

# **Seneca County Planning Board**

**May 8, 2014**

## **Recommendations to the Town of Tyre**

**(1) Proposed Local Law No. 3 of 2014 to  
Amend Zoning Map**

**and**

**(2) Site Plan – Whitetail 414, LLC/Wilmot  
Casino and Resort**

TT 2014-3  
Zoning Map Amendment  
Town of Tyre

TO: Seneca County Planning Board  
FROM: Seneca Co. Dept. of Plan. & Community Development  
DATE: May 7, 2014

This request for an Amendment of the Town of Tyre Zoning Map requires review under Section 239 of the General Municipal Law because it is within 500 feet of State Route 414 and Agricultural District #6.

**GENERAL INFORMATION & ANALYSIS**

The Town of Tyre received a Development Plan under the Town PUD Law requesting that Town of Tyre Tax Parcel TT 12-1-36 be rezoned as a Planned Unit Development for the purposes of the development of a Casino and Resort. Under the PUD Local Law, the Town has 10 days from the acceptance of the Development Plan to amend the Zoning Map to reflect the parcel as being zoned PUD.

At the April 10, 2014 meeting of this Board, it was recommended that the Town of Tyre approve the Development Plan.

**SEQR:** Full EAF submitted - The Town Board has initiated a coordinated review and anticipates being lead agency. In order to avoid segmentation of the project, this is the same EAF as is being used for the Development Plan and the Site Plan.

**RECOMMENDATION**

The Seneca County Department of Planning and Community Development advises the Seneca County Planning Board to recommend the adoption of this Zoning Map Amendment.

**DOCUMENTS AVAILABLE**

Copy of Proposed Local Law #3  
Full EAF (Filed with Project Files)

Resolution 18-14

TT 2014-3

Zoning Map Amendment

Town of Tyre

**WHEREAS**, this request for a Zoning Amendment was forwarded by the Town of Tyre for review under Section 239 of the General Municipal Law, and

**WHEREAS**, the Seneca County Department of Planning and Community Development did review said request and prepared a report dated May 7, 2014, and

**WHEREAS**, the Seneca County Planning Board did meet on May 8, 2014 to consider this request, the report of the Seneca County Department of Planning and Community Development, and other pertinent information, be it therefore

**RESOLVED**, that the Seneca County Planning Board recommends approval of proposed Local Law #3 of 2014 that will Amend the Town of Tyre Zoning Map such that Tax Parcel 12-1-36 be zoned Planned Unit Development (PUD), and be it

**FURTHER RESOLVED**, that the Seneca County Department of Planning and Community Development be directed to forward word of this action to the Town of Tyre.

Motion Gordon Burgess

Second Donald Denman

Ayes 10

Nays 0

Recuse Lawrence Kesel

*Mary K. DeSylva*  
Secretary

TT 12-1-36  
Site Plan Review  
Whitetail 414, LLC  
Town of Tyre

TO: Seneca County Planning Board  
FROM: Seneca Co. Dept. of Planning & Community Development  
DATE: May 8, 2014

This request for a Site Plan Review is located in the Town of Tyre which requires review under Section 239 of the General Municipal Law because it is within 500 feet of State Route 414 and Agricultural District #6.

**GENERAL INFORMATION**

**Applicant:** Whitetail 414, LLC/  
Wilmot Casino and Resort  
**(Address)** 1265 Scottsville Road  
Rochester, NY 14624

**Status of Applicant:** Contract to Purchase

**Requested Action:** Review of the Site Plan under Town of Tyre PUD Law.

**Current Zoning:** Agriculture

**Location:** East side of Route 414, immediately north of NYS Thruway

**Size:** 84.957 Acres

**SEQR:** Full EAF submitted - The Town Board has initiated a coordinated review and anticipates being lead agency. Final action on the SEQR has not been taken and an updated Part I has been submitted to clarify minor points.

**Surrounding Land Use and Zoning:**

North:	Agricultural	Agriculture
South:	Thruway & Truck Stop	Commercial
East:	Agricultural	Agriculture
West:	Agricultural	Agriculture

**Public Utilities and Services:**

Water & Sewer	Private/None (extensions of Public Services proposed)
School District	Waterloo Central School District
Fire Dept.	Magee Fire Department

**ANALYSIS**

All aspects of the Analysis done for the review of the Development Plan by this County Planning Board at the April 10, 2014 meeting are still relevant and a copy of that Analysis has been attached.

A visual assessment for this project has been developed and is included with this application. Photos as part of this can be found in Appendix F of the Engineer's Report.

The Engineer's Report also includes appendixes relating to: Drainage, Water Supply, Sanitary Sewer, Sound Analysis, Visual Exhibits, Survey, and Geotechnical Studies.

In response to questions raised at the last meeting, Wilmorite Construction, LLC (Parent Company of Whitetail 414, LLC) plans to have the whole project LEED certified. Some of the highlights of the LEED certification would be: LED lighting (both inside and outside), Solar Power, on-site recycling, Grey water/Storm water reuse, Geothermal heating & cooling, All energy star HVAC and appliances, and Low VOC paints. They are also looking into using food waste for power by installing a trash plant. However, they have not completed the calculations or research to assure it is feasible.

**RECOMMENDATION**

The Seneca County Department of Planning and Community Development advises the Seneca County Planning Board to find that this application while having the potential for significant impacts on the community character has been proposed so as to minimize the impacts on the natural environment; and, thereby offset any negative impacts with the benefits of economic growth; and to further recommend that the Town of Tyre approve the proposed Site Plan.

**DOCUMENTS AVAILABLE**

Full EAF with Appendixes  
Letters of Application  
Engineer's Reports  
Site Plan Maps

Analysis from April 2014 Seneca County Planning Board Review of  
Development Plan for  
Wilmot Casino and Resort

The Site Plan/EAF contains a traffic study which looked at the following intersections (and roadways between) and evaluates their current functional traffic status in comparison to future status with or without this development and the proposed traffic improvements. This project anticipates the construction of additional traffic lanes between I-90 Exit 41 and the entrance of the project be increased to four lanes, including expansion or replacement of the bridge over the Thruway to accommodate four lanes. Modifications to the intersection of NYS Route 414 and I-90 Exit 41 are proposed including the construction of some turning lanes and installation of new traffic signal. It was found that the existing Thruway Exit 41 Toll Plaza has adequate processing capacity and pavement geometry to accommodate the additional Thruway traffic to be generated by this development.

Improvements have been suggested to other intersections including the Route 414 & 318 intersection including: construction of westbound dedicated right turn only lane, and installation of new signal to protect left turn movements. The intersections of Routes 5&20 with Route 318 and with Route 89 are proposed for new signals with more coordinated signaling between the two intersections.

The entrance to the complex is to be signaled and have dedicated turn lanes in and out of the project.

With these improvements, the proposed traffic functionality six (6) years from now should be the same as the current functionality and exceed what would be projected from normal growth if this project did not happen.

The proposed four lane entrance drive (two in, two out) extends to where a two lane one-way circle drive provides access to the main entrance of the hotel and of the casino. A system of sidewalks along/through the parking areas helps support safe pedestrian access in a largely vehicular environment. Both parking garage (1000+) and surface parking (2300+) are proposed to support the 195,000 sq. ft. casino, 200 room hotel with meeting and ball rooms, and approximately 256,000 sq. ft. of restaurants and bars. Parking is designed around various building areas to help reduce the amount of distance necessary to traverse across an open parking lot. Bus parking is to be provided along the west side of the casino structure.

The various uses within the project are all within interconnected structures. Interior location of various features other than listed as parking garage, casino, hotel, or courtyard have not been fully put forth at this level of review.

The applicants indicate that they will maintain most of the existing perimeter tree lines. The parking areas are to be landscaped with trees and grass area that will surround the parking areas that include the storm water maintenance facilities. The east end of the property will remain relatively untouched as it contains NYS Regulated Wetlands.

The closest setback will be 65' between the two-story ballroom structure and the agricultural property to the north. The 6-story parking facility will be 210' from the north property line. The 6-story south wing of the hotel will be about 200' from the NYS Thruway (I-90) right-of-way.

Currently storm water exits this site to the north and to the east. Collection and management has been designed to follow DEC regulations that water not be discharged from the site at any greater rate than it currently is. To this end, two Stormwater Management Facilities are to be developed - one to collect and allow settlement of waters that will eventually flow north and one to the east of the facility to control discharges to the wetland on the east end of the property.

At this time, it is proposed that a 12" water line be installed under the Thruway to serve this project. It is anticipated that a water district will be formed. Many residents north of the thruway have either low water volume or poor quality water and believe they could benefit from a water district.

Sanitary Sewer is proposed to be handled by a pressure main that would junction in with the current Sewer at the "Petro Pump Station" which is located south of the Town of Tyre line. An expansion of the Sewer District will likely be advanced to receive dedication of the line once it is on the south side of the Thruway but no Town District is to be created on the North side of the Thruway. Sewer lines in that area will be held as private lines. Work to the sewer lines along Route 414 in the Town of Seneca Falls will be conducted to assure that there is adequate capacity to handle this project and future development. These improvements were recommended in a study done last fall before this project was suggested.

This project will disturb approx. 60 acres during construction.

Of the 83+ acres, approximately 13.5 will end up as structures, and approximately 21.5 acres to be driveways, parking areas, and sidewalks. After construction, approximately 48 acres will be "green space" with 23 of those acres having not been disturbed. The completed "Green Space" to impervious ratio is 7:5 which is greater than in many concentrated residential areas.

The potential physical impacts on surrounding areas include: light/glare, noise and odor. All outdoor light fixtures to be used in the parking lots, etc., are to be "dark sky" meaning that they are designed to direct the light downward and not to the surrounding areas or the sky. Potential noise from this site will largely be vehicular. Odors that could be associated from this project are again from traffic and cooking odors. All restaurant vents will be filtered to reduce cooking odors. The predominantly westerly winds should help direct both noise and odors from the closest residences. Residences to the east are buffered by the wooded wetland areas at the east of the property.

While the Town of Tyre Comprehensive Plan does not specifically recommend large commercial development to the north of the Thruway, the Comprehensive Plan does indicate that the Town "has a significant opportunity to expand its Tax Base because it contains New York State Thruway Exit 41".



Resolution 19-14

TT 12-1-36  
Site Plan Review  
Whitetail 414, LLC  
Town of Tyre

**WHEREAS**, the request of Whitetail 414, LLC, an affiliate of Wilmorite, Inc., for a Site Plan Review to develop a Casino and Resort was forwarded for review under Section 239 of the General Municipal Law because it is within 500 feet of State Route 414, and Agricultural District #6, and

**WHEREAS**, the Seneca County Department of Planning and Community Development did review said request and prepared a report dated May 8, 2014, and

**WHEREAS**, the Seneca County Planning Board did meet on May 8, 2014, to consider this request, the report of the Seneca County Department of Planning and Community Development, and other pertinent information, be it therefore

**RESOLVED**, that the Seneca County Planning Board finds that this application while having the potential for significant impacts on the community character has been proposed so as to minimize the impacts on the natural environment and thereby offset any negative impacts with the benefits of economic growth, and be it

**FURTHER RESOLVED**, that the Seneca County Planning Board recommend that the Town of Tyre Board approve this application for Site Plan Review, and be it

**FURTHER RESOLVED**, that the Seneca County Department of Planning and Community Development be directed to forward word of this action to the Town of Tyre Town Clerk and Town Supervisor.

Motion	<u>Sally Kenyon</u>
Second	<u>Mark Lott</u>
Ayes	<u>11</u>
Nays	<u>0</u>
Recuse	<u>Lawrence Kesel</u>

*[Handwritten Signature]*  
Secretary