Pursuant to New York State Department of Environmental Conservation (DEC) Organization and Delegation Memorandum 94-13, I have reviewed the Agreement Between the Glen Edythe Group (Intervenor) and Legacy Development Co., Inc. (Applicant) as well as the Stipulation Withdrawing the Request for Adjudicatory Hearing by Glen Edythe Group. DEC Staff does not object to the Agreement and takes the position that since no issues remain for adjudication, the matter should be remanded to DEC Staff to complete the SEQRA process and to issue the permit.

Accordingly, this matter is remanded to DEC Staff to take all steps necessary to issue the permit.

April 13, 2005  
Albany, New York
/s/  
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