

**LETTERS FROM THE TOWN TO  
SEQRA “INTERESTED AGENCIES”  
DATED MAY 9, 2014**

- New York State Office of Parks, Recreation and Historic Preservation
- U.S. Fish & Wildlife Service
- New York State Department of Agriculture and Markets
- U.S. Army Corps of Engineers

VIRGINIA C. ROBBINS  
[vrobbs@bsk.com](mailto:vrobbs@bsk.com)  
P: 315-218-8182

May 9, 2014

**VIA UPS OVERNIGHT**

Ms. Ruth L. Pierpont  
Deputy Commissioner  
New York State Office of Parks, Recreation and Historic Preservation  
Peebles Island Resource Center  
Delaware Avenue  
Cohoes, NY 12047

Re: *Proposed Development of Wilmot Casino and Resort  
Town of Tyre, Seneca County*

Dear Ms. Pierpont:

On behalf of our client, the Town of Tyre, located in Seneca County, we write to inform you that the Town considers the Office of Parks, Recreation and Historic Preservation ("OPRHP") an "interested agency" for purposes of the environmental impact review that the Town is conducting pursuant to the State Environmental Quality Review Act for the proposed Wilmot Casino and Resort project to be located on approximately 85 acres directly north of the NYS Thruway on the east side of State Route 414 in the Town of Tyre.

We request OPRHP to provide any comments it may regarding the Project on or before June 9, 2014. For your information, we have enclosed a completed Project Review Cover Form and attachments.

If you have any questions, please call me at 315-218-8182 or Adam Cummings, at Barton & Loguidice, 585-325-7190, Ext. 2218.

Thank you.

Sincerely,

BOND, SCHOENECK & KING, PLLC



Virginia C. Robbins  
Enclosures

Ms. Ruth L. Pierpont  
May 9, 2014  
Page 2

cc (with enclosures) (First Class Mail):  
Hon. Ronald F. McGreevy  
Charles Shaffer, Esq.  
Mrs. Elizabeth Sutterby

May 9, 2014

**BY FIRST CLASS MAIL**

Mr. David Stillwell  
Field Supervisor  
U.S. Fish & Wildlife Service  
New York Field Office  
3817 Luker Road  
Cortland, NY 13045-9385

Re: *Proposed Wilmot Casino and Resort  
Town of Tyre, Seneca County, New York*

Dear Mr. Stillwell:

On behalf of our client, the Town of Tyre, located in Seneca County, we write to inform you that the Town considers the U. S. Fish and Wildlife Service ("USFWS") an "interested agency" for purposes of the environmental impact review that the Town is conducting pursuant to the State Environmental Quality Review Act for the proposed Wilmot Casino and Resort project to be located on approximately 85 acres directly north of the NYS Thruway on the east side of State Route 414 in the Town of Tyre. We request USFWS to provide any comments it may have regarding the potential environmental impacts from the Project on or before June 9, 2014.

The proposed project would include a 256,000-square foot Hotel with guest rooms, meeting rooms and a ballroom, a 195,000-square foot Casino with support service areas and restaurants, a 6-story parking garage with parking for 1000+/- vehicles and surface parking for approximately 2300 vehicles.

We enclose copies of maps locating the Project. The Town has consulted the USFWS's on-line resources and the Town will use the information from that inquiry in evaluating potential environmental impacts.

Mr. David A. Stillwell  
May 9, 2014  
Page 2

If you have any questions, please call me at 315-218-8182 or Adam Cummings, at Barton & Loguidice, 585-325-7190, Ext. 2218.

Thank you.

Sincerely,

BOND, SCHOENECK & KING, PLLC



Virginia C. Robbins  
Enclosures

cc: (with enclosures) (First Class Mail):  
Hon. Ronald F. McGreevy  
Charles Shaffer, Esq.  
Mrs. Elizabeth Sutterby

May 9, 2014

**VIA UPS OVERNIGHT**

Mr. Kevin King  
NYS Department of Agriculture and Markets  
Director, Division of Agricultural Development  
10B Airline Drive  
Albany, NY 12235

Re: *Proposed Wilmot Casino and Resort  
Town of Tyre, Seneca County, New York*

Dear Mr. King:

On behalf of our client, the Town of Tyre, located in Seneca County, we write to inform you that the Town considers the NYS Department of Agriculture and Markets ("Ag & Markets") an "interested agency" for purposes of the environmental impact review that the Town is conducting pursuant to the State Environmental Quality Review Act for the proposed Wilmot Casino and Resort project to be located on approximately 85 acres directly north of the NYS Thruway on the east side of State Route 414 in the Town of Tyre.

The proposed project would include a 256,000-square foot Hotel with guest rooms, meeting rooms and a ballroom, a 195,000-square foot Casino with support service areas and restaurants, a 6-story parking garage with parking for 1000+/- vehicles and surface parking for approximately 2300 vehicles.

We enclose copies of maps locating the Project on land that is currently zoned Agricultural. The applicant has requested the Town to create a planned unit development ("PUD") district for the project and, if the district is approved, the land would be rezoned to a PUD district for the Project. We also enclose a copy of Part 1 of an Environmental Assessment Form completed by the Applicant and a copy of an April 15, 2014 Notice of Intent to Convert Land to Commercial Use, including an Agricultural Data Statement, which was submitted to your Department by the Applicant.

It is our understanding that the owners of the Project land have requested that it be removed from Agricultural District designation and that the Seneca County Planning Board and the Seneca County Agricultural Enhancement Board (Farmland Protection Board) have both recommended removal from the district to the Seneca County Board of Supervisors. The public hearing on the removal is scheduled for May 13, 2014.

Mr. Kevin King  
May 9, 2014  
Page 2

We request Ag & Markets to provide any comments it may have regarding the potential environmental impacts from the Project on or before June 9, 2014.

If you have any questions, please call me at 315-218-8182 or Adam Cummings, at Barton & Loguidice, 585-325-7190, Ext. 2218.  
Thank you.

Sincerely,

BOND, SCHOENECK & KING, PLLC



Virginia C. Robbins

Enclosures

cc: (with enclosures) (First Class Mail):  
New York State Department of Agriculture and Markets, Rochester District Office  
Hon. Ronald F. McGreevy  
Charles Shaffer, Esq.  
Mrs. Elizabeth Sutterby

May 9, 2014

**VIA UPS OVERNIGHT**

Mr. Steven Metivier  
Regulatory Branch  
U.S. Army Corps of Engineers  
Buffalo District Office  
1776 Niagara Street  
Buffalo, NY 14207

Re: *Proposed Wilmot Casino and Resort*  
*Town of Tyre, Seneca County, New York*

Dear Mr. Metivier:

On behalf of our client, the Town of Tyre, located in Seneca County, we write to inform you that the Town considers the U.S. Army Corps of Engineers ("USACE") an "interested agency" for purposes of the environmental impact review that the Town is conducting pursuant to the State Environmental Quality Review Act for the proposed Wilmot Casino and Resort project to be located on approximately 85 acres directly north of the NYS Thruway on the east side of State Route 414 in the Town of Tyre.

The proposed project would include a 256,000-square foot Hotel with guest rooms, meeting rooms and a ballroom, a 195,000-square foot Casino with support service areas and restaurants, a 6-story parking garage with parking for 1000+/- vehicles and surface parking for approximately 2300 vehicles.

We enclose copies of maps locating the Project and a copy of a site plan showing the location of the on-site federal wetlands. The applicant has indicated that Project construction will not disturb any on-site state or federal wetlands and the boundaries of the delineated wetlands have been examined by the Town's consulting engineers.

We request USACE to provide any comments it may have regarding the potential environmental impacts from the Project on or before June 9, 2014.



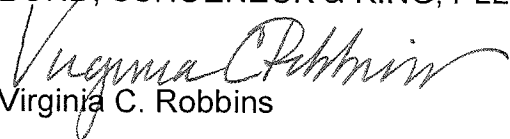
Mr. Steven Metivier  
May 9, 2014  
Page 2

If you have any questions, please call me at 315-218-8182 or Adam Cummings, at Barton & Loguidice, 585-325-7190, Ext. 2218.

Thank you.

Sincerely,

BOND, SCHOENECK & KING, PLLC

  
Virginia C. Robbins

Enclosures

cc: (with enclosures) (First Class Mail):  
Hon. Ronald F. McGreevy  
Charles Shaffer, Esq.  
Mrs. Elizabeth Sutterby