

August 20, 2014

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

**Re: Lago Resort & Casino
Modified Site Plan
Response to Comments**

2392A

Dear Adam:

We have prepared responses to your August 18, 2014 memorandum addressed to Supervisor Ron McGreevy regarding the Lago Resort & Casino Site Plan. We have provided your original comment with our responses immediately following in bold lettering.

Engineer's Report comments:

1. **Page 10** - The Engineer's Report indicates that bioretention areas will be incorporated for green infrastructure. Bioretention will require a 2-foot separation between the filter bottom and groundwater. Please comment on the depth to groundwater in the infiltration areas. Pretreatment will also need to be incorporated into the final design of the bioretention areas. Infiltration testing will be required to confirm percolation rates per the NYS Stormwater Design Manual.

Soil borings completed within the project site indicate that the water table is below the required separation distance requirements of the Green Infrastructure practice. The borings typically encountered shale bedrock at an approximate elevation of 480', which provides +/-20 between the bottom of the bioretention areas and the bedrock. Pretreatment for the bioretention areas will be provided within a stone diaphragm sized for each individual practice. Due to existing soil conditions and classifications, bioretention practices with underdrains were selected as the appropriate Green Infrastructure practice per the NYS DEC Stormwater Management Design Manual. Testing was completed throughout the site to confirm the selection of the green infrastructure practices.

2. **Page 34** – Visual Assessment – the prior site plan and Photo Simulation showed the facility would be visible from Photo Location No. 5, 6, and 7. Please specifically clarify how the impact, whether increasing or decreasing, to the residences in the vicinity of these photo locations will be affected by the modifications contained in the Amended Site Plan.

We have prepared and included new photo simulations with “leaf out” or winter conditions from the same general locations as the previous photos. We believe that with the relocation of the hotel further to the west and the lowering of the parking garage by 2 stories, there is less of a visual impact than was previously portrayed. We have also included new photos (taken 8/18/14) from the same perspectives as the previous photos with full foliage and were unable to site the buildings as we believe they will not be readily visible from these viewpoints. (Please note that the telephone pole in Summer View #1 was not present when the winter photos were taken.)

3. As noted during the original Site Plan review, a detailed Stormwater Pollution Prevention Plan will need to be developed in compliance with GP-0-10-001 (or effective permit at time of the Notice of Intent submittal).

We concur and will be preparing a detailed Stormwater Pollution Prevention Plan and Notice of Intent to be submitted to the NYS DEC for their review prior to commencement of work.

Site Plan Comments:

1. **Drawing 02** - Guardrails are required on retaining walls where differences in grade level on either side of the wall are in excess of 2.5' and are located closer than 3' to a walk, path, parking lot or driveway on the high side. Without wall dimensions shown on the plans we cannot confirm that the retaining walls exceed this threshold, but they appear this way based on the surrounding contour lines.

We will note the need for guardrails on all walls that exceed 2.5 feet and meet the other criteria noted above.

2. **Drawing 02** – As reflected during comments distributed during the original Site Plan review, we will recommend to the Town Board a condition to site plan approval that the applicant relocate the western entrance into the parking garage to the northern wall to avoid any potential disturbance impacts to the adjacent wetlands due to activities required to construct the western retaining wall of this entrance driveway into the parking garage.

We have discussed this matter with our client (construction manager), the gaming representative and the architects for the project. It is very important for the guest arriving at the Resort to have a visual on this parking entrance in order to avoid confusion as to how to enter the facility. It is equally important that the guests do not miss this entrance as they will have to drive around the entire facility perimeter road, or worse yet, try to turn around on the perimeter road and go back to the entrance. Furthermore one of the first items on the construction sequence drawings will be to provide a double row of bright orange construction fencing around the noted wetland area. Our client feels very comfortable that this entrance can be constructed without any disturbance to the protected wetland area; they have been in similar construction situations in this past and have successfully completed the projects.

3. **Drawing 02** – Several snow storage areas are unlikely to be used for this purpose due to traffic circulation patterns, and snow loading equipment movement requirements on the site. Specifically, the snow storage areas on the extreme north and south of the site (directly above and below the parking garage and casino buildings) are not likely to be used for this purpose and those labels should be removed. Additionally, the greenspace area surrounding the burial grounds was created to promote an appropriate buffer around the existing burial plots and the designated area. This area should not be utilized for snow storage.

We will remove the labels of snow storage in the areas noted above.

4. **Drawing 04** – There appear to be several errors in the Storm Sewer Schedule. The Rim Elevation of DB-1.1 and Inverts of DC-3 and DC-4 appear to be incorrect. Please clarify these elevations.

These elevations will be revised accordingly.

5. **Drawing 04** - Consideration should be given to the potential for Stormwater Pond A to short circuit given the close proximity of the inlet to the outlet. Can the inlet be moved or baffle installed within the pond to ensure that short circuiting does not occur?

We will take this into consideration with the current design to help to prevent the short circuiting of stormwater through the facility.

6. **Drawing 04** - The plans indicate the use of underground infiltration chambers. The sizing details and specifications of these chambers should be provided.

These details and specifications will be included in the Stormwater Pollution Prevention Plan which will be submitted to the NYS DEC for approval.

7. **Drawing 05** - Slopes in some areas are between 30-50% (swales, along North East entrance drive, and at the southern edge of the site). What are the maintenance practices proposed for these areas?

Appropriate erosion control stabilization measures will be employed during construction and post construction maintenance will be handled by the owner/operator.

8. **Drawing 05** - North East drive 520 contour appears to tie into the 525 contour near the dumpster storage area. Is a retaining wall proposed for this area adjacent to the oversized vehicle parking?

We have tied the proposed 520 contour into an existing 520 contour. A retaining wall is located directly east of the dumpster area and north of the oversized parking. This wall is noted on Site Plan Drawing 2392A – 02.

9. **Drawing 05** – The western parking area shows several spot elevations at 520.5, but is lacking a contour showing the 520 elevation for this area. Please clarify this discrepancy.

The majority of this western parking field falls between elevation 515 and 520, as the plan is at a 5 foot contour interval the noted 520.5 spot elevation is simply a high point to direct flow away from the curbed area.

10. **Drawing 05** - The proposed child care facility western pavement edge is at 520, building finished floor elevation is at 518. How will runoff be directed from the western pavement edge to the building to prevent it from draining towards the building?

Swales will be created around the building to assure positive grade away from the building. We will be sure to provide spot elevations on construction drawings around the island to assure positive drainage around and away from the building.

11. **Drawing 05** - What is the height of the proposed retaining walls? Please provide Top-of-Wall and Bottom-of-Wall labels.

The top and bottom elevations of the retaining walls will be labeled.

12. **Drawing 07** - Consider selecting plant species for pollination benefits, especially important in an agricultural community like Tyre. Hardy native flowering trees, shrubs and perennials will support pollinators, biodiversity and regional habitat values, which will benefit not only the formation of microhabitats on this site, but also pollinator insects for the nearby agricultural areas.

To the greatest extent practicable the project will utilize indigenous species that will benefit pollinators. These species will include flowering ornamental trees bushes and shrubs.

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

Sincerely,
BME ASSOCIATES



Michael A. Simon

cc: Ronald McGreevy, Supervisor Town of Tyre
Virginia Robbins, Esq.
Shawn Griffin, Esq.
James McKenna, Wilmorite
Juris Basens, Wilmorite