

Revised May 8, 2014 Response of BME Associates
to the April 23, 2014 letter from NYSDOT regarding
SEQRA and Lead Agency coordination

BME | ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

May 7, 2014
Revised May 8, 2014

Mr. Adam Cummings, PE
Barton & Loguidice PC
11 Centre Park
Rochester, New York 14614

**Re: Proposed Wilmot Casino & Resort
SEQR-Lead Agency Designation
Response to Comments**

2392

Dear Adam:

We have prepared responses to John Reichert's (NYSDOT) letter to Virginia Robbins Esq., dated April 23, 2014, regarding the above-referenced proposed project:

1. *SEQR Full Environmental Assessment Form*

Section B. Government Approval, Subsection g. State Agencies

We concur with the requirement for New York State Department of Transportation (NYSDOT) approval for the proposed project. The applicant will be required to obtain a highway work permit from NYSDOT Region 3 for the mitigation on the State Highway. We respectfully ask the Town to include the said permit as part of the approval requirements.

The applicant will work with NYSDOT Region 3 to obtain the necessary highway work permits.

2. *Appendices to Engineer's Report*

Appendix A. Drainage

The report fails to incorporate a stormwater management design that is required for the proposed highway mitigation. The applicant will be required to acquire sufficient right-of-way to manage stormwater. As some of the mitigation occurs a distance from the proposed development parcel, the ability to acquire sufficient right of way needs to be explored and assured before the permit moves forward.

Stormwater management has been provided for the Route 414 highway improvements that will be constructed from the Exit 41 intersection north to the project entrance. The highway drainage system is accounted for in the offsite drainage analysis as this system drains through the project site. This analysis is included in the Engineer's Report submitted with the Site Plan Application.

For the remaining Route 318 intersections where improvements are proposed the applicant will provide the appropriate construction erosion control measures and comply with the provisions of the stormwater permit for these isolated intersections. This information will be provided within the individual highway work permit applications for these isolated intersections.

3. *Appendix D Traffic Impact Study (TIS)*

We note that the study was auto centric. Discussion of pedestrians and transit should be included in the discussion and respective features incorporated into the project and highway work permit.

The study was intentionally performed in an auto centric mindset to determine the worst case scenario of the vehicular traffic impact to the roadway network. Additional pedestrian, bicycle and transit facilities will be considered in the development to the degree in which they are warranted.

In reviewing of the TIS, overall we agree with the study recommendations but find additional mitigation necessary. The Region has listed the mitigation required as an attachment to this correspondence. We also take this opportunity to emphasize that all improvements must meet NYSDOT and/or NYS Thruway standards and that all property required to complete the attached mitigation will require land dedication to New York State.

The additional mitigation recommended by the NYSDOT will be incorporated into the project and will be further reviewed and considered when design is commenced. The design of all the roadway improvements will meet NYSDOT and/or NYSTA standards and will require highway work permits for the roadway construction.

4. *Appendix G. Instrument Survey & Description*

Course "1", contains an error. The NY414 baseline station should read 29+50.00.

This has been corrected on the Description.

5. *Drawing #1 - Development Plan*

The region looks for further explanation of internal circulation for the area on the entrance drive towards the parking garage. Overall, we ask that the driveway provide a free flow situation for the vehicles entering the site so there will not be back-ups onto NY414. Further analysis may be necessary during the highway work permit stage to demonstrate this.

Internal circulation has been reviewed with the municipality and it has been determined that a free flow situation for vehicles entering into the site will be provided through the use of appropriate traffic control devices.

6. *Drawing #6 - Development Plans Existing Conditions*

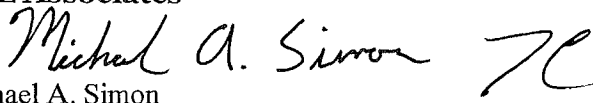
Respectfully, we note the survey indicates a burial ground. We did not find any consideration of this in the reports nor is it indicated on the proposed site plan.

This is being addressed by the applicant.

Please feel free to contact our office with any comments or questions you may have in this regard.

Thank you.

Sincerely,
BME Associates


Michael A. Simon

c: Ron McGreevy, Supervisor; Town of Tyre
Virginia Robbins, Esq.; Bond Schoeneck and King ✓
Juris Basens; Whitetail 414, LLC
Shawn Griffin, Esq.; Harris Beach