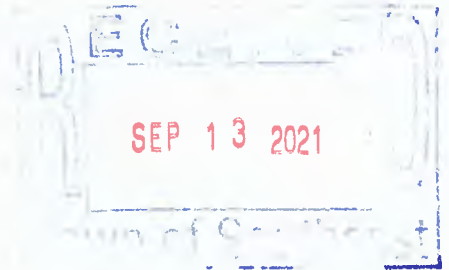




September 13, 2021

Mr. Thomas LaPerch, Chairman
Town of Southeast Planning Board
1 Main Street
Brewster, NY 10509



Vincent Sapienza P.E.
Commissioner

Re: **Notice of Intent to be Lead Agency
Brewster Yards / ProSwing
160 & 132 Pugsley Road
Town of Southeast; Putnam County
Tax Map #: 45.-1-10 & 11
DEP Log #: 2021-MB-0591-SQ.1**

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

Dear Mr. LaPerch and Members of the Planning Board:

465 Columbus Avenue
Valhalla, NY 10595

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Southeast Planning Board's (Board) Notice of Intent to act as Lead Agency and full Environmental Assessment Form (EAF) for the above referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

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F: (845) 334-7175

The proposed site is located in the Middle Branch Reservoir drainage basin of New York City's Water Supply. As Middle Branch Reservoir is phosphorous restricted, water quality impacts to the receiving reservoir from pollutant-laden runoff must be avoided or mitigated.

The proposed action involves a subdivision and the discontinued use of Town parklands which is to be conveyed to ProSwing Sports Realty, Inc. for the purpose of developing a commercial sports recreation complex. The land swap is necessary to convey the subject property to private ownership. The proposed multiple synthetic turf fields, concession stand, restrooms and pro store would be served by private water supply well and subsurface sewage treatment system. Parking for 449 spaces is also noted and access to the recreational complex will be via Pugsley Road.

DEP's status as an involved agency stems from its review and approval authority for a Stormwater Pollution Prevention Plan (SWPPP) pursuant to Section 18-39 of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). DEP also maintains review and approval authority of the commercial subsurface septic treatment system (SSTS) pursuant to Section 18-38 of the Watershed Regulations and the Delegation Agreement with the Putnam County Department of Health (PCDH).

9.13.21 Sent to PB

Based upon review of the submitted documents, DEP respectfully submits the following comments for the Board's consideration:

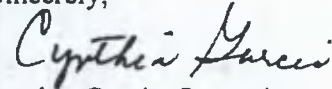
1. Based on the significant amount of land disturbance (47 acres), the anticipated extent of impervious surfaces (22 acres), the presence of steep slopes, and proximity of improvements to surface water features, DEP strongly supports the Board decision to circulate a draft scoping document and ultimately issue a Positive Declaration so that all potential adverse water quality impacts may be properly addressed via the DEIS.
2. The EAF indicates that the project will result in a significant loss of forest cover. The corresponding decrease in site recharge capacity and the increased runoff volumes over existing conditions may adversely impact surface water resources through increased duration and frequency of bankfull flood flows. The project sponsor is strongly encouraged to consider porous alternatives to asphalt surfacing for the site parking areas. Limiting the extent of new impervious surfaces will ultimately limit the rate, volume and pollutant load of post-development stormwater runoff, thus minimizing potential adverse water quality impacts. In any case, the DEIS must identify adverse impacts associated with this significant change in land use and sub-watershed imperviousness have been avoided or adequately mitigated.
3. A good portion of the project site includes NRCS Hydrologic Soil Group B soils, which are conducive to infiltration, occasionally coarse in nature and occasionally well drained. As such, the applicant is urged to maximize the use of stormwater infiltration and supplemental runoff reduction practices where feasible in order to fully reduce post-development runoff volumes to pre-development levels. Storage-type runoff reduction practices such as cisterns and rain barrels may be employed to meet a percentage of the site's irrigation needs.
4. A significant amount of regrading and other earthwork is proposed on approximately 47 acres and it is notable that more than half the project site consists of steep slopes. Fill placement and disturbance of steep slopes is strongly discouraged given the potential for erosion and sedimentation that may result in adverse impacts to surface water features. A detailed discussion of project phasing and the measures being employed to avoid surface water degradation due to steep slopes must be included in the DEIS.
5. A portion of construction activity and drainage improvements are proposed within the buffer of town regulated wetland areas that are associated with headwater streams. The location of stormwater management basins within wetland buffers is a practice DEP has consistently discouraged, as the loss

of forest cover, compaction of soils and potential sedimentation in the buffer may impair beneficial wetland and stream functions. It is well established that wooded buffer areas support adjoining wetlands and streams primarily by filtering sediment and nutrients and by maintaining conditions that promote sheet flow, infiltration and recharge of runoff. The DEIS should clearly indicate that the project sponsor has pursued alternative approaches to project layout and site access that avoid potentially adverse wetland and wetland buffer impacts and impacts to Middle Branch Reservoir and its tributary streams.

6. To minimize potential impacts to water quality during the construction period, the DEIS must include a detailed discussion of construction phasing keyed to soil erosion and sediment control measures and an analysis of the on-site soil limitations, including the published erosion hazard.
7. Note that the construction of impervious surfaces within the limiting distance of 100 feet of a watercourse or NYS-regulated wetland is generally prohibited by the Watershed Regulations.
8. Given the expected wastewater flows, in accordance with the NYSDEC *2014 Design Standards for Intermediate Sized Wastewater Treatment Systems*, a mounding analysis must be performed to evaluate the potential for and extent of groundwater mounding in the area of the proposed SSTS.
9. Soil testing performed for the SWPPP and SSTS design must be witnessed by DEP. Soil testing includes percolation testing, infiltration testing and deep test pits. The applicant's representative may contact Melissa Ng at MNg@dep.nyc.gov to make arrangements. It is highly recommended that this testing be completed prior to the completion of the SEQRA process to demonstrate that the selected practices and their locations are viable.
10. A valid NYSDEC wetlands certification block shall be provided for all NYS wetlands onsite and on adjoining properties that may impact the layout and footprint of the project.
11. The applicant should clarify whether traffic impacts will necessitate widening or improvements to Pugsley Road and/or Fields Corner Road.
12. The legends and callouts shown on drawings do not clearly specify surface cover types. In particular, provide specifications for any proposed surfaces that the design team considers pervious, including the synthetic turf, gravel and permeable pavement.
13. According to DEP's GIS mapping system, both parcels referenced in the circulated documents total 156.18 acres, yet the EAF indicates 81.78 acres. Please explain this discrepancy.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyc.gov or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia, Supervisor
SEQRA Coordination Section

X: A. Dangler, USACOE
J. Petronella, NYSDEC Region
J. Paravati, P.E. PCDH