



# Department of Transportation

**ANDREW M. CUOMO**  
Governor

**PAUL A. KARAS**  
Acting Commissioner

**KEVIN BUSH, P.E.**  
Regional Director

April 26, 2018

Attn: Thomas Schwartz, Planning Board Chairman  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424

RE: SEQR Lead Agency Status for the Town of Canandaigua Planning Board for Star Cider Research and Tasting Center, located along Route 364 at the intersection with Marvin Sands Drive.

Dear Mr. Schwartz:

The New York State Department of Transportation concurs with the designation of the Town of Canandaigua Planning Board as lead agency for the referenced action.

Any work (including access or utility work) within the right of way of any State Highway will require a Highway Work Permit from the Department's Traffic Safety and Mobility Office. Also, any such work will require coordination with the Department's planned maintenance and/or capital improvements through our Ontario County Maintenance Office. Occupancy of any state-owned property (short or long term) may require a Permit for Use of State-Owned Property from the Department's Right-of-Way Office. As a permitting agency under SEQR, the Department should be given the opportunity to review any site plans, environmental impact statements, traffic studies, or drainage plans prior to approval to assure that the negative impacts on State facilities are mitigated as appropriate.

The State Smart Growth Public Infrastructure Policy Act, found in Section 6 of the Environmental Law, obliges the New York State Department of Transportation to evaluate projects it approves, undertakes, supports, or finances against the enumerated smart growth criteria. It is our expectation that a Smart Growth Checklist and attestation may be required prior to the issuance of either a Highway Work Permit or a Permit for Use of State Owned Property.

Please contact Jeremy Button of our Office of Right-of-Way at (585) 272-3326 if you have any questions concerning this matter.

Sincerely,

Kevin C. Bush, P.E.  
Regional Director, Region 4

pc: Dwayne Aycock, Acting Director of Operations, NYSDOT R4  
Paul Spitzer, Regional Traffic Engineer, NYSDOT R4  
Lora Leon, Planning, NYSDOT R4  
Christine O'Hern, Landscape Architecture/Environmental Group, NYSDOT R4  
Zachary Starke, Traffic, NYSDOT R4  
Jeremy Button, Right-of-Way, NYSDOT R4  
Scott Robinson, Resident Engineer, Ontario County Residency, NYSDOT R4

