

Appendix A
SEQRA DOCUMENTATION

Adopted Scoping Document for Draft Environmental Impact Statement for the Proposed Development of Pugsley Road Site Baseball Complex

A. PROPOSED PROJECT

Proswing Sports Realty, Inc., (Applicant) seeks to construct and use a commercial recreation complex for baseball and other sports on approximately 82 acres of land located on Pugsley Road, and Fields Corner Road in the Town of Southeast, Putnam County, New York. The project is being called “Brewster Yards”. The site comprises two parcels of land separated by land owned by the Town (formerly Zimmer Road). The property is located in the RC Rural Commercial zoning district.

In 2020, the State Legislature passed and the New York State Governor signed legislation authorizing the Town to discontinue as parklands and to alienate lands on Pugsley Road to permit portions of such lands to be conveyed to Proswing Sports Realty, Inc. for the purpose of developing indoor and outdoor commercial recreation facilities as permitted by the Town Code. The Proposed Action is the securing of approvals to develop a commercial recreation complex on portions of the Pugsley Road lands and transfer of ownership of the subject land from town to private ownership in fulfillment of (1) the approval of a Home Rule resolution adopted by the Town Board, and (2) the Land Exchange Agreement authorized and executed by the Applicant and the Town of Southeast.

The Town of Southeast Planning Board has declared itself as the Lead Agency for purposes of the requisite coordinated environmental review pursuant to the State Environmental Quality Review Act (SEQRA). Based upon its review of an Environmental Assessment Form submitted for the project, the Planning Board has designated the proposed project a Type 1 action under SEQRA. Separate findings statements would be made by each of the Involved Agencies having approval authority for this project.

REQUIRED REVIEWS/APPROVALS

The Proposed Action requires approvals or permits from the following agencies:

- Town of Southeast Town Board – approval of land swap, construction of a Town road (former Zimmer Road)
- Town Planning Board – subdivision approval, site plan approval, wetlands permit, erosion control permit
- Town Zoning Board – variances for minimum front yard setback, environmental conservation buffer, and minimum front parking setback
- Town Architectural Review Board - architectural review report
- Town Highway Superintendent – driveway permit
- County Department of Planning - §239 Review
- County Health Department – well permit, sewer/septic & water systems
- NYCDEP – sewer/septic permit, stormwater management approval
- NYSDEC – wetlands permit, water supply permit, coverage under general permit for stormwater
- NYSDOT – Highway Work Permit for roadwork (if needed)

- NYS OPRHP – Determination of impact on cultural resources
- US ACOE – wetlands permit (if needed)
- Town of Patterson (no approvals, but an interested agency)

POTENTIAL ENVIRONMENTAL IMPACTS

The Environmental Assessment Form and proposed plan prepared for this proposed action identified potential environmental impacts in the following areas:

LAND USE, ZONING, AND PUBLIC POLICY

The proposed project would not require any zoning changes. The proposed project would increase the intensity of land use at the project site.

GEOLOGY, SOILS, AND TOPOGRAPHY

Construction of the proposed project would involve disturbance to slopes in excess of 15 percent, and more than 10 acres of land.

VEGETATION AND WILDLIFE

Construction of the proposed project would permanently disturb vegetated areas including elimination of woodland habitat.

WETLANDS AND WATER RESOURCES

Direct disturbance to wetlands on the property would be avoided however the proposed project will alter buffer/adjacent areas in several locations. Stormwater drainage would flow from stormwater management basins into these wetlands and downstream. The project site is located within the Middle Branch Reservoir basin of New York City's drinking supply watershed. This basin is designated as Phosphorus-Restricted by NYCDEP.

SOCIOECONOMIC CHARACTER, FISCAL IMPACTS, AND COMMUNITY CHARACTER

The project would generate new property and sales tax revenue to the Town, Putnam County, and New York State from land that is now wholly tax exempt. A modest increase in employment taxes would be generated by the project.

COMMUNITY FACILITIES

The project would create potential demand for additional community services such as police and fire. The project would respond to existing demand for recreational facilities in the Town, Putnam County, and the broader region.

CULTURAL AND AESTHETIC RESOURCES

The project site may have had the potential to host prehistoric or historic archaeological resources.

TRAFFIC

The proposed project would generate new traffic on the local roadway network.

AIR QUALITY

The potential for air quality impacts is associated with construction equipment and additional traffic on the local roadway network by workers and clientele, although below emissions permit levels.

NOISE

The potential for short term noise impacts is associated with construction equipment and periodically during project operation.

INFRASTRUCTURE AND UTILITIES

Additional demand on infrastructure (roads) and utilities (electricity) could result from the development.

CONSTRUCTION

Construction of the proposed project may have temporary impacts on neighboring properties and the roadway network.

B. REQUIRED ELEMENTS OF THE DEIS**GENERAL GUIDANCE**

The Draft Environmental Impact Statement (DEIS) is intended to convey general and technical information regarding the potential environmental impacts of the proposed project to the Town of Southeast Planning Board (as Lead Agency), the Town of Southeast Town Board (as an interested agency), as well as several other agencies involved in the review of the proposed project. The DEIS is also intended to convey the same information to the interested public. The Preparer of the DEIS is encouraged to keep this audience of the DEIS in mind as it prepares the document. Enough detail should be provided in each subject area to ensure that most readers of the document will understand, and be able to make decisions based upon, the information provided.

As the DEIS will become, upon acceptance by the Lead Agency, a document supporting objective findings on approvals requested under the application, the Preparer is requested to avoid subjective statements regarding potential impacts. The EIS should contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion should be prefaced by statements indicating that “It is the applicant's opinion that...” The Lead Agency reserves the right, during review of the document, to request that subjective statements be removed from the document or otherwise modified to indicate that subjective statements are not necessarily representative of the findings of the Agency.

Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include adjacent properties (if appropriate), neighboring uses and structures, roads, and water bodies.

REQUIRED ELEMENTS

The DEIS shall contain an analysis of environmental impacts in the subject areas outlined below and an identification of any significant adverse environmental effects that cannot be avoided if the proposed project is implemented. Information for each of the subject areas shall be provided in individual chapters describing existing conditions, conditions in the future without the proposed project (the “No Build” condition), potential impacts of the proposed project, and mitigation measures for any significant adverse impacts identified. Each chapter shall include a brief introduction identifying the major topics to be considered, relevant methodology used, and thresholds for determining if significant adverse impacts exist. An Executive Summary describing the proposed project and all significant adverse impacts identified shall also be included.

The current conditions on the site shall be considered the existing conditions throughout the technical analyses. The analysis of the future without the project should be based upon conditions projected in the build year for the proposed project (2023). The analysis of the future without the proposed project (the “No Build” condition) shall include, at a minimum, the following projects in the vicinity of the proposed project and any approved mitigation measures (such as road improvements) for the projects:

- Commercial Campus at Fields Corner Project (aka Northeast Interstate Logistics Center), Route 312, Southeast, NY;
- Ace Endico Expansion, 80 International Blvd., Southeast, NY;
- Other projects utilizing Route 312 recently approved or pending approval by the Town of Patterson.

The Applicant shall contact Town of Patterson to identify any other large projects that should be added to this list.

ORGANIZATION AND EXPECTED CONTENT OF DEIS

COVER SHEET AND GENERAL INFORMATION

The Cover Sheet shall identify: the proposed project; its location; the name, address, and phone number of the Lead Agency including a Contact Person; the name, address, and phone number of the Preparer of the DEIS including a Contact Person; the document as a DEIS; the Date of Acceptance of the DEIS by the Lead Agency; the internet address at which the DEIS is posted; and the dates of the Public Hearing and the closing of the Public Comment Period.

Additional information, to be provided on pages following the Cover Sheet, shall list: the name(s) and address(es) of the applicant and its representatives; the name(s) and address(es) of all consultants involved in the project and their respective roles.

The DEIS shall include a list of all Involved and Interested Agencies, Town Departments, and Town Consultants to whom copies of the DEIS and supporting material will be distributed.

A Table of Contents followed by a List of Tables and List of Figures shall be provided.

EXECUTIVE SUMMARY

- A. Introduction
- B. Description of the proposed action
- C. List of all local, County, State, and other approvals required
- D. List of all Interested and Involved Agencies
- E. Summary of significant impacts identified in each subject area
- F. Summary of mitigation measures proposed for significant project impacts
- G. Description of alternatives analyzed

CHAPTER 1: PROJECT DESCRIPTION

- A. Introduction
 - 1. Identify the document as the Draft Environmental Impact Statement for the proposed action and the location of the proposed action.
- B. Project Purpose and Need
 - 1. Describe the Starr Ridge Road “land swap” and Pugsley Road site alienation process that preceded the current site development application.
 - 2. Describe development potential of the Starr Ridge Road site and the parcels at the Pugsley Road site to remain Town-owned open space. Describe how public use and access to these sites will be accommodated.
 - 3. Identify how the operations of the proposed development will be coordinated with existing sports venues to benefit the Town.
- C. Project Description
 - 1. Location and Site Setting - include local and regional geographic descriptors, tax map designation(s), size of parcel(s) affected by proposed action, existing and proposed zoning designation(s), adjoining streets and land uses, and natural features or habitats on-site or contiguous (physically, hydrologically, or otherwise) to the site.
 - 2. Project Description - include all information necessary to describe the project and its component parts. Information to be provided should include a description of: the proposed site layout, proposed buildings; operational information including vehicular access, parking, and loading requirements and typical hours of operation; site improvements including grading, roadways, parking areas, drainage features, and pedestrian improvements; provisions to preserve buffers around the project; programmatic information describing the anticipated use of the facility; a description of improvements to be undertaken by the applicant and improvements to be undertaken by the Town of Southeast; and the construction/phasing schedule for the proposed project.
 - a. Describe access for emergency vehicles to the playfields.
 - b. Identify number and locations of outside scoreboards, public address systems, playgrounds.

- c. Describe walking trail proposed on open space lot, including public access and parking.
 3. Building Design - Include description of architectural features of the proposed buildings, including graphic depictions of each of the buildings, façade treatment for all building sides, building materials, screening for HVAC equipment, and integration of green building practices such as those suggested by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) program.
- D. Summary of Approvals Required

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

A. Introduction

B. Land Use

1. Existing Conditions - Describe existing land use conditions on the project site and in the vicinity of the project. The study area for the land use assessment shall include all land within ¼ mile of the project boundaries.
2. Future Without the Proposed Project
3. Potential Impacts as a Result of the Proposed Project - Describe the relationship of the proposed project with adjoining uses and discuss the effects of this facility on the general land use pattern within the study area.
4. Mitigation Measures Proposed.

C. Zoning

1. Existing Conditions - Describe the existing zoning for the project site. Include information on allowed uses and building bulk and setbacks required within the district.
2. Future Without the Proposed Project, including potential uses of the property other than the proposed use.
3. Potential Impacts as a Result of the Proposed Project - Describe the need for any proposed zoning changes to accommodate the project.
4. Mitigation Measures Proposed.

D. Public Policy

1. Existing Conditions - Outline relevant policies contained in the Town of Southeast Comprehensive Plan Update 2014 and the Town of Southeast Croton Plan with respect to the project site and commercial development at the site. Identify specific provisions within the Comprehensive Plan of relevance to the proposed development.
2. Future Without the Proposed Project
3. Potential Impacts of the Proposed Project - Assess the compatibility of the proposed project with relevant policies contained in the Comprehensive Plan Update and Croton Plan. Provide specific references to the full text of relevant Plan policies.
4. Mitigation Measures Proposed.

CHAPTER 3: COMMUNITY SERVICES

- A. Introduction
- B. Police - Describe existing police protection in the area. Describe anticipated changes to service levels in the future without the project. Assess potential impacts of the proposed project on police protection on- and off-site.
- C. Fire - Describe existing fire protection in the area. Describe anticipated changes to service levels in the future without the project. Assess potential impacts of the proposed project on fire protection.
- D. Emergency Medical Services - Describe existing emergency services in the area. Describe anticipated changes to service levels in the future without the project. Assess potential impacts of the proposed project on emergency service provision on- and off-site.
- E. Public Works - Describe existing level of Town of Southeast public works services. Describe changes to demands on Town of Southeast services resulting from development in the future without the proposed project. Describe potential impacts to Town public works services with the proposed project.
- F. Mitigation Measures Proposed.

CHAPTER 4: ECONOMIC CONDITIONS

- A. Introduction
- B. Existing Conditions
- C. Future Without the Proposed Project
- D. Potential Impacts
 - 1. Construction Period – Provide a general discussion of the expected economic impacts to the local economy during the construction period. Identify the number of jobs (in person-years) to be generated directly by the construction.
 - 2. Operation Period - Identify approximate number of employees that would be generated by the proposed project, including seasonal and year-round. Indicate whether employees would be likely to relocate to the Town of Southeast or surrounding communities to fill jobs. Calculate existing and estimated property and sales tax revenues to the Town of Southeast, Putnam County, and New York State from the project site as a result of operation of the proposed project. Coordinate with the Town of Southeast tax assessor to obtain relevant data for the analysis.
- E. Mitigation measures proposed.

CHAPTER 5: VISUAL RESOURCES AND COMMUNITY CHARACTER

- A. Existing Conditions - Describe through text and photographs the visual character of the project site within the context of its surrounding area. Include a description of prevalent landforms and vegetative cover. Identify any significant views of the project site from local roads, publicly accessible adjoining properties, and I-84.
- B. Future Without the Proposed Project

- C. Potential Impacts of the Proposed Project - Describe any changes to the landscape character as a result of the proposed project. Provide a topographic map indicating potential visibility of the project site from locations within a one-mile radius of the site. Describe visibility of the project from I-84 and surrounding local roads.
1. Provide a color perspective rendering showing landscaping at the time of project opening.
 2. Provide color perspective renderings and/or line-of-sight drawings showing the proposed improvements in the context of the site from any public location from which substantial views of the site are possible but from the following sites at a minimum:
 - A location on I-84 north of the site;
 - A location on I-84 south of the site;
 - Garrity Boulevard;
 - Independent Way;
 - International Boulevard;
 - Representative locations along Pugsley Road and Fields Corner Road (north and south of the site).
 3. Identify any portion of the project that would protrude above the ridgeline as defined by the Zoning Code.
 4. Describe any proposed signs and site lighting and impacts on near and far views. Identify any impacts to the visual character of the area resulting from the proposed project, including effects on the night sky, and cumulative effect of lighting accounting for activities at the Commercial Campus at Fields Corner site and the Tilly Foster Farm.
 5. Describe the increased intensity of land use on Pugsley Road as relates to noise, lighting, traffic, particularly the effect of sports events on the character of the neighborhood.
- D. Mitigation Measures Proposed.

CHAPTER 6: CULTURAL RESOURCES

- A. Archaeological Resources - Prepare a preliminary assessment of the project site's potential for archaeological sensitivity. A Phase IA documentary study should be prepared that will address the project site's potential to have hosted prehistoric and historic resources of significance. This assessment will take into consideration known archaeological sites in the area and cite file information from the New York State Office of Parks, Recreation, and Historic Preservation, the New York State Museum, and local sources.
- If the Phase IA analysis identifies potential sensitivity for cultural resources on the project site, a Phase IB site survey, including a subsurface investigation, should be completed to determine the presence or absence of cultural resources on the project site.
- B. Historic Resources - Identify any designated or eligible historic resources on the project site and on adjacent properties. Assess potential project-related impacts on any identified resources.
- C. Future Without the Proposed Project
- D. Mitigation Measures Proposed.

CHAPTER 7: NATURAL RESOURCES

- A. Introduction - This chapter shall include an overall depiction of the natural conditions found on the project site and shall serve as a means for assessing cumulative impact on natural resources on the project site and for assessing impacts to terrestrial habitat and wildlife. Detailed discussions of potential impact to specific areas of environmental concern are to be included in subsequent chapters.
- B. Existing Conditions - Identify vegetative communities and habitat types on the project site and in the vicinity of the site, including a general description of species presence and abundance, age, size, distribution, dominance, community type, productivity and value as habitat for wildlife. Include both migratory and resident wildlife species. Identify any protected native plants, State- or federally-listed threatened or endangered plant and animal species, unique or locally rare plants and animals, and significant habitat areas known or reasonably expected to exist on or in the immediate vicinity of the project site.

This study will include the following tasks:

1. Research relevant information concerning target species including bird, mammal, reptile, amphibian, aquatic and plant species. This research effort will include review of available published data documenting habitat requirements, diagnostic information and known occurrences of different species and habitat types in the project area.
2. Conduct field reconnaissance on the project site to evaluate and document existing habitat types and conditions, determine the presence/absence of the potential habitats associated with the target species, and surveys for individuals of the target species that would be expected to be present on the property.
3. Following the field investigation work, a biological habitat assessment will document the presence or absence of the target species, describe the species identified, and include photographs of the habitat areas and conclusions concerning the potential use of the property by the target species. If observance of sensitive species or significant habitat(s) warrants, the report will make recommendations concerning the need for additional surveys or adjustments to the proposed plan of development to preserve such habitat(s).

Provide a graphic figure of existing onsite vegetation communities/habitats. Provide a single graphic depicting natural resources (wetlands, watercourses, steep slopes, and significant habitat types or vegetative communities) or constrained lands with the outline of proposed improvements shown for reference. Where the environmental features continue beyond site boundaries into neighboring properties, indicate this graphically.

- C. Future Without the Proposed Project
- D. Potential Impacts of the Proposed Project - Assess the potential impacts to existing vegetative communities or habitat as a result of the proposed project. Describe the proposed method for tree removal and disposal and measures to protect trees to remain. Discuss features of the proposed site plan that reflect steps taken to avoid, minimize or mitigate potential impacts on existing vegetation, wildlife and ecology.
- E. Mitigation Measures Proposed.

CHAPTER 8: GEOLOGY

- A. Introduction
- B. Existing Conditions
 - 1. Soils - Describe on-site soils and their suitability for urban development and on-site stormwater management. Identify depth to groundwater at locations on the project site. Identify any soils known to be highly erodible or significant areas of soil with a high clay fraction. Subsurface investigations that identify soils characteristics necessary for design of stormwater management and wastewater treatment systems shall be performed under the direction of a professional engineer. Provide a graphic figure of onsite soils.
 - 2. Topography - Describe the topography of the site and include a topographic map showing the following slope categories: 0-15 percent, 15-25 percent, and greater than 25 percent. Provide a graphic figure of onsite topography.
 - 3. Bedrock - Describe the depth to bedrock on the project site and the amount, if any, of any bedrock removal and the means and methods anticipated to be used for removing bedrock.
- C. Future Without the Proposed Project
- D. Potential Impacts of the Proposed Project
 - 1. Soils - Describe the suitability of on-site soils to support stormwater basins; quantify the amount of cut-and-fill and the amount of any soils to be exported from or imported to the site. Provide information on use of excavated soils and materials, and describe procedures for removal of excess material from the site, if applicable. Provide anticipated source of fill, and describe quality of fill, if applicable.
 - 2. Topography - Changes to the site's topography resulting from project grading should be identified and the techniques proposed to minimize soil erosion and slope failure should be described. Identify and analyze impacts to topography and evaluate effect of such impacts.
 - 3. Bedrock - Discuss likelihood of blasting and, if needed, identify areas that will require blasting and quantity amount/extent.
 - 4. Erosion and Sediment Control Plan—Describe grading and excavation plans with respect to changes in drainage patterns and potential soil erosion. Identify and describe measures for controlling erosion and preventing sediments from migrating off site.
 - 5. Identify and describe proposed grading for the Site (with reference to a map showing 2-foot contour intervals and proposed Clearing and Grading Limit Lines).
 - 6. Identify and analyze the amount and location of earthwork anticipated (preliminary cut and fill analysis), identify total amount of disturbance, and evaluate effect of such earthwork.
 - 7. Identify and analyze acreage impacted by construction including quantification of existing steep slopes to be disturbed and new steep slopes to be created and an evaluation of the effect of such impacts.
- E. Mitigation Measures Proposed

CHAPTER 9: WATER RESOURCES AND WETLANDS

- A. Introduction
- B. Existing Conditions:
 - 1. Describe and identify graphically all watercourses and wetlands on the project site and in the vicinity of the site. The description should include the existing drainage patterns on the site, a description of the watershed, and discharge points of existing drainage.
 - 2. Identify applicable regulations or regulated activities within Town of Southeast Town Code and NYCDEP watershed regulations.
 - 3. Provide delineation, field verification, survey and mapping of Town of Southeast, NYSDEC, and U.S. Army Corps of Engineers wetlands and wetland buffers on and within 150 feet of the site, using definition appropriate to each jurisdiction (with reference to a map). Surface water resources within ¼ mile of the Site's boundary will be identified based on existing resource data (e.g. Soils Survey, National Wetland Inventory maps, with reference to a map). Vernal pools that do not meet these definitions shall also be identified. Town of Southeast mapping shall be based upon criteria in Chapter 78 of Town Code.
 - 4. For each respective wetland buffer identify type and percent cover of vegetation (with references to a map). Identify and describe the function of buffer areas.
 - 5. Describe the interconnectivity between wetlands and water resources on the site and in the area.
 - 6. Discuss the existing drainage patterns.
 - 7. Discuss the project site's location within the NYCDEP watershed.
 - 8. Describe flooding issues and any identified 100-year floodplains affecting the project site.
 - 9. Identify regulatory authorities including Town officials, NYCDEP, NYSDEC, and the US Army Corps of Engineers (USACOE) applicable to the project.
- C. Future Without the Proposed Project
- D. Potential Impacts of the Proposed Project:
 - 1. Assess the potential impacts to existing watercourses qualitatively, including the NYC receiving water (Middle Branch Reservoir) and its tributary watercourses and reservoirs. Identify how on-site drainage patterns will be altered including a qualitative assessment of the resulting impacts to wetlands and streams.
 - 2. Identify, discuss and analyze direct and indirect impacts to wetlands, including vernal pools, and respective wetlands buffer areas as regulated by the Town of Southeast, the NYSDEC and the USACOE, including acreage impacted for each regulatory jurisdiction (with reference to a map). Provide qualitative analysis regarding the potential wetland and wetland buffer impacts including degradation of wetland functions with the criteria for approval in Southeast Town Code Section 78-4.G. Identify and analyze proposed measures to mitigate any disturbance to the Town, NYCDEP and NYDEC buffers.
 - 3. Evaluate impact of proposed stormwater management plan on wetland hydrology and hydrologic cycle as per Chapter 78 of Southeast Town Code.
- E. Mitigation Measures Proposed

CHAPTER 10: STORMWATER MANAGEMENT

A. Existing Conditions

1. Describe existing stormwater flow rates and patterns on the site. Provide stormwater flow volumes and peaks using recent rainfall data provided by the Northeast Regional Climate Center (NRCC) incorporated into hydrologic modeling software in accordance with NYSDEC design requirements. Flow volumes should be provided for the 1-, 10-, 25-, and 100-year storm events using site-specific runoff coefficients.

B. Future Without the Proposed Project

C. Potential Impacts of the Proposed Project

1. Using hydrologic modeling software based on the TR-20 and TR-55 methodology with the incorporation of recent rainfall data and distributions provided by the NRCC storm events in accordance with NYSDEC requirements will be analyzed in the existing conditions assessment, quantitatively describe the expected stormwater flows and peaks with the proposed project and related improvements for the 1-, 10-, 25-, and 100-year storm events. Describe measures to ensure that post-development stormwater peak flows will be below existing peak flows. Describe measures to ensure that stormwater runoff from the site in the post-development condition will not adversely affect adjacent and downstream properties and existing off-site drainage facilities. Describe effects on quality and quantity of water resources resulting from increased impervious surfaces and stormwater runoff. Describe all stormwater practices to be used to detain and treat stormwater runoff. Provide calculations to show compliance with NYCDEP and NYSDEC stormwater requirements.
2. Given the project's location within the NYC EOH Watershed, the stormwater design will be developed in accordance with Chapter 10 (Enhanced Phosphorus Removal Supplement) of the *New York State Stormwater Management Design Manual (Design Manual)* as well as NYCDEP Rules and Regulations. These enhanced design requirements require targeted practices which are larger and more efficient at the removal of phosphorus than standard practices. Per *Design Manual* Section 10.1.3 Treatment Performance Goals, (specifically goals 3 and 4), stormwater practices will be designed in accordance with Chapter 10 to meet the phosphorus removal goals. Specifically, the stormwater practices provide a minimum of 80% net removal of particulate phosphorus and 60% net removal of dissolved phosphorus. Supplemental simple method phosphorus loading calculations will be provided to show the pre-development phosphorus load is equivalent to the post-development phosphorus load from the completed project. The calculations will support the basis of Chapter 10 of the *Design Manual*, in that stormwater practices designed in accordance with the enhanced phosphorus standards will meet regional goals of not increasing phosphorus from new development.

D. Mitigation measures proposed. Include a discussion of potential green infrastructure practices.

CHAPTER 11: TRAFFIC AND TRANSPORTATION

A. Introduction

1. Conduct a traffic impact study (TIS) that evaluates the impact of project-related traffic on background traffic and road infrastructure projected for the project Build Year 2023.

B. Existing Conditions

1. Traffic Data Collection

a. The traffic impact study (TIS) shall describe the physical conditions of the street network in the project study area including roadway and sidewalk widths, traffic light signalization (i.e., ratio of green to total cycle timings), and other control data and traffic flow conditions (i.e., effective roadway width, etc.) shall be inventoried.

b. Incorporate traffic information from the Commercial Campus at Fields Corner Project DEIS and FEIS as well as from the Ace Endico Expansion Traffic Access and Impact Study, as it relates to existing conditions and the road improvements proposed by those projects. Traffic counts were collected for the Commercial Campus at Fields Corner Project in May 2017.

c. Obtain traffic counts during the anticipated weekday AM and PM peak periods and the Saturday peak period for the proposed project at the following intersections:

- NY 312 & US Route 6
- NY 312 & Pugsley Road
- NY 312 & Interstate 84 Eastbound Ramp & Independent Way
- NY 312 & Interstate 84 Westbound Ramp
- Fair Street & Fields Corner Road

d. Adjust the traffic counts and existing volume data to develop baseline volumes to estimate pre-pandemic traffic volumes for Existing Conditions analysis. A discussion which describes any adjustments made to the traffic count/volume data to establish pre-pandemic traffic volumes shall be provided.

2. Capacity Analysis - Perform a capacity analysis for each peak period at the study intersections using the latest version of the Synchro methodology. Present Level of Service (LOS) and queuing results tabularly for each peak period.
3. Crash/Safety Analysis - Obtain and summarize NYSDOT crash data for the study area intersections for the most recent 3-year period of data available.

C. Future without the Proposed Project

1. Identify projects that may contribute traffic to the study area and scheduled to be completed by the Build Year (No Build projects).
2. Background Traffic Growth - Estimate traffic volumes in the study area in the future without the project (No Build) accounting for existing volume information, a background growth factor, and incremental increases in traffic from No Build projects. Trips generated by these projects shall be determined using Institute of Transportation Engineers (ITE) Trip Generation rates,

information presented in other recent studies (which studies shall be referenced), and/or data supplied by the applicant based on similar facilities.

3. Area Roadway Improvements - Identify area roadway improvements for the Future Without the Proposed Project condition, including those from the Commercial Campus at Fields Corner Project occurring prior to the No Build/Build year of the proposed project.
4. Capacity Analysis - Perform a capacity analysis for the Future Without the Proposed Project for each of the peak periods for the study intersections using the latest version of the Synchro methodology. Present LOS and queuing results tabularly for each peak period.

D. Potential Impacts of the Proposed Project

1. Proposed Project Description - Describe the proposed operations (i.e., practice sessions, open recreation, tournaments) for each of the components of the proposed project, including variations in facility uses by time of day, seasons, and special events.
2. Trip Generation - Use ITE trip generation data and/or actual count data collected from a similar recreation facility to estimate future traffic volumes resulting from the proposed development program. Where possible, trip generation should be determined for each of the facility components (e.g., trail, event center) to identify peak trip generation for each facility component. Identify projected arrival and departure patterns for project-generated traffic. Overlay the project-generated traffic on the future No Build network to determine future Build traffic volumes.
3. Capacity Analysis - Perform a capacity analysis for each of the peak periods at each study intersection using the latest Synchro methodology. Present LOS and queuing results tabularly for each peak period. Identify potential significant adverse impacts of the proposed project. For locations where significant adverse impacts are identified, the feasibility of potential mitigation measures will be evaluated. Conventional transportation system management (TSM) measures -- such as revisions to the signal timings and changes in lane usage, signalization of intersections, street widening, and pavement marking, etc. -- will be considered.
4. Parking - Describe proposed off-street parking for the proposed project. Determine site parking requirements and demonstrate that the number of parking spaces proposed is adequate to accommodate the projected demand.
5. Circulation - Identify primary access paths for passenger vehicles, emergency vehicles, delivery vehicles, and pedestrians. Provide turning-path diagrams (e.g., AutoTURN) showing turning radii in relation to site entrances and exits, circulation routes, parking spaces and pedestrian walkways on the project site for the largest size trucks, buses, and emergency vehicles anticipated on-site.
6. Public Transportation - Describe potential access of public transportation to the site by Putnam Area Rapid Transit (PART) service.
7. Construction-related Impacts - Assess the potential traffic impacts anticipated during construction of the proposed project and its impact on the surrounding area, and identify mitigation measures to minimize these impacts.

E. Mitigation measures proposed.

1. Perform capacity analyses for locations where mitigation measures have been proposed.

CHAPTER 12: INFRASTRUCTURE AND ENERGY

- A. Introduction
- B. Existing Conditions
 - 1. On-site Water Supply - Describe groundwater resources and existing state- and federally-designated aquifers, if applicable. Describe the water supply system that would be used to serve the project and the ability of the system to handle the anticipated demand for:
 - a. Fire Protection
 - b. Potable Water Supply
 - 2. On-site Sanitary Wastewater - Describe the land area suitable for an on-site septic field proposed to be used for the project, including slopes, soil types, soil limitations to construction of subsurface septic systems, depth to bedrock and groundwater in the proposed absorption area.
 - 3. Electrical Supply - Describe existing electrical service to the project site.
- C. Future Without the Proposed Project
 - 1. On-site Water Supply
 - 2. On-site Sanitary Wastewater
 - 3. Electrical Supply
- D. Potential Impacts of the Proposed Project
 - 1. On-site Water Supply
 - 2. On-site Sanitary Wastewater
 - a. Describe the anticipated sanitary flow volumes from the proposed project.
 - b. Calculate the required absorption area and identify the area required for primary and 100% reserve absorption area.
 - c. Conduct a water mounding analysis in accordance with NYSDEC's Design Standards for Intermediate Sized Wastewater Treatment Systems to evaluate the potential/extent of groundwater mounding in the area of the proposed SSTS. Alternatively, describe why a mounding analysis is not applicable to the proposed project and how the proposed wastewater treatment system would be designed to meet all applicable regulations. Provide the necessary calculations and soil test results to back up the assumptions.
 - d. Conduct soil testing including percolation testing, infiltration testing and deep test pit inspections to demonstrate that the selected practices and their locations are viable.
 - 3. Electrical Supply - Quantify anticipated electrical demand from the operation of the proposed project. Determine, through correspondence with NYSEG, any potential improvements to service under consideration by NYSEG and whether the anticipated demand will exceed available capacity.
- E. Mitigation measures proposed.

CHAPTER 13: AIR QUALITY

- A. Introduction
- B. Existing Conditions - Describe existing ambient air quality. Discuss ambient air quality conditions and standards within the study area based on available data.
- C. Future Without the Proposed Project - Describe expected changes to ambient air quality with respect to development conditions in the Future Without the Proposed Project.
- D. Potential Impacts of the Proposed Project - Describe qualitatively any expected changes to ambient air quality from operation of the project related to stationary sources and traffic related sources.
- E. Construction-related Impacts - Assess the potential air quality impacts including dust anticipated during construction of the proposed project and its impact on the surrounding area, and identify mitigation measures to minimize these impacts.
- F. Mitigation measures proposed.

CHAPTER 14: NOISE

- A. Introduction
- B. Existing Conditions - Assess existing noise levels on the project site using actual measurements of existing noise levels using sound-measuring equipment in conformance with Chapter 96 of Town Code.
- C. Future Without the Proposed Project - Describe expected changes to ambient noise levels as a result of No Build traffic levels.
- D. Potential Impacts of the Proposed Project - Estimate project-generated operational noise levels from mobile and stationary sources associated with the proposed project. Assess whether increased noise levels constitute a significant impact based on applicable criteria in Chapter 96 of Town Code. Qualitative assessment of cumulative impacts on noise accounting for activities at the Commercial Campus at Fields Corner site and the Tilly Foster Farm.
- E. Construction-related Impacts - Assess the potential noise impacts including blasting anticipated during construction of the proposed project and its impact on the surrounding area, and identify mitigation measures to minimize these impacts.
- F. Mitigation measures proposed.

CHAPTER 15: CONSTRUCTION

- A. Describe proposed construction phasing, overall schedule for project completion, and hours of construction operations. Describe the equipment and materials storage and/or staging area, anticipated number of construction workers, anticipated lighting and security, and the delivery routes.
- B. Summarize the potential environmental impacts due to the construction of the proposed project from the respective assessments of traffic, air quality and noise.
- C. Describe the erosion and sediment control plan for the proposed project and any stormwater management practices to be used on a temporary basis.

CHAPTER 16: ALTERNATIVES

- A. Provide a narrative description of each impact issue for each alternative identified below. Provide a comparable level of analysis for each potential impact area to allow the Planning Board to evaluate the proposed project in relation to potential alternatives. Summarize the comparative analysis in tabular format.
- B. Alternatives
 - 1. No action.
 - 2. Alternative development per existing Rural Commercial (RC) Zoning.
 - 3. Alternative project scale and siting.
 - 4. Natural turf alternative. A comparison should be provided regarding the potential impacts, such as the amount of earthwork involved, the change in hydrology from pervious to impervious surfaces, maintenance, and water use for irrigation.

CHAPTER 17: MITIGATION

Summarize all proposed mitigation for significant impacts identified in the environmental impact statement. Because these measures, once recommended, would become part of the proposed project, their formulation and analysis of their effectiveness would be undertaken in close coordination with the lead agency and other agencies, if necessary.

*CHAPTER 18: UNAVOIDABLE ADVERSE IMPACTS**CHAPTER 19: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**CHAPTER 20: GROWTH INDUCING AND CUMULATIVE IMPACTS**CHAPTER 21: ENERGY CONSUMPTION AND CONSERVATION*

**PLANNING BOARD/ARCHITECTURAL REVIEW BOARD
TOWN OF SOUTHEAST, NEW YORK
RESOLUTION TO DECLARE LEAD AGENCY,
ISSUE POSITIVE DECLARATION, AND
SET PUBLIC SCOPING PERIOD FOR A DRAFT ENVIRONMENTAL IMPACT
STATEMENT**

INTRODUCED BY:

La Perch

DATE: September 13, 2021

SECONDED BY:

Cyprus

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of an application for a site plan, subdivision and wetland permit, and other supporting documents for a project entitled **PRO SWING/BREWSTER YARDS**; and

WHEREAS, ProSwing Sports Realty, Inc. (the "Applicant") proposes to construct a commercial recreation complex to include a 34,855-square foot recreation building, various smaller concession/restroom and maintenance buildings of 3,600 square feet or less each, nine synthetic turf fenced and lighted baseball fields with amenities, one synthetic turf multi-sport field, and associated utilities including two or more wells, a septic system, and stormwater management areas (the "Project") on a +/- 82-acre property located at 160 and 132 Pugsley Road (the "Project Site") within the RC Zoning District in the Town of Southeast (Tax Map ID 45.-1-10 and 11). A portion of the Project Site is located within the Ridgeline Overlay District. As part of the Project, a portion of Barrett Road/Zimmer Road on the east side of Pugsley Road would be widened, all of which are Town owned roads. As part of the Project, existing parcels 45.-1-10 ("Lot 10") and 45.-1-11 ("Lot 11") would be subdivided to reduce the overall lot size from 153.5 acres to 81.8 acres. Lot 10 would be reduced in size from 93 acres to 66.2 acres and Lot 11 would be reduced from 60.5 acres to 15.6 acres. The balance of the land would be retained by the Town. The Project would disturb approximately 46.6 acres, including 4.6 acres of Town of Southeast wetland buffer/controlled area. The Project requires site plan, subdivision, and wetland permit approval from the Planning Board, land swap approval from the Town Board, and several area variances from the ZBA; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on August 9, 2021; and

WHEREAS, pursuant to §617.6(b)(3) of the State Environmental Quality Review Act (SEQRA), the aforementioned information was mailed to all involved agencies, notifying them that a Lead Agency must be agreed upon within thirty (30) days of the date that the aforementioned information was mailed; and

NOW, THEREFORE BE IT RESOLVED, that the Planning Board/Architectural Review Board of the Town of Southeast declares itself Lead Agency effective September 20, 2021, for purposes of SEQRA for this Type 1 Action provided no objection is received from any Involved Agency prior to that date.

BE IT FURTHER RESOLVED, that the Planning Board/Architectural Review Board of the Town of Southeast has determined based upon its review of the Environmental Assessment Form that the Project has the potential for one or more significant adverse impacts and that this Positive Declaration under SEQRA is hereby issued requiring that an Environmental Impact Statement be prepared; and

BE IT FURTHER RESOLVED, that the Planning Board/Architectural Review Board of the Town of Southeast will hold a public scoping session on September 27, 2021 at 7:00 PM to receive public comment on a draft scoping document prepared by the Applicant pursuant to §617.8 of SEQRA with a written public comment period extending until October 22, 2021.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>yes</u>
J. King, Boardmember	<u>yes</u>	L. Eckardt, Boardmember	<u>yes</u>
G. Pangis, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 7 to 0, with 0 absent.

T. LaPerch / vad
T. LaPerch, Chairman
Southeast Planning Board / Architectural Review
Board

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Date: September 13, 2021

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Southeast Planning Board, as Lead Agency, has determined that the Proposed Action described below may have a significant adverse impact on the environment and, therefore, a Draft Environmental Impact Statement (DEIS) will be prepared by the Applicant.

Name of Action: Brewster Yards / ProSwing

SEQR Status: Type I

Description of Action: ProSwing Sports Realty, Inc. (the "Applicant") proposes to construct a commercial recreation complex to include a 34,855-square foot recreation building, various smaller concession/restroom and maintenance buildings of 3,600 square feet or less each, nine synthetic turf fenced and lighted baseball fields with amenities, one synthetic turf multi-sport field, and associated utilities including two or more wells, a septic system, and stormwater management areas (the "Proposed Action") on a +/- 82-acre property located at 160 and 132 Pugsley Road (the "Project Site") within the RC Zoning District in the Town of Southeast. A portion of the Project Site is located within the Ridgeline Overlay District. As part of the Proposed Action, a portion of Barrett Road/Zimmer Road on the east side of Pugsley Road would be widened, all of which are Town owned roads. As part of the Proposed Action, existing parcels 45.-1-10 ("Lot 10") and 45.-1-11 ("Lot 11") would be subdivided to reduce the overall lot size from 153.5 acres to 81.8 acres. Lot 10 would be reduced in size from 93 acres to 66.2 acres and Lot 11 would be reduced from 60.5 acres to 15.6 acres. The balance of the land would be retained by the Town. The Proposed Action would disturb approximately 46.6 acres, including 4.6 acres of Town of Southeast wetland buffer/controlled area. The Proposed Action requires site plan, subdivision, and wetland permit approval from the Planning Board, land swap approval from the Town Board, and several area variances from the ZBA.

Location: 160 and 132 Pugsley Road, Brewster, NY 10509. Tax Map ID 45.-1-10 and 11.

Reasons Supporting This Determination:

The Planning Board/Architectural Review Board of the Town of Southeast has determined based upon its review of the Full Environmental Assessment Form that the Proposed Action has the potential for one or more significant adverse environmental impacts as listed in Part 617.7(c) of Title 6 NYCRR (the Statewide regulations pertaining

to SEQRA) and that an Environmental Impact Statement (EIS) shall be prepared. The Proposed Action has the potential to result in the following environmental impacts:

LAND USE, ZONING, AND PUBLIC POLICY: The Proposed Action would not require any zoning changes. The Proposed Action would increase the intensity of land use at the Project Site.

GEOLOGY, SOILS, AND TOPOGRAPHY: Construction of the Proposed Action would involve disturbance to slopes in excess of 15 percent, and more than 10 acres of land.

VEGETATION AND WILDLIFE: Construction of the Proposed Action would permanently disturb vegetated areas including elimination of woodland habitat.

WETLANDS AND WATER RESOURCES: Direct disturbance to wetlands on the property would be avoided however the Proposed Action will alter buffer/adjacent areas in several locations. Stormwater drainage would flow from stormwater management basins into these wetlands and downstream. The Project Site is located within the Middle Branch Reservoir basin of New York City's drinking supply watershed. This basin is designated as Phosphorus-Restricted by NYCDEP.

SOCIOECONOMIC CHARACTER, FISCAL IMPACTS, AND COMMUNITY CHARACTER: The Proposed Action would generate new property and sales tax revenue to the Town, Putnam County, and New York State from land that is now wholly tax exempt. A modest increase in employment taxes would be generated by the Proposed Action.

COMMUNITY FACILITIES: The Proposed Action would create potential demand for additional community services such as police and fire. The Proposed Action would respond to existing demand for recreational facilities in the Town, Putnam County, and the broader region.

CULTURAL AND AESTHETIC RESOURCES: The Project Site may have had the potential to host prehistoric or historic archaeological resources.

TRAFFIC: The Proposed Action would generate new traffic on the local roadway network.

AIR QUALITY: The potential for air quality impacts is associated with construction equipment and additional traffic on the local roadway network by workers and clientele, although below emissions permit levels.

NOISE: The potential for short term noise impacts is associated with construction equipment and periodically during project operation.

LIGHTING: The Proposed Action has the potential to result in light shining onto adjoining properties. The Proposed Action may result in lighting creating sky-glow brighter than existing area conditions.

INFRASTRUCTURE AND UTILITIES: Additional demand on infrastructure (roads) and utilities (electricity) could result from the development.

CONSTRUCTION: Construction of the Proposed Action may have temporary impacts on neighboring properties and the roadway network.

Scoping of DEIS:

The Planning Board/Architectural Review Board of the Town of Southeast will hold a **public scoping session on September 27, 2021, at 7:00 PM at Town Hall, 1360 Route 22, Brewster, NY** to receive public comment on a draft scoping document prepared by the Applicant pursuant to §617.8 of SEQRA.

Written comments on the draft scoping document will be accepted until 4:00 PM on October 22, 2021 and should be submitted to the Planning Board Secretary by U.S. mail [1 Main Street, Brewster, NY 10509] or email [vdesidero@southeast-ny.gov].

A copy of the draft scoping document is available for review at the following address: <http://www.townofsoutheast-ny.com/155/Planning-Board-Architectural-Review-Boar>

Lead Agency: Town of Southeast Planning Board/Architectural Review Board
1 Main Street
Brewster, NY 10509

Contact: Victoria Desidero
845-279-7736
vdesidero@southeast-ny.gov

A copy of this notice has been filed with:

INVOLVED/INTERESTED AGENCY	
NEW YORK STATE	
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 ATTN: Commissioner	SEQR Unit New York State Department of Transportation Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603
New York State Department of Environmental Conservation Region 3 21 South Putt Corners New Paltz, NY 12561 ATTN: Regional Director	
New York State Historic Preservation Office Peebles Island Resource Center P.O. Box 189 Waterford, NY 12188-0189	
NEW YORK CITY	
New York City Department of Environmental Protection Bureau of Water Supply 465 Columbus Avenue Valhalla, New York 10595-1336	

PUTNAM COUNTY	
Putnam County Department of Planning/Development & Public Transportation Putnam County Transit Facility 2 Route 164 Patterson, New York 12563	Putnam County Department of Health 1 Geneva Road Brewster, New York 10509
Putnam County Highways & Facilities 842 Fair Street Carmel New York 10512	
MUNICIPALITIES	
Town of Patterson Patterson Town Hall PO Box 470 1142 Route 311 Patterson, New York 12563	
TOWN OF SOUTHEAST	
Town Board 1360 Route 22 Brewster, NY 10509	Building Inspector 1 Main Street Brewster, NY 10509
Town Clerk 1360 Route 22 Brewster, NY 10509	Highway Superintendent 10 Palmer Road Brewster, NY 10509
Planning Board 1 Main Street Brewster, NY 1050	Southeast Fire Inspector 1 Main Street Brewster, NY 10509
Zoning Board of Appeals 1 Main Street Brewster, NY 1050	E-911Coordinator / Assessor 1360 Route 22 Brewster, NY 10509
APPLICANT	
ProSwing Sports Realty, Inc. 27 Radio Circle Drive Mount Kisco, NY 10549	
UNITED STATES	
Chief, Eastern Permits Section Department of the Army New York District Corps of Engineers Jacob K. Javits Federal Building New York, NY 10278-0090	

Notice of this determination has been provided to the following email address for publication in the Environmental Notice Bulletin: enb@dec.ny.govs