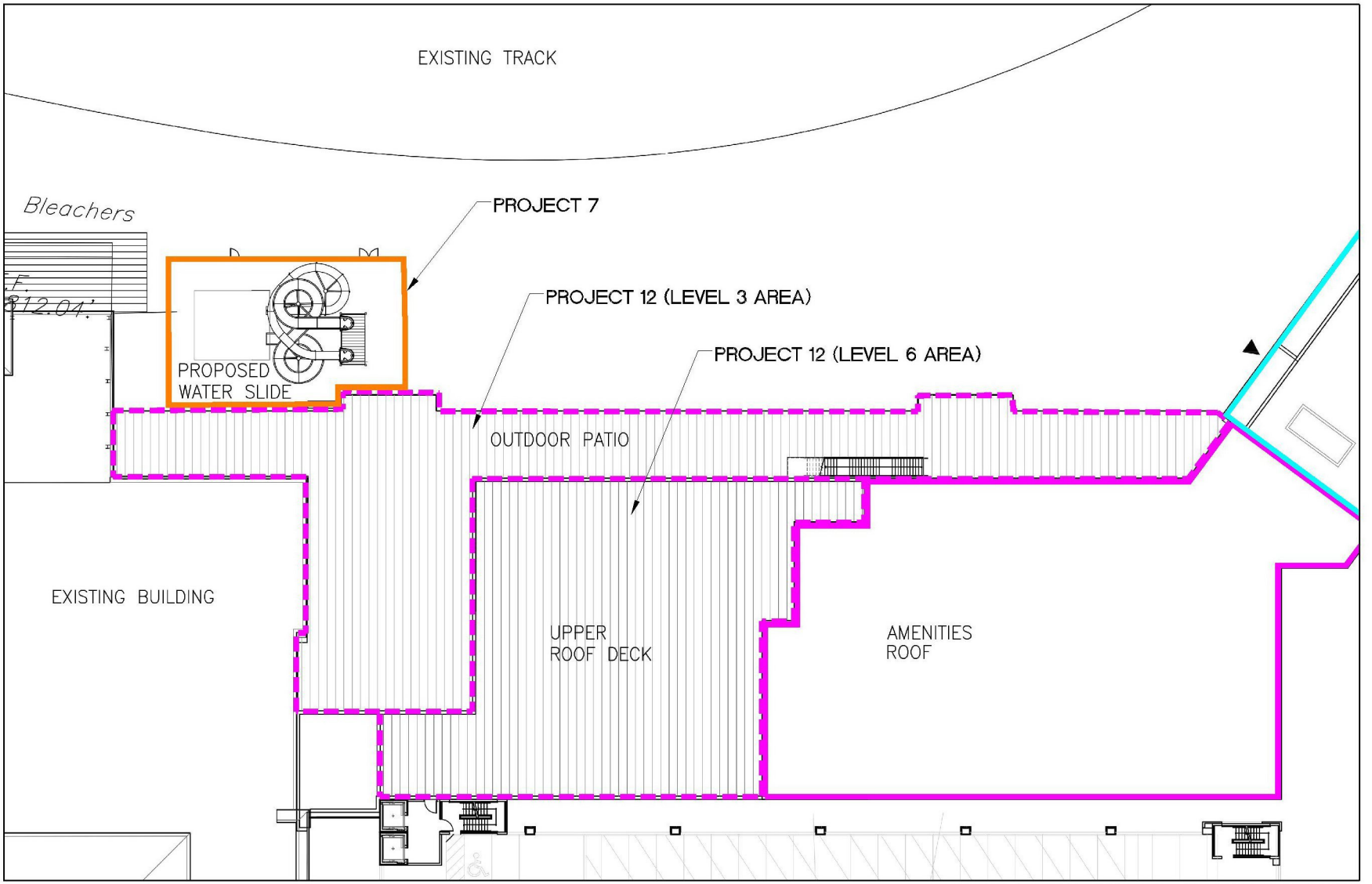

PROPOSED WATER SLIDE AND OUTDOOR PATIO AREAS

LDG
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CGL
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TIOGA DOWNS Casino

PROPOSED RELAXATION/ACTIVITY AREAS

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
CHECKED BY:	MPM
DATE:	05-22-12
FIGURE NO.:	2.6.1
PROJECT NO.:	6644-001

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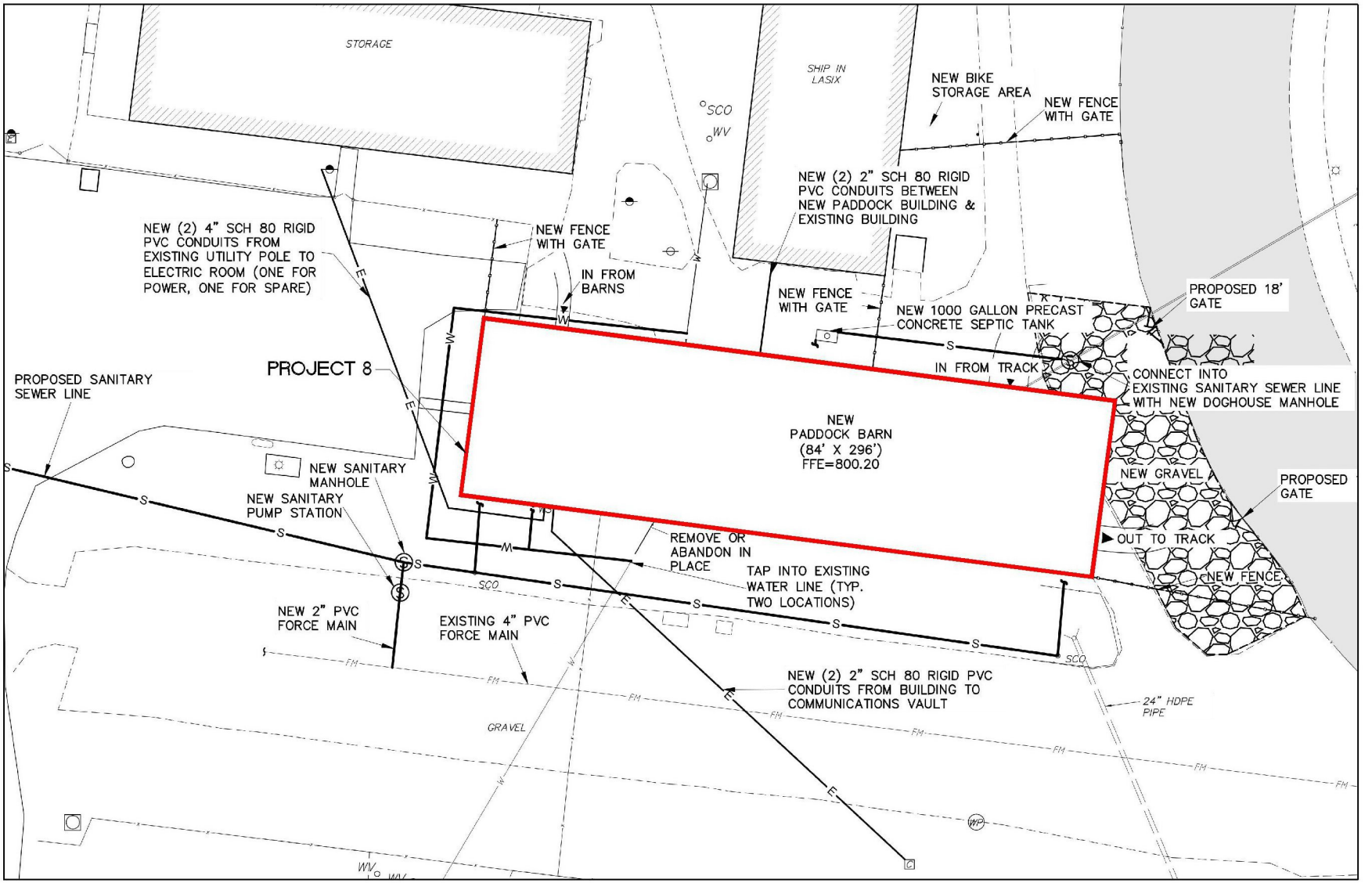

NEW PADDOCK BARN (SPRING 2012 COMPLETION)

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CGL
CLIMANS GREEN LIANG architects inc

TIOGA DOWNS Casino

NEW PADDOCK

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY:	ALK
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DATE:	05-22-12
FIGURE NO.:	2.6.2
PROJECT NO.:	6644-001

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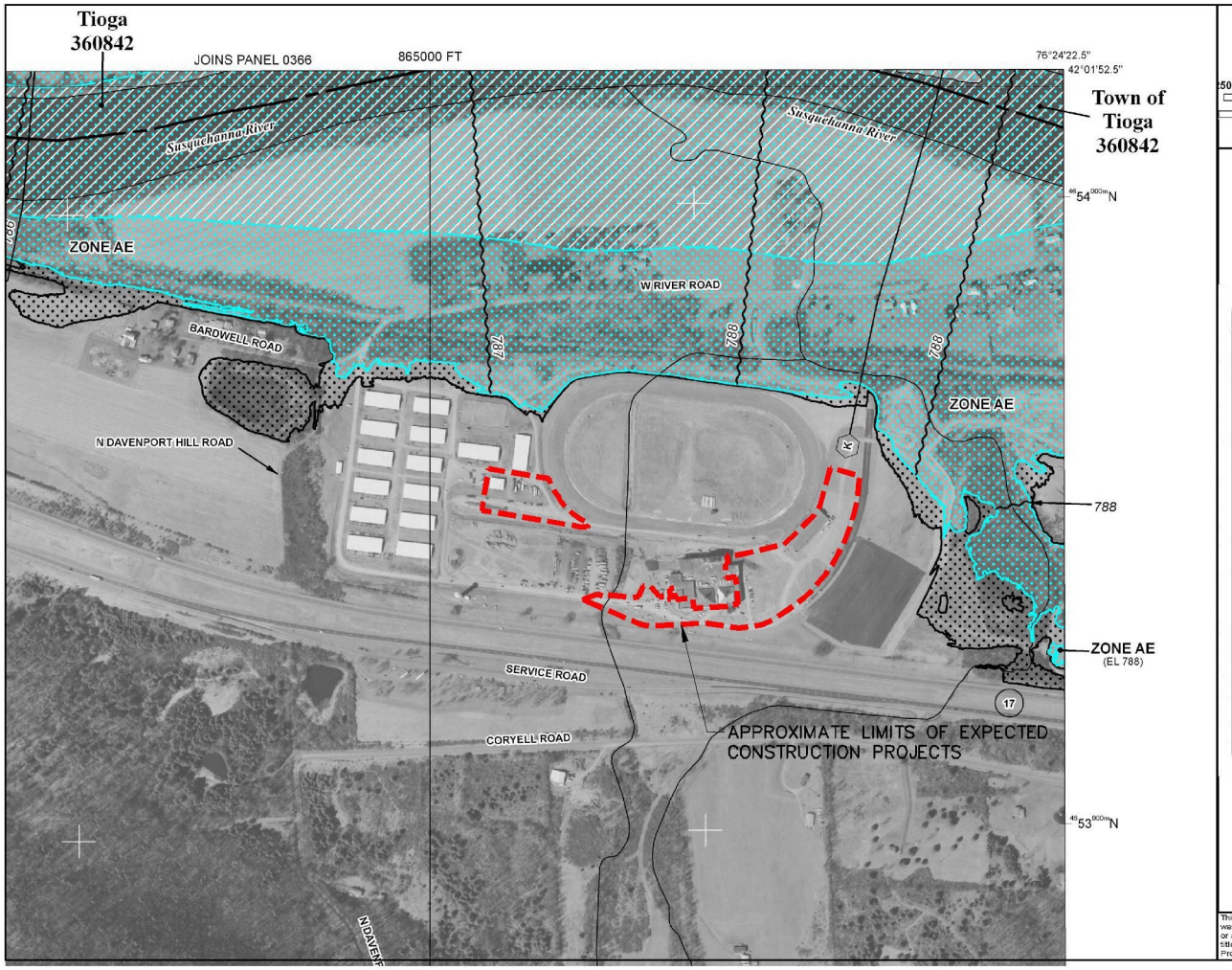

MAP SCALE 1" = 500'

50 0 500 1000 FEET

METER

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0368E

FIRM

FLOOD INSURANCE RATE MAP

for TIOGA COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
NICHOLS, TOWN OF	360837
TIOGA, TOWN OF	360842

PANEL 368 OF 551
MAP SUFFIX: E
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
36107C0368E

EFFECTIVE DATE
APRIL 17, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

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TIOGA DOWNS Casino

FLOOD INSURANCE RATE MAP [04-17-12]

TIOGA DOWNS
GAMING/HOTEL/RELATED AMENITIES EXPANSION
TIOGA DOWNS CASINO
TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK

DRAWN BY: ALK

CHECKED BY: MPM

DATE: 05-22-12

FIGURE NO.: 7.1

PROJECT NO.: 6644-001

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Appendix B

Custom Soil Resource Report

YOUR VISION. MADE REAL. **Architects Engineers Surveyors** An employee-owned company

8836 State Route 434; Apalachin, New York 13732
TEL 607.258.0090 TOLL FREE 877.323.6603 FAX 570.323.9902 www.larsondesigngroup.com

APALACHIN | BETHEL | BLOOMSBURG | BROCKWAY | CORNING | LITITZ | SELINSGROVE | WILLIAMSPORT

May 10, 2012

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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Appendix C

April 2012 Traffic Impact Study

YOUR VISION. MADE REAL. **Architects Engineers Surveyors** An employee-owned company

8836 State Route 434; Apalachin, New York 13732
TEL 607.258.0090 TOLL FREE 877.323.6603 FAX 570.323.9902 www.larsondesigngroup.com

APALACHIN | BETHEL | BLOOMSBURG | BROCKWAY | CORNING | LITITZ | SELINSGROVE | WILLIAMSPORT

28 East Main Street // 200 First Federal Plaza // Rochester, NY 14614-1909

www.bergmannpc.com

28 East Main Street // 200 First Federal Plaza // Rochester, NY 14614-1909

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Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

☐ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared**.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Tioga Downs Gaming/Hotel/Related Amenities Expansion

Name of Action

Town of Nichols

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

website

Date

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Tioga Downs Gaming/Hotel/Related Amenities Expansion

Location of Action (include Street Address, Municipality and County)

Existing Tioga Downs Casino at 2384 West River Road; Nichols, New York 13812; Tioga County .

Name of Applicant/Sponsor Tioga Downs Racetrack, LLC

Address 2384 West River Road

City / PO Nichols State NY Zip Code 13812

Business Telephone 607-348-8435 (Attn: Jay Dinga)

Name of Owner (if different) NA

Address NA

City / PO NA State NA Zip Code NA

Business Telephone NA

Description of Action:

The Tioga Downs Gaming, Hotel, and Related Amenities Expansion [Project] is proposed to be connected to the existing Tioga Downs Casino, and it is anticipated that construction will begin in March of 2013 with expected completion in December of 2015. The key aspects of the proposed Project construction are summarized in the following:

{1.} Existing Tioga Downs Casino Renovations (Game Area of 5,100± sf, and Lounge Area of 2,700± sf) .
{2.} Proposed Casino Expansion (17,400± sf).
{3.} Proposed Tioga Downs Casino Hotel (136 Rooms).
{4.} Proposed Hotel Amenities on two floors (Multi-Purpose Room, Restaurant, Operational Areas, Guest Services).
{5.} Proposed Parking Garage (300 Parking Spaces total over Three Levels).
{6.} Proposed Second Floor Office Expansion (1,900± square feet).
{7.} Proposed Water Slide.
{8.} New Paddock (Spring 2012 completion).
{9.} Proposed Relocation of Existing Paddock.
{10.} Proposed Pylon Sign.
{11.} Proposed Hotel Parking Lot (204 Parking Spaces total in Two Areas).
{12.} Proposed Roof Deck and Outdoor Patios.
{13.} Proposed Interior Drive Realignment.

The above listed proposed Project facilities have been previously evaluated in various studies and reviews, and updates have been made to the Site Master Plan, Traffic Study, and Stormwater Management Plan for consideration under this action, It is also noted that the site areas that are expected to be impacted by the proposed Project construction have been previously disturbed by existing developments.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
   ☐ Forest ☐ Agriculture ☑ Other Portions of Lawn Area, Buildings, Gravel and Paved Parking Areas

2. Total acreage of project area: 10.51 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	0.0 acres	0.0 acres
Forested	0.0 acres	0.0 acres
Agricultural (Includes orchards, cropland, pasture, etc.)	0.0 acres	0.0 acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	0.0 acres	0.0 acres
Water Surface Area	0.0 acres	0.0 acres
Unvegetated (Rock, earth or fill)	0.0 acres	0.0 acres
Roads, buildings and other paved surfaces	2.68 acres	6.32 acres
Other (Indicate type) Lawns & Landscaped Areas	7.83 acres	4.19 acres

3. What is predominant soil type(s) on project site? Unadilla silt loam & Howard gravelly loam:Soil Group B & A: Well Drained, Gravelly loamy, Sandy, & Gravelly (Glaciofluvial Deposits).

   a. Soil drainage: ☑ Well drained 100 % of site ☐ Moderately well drained ____% of site.
   ☐ Poorly drained ____% of site

   b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 0 acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No

   a. What is depth to bedrock >10' (in feet) As per the Soil Survey

5. Approximate percentage of proposed project site with slopes:

   ☑ 0-10% 100 % ☐ 10- 15% ____% ☐ 15% or greater ____%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☐ Yes ☒ No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No

8. What is the depth of the water table? >10' (in feet) As per the Soil Survey

9. Is site located over a primary, principal, or sole source aquifer? ☒ Yes ☐ No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☒ No

According to:

NYSDEC Fish/Wildlife/Marine Resources records did not identify any rare/state listed animal/plant, significant natural communities/habitats.

Identify each species:

NA

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?

☐ Yes ☒ No

Describe:

NA

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☐ Yes ☒ No

If yes, explain:

NA

14. Does the present site include scenic views known to be important to the community? ☐ Yes ☒ No

NA

15. Streams within or contiguous to project area:

NA

a. Name of Stream and name of River to which it is tributary

NA

16. Lakes, ponds, wetland areas within or contiguous to project area:

NA

b. Size (in acres):

NA

17. Is the site served by existing public utilities? ☒ Yes ☐ No

a. If **YES,** does sufficient capacity exist to allow connection? ☒ Yes ☐ No

b. If **YES**, will improvements be necessary to allow connection? ☒ Yes ☐ No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No

20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

a. Total contiguous acreage owned or controlled by project sponsor: 146.54 acres.

b. Project acreage to be developed: 3.64 acres initially; 3.64 acres ultimately.

c. Project acreage to remain undeveloped: 4.19 acres.

d. Length of project, in miles: NA (if appropriate)

e. If the project is an expansion, indicate percent of expansion proposed. 58 %

f. Number of off-street parking spaces existing 1,717 ; proposed 504

g. Maximum vehicular trips generated per hour: 531 (upon completion of project)?

Project Area of 10.51 acres will have 3.64 acres of buildings, pavement and concrete added to the 2.68 acres of existing impervious area, which leaves 4.19 acres of lawn/landscaping within the Project Area.

Present Casino & Paddocks cover 2.85+/- acres and the proposed building will add 1.67+/- acres.

Tioga Downs Expansion Trip Generation for Saturday PM Peak Hour.

h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially				
Ultimately				

i. Dimensions (in feet) of largest proposed structure: 88' +/- height; 75'+/- width; 192'+/- length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? 750+/- ft.

Structure Dimension based on Tioga Downs Hotel.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.

3. Will disturbed areas be reclaimed ☒ Yes ☐ No ☐ N/A

a. If yes, for what intended purpose is the site being reclaimed?

The Topsoil will be stripped, stockpiled and reused in Lawn Areas.

b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No

c. Will upper subsoil be stockpiled for reclamation? ☒ Yes ☐ No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☒ No

6. If single phase project: Anticipated period of construction: 32 months, (including demolition)

7. If multi-phased:

   a. Total number of phases anticipated 1 (number)

   b. Anticipated date of commencement phase 1: 03 month 2013 year, (including demolition)

   c. Approximate completion date of final phase: 12 month 2015 year.

   d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☒ No

9. Number of jobs generated: during construction 100 ; after project is complete 60

10. Number of jobs eliminated by this project 0 .

11. Will project require relocation of any projects or facilities? ☒ Yes ☐ No

    If yes, explain:

    Proposed Relocation of Existing Paddock (expected Construction Project 9).

12. Is surface liquid waste disposal involved? ☒ Yes ☐ No

    a. If yes, indicate type of waste (sewage, industrial, etc) and amount Sewage effluent up to 75,000GPD

    b. Name of water body into which effluent will be discharged Tributary of the Susquehanna River

13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type NA

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No

    If yes, explain:

    NA

15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☐ No

16. Will the project generate solid waste? ☒ Yes ☐ No

    a. If yes, what is the amount per month? 12.5+/- tons

    b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No

    c. If yes, give name Taylor Garbage ; location Nichols; Tioga County, NY

    d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No

e. If yes, explain:

NA

17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No

    a. If yes, what is the anticipated rate of disposal? _____ tons/month.

    b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No

21. Will project result in an increase in energy use? ☒ Yes ☐ No

    If yes, indicate type(s)

Electricity, and Natural Gas

22. If water supply is from wells, indicate pumping capacity 90+/- gallons/minute.

23. Total anticipated water usage per day 75,000 gallons/day.

24. Does project involve Local, State or Federal funding? ☐ Yes ☐ No

    If yes, explain:

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	☐ Yes	☐ No		
City, Town, Village Planning Board	☐ Yes	☐ No		
City, Town Zoning Board	☒ Yes	☐ No	Height Variance	June 2012
City, County Health Department	☐ Yes	☐ No		
Other Local Agencies	☒ Yes	☐ No	Town of Nichols Code Enforcement- Bldg Permit	June 2012
Other Regional Agencies	☒ Yes	☐ No	Tioga County Planning Board- Site Plan/Height Variance Review	June 2012
State Agencies	☒ Yes	☐ No	NYSDOH NYSDEC	January 2013 January 2013
Federal Agencies	☐ Yes	☐ No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No

If Yes, indicate decision required:

☐ Zoning amendment ☒ Zoning variance ☐ New/revision of master plan ☐ Subdivision

☒ Site plan ☐ Special use permit ☐ Resource management plan ☐ Other

2. What is the zoning classification(s) of the site?

Business, agricultural, and residential.

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

As proposed.

4. What is the proposed zoning of the site?

NA

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

As proposed.

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Mixed use of business, agriculture and residential.

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? ☒ Yes ☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

   a. What is the minimum lot size proposed? N/A

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

N/A

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection?

☒ Yes ☐ No

a. If yes, is existing capacity sufficient to handle projected demand? ☒ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic. ☒ Yes ☐ No

Mitigation measures to improve anticipated Level of Service during weekend peak PM hours and Special Events will be examined with NYSDOT.

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Tioga Downs Racetrack / Jay Dinga Date 05/22/12

Signature

Title Regional Director of Business Development and Governmental Relations

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.

! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.

! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.

! The number of examples per question does not indicate the importance of each question.

! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.

b. **Maybe** answers should be considered as **Yes** answers.

c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.

d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.

e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.

f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
Impact on Land			
1. Will the Proposed Action result in a physical change to the project site? NO ☐ YES ☐			
Examples that would apply to column 2			
• Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	☐	☐	☐ Yes ☐ No
• Construction on land where the depth to the water table is less than 3 feet.	☐	☐	☐ Yes ☐ No
• Construction of paved parking area for 1,000 or more vehicles.	☐	☐	☐ Yes ☐ No
• Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	☐	☐	☐ Yes ☐ No
• Construction that will continue for more than 1 year or involve more than one phase or stage.	☐	☐	☐ Yes ☐ No
• Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a santary landfill.	☐	☐	☐ Yes ☐ No
• Construction in a designated floodway.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)
   ☐ NO ☐ YES

• Specific land forms:	☐	☐	☐ Yes ☐ No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)
   ☐ NO ☐ YES

Examples that would apply to column 2

• Developable area of site contains a protected water body.	☐	☐	☐ Yes ☐ No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	☐	☐	☐ Yes ☐ No
• Extension of utility distribution facilities through a protected water body.	☐	☐	☐ Yes ☐ No
• Construction in a designated freshwater or tidal wetland.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

4. Will Proposed Action affect any non-protected existing or new body of water?
   ☐ NO ☐ YES

Examples that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	☐	☐	☐ Yes ☐ No
• Construction of a body of water that exceeds 10 acres of surface area.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
5. Will Proposed Action affect surface or groundwater quality or quantity? ☐ NO ☐ YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit.	☐	☐	☐ Yes ☐ No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	☐	☐	☐ Yes ☐ No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	☐	☐	☐ Yes ☐ No
• Construction or operation causing any contamination of a water supply system.	☐	☐	☐ Yes ☐ No
• Proposed Action will adversely affect groundwater.	☐	☐	☐ Yes ☐ No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	☐	☐	☐ Yes ☐ No
• Proposed Action would use water in excess of 20,000 gallons per day.	☐	☐	☐ Yes ☐ No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	☐	☐	☐ Yes ☐ No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	☐	☐	☐ Yes ☐ No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	☐	☐	☐ Yes ☐ No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
6. Will Proposed Action alter drainage flow or patterns, or surface water runoff? ☐ NO ☐ YES				
Examples that would apply to column 2				
• Proposed Action would change flood water flows	☐	☐	☐ Yes	☐ No
• Proposed Action may cause substantial erosion.	☐	☐	☐ Yes	☐ No
• Proposed Action is incompatible with existing drainage patterns.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow development in a designated floodway.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON AIR

7. Will Proposed Action affect air quality? ☐ NO ☐ YES				
Examples that would apply to column 2				
• Proposed Action will induce 1,000 or more vehicle trips in any given hour.	☐	☐	☐ Yes	☐ No
• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.	☐	☐	☐ Yes	☐ No
• Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow an increase in the amount of land committed to industrial use.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow an increase in the density of industrial development within existing industrial areas.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species? ☐ NO ☐ YES				
Examples that would apply to column 2				
• Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	☐	☐	☐ Yes ☐ No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	☐	☐	☐ Yes ☐ No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
☐ NO ☐ YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	☐	☐	☐ Yes ☐ No
• Construction activity would excavate or compact the soil profile of agricultural land.	☐	☐	☐ Yes ☐ No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)
☐ NO ☐ YES

Examples that would apply to column 2 • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	☐	☐	☐ Yes ☐ No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	☐	☐	☐ Yes ☐ No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?
☐ NO ☐ YES

Examples that would apply to column 2 • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	☐	☐	☐ Yes ☐ No
• Any impact to an archaeological site or fossil bed located within the project site.	☐	☐	☐ Yes ☐ No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?
☐ NO ☐ YES

Examples that would apply to column 2

• The permanent foreclosure of a future recreational opportunity.	☐	☐	☐ Yes ☐ No
• A major reduction of an open space important to the community.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?
☐ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

• Proposed Action to locate within the CEA?	☐	☐	☐ Yes ☐ No
• Proposed Action will result in a reduction in the quantity of the resource?	☐	☐	☐ Yes ☐ No
• Proposed Action will result in a reduction in the quality of the resource?	☐	☐	☐ Yes ☐ No
• Proposed Action will impact the use, function or enjoyment of the resource?	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☐ NO ☐ YES

Examples that would apply to column 2

• Alteration of present patterns of movement of people and/or goods.	☐	☐	☐ Yes	☐ No
• Proposed Action will result in major traffic problems.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	☐	☐	☐ Yes	☐ No
• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☐ NO ☐ YES

Examples that would apply to column 2

• Blasting within 1,500 feet of a hospital, school or other sensitive facility.	☐	☐	☐ Yes	☐ No
• Odors will occur routinely (more than one hour per day).	☐	☐	☐ Yes	☐ No
• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	☐	☐	☐ Yes	☐ No
• Proposed Action will remove natural barriers that would act as a noise screen.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
IMPACT ON PUBLIC HEALTH				
18. Will Proposed Action affect public health and safety? ☐ NO ☐ YES				
• Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	☐	☐	☐ Yes	☐ No
• Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	☐	☐	☐ Yes	☐ No
• Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.	☐	☐	☐ Yes	☐ No
• Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No
IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD				
19. Will Proposed Action affect the character of the existing community? ☐ NO ☐ YES				
Examples that would apply to column 2				
• The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	☐	☐	☐ Yes	☐ No
• The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	☐	☐	☐ Yes	☐ No
• Proposed Action will conflict with officially adopted plans or goals.	☐	☐	☐ Yes	☐ No
• Proposed Action will cause a change in the density of land use.	☐	☐	☐ Yes	☐ No
• Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	☐	☐	☐ Yes	☐ No
• Development will create a demand for additional community services (e.g. schools, police and fire, etc.)	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	☐	☐	☐ Yes ☐ No
• Proposed Action will create or eliminate employment.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
☐ NO ☐ YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.

2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).

3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

   To answer the question of importance, consider:

   - The probability of the impact occurring
   - The duration of the impact
   - Its irreversibility, including permanently lost resources of value
   - Whether the impact can or will be controlled
   - The regional consequence of the impact
   - Its potential divergence from local needs and goals
   - Whether known objections to the project relate to this impact.

Reset