



August 10, 2022

Ms. Victoria Desidero, Planning Board Secretary
Town of Southeast
1 Main Street
Brewster, NY 10509

Rohit T. Aggarwala
Commissioner

Re: **ProSwing/Brewster Yards DEIS**
132 and 160 Pugsley Road
Town of Southeast; Putnam County
Tax Map #: 45.-1-10 & 11
DEP Log#: 1993-DI-0071-SQ.1

Paul V. Rush, P.E.
Deputy Commissioner

465 Columbus Avenue
Valhalla, NY 10595

Tel. (845) 340-7800
Fax (845) 334-7175
prush@dep.nyc.gov

Dear Ms. Desidero and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has received from KG&D Architects the Draft Environmental Impact Statement (DEIS) dated May 16, 2022 for the above-referenced project.

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

1. **Section 9 - Water Resources and Wetlands:** Over 5.1 acres of buffer area will be lost, however the DEIS does not assess the environmental impact resulting from loss of these sensitive areas. A proper assessment should be conducted and circulated to involved agencies for review. Specifically, there are no mitigation measures proposed to compensate for 5.14 acres of overall wetland buffer disturbance related to the following construction activities: parking lots, stormwater management area, sewer line installation, and other site improvements. In order to assess the activity and either mitigate or avoid impacts, the following should be provided:
 - Identify and analyze proposed measures to mitigate any disturbance to the Town, DEC, and DEP buffers.
 - Evaluate the impact of proposed stormwater management plan on wetland hydrology. Locating stormwater practices within wetland adjacent areas is a practice that DEP has consistently discouraged as it may adversely impact the wetland and surface water quality.
2. Section 9 also mentions stabilizing the soil within 14 days of final grading. This section should be revised to note the stricter soil stabilization requirement for projects in the EOH watershed as

specified in Part 1.B. 1.b of the SPDES General Permit GP-0-20-001 (per figure in Appendix C).

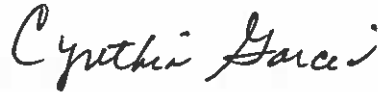
3. **Section 15 - Construction Impacts:** Although preliminary sequencing has been included, a more detailed construction sequence keyed to an erosion and sediment plan is critical to effectively manage and minimize potential water quality impacts posed by construction. The construction sequence provided in the DEIS should be expanded and keyed specifically to the proposed construction phasing plan and appropriate erosion and sediment control measures.
4. **Appendix D - Preliminary Wastewater Engineer's Report:** This report discusses design flows for weekdays and weekends but contradicts the volume of the proposed equalization tank specified in Section 4.4. More detailed information should be provided to clarify this discrepancy. Also, details on the viability of the alternative wastewater treatment option discussed in Section 5.0 - connection to the Ace Endico WWTP (technically known as Terravest Corporate Park WWTP), should be provided. Specifically, the FEIS should discuss available capacity at the WWTP, details on sewer district expansion, and/or a user agreement signed by both parties.
5. **Appendix E - Preliminary SWPPP:** Drainage area maps were not provided for review. Thus, an assessment of the proposed drainage basins is not possible. Without full scale of drainage areas for a project of this size, the potential runoff impacts cannot be properly evaluated.
6. In general, the circulated SWPPP does not include enough supporting information, such as engineering details, for DEP to evaluate the proposed practices.
7. In the preliminary SWPPP, the curve numbers assigned for modeling both the south upper and lower pond are low, for example 61. Open surface water bodies are generally assigned a curve number value of 98. This should be corrected in the FEIS.
8. A portion of construction activity and drainage improvements are proposed within the buffer of the Town regulated wetland areas that are associated with headwater streams. It does not appear as though the DEIS has investigated all alternative approaches to the project. These include alternative layouts and site access alternatives that could potentially avoid or minimize adverse impacts to the wetlands, wetland buffers, the Middle Branch Reservoir and its tributary streams. It is well established that adjacent 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.
9. The DEIS does not include a comparison of the pre- and post-development pollutant loading rates for the various action alternatives. An assessment of peak discharge rates and runoff volumes for the various design storms at the various discharge points for each of the alternatives should also be included in the FEIS. Pollutant loading, peak rate, and runoff volume conditions should be evaluated in sufficient detail for

the various alternatives in order for involved agencies to make an informed, reasonable judgment.

10. The DEIS should also include a comparison and analyses that considers site constraints and inherent limitations of development for the various alternatives. This should be of sufficient detail to allow for meaningful comparison of potential environmental impacts between alternatives and an accurate assessment of the requisite environmental mitigation.

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, USACE
J. Petronella, NYSDEC - Region 3
NYSDOT SEQR Division
J. Paravati, P.E., PCHD
B. Barosa, PCPD

