



July 3, 2019

Mr. David P. Lombardi, P.E.  
JMC Site Development Consultants  
120 Bedford Road  
Armonk, NY 10504

Vincent Sapienza P.E.  
Acting Commissioner

Re: **Commercial Campus at Fields Corner formerly Northeast Interstate Logistic Center Draft Final Environmental Impact Statement (FEIS)**  
**Pugsley Road**  
**Town of Southeast, Putnam County, NY**  
**Tax map #: 45.-1-4, 5, 8, 12 & 13**  
**DEP Log#: 1997-MB-0246-SQ.2**

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

Dear Mr. Lombardi:

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Valhalla, NY 10595

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The New York City Department of Environmental Protection (DEP) has received the Draft Final Environmental Impact Statement (FEIS) dated March, 2019, prepared by JMC Site Development Consultants, LLC., and 2) site development plans also prepared by JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC, last revised March 18, 2019.

It is DEP's understanding that the draft FEIS has been submitted to the agency for advance review prior to its being accepted by the Lead Agency. In response to your request for comment, DEP offers the following:

1. Staging areas are shown and called out on the plans. This symbol is incorrectly shown inside building areas, for instance on Sheet C-203, and must be revised.
2. Methods to manage and treat stormwater runoff along Pugsley Road must be provided in order to mitigate impacts and fulfill regulatory requirements. In addition, the plans show that Route 312 will be widened; stormwater treatment practices must also be provided at this location.
3. Lot 1 is proposed to house the stormwater management facilities and the subsurface treatment system (SSTS) for Building A. Based upon the results of the onsite soil testing, the proposed infiltration basin 4A-1 is located in an area of steep slopes and high groundwater and requires significant regrading. The more suitable area for this practice appears to be in the upper high and dry location on Lot 1. Moreover, this area is

7.3 forwarded to PB



being credited as open space, yet it appears as though it is being conserved for a future growth use.

4. "Bottom of Ridgeline" is called out on Sheets C-211 and C-212. Please explain this term as the contours do not seem to match.
5. Lot 5 is shown to consist of ±3.87 acres, and in the DEIS submission, this parcel was to be donated to Putnam County. DEP requested additional information during the DEIS review phase regarding the nature of the proposed use of this parcel. The driveway previously shown for this lot has been removed from the drawings, yet the response provided in the draft FEIS does not address the agency's initial concern. Please provide clarification and assurance that this lot will be designated/donated as future open space.
6. Sheet C-100 shows in the legend and indicates on the plans the location of porous asphalt. Soil testing in the areas of porous asphalt pavement is required. Note that porous asphalt may not be the optimal surface for truck traffic. In accordance with the Stormwater Design Manual, systems under these surfaces in areas of high traffic volume, such as the area shown on the entryway drive, are prone to failure.
7. It does not appear that the minimum separation distance of 50 feet between the porous pavement and the proposed SSTS on Lot 3 is being maintained. Again, it is not clear why porous pavement is being shown in an area proposed to be constructed of concrete.
8. Due to the presence of high groundwater, it has not been successfully demonstrated that the proposed infiltration and bioretention basins can successfully infiltrate and reduce the post-development volume of stormwater runoff. Additionally, due to the large concentration of stormwater being directed to this practice in such a confined area, a groundwater mounding analysis may be required to demonstrate that the proposed practices are viable.
9. Note that per Chapter 10 of the Stormwater Design Manual, Pocket Ponds (5B-1) are not allowed in NYC's watershed due to the potential phosphorus exportation associated with this practice.
10. Although an effort has been made to reduce the amount of earthwork on slopes in excess of 20%, a fair amount of regrading within and adjacent to the NYS wetland buffer remains. Moreover, groundwater is being intercepted from across Pugsley Road and being directed to DEC wetland LC-28. One of the goals of the SWPPP is to maintain pre-development hydrology patterns to the extent practical. The drastic increase of impervious surface in large discrete areas will significantly alter on-site hydrology, as shown in the post-development drainage maps. The result is a radical departure from the preexisting condition, resulting in potentially adverse impacts to each wetland – i.e., overloading runoff to certain wetlands while decreasing surface flow to others. There doesn't appear to be any mitigation for these potential impacts in this area of disturbance.

11. Please show the DEP-required 100-foot setback to all watercourses on the drawings.
12. The plans show an underdrain and temporary swale along Pugsley Road due to the road realignment and regrading on steep slopes. Due to the presence of high groundwater, there is the potential for short circuiting of the SSTS on Lot 1. As such, please ascertain that the separation distance from the SSTS to the underdrain is maintained and verify that the soils and slopes along the site can disperse the proposed stormwater and wastewater flow without experiencing effluent breakout onto the ground surface.
13. On the Utilities Plan, a heavy dash line to the cistern collection system is shown. Please clarify whether these are roof or footing drains, and include the symbol in the legend.
14. Clarify whether 3B-1 shown on Drawing C-302 is a pocket pond or wet pond. Each is considered a separate practice in the Stormwater Design Manual and as previously stated, DEP does not allow pocket ponds. In addition, the outlet for the proposed micropool extended detention basin is not shown.
15. The stormwater that is being collected in the cistern system is to be utilized up to the 1-year storm event and cannot rely on the wet pond practice. While the cisterns shown on Sheet C-404 are capable of holding a massive amount of stormwater runoff, there does not appear to be adequate lawn area for to be dispersed. It appears that stormwater runoff is only being attenuated and runoff reduction is not being provided. As such, this practice does not appear to be viable and is ineligible as a green practice as runoff reduction.
16. Wet Pond 1B-1 appears to have a drainage area of less than 25 acres, and as such, will not function as intended per the Stormwater Design Manual.
17. A portion of the SSTS shown on Sheet C-403 appears to be on slopes in excess of 20%. This is not permissible and the steeply graded fill area in the corner of the system must be reconfigured.
18. It is recommended that the site plans be revised to include construction fencing around the areas of the SSTS and infiltration basins to prevent compaction to those areas from heavy equipment.

Based upon the review of the submitted documents, several serious concerns either remain or have not been adequately addressed, such as the increases in phosphorus as a result in of the change in land cover from forest/meadow to impervious surface, thermal impacts and lack of appropriately designed and located stormwater practices. Post construction, stormwater management practices can become inundated and their functionality compromised as a result of unintended runoff volumes entering the practices.

Rainwater harvesting is now being proposed in lieu of infiltration, yet it has not been demonstrated at all that the cistern design can operate as intended. As such, the project

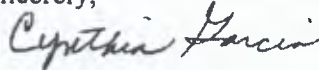
sponsor has failed to demonstrate that the proposed method of treatment is feasible and can support this level of development.

DEP remains concerned about the project site constraints and limited ability to effectively manage and treat stormwater runoff. Extensive soil testing has been performed recently and in the past. The general site condition is that of high groundwater and erosive soils which limits the siting of both sewage and stormwater management systems. This issue has long been documented and is the primary reason these parcels and a prior development project were included in DEP's since terminated Phosphorous Offset Pilot Program.

In conclusion, DEP believes that the project, as proposed, is over developed, and in its current state, the action will result in significant and substantive site-specific environmental impacts to receiving streams, Middle Branch Reservoir and ultimately the City's water supply. As such, a scaled down, lower impact version must be considered.

DEP appreciates the opportunity to review the revised submission. You may reach the undersigned at [cgarcia@dep.nyc.gov](mailto: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
- J. Paravati, P.E. PCDH
- T. LaPerch, Southeast Planning Chairman