

3 September 2025

## Guidance Regarding Community Advisory Committee Requests for an Amendment<sup>1</sup> to an Application

No amendment to an RFA response other than those submitted as an RFA-required **Continuing Duty to Update Application** will be accepted by the Gaming Facility Location Board (GFLB) unless processed through the Applicant's Community Advisory Committee.

**Purpose.** The purpose of the Community Advisory Committee (CAC) process is to gauge local support of a proposed commercial casino project. It was anticipated that in consideration of an application, a CAC might request an Applicant to make an amendment necessary to further project support. This Guidance has been prepared for the avoidance of doubt and to ensure enforceability of any such commitments or amendments requested by a CAC and accepted by an Applicant.

**Process.** Excepting the final project vote, each CAC is permitted to operate by majority vote.<sup>2</sup> Accordingly, should a CAC determine to request an amendment to an application under its jurisdiction, the following process should be followed to ensure each step is appropriately memorialized, considered, and documented.

1. All requests for amendment must be reduced to writing. The GFLB has established the attached Request for Amendment to RFA Response Form (Form) that may be used for this purpose.
2. All requests must impose a clear and definitive time for response.
3. All requests must be considered and approved at an Open Meeting of the CAC.
4. The CAC Chair should complete applicable parts of the Form and submit the documentation to the CAC consultant (NYSTEC). NYSTEC shall ministerially transmit the Form and any attachments to the Applicant's designated representative as soon as practicable.
5. The Applicant may respond by completing and returning the Form to NYSTEC by the established deadline. A failure to respond by the deadline will be considered a constructive rejection of the request. Upon receipt from an Applicant, NYSTEC shall ministerially transmit the Form and any attachments as soon as practicable to CAC Members.
6. If the Applicant offers an alternative or counterproposal, a CAC can only consider such offer at an Open Meeting.
  - a. If a majority of the CAC accepts the alternative or counterproposal, the CAC Chair should indicate such on the Form and submit it as soon as practicable to NYSTEC, who shall forward the acceptance as soon as practicable to the Applicant.

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<sup>1</sup> The term "amendment" shall mean any change by correction, addition, or deletion to an Applicant's response to the Gaming Facility Location Board's [REQUEST FOR APPLICATIONS TO DEVELOP AND OPERATE A GAMING FACILITY IN NEW YORK STATE](#), issued January 3, 2023.

<sup>2</sup> See Gaming Facility Location Board [Guidance Regarding the Establishment, Operation and Conduct of Community Advisory Committees](#), issued June 23, 2025, at p. 4.

- b. If a majority of the CAC rejects the alternative or counterproposal, the CAC Chair should indicate such on the Form and submit it as soon as practicable to NYSTEC, who shall forward the rejection as soon as practicable to the Applicant.
- c. If a CAC determines to propose an additional alternative or to counter, a new Form should be completed and processed as an initial request for amendment.

All documents and materials produced by a CAC shall be maintained by NYSTEC and, per GFLB Guidance,<sup>3</sup> submitted as part of a CAC's final vote package.

To ensure a full and complete independent record, each transmittal to and from a CAC and applicant should be copied to the Commission at [Kristen.Buckley@gaming.ny.gov](mailto:Kristen.Buckley@gaming.ny.gov).

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<sup>3</sup> See Gaming Facility Location Board, [\*Guidance Regarding the Establishment, Operation and Conduct of Community Advisory Committees\*](#), issued June 23, 2025, at p. 4.