

**PLANNING BOARD
TOWN OF SOUTHEAST, NEW YORK**

**RESOLUTION TO ISSUE A NOTICE OF COMPLETION OF
FINAL ENVIRONMENTAL IMPACT STATEMENT FOR
BREWSTER YARDS**

INTRODUCED BY:

LaPerch

DATE:

March 27, 2023

SECONDED BY:

Pangis

WHEREAS, ProSwing Sports Realty, Inc. the Applicant/Project Sponsor proposes to construct a commercial recreation complex for baseball and related sports, called "Brewster Yards" (the "Proposed Project"), on certain properties totaling 82-acres located at 132 and 160 Pugsley Road in the Rural Commercial (RC) Zoning District in Town of Southeast and known and designated as Tax Map Numbers 45-1-10 and 45-1-11;

WHEREAS, the Proposed 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 Zoning Board of Appeals;

WHEREAS, the Proposed Project includes a 47,686-square foot recreation building; various smaller concession/restroom, batting cage, and maintenance buildings; ten synthetic sports fields, and associated utilities and infrastructure;

WHEREAS, the Planning Board determined that the Proposed Project is a Type 1 Action pursuant to the State Environmental Quality Review Act (SEQRA);

WHEREAS, the Planning Board at its July 26, 2021 meeting directed that a Notice of Intent to act as Lead Agency be circulated to Interested and Involved Agencies;

WHEREAS, the Planning Board received no objections to the Notice of Intent and declared itself Lead Agency on September 13, 2021;

WHEREAS, the Planning Board adopted a Positive Declaration requiring the preparation of an Environmental Impact Statement on September 13, 2021;

WHEREAS, pursuant to §617.8 of the regulations implementing SEQRA, the Planning Board conducted a public scoping session on September 27, 2021, and adopted a final scoping document on October 25, 2021;

WHEREAS, the Planning Board, pursuant to §617.9 of the regulations implementing SEQRA, accepted the Draft Environmental Impact Statement (DEIS) as complete on June 13, 2022;

WHEREAS, on August 8, 2022, the Planning Board opened a duly noticed public hearing on the DEIS, during which public comments were received, after which the public hearing was closed and the Planning Board directed that the written comment period remain open until August 26, 2022;

WHEREAS, on August 26, 2022, the written public comment period on the DEIS was closed;

WHEREAS, the Applicant submitted a preliminary Final Environmental Impact Statement (FEIS) on November 3, 2022 for initial review and comment that also detailed modifications to the Project in response to comments raised during the public comment period;

WHEREAS, the Planning Board directed its consultants, AKRF, Inc. and Nathan L. Jacobson and Associates, P.C., to review the document prepared by the applicant and to advise the Planning Board on the sufficiency of the document for the purposes of preparing the findings statement;

WHEREAS, AKRF, Inc. submitted memorandums to the Planning Board on December 1 and 7, 2022, with comments on the completeness of the FEIS;

WHEREAS, the Applicant submitted a revised FEIS to the Planning Board on February 13, 2023 which responded to the comments from the Planning Board and its consultants;

WHEREAS, AKRF, Inc. submitted a memorandum to the Planning Board on March 7, 2023, with comments on the completeness of the FEIS;

WHEREAS, the Applicant submitted a revised FEIS to the Planning Board on March 21, 2023 which responded to the comments from the Planning Board and its consultants;

WHEREAS, AKRF, Inc. submitted a memorandum to the Planning Board dated March 22, 2023, recommending that the document be considered complete under the applicable standards of the SEQRA regulations 6 NYCRR §617.9(a)(6) and 6 NYCRR §617.9(b);

NOW THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast, as Lead Agency, has reviewed the applicable standards of 6 NYCRR §617.9(a)(6) and 6 NYCRR §617.9(b) to evaluate the adequacy of the FEIS for the purposes of providing substantial responses to the public's comments and presenting all relevant information in a complete and understandable format and hereby determines that the FEIS for the ProSwing-Pugsley (Brewster Yards) project is complete subject to the following revision:

1. Revise Response 1-18 to include a discussion of First Aid and AED signage.

BE IT FURTHER RESOLVED, that, the Planning Board directs the Town Planning Consultant and Planning Department Staff to prepare, publish and mail a Notice of Completion of the FEIS noted above in accordance with SEQRA and its implementing regulations; and

BE IT FURTHER RESOLVED, that, the Planning Board directs the Planning Department Staff to post a complete copy of the FEIS and the Notice of Completion of the FEIS on the Town of Southeast website,

BE IT FURTHER RESOLVED, that, the Planning Board directs Applicant to provide hard copies to be made available at the Town of Southeast Planning Department, the Brewster Public Library, and to otherwise publish, distribute, forward and make copies available in accordance with §617.12 of the SEQRA regulations; and

BE IT FURTHER RESOLVED, that, the Planning Board directs the Town Planning Consultant to prepare a draft Findings Statement meeting the standards set forth in SEQRA Regulation §617.11(d) for the Planning Board's review at its April 24, 2023 meeting.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

J. King, Boardmember

yes

L. Eckardt, Boardmember

absent

G. Pangis, Boardmember

yes

W. Lewis, Boardmember

yes

C. Galli, Boardmember

yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board lad