

BREWSTER YARDS SITE PLAN APPLICATION

FINAL ENVIRONMENTAL IMPACT STATEMENT

VOLUME 1 of 2



160 & 132 Pugsley Road - Tax Parcels: 45.-1-10 & 45.-1-11
TOWN OF SOUTHEAST, PUTNAM COUNTY, NEW YORK

Lead Agency: TOWN OF SOUTHEAST PLANNING BOARD

Project Sponsor: ProSwing Sports Realty, Inc.

DEIS Prepared by: KG+D Architects, PC

This DEIS can be viewed online at:
<https://southeast-ny.gov/383/Brewster-Yards-pka-ProSwing>

Lead Agency Acceptance Date: March 27, 2023

March 20, 2023

BREWSTER YARDS

FINAL ENVIRONMENTAL IMPACT STATEMENT

160 & 132 Pugsley Road
TOWN OF SOUTHEAST
PUTNAM COUNTY, NEW YORK

Tax Parcels: 45.-1-10 & 45.-1-11

Lead Agency: TOWN OF SOUTHEAST PLANNING BOARD
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The DEIS & FEIS can be viewed online at:
<https://southeast-ny.gov/383/Brewster-Yards-pka-ProSwing>

Lead Agency Acceptance Date: March 27, 2023

March 20, 2023

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BREWSTER YARDS
Final Environmental Impact Statement (FEIS)

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APPLICANT

Applicant & Applicant's Team	
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1.0 DESCRIPTION OF THE PROPOSED ACTION

1.1 Introduction to the Final Environmental Impact Statement

This document is a Final Environmental Impact Statement ("FEIS") prepared in accordance with the New York State Environmental Quality Review Act ("SEQRA" or "SEQR") and its implementing regulations, 6 NYCRR Part 617. The FEIS is prepared as an addendum to the Draft Environmental Impact Statement ("DEIS"), which is hereby incorporated by reference into this FEIS.

The SEQRA documents have been prepared in support of the application of Proswing Sports Realty, Inc. (the "Applicant" and "Project Sponsor") to construct a commercial recreation complex for baseball and related sports called "Brewster Yards" on a site of approximately 82 acres located in the Town of Southeast, Putnam County, New York.

The SEQRA Process

The lead agency for the environmental review of this action is the Town of Southeast Planning Board. SEQRA prescribes that the lead agency is responsible for the adequacy and accuracy of the FEIS. The DEIS, as amended by this FEIS, will form the basis for the lead agency's Statement of Findings that will conclude the environmental review process for the Town. The Planning Board will adopt a Statement of Findings relative to the environmental effects of this project prior to taking any action regarding approval of the application.

The Applicant is requesting preliminary site plan approval based on the findings of the lead agency that result from the SEQRA process. Subsequent to preliminary approval, a fully detailed set of site development drawings will be provided to the permitting agencies for review. For final approval, all conditions of the preliminary approval must be satisfied. Other approvals that are necessary for the development of this plan are identified in the DEIS Project Description.

SEQRA Background

The Applicant prepared the DEIS for this application based on a written scope accepted by the lead agency on October 25, 2021. (The adopted Scoping Document is included in Appendix A of the DEIS.) The lead agency reviewed the Applicant's preliminary DEIS for adequacy with respect to its scope and content for the purpose of public review, and after requested revisions were made, accepted the document as complete for the purpose of public review on June 13, 2022, and issued a Notice of Completion and Notice of Public Hearing. The notices are included in FEIS Appendix A. The lead agency held a public hearing on the DEIS, Site Plan and Wetland Permit applications on August 8, 2022, at which time the SEQR hearing was closed, and held the comment period on the DEIS open for written comments through August 26, 2022. The lead agency received written comments from the public during the comment period.

Comment letters were received from three coaches and the Founder of the Greater Hudson Valley Baseball League in enthusiastic support of the Brewster Yards project. David Zaslav, Founder of the League, provided the following statement:

Dear Town of Southeast Planning Board Members:

As a former collegiate baseball player, current business owner supporting baseball teams in and around Brewster and the entire Greater Hudson Valley area with almost 2000 baseball teams in NYC, Westchester, Putnam, Dutchess, Orange, Ulster, and Fairfield County CT, the Brewster Yards project will be a welcome and treasured facility to build memories for kids throughout the area.

Today, area teams travel to Long Island, New Jersey, Massachusetts, Delaware, and Maryland to baseball complexes to play each other! How silly! Teams buy breakfast, lunch, dinner, and stay at hotels to play a team that is 20 minutes from them in our backyard.

The Greater Hudson Valley Baseball League will move all operations to the Brewster Yards complex as soon as it is built - guaranteeing the largest youth travel baseball league in NY and CT will call Brewster Yards its home for games, playoffs, tournaments, to augment the programming already planned for the complex.

Coaches, area programs, & kids cannot wait for a place to build lifelong memories in beautiful Putnam County, Town of Brewster & Southeast.

We know and trust the team that is bringing this amazing project to the area to keep the kids on fields playing ball and giving reasons to put down the phone, Playstation controller, and develop memories to last a lifetime. This group is different, they will cater to kids of all levels -- recreation to professional prospects and everyone in-between.

This will be an inclusive, safe, inspiring place to learn and develop in the games of baseball, softball, and other field sports. I wholeheartedly support the effort to deliver Brewster Yards to the families of Southeast, Brewster, and to areas far and wide. We will do our part to make this endeavor a successful project for the years to come.

While these statements were not directed as comments on the topics presented in the DEIS, these four letters are included in full with the public comment letters in Appendix D. (See letters 11, 12, 13 and 14.)

The Final Environmental Impact Statement

In accordance with SEQRA, this FEIS provides written responses to substantive comments on the DEIS received by the lead agency during the public review period, including oral comments made at the public hearing. The transcript of the DEIS public hearing is included in FEIS Appendix C. All written comments received by the lead agency during the public comment period on the DEIS are included in FEIS Appendix D.

Substantive public and agency comments received by the lead agency on the DEIS, together with responses to the comments as required by SEQRA, are provided in this FEIS in comment/response format and organized by subject matter following the sequence in the DEIS. In some cases, an author's comment may be summarized or paraphrased to clarify its context, or combined with other similar comments, and some responses for comments that are previously addressed in this document refer to the prior response. The source of each comment is referenced. In Appendices C and D, a number referencing the FEIS response that addresses the comment is provided in the right-hand margin.

This FEIS has been prepared with the assistance of Insite Engineering, Surveying & Landscape Architecture, PC; Richard L. O'Rourke, Esq. of Keane & Beane, PC, project attorney; Ecological Analysis, LLC, and Tim Miller Associates, Inc., environmental consultants; and DTS Provident

Design Engineering, LLP; based on input and guidance provided by the Town Planning Board, Town staff and consultants to the Planning Board: AKRF, Inc. and Nathan L. Jacobson & Associates Engineers.

1.2 Modifications to the DEIS Project Description

The Project Description

As part of the normal design process, and in response to comments received on the DEIS, the project plans continue to be developed for purposes of review for permits and approvals. Changes to the Project Description made subsequent to the DEIS that could have an effect on the environment are discussed below. The engineering and architectural drawings that accompany this document substantially represent the Brewster Yards project proposal for purposes of the environmental review. Requirements of the permitting agencies may require further design detailing prior to final plan approval after the conclusion of the SEQRA review process. The project drawings presented with this FEIS are developed to a level of detail that establishes the full extent of impacts attributable to the project, thereby providing a thorough basis for defining the extent of impact mitigation that is appropriate for the project.

The following information outlines modifications made to the proposed project description and identifies mitigation measures proposed to offset potential impacts related to these changes.

The proposed Site Plan has undergone minor adjustments as project details are being further developed:

- Larger Recreation Building (described further below).
- Concession Building at the multisport field enlarged and relocated.
- Maintenance Building enlarged to include water treatment system and relocated to better accommodate staff facilities and maintenance operations.
- Added 8'x16' scorekeeper shed at each playfield backstop.
- Reconstruction of Zimmer Road with turnaround and 50' right-of-way.
- Added paved road surface with turnaround to portion of Fields Corner Road.
- Added road turnaround at Patterson Town Line.
- Added retaining wall to avoid grading within 100' of wetland G.
- Overall net on-site disturbance (accounting for the added elements above) is reduced by approximately 1.0 acre from the DEIS plan. Disturbance in the road ROW is approximately 2.0 acres.

The off-site road improvements will necessitate modification of the subdivision plat to account for additional land to be retained by the Town for public road right-of-way (ROW): widening of Zimmer Road including the turnaround; adding the turnaround (loop) to the Fields Corner Road / Zimmer Road intersection; and adding the turnaround at the Patterson Town Line. These modifications will, in turn, relocate the regulated setbacks within the Brewster Yards site, require additional grading and paving, and require stormwater management measures appropriate for the improvements (as shown on the current plans). However, these proposed

improvements entail a preferred road alternative by the Town of Southeast and are further described in FEIS section 1.3.

Water Supply

Water supply for the project site is being developed from on-site groundwater wells. The project water system is designed to provide adequate supply for use on weekends at peak use, which will be greater than on weekdays. Based on recent communication with Putnam County Department of Health (PCDOH) which will permit the system, the supply wells will be required to meet the weekend maximum daily design flow of 30,132 gallons per day (gpd) (2 times average daily flow for the weekend), or 21 gallons per minute (gpm). The water distribution system is being designed based on the maximum daily design flow of 21 gpm and peak hourly flow of 84 gpm. Accordingly, the PCDOH has issued permits for drilling up to three on-site wells seeking 21 gpm (or more) and conducting a 24-hour pump test to demonstrate there is an adequate supply of water with no significant adverse effects on any nearby water well.

Larger Recreation Building

A modified main recreation “Fieldhouse” building is proposed. Development of the Applicant’s off-season programming for activities in the new main building has resulted in a larger building footprint than the “Larger Building Alternative” evaluated in the DEIS. The effects of constructing a larger recreation building are minor in scope, as outlined below in section 1.4, Larger Building Alternative, while allowing for increased project utilization in the winter when the outdoor fields would not be in use without any increase in the projected peak use of the site.

There is reduced interior recreation (patron) space (square footage) with added retail space of modest size and increased area for parent spectators and circulation space, and improved separation of activities in the building. Overall, the gross square footage (building footprint) increased approximately 28 percent from the DEIS building, which in turn affects the required parking count.

Additionally, the Fieldhouse floor elevation was lowered approximately three feet and the building height was increased to accommodate the needs of the Applicant’s programming. The building height (as defined in Zoning Code) will exceed the Code requirement (maximum 35’ height) by approximately 5.44 feet and will thus require application to the Zoning Board of Appeals for a variance.

Updated Schedule of Areas, Parking & Loading

The current building areas, parking and other site data are summarized in Table 1-1 below, updated to match the project drawings. Updated architectural floorplan and elevation drawings of the proposed buildings are provided in FEIS Appendix H, as recently submitted to the Southeast Planning Board / Architectural Review Board. (The updated drawings of the Fieldhouse building supersede Figures 1-4 to 1-6 of the DEIS. Updated drawings of the various concession buildings also supersede DEIS Figures 1-7 to 1-9.)

Table 1-1				
Schedule of Areas, Parking & Loading				
Total Lot Area:	81.78	Acres (2 lots)		
Building Areas:	Gross Floor Area		Building Coverage	
Fieldhouse Main Building (FH)	47,686	Square feet	47,686	Square feet
Concession/Restrooms North (MC)	3,079	Square feet	3,079	Square feet
Concession - Large Clover (LC)	1,230	Square feet	615	Square feet
Concession - Small Clover (LL)	615	Square feet	615	Square feet
Concession - Multi Sport Field (MS)	783	Square feet	783	Square feet
Scorekeeper Sheds (at 8 fields)	1,024	Square feet	1,024	Square feet
Concession/Restrooms South (SC)	1,954	Square feet	1,954	Square feet
Maintenance Building (MG)	2,354	Square feet	2,354	Square feet
Water Treatment Building	225	Square feet	225	Square feet
Batting Cages Building (BC)	4,980	Square feet	4,980	Square feet
Total Building Areas:	63,930	Sq. Ft. GFA	63,315	Sq. Ft. Coverage
			0.021	FAR of N Lot Area (Lot 10.1)
			0.003	FAR of S Lot Area (Lot 11.1)
Total Pavement Area:	9.9	Acres		
Outside Storage Area:	None			
Computation of required off-street parking and loading spaces:				
Use:		Loading	Parking	Factor
Recreation in Buildings (sf)	41,980	0	168	1 space / 250 sf (ITE)
Retail in Main Building (sf)	470	0	2	1 space / 250 sf
Athletic Fields (seats)	860	0	172	1 space / 5 spectator seats
Public Trail Use		0	2	
Total Spaces Required:		0	344	
Total Spaces Provided:		0	451	
2/9/2023 Numbers are based on the preliminary building and site plans.				

Area Variances

The Site Plan includes encroachments into regulated areas in several locations which necessitate application to the Zoning Board of Appeals for variances from Zoning Code requirements. The updated Site Plan includes adjustments that have altered but not eliminate encroachments. Based on the updated Site Plan, Drawing OP-1 identifies the following variances that will be sought from the Zoning Board. Some of these are the result of the off-site road improvements now proposed. Additionally, the height of the Fieldhouse has increased, as further described in section 1.4.

- Front yard building setback encroachments
- Environmental conservation buffer encroachments

- Front yard parking setback encroachments
- Building height of the Fieldhouse exceeds 35' (as defined in Zoning Code)

Wetland Disturbances

In the updated Site Plan, direct disturbances to wetland areas and stream corridors are avoided as in the original plan. Adjustments made to the plan did not result in appreciable change to the disturbances to buffer areas from the original project plan. As with the original plan, permanently preserved natural open space areas will remain adjoining the project which will continue to provide habitat for indigenous wildlife to thrive: some 71.7 acres of upland woods and wooded wetlands will remain in Town of Southeast ownership. The areas of the project that, to accommodate the project elements and resultant grading, will encroach within regulated buffers will need consideration by the Town Planning Board and New York State Department of Environmental Conservation (NYSDEC) for wetland permits.

Subsequent to the DEIS, the Applicant received validation of the Town-regulated wetlands delineation and mapping from the Town's wetland consultant (included in FEIS Appendix B). The project plans reflect the wetlands and watercourse delineations approved by NYSDEC, NYCDEP and the Town, as applicable. The locations of the validated wetland boundaries and watercourses have been surveyed (reference Existing Conditions Drawing EX-1) so that appropriate means of wetland and watercourse protections (such as fencing of construction limits and erosion and sediment control barriers) can be established along the edges of the buffer zones prior to land clearing or ground disturbance for the project.

The site plan package now includes Wetland Mitigation Plans that are intended to address potential impacts in the buffers, including concerns raised in comments received during the local site plan review. These plans have been submitted to the Town and NYSDEC for review for wetland permits.

Permits Status

Application to the Putnam County Department of Health (PCDOH) and New York City Department of Environmental Protection (NYCDEP) to permit the proposed septic system is under review by the agencies. Application to the PCDOH to permit the proposed water supply system is pending completion of well drilling, groundwater yield testing and system design. Application to the NYCDEP to permit the proposed stormwater management systems is under review by the agency.

Given that the subdivision of lots in the proposed plan will not result in new recreation demand in the Town but in fact is proposed to address the existing need for active recreation facilities and will also preserve some 71.7 acres of land in Town of Southeast ownership as natural open space, the Applicant requests that the Planning Board waive the standard recreation fees associated with subdivision.

Road Improvements

The Applicant's engineers met with the Town Highway Superintendent and Town Engineer on September 1 and October 20, 2022, to discuss appropriate mitigation of the concern for vehicular use of Fields Corner Road. In his letter dated September 1, the Highway

Superintendent recommended that this road be closed to public traffic from the Brewster Yards' north access point to the Patterson Town Line. (Refer to letter in FEIS Appendix B.) This would be effectuated by installation of a gate north of the project entrance and a gate near the Patterson Town Line. Additionally, a turnaround would need to be provided at or near each gate. The portion of Fields Corner Road in Southeast would continue to be maintained by the Town for purposes of allowing for emergency services access, to the specifications of local emergency service agencies including the Brewster Fire Department. In this scenario, the subject portion of Fields Corner Road would not be paved.

Brewster Yards proposes to make these road improvements (gates and turnarounds) on Fields Corner Road in the Town of Southeast. Such improvements are intended to address particular concerns raised in comments on the DEIS by the Town of Patterson Supervisor (August 4, 2022, Letter 5), the Southeast Highway Superintendent (September 1, 2022, Letter 10), Philip Grealy, PhD, PE, on behalf of the Town of Patterson (September 9, 2022, Letter 15), and the Brewster Fire Department (August 9, 2022, Letter 16) regarding control of future potential use of the subject unimproved roadway. (Refer to FEIS Section 11.0 for specific responses to traffic-related comments.)

Further description of the off-site road improvements now proposed by Brewster Yards is provided below in section 1.3.

1.3 Off-Site Road Improvements

In response to several letters received on the DEIS and further discussions between the Applicant's team and Town officials regarding the disposition of Fields Corner Road, Brewster Yards proposes improvements on Fields Corner Road in the Town of Southeast to facilitate closure of this unimproved roadway to through public use and only allow access by emergency responders, as further described below.

- Brewster Yards proposes to install gates to close off Fields Corner Road to through, public access between Zimmer Road and the Patterson Town Line at the recommendation of the Town of Southeast Highway Superintendent. (See letter dated September 1, 2022, in FEIS Appendix B.) These gates are proposed to be secured by means approved by the Brewster Fire Department for access for emergency responders in response to incidents at Brewster Yards, Lincoln Logistics Brewster (hereinafter referred to as "Logistics"), or for access via Fields Corner Road to incidents to the north or south. The proposed gates will be a minimum of 9 feet wide (per lane). A turnaround of suitable size to accommodate a "semi" truck is proposed in the vicinity of each gate by Brewster Yards. FEIS Figure 1-2 shows the details of the proposed control features. No speed humps are proposed, however appropriate signage that is approved by the Town will be included in the road improvement plan.
- The section of Fields Corner Road located in the Town of Southeast would remain under the jurisdiction of the Town Highway Department, as a Town road, for maintenance for purposes of emergency access only. As stated by the Highway Superintendent: "[a]lthough closed to public traffic, the portion of the road between the gates would be maintained by the Southeast Highway Department so as to always be accessible for emergency access. The gates should meet any required specifications of local emergency service agencies and the Brewster Fire Department so as not to delay any emergency services response." There

would be no public access driveways to private lands from this section of Town road (between the gates proposed by Brewster Yards).

- Gates secured by a device approved by the Brewster Fire Department¹ will provide the most efficient means of access on Fields Corner Road for mutual aid companies, thus continuing to provide emergency access between Fair Steet and Route 312.
- Pugsley Road from Route 312 to the Logistics project's north access drive (past former Zimmer Road²) is being improved to Town Road Standards as part of the approved Logistics development.
- Improvement to the Fields Corner Road / Zimmer Road intersection will entail a loop road configuration to provide adequate means for a "semi" truck to turn around and road pavement from the Logistics' north access drive to Brewster Yards' north driveway with a locked gate. Expansion of the ROW for the road configuration will take land from Brewster Yards.
- An alternate turnaround location at the Brewster Yards north driveway gate is under review.
- Additionally, Brewster Yards proposes to construct a 100' diameter gravel turnaround on its property just south of the Patterson Town line, with a locked gate across Fields Corner Road. Expansion of the ROW for the turnaround will take land from Brewster Yards. To manage the stormwater from this improvement, replacement of the existing 18" drain pipe with a 24" pipe is proposed in the Town of Patterson. This will require approval of the Town of Patterson Highway Superintendent.
- Brewster Yards will rebuild Zimmer Road to Town Road Standards, with a paved turnaround and gate at the east end. Brewster Yards proposes a 50'-wide right-of-way (ROW) to be rededicated as a Town road, which is to be renamed.² Expansion of the ROW will take land from the Brewster Yards properties.
- Brewster Yards' proposal will include appropriate signage with respect to the gated dead ends and turnarounds, to the satisfaction of the Town Highway Superintendent. Brewster Yards will install a "No Outlet" sign at Fields Corner Road at its intersection with Fair Street to notify drivers that it is not a through route.
- The Applicant suggests that the Town of Southeast notify the various GPS companies of the closure of Fields Corner Road so as to not route through traffic on that road.
- The Traffic Impact Study prepared for the DEIS has been amended to include an alternatives analysis relating to the disposition of Fields Corner Road under two different scenarios. (See FEIS Section 11, Response 11-13.)

¹ An approved device may be a siren activated sensor ("yelp" sensor) or a lock the same as the Fire Road locks currently in use and keyed by the Brewster Fire Department.

² According to the Deed, Zimmer Road is a former town highway. The land is owned by the Town with an easement in favor of the County for access to the County-owned lot to the east. The project documents (EIS and drawings) will refer to this roadway as Zimmer Road, although it will be renamed by the Town in the future for E911 identification purposes.

- An alternative to rebuild Fields Corner Road in the Town of Southeast to Town Road Standards with no gates would allow through, year-round traffic between Fair Street and Route 312. Study at a high level (without additional counts at Fair Street) and with a realistic distribution of traffic generated by Brewster Yards going north shows significant adverse effects to the Town of Patterson road network under this alternative.
- An alternative to close Fields Corner Road in the Town of Southeast with emergency-only gates is shown to avoid significant adverse effects to the Town of Patterson road network. This is the alternative preferred by the Town of Southeast and is proposed to be implemented by Brewster Yards.
- The road improvements proposed by Brewster Yards will be completed to Town Road Standards as part of the Brewster Yards project and to the satisfaction of the Town Highway Department Superintendent.
- The Town of Southeast will maintain Fields Corner Road as an emergency access road between the north and south gates similar to the existing condition except always gated (not seasonally closed).³
- The road improvements identified above will be paid for by Brewster Yards and constructed as its mitigation for potential traffic impacts from through traffic that would otherwise impact Town of Patterson roads to the north.
- As outlined in the DEIS, Brewster Yards' off-site traffic mitigation will also include the following measures:
 - Traffic signal timing adjustments recommended in the DEIS traffic study are proposed to be undertaken by the project. These are:
 - Intersection of US Route 6 & NYS Route 312 for the Peak Weekday PM Hour and Peak Saturday Hour
 - Intersection of NYS Route 312 & Pugsley Road (Alternative A) for the Peak Weekday PM Hour and Peak Saturday Hour
 - NYS Route 312 & Interstate Route 84 Eastbound Ramps/Independent Way for the Peak Saturday Hour
 - NYS Route 312 & Interstate Route 84 Westbound Ramps for the Peak Weekday PM Hour and Peak Saturday Hour
 - Once the proposed project is operational, the Applicant may solicit PART to determine if the project meets the requirements to be added as a regular or on-call stop along its bus route along NYS Route 312.

³ The road improvements proposed by Brewster Yards will not affect road improvements approved for Logistics (gates, truck bars, cameras and north turnaround). However, they may create redundancy of certain control measures. Swing gates and a truck turnaround proposed by Logistics may no longer be necessary once the gates by Brewster Yards are installed and the road closed as discussed.

- Construction truck traffic is anticipated to access the Site via NYS Route 312 and Interstate Route 84 which will avoid traffic through residential neighborhoods and on local roads.
- Most construction employees will arrive and depart the Site out of phase with the peak traffic hours.
- Construction truck routing will be via Pugsley Road to Route 312. No construction traffic will be allowed to use Fields Corner Road to Fair Street.

1.4 Larger Building Alternative

Subsequent to the preparation of the DEIS for Brewster Yards, the Applicant has continued to explore the anticipated building use and needs, particularly in off-season months when programming for patrons will generate greater use inside the building than outside. The Larger FEIS Building Alternative encompasses a footprint of approximately 47,700 sf, allowing for two 90-foot infield areas inside the building. This footprint would be approximately 37 percent larger than in the DEIS plan (47,700 versus 34,855 sf) and allow for increased project utilization in the winter when the outdoor fields would not be in use. Topics of consideration that could be affected by a larger building are summarized below.

Land Use and Zoning: Conceptually, expansion of the building would occur on the west end of the proposed building footprint. This plan would not change conformance with the zoning requirements for setbacks, building coverage, FAR, or open space. The height of the Fieldhouse has been increased to allow more clear height inside for baseball practices, making the building height (as defined in the Zoning Code) approximately 40.4 feet. This exceeds the Code required maximum height (35 feet) by 5.4 feet, for which a variance will be requested from the Zoning Board of Appeals. An updated Schedule of Areas, Parking and Loading is provided below.

Visual Resources and Community Character: This alternative considers a building that is larger in footprint, thereby expanding the length of the north and south facades and increasing the height of the roof peak. The larger building would be of the same architectural character as the proposed building and would be situated within the area of disturbance shown in the DEIS plan and thus it would create no significant difference from the originally proposed building regarding visibility, extent of tree clearing or character of the neighborhood.

While the height of the Fieldhouse has increased, the proposed floor elevation has been lowered approximately 3.5 feet from the DEIS plan. Thus, the roofline of the proposed building as depicted in the DEIS visual assessment figures (DEIS Sight Line Profile Figures 5-2 to 5-6) remains valid for the assessment of sight lines.

Clearing and Grading: The larger building would be situated in the same location and within the area of clearing and grading disturbance shown in the DEIS site plan, its expanded footprint being accommodated without any significant change to the extent of site disturbance. Adjustments of the grading around the building would accommodate the building footprint increase. Spatially, the larger building footprint would fit in the space with minor adjustments to the site features and a negligible change in the project earthwork (cuts and fills).

Stormwater: This plan would increase the area of impervious surface to a small extent and would be accommodated in the design of the stormwater management systems.

Water and Wastewater: This plan would not change the projected maximum on-site population which is the basis for design of the water supply and septic system.

Traffic and Parking: This plan would not change the projected trip generation and effects on traffic compared to the DEIS Proposed Plan. An increase in recreational space in the building will incrementally increase the number of required parking spaces to accommodate the building users, from 142 spaces to 168 spaces for the recreation in building component. However, the total number of parking spaces proposed on the Site Plan (451 spaces) is greater than the number of spaces required, as it is based on the projected site population when there is maximum usage of the outdoor fields and, thus the increase in building size would be accommodated by the onsite parking provided.

1.5 Agency Approvals

Required approvals and the involved agencies are listed below:

- Town of Southeast Town Board – approval of land swap,
construction of a Town road (former Zimmer Road)
- Town Planning Board / Architectural Review Board –
subdivision approval,
site plan approval,
stormwater pollution prevention plan,
wetlands permit,
erosion control permit,
architectural review report
- Town Zoning Board of Appeals – variances for minimum front yard setback,
environmental conservation buffer,
minimum front parking setback
- Town Highway Superintendent – driveway permit
- Town Building Inspector – building permit,
blasting permit (if needed)
- Patterson Highway Superintendent – street opening permit for drainage improvement
(Fields Corner Road)
- County Department of Planning - §239 Review
- County Health Department – well and sewer/septic system construction permits,
approval of plans for a public water supply improvement
- NY City Department of Environmental Protection –
sewer/septic approval,
stormwater pollution prevention plan approval
- NYS Department of Environmental Conservation –
freshwater wetlands permit,
water withdrawal permit,
coverage under General Permit for construction activities
(GP-0-20-001)
wastewater SPDES permit
- NYS Department of Transportation – Highway Work Permit for roadwork (if needed)
- NYS Office of Parks, Recreation & Historic Preservation –
determination of impact on cultural resources
- US Army Corps of Engineers – wetlands permit (if needed)

Interested Parties

While they issue no approvals for the project, the following entities are identified as Interested Agencies for purposes of SEQR notifications.

Putnam County Highways & Facilities

New York State Office of the Attorney General, Environmental Protection Bureau, NYC
Watershed Inspector

Metro-North

US Fish and Wildlife Service

Town of Patterson

Town of Southeast Fire Inspector / E-911 Coordinator

Brewster Fire Department

New York State Police

Hunter's Glen Master Association

Property owners within 500 feet of the Project Site

1.6 Project Description Comments and Responses

Comment 1-1 (Letter 2, Snyder & Snyder 7/13/22): Hunter's Glen is in close proximity to the proposed development and, as such, Hunter's Glen has a significant interest in the thorough review of the proposed development, and respectfully requests to be named as an interested agency in connection with the SEQRA review for the Brewster Yards project.

Response 1-1: Hunter's Glen has been added to the SEQR distributions.

Comment 1-2 (Letter 3, AKRF 8/5/22): DEIS Page 1-5 states that development of the building plans will integrate green building practices. The FEIS should provide further detail on specific green building practices the Applicant will consider.

Response 1-2: Green Building standards that provide benchmarks for new building design are listed below with the specific energy conserving elements that will be considered for the Brewster Yards project:

- *Indoor water use reduction – will use low water use fixtures.*
- *Minimum indoor air quality (IAQ) performance – will use three (3) Energy Recovery Ventilators (ERV) to provide minimum required ventilation per ASHRAE 62.1. Each ERV to be provided with outdoor airflow monitoring station to measure quantity of outdoor air and modulate damper as required to maintain constant level.*
- *Minimum energy performance – will use energy efficient HVAC systems and will specify energy efficient interior and exterior LED lighting fixtures, including photo sensors, occupancy sensors and time clock controls.*
- *Low-emitting materials – will reduce demands on IAQ systems.*
- *Building products – will select products fabricated by sustainable practices.*
- *Construction waste management – will conduct waste minimization practices.*
- *Water efficient landscaping – will specify low maintenance plant species.*
- *Regional materials and recycled content – will specify materials obtained by sustainable practices.*

Comment 1-3 (Letter 3, AKRF 8/5/22): It is assumed the proposed perimeter fencing would exclude the two proposed stormwater basins located on the southern portion of the project site so as to avoid the need to construct the fence within the wetland buffer in this location. This should be clarified in the FEIS.

Response 1-3: The current project plans call for permanent fencing surrounding each playfield and gates at all points of vehicular entry.

Comment 1-4 (Letter 3, AKRF 8/5/22): The list of required approvals should also include "blasting permit" as an approval required by the Town of Southeast Building Inspector.

Response 1-4: An updated list of approvals is included in FEIS section 1.5.

Comment 1-5 (Public Hearing 8/8/22, James King): I didn't see any parking on the video or the big boards.

Response 1-5: The project site plan includes the primary parking area with a series of lots in front of the main recreation building arching toward the showcase fields, a small lot next to

Zimmer Road at the baseball showcase field, a small lot next to the multipurpose field and an arching lot along the access driveway to the multipurpose field. These are shown in the proposed site plan set and several DEIS Figures.

Comment 1-6 (Public Hearing 8/8/22, Lynne Eckardt): I didn't care for the hours on Sunday before ending at 10 pm. **(Michael Hecht):** Hours of operation. There was some concern about late night games specifically on Sundays and holidays. I did hear maybe 8:00 would be the end. But I really think we need to memorialize that somehow, some approval in terms of the absolute latest games will just stop. I think that's going to be important to know what the final hours are, specifically on Sundays and holidays. **(David Rush):** I think I understood you said the last game would be at 8 pm, starting not ending, right? So it could run until when?

Response 1-6: Normal attendance of outdoor events at Brewster Yards will typically decrease down to the participants and family spectators of the final event or activity by the end of the day. Tournaments will be held at the Softball and Baseball Showcase fields that are located toward the southern end of the project. Sunday tournament attendance will decrease as the day progresses ending with the championship game, scheduled with a start time no later than 8:00 PM, which would typically end before 10:00 PM closing. The 8PM game will have a limited number of participants and fans as most teams will have already been eliminated leaving only the championship game to be played in the 8PM time slot. No tournament games will be scheduled on a Monday holiday, except when weather delays have affected the game schedule on a preceding weekend day, the final games would be held on the holiday.

Comment 1-7 (Public Hearing 8/8/22, Lynne Eckardt): I'd love to see more specific plans or something for the Town and Little League. Because we were told that some things would be gratis or a lower rate. **(Pablo):** Is this going to be open to the public specifically for residents?

Response 1-7: Programming of the facilities at Brewster Yards for use by programs such as rec little league, travel little league and senior league, and local club travel baseball/softball will be possible once the facilities have opened. It is the Project Sponsor's intent to coordinate the operations of the proposed development with existing sports venues in the Town of Southeast to benefit Town residents. Not only will scheduling of playfield use provide priority to Town residents for certain time periods, but the facilities at Brewster Yards will also be available for scheduled programs and special events by the community and fundraisers by local charity organizations, typically at discounted rates. It is anticipated, given the current demand for playfield space, that existing baseball and softball teams will make regular use of the new facilities.

Comment 1-8 (Public Hearing 8/8/22, Lynne Eckardt): I would really like to see solar panels or something that really does help with the environment. **(David Rush):** I'm curious what other sustainable measures are going into the buildings themselves. I don't know what you're doing and if there's anything special about the buildings. We did talk about electric vehicles in the future and how you might address that.

Response 1-8: The mechanical systems for the buildings are currently being designed and the considerations of electrical components to maximize energy efficiency in the project will include use of solar energy options. Eight EV charging stations (four double-sided units) are proposed in the main parking lot, with the capability to add more in the future.

Comment 1-9 (Public Hearing 8/8/22, Lynne Eckardt): My number one concern is safety in crossing Zimmer Road, because the County does use the land at the end of the road especially after big storms. So I want to see at least one crosswalk and if its allowed to put in some speed bumps. It can be pricy. Its a Town road. But I'm very concerned about kids crossing roads.

Response 1-9: A marked and signed pedestrian crosswalk is proposed across Zimmer Road, which is shown on the project site plans and in FEIS Figure 1-2. The design of this crossing, which will be subject to review by the Town Engineer and Town Highway Superintendent, will consider safety measures appropriate to the locale. At this time a speed bump is not proposed on the Town road.

Comment 1-10 (Public Hearing 8/8/22, (Tom LaPerch): I spoke to John Tully, the acting Planning Director for the County, that the Town and the County is actually thinking of relocating the County use of that site.

Response 1-10: Use of the County property at the east end of Zimmer Road for dumping of vegetative debris was a temporary measure for disposal of storm debris which has ceased, according to John Tully, Interim Community Planner / Putnam County.¹

Comment 1-11 (Public Hearing 8/8/22, Lynne Eckardt): I really want to see Pugsley Road remain open. I know we have the gate that may be used, but one of the most dangerous things we can do is to close off roads. Because when you close off a road with another town, and then you need it open, permanently open, it's almost impossible to affect that change that may be very necessary.

Response 1-11: The Town of Southeast Highway Superintendent in his letter dated September 1, 2022 (included in FEIS Appendix B) recommended improvements on a portion of Fields Corner Road that include gates to allow the Town to close the road to public traffic and maintain the portion of the road between the gates for emergency access only. See further discussion of the road improvements proposed by Brewster Yards in FEIS section 1.3.

Comment 1-12 (Public Hearing 8/8/22, David Rush): What are the fields – are they artificial turf or real turf? And what about the landscaping around? Are you going to leave that natural, or is that going to be something else? I know that you've shown it very green; everything is green. But that's something I would be concerned about, how are you going to deal with that? I don't think you want a lot of maintenance.

Response 1-12: All of the playfields are proposed to be synthetic turf. Perimeter areas will include paving for circulation and landscape treatment to stabilize the ground up to the limits of construction and edges of the woodland to remain. Plant materials for this project will be selected for low maintenance and low water use, favoring native and naturalizing species.

Comment 1-13 (Public Hearing 8/8/22, Ellen Yass): I think this is another questionably considered sports facility. I'd rather see a community pool rather than nine sports fields. I'd rather see other sports. I'd rather see something for the under 21-year-olds. There are lots of reasons baseball is failing here.

¹ From telephone conversation with Frederick Wells on September 6, 2022.

Response 1-13: *The Town of Southeast does not have a formal recreation plan for addressing recreation needs of its residents, however anecdotal evidence indicates that there is a significant need for additional active recreation facilities to be available for Town residents, especially school-aged children.² The Project Sponsor anticipates strong local response to a new baseball/softball focused venue in the Town of Southeast. The Brewster Yards program is based on the experience of this Sponsor having operated a successful baseball training facility for youth in Mount Kisco for the past 21 years.*

Comment 1-14 (Public Hearing 8/8/22, Alicia Yarusso): *I live right next to the project. Nowhere here do I really see my property referenced. I think even two meetings ago I asked please include my property. Not included. I'm being told it's going to be 300 feet from my property. I hear Tilly Foster now more than ever with all the trees down. So I would like a barrier, set of trees, whatever you would like, between the fields, the baseball, right in between. I don't need to hear 1,000 cheerleaders and audience. You know, the hours of operations -- you say the last game is going to be at 8:00. Well, that could go until 10:30, 11:00. There are residents in the area that get up 3:30, 4:00 in the morning that are operating heavy 18-wheelers and could put people's lives at risk because they are unable to sleep. So, you know, a barrier or something to prevent that with the lights.*

Response 1-14: *The neighboring Yarusso property is noted on the site survey used for the site plan set and is represented on the survey base map used for several figures in the DEIS. Consideration of the neighboring residential properties is recognized in DEIS assessments for visual impacts, stormwater management, and noise, and in the hours of operation proposed, all in accordance with the adopted Scope. A plan and cross section showing the immediate area of the two residential properties next to the north end of the Brewster Yards property was presented at the January 23, 2023 continued public hearing and is provided in FEIS Figure 1-3. Brewster Yards proposes to preserve existing woodland cover over a distance of approximately 262 feet as a buffer between the northern property line and the limits of grading for the multisport field and stormwater basins, or approximately 475 feet between the nearest house and the playfield itself.*

See also response 1-6 regarding hours of operation.

Comment 1-15 (Public Hearing 8/8/22, Rebecca Rabinowitz): *I like all the beautiful things that we already have that don't require any development. It's perfect the way it is. And I think we should really focus on what we have here that benefits us, the residents here. I pay a lot of property taxes. I have two properties in Southeast. And I just want to know if this project is going to lower my property taxes? But also just the impact of what it's like to live here. I live on Ice Pond Road, and I can hear Unilock working the machinery at night from Ice Pond Road. I hear the high school playing games. I hear cheering, and I like that. But it's a question of how much, how consistent, how nonstop, and how it's going to affect me and my life here as I drive the roads and live my life.*

Response 1-15: *Comments noted. The proposed project will pay its fair share of taxes but there is no expectation that this revenue will lower the taxes on other properties. See also responses 1-14 and 1-24.*

² DEIS page 1-3.

Comment 1-16 (Public Hearing 8/8/22, Alex Mazzotta): We certainly would love to discuss the potential of Brewster Little League hopefully being able to utilize these fields during our spring seasons. We know the weekends are going to be their prime time for their tournaments. But maybe there's going to be some off-season, off-days earlier in the week where we'd love to engage them and see if we could utilize the fields locally here during our season.

Response 1-16: *It is the Project Sponsor's intent to coordinate the operations of the proposed development with existing sports venues in the Town of Southeast to benefit Town residents. Not only will scheduling of playfield use provide priority to Town residents for certain time periods, but the facilities at Brewster Yards will also be available for scheduled programs and special events by the community and fundraisers by local charity organizations, typically at discounted rates. It is anticipated, given the current demand for playfield space, that existing baseball and softball teams will make regular use of the new facilities.*³

Comment 1-17 (Public Hearing 8/8/22, Peter Bell): We will need hotels when this gets erected because there are hotels all around Ripken Stadium based on all of the summer leagues that come in. And I think that's something that should or shouldn't be addressed in the EIS.

Response 1-17: *The Brewster Yards proposal does not include hotel facilities. As described in the DEIS, it is possible that this project would generate further economic development in the area to a modest degree. There may be increased demand for accommodations in the local area. Induced benefits to the local economy from the proposal are included in the economic assessment described in DEIS section 4.4.*

Comment 1-18 (Letter 7, Jim King 8/9/22): Proswing needs to have some permanent structure dedicated to Safety/Medical uses. I understand that an Emergency Vehicle on hand with EMTs is important. But they need a place for people to go for aid.

Response 1-18: *Brewster Yards will have at least one First Aid vehicle on-site dedicated and equipped to provide initial emergency care and mobile transport on weekends during the peak season. The trainer's room in the Maintenance Building will have space that can be dedicated to function as a temporary medical station if needed. Also see responses 3-1 and 3-13.*

Brewster Yards will have AEDs (defibrillators) and First Aid supplies stored at central locations close to the playfields, each in an accessible cabinet with clearly visible AED/First Aid signage. AEDs and First Aid supplies are proposed to be stored at each of the concession stands inside each of the two baseball "clovers" and at each of the two showcase fields.

Comment 1-19 (Letter 8, Ellen Yass & Peter Simon 8/25/22): Garbage and Waste -- People generate all kinds of plastic, paper, metal waste. Effective waste management firms, such as TerraCycle™, collect and recycle every kind of waste. Will the management of Brewster Yards pay for and use easy to use TerraCycle™ boxes? **(Public Hearing, Ellen Yass):** Sanitation is a big issue. Who is going to collect all the garbage and the recycling and everything else that is going to be generated by lots of people?

³ DEIS page 1-3.

Response 1-19: *Solid waste management during project construction and operations after construction will be handled in accordance with federal, state, and local regulations. Recyclable materials will be separated from the waste stream for reuse. The project will contract with a private waste and recyclables hauler who will be responsible for proper disposal or repurposing of waste materials.*

Comment 1-20 (Letter 8, Ellen Yass & Peter Simon 8/25/22): *Compost -- Food scrap collection for facilities larger than 10,000 square feet is state law since January 2022. Technically, Brewster Yards will not be a food service provider, but wouldn't it be a great civic duty to Southeast if Brewster Yards management stewards and pays for food scrap collection?*

Response 1-20: *The concession facilities at Brewster Yards are not expected to generate sufficient quantity of food waste for an effective food scrap collection program for redistribution.*

Comment 1-21 (Letter 8, Ellen Yass & Peter Simon 8/25/22): *Food Services -- Can local proprietors such as Salinger's Food Truck, Red Rooster, La Guadalapaña be given food concession exclusivity? Healthy food choices would be a nice option, since outside food will, justifiably, be prohibited.*

Response 1-21: *Local vendors will be solicited to provide food services at Brewster Yards.*

Comment 1-22 (Letter 9, Juergen Tempel 8/26/22): *The sports complex along with the other developments in the area requires further road development and destruction of nature and woodland.*

Response 1-22: *Brewster Yards will be serviced by the existing road network without need for development of new roads. Development on the subject property will necessitate removal of existing woodland, which is assessed in the DEIS and in further descriptions in this FEIS. See also response 7-9.*

Comment 1-23 (Letter 9, Juergen Tempel 8/26/22): *The truck and warehouse development in our Brewster Yards neighborhood will bring more crime to our quiet and safe area.*

Response 1-23: *It is anticipated that the presence of new, active facilities on Pugsley Road will discourage less desirable activities such as dumping and nighttime "partying" than now occur there. By example, there have been no reported instances of crime associated with the Applicant's Mount Kisco facility.*

Comment 1-24 (Letter 9, Juergen Tempel 8/26/22): *I ask you reconsider and revise all projects in Brewster Yards and consider small nature loving alternatives for this area to keep our environment healthy, our waters clean, our neighborhood quiet and safe, and community livable.*

Response 1-24: *The proposed Brewster Yards project is in keeping with the existing zoning for the area and elements of the Town Comprehensive Plan Update 2014 applicable to this area of the Town. See DEIS section 2.2. The overall project design concept accounts for protection of wooded lands, habitats, water resources and community character through various strategies described in the DEIS. Unavoidable impacts of development will be considered by the approvals*

agencies against the provisions made in the project design for minimizing such impacts and the benefits that the project is anticipated to bring to the community.

Comment 1-25 (Letter 6, Brewster Fire Department 8/24/22): In reviewing the Architectural drawings, the elevation views do not show access/egress from the rear of the main building. Recommend an on-grade exit at the rear of the building/concession stand area.

Response 1-25: The main recreation building is one-story and will have multiple exits at-grade on the south side. The building will be set into the grade so that the rear grade at the building is approximately nine feet higher than the front, with no floor level meeting the rear grade. Interior circulation has been designed to meet or exceed building/fire code requirements for accessibility and safe means of egress from the building in the case of emergency. The project plans were reviewed and found acceptable by Fire Department officials in a meeting on November 8, 2022, which is summarized in a memo included in FEIS Appendix B. See also the November 26, 2022, response from the Department in Appendix B.

Comment 1-26 (Letter 6, Brewster Fire Department 8/24/22): In reviewing the Architectural and Civil Drawings, the grade difference of 10'-8" from the front to the rear of the building reveals a vertical foundation wall on the left side. This makes for difficult access to the floor level from outside the building with no ladder truck access due to trees. Recommend stairwell/deck/landing for emergency access/egress.

Response 1-26: Refer to response 1-25 and summary from a meeting with Fire Department officials on November 8, 2022, and follow-up response by the Department dated November 26, 2022, included in FEIS Appendix B.

Comment 1-27 (Letter 6, Brewster Fire Department 8/24/22): Access to the rear of the building is by a delivery roadway that narrows down to approximately 12'-3" (see attached marked up drawing and Fig. 1.) This should be wider so we can get a ladder truck to the rear of the building.

1. The exact width of the ladder trucks are 8'-6". However, to fully operate they require a minimum of 21'-0" due to the fully extended outriggers. Outrigger pads must also be on sound bearing surface. GVW = 40 tons.
2. Ideal ladder placement is to access as many sides of the building as possible. This would mean right near the gate at the driveway.

Response 1-27: A vehicle access route 24 feet wide is provided to the rear of the building sufficient to accommodate a fire truck. The concourse / plaza surface is designed to accommodate vehicle circulation by concession and maintenance trucks and emergency vehicles, with ability to support outriggers. Placement of landscaping around the building will allow room for placement of ladders for firefighting. Refer to response 1-25 and summary from a meeting with Fire Department officials on November 8, 2022, and follow-up response by the Department dated November 26, 2022, included in FEIS Appendix B.

Comment 1-28 (Letter 6, Brewster Fire Department 8/24/22): Fields -- There is minimal access to the center of the ballfields for EMS vehicles which are 8'-6" wide. The attached comments on the drawings show dimensions and areas for potential emergency vehicle access.

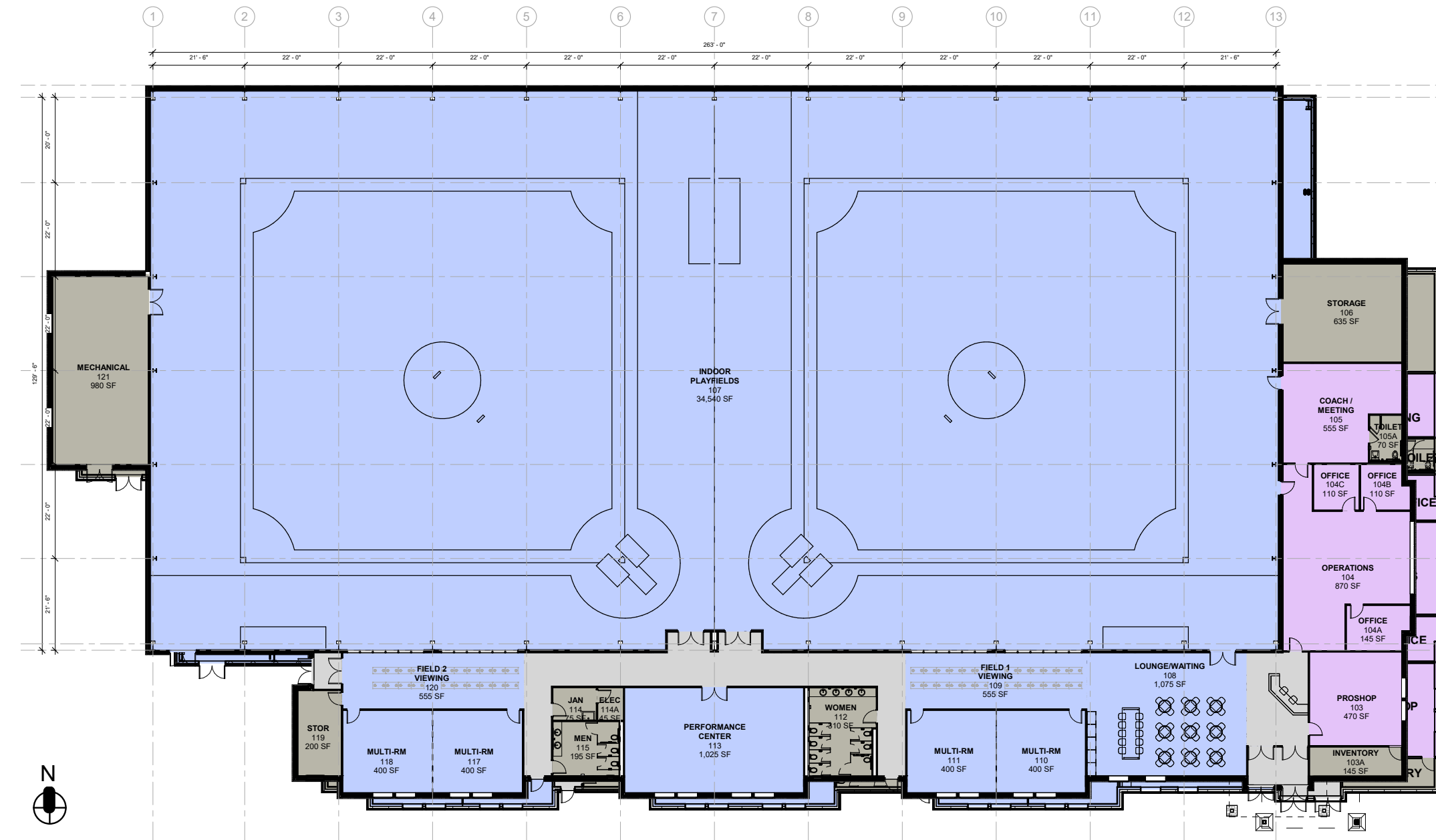
Response 1-28: *Paved aisles between the ballfields in the two clovers are specified to be 15 feet wide (which would accommodate an EMS vehicle to enter and back out). The proposed driveway along the west side of the site will be 24 feet wide to accommodate emergency vehicle access to the fields. Direct access from this driveway to the Baseball Clover will be provided. The minimum width of paved pathways around the site is 10 feet.*

Comment 1-29 (Letter 6, Brewster Fire Department 8/24/22): Add an additional parking lot access/egress near the multi-sport field to avoid a dead-end parking lot.

Response 1-29: *Direct access to Fields Corner Road from the parking lot at the multisport field is not proposed given the significant elevation difference between these points and the stormwater management basins proposed here and the Town road is anticipated to be closed to traffic.*

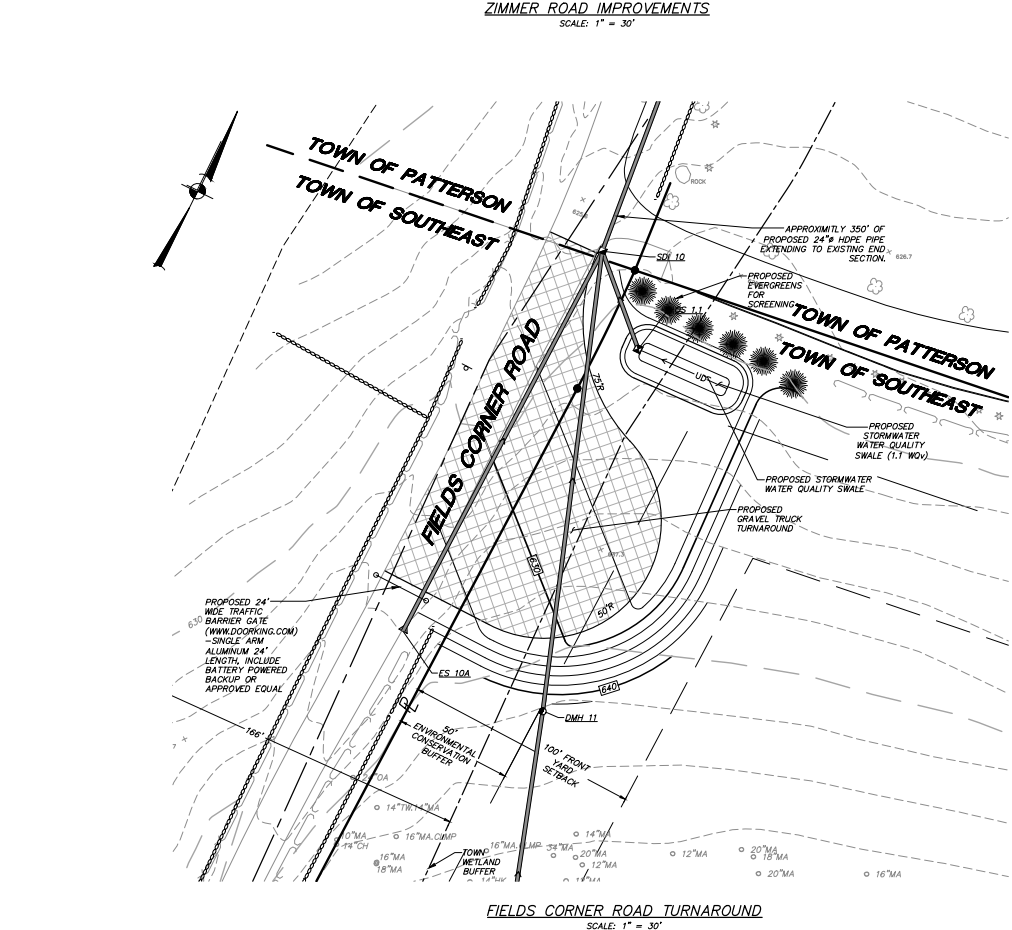
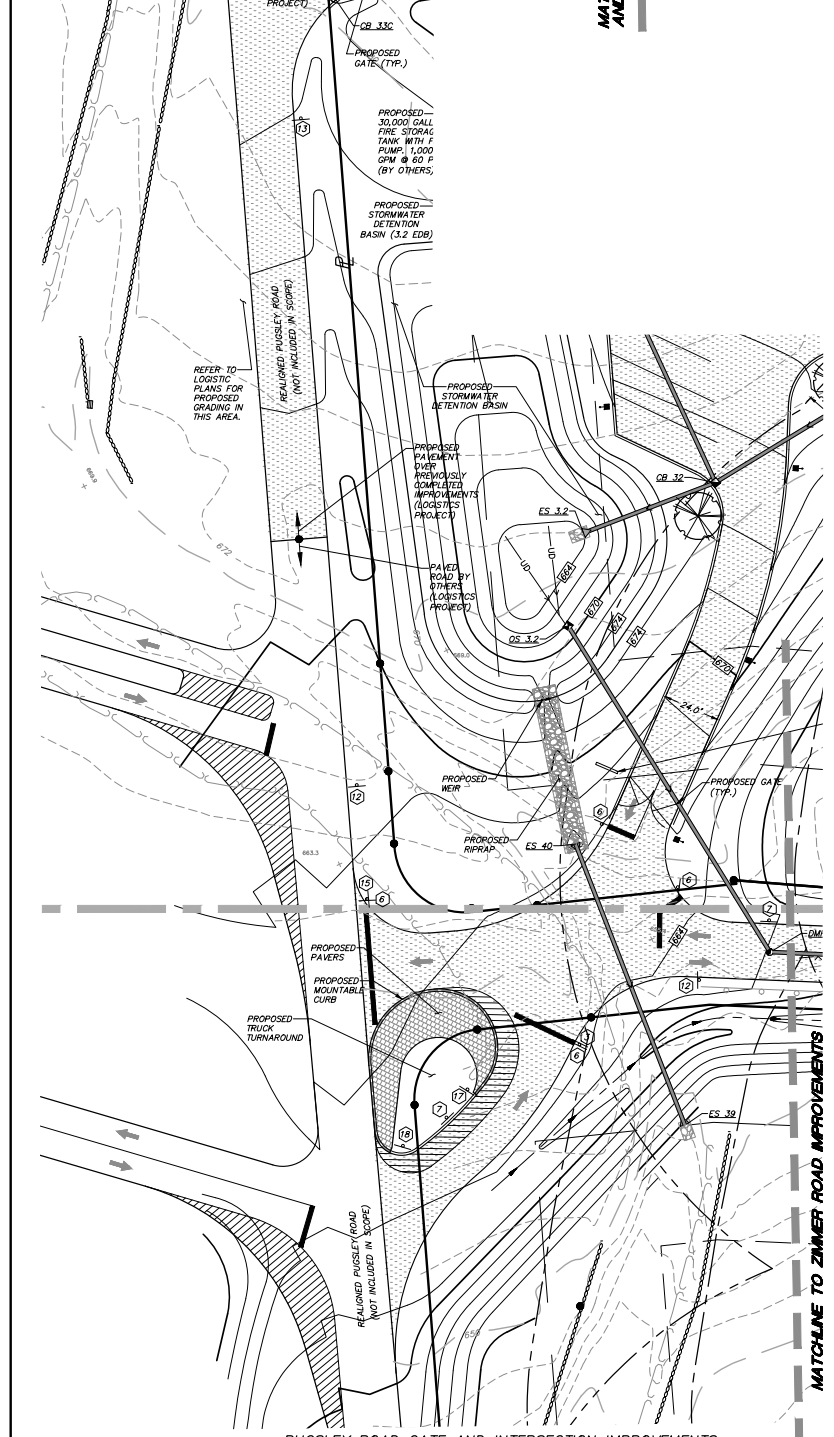
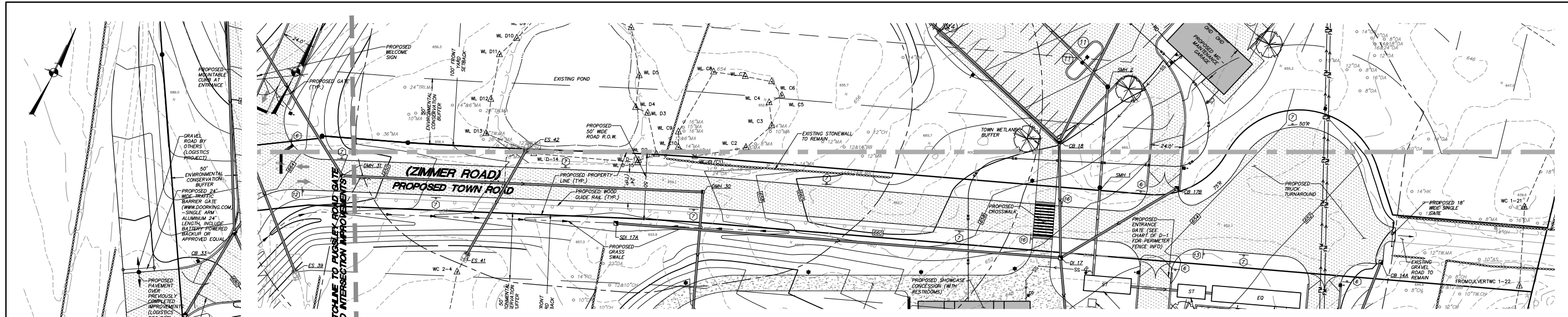
Comment 1-30 (Letter 11, Ryan Dall 8/8/22; Letter 12, Dr. Alex Gialanella 8/8/22; Letter 13, Mike Vaccaro 8/8/22; Letter 14, David Zaslav 8/11/22; Public Hearing 8/8/22, David Zaslav): *Comment letters were received from three coaches and the Founder of the Greater Hudson Valley Baseball League in enthusiastic support of the Brewster Yards project. While these statements were not directed as comments on the topics presented in the DEIS, these four letters are included with the public comment letters in Appendix D.*

Response 1-30: *See letters 11, 12, 13 and 14.*



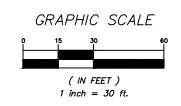
Room Schedule	
Name	Area
OFFICE	145 SF
OPERATIONS	870 SF
COACH / MEETING	555 SF
MULTI-RM	400 SF
MULTI-RM	400 SF
MULTI-RM	400 SF
WOMEN	310 SF
PERFORMANCE CENTER	1,025 SF
STORAGE	635 SF
MULTI-RM	400 SF
FIELD 2 VIEWING	555 SF
STOR	200 SF
INVENTORY	145 SF
PROSHOP	470 SF
OFFICE	110 SF
OFFICE	110 SF
FIELD 1 VIEWING	555 SF
TOILET	70 SF
JAN	75 SF
MEN	195 SF
ELEC	45 SF
LOBBY	315 SF
LOUNGE/WAITING	1,075 SF
FOYER	125 SF
MECHANICAL	980 SF
HALL	1,060 SF
INDOOR PLAYFIELDS	34,540 SF
VEST	55 SF
Room	5 SF
Grand total: 29	45,835 SF

- ADMINISTRATION
- CIRCULATION
- SUPPORT
- RECREATION/PUBLIC USE



LOCATION NO.	TEXT	M.U.T.C.D. NUMBER	SIZE OF SIGN (s.f.)	DESCRIPTION
2a	[Sign Symbol]	R6-1C	12" x 36"	Black Background White Arrow Black Letters
2b	[Sign Symbol]	R6-1C	12" x 36"	Black Background White Arrow Black Letters
3	[Sign Symbol]	R5-1C	30" x 30"	White on Red
6	[Sign Symbol]	R1-1C	30" x 30"	White on Red
7	[Sign Symbol]	R7-1	12" x 18"	Red on White
8	[Sign Symbol]	NY R7-B	12" x 18"	Green on White Blue Symbol
	[Sign Symbol]	R7-BP	12" x 6"	Green on White
9	[Sign Symbol]	R1-2B	30"	White Background Red Symbol
10	[Sign Symbol]	R3-1	30" x 30"	White Background Black Arrow Black Border
11	[Sign Symbol]	-	12" x 18"	"Charging Station" White on Green Other Text Green on White
12	[Sign Symbol]	W14-2	24" x 24"	Black on Yellow
13	[Sign Symbol]	W14-1	24" x 24"	Black on Yellow
14	[Sign Symbol]	W2-2	24" x 24"	Black on Yellow
15	[Sign Symbol]	D3-1	24" x 8"	White on Green - Letter height: cap case 4" min. and lower case 4.5" min. per MUTCD
16	[Sign Symbol]	R1-SL	18" x 18"	Black on White
	[Sign Symbol]	R1-SR	18" x 18"	Black on White
17	[Sign Symbol]	-	12" x 36"	Black on White
18	[Sign Symbol]	-	12" x 36"	Black on White

LEGEND	
[Symbol]	EXISTING PROPERTY LINE
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[Symbol]	EXISTING TREES
[Symbol]	EXISTING TREENE
[Symbol]	EXISTING 10' CONTOUR
[Symbol]	EXISTING 2' CONTOUR
[Symbol]	EXISTING SPOT GRADE
[Symbol]	EXISTING WETLAND WATERCOURSE
[Symbol]	EXISTING WETLAND SYMBOL
[Symbol]	EXISTING WETLAND LIMIT LINE
[Symbol]	EXISTING EDGE OF POND / WATERCOURSE
[Symbol]	EXISTING TOWN WETLAND/WATERCOURSE BUFFER
[Symbol]	NYSD&C 100' WETLAND ADJACENT AREA & NYSD&C 100' WETLAND LIMITING DISTANCE
[Symbol]	EXISTING NYSD&C 100' WATERCOURSE LIMITING DISTANCE
[Symbol]	PROPOSED # OF STALLS TO BE STRIPED
[Symbol]	PROPOSED CURB
[Symbol]	PROPOSED RETAINING WALL
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[Symbol]	PROPOSED CATCH BASIN
[Symbol]	PROPOSED OUTLET STRUCTURE
[Symbol]	PROPOSED END SECTION
[Symbol]	PROPOSED WATER CURB STOP VALVE
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[Symbol]	PROPOSED DRAINAGE PIPE
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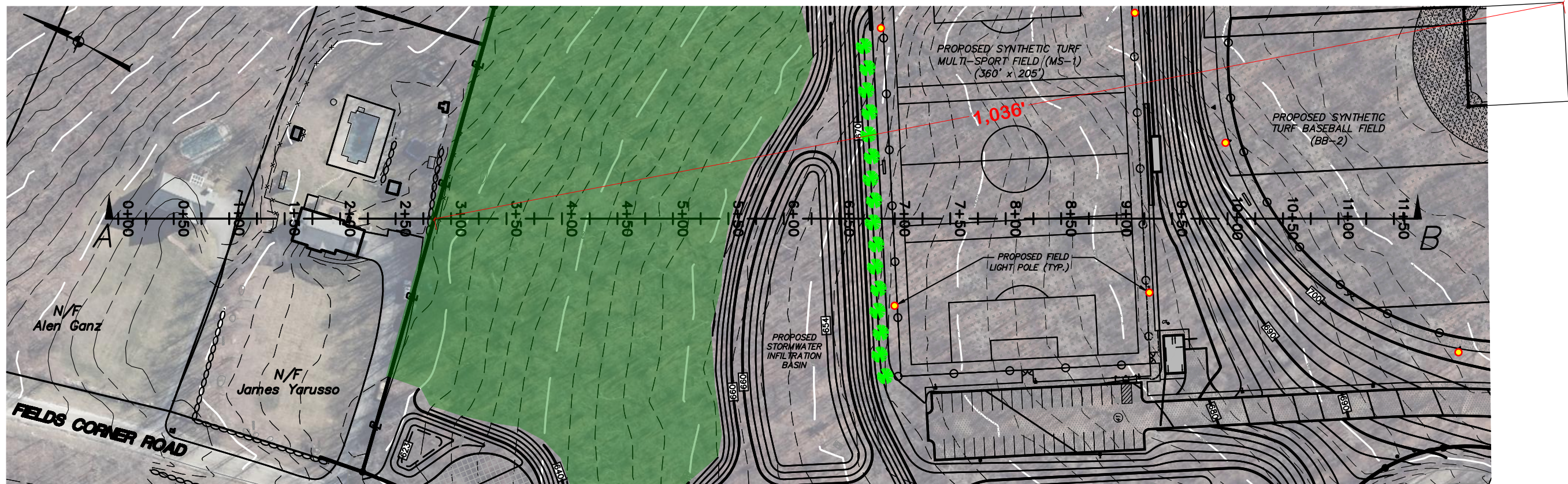


NO.	DATE	REVISION	BY
 INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
PROJECT: BREWSTER YARDS 160 & 132 PUGSLEY ROAD, TOWN OF SOUTHEAST, PUTNAM COUNTY, NY			
DRAWING: OFFSITE IMPROVEMENTS PLAN			
PROJECT NUMBER	19249.100	PROJECT MANAGER	J.M.W.
DATE	11-28-22	DRAWN BY	M.E.U.
SCALE	1" = 30'	CHECKED BY	K.M.G.
DRAWING NO.	SP-4.0		SHEET 16
			29

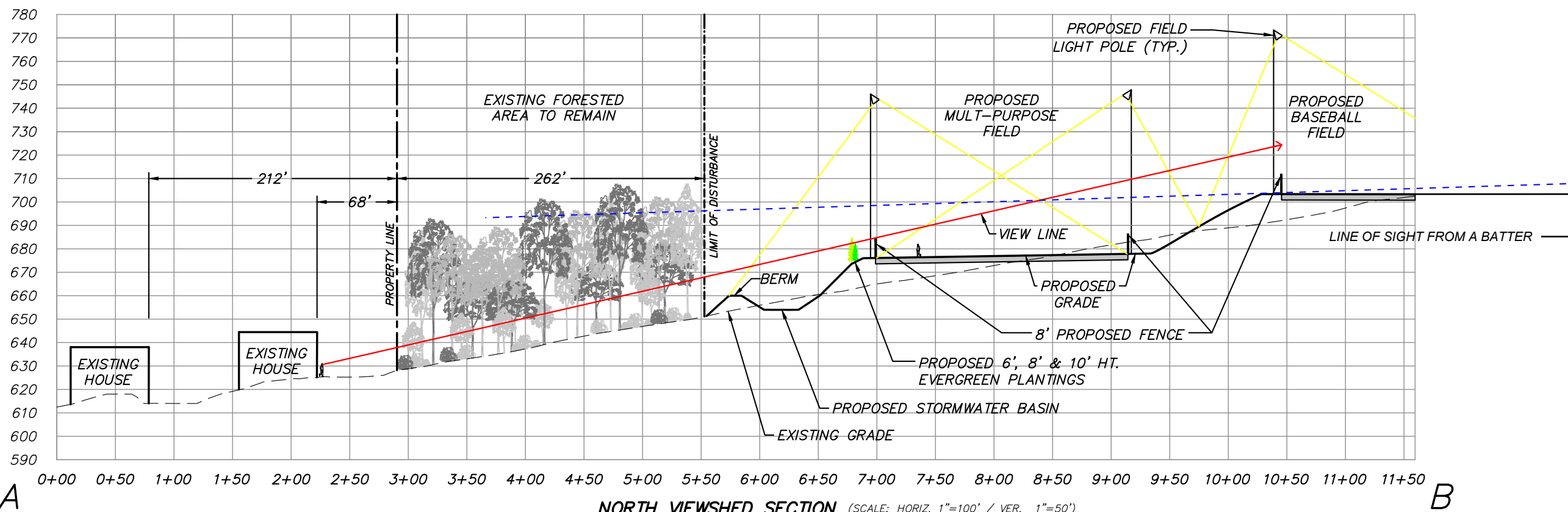
Figure 1-2
Off-Site Improvements Plan
BREWSTER YARDS FEIS
Town of Southeast, Putnam County, New York

ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.

2:15/24/2023 10:40 AM Page 16 of 42 Rev. 11/20/2023 9:05:51 AM, dwtm, 1:1



NORTH VIEWSHED PLAN (SCALE: 1" = 100')



NORTH VIEWSHED SECTION (SCALE: HORIZ. 1"=100' / VER. 1"=50')

DATE:	1-19-23
SCALE:	AS SHOWN
PROJECT NO.:	19249.100
FIGURE:	NV-1

PROJECT:	BREWSTER YARDS 160 & 132 PUGSLEY ROAD, TOWN OF SOUTHEAST, PUTNAM COUNTY, NY
DRAWING:	NORTH VIEWSHED SECTION/PLAN

PREPARED BY:



INSITE
ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C.
3 Garrett Place • Carmel, New York 10512
Phone (845) 225-9690 • Fax (845) 225-9717
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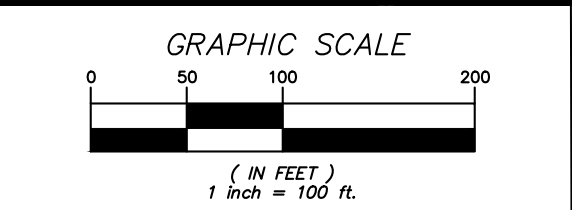


Figure 1-3
North Property Line Section & Plan
BREWSTER YARDS FEIS
Town of Southeast, Putnam County, New York

Z:\E\19249100 ProSwing Pugsley\Misc Drawing Files\Northern Section\SECTION VIEWSHEDED.dwg, 1/19/2023 4:39:23 PM, dwilson, 11

2.0 LAND USE, ZONING AND PUBLIC POLICY COMMENTS AND RESPONSES

Comment 2-1 (Letter 3, AKRF 8/5/22): The description of the land uses in the larger site vicinity in Section 2.1 should mention the Hunter Glen condominium development to the west.

Response 2-1: Comment noted. Land in the larger site vicinity is developed in a mix of uses, including single-family residences to the north in the adjoining Town of Patterson, the Hunter's Glen condominium development to the west, Tilly Foster Farm to the south, a County-owned property that is open to the public for various community-related activities and commercial/retail development on properties further to the south of NYS Route 312.

Comment 2-2 (Letter 9, Juergen Tempel 8/26/22): The Brewster Yards/ Pugsley Road and Barrett Road area needs to stay in a stage that complements the serene spirit of nature and country feeling that complement its adjacent recreational sites such as the Tilly Foster Farm, the Carmel Golf Club, the Middlebranch Reservoir and the Putnam-Westchester Rail-Trail.

Response 2-2: The project plan as proposed will be compatible with the general, relevant policies contained in the Town's Comprehensive Plan Update and the Croton Plan, accounting for the various mitigation measures outlined in the DEIS and further advanced for the FEIS. The project plans include appropriate provisions to preserve sensitive natural resources (including wetlands, watercourses, steep slopes, and the ridgeline) and provisions for protection of stormwater quality to the greatest extent practicable. The following preservation / open space areas of the proposed plan are noted:

- Wetlands and waterbodies – 0.5 acres (100%) preserved within the project perimeter, plus all wetlands on the other 71.7 acres subject to the proposed action¹
- Watercourses – 2,046 linear feet (100%) of existing watercourses preserved within the project perimeter, plus all watercourses on the other 71.7 acres subject to the proposed action
- Steep slopes – 14.5 acres (93%) of existing slopes >25% on the 153 acres subject to the proposed action
- Ridgeline – 0.46 acres (100%) of regulated ridgeline preserved and undisturbed
- Wooded uplands – 33 acres preserved (40% of the development area), plus all woodland on the other 71.7 acres subject to the proposed action

As a privately-developed recreational use intended to serve the community, the proposed project seeks to meet public policy goals of the Town of Southeast, namely: to balance a healthy economic environment with quality residential and commercial character while protecting the integrity of the natural resources and infrastructure; to maintain the Town's picturesque rural character while allowing for appropriate commercial development; and, to provide residents with adequate, accessible, and efficient community facilities and services.

¹ Area of tax parcels 45.-1-10 and 45.-1-11 to remain in Town ownership as permanent open space.

3.0 COMMUNITY SERVICES COMMENTS AND RESPONSES

Comment 3-1 (Letter 3, AKRF 8/5/22): The DEIS states that the “proposed project would create potential demand for additional community services.” The FEIS should provide additional information as to the anticipated call volume (to police, fire, and EMS providers) that would be generated by the proposed project. A study of emergency service calls from similar baseball facilities, or research on how baseball facilities compare to other land uses in terms of calls for service, would be useful in estimating future conditions. Other information that could help bolster this discussion is whether baseball facilities result in more or less emergency service calls than other outdoor active recreational facilities.

Response 3-1: *Operations at Brewster Yards will be programmed based on the experience of the Applicant, who has operated the ProSwing facility in Mount Kisco, New York for 21 years. ProSwing of Mount Kisco is open daily and year-round and provides youth (ages 3 to 12 years old) baseball/softball programs, lessons, clinics, and camps and hosts regular season games and tournament events for its five (5) travel youth (10U to 13U) baseball teams. The Applicant reports that there has been one call per month, on average, to an EMS provider to the Mount Kisco location in 21 years (8 EMS calls over a summer season).*

One EMS vehicle with at least one certified EMT will be contracted by Brewster Yards to be present on-site and visible for tournament weekends during the peak season (generally from the second weekend in March to the third weekend in November – approximately 35 weekends), weather permitting. Further, two Certified Athletic Trainers¹ will be hired and on-site for tournament games and all primary staff employed during peak and off-peak seasons will be CPR and First Aid trained and certified. Staff certification will satisfy OSHA recommendations regarding job site safety. OSHA does not identify a specific number of people that need to be certified. Rather, OSHA says that enough people must be certified to guarantee that if an incident occurs, there is someone available to reach the person in need within four minutes. Additionally, at all times the facility is open, Brewster Yards will have First Aid trained personnel coverage at the facilities in use, including athletic trainers, umpires, and maintenance staff. Therefore, Brewster Yards is not expected to significantly increase the call volumes to local emergency service providers during its operation.

Primary staff constitutes the employees who are out on the playfields interacting with players, which will range from one to four persons at a field, depending on the activity. Brewster Yards will employ a staff with varied tasks that will place them all around the facility when there are baseball patrons present, alert to monitor patron activities and who will have means of direct communications (e.g., walkie-talkies) with all other staff on-site in case of an incident.

From a national study of emergency department (ED) visits for injuries sustained during sports and recreational activities over a six year period (of approximately 2.7 million average annual visits), the top five most frequent activities that caused such injuries among patients 5–24 years old were: football (14.1%), basketball (12.5%), pedal cycling (9.9%), soccer (7.1%), and ice or

¹ Certified Athletic Trainers are certified under NYS Education Law, Article 162. (<https://www.health.ny.gov/professionals/ems/pdf/17-05.pdf>) Additional information regarding Certified Athletic Trainers can be found at: <http://www.op.nysed.gov/prof/at>

roller skating or skateboarding (6.9%).² Approximately six percent (6%) of ED visits were for sports injuries in baseball or softball. No study data was found regarding police and fire department demand related to a sports venue.

In 21 years of experience at ProSwing of Mount Kisco, the Applicant reports that there have been no calls to police or fire emergency providers. Discussion of the anticipated call volume for police services is provided in Response 3-4. Discussion of the anticipated call volume for fire emergencies is provided in Response 3-12.

Comment 3-2 (Letter 3, AKRF 8/5/22): The DEIS discussion of police services for Brewster Yards indicates the distances to the locations of two identified police service providers. The FEIS should estimate the response time to the Project Site from the two identified police stations.

Response 3-2: *Response time to the site from the Putnam County Sheriff's Department at 3 County Center in Carmel is approximately 10 minutes. Response time to the site from the NYS Police Troop K Barracks on Route 22 in Brewster is approximately 10 minutes. Actual response times would depend on the location of the responding officers at the time of a call.*

Comment 3-3 (Letter 3, AKRF 8/5/22): The DEIS anticipates that nearby roads “are sufficient to accommodate the projected traffic without need for traffic control by police or traffic safety personnel.” If possible, the FEIS should refer to conditions at other, similar facilities, that would support this conclusion. DTS Provident used several other sites for calculation of trip generation. These other sites could be surveyed/interviewed to determine if police/traffic assistance is needed during peak visitation hours.

Response 3-3: *While the conditions at other sports facilities are not known to be the same as the conditions at the Brewster site, the conclusion in DEIS section 3.2.3 that there will be sufficient controls to accommodate the projected traffic without need for traffic control personnel is based on the conclusions of the Traffic Impact Study for Brewster Yards, which in “the considered professional opinion of DTS Provident Design Engineering, LLP ... the Proposed Project and associated mitigation will adequately offset any significant impacts with respect to traffic.” The ability of the roadway network and traffic control systems around Brewster Yards to accommodate anticipated traffic volumes was assessed by adding the traffic volumes to be generated by the Proposed Project to the No-Build Traffic Volumes, which included volumes of the new Logistics Center project, to determine the Build Traffic Volumes that were then compared to roadway capacities. Standard design parameters for new traffic control devices and roadway alignments on State roads, subject to State Department of Transportation review and approval such as is the case with the traffic controls approved at the Route 312/Pugsley Road intersection, were shown to accommodate the projected traffic volumes without the use of supplemental measures such as traffic control personnel.*

The representation of total on-site population in the DEIS does not explain how the site activities are programmed with staggered start and stop times. The estimated 1,023 total site population is comprised of 32 baseball teams, 18 teams occupying 9 fields and up to 14 teams “on deck” to

² US Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Health Statistics: “Emergency Department Visits for Injuries Sustained During Sports and Recreational Activities by Patients Aged 5–24 Years, 2010–2016”, National Health Statistics Report Number 133, November 15, 2019.

play. When two games end, for example, approximately 120 people (4 teams and their families) would leave the site. That would involve an estimated 48 vehicles, which is approximately nine (9) percent of the Saturday peak hour traffic volume on Pugsley Road projected to pass through the Route 312/Pugsley Road intersection, which will be signalized. With the newly improved intersection projected to operate at level of service B, the volume of traffic generated by this project would not necessitate any supplemental measures such as traffic control personnel.

Analysis of the Route 312 / Pugsley Road intersection found that the overall intersection and individual movements are all operating at a Level of Service 'C' or better after both Logistics and Brewster Yards projects are built out, meaning that the intersection has plenty of capacity to operate acceptably under normal traffic signal operations (in other words, without manual traffic control). As a further check on this condition, the traffic engineer performed a quick sensitivity analysis by increasing all of the Saturday traffic movement volumes at this intersection by 50 percent and found Levels of Service 'D' or better under normal traffic signal operations, which is acceptable in standard traffic engineering practices. Therefore, there is no expectation to need a traffic control officer at this intersection during a weekend event that would generate an increase in project trip generation of up to 50 percent (and even in that instance, manual traffic control may not be necessary).

Comment 3-4 (Letter 3, AKRF 8/5/22): The FEIS should indicate whether or not the Applicant contemplates contracting with a private security provider to oversee activities at Brewster Yards during operating hours, especially during in-season, non-school days, when up to 1,023 persons are anticipated to visit Brewster Yards.

Response 3-4: *The Applicant does not anticipate the need to have contracted security personnel on-site. The primary staff will be responsible for monitoring patron activities on the site during operating hours. (See also response 3-1.) The grounds will be fenced/gated and monitored with electronic surveillance when it is closed. In the Applicant's 21 years of experience at ProSwing of Mount Kisco there have been no calls to police for emergency response. Such a comparison is apropos since ProSwing of Mount Kisco provides similar programming to what is planned for the Brewster location and for a similar clientele of young people. The credentials of the staffing planned for Brewster Yards is also comparable to the Mount Kisco venue.*

While the Applicant does not anticipate any significant demand for police services, Putnam County is projected to receive approximately \$90,000 per year in property tax revenues from the proposed project (DEIS Section 3.2.3), a portion of which could offset demand for County Sheriff's Department services, if needed. Supplemental security / crowd control personnel could be added should the Applicant determine during operations that additional measures are necessary. Based on the sponsor's experience and initial programming planned for Brewster Yards, the anticipated staffing will provide a presence and have appropriate training/experience in coaching young people to establish a secure environment for its patrons. As a venue that will cater to youth and families, safety and security of the patrons will be the primary focus of the project sponsor, in addition to providing a rewarding learning experience for baseball enthusiasts.

Comment 3-5 (Letter 3, AKRF 8/5/22): The DEIS discussion of fire protection services for Brewster Yards indicates the distances to the locations of two fire stations. The FEIS should estimate the response time to the Project Site from the two identified fire stations.

Response 3-5: *Driving time to the project site from the Lt. Michael E. Neuner Fire Headquarters is located at 501 North Main Street in Brewster is approximately seven minutes. Driving time to the site from the Brewster Fire Department Station No. 1 on Route 312 & North Brewster Road is approximately six minutes. Response time from either location is estimated to be between 13 and 18 minutes, depending on the availability of Department personnel*

Comment 3-6 (Letter 3, AKRF 8/5/22): The discussion of fire protection services for Brewster Yards should indicate whether the Applicant received responses to the letters sent to the Brewster Fire Department.

Response 3-6: *No responses were received on query letters sent to the Fire Department nor to the phone calls placed in October 2022 to the Department requesting additional information for the DEIS.³*

Comment 3-7 (Letter 3, AKRF 8/5/22): The discussion of community services indicates that the “main building of the Brewster Yards would be equipped with a sprinkler system.” The FEIS should indicate whether sprinkler systems are contemplated for other buildings (e.g., concession buildings).

Response 3-7: *The main recreation building will be sprinklered; the other buildings are not proposed to be sprinklered.*

Comment 3-8 (Letter 3, AKRF 8/5/22): The Applicant should initiate consultation with the Brewster/Southeast Joint Fire District regarding EMS services. It is recommended that representatives from the Applicant, the Brewster/Southeast Joint Fire District, and the Town of Southeast Planning Board meet to discuss the proposed project and the potential demand by Brewster Yards on EMS services.

Response 3-8: *Refer to response 3-6.*

Comment 3-9 (Letter 3, AKRF 8/5/22): Section 3.4.3 indicates that “Brewster Yards proposes to contract with an ambulance service to be manned at the site.” The FEIS should further describe the scope of services that the Applicant anticipates it would contract for (e.g., number of ambulances, number of personnel, schedule).

Response 3-9: *One EMS vehicle with at least one professional EMT will be contracted by Brewster Yards to be present and visible on-site for tournament weekends during the baseball season (generally from the second weekend in March to the third weekend in November – approximately 35 weekends), weather permitting. At all times the facility is open, Brewster Yards will have First Aid trained personnel coverage at the facilities in use, including athletic trainers, umpires, and maintenance staff.*

Comment 3-10 (Public Hearing 8/5/22, George Pangis): The DEIS calls for additional community services. With a lot of the projects that come before us recently, we are increasingly concerned about stretching our community services even thinner. So yes, I have

³ Inquiries were made to the Fire Department on 9.30.22 (email included in FEIS Appendix B); phone calls were placed on 10.4.22 to Chief Giambattisto and 10.14.22 to Chief Secretary Desantis.

the same concerns about EMTs, especially on tourney days, and fire but also security. We are relying on police. The town doesn't really have its own police force. We're relying on state and the county police as it is. So, who is handling security especially if you have upwards of 1,000 people on tournament days? If the proposal is that you will provide private security, that's great.

Response 3-10: Refer to response 3-4.

Comment 3-11 (Public Hearing 8/5/22, Michael Hecht): Is the plan to provide paid EMTs? I will just emphasize, with the recent folks coming in from the 50-plus community that's going to be going up and all the developments specifically on Route 312, our emergency medical services, specifically paramedics and EMTs, are completely just swamped. We've been subsidizing paid EMTs just to cover routine medical for the town. And something like this would be a really big strain if there weren't some additional arrangements to have paid medical services. ... Especially from 6 a.m. to 6 p.m. **(Tom LaPerch):** It's become a major concern for us with our growth. It affects our tax rates and things like that. **(Letter 9, Juergen Tempel 8/26/22):** Events at the sports complex will put a strain on Emergency and First Responder Resources in our community.

Response 3-11: Refer to response 3-9.

Comment 3-12 (Letter 6, Brewster Fire Department 8/24/22): EMS Concerns - Increased Call Volume – If we were to compare the “Brewster Yards” project with a similar venue with similar attendance numbers, it may result in approximately 21 potential EMS calls per operational season. Nationally averaged EMS call data yields an EMS request rate of 1 call per 3,000 people per day. Using this guideline, with the stated weekend capacity of the location being 2,000 people would yield the following result;

- i. stated capacity 2,000 = 2/3 of a call per day (of National Average).
- ii. 26 weekends a year. Capacity crowd expected for 8 months per year on weekends = 32 possible gatherings of 2,000 x 2 (Saturday and Sunday) shows potential surge crowd of 2,000 64 times per year.
- iii. 2/3 of a call per day x 64 days x length of operation 0.5 (12 hours per day) = 21 potential EMS calls per season.

Response 3-12: The DEIS stated that peak use will occur on weekends with maximum attendance of approximately 1,023 people (1/3 of the above-cited call rate). Summer season use will extend over approximately 35 weekends. Therefore, referencing the above calculation:

- 1/3 of a call per day x 70 days (35 weekends) x length of operation (12 hours per day) = 12 potential EMS calls per season.

The above calculations exceed the number of incidents experienced by the Applicant at ProSwing of Mount Kisco in 21 years -- one incident per month, on average, needing an EMS response. So it can be expected that there may be 8 to 12 calls per season. However as noted, at least one EMS vehicle with at least one professional EMT will be contracted by Brewster Yards to be present on-site for tournament weekends from the second weekend in March to the third weekend in November (Peak Season – approximately 35 weekends). Therefore, most of the emergency responses at Brewster Yards would be serviced by Brewster Yards' contracted EMTs and would not be expected to increase the call volume to the Fire Department's EMS.

Additionally, to offset potential demand for EMS services of the local Fire Department should they be called, the Fire District is projected to receive approximately \$15,000 per year in property tax revenues from the proposed project (DEIS Section 3.3.3).

Comment 3-13 (Letter 6, Brewster Fire Department 8/24/22): Attendee Medical Protection -- New York State Public Health Law (Part 118) specifically requires EMS coverage for all events where there is a crowd of 5,000 or more anticipated to attend. The stated maximum capacity of this facility does not meet that requirement; however, this does not mean that the public should not be protected. At the very least, there should be a medical staff on duty, each weekend when surge attendance is likely to reach the stated maximum.

- i. There should be at least one (1) Certified EMT on the grounds during peak hours. There should also be a designated Aide to the EMT (CFRD), or someone trained in basic First Aid.
 1. These employees may be dual role (i.e., trainer / EMT or vendor / EMT)
 2. There should be a First Aid / Medical Office established in a central location that would act as a “casualty collection point,” for responding EMS resources.
- ii. During “regular” Mon – Friday hours, when capacity is stated to be 1,000 or less, there should be at least one (1) trained EMT on location who can “rapidly” respond should their services be required.
- iii. Emergency Identification – Similar to College / University safety plans, there should be a blue strobe light activated at the concession stand nearest the incident to aid responders in locating the patient.

Response 3-13: See Response 3-1 regarding certified and trained personnel at the facility during operations. Staffing on a summer weekend will provide personnel coverage throughout the facility, at peak times including 2 athletic trainers, 14 umpires, 10 maintenance staff, and 2 First Aid staff, at minimum.

The trainer’s room in the Maintenance Building will have a permanent location for First Aid / Medical equipment and will have space to function as a temporary medical station if needed. Given the availability of on-site first responders, should the Fire Department be summoned for an EMS response it would be directed to the location of the parties involved with the incident, either on the field or at the medical station on a case-by-case basis.

Brewster Yards will employ a staff with varied tasks that will place them all around the facility when there are baseball patrons present. Staff responsibilities will include monitoring patron activities and every staff person will have means of direct communications (e.g., walkie-talkies) with all other staff on-site in case of an incident. The capability of this active workforce will be superior to a passive blue-light system.

Comment 3-14 (Letter 6, Brewster Fire Department 8/24/22): NYS Public Health Law (S 225) as well as New York Business Law (S. 627A) require that “Health Club”, or public assembly areas have a minimum of one (1) AED for every 500 patrons. As this facility is quite large, almost parklike in nature (with included hiking trails), there should be at least 1 AED located in each distant area to decrease the amount of time necessary to deploy such a device when necessary. This requirement could be met by having an AED conspicuously mounted at each concession stand.

Response 3-14: *Brewster Yards will have AEDs on-site. AEDs are proposed in four locations – at the concession stands inside each of the two baseball “clovers” and at each of the two showcase fields.*

Comment 3-15 (Letter 6, Brewster Fire Department 8/24/22): Initial First Aid Response - There should also be an AED attached to a mobile response vehicle, similar to a Polaris or Gator type vehicle that can be dedicated to providing initial emergency care for First Aid -- sprain, strain or laceration -- and Transport (when feasible) to a central casualty collection point, or main medical office.

Response 3-15: *Brewster Yards will have at least one First Aid vehicle on-site dedicated and equipped (including an AED) to provide initial emergency care and mobile transport, in addition to the aforementioned contracted EMS vehicle. The Maintenance Building will have space that can be dedicated to function as a temporary medical station if needed. Also refer to response 3-13.*

Comment 3-16 (Letter 16, Brewster Fire Department 8/29/22): With regard to the installation of multiple gates on Fields Corners Rd. and the Carmel Town Line, we would like to offer the attached recommendations. ... The placement of gates at the indicated areas could have a detrimental effect upon our ability to safely and efficiently respond to the site for an emergency.

1. Closing off Fields Corner Rd. would seal off emergency access to the majority and probably most used areas of the Brewster Yards project.
2. If two gates were to be installed, what would happen during winter months with snow on the ground?
3. Would the area between the gates be plowed?
4. Would the roadway between the gates be properly maintained? (potholes and freeze / thaw surface breaks?)
5. A gate at the Patterson Town line would also potentially slow mutual aid companies should we need them to respond to the Interstate Logistics warehouse or Brewster Yards for a Fire / EMS mutual aid.
 - a. There are many occasions when the Brewster Fire Department receives more than one Fire or EMS call at a time or is involved with an ongoing EMS call when another emergency request is received.
 - b. We, as all Volunteer Fire Departments, rely on existing mutual aid agreements with our neighboring districts to handle multiple calls for assistance.
6. Gating access would force mutual aid companies to take a circuitous route to reach the assignment.
7. Perhaps Speed Humps would be a better option.

Response 3-16: *In response to this letter and other letters on the subject, Brewster Yards proposes several improvements to Fields Corner Road to control the future potential use of this unimproved roadway which are described in detail in Section 1.3 of this FEIS. Below responds individually to the comments raised in Letter 16.*

Brewster Yards proposes to install gates to close off Fields Corner Road to through, public access between Zimmer Road and the Patterson Town Line at the recommendation of the Town of Southeast Highway Superintendent. (See letter dated September 1, 2022, in FEIS

Appendix B.) These gates are proposed to be secured by means approved by the Brewster Fire Department) for access for emergency responders in response to incidents at Brewster Yards, the Interstate Logistics Center, or for access via Fields Corner Road to incidents to the north or south. The proposed gates will be a minimum of 9 feet wide per lane. A turnaround of suitable size to accommodate a “semi” truck is proposed in the vicinity of each gate location by Brewster Yards. FEIS Figure 1-2 shows the locations of the proposed control features. No speed humps are proposed, however appropriate signage that is approved by the Town will be included in the road improvement plan.

The section of Fields Corner Road located in the Town of Southeast would remain under the jurisdiction of the Town Highway Department, as a Town road, for maintenance for purposes of emergency access only. As stated by the Highway Superintendent: “[a]lthough closed to public traffic, the portion of the road between the gates would be maintained by the Southeast Highway Department so as to always be accessible for emergency access. The gates should meet any required specifications of local emergency service agencies and the Brewster Fire Department so as not to delay any emergency services response.” There would be no access driveways to private lands from this section of Town road (between the gates proposed by Brewster Yards).

Gates secured by a device approved by the Brewster Fire Department will provide the most efficient means of access on Fields Corner Road for mutual aid companies, thus continuing to provide emergency access between Fair Street and Route 312.

Comment 3-17 (Letter 16, Brewster Fire Department 8/29/22): If a gate must be installed, then we would recommend that only one gate be installed at the Patterson Town Line. In addition, this gate should have the following specifications and abilities:

1. The gate should be a minimum of 9 feet wide to allow our vehicles to pass.
2. The gate should be equipped with a sensor that would automatically open when a specific siren tone is projected near the gate location. (This would probably be the most desired and least obstructive to the response process.)
3. If a lock must be installed, Keys must be provided to Carmel Fire Department, Patterson Fire Department and the Brewster Fire Department. We would recommend that the lock be the same as the Fire Road locks currently in use.

Response 3-17: To adequately secure the road, the Southeast Highway Superintendent recommends that Brewster Yards provide a gate north of the project entrance from Fields Corner Road and a second gate near the Patterson Town line. (See Letter 10.) The proposed gates will be a minimum of 9 feet wide with a locking device approved by the Brewster Fire Department to allow the emergency vehicles to readily pass through. An approved device may be a siren activated sensor (“yelp” sensor) or a lock the same as the Fire Road locks currently in use and keyed by the Brewster Fire Department.

4.0 ECONOMIC CONDITIONS COMMENTS AND RESPONSES

Comment 4-1 (Letter 3, AKRF 8/5/22): Please indicate the source for the Market Value/Assessment in DEIS Section 4.2 Existing Conditions.

Response 4-1: *The sources of the Market Value/Assessment include both the Town of Southeast, Tax Receiver (via phone call and website search) and the Southeast online tax payment and search system.¹*

Comment 4-2 (Letter 3, AKRF 8/5/22): In Section 4.4 Potential Impact, 4.4.1 Construction Phase, please define/describe the “local economy” that is the geographic area for the IMPLAN analysis. It is indicated in a footnote but should be more easily identifiable in table(s) or text. The FEIS should explain why that geography was chosen. The level of reliability of IMPLAN modeling at the zip code level should be noted. The data IMPLAN uses at the zip code level is an estimation based on County Business Patterns (CBP) data. CBP zip code data only provides the number of firms, thus IMPLAN estimates the number of employees associated with each firm. Additionally, CBP data does not cover the Construction Industry at the zip code level and instead uses NAICS 22- Utilities as a proxy.

Response 4-2: *The 10509 zip code, which includes the Town of Southeast, was utilized to analyze the potential economic impacts on the Town of Southeast during the construction phase of the Proposed Project.*

As is inherent with any modeling technique, utilizing IMPLAN to assess future potential economic impacts on a local economy, such as the Town of Southeast or greater 10509 zip code, provides a reasoned estimation of the potential economic outcomes from the proposed future development (or event). IMPLAN utilizes data compiled from government sources intended to provide a complete economic data set for each zip code, county, and state.² However, according to IMPLAN, raw data availability differs from the various sources (i.e., national level is readily available and becomes less available for state, county, and zip-code). Some zip codes are geographically small and do not have the means to locally source projects and/or employment data and therefore, present a minimal impact using the zip code level. However, due to the ample geographical area and population size for zip code 10509, utilizing IMPLAN modeling at the zip code level is suitable for evaluation of economic impacts on the Town of Southeast.

Comment 4-3 (Letter 3, AKRF 8/5/22): In describing indirect and induced job benefits, it is more appropriate to refer to jobs “supported” by the direct activity/investment, rather than jobs “created.”

Response 4-3: *Comment noted. A total of 77 indirect and induced jobs benefits would be supported by the direct activity/investment of the construction phase of the Proposed Project. Twenty-four (24 jobs) would be supported indirectly from businesses providing goods and services to the project and 53 jobs are expected to be supported from the induced affect of*

¹ Sources: Town of Southeast: <http://www.townofsoutheast-ny.com>; Town of Southeast Online Tax Payment(s) and search system: <<https://taxonline.egov.basgov.com/southeast>>

² Source: IMPLAN.com

spending habits (disposable income) on the project's direct employees of the construction phase of the project.

Comment 4-4 (Letter 3, AKRF 8/5/22): The operational benefits analysis refers to estimates for full operation for year one (1). The assessment should disclose whether this is reflective of stabilized long-term operating conditions, i.e., whether these annual benefits could be expected over the lifetime of the project.

Response 4-4: *The annual operation of the Proposed Project is expected to generate positive EBITDA (Earnings Before Interest, Tax, Depreciation, and Amortization) starting in Year One as presented in the DEIS and continuing over the operational lifetime of the project.*

Comment 4-5 (Letter 3, AKRF 8/5/22): The operational (year 1) sales tax revenues are based on “the Applicant’s preliminary market study in August of 2021.” The FEIS should indicate where the public can find this document and provide a brief description of revenue sources and assumptions.

Response 4-5: *The Applicant’s preliminary market study for Brewster Yards is a proprietary report. The Applicant’s analyst is a consulting firm specializing in planning and funding support services for youth and amateur sports, recreation, event, wellness, and entertainment facilities, which has served more than 2,000 communities since 2003 and has served a portfolio of more than \$15 billion of such facilities in the US. The proprietary assessment conducted by the Applicant’s consulting analyst utilized its own data from detailed market research, national benchmarks, key performance indicators, real-world operational data from existing venues, and the Applicant’s cost estimates and operational projections, in combination with its own assessment of the youth and amateur sports tourism industry, regional and national sports tourism opportunities, local needs and opportunities, demographic and socioeconomic data, local, regional, and national sports participation rates, existing competition and known future developments, existing local and regional sports, recreation, and event facilities.*

Comment 4-6 (Letter 3, AKRF 8/5/22): The FEIS should define the terms “person-years” and full-time equivalent (FTE). Please indicate if jobs are person-years, FTE, or full- and part-time.

Response 4-6: *Person-years of construction jobs as indicated in the DEIS refers to full-time equivalent (FTE) or person-years divided by the length of the construction period in years. One person-year represents one person working full time for one year. FTE was utilized to calculate the employment jobs for the construction and operation phases of the Proposed Project. FTE assumes employment for 40 hours a week for 52 weeks a year. Examples of 1 FTE are: one person employed 2080 hours (40 hours x 52 weeks); two persons each employed 1040 hours; or 10 persons employed 208 hours. The jobs under the construction phase would be full time positions whereas jobs during the operation phase of the project would be comprised of both full time and part time positions; in either case they are represented by FTE numbers.*

Comment 4-7 (Letter 3, AKRF 8/5/22): The FEIS should disclose the IMPLAN sectors used for modeling.

Response 4-7: *IMPLAN Sector 57, Construction of new commercial structures (including farm structures) was used for modeling the construction phase of the proposed project. It is noted*

that this is Sector 57 using the IMPLAN 536 sectoring scheme applicable to the model used for the DEIS analysis, and is not the most current scheme.

Comment 4-8 (Letter 3, AKRF 8/5/22): The FEIS should indicate if the construction cost estimate of approximately \$28.3 million includes hard costs only or hard and soft costs. Please note that only hard costs should be used for the cost-based property valuation.

Response 4-8: *The hard cost of \$28.3 million was used to calculate the economic analysis presented in the DEIS. The construction period economic benefits may therefore be understated in the DEIS analysis (conservative) since soft costs were not entered into the IMPLAN model.*

Comment 4-9 (Letter 3, AKRF 8/5/22): The FEIS should indicate the dollar year of any inputs or results and indicate if any results were adjusted for inflation.

Response 4-9: *The 2021 year was utilized as the dollar year and results for the construction period of the project were adjusted for inflation. The analysis utilized 2021 dollar amounts and these inputs were adjusted (inflated/deflated) by IMPLAN year 2022.*

Comment 4-10 (Letter 3, AKRF 8/5/22): It is unclear what footnote 6 is referring to. How is the NYS Department of Labor median annual salary (all occupations) for the Hudson Valley region factored into the analysis?

Response 4-10: *The footnote was misplaced and should be added to the notes in Table 4-4 of DEIS Section 4.0. The footnote refers to the median annual salary used to calculate the labor wages of indirectly and induced jobs supported from the operation phase of the proposed project.*

Comment 4-11 (Letter 3, AKRF 8/5/22): Consider supplementing the construction-cost-based approach with a comparables or income-based approach for valuation. Due to high costs of materials, construction-cost-based valuation often results in an overestimate of property value. The FEIS should include an explanation of why a cost-based approach is most accurate.

Response 4-11: *Comment noted. Unlike the income-based and comparable approach, the cost-based approach utilizes the cost of purchasing and developing land to estimate the market value (estimated purchase price) of a new construction project most accurately. Beyond estimating the value of the new construction land, the cost-based approach is also used to accurately evaluate the value of commercial type and unique uses of land, both of which describe the Proposed Project presented in the DEIS.*

Comment 4-12 (Letter 8, Ellen Yass & Peter Simon 8/25/22): Construction -- Can local businesses be hired to build the facility?

Response 4-12: *The Applicant intends to solicit local businesses to participate in the project construction, in addition to utilizing "in-house" labor from the Applicant's team.*

Comment 4-13 (Letter 8, Ellen Yass & Peter Simon 8/25/22): Maintenance -- Just as Southeast requires septic tanks to be emptied every five years, can Southeast require Brewster Yards to replace Astroturf on a similar timeframe? Can local business be hired to do this

maintenance as well as electrical, plumbing, septic, and facilities maintenance, contracts to be bid upon for a limited amount of time?

Response 4-13: *The need for replacement of synthetic turf is a function of the level of its active use and its maintenance. Unlike a septic system, there is no need for replacement of the turf on a regular (e.g., five year) interval, either practically or as an environmental protection measure. Regarding employing local businesses for maintenance, the Applicant intends to solicit local businesses as may be suitable for project maintenance needs, in addition to utilizing its own maintenance staff.*

Comment 4-14 (Public Hearing 8/8/22, Pablo): Is this facility going to pay taxes? Would there be a way to find out how much in taxes they will pay?

Response 4-14: *As a private, commercial project, Brewster Yards will indeed produce tax revenues every year to the Town, County, School District and State which will be available to offset costs of the municipality for providing support services which benefit the whole community. The Adjusted Property Taxes from the Proposed Development were calculated and presented in Section 4.0, Economic Conditions, pages 4-7 to 4-9 of the Brewster Yards DEIS.*

5.0 VISUAL RESOURCES COMMENTS AND RESPONSES

Comment 5-1 (Letter 3, AKRF 8/5/22): The FEIS should indicate if the proposed lighting for the ballfields will be dark sky compliant. **(Letter 9, Juergen Tempel 8/26/22):** There will be light pollution from the illuminated ballfields.

Response 5-1: *The field lighting is not designed to obtain approval of the International Dark-Sky Association (IDA), however as described in DEIS Section 5, the style of lighting proposed will direct light downward toward the ground surface. Elements on the ground illuminated by the field lights are low in profile so that reflected light which would otherwise contribute to sky glow above the project site can be expected to be minimal. Also see response 5-2.*

An updated lighting plan showing projected light levels out to the property lines when all of the exterior lights are lit is shown in FEIS Figure 5-9 (replacing DEIS Figure 5-9), and provided in FEIS Appendix I. The proposed lighting plans are designed such that the illumination at the property lines from the new light fixtures will “not exceed 0.1 footcandle on residentially zoned property or 0.5 footcandle on nonresidentially zoned property” in accordance with Lighting Regulations §138.98 of the Town Code. In fact, the lighting plans demonstrate that the light levels at or near the residential property line will be 0.0. All proposed lighting is energy efficient light-emitting diode (LED) technology and will be zoned so that the lights on fields not being used at night can be shut off and other lighting in areas of the site can be reduced to a minimum level to maintain site security and at the close of business.

Comment 5-2 (Letter 3, AKRF 8/5/22): The FEIS should include visual simulations of the proposed project at night, both from within the project site and from external viewpoints, to illustrate the extent of potential nighttime visual impact of “indirect sky glow.”

Response 5-2: *As described in the DEIS, sky glow is highly variable due to the numerous variables that affect brightness of the night sky which change constantly. Sky glow is difficult to measure and quantify in any meaningful way, and just as difficult to accurately depict in a simulated image for purposes of illustrating a potential impact. Sky glow would be more significant on a foggy night however the project site is not located in a valley nor near a body of water where fog conditions most often occur. Given the modest size of the proposed project and its location within the regional landscape, it can be expected that lighting of the ballfields could cause a “noticeable” sky glow when the facility is lit and there is a significant amount of moisture in the air, the effect of which could be visible from within about one mile from the site (see 1.0 mile radius shown in DEIS Figure 5.1).*

Measures to minimize nighttime visibility of the project are cited in DEIS section 5.4. As required in the Southeast Town Code, the project lighting will comply with Illuminating Engineering Society of North America (IESNA) recommendations and shall be shielded as needed to prevent light trespass or glare toward neighboring properties and minimize sky glow.

Examples of LED sports field lighting and luminaires that are designed to control the lighting pattern are provided in FEIS Appendix J. These include photos of the luminaires with shielding and photos of other sports complexes from various perspectives to show how well controlled the light spill and glare is outside of the fields and how quickly the light levels taper off beyond the fields.

Comment 5-3 (Letter 3, AKRF 8/5/22): The DEIS indicates that “lighting designs are preliminary.” The FEIS should indicate if the height of the light poles shown on Figures 5-2 to 5-6 are actual or representative/estimated. If estimated, a note should be added to the Figures.

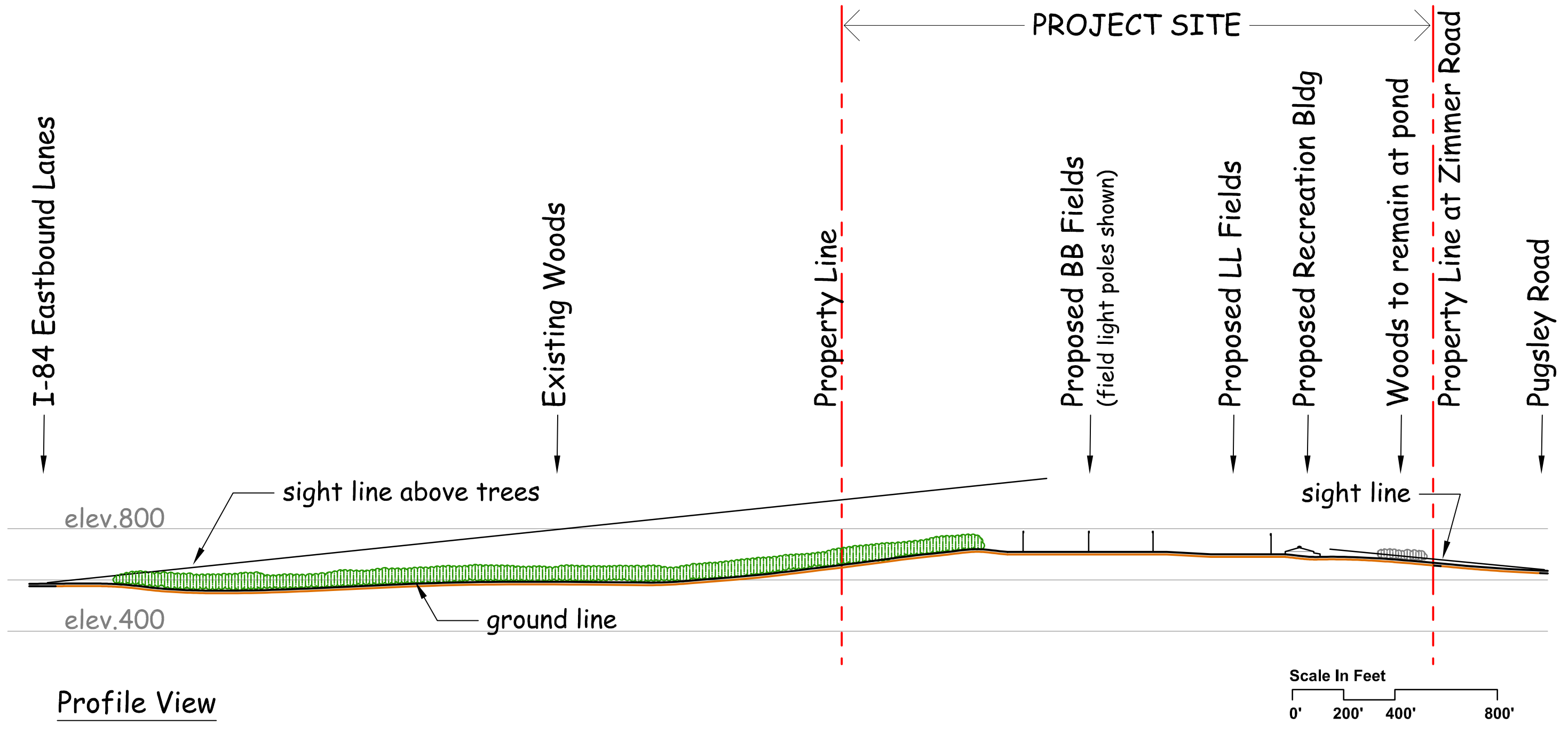
Response 5-3: *The height of the playfield light poles shown on DEIS Figures 5-2 to 5-6 is 80 feet. This is the maximum proposed pole height of the field lights and is so noted in the revised figures, FEIS Figures 5-2 to 5-6. Actual mounting heights will vary by location and function, generally being 60, 70 and 80 feet in height.*

Comment 5-4 (George Pangis, Public Hearing 8/8/22): The lights are going to be LED. I know they're supposed to be down lighting. But I think some of the neighbors will have some concerns. So I think there's a little more specificity needed with exactly what you're contemplating for the lights. And at past meetings, we weren't sure whether all the fields were going to be lit or at least have the potential to be lit.

Response 5-4: *The project plans include field lighting at all of the fields. As a mitigating factor of the project, the lighting plan will create various lighting zones that will allow non-essential lighting to be turned off at unoccupied fields and site areas, which in addition to conserving energy will reduce the extent of indirect lighting to the surrounding landscape and sky above. (Also see response 17-1.)*

Site areas with lighting other than the fields, which are the vehicular circulation and parking areas, sidewalks and pedestrian plazas, will have lower levels of illumination sufficient and necessary for public safety and security. The site and area lighting details (Drawing D-2) specify the pole or luminaire height to be 18 feet in these areas. LED lights are specified throughout; luminaire types vary by location and are detailed in Drawing LP-1.1 (FEIS Appendix G). The lighting plan is developed to put light where it is desired for safe use of the site and minimize light trespass beyond the developed portions of the site to the extent practical.

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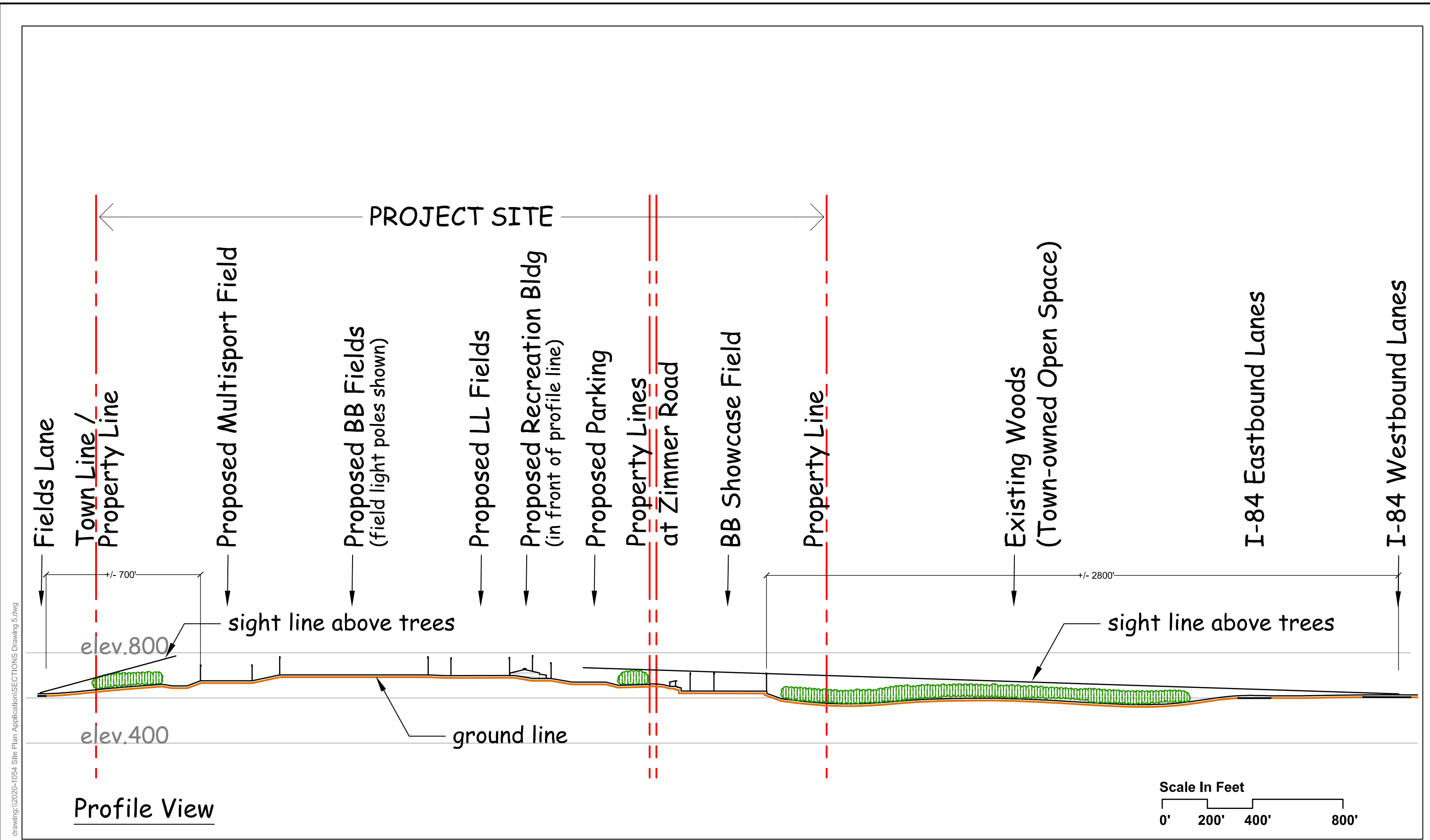
Profile View

This Figure depicts Sight Line Profile 1 From I-84 Eastbound taken through the project site as shown in Figure 5-1, Key Map to Visual Assessment. The height of the playfield light poles is shown at 80 feet, the maximum proposed pole height. Actual mounting heights will vary by location and function.

Rev. 1/20/2023
Scale = 1" = 400' (at 11x17)
KG+D 2020-1054

Figure 5-2: Sight Line Profile 1
BREWSTER YARDS FEIS

Town of Southeast, Putnam County, New York
Data Source: Insite Engineering Site Plan, USGS Topographic Mapping, Aerial Imagery



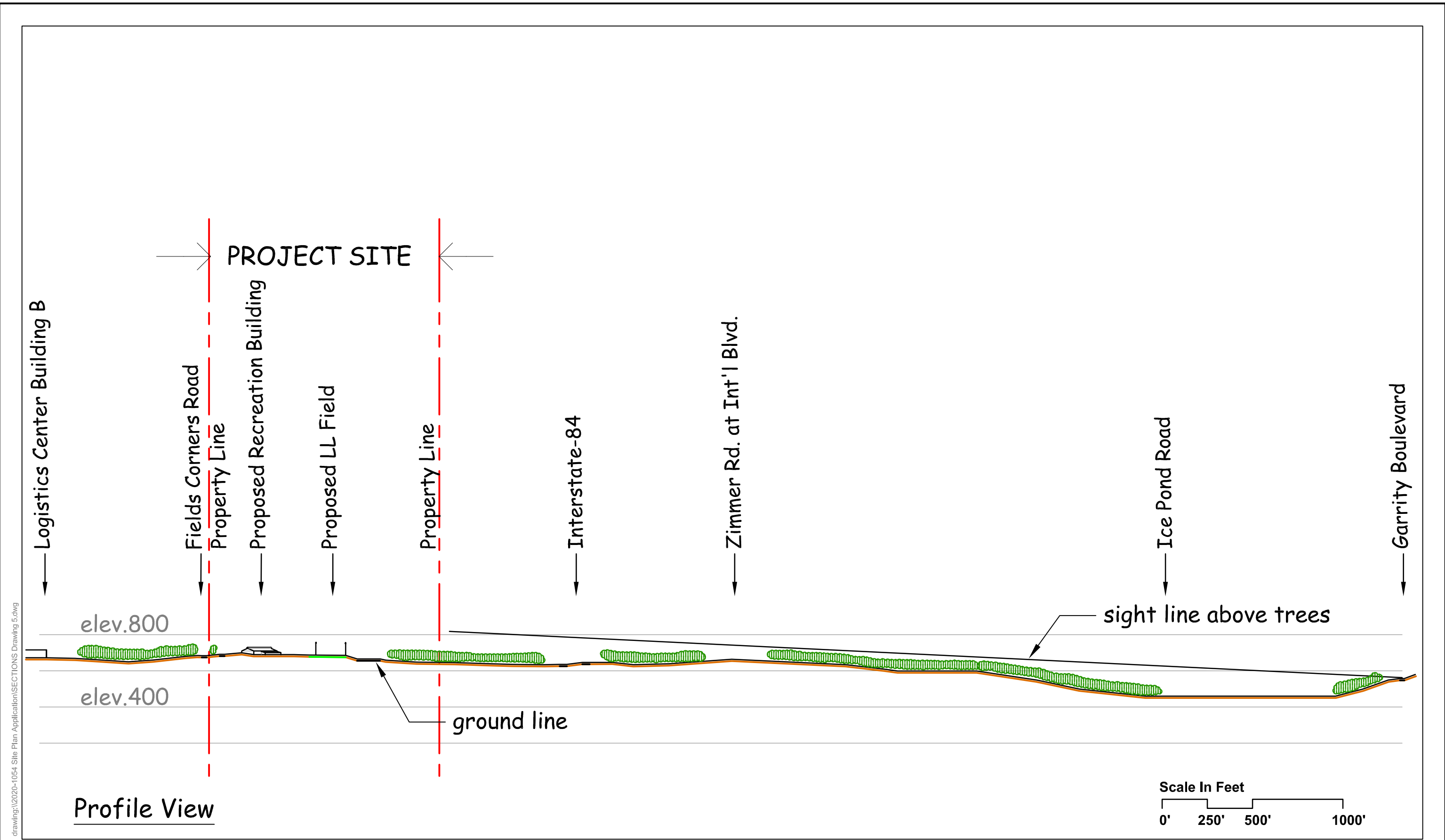
drawing:\2020-1054 Site Plan Application\SECTIONS Drawing 5.dwg

Profile View

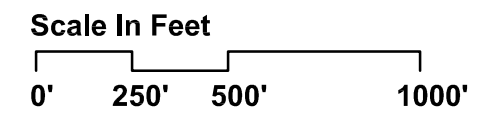
This Figure depicts Sight Line Profile 2 From I-84 Westbound taken through the project site as shown in Figure 5-1, Key Map to Visual Assessment. The height of the playfield light poles is shown at 80 feet, the maximum proposed pole height. Actual mounting heights will vary by location and function.
 Rev. 1/20/2023
 Scale = 1" = 400' (at 11x17)
 KG+D 2020-1054

**Figure 5-3: Sight Line Profile 2
 BREWSTER YARDS FEIS**

Town of Southeast, Putnam County, New York
 Data Source: Insite Engineering Site Plan, USGS Topographic Mapping, Aerial Imagery



Profile View

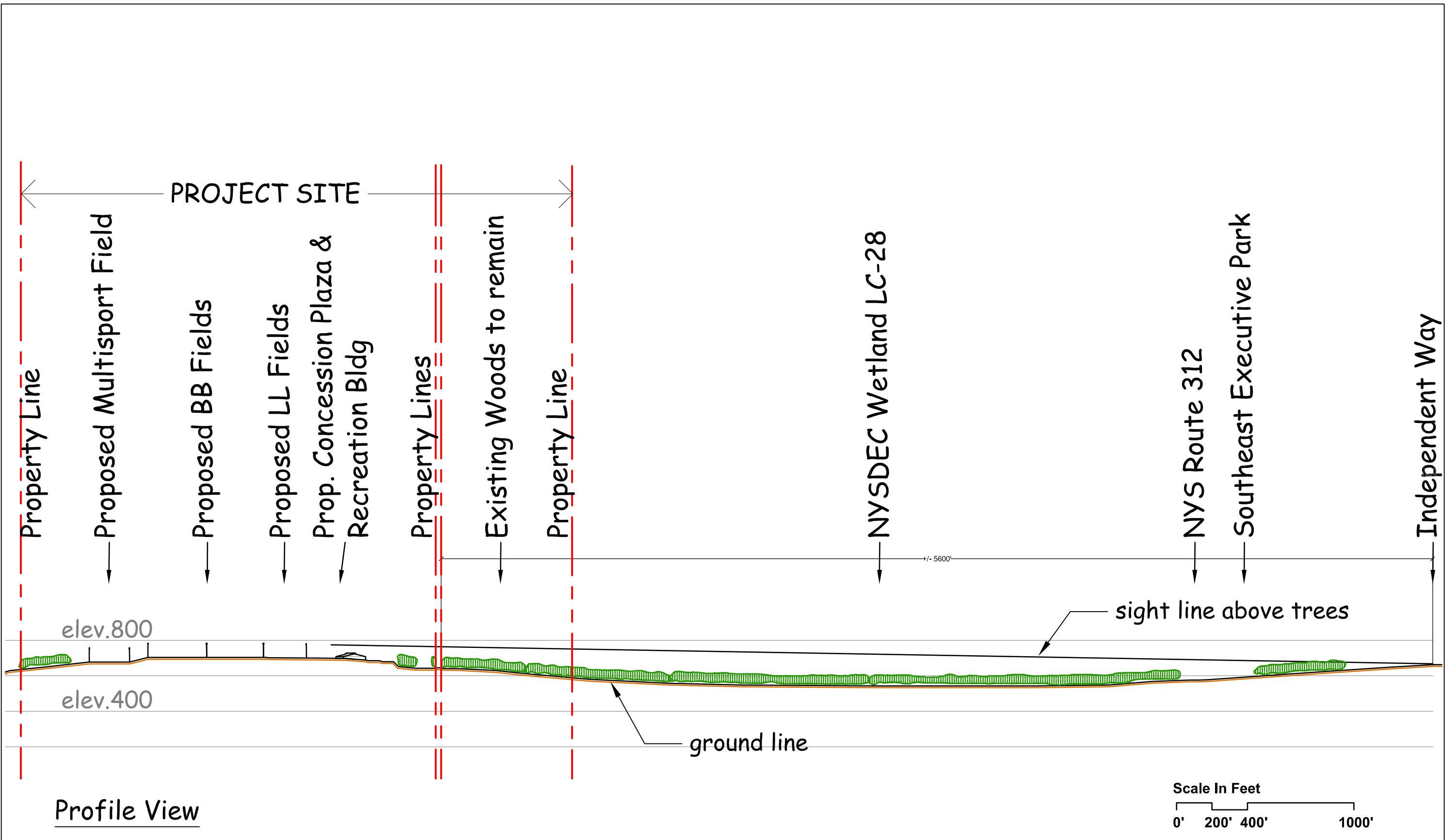


This Figure depicts Sight Line Profile 3 From Garry Boulevard taken through the project site as shown in Figure 5-1, Key Map to Visual Assessment. The height of the playfield light poles is shown at 80 feet, the maximum proposed pole height. Actual mounting heights will vary by location and function.
 Rev. 1/20/2023
 Scale = 1" = 500' (at 11x17)
 KG+D 2020-1054

Figure 5-4: Sight Line Profile 3
BREWSTER YARDS FEIS
 Town of Southeast, Putnam County, New York
 Data Source: Insite Engineering Site Plan, USGS Topographic Mapping, Aerial Imagery

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Profile View

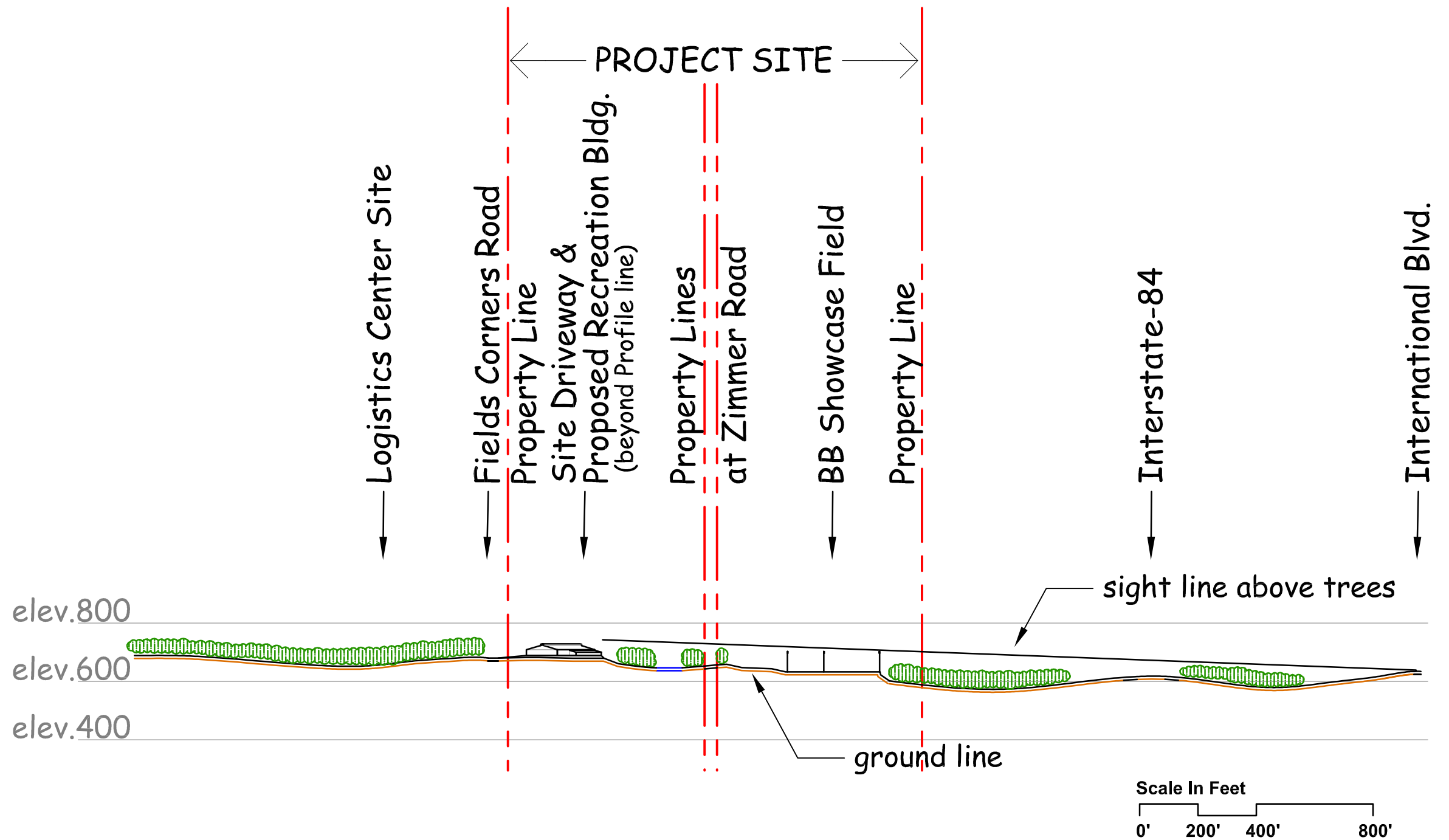
This Figure depicts Sight Line Profile 4 From Independent Way taken through the project site as shown in Figure 5-1, Key Map to Visual Assessment. The height of the playfield light poles is shown at 80 feet, the maximum proposed pole height. Actual mounting heights will vary by location and function.

Rev. 1/20/2023
Scale = 1" = 525' (at 11x17)
KG+D 2020-1054

Figure 5-5: Sight Line Profile 4
BREWSTER YARDS FEIS

Town of Southeast, Putnam County, New York
Data Source: Insite Engineering Site Plan, USGS Topographic Mapping, Aerial Imagery

drawing:\2020-1054 Site Plan Application\SECTIONS Drawing 5.dwg



Profile View

This Figure depicts Sight Line Profile 5 From International Blvd. taken through the project site as shown in Figure 5-1, Key Map to Visual Assessment. The height of the playfield light poles is shown at 80 feet, the maximum proposed pole height. Actual mounting heights will vary by location and function.

Rev. 1/20/2023

Scale = 1" = 400' (at 11x17)

KG+D 2020-1054

Figure 5-6: Sight Line Profile 5
BREWSTER YARDS FEIS

Town of Southeast, Putnam County, New York

Data Source: Insite Engineering Site Plan, USGS Topographic Mapping, Aerial Imagery

Brewster Yards

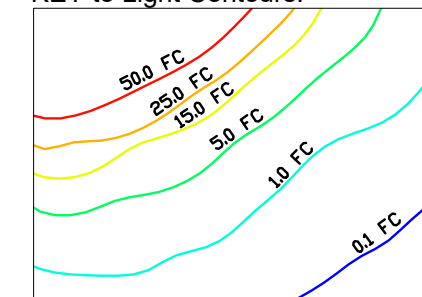
Brewster, NY

GRID SUMMARY	
Name:	Blanket Grid
Size:	360' x 205'
Spacing:	30.0' x 30.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY	
MAINTAINED HORIZONTAL FOOTCANDLES	
Entire Grid	
Scan Average:	6.42
Maximum:	124
Minimum:	0
No. of Points:	9656

LUMINAIRE INFORMATION	
Applied Circuits:	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P
No. of Luminaires:	546
Avg Load:	537.15 kW
Max Load:	536.34 kW

KEY to Light Contours:



Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

drawing:\2020-1054_Site Plan Application\Blanket Grid w Contours\Blanket Grid - Contours.dwg
Created by F.V.dwg

Note: Light levels shown in footcandles (FC) and represent when all exterior lighting is ON.

01/23/23
Scale: 1" = 240' (at 11x17)
KG+D 2020-1054

KG+D Architects, PC, 285 Main Street, Mount Kisco, NY 10549

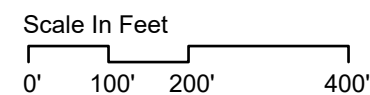


Figure 5-9:
Site Lighting Levels
BREWSTER YARDS FEIS
Town of Southeast, Putnam County, New York
Source: Musco Sports Lighting, LLC. , 23-Jan-23

6.0 CULTURAL RESOURCES COMMENTS AND RESPONSES

There were no comments on this topic.

7.0 NATURAL RESOURCES COMMENTS AND RESPONSES

Comment 7-1 (Letter 1, United States Dept. of the interior, Fish and Wildlife Service [form letter] 6/28/22): An official species list was not requested through IPaC. Next steps to take: Please log into the IPaC website at IPaC: Home (fws.gov) to obtain an official species list for the above-mentioned project. The NYFO cannot accept species lists that indicate they are “Not for Consultation.” Project submittals will not be reviewed until official species list requests are obtained and the project is resubmitted.

Response 7-1: *In preparation of the DEIS, the natural resource database of the NYSDEC’s Natural Heritage Program (NHP) and the NYSDEC Environmental Resource Mapper were accessed to provide site-specific information regarding protected resources (wildlife, wetlands, and waterbodies). In particular, the documented NHP records for protected wildlife and avian species are more specific to sites in New York than are the records accessed by the USFWS IPaC website, which generates species lists based on the more generalized, and much broader, expected North American range of any species. However, an official species list obtained from the USFWS for the Brewster Yards site is included in FEIS Appendix B. No further action is required of the USFWS as there is no Federal permit required for this project.*

Comment 7-2 (Letter 3, AKRF 8/5/22): Discuss potential environmental impacts of the anticipated “indirect sky glow” (e.g., on local fauna).

Response 7-2: *The proposed lighting will conform to applicable Town regulations on outdoor lighting and recommended practice for sports and recreational area lighting as published by the Illuminating Engineering Society of North America (IESNA). [Southeast Code §138-98.G] The potential impact of sky glow for an outdoor project with sports field lighting of the size proposed is highly variable due to the numerous variables that affect brightness of the night sky which change constantly. Sky glow is difficult to measure and quantify in any meaningful way. To humans, sky glow is generally a distraction to an otherwise dark sky. However, as a comparison, the impact of future lighting at Brewster Yards will create less distraction to human observers from sky glow than the lighting that is currently observed from nearby roads at buildings along International Boulevard or from the Highlands Center (Home Depot) development.*

To the natural environment, indirect light emanating from an artificial source can be a deterrent to wildlife activity. The overall project lighting anticipated at Brewster Yards, in addition to the physical change from a wooded site, will cause terrestrial species to move around or away from the site into the woods beyond. Avian species, especially spring and fall migrating birds, if they are moving at night can become disoriented by the glow from outdoor lighting. Given the extent of wooded land that will remain in the local region, it is anticipated that nocturnal wildlife will be able to circumvent the site without significant adverse effects.

As a mitigating factor of the project, the lighting plan will create various lighting zones that will allow non-essential lighting to be turned off at unoccupied fields and site areas, which in addition to conserving energy will reduce the extent of indirect lighting to the surrounding landscape and sky above. The lighting plan will be developed to put light where it is desired for safe use of the site and minimize light trespass beyond the developed portions of the site to the extent practical.

Comment 7-3 (Letter 3, AKRF 8/5/22): Documentation indicated that the NYSDEC Environmental Resource Mapper (ERM) website did not identify any listed plant species or NYS “Species of Special Concern” on or near the property.

Response 7-3: Comment noted.

Comment 7-4 (Letter 3, AKRF 8/5/22): Documentation indicated that the NYSDEC EAF Mapper website similarly identified no other plant or animal species listed by the federal government or NYS as an endangered or threatened species, nor was the property noted to include any “Significant Natural Community.”

Response 7-4: Comment noted.

Comment 7-5 (Letter 3, AKRF 8/5/22): Of the 94 species of birds recorded from 1980-2005, none are NYS or federal protection as endangered or threatened species.

Response 7-5: Comment noted.

Comment 7-6 (Letter 3, AKRF 8/5/22): The project site presents potential summer roosting, brooding, and foraging habitat for all regional species of northern long eared bat which are federally protected by the United States Fish and Wildlife Service (USFWS). Recommendation that trees be removed should be conducted between November 1 and March 31 for the protection of northern long-eared bats.

Response 7-6: Tree removals are proposed only between November 1 and March 31.

Comment 7-7 (Letter 3, AKRF 8/5/22): Section 18.1 states “[i]ndirect impacts to wildlife will occur as construction displaces resident wildlife until construction is completed and the wildlife can move back into the area.” However, as stated in Section 1.3, “[t]o secure the project at night, there will be chain link fencing surrounding the entire development area with swing gates at each driveway entrance.” Impacts to wildlife displacement due to operation of the Proposed Project should be acknowledged.

Response 7-7: A direct impact to wildlife will occur as construction displaces resident wildlife to surrounding areas. Larger species will likely be permanently affected; smaller species will be able to move back into the area surrounding the site after construction disturbance ceases. The current project plans call for fencing surrounding the individual playfields, which will be constructed in synthetic turf surfacing and therefore unusable by wildlife.

Comment 7-8 (Public Hearing 8/8/22, Alicia Yarusso): I didn’t see turtles referenced in the DEIS. But there are three species of concern. Because I’ve had to take care of them, move them out of the way wherever there was work done. The eastern box turtle, spotted turtle, and the wood turtle. So there are species of special concern. I just don’t know what happens with them.

Response 7-8: There is suitable breeding and non-breeding habitat for those three turtle species on the project site and beyond in surrounding areas. They are likely to be present within the aquatic habitats as well as nearby upland habitats. The Special Concern category exists in

NYSDEC rules and regulations but such designation does not provide or require any particular protections as are associated with endangered and threatened species.¹ Since they are of special concern, if encountered on the construction site they would be moved out of harm's way to appropriate locations elsewhere on the site. For the duration of construction, the perimeter of the construction area will be fenced with silt fencing which, when installed into the ground, will protect the buffer around riparian habitat. Direct ground disturbance within 100 feet of watercourses and wetlands identified on the property will be avoided to the greatest extent possible in the proposed plan, including a directional bore for a sewer line under watercourse WC-1 (shown on drawing SP-2.3).

Comment 7-9 (Letter 9, Juergen Tempel 8/26/22): The development will disturb wetland and will require removal of our precious county woodlands, which keep our air clean and help to keep our nature intact.

Response 7-9: *As proposed, the project plans would necessitate removal of existing woodland while preserving adjacent woodland within the bounds of the two project parcels and, further, preserve approximately 72 acres of woodland within lands to remain in town ownership as permanent open space. There would be no direct impact to wetlands under the current plan. The project plans take into account the protection of stream channels, designated wetlands, and regulated wetland buffers, steep slopes, and ridgeline area by the layout of project elements to avoid significant disturbances to these areas. Protection measures specified in the construction plans will be implemented during construction operations to preserve adjacent woodlands and wetlands to remain.*

¹ New York State Endangered and Threatened Species:
https://www.dec.ny.gov/docs/administration_pdf/lpendangerfs.pdf

8.0 GEOLOGY COMMENTS AND RESPONSES

Comment 8-1 (Letter 3, AKRF 8/5/22): DEIS Page Summary-11 states that the soils that predominate the limit of disturbance (LOD) are CrC and PnC. There are inconsistencies between Chapter 8 and Section 1.2 of the SWPPP regarding the soil types listed as within the limit of disturbance. Chapter 8 states that the soils that predominate the LOD are CrC and PnC; however, Section 1.2 of the SWPPP does not identify PnC as present within the LOD.

Response 8-1: Figure 3 in the SWPPP depicts the project layout overlaid on the soil boundaries taken from the USDA Soils Survey. Careful inspection of the figure shows that soil type CrC is the predominant soil type within the LOD and PnC is the next-dominant soil type within the LOD. The text in SWPPP Section 1.2 (FEIS Appendix E) has been amended to list PnC as present in the LOD. The soil type designation does not affect the stormwater calculations since the cover type and hydrological soil group classification are used for stormwater calculations.

Comment 8-2 (Letter 3, AKRF 8/5/22): Table 8-1 is titled "List of Soils within the LOD." However, based on the soils map included as Figure 8-1, the soils listed in Table 8-1 represent the entire project site, rather than the 49-acre limit of disturbance as depicted on Drawing OPG-1 in Appendix M.

Response 8-2: The DEIS Table 8-1 is amended below to distinguish which soil types occur within the LOD.

Table 8-1 Amended	
List of Soils within the Study Parcels	
Map Unit Symbol	Soil Name
Soils within the LOD	
ChC	Charlton fine sandy loam, 8-15 percent slopes
CrC	Charlton-Chatfield complex, 0-15 percent slopes, very rocky
CsD	Chatfield-Charlton complex, 15-35 percent slopes, very rocky
LcB	Leicester loam, 3-8 percent slopes, stony
PnC	Paxton fine sandy loam, 8-15 percent slopes
RdB	Ridgebury complex, 3-8 percent slopes
RgB	Ridgebury complex, 0-8 percent slopes, very stony
WdB	Woodbridge loam, 3-8 percent slopes
Soils outside the LOD	
CtC	Chatfield-Hollis-Rock outcrop complex, 0-15 percent slopes
HrF	Hollis-Rock outcrop complex, 35-60 percent slopes
PnB	Paxton fine sandy loam, 3-8 percent slopes
Sh	Sun loam
WdC	Woodbridge loam, 8-15 percent slopes
Adapted from: USDA. 1994. Soil Survey of Putnam and Westchester Counties, New York.	

Comment 8-3 (Letter 3, AKRF 8/5/22): Documentation from the May 2020 deep soil test borings performed by Insite Engineering should be included in an appendix.

Response 8-3: *Depth of soils described in the DEIS was obtained from exploratory borings conducted at the site in May 2020. No formal data was recorded and subsequent witness testing information (which data supersedes the initial findings) is provided in the DEIS. Soil investigations and testing conducted and witnessed with the NYCDEP and Putnam County Department of Health for the proposed SSTS infiltration area is described in DEIS Figures 12-2 and 12-3. The soil investigation conducted for design of various structural aspects of the project is described in the Geotechnical Survey (DEIS Appendix H) and shown on drawing BL-1 of the Survey. Soil investigations and testing conducted and witnessed with the NYCDEP for design of the stormwater management systems is described and shown on the Testing Plan, Figure 4 of the SWPPP (FEIS Appendix E).*

Comment 8-4 (Letter 3, AKRF 8/5/22): Section 8.4.2 provides a generic list of measures to prevent slope failure. The measures anticipated to be used for the proposed project, such as retaining walls, should be identified, and generally described.

Response 8-4: *The slope protection measures anticipated to be used in the proposed project include the following:*

- *retaining walls – proposed at several locations to reduce areas of disturbance that would otherwise need to be cleared, graded and stabilized with seeding.*
- *stone rip-rap – proposed at drainage pipe ends and stormwater basin overflow channels to stabilize the outlets.*
- *erosion control netting – proposed as a standard erosion control practice where a graded slope will exceed 2:1 (H:V).*

9.0 WATER RESOURCES AND WETLANDS COMMENTS AND RESPONSES

Comment 9-1 (Letter 3, AKRF 8/5/22): The Town wetland and watercourse boundary confirmation should be provided in the FEIS.

Response 9-1: *The Town wetland consultant visited the site on September 30, 2022, and provided a validation as to the delineation of the Town-regulated wetland boundaries, which is included in FEIS Appendix B. The locations of the wetland flags and watercourses have been surveyed (reference Existing Conditions Drawing EX-1) so that appropriate means of wetland and watercourse protections (such as fencing of construction limits and erosion and sediment control barriers) can be established along the edges of the buffer zones prior to land clearing or ground disturbance for the project.*

Comment 9-2 (Letter 3, AKRF 8/5/22): In reviewing the site plan submitted there are opportunities to avoid the wetland buffer and still accomplish the same program and design intent of the project.

Response 9-2: *As the Applicant's design team advanced the plans beyond the conceptual designs provided in the DEIS, opportunities for adjustments of site elements were considered to reduce the limits of disturbance including wetland buffer encroachments. A low retaining wall was added at wetland C to reduce the extent of buffer disturbance. Overall, adjustments made to the site plan to balance the earthwork (cuts and fills) resulted in the current plan which reflects similar limits of disturbance to the DEIS plan.*

Comment 9-3 (Letter 3, AKRF 8/5/22): DEIS Section 18.2 identifies that the project requires a "future commitment of groundwater resources at the site." The FEIS should disclose what caps on nearby development – if any – need to be placed as a result of capacity that would be committed to the proposed project.

Response 9-3: *Development of the groundwater supply wells is underway at the project site and results of a well pump test program, which is required for permitting, have not been obtained as of the date of this document. While no limitations on the use of existing nearby water supply wells are expected to result from the proposed project (there is no known record of well failures in the area), should the proposed demand exceed the available water supply of the aquifer, mitigation of this impact would be reflected in the permit issued to Brewster Yards.*

Comment 9-4 (Letter 4, Donald Lake 8/10/22): There are several locations on the drawings that show encroachment into the Town of Southeast wetland buffers. How will the Town of Southeast-owned wetland buffers be regulated?

Response 9-4: *Review of proposed encroachments has been undertaken by the Town's wetland consultant (AKRF 8/5/22, letter 3) and adjustments to reduce impacts were made in several areas. Refer to Response 9-2.*

Comment 9-5 (Public Hearing 8/8/22, Alicia Yarusso): I want my well preserved. I want testing to make sure that my well is not going to be compromised. A gentleman that was with Proswing said they would put monitors in the well.

Response 9-5: *Development of the project water supply is being undertaken in conjunction with a testing program that will monitor whether water withdrawal from the onsite wells will impact several existing nearby private wells also being monitored, as is required by the County Health Department. Based on the results of a pump test yet to be completed, mitigation of any significant adverse effect to off-site wells will be reflected in the Health Department permit issued to Brewster Yards.*

Comment 9-6 (Letter 9, Juergen Tempel 8/26/22): The development is close to water supplies such as the Middlebranch Reservoir. Our freshwater and drinking water supplies must not get further compromised.

Response 9-6: *The pump testing program will take into account groundwater resources in the area (including monitoring of several existing wells nearby) and surface water resources to the extent that the permitting agencies (NYSDEC and Putnam County Department of Health) determine might be affected by groundwater withdrawal by the project. Refer to response 9-5.*

Comment 9-7 (Letter 17, NYCDEP 8/10/22): DEIS 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.

Response 9-7: *The FEIS includes a wetland mitigation proposal that reflects the current project grading and stormwater management details. Refer to FEIS Appendix G, drawings SP-5.1 thru 5.5, including the Buffer Disturbance & Mitigation Table on Drawing SP-5.5, that specify the proposed mitigation measures relative to the impact areas. The proposed project will impact wetland and watercourse “buffer” areas: approximately 0.70 acre of NYSDEC-regulated areas; approximately 2.06 acres of NYCDEP-regulated areas; and approximately 6.77 acres of Town-regulated areas (encompassing the prior two areas). DEIS Table 9-2 is updated below to reflect the current plan.*

Table 9-2					
Wetland Buffer Disturbance					
Location/ Designation	Type of Cover in Buffer	Percent Cover by Type*	Disturbed Town Controlled Area (ac)	Disturbed NYSDEC Adjacent Area (ac)	Disturbed NYCDEP Limiting Area (ac)
<u>Wetlands</u>					
Wetland A	woodland	100%	0.02		
Wetland B	woodland	100%	0.29		
Wetland C & D	woodland	90%	3.56	0.70	0.70
Wetland C & D	Zimmer Road	10%	included above		
Wetland E	woodland	100%	0.72		
Wetland G	woodland	100%	0.29		
Wetland LC-18 (offsite)	woodland and Fields Corner Road	100%	0.58		
<u>Watercourses</u>					
WC-1	woodland	90%	0.61		0.61
WC-1	vegetation dump	10%			
WC-2	woodland	100%	0.70		0.70
WC-3	woodland	100%			0.05
WC-4	woodland	100%			
Totals:			6.77	0.70	2.06
NOTES:					
* Percent type refers to area shown in DEIS Figure 9-2.					
Area, NYSDEC regulated Adjacent Area, NYCDEP regulated Limiting Area.					
Some areas listed are counted under more than one regulatory jurisdiction.					

The majority of these disturbed areas will not lose their natural functions but will be re-established with appropriate vegetative species to retain their natural benefits to the wetlands. The following summarizes the mitigation proposed to minimize permanent loss and restore temporary disturbances.

- Town-regulated buffer associated with Wetland A (east side of the property) will be temporarily disturbed by clearing, grading and trenching for a corner of the septic infiltration system, and will be restored in vegetative groundcover with no loss of function.
- Town-regulated buffer associated with Wetland B (south of the BB Showcase field) will be disturbed by clearing and filling for construction of the ballfield and stormwater management basins, and will be restored in vegetative cover with no loss of function.

- *The regulated buffers associated with Wetlands C and D (the on-site ponds) will be disturbed by clearing, grading and new construction of the main parking lot, driveway, and circulation walkway at the BB Showcase field. Reconstruction of Zimmer Road will also occur within this buffer. Portions of these disturbed areas that are not paved will be restored in vegetative cover and retain their natural function. Buffer areas within 100 feet of the ponds (NYSDEC adjacent area, NYCDEP limiting distance and a portion of the Town 166' controlled area), excepting the Zimmer Road corridor which is not attributed to a wetland function, are proposed to be protected from construction disturbance to preserve their function.*
- *The regulated buffers associated with Wetland E and Watercourse 2 (west of the BB Showcase field) will be disturbed by clearing grading for construction of the ballfield and stormwater management basins, and where not otherwise built upon, will be restored in vegetative cover with no loss of function. Buffers affected are Town-, NYSDEC- and NYCDEP-regulated.*
- *Town-regulated buffer associated with Wetland G (north end of the property) will be disturbed by clearing, filling and construction of a retaining wall for construction of the multipurpose field, and excepting a corner of the new field, will be restored in vegetative cover with no loss of function. The buffer area within 100 feet of Wetland G and Watercourse 4 (NYCDEP limiting distance and a portion of the Town 166' controlled area) is proposed to be protected from construction disturbance by the retaining wall.*
- *Town- and NYSDEC-regulated buffers associated with Wetland LC-18 (off site to the west) will be temporarily disturbed by clearing, grading and construction of stormwater basins and, excepting construction of a vehicular turnaround in Fields Corner Road, will be restored in vegetative cover with no loss of function.*

Overall, the project has been designed to accommodate the Applicant's proposed program while avoiding wetlands, watercourses and regulated buffers to the greatest extent possible. Mitigation proposed to offset potential impacts include the following measures:

- *The limits of construction disturbances will be visibly marked and adjoining areas protected by construction perimeter fencing to avoid disturbance beyond the demarcated limits for the duration of construction operations.*
- *Where soils are disturbed in the buffers, mitigation will include stabilization of the soil with permanent vegetative cover of native and naturalizing plant species to restore the natural function.*
- *For installation of the sewer force main across Watercourse 1, the project proposes to bore under the surface using horizontal drilling technology over a span of approximately 243 feet, thereby avoiding direct disturbance that would otherwise result from trenching through the watercourse. Entry and exit pits (shown on the drawings) will be located outside of the regulated buffer.*
- *Stormwater management basins that are designed to control and treat stormwater runoff from developed areas have been located in portions of the regulated buffers where dictated by the topography, however their pollutant removal and hydrological functions are the same as functions of these buffer areas.*

A Mitigation Plan for wetland buffer disturbances is proposed that incorporates the following protection and revegetation mitigation measures to compensate for the wetland buffer disturbances:

- a) *delineation of the construction disturbance area by physical means in the field (markings or structural measures) to prevent unnecessary encroachment into wetlands and wetland buffers in accordance with the Erosion and Sediment Control plans (drawings SP-3.1 to 3.4) and Details (Drawing D-4) as approved by the Town and permitted under NYSDEC General Permit GP-0-20-001.*
- b) *specification of appropriate plantings in wetland buffers where there will be anticipated disturbance. (See Mitigation Plant List on Drawing SP-5.1.)*
- c) *specification for appropriate seed mixes for the locale and site conditions where seeding in the wetland buffer is proposed. (See Planting and Seeding Notes on Drawing SP-5.5.)*
- d) *specification of planting soil mix to prevent use of fill that is deleterious to the plantings.*
- e) *specification of the removal of invasive species within wetland buffer areas where needed, and revegetation with plantings or seeding.*
- f) *specifications that provide for appropriate placing of fill in incremental lifts to ensure a stable engineered slope and provide for physical protection of cut or fill slopes steeper than 2H:1V with erosion control fabric (if any result from the construction). Specifications are on Drawing D-4.*
- g) *delineation of permanent protective fencing (wood post and rail with wire mesh) between the east side pedestrian walkway at the main concourse and the buffer area of Watercourse 1 (shown on drawings SP-5.2 and 5.3).*

The Mitigation Plan incorporates details for planting and seeding including the topsoil for plant beds and seeded areas, and specifications for their proper installation.

- a) *Silt fencing is required to protect areas outside of the construction area -- placement is shown on drawings SP-3.1 to 3.4 and construction detail is shown on Drawing D-4.*
- b) *Identification of individual trees near the edge of the construction area that warrant protection based on their size, location and health condition shall be determined in the field by the project Landscape Architect prior to the start of construction. Selected trees shall be marked in the field and protected in accordance with the construction detail for tree protection shown on Drawing D-2.*
- c) *Tree and shrub planting details are shown on Drawing D-2.*

Comment 9-8 (Letter 17, NYCDEP 8/10/22): 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.

Response 9-8: *The proposed stormwater basins will provide water quality treatment for runoff from the proposed development prior to entering the natural environment. These are passive uses that are typically complementary to the functions of the wetland buffer where they are currently proposed.*

The location of stormwater basins, portions of which are located in wetland buffer areas, was defined by the results of soil testing and the basin size, elevations and grading necessary to provide the required storage volume for the contributing drainage areas. The purpose of these basins is to manage post-development stormwater flows that will minimize long term adverse effects to downgradient lands, including wetlands. A primary goal of the site plan is to avoid

direct wetland impacts and this project as designed has successfully avoided direct wetland impacts. The sizes and positions of the basins have been minimized in the proposed plan to the greatest extent practical, however there are locations where a stormwater basin necessarily encroaches within a buffer to “fit” with the existing topography, accounting for the defining parameters mentioned above. While being unavoidable impacts of the proposed plan, the proposed grading in these locations will maintain the existing direction of surface runoff and proposed revegetation is designed to restore the natural characteristics of the buffer.

Given the project’s location within the NYC East of Hudson (EOH) Watershed, the stormwater design for Brewster Yards is 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 are designed to provide a minimum of 80% net removal of particulate phosphorus and 60% net removal of dissolved phosphorus. Phosphorus loading calculations in the SWPPP show the pre-development phosphorus load is equivalent to the post-development phosphorus load from the completed project. The calculations demonstrate that the stormwater practices designed in accordance with the enhanced phosphorus standards will meet regional goals of not increasing phosphorus from new development. (Refer to the preliminary SWPPP, FEIS Appendix E.)

Comment 9-9 (Letter 17, NYCDEP 8/10/22): DEIS 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 I.B.1.b of the SPDES General Permit GP-0-20-001 (per figure in Appendix C).

Response 9-9: *The project will conform to the requirements of SPDES General Permit GP-0-20-001: “In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures ... must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased.”*

10.0 STORMWATER COMMENTS AND RESPONSES

Comment 10-1 (Letter 3, AKRF 8/5/22): Stormwater basins are proposed in the wetlands buffer. Best practice measures are to avoid wetland impacts. Recommendations are to try to locate the stormwater basins outside the limits of the wetland buffer.

Response 10-1: Portions of proposed stormwater basins that will disturb wetland buffer areas are included in the areas listed in DEIS Table 9-2, Wetland Buffer Disturbance. The location of stormwater basins was defined by the results of soil testing and the basin size, elevations and grading necessary to provide the required storage volume for the contributing drainage areas. The purpose of these basins is to manage post-development stormwater flows that will minimize long term adverse effects to downgradient lands, including wetlands. A primary goal of the site plan is to avoid direct wetland impacts and this project as designed has successfully avoided direct wetland impacts. As noted in the comment, avoidance of wetland buffers is also a goal of the site plan. The sizes and positions of the basins have been minimized in the proposed plan to the greatest extent practical, however there are locations where a stormwater basin necessarily encroaches within a buffer to “fit” with the existing topography, accounting for the defining parameters mentioned above. While being unavoidable impacts of the proposed plan, the proposed grading in these locations will maintain the existing direction of surface runoff and proposed revegetation is designed to restore the natural characteristics of the buffer.

Comment 10-2 (Letter 3, AKRF 8/5/22): Comments received by NYCDEP on 9-13-2021 stated that they will have jurisdictional review of the SWPPP and the SSTS and soil testing with DEP present. Soil tests will include percolation testing, filtration testing and deep test pits, to assure the viability of the site plan and the development, prior to SEQRA approvals. Verification of testing should be submitted with final comments from NYCDEP.

Response 10-2: Soil investigations and testing conducted with and witnessed by the NYCDEP for the proposed SSTS infiltration area and the stormwater management systems is described in response 8-3, with corresponding references to documentation in the DEIS and FEIS. The final design of the onsite SSTS and the project SWPPP will also be reviewed by NYCDEP.

Comment 10-3 (Letter 3, AKRF 8/5/22): Comments received by NYSDEC on 9-1-2021 outlined the requirements for SPDES wastewater and SPDES stormwater permits. The project falls within the Municipal Separate Storm Water System (MS4) community and will require an SWPPP approval from the municipality.

Response 10-3: Comment noted.

Comment 10-4 (Letter 3, AKRF 8/5/22): Wetland permit will be required if there are any impacts to NYSDEC jurisdictional wetland. Wetland avoidance is recommended.

Response 10-4: See response 10-1.

Comment 10-5 (Letter 3, AKRF 8/5/22): NYSDEC will anticipate a water quality certification for the project, which was not mentioned in the latest EIS submission.

Response 10-5: The current project proposal does not require a Federal permit and therefore a water quality certification by NYSDEC is not required.

Comment 10-6 (Letter 3, AKRF 8/5/22): The area of disturbance of 49 acres and 27 acres of impervious surface, verification of volumes and stormwater are critical to assure the final sizes of the proposed stormwater basins and to assure the size and locations are feasible to accommodate the development of the site plan.

***Response 10-6:** The stormwater management design for Brewster Yards has been advanced from the preliminary study provided in the DEIS, including more detailed sizing of the stormwater management practices. An updated SWPPP that accounts for the area of disturbance, area of impervious surfaces, stormwater volumes and sizing of the stormwater practices on the current project plans has been prepared and included in this FEIS. Refer to FEIS Appendix E.*

Comment 10-7 (Letter 4, Donald Lake 8/10/22): This Draft DEIS is in its very early development stage. Other than the basic overview drawings provided in Appendix M, engineering drawings illustrating or addressing stormwater were not submitted. Missing elements include a construction phasing and sequencing plan, details for an erosion and sediment control plan, and the design and placement of selected stormwater practices. This information is crucial to performing a technical review and evaluating the elevations for the hydrology and hydraulic calculations that appear in DEIS Appendix E of the Preliminary Stormwater Pollution Prevention Plan (SWPPP).

***Response 10-7:** The stormwater management design drawings for Brewster Yards have been advanced from the preliminary plans provided in the DEIS. An updated set of engineering drawings and SWPPP report that account for construction phasing and sequencing, details for erosion and sediment control, and the design and placement of stormwater management practices has been prepared and included in this FEIS. Refer to FEIS Appendix E and G.*

Comment 10-8 (Letter 4, Donald Lake 8/10/22): Drawing OP-1 shows 13.5 acres of synthetic turf at Lot 2 and 0.3 acres at Lot 3, totaling 13.8 acres. In contrast, DEIS Table 16-1 shows a total of 16.3 acres of synthetic turf at Lots 2 and 3. This discrepancy needs to be reconciled.

***Response 10-8:** Based on the updated FEIS site plan, there will be approximately 14.4 acres of synthetic turf at proposed Lot 2 and approximately 2.7 acres at proposed Lot 3, totaling 17.1 acres. (FEIS Appendix G, Drawing OP-1)*

Comment 10-9 (Letter 4, Donald Lake 8/10/22): Drawing SP-1 provides no references for the drawings that contain details for the outlet structures, underdrains, inlet protection, or the outlet at the end of the pipe on the natural slope. Will this be a level spreader? These Detail sheets need to be provided.

***Response 10-9:** The updated set of engineering drawings that include details for proposed stormwater management practices is included in FEIS Appendix G.*

Comment 10-10 (Letter 4, Donald Lake 8/10/22): Stormwater detention basins EDB 1.4 and 2.7 are discharging concentrated flow onto natural slopes, that have not previously experienced concentrated flow. These discharged flows need to be quantified and evaluated for erosion potential, so their impact can be mitigated. No predeveloped discharge analyses for these locations are presented in the SWPPP.

Response 10-10: *The post-construction discharge flows from new stormwater basins have been evaluated in the updated SWPPP and the appropriate mitigation of potential erosion is accounted for in the current engineering drawings.*

The current drawings include adjustments to the two primary discharge locations between the DEIS and FEIS plans. Stormwater detention basin is identified as EDB 2.4 in the FEIS (formerly EDB 1.4 in the DEIS) now discharges to a catch basin at the northwest corner of the site at Fields Corner Road in combination with the discharge to a level spreader on natural slopes shown in the DEIS. Stormwater detention basin EDB 3.7 in the FEIS (EDB 2.7 in the DEIS) now drains westward to a level spreader above the watercourse instead of toward NYSDEC wetland LC-28 to the east.

Comment 10-11 (Letter 4, Donald Lake 8/10/22): How is the flow from the synthetic turf fields collected? More information is needed.

Response 10-11: *The synthetic turf system includes a subsurface stone reservoir and underdrain system that is detailed on drawings D-2 and D-7 (see Appendix G). The turf system will drain to collector pipes connected to the stormwater drainage system.*

Comment 10-12 (Letter 4, Donald Lake 8/10/22): Drawing OPG-1 shows the limit of disturbance (LOD) at the toes of the slopes and at the tops of the cuts. The LOD total is 49 acres. But more room is needed along these slope boundaries for clearing and grubbing and the installation and maintenance of erosion and sediment control practices. Based on limited information, the LOD value of 49 acres appears to be underestimated and needs to be re-evaluated.

Response 10-12: *The engineering drawings for Brewster Yards have been advanced from the preliminary plans provided in the DEIS. Refer to FEIS Appendix G. Based on the updated project plans accompanying this FEIS, which indicate anticipated limits of disturbance necessary to allow for construction operations and installation and maintenance of erosion and sediment control practices, the total area of disturbance is calculated to be approximately 51 acres within the property line and 2 acres within the Town right-of-way. (FEIS Appendix G, Drawing OPG-1)*

Comment 10-13 (Letter 4, Donald Lake 8/10/22): Drawing, Figure 4, Testing Plan, DEIS Appendix M, shows the plan view locations and testing results for the stormwater management infiltration basins. The results for holes I-11 and I-12, in infiltration basin 2.6, had rates of 102 inches per hour and 180 inches per hour, respectively. This basin is 15 feet directly above detention basin 2.7. Infiltration rates this high could cause slope stability problems. In addition, rates this high would probably not provide an opportunity for pollutant removal. Previous guidance in the 1992 and 1993 NYS DEC "Reducing the Impacts of Stormwater Runoff from New Development" set 7.5 inches per hour as a maximum infiltration rate to provide pollutant removal and to prevent direct injection into groundwater. The infiltration rates associated with I-11 and I-12 and the guidance value need to be re-evaluated. In addition, how do these values correlate to the 20 inches per hour used in HydroCAD?

Response 10-13: *As noted, onsite soil testing was completed that produced infiltration rates of more than 100 inches/hour (in/hr). For stormwater modeling purposes a conservative infiltration*

rate of 20 in/hr was used in the stormwater design model (HydroCAD) for the SWPPP in the DEIS. Although the most current stormwater design standards found in the NYSDEC Stormwater Management Design Manual references only a minimum infiltration rate (0.5 in/hr), with no maximum infiltration rate, the stormwater model for the updated SWPPP has been adjusted to utilize an even more conservative rate of 7.5 in/hr as suggested.

The stability of constructed slopes will be addressed in embankment construction specifications that will be added to the construction plans. Standard plan provisions will include the following requirements:

- a. Constructed slopes shall be graded no steeper than 2H:1V.
- b. No tree or grubbed material shall be used in the construction of any portion of an embankment.
- c. Material used in the embankment must have the capacity to support vegetation that will prevent erosion.
- d. Fill materials shall be placed in maximum 8-inch thick layers (before compaction) that are continuous over the entire length of the fill. Each layer shall be compacted to obtain a density not less than 95% of maximum dry density with the moisture content within 2% of the optimum and is to be certified by the project geotechnical engineer. All compaction is to be determined by AASHTO Method T-99 (Standard Proctor) unless otherwise approved.
- e. All exposed surfaces of the embankment shall be stabilized in accordance with the Erosion and Sediment Control Notes.

Refer to response 10-16 regarding pretreatment at proposed infiltration basins.

Comment 10-14 (Letter 4, Donald Lake 8/10/22): The hydrologic and hydraulic analysis shown in the preliminary SWPPP is inadequate. The existing analysis looks at two design lines instead of at design discharge points. The design lines need to be revised to design discharge points to incorporate all the pertinent sub areas.

Response 10-14: The design lines have been revised in the SWPPP and separated into four distinct design points to facilitate a more accurate understanding of point design discharge.

Comment 10-15 (Letter 4, Donald Lake 8/10/22): The HydroCAD Developed analysis cannot be corroborated due to a lack of drawings and details. A Runoff Curve Number (RCN) of 86 was assigned to the 16.3 acres of synthetic turf fields. An RCN of 86 has an initial abstraction value of 0.326 inches. Initial abstraction is defined as the amount of precipitation that is lost before runoff begins. This includes infiltration, adsorption, evaporation, transpiration, and entrapment. The source documentation for this RCN value of 86 needs to be provided.

Response 10-15: The regionally accepted RCN of 86 is documented in a sub-appendix to the updated SWPPP. See FEIS Appendix E.

Comment 10-16 (Letter 8, Ellen Yass & Peter Simon 8/25/22): Hard surfaces of asphalt, concrete, roofs, and Astroturf will replace grass, trees, and encroach upon wetlands. What plans are in place for rainwater runoff and collection? **(Public Hearing 8/8/22, Ellen Yass):** We live in a watershed. We live in a fragile conservation area.

Response 10-16: *The engineering drawings for Brewster Yards have been advanced from the preliminary plans provided in the DEIS. Refer to FEIS Appendix G. The project design accounts for a comprehensive analysis of the changes in surface materials (from pervious to impervious surfaces, for example) and measures for the collection and treatment of stormwater runoff in accordance with applicable Town and State regulations and the NY City Watershed Rules and Regulations. The project plans also account for protection of wetland resources to the maximum extent practicable.*

Pretreatment for proposed infiltration basin(s) is proposed in conformance with Design Manual specifications for a sediment basin.

Use of porous pavement to reduce runoff from paved areas was considered during the project design. However, soils investigations at the site revealed that there is inadequate soil depth to rock or to the seasonal high water table to meet the required separation distance for a permeable pavement to function properly. Therefore, porous pavement is not proposed.

Comment 10-17 (Letter 17, NYCDEP 8/10/22): DEIS 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.

Response 10-17: *The SWPPP for Brewster Yards have been advanced from the preliminary plans provided in the DEIS. Refer to FEIS Appendix E.*

Comment 10-18 (Letter 17, NYCDEP 8/10/22): In general, the circulated SWPPP does not include enough supporting information, such as engineering details, for DEP to evaluate the proposed practices.

Response 10-18: *The SWPPP for Brewster Yards has been advanced from the preliminary plans provided in the DEIS. Refer to FEIS Appendix E.*

Comment 10-19 (Letter 17, NYCDEP 8/10/22): 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.

Response 10-19: *The updated SWPPP will include the classification of existing open surface water to be assigned with a curve number of 98.*

Comment 10-20 (Letter 17, NYCDEP 8/10/22): 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.

Response 10-20: *Development of the DEIS proposal involved iterations including the DEIS alternative plans provided in Alternatives section 16, which account for the available access to the property from Zimmer Road (currently an unimproved, one-lane alley), from Pugsley Road (then an unimproved seasonal road) and from Fields Corner Road (an unimproved road that is seasonally closed). As can be seen in DEIS Figures 16-1 and 16-2, early project planning accounted for the presence of streams and wetlands and their regulated buffers, State-designated wetland LC-28, the regulated ridgeline and naturally occurring steep slopes. With the location of a regulated tributary stream, direct access onto the site from Pugsley Road is not feasible. DEIS Figure 16-1 located prospective access to the project from Fields Corner Road which also is not feasible from a seasonally closed road.*

A primary goal of the site planning process was to avoid direct wetland impacts and this project as designed has successfully avoided direct wetland impacts and minimized disturbance of wetland buffers to the greatest extent practical, and proposes revegetation where stormwater basins encroach into a buffer. The proposed stormwater basins provide water quality treatment for runoff from developed areas, a passive use that is complementary to the natural function of the wetland buffers. The project design includes conventional measures for the collection and treatment of stormwater runoff in accordance with applicable Town and State regulations and the NY City Watershed Rules and Regulations.

The project plans also account for protection of wetland resources to the maximum extent practicable. The locations of each element of the proposed stormwater systems, such as fill slopes, constructed berms for stormwater basins and outfall pipes in relation to wetland and watercourse limits, as well as the locations of buildings and pavement in relation to buffers, were reviewed by the project team to confirm that disturbance areas have been minimized while allowing for the proper function of the designed systems and continued protective function of the natural systems (filtering sediment and nutrients by sheet flow, infiltration and recharge of runoff). The location of stormwater basins was defined by the natural soil conditions and the basin size, elevations and grading necessary to provide working drainage systems. Also refer to response 10-1.

Comment 10-21 (Letter 17, NYCDEP 8/10/22): *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.*

Response 10-21: *The revised SWPPP has been advanced to include assessment and comparison of the pre- and post-development peak discharge rates of the project proposal as required by the NYSDEC SPDES General Permit (GP-0-20-001) and the Watershed Rules and Regulations. The stormwater design has been completed in accordance with the NYSDEC standards set forth in Chapter 10 of the Stormwater Management Design Manual, which includes standards for enhanced phosphorus removals. There is currently no requirement in the design standards to provide pollutant loading calculations other than the stormwater design in accordance with Chapter 10.*

11.0 TRAFFIC AND TRANSPORTATION COMMENTS AND RESPONSES

Comment 11-1 (Letter 2, Snyder & Snyder 7/13/22): Hunter's Glen is particularly interested in the efforts being taken to mitigate the significant traffic impacts that are expected to result from the proposed development. We respectfully request that the Planning Board take into consideration the cumulative effects of the impacts that will result from both the Brewster Yards project and the Lincoln Logistics project, which was just recently approved. Both projects will result in a significant increase in traffic in this area of the Town particularly with both projects utilizing Fields Corner Road and Pugsley Road for access.

Response 11-1: *The Traffic Impact Study contained in Appendix J of the Draft Environmental Impact Statement includes trip volumes associated with both the Brewster Yards and the Lincoln Logistics Brewster (aka Commercial Campus at Fields Corner)¹ projects. In addition, trip volumes associated with the following five developments were included in the Traffic Impact Study, as well as a conservative general background traffic growth of 1.0% per year:*

- Barrett Hill development project (Southeast, NY)
- Prospect Hill Office Park development project (Southeast, NY)
- Gateway Summit and The Fairways development project (Carmel, NY)
- Ace Endico Expansion development project (Southeast, NY)
- Terravest Senior Housing development project (Southeast, NY)

Therefore, the analysis undertaken in the Traffic Impact Study considers the cumulative impacts of all trip-generating elements described above.

Comment 11-2 (Public Hearing 8/8/22, Ellen Yass): Nobody has mentioned the truck depot that is going to be on Pugsley Road and the ensuing traffic from this truck depot. They've done traffic studies, but I hear nobody mention that.

Response 11-2: *Traffic volumes and subsequent roadway improvements associated with the Logistics project, located along Pugsley Road across from the proposed Brewster Yards project, were analyzed as part of the Draft and Final Environmental Impact Statements for that project. In addition, as noted in Response 11-1, traffic volumes for the Logistics project, along with five other nearby development projects, were included and analyzed in the Traffic Impact Study in the Brewster Yards DEIS to account for their cumulative effects on traffic.*

Comment 11-3 (Letter 3, AKRF 8/5/22): Provide all relevant backup information for trip generation, including StreetLight data. To verify the StreetLight data at the Connecticut Sportsplex facility used for trip generation, the Applicant should conduct spot counts for this location.

Response 11-3: *The information obtained from StreetLight Data ("StreetLight") used to estimate the proposed trips for the Brewster Yards project has been included in FEIS Appendix F, Attachment 'A'. Furthermore, representatives of DTS Provident conducted spot traffic counts at the Connecticut Sportsplex facility on Thursday, October 6th, 2022 from 5:00 PM to 8:00 PM and on Saturday, October 8th, 2022 from 12:00 PM to 3:00 PM. This spot traffic count data, as well as a comparison to the StreetLight data, is also included in Attachment 'A'. As shown in the comparison table, the total amount of trips entering and exiting the Connecticut Sportsplex driveway during the Peak Weekday PM Hour and Peak Saturday Hour was 280 vehicles and 175 vehicles, respectively. When compared to the StreetLight data used in the Traffic Impact*

¹ Lincoln Logistics Brewster (aka Commercial Campus at Fields Corner) is hereinafter referred to as Logistics.

Study, the spot count trips represent a decrease in trips of 1.4% during the Peak Weekday PM Hour (284 StreetLight Data trips vs. 280 spot count trips) and a decrease in trips of 63.8% during the Peak Saturday Hour (483 StreetLight Data trips vs. 175 spot count trips). This assessment demonstrates the StreetLight data used in the Traffic Impact Study to develop the trip generation for the Proposed Project was conservative.

Comment 11-4 (Letter 3, AKRF 8/5/22): Provide a list of adverse impacts to traffic. It is recommended to define an impact to traffic as degradation from LOS A, B, C, or D to LOS E or F, from LOS E to LOS F, and an increase in delay of greater than 10 percent in LOS E or LOS F.

Response 11-4: The Existing, No-Build, Build and Build with Improvement conditions have been re-analyzed based on the comments provided by AKRF (Memorandum dated 8/5/22) and Colliers Engineering (Letter dated 9/9/22), which included a new Build Year of 2026 for the projected traffic conditions. The revised analysis also considers the Applicant's current proposal to close Fields Corner Road north of the site (Refer to Response 11-13). The revised highway capacity analysis worksheets and Levels of Service (LOS)/Delay summary tables are included in FEIS Appendix F, Attachment 'B'. Poor Levels of Service, based on the criteria above, are highlighted in the LOS summary tables near the end of Appendix F.

The traffic signal timing modifications recommended in the DEIS for the intersection of US Route 6 & New York State Route 312 will bring the overall intersection and particular approaches near or below No Build LOS/Delay conditions. Moreover, certain movements in the No-Build condition (without the Proposed Project) that would exceed the LOS degradation criteria identified by AKRF will be mitigated. However, particular movements listed below will exceed the LOS degradation criteria identified by AKRF in the Build with Improvements condition. LOS declines for the listed movements cannot be fully mitigated without significant physical road modifications, the cost of which is not proportional to the impact of Brewster Yards' traffic -- these impacts are unmitigated by Brewster Yards.

Following is a summary list of the declines in traffic Levels of Service or delays (shown in highlighted cells in the summary tables near the end of Appendix F), based on the criteria in comment 11-4, and improvements in traffic conditions, attributable to the Brewster Yards proposal:

- US Route 6 & NY Route 312 northbound through movement – Weekday AM peak hour, Weekday PM peak hour, Saturday peak hour – decline is attributed to the proposed network improvements
- US Route 6 & NY Route 312 westbound left turn/through lane movement – Weekday PM peak hour, Saturday peak hour – decline is attributed to the proposed network improvements
- US Route 6 & NY Route 312 southbound left turn movement – Weekday PM peak hour, Saturday peak hour – potential declines in Build Condition are improved by the proposed network improvements
- US Route 6 & NY Route 312 southbound overall – Weekday AM peak hour, Weekday PM peak hour, Saturday peak hour – potential declines in Build Condition are improved by the proposed network improvements

- *US Route 6 & NY Route 312 intersection overall – Weekday PM peak hour – potential declines in No Build Condition and Build Condition are improved by the proposed network improvements*
- *NYS Route 312 & I-84 Eastbound ramps, eastbound through movement - Saturday peak hour – potential decline in Build Condition is improved by the proposed network improvements*
- *NYS Route 312 & I-84 Eastbound ramps, westbound overall - Saturday peak hour – potential decline in Build Condition is improved by the proposed network improvements*

As should be noted from the foregoing, proposed network improvements in the “Build with Improvements” condition constitute adjustments made in the intersection modeling to provide optimal conditions on the overall network that, in some cases, exacerbate the delay at one or more individual movements while at the same time improve other individual movements or the overall intersection operation.

It is important to note that the Proposed Project will only constitute on average 3.3% of the traffic volumes experienced at the intersection of US Route 6 & New York State Route 312, while the remaining 96.7% of the traffic volumes at the intersection will be comprised of background and adjacent development traffic. It is also important to note that the intersection will experience LOS/Delay degradations in the future even without Brewster Yards’ traffic volumes. Declines highlighted in the No-Build column in the Appendix F tables are not attributable to Brewster Yards’ traffic but result from projected background traffic growth. This was also noted in the Logistics project’s FEIS, to which no improvement was recommended.

Comment 11-5 (Letter 3, AKRF 8/5/22): Revise mitigations to not create new impacts at the study intersections. For example, the proposed mitigations create new impacts in Build with Improvement condition analyses at the following intersections: NYS Route 312 & US Route 6, NYS Route 312 & I-84 Eastbound Ramps, NYS Route 312 & I-84 Westbound Ramps.

Response 11-5: Refer to Response 11-4.

Comment 11-6 (Letter 3, AKRF 8/5/22): Include all mitigation measures noted in the Lincoln Logistics (formerly known as Commercial Campus at Fields Corner) resolution documents in the traffic analyses. The following should be incorporated in the No Build and Build analyses to match the Lincoln Logistics analyses: NYS Route 312 & I-84 Eastbound Ramps – signal timing modifications and lane geometry.

Response 11-6: All mitigation measures noted in the Logistics’ resolution documents have been included in the revised traffic analysis referenced in the response to Comment 11-4.

Comment 11-7 (Letter 3, AKRF 8/5/22): Revise the Synchro analysis per the following comments:

- a. All intersections: Revise the future No Build and Build analyses to reflect the heavy vehicle percentages and peak hour factors used for Lincoln Logistics.
- b. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Revise the southbound approach to reflect a shared through and right turn lane and keep the dedicated right turn lane for future analyses, as it is a background improvement as part of Lincoln Logistics.

- c. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Analyze the southbound left turn with a 320-foot long storage length.
- d. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Revise the Saturday analysis to reflect an actuated-coordinated signal control type using the correct time of day plan (matching the AM and PM signal timings).
- e. NYS Route 312 & I-84 EB Ramps intersection No Build and Build conditions: Revise the signal timings for all peak hours to reflect the Lincoln Logistics improvements.
- f. NYS Route 312 & I-84 WB Ramps intersection Existing conditions: Revise the Saturday analysis to reflect an actuated-coordinated signal control type using the correct time of day plan (matching the AM and PM signal timings).
- g. NYS Route 312 & I-84 WB Ramps intersection No Build and Build conditions: Revise the signal timings for all peak hours to reflect the Lincoln Logistics improvements.

Response 11-7: *The revised analysis referenced in the response to Comment 11-4 addresses all of the items above.*

Comment 11-8 (Letter 3, AKRF 8/5/22): The following movements have projected 50th percentile queues that extend beyond the storage length. Additional improvements should be provided to mitigate queue impacts.

- a. US Route 6 & NYS Route 312: PM peak hour, southbound left turn
- b. NYS Route 312 & I-84 EB Ramps: AM peak hour, southbound right turn; Saturday peak hour, eastbound left turn
- c. NYS Route 312 & I-84 WB Ramps: PM peak hour, eastbound left turn

Response 11-8: *Refer to Response 11-4.*

Comment 11-9 (Letter 3, AKRF 8/5/22): Revise the LOS table headers to reflect the correct Saturday and Weekday PM peak hours.

Response 11-9: *The LOS summary tables included in the revised traffic analysis in FEIS Appendix F address the comment.*

Comment 11-10 (Letter 5, Town of Patterson 8/4/22): There is no data supporting the Traffic Engineer's distribution of traffic arriving or departing from Brewster Yards.

Response 11-10: *As noted in the Traffic Impact Study (DEIS Appendix J), the arrival and departure patterns for the Proposed Project's traffic were based on a review of the arrival and departure for the Logistics project as well as a review of the existing traffic volumes, potential destinations and existing roadway network.*

Comment 11-11 (Letter 5, Town of Patterson 8/4/22): The Traffic Study did not provide appropriate supporting information to demonstrate a conclusion that no traffic will be using Fields Comers Road.

Response 11-11: *Based on recommendations by the Southeast Town Highway Superintendent, Fields Corner Road is proposed to be closed to public traffic so that no traffic associated with the Proposed Project will utilize Fields Corner Road in the Town of Patterson. Refer to Response 11-13.*

Comment 11-12 (Letter 5, Town of Patterson 8/4/22): There is no discussion of how traffic congestion along Route 6 or NYS Route 312 will impact the distribution of traffic or promote the use of Fields Corners Road as a shortcut.

Response 11-12: *No traffic associated with the Proposed Project will utilize Fields Corner Road north of the Patterson Town Line under the current proposal. Refer to Response 11-13. The Applicant also suggests that the Town of Southeast notify the various GPS companies of the closure of Fields Corner Road so as to not route through traffic on that road.*

Comment 11-13 (Letter 5, Town of Patterson 8/4/22): The proposed project will produce a significant impact to Fields Corners Road which has not, and must be mitigated. The traffic impact of the project to Fields Corners Road needs to be correctly identified, assessed and mitigated.

Response 11-13: *The Applicant's engineers met with the Town Highway Superintendent and Town Engineer on September 1 and October 20, 2022, to discuss appropriate mitigation for vehicular use of Fields Corner Road. In his letter dated September 1, the Highway Superintendent recommended that this road be closed to public traffic from the Brewster Yards' north access point to the Patterson Town Line. (Refer to the Highway Superintendent's letter in FEIS Appendix B.) This would be effectuated by installation of gates north of the project entrance and a second gate near the Town Line. The plan would also include signage and turnarounds near the gates to allow vehicles to turn around in the public road. (These improvements are depicted in the current set of engineer's plans, Drawing SP-4.0, and in FEIS Figure 1-2.) The portion of Fields Corner Road in Southeast would continue to be maintained by the Town for purposes of allowing for emergency service access, to the specifications of local emergency service agencies including the Brewster Fire Department. Further details of the proposed improvements are provided in FEIS Section 1.3. Closure of Fields Corner Road to through traffic, as recommended by the Town Highway Superintendent, is the alternative preferred by the Town of Southeast.*

As an alternative to closing Fields Corner Road to public traffic, reconstruction of Fields Corner Road to Town of Southeast and Town of Patterson road standards (a 24'-26' wide paved road with drainage to the Fair Street intersection) and allowing it to be open to year-round through traffic was evaluated. This alternative would allow Brewster Yards' traffic and Logistics' traffic, and induce other public traffic, to utilize Fields Corner Road. In addition to changes in the volume of traffic on Fields Corner Road, Fair Street, and other connecting streets, all of this traffic would need to turn onto/off of Fair Street without the protection of a traffic signal, which would increase the accident potential at this location. By contrast, under the preferred alternative of closing Fields Corner Road to through traffic, all project-generated traffic would access the site via Route 312 under the protection of a traffic signal. Additionally, closing Fields Corner Road to through traffic will avoid adverse impacts of through traffic to residents along this rural road in the Town of Patterson. To mitigate these potential impacts, Brewster Yards proposes improvements that will facilitate closing this road to all but emergency traffic.

Comment 11-14 (Letter 5, Town of Patterson 8/4/22): The DEIS proposes to avoid or mitigate traffic impacts to Fields Corners Road in the Town of Patterson by the installation of "No Right Turns" at the project entrance. These signs will not reduce the incoming or outgoing traffic on Fields Corners Road from the project. ... The DEIS proposes to "discourage" traffic from using Fields Corners Road by installing signs at the project entrance saying "no right turn". A sign that says "no right turn" will not deter motorists from turning right unless law enforcement is sitting at

the sign. And the proposed signs will have no value in preventing motorists from using Fields Corners Road to arrive at the site.

Response 11-14: *Refer to Response 11-13.*

Comment 11-15 (Letter 5, Town of Patterson 8/4/22): Fields Corners Road in the Town of Patterson must be improved for the increase in traffic that will result from the Amazon warehouse project and the Brewster Yards project. These improvements should include a 24' wide paved road with drainage from the Southeast Town line to the Fair Street intersection. Alternatively, Fields Corners Road should be closed at the Town line.

Response 11-15: *No traffic associated with the Proposed Project will utilize Fields Corner Road north of the Patterson Town Line under the current proposal. Refer to Response 11-13.*

Comment 11-16 (Letter 5, Town of Patterson 8/4/22): The DEIS shows that there will be significant traffic arriving and departing from the site, including the Traffic Engineer's analysis of the standard peak hours. The Applicant's projections of site usage for weekday after school and weekend patronage during the baseball season is projected to be up to 1023 persons -- players, spectators and staff. On school days, after-school field use is expected to be up to 358 persons. During peak use the project is anticipated to employ up to 63 people. [DEIS 11-3]. The DEIS shows that during times of peak usage of the facility on a Saturday, or when an event ends, there will be roughly 36 vehicles every 10 minutes queuing at the Pugsley Road/Route 312 intersection. Incorporating the traffic generated by the warehouse further increases the delays at the Pugsley Road/Route 312 intersection.

Response 11-16: *The Traffic Impact Study for Brewster Yards (DEIS Appendix J) as well as the revised analyses referenced in Response 11-4 utilize traffic volumes projected for the Proposed Project, the Logistics project, and five additional nearby development projects, as noted in Response 11-1. The results of the analyses indicate that the New York State Route 312 & Pugsley Road intersection, along with the improvements being constructed as part of the Logistics project, will be able to accommodate the estimated future traffic volumes and provide acceptable intersection operations during all study hours.*

Comment 11-17 (Letter 5, Town of Patterson 8/4/22): Although the project lies midway between Route 312 and Fair Street, the Traffic Engineer has assumed that 98% of the traffic will go south to Route 312, while only 2% of the traffic will access Fair Street to the north. This assumption is not supported, and considering the typical practices of motorist is an unlikely assumption. Motorists using the facility will be seeking the shortest, quickest route to their next destination, presumably their home. They will be looking to avoid the congestion of traffic on Route 6 or Route 312.

The distribution schematics included in the Traffic Study show that 20% of the anticipated arrivals and departures will be coming from the north by way of the Route 312/1-84 interchange. The distribution schematic shows that another 26% of the anticipated arrivals and departures will be coming from the Carmel/Kent area by Route 6. All of these motorists, which equal nearly 50% of the arrivals and departures from Brewster Yards, would likely view Fields Corners Road as a preferred alternative to the queuing that will occur at Pugsley Road when an event lets out. They will view Fields Corners Road as a route which will take less driving time to reach the facility, or drive back home.

With almost 50% of all arrivals and departures coming from, or leaving to a destination to the north, compounded by the congestion of Route 6 and Route 312, Fields Corners Road will become a desirable short cut between the facility and destinations to the north.

The DEIS/FEIS needs to redo the Traffic Study and provide a more realistic distribution of traffic.

Response 11-17: *No traffic associated with the Proposed Project will utilize Fields Corner Road north of the Patterson Town Line under the current proposal. Refer to Response 11-13.*

Comment 11-18 (Letter 5, Town of Patterson 8/4/22): The DEIS also needs to assess the overall geometry of Fields Corners Road. Any increase in traffic on the narrow dirt road will lead to a dangerous condition. A traffic study completed by Frederick P. Clark Associates, Inc. in 2019 concluded that Fields Corner Road in its current condition cannot accommodate any additional traffic without significant improvements to the entire length of the road.

Response 11-18: *No traffic associated with the Proposed Project will utilize Fields Corner Road, which will be closed at the Patterson Town Line under the current proposal. Refer to Response 11-13.*

Comment 11-19 (Letter 5, Town of Patterson 8/4/22): As a result of the potential traffic impact associated with the Project, Fields Corners Road must either be closed at the Southeast/Patterson Town line or Fields Corners Road must be improved to Patterson Town Road standards to accommodate the increase in traffic.

Response 11-19: *No traffic associated with the Proposed Project will utilize Fields Corner Road, which will be closed at the Patterson Town Line under the current proposal. Refer to Response 11-13.*

Comment 11-20 (Public Hearing 8/8/22, Mr. LaPerch): I received correspondence from Town of Patterson, and their concern about traffic coming out of this facility. Mr. Rich Williams, Supervisor, sent me an email saying that he would like to see signage, no left turns out of that facility as much as possible. ... The Town of Patterson Supervisor made it very clear that we need good signage.

Response 11-20: *No traffic associated with the Proposed Project will utilize Fields Corner Road, which will be closed at the Patterson Town Line under the current proposal. Refer to Response 11-13.*

Comment 11-21 (Public Hearing 8/8/22, Mr. LaPerch): I spoke to the Town Highway Supervisor of Southeast and our Town Engineer, and there will be road improvements. To what level, it's still a discussion point. In terms of how that's going to go from the end of their property to the line of Patterson, that's a work in progress. I do not have any answers for you, but they are aware that they have to improve it. To what level, our Supervisor will be talking to the Applicant about that.

Response 11-21: *No traffic associated with the Proposed Project will utilize Fields Corner Road, which will be closed at the Patterson Town Line under the current proposal. Refer to Response 11-13.*

Comment 11-22 (Public Hearing 8/8/22, Elaine Joyner): My concern is the traffic. Is Pugsley Road the only way in and out? That is a big concern with the number of people we're talking about with buses and whatever. And I travel Route 312 to get to various places. And the traffic at times is bad. And I don't know if there is a plan to do something but Pugsley Road to 312 is going to be a big concern if that's the only entrance and exit.

Response 11-22: Pugsley Road will be the only roadway to reach the Proposed Project. This road and the Pugsley Road/Route 312 intersection are currently being improved under the Logistics project approvals by the Town and New York State Department of Transportation (NYSDOT). The results of the traffic analysis indicate that the improvements being constructed by the Logistics project will accommodate the estimated future traffic volumes and provide acceptable intersection operations during all study hours.

Comment 11-23 (Public Hearing 8/8/22, David Kenny): I'm here to represent the interests of Hunters Glen homeowners association and over 1100 residents. Their properties are located just behind the Northeast Logistics Center. I was pleased to hear that the Northeast Logistics Center's traffic impacts were included in the traffic studies done by the applicant. We just wanted to highlight that we think that there are some unique impacts presented by both projects because there's going to be a significant increase in commercial vehicles, not just passenger vehicles, with the trucks that will be coming to the Northeast Logistics Center, and obviously, the buses that will be used to transport teams to the project. I think that increases or magnifies the impacts of traffic for those that use the corridor. They should be properly studied to ensure that there is proper mitigation.

Response 11-23: The revised traffic analyses included in FEIS Appendix F account for the projected increase in trucks/buses and its effects on roadway operations by way of increased heavy vehicle percentage parameters in the analyses.

Comment 11-24 (Public Hearing 8/8/22, David Kenny): I heard that one of the reasons why they think the impacts won't be exacerbated is that they're going to be off-hours projects. I'm not sure how that's going to work as Northeast Logistics Center will operate 24 hours. It will have trucks that go from 6 to 11, but for the employees, it's a 24-hour operation. So if the games go to 10 p.m. and trucks to 11 p.m., there is a likelihood that both projects will be creating traffic impacts in this corridor.

Response 11-24: Although there is the likelihood that traffic from both projects will be present during the late weekday evenings, the background traffic along the area roadways during that time will be much less than the background traffic volumes experienced during the studied peak hours. For instance, existing background traffic volumes along New York State Route 312 near the Pugsley Road intersection averages approximately 587 total vehicles in both directions between 10:00 PM – 11:00 PM on a typical weekday. By comparison, the existing background traffic volumes along the same stretch of roadway averages approximately 1,431 total vehicles in both directions between 7:30 AM – 8:30 AM (the studied Peak AM Hour) and 1,568 total vehicles in both directions between 5:00 PM – 6:00 PM (the studied Peak PM Hour). Therefore, the background traffic volumes in the late evening are roughly 59% to 63% lower than what was actually studied, and the extra roadway capacity available during the late weekday evenings will be more than adequate to accommodate the traffic volumes from both projects.

Comment 11-25 (Public Hearing 8/8/22, Alicia Yarusso): The traffic study talked about the Route 312 area, nothing about Fair Street, nothing about Route 311, because that's where the traffic's going to be pushed.

Response 11-25: *No traffic associated with the Proposed Project will utilize Fair Street or Route 311 via Fields Corner Road under the current proposal. Fields Corner Road will be closed at the Patterson Town Line. Refer to Response 11-13*

Comment 11-26 (Public Hearing 8/8/22, Alicia Yarusso): Fields Corner Road is only 11 feet wide. Two cars cannot safely pass, and the way they fly down there is unacceptable. ... I think the road needs to be closed. It's closed now, and you still have issues going on.

Response 11-26: *Refer to Responses 11-13 and 11-25.*

Comment 11-27 (Letter 9, Juergen Tempel 8/26/22): The increased traffic to the sports complex along with traffic to the proposed truck and warehouse will be extreme traffic congestion on Route NY-312 near the I-84 junction of exit 65 with long traffic delays and unhealthy air from traffic. This can at times already be a problem during rush hour.

Response 11-27: *The highway infrastructure improvements recommended for the Proposed Project, as well as the improvements being made by the Logistics project and the NYSDOT, that were included in the revised traffic analysis results referenced in Response 11-4 indicate that traffic operations along New York Route 312 near the Interstate Route 84 interchange will operate acceptably.*

Comment 11-28 (Letter 9, Juergen Tempel 8/26/22): With the traffic congestion adjacent roadways will be affected as well, and this will be an extreme quality of life issue for commuters and travelers, who will have a hard time to reach the Southeast Metro North Station in a timely fashion. Moreover, trucks and cars taking a wrong turn may end up in the Metro North parking lot thereby blocking access to the Metro North Station.

Response 11-28: *Refer to Response 11-27. It is not anticipated that vehicles will inadvertently make their way to the Metro North parking lot, particularly with the availability of GPS routing devices for drivers unfamiliar with the area.*

Modeling in the revised traffic analysis is summarized in FEIS Appendix F, Table C-3. For access to the Southeast Metro North Station, existing levels of service (delays) for the southbound through lane from the I-84 ramp are projected to decline in the AM, PM and Saturday Peaks between the Existing and 2026 Build conditions; no change is projected to result for this movement from the Brewster Yards traffic (2026 Build and 2026 Build with Improvements conditions); right turns from eastbound Route 312 are projected to remain optimal for all conditions; and left turns from westbound Route 312 are projected to improve somewhat in the AM Peak (E to D) and Saturday Peak (F to E) and remain (E) in the PM Peak from Existing to No-Build to Build conditions.

Comment 11-29 (Letter 10, Michael Burdick, Highway Supt. 9/1/22): After review of the DEIS, a significant concern which we previously noted is the condition of Fields Corner Road between the proposed access drive to the project and the Town Boundary with the Town of Patterson. ... The proposed No Right Turn signage may discourage, but will not prevent, vehicles from exiting the site onto Fields Corner Road and driving north towards Patterson. In

addition, there are no restrictions proposed to stop vehicles from exiting the site onto Zimmer Road and then turning right onto Fields Corner Road north towards Patterson; and there are no stated restrictions to vehicles traveling southbound on Fields Corner Road to enter the site. For these reasons, the DEIS does not mitigate the previous concern regarding increased traffic on and the condition of Fields Corner Road between the project and the Town of Patterson. ... Improvements to Zimmer Road and improvements to Fields Corners Road from Zimmer Road to the project entrance should be completed as part of the Brewster Yards project to bring those roads to Town Road Standards and to the satisfaction of the Highway Department.

Response 11-29: Refer to Response 11-13.

Comment 11-30 (Letter 15, Colliers Engineering, 9/9/22): The study accounted for a background growth rate of 1 percent per year although historical NYSDOT data indicates that traffic volumes have not increased significantly in recent years. The use of this growth factor to project the background volumes was used, but a design year of 2023 seems to be optimistic and it should be at least extended to 2025 or 2026.

Response 11-30: The Existing, No-Build, Build and Build with Improvement conditions have been re-analyzed based on the comments provided by AKRF (Memorandum dated 8/5/22) and Colliers Engineering (Letter dated 9/9/22), using a Build Year of 2026 for the projected traffic conditions. Refer to Response 11-4.

Comment 11-31 (Letter 15, Colliers Engineering, 9/9/22): Future traffic conditions in the Traffic Impact Study account for the proposed Ace Endico Expansion and Terravest Senior Housing and NILC developments. If other developments in the Town of Southeast, Town of Kent, or Town Patterson are expected to occur in this time frame, they should also be accounted for.

Response 11-31: The traffic study accounted for development projects known at the time of the study. In addition to the traffic specifically from known developments, the existing traffic volumes were also grown to the proposed Project Build Year by applying a conservative annual growth rate to account for other future traffic growth in the area.

Comment 11-32 (Letter 15, Colliers Engineering, 9/9/22): Accident data was obtained and evaluated in the Traffic Impact Study relative to the surrounding intersections. Over the most recent three-year period there have been 110 accidents on the roadways within the study area. The accident data should be summarized in a table including the type of accident to identify any common trends in the study area including those for the Fair Street and Fields Corner Road intersection.

Response 11-32: DTS Provident conducted a summary of the accident analysis severity, collision type and apparent factor. The summary is contained in Table No. 2 of Attachment 'C' in FEIS Appendix F along with the Accident Analysis Summary table (Table No. 1) included in the original Traffic Impact Study, for reference. The results of the summary indicate that of the 110 total accidents in the most recent three-year period along the area roadways and intersections, a majority of the accidents (~84%) were either non-reportable or property damage only. The remaining 16% of accidents included those with injuries and/or property damage with injuries. No fatalities were reported. In addition, the highest collision type was 'rear-end' collisions (~36%) followed by 'other' collisions (~22%), while the apparent factors appeared to be 'following too closely' (~29%), 'failure to yield right-of-way' (~15%) and 'disregard of a traffic

control device' (~11%). As part of the request for accident data from NYSDOT, DTS Provident included the intersection of Fair Street and Fields Corner Road. However, the data did not indicate any accidents at this intersection during the most recent three-year period.

Comment 11-33 (Letter 15, Colliers Engineering, 9/9/22): The site traffic generation estimates were computed based on existing traffic measurements from a similarly sized soccer/baseball sports complex in North Branford, CT. Traffic counts for this location were obtained from data provided by StreetLight during Covid-19. Based on our initial calculations the trip generation estimates appear reasonable. However, we recommend that any other similar source data be identified and that a new manual traffic count at the physical site in Connecticut should be performed to account for any discrepancies in the GPS based data provided by StreetLight since in many cases it has been somewhat unreliable and to provide more specific details on entry and exit volumes.

Response 11-33: Refer to Response 11-3.

Comment 11-34 (Letter 15, Colliers Engineering, 9/9/22): The area access connections and intersections need to be evaluated in terms of the sight distances provided and compared to ITE, AASHTO, and NYSDOT Standards. The sight distance evaluation should include a review of Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) for the intersection of Fair Street and Fields Corner Road.

Response 11-34: Access to Brewster Yards will be via the Pugsley Road / Route 312 intersection which is currently being upgraded and signalized in accordance with sight distance criteria (and other criteria) governed by NYSDOT.

Comment 11-35 (Letter 15, Colliers Engineering, 9/9/22): Based on a review the roadway network and in consideration of the current and potential future peak hour congestion at the NYS Route 312 and I-84 EB On-Off Ramp/Independent Way intersection, it is likely that a significant portion of traffic may decide to use Fields Corner Road to access the site. ... The intersection of Fields Corner Road and Fair Street should be reanalyzed. Also, the intersection of NYS Route 311 and Fair Street should be evaluated. ... Applicant should supplement their work with additional traffic counts and a detailed analysis of alternative travel routes via Fields Corner Road to account for travel times and the likelihood variations with the distributions for a development such as the one proposed.

Response 11-35: The Fields Corner Road alternative analysis (described in Response 11-13) demonstrates that closing Fields Corner Road as a public through road is the preferred alternative. The alternative scenario (reconstruction of Fields Corner Road to Town standards and allowing it to be open to year-round through traffic) would create significant impacts to area roadways and neighboring residences in Patterson that can be avoided by closing the road. Further counts and study are not necessary to demonstrate this conclusion. Refer to Response 11-13.

Comment 11-36 (Letter 15, Colliers Engineering, 9/9/22): The analysis results identify certain traffic signal modifications; however, it is unclear what improvements are accounted for at the NYS Route 312/Pugsley Road intersection and along Pugsley Road itself between NYS Route 312 and the site.

Response 11-36: *Based on discussions with the Applicant for the Logistics project, the “Alternative B” improvement as described in the Logistics project FEIS will be implemented at the intersection of New York State Route 312 & Pugsley Road. The improvement, which has been approved by the Town of Southeast and NYSDOT and is currently under construction by Logistics, will consist of widening the Pugsley Road approach to the intersection to include one exclusive left-turn lane and one shared left-turn/right-turn lane. In addition, the New York State Route 312 eastbound approach will be widened to include one exclusive left-turn lane and two through lanes, while the westbound approach will be widened to include one through lane and one shared through/right-turn lane. A traffic signal will also be installed at the intersection, and all curb radii will be constructed to accommodate large heavy vehicles. Pugsley Road, from its intersection with New York State Route 312 to past the Logistics site, will be realigned and reconstructed to provide one 12-foot lane in each direction as approved by the Town of Southeast.*

Comment 11-37 (Letter 15, Colliers Engineering, 9/9/22): Input from NYSDOT should also be obtained to ensure that the improvements are being coordinated with them and that they are in conceptual agreement with such.

Response 11-37: *The Applicant will coordinate with NYSDOT on any recommended improvements that involve a State right-of-way.*

Comment 11-38 (Letter 15, Colliers Engineering, 9/9/22): The traffic study should identify clearly what improvements and the timing of the installation of such that are being planned either by the NILC or by this project for Pugsley Road to accommodate the additional traffic generation.

Response 11-38: *Based on discussions with the Applicant for the Logistics project, it is anticipated that the improvements being implemented for that project will be completed prior to the opening of the Proposed Project.*

Comment 11-39 (Letter 15, Colliers Engineering, 9/9/22): While the traffic report indicates that the Applicant proposes to restrict right turns out of the site onto Fields Corner Road we have concerns as to how this restriction will be enforced. Additionally, the potential for left turns entering the site does not appear to be restricted. Based on the shorter distance and potential travel time savings associated with the use of Fields Corner Road to the north, we recommend that a separate sensitivity analysis be conducted to further account for this travel route and to identify any additional mitigation requirements.

Response 11-39: *Refer to Response 11-13.*

12.0 INFRASTRUCTURE COMMENTS AND RESPONSES

Comment 12-1 (Letter 6, Brewster Fire Department 8/24/22): Water Source -- On-site ponds -- These are a great water source for emergencies. Add several wet hydrants as well as dry hydrants near the water ponds for fire department use should there be outside or brush fires.

Response 12-1: *The proposed stormwater basins are designed as dry basins and will not hold water for purposes of firefighting. Two small (connected) ponds exist next to Zimmer Road and will be preserved in the proposed plan for their biological function. The size of these ponds and the extent of natural sediment in the ponds, however, will not provide a sufficient water source for their use for emergency water for firefighting.*

Comment 12-2 (Letter 6, Brewster Fire Department 8/24/22): Watermain - there is an 18" watermain going through part of the campus between the fields to supply the concession stands. What is the expected pressure of the system?

Response 12-2: *Water lines serving the various buildings within the project will be 1" or 2" diameter for potable water supply only and with insufficient pressure for firefighting. The final sizes for the water lines have not been determined. The label DR 18 is a pressure class for the water line and not a diameter. The pressure is anticipated to be 35 to 60 psi. The water supply system in the project will include on-site groundwater wells, water treatment, 30,000-gallon potable water storage tank, and distribution lines to all occupied buildings in the project. Fire protection is provided via a separate water storage and fire hydrant system located proximal to the proposed Fieldhouse. See response 12-3.*

Comment 12-3 (Letter 6, Brewster Fire Department 8/24/22): Hydrants - despite the watermain going thru the middle of the campus, there are no hydrants connecting to that 18" main. Add hydrants throughout the campus at a maximum of 500' between them. Add pressurized hydrants along Pugsley Road out to Route 312.

Response 12-3: *The proposed water storage and fire hydrant system in the project has been reviewed by representatives of the Brewster Fire Department.¹ The Department has accepted wet hydrant design with a 72,000 gallon fire storage tank to maintain a fire flow of 600 gpm for 2 hours for fire protection at Brewster Yards. The storage tank is proposed to be located near the Maintenance Building which will supply the Fieldhouse sprinkler system via a fire pump and four (4) hydrants located around the main building. A Fire Department Connection is also proposed on the main building.*

Comment 12-4 (Letter 6, Brewster Fire Department 8/24/22): 15,000-gal water storage tank - Architecture DWG SP-3 shows the Water Service Line (WSL, which is HDPE) going straight to the treatment building, then storage tank, then treatment building, then 18" watermain. Should there be an issue at the water treatment building, will there be a Fire Department Connection (FDC) at the base of the storage tank?

¹ Meeting held on November 8, 2022. See meeting memo in FEIS Appendix B along with subsequent communication with the Department.

Response 12-4: *The tank and water line sizing has been revised since the DEIS drawings. Refer to response 12-2 regarding the potable water system and response 12-3 regarding systems for firefighting.*

Comment 12-5 (Letter 6, Brewster Fire Department 8/24/22): Electrical review comments --

- a. Provide clear designation and location of any disconnect switches for large power devices such as a jumbotron.
- b. Provide backup generator information including size, location, and fuel type.
- c. Provide information on any overhead loads (jumbotron, HVAC units, etc.)
- d. Fire Alarm system – one centralized panel with zones broken up as much as possible to easily isolate areas.
- e. Electronic vehicle charging stations – to be placed as far away from any exposure as possible. Provide locations, number of stations, and disconnect switches.

Response 12-5: *Project mechanical and electrical design drawings are in the preliminary stage of design. The Fire Department's comments are noted. Electrical power requirements for the site and building devices, disconnect switches, generator information and fire alarm system at the main building will be specified on plans submitted for preliminary approval. All devices/equipment will be labeled and defined for its intended use. Backup generator size will be defined along with its fuel type. A fire alarm system for the main recreation building will be designed in accordance with applicable standards.*

Eight (8) EV charging stations are proposed in the main parking lot. As discussed with Department representatives, their location should be sufficiently separated from the building to avoid a fire hazard to the building.

Comment 12-6 (Letter 6, Brewster Fire Department 8/24/22): Fire Fighting -- Provide easily accessible FDC to supply the main building's sprinkler and or stand pipe system. Preferred location is shown in attached Fig. 2. Provide hydrant within 50 feet of this FDC.

Response 12-6: *Project utility plans are being advanced and will show the FDC and hydrant locations. See also response 12-3.*

Comment 12-7 (Letter 6, Brewster Fire Department 8/24/22): Provide clear chemical signage wherever chemicals are stored identifying the type and quantity.

Response 12-7: *Comment noted. At this time the only chemical known to be needed is liquid chlorine for use in the water treatment system which will be stored in a sealed room at the Maintenance Building.*

Comment 12-8 (Letter 6, Brewster Fire Department 8/24/22): New projects, such as Northeast Logistics, Restaurant Depot, Brewster Yards, and future large projects, should rely on their own water supply for fire protection (no public hydrant system). This provides "overbuilt" fire protection systems that are independent of each other for redundancy. This redundancy would include water storage tanks and to place yard hydrants in locations and in quantities that we suggest (i.e. a hydrant just outside the main entrance to their complex for our use on other emergencies (fires) in that general area. (Northeast Logistics architect has agreed to do this).

Response 12-8: Refer to response 12-3 regarding systems for firefighting.

Comment 12-9 (Letter 8, Ellen Yass & Peter Simon 8/25/22): Charging Stations – We are moving towards electric vehicles. Are there plans in place for electric charging stations in the parking lot?

Response 12-9: Eight EV charging stations are proposed in the main parking lot, with the capability to add more in the future.

Comment 12-10 (Letter 3, AKRF 8/5/22): DEIS Section 12.1 indicates that the Applicant based projections of site usage “on similar facilities in the Northeast region.” Reference to the specific facilities (or studies) used for comparative purposes should be provided in the FEIS.

Response 12-10: Observations and personal experience of the Applicant at recreational facilities in the US, including the following venues, provided the basis for the Applicant’s projection of site usage: ProSwing of Mount Kisco NY; Connecticut Sportsplex, North Branford CT; New England Baseball Complex, Northborough MA; Baseball Heaven, Yaphank NY; Diamond Nation, Flemington NJ; Ripken Baseball, Aberdeen MD.

Comment 12-11 (Letter 3, AKRF 8/5/22): DEIS Section 12.4.1 indicates that “[n]o irrigation is proposed.” While the project proposes the use of synthetic turf for the ballfields, the project also includes landscaped areas. An explanation of how these landscaped areas would be watered/maintained should be provided in the FEIS.

Response 12-11: Maintenance of landscaped areas in the project will include watering with portable sprinklers as may be needed to establish lawns and plantings. Selection of plant materials for this project will prioritize low maintenance, low water use, native and naturalizing species that will not require irrigation after establishment.

Comment 12-12 (Letter 3, AKRF 8/5/22): DEIS Section 12.4.3 indicates that two inquiries were made to NYSEG regarding distribution line confirmation, information about hook up access to the project site, and information and cost of new electric service. Those inquiries (an email and “a request placed into a NYSEG representative”) should be included in an appendix to the FEIS.

Response 12-12: FEIS Appendix B includes these queries.

Comment 12-13 (Letter 3, AKRF 8/5/22): DEIS Section 18.4 indicates that the “Applicant will incorporate applicable components of [Energy Star and New York Energy Smart programs] and Green Building standards.” The FEIS should identify specific energy conservation elements the Applicant hopes to incorporate into the proposed project (e.g., solar power, EV charging stations, low-flow fixtures, etc.), even if aspirational at this point in the development process.

Response 12-13: Green Building standards that provide benchmarks for new building design are listed below with the specific energy conserving elements that will be considered for the Brewster Yards project:

- Indoor water use reduction – will use low water use fixtures
- Minimum indoor air quality (IAQ) performance – will use three (3) Energy Recovery Ventilators (ERV) to provide minimum required ventilation per ASHRAE 62.1. Each ERV

to be provided with outdoor airflow monitoring station to measure quantity of outdoor air and modulate damper as required to maintain constant level.

- *Minimum energy performance – will use energy efficient HVAC systems and will specify energy efficient interior and exterior LED lighting fixtures, including photo sensors, occupancy sensors and time clock controls.*
- *Low-emitting materials – will reduce demands on IAQ systems*
- *Building products – will select products fabricated by sustainable practices*
- *Construction waste management – will conduct waste minimization practices*
- *Water efficient landscaping – will specify low maintenance plant species*
- *Regional materials and recycled content – will specify materials obtained by sustainable practices*

Comment 12-14 (Public Hearing 8/5/22, Pablo): Are they going to be connected to NYSEG? Who is going to provide the power? I think it will be important if they kind of balance the grid. It will be really a critical issue. They should provide an estimate of how much power they will be consuming.

Response 12-14: *Electric power to the project will be provided by NYSEG, the local service provider. The total peak electric load at the site is estimated to be 850kW, including service to the recreation building for its full usage, to all the proposed fields for sports lighting and scoreboards, and throughout the site for lighting, electric vehicle (EV) chargers, concessions and other patron amenities, and service buildings.*

Comment 12-15 (Letter 17, NYCDEP 8/10/22): DEIS 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.

Response 12-15: *The 50,000-gallon equalization tank/pump pit is sized to temporarily store wastewater from the weekend to distribute it to the SSTS throughout the week. The volume is calculated as the amount of wastewater generated by the site on a weekend day of 30,192 gallons, minus the amount of wastewater that will be distributed to the septic system on a weekend day of 11,092 gallons or 19,100 gallons per day (30,192 gallons – 11,092 gallons= 19,100 gallons/day). The total volume for the entire weekend requiring temporary storage is 38,200 gallons (19,100 gallons/day x 2 days= 38,200 gallons). The 50,000-gallon equalization tank/pump pit is larger than the required temporary storage to allow for timed dosing and some excess storage.*

Comment 12-16 (Letter 17, NYCDEP 8/10/22): Details on the viability of the alternative wastewater treatment option discussed in Section 5.0 [of the Preliminary Wastewater Engineer's Report] - 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.

Response 12-16: *The availability of a viable wastewater connection from Brewster Yards to the existing treatment plant in Terravest Corporate Park cannot be determined. According to a*

spokesman for Terravest, remaining capacity at the plant, accounting for possible current commitments to its use, is not known.²

² Conversation of Richard O'Rourke and Harold Lepler, a Principal at Terravest Corporate Park (c.10/31/22).

13.0 AIR QUALITY COMMENTS AND RESPONSES

Comment 13-1 (Letter 3, AKRF 8/5/22): DEIS Page 13-1 states “The New York SIP adopted AAQS from a list of seven criteria pollutants established by the EPA. These pollutants were selected by the EPA based on a list of pollutants of primary concern nationwide. Attainment of the AAQS is required under the Act, and each State has a designated time period in which to bring nonconforming areas into compliance. The AAQS establish levels to protect the health (primary standard) and welfare (secondary standard) of the general public with an adequate margin of safety.”

Since EPA lists six criteria pollutants while New York State includes TSP, it might be clearer to state the six criteria pollutants and averaging periods included in the NAAQS and add:

“The NAAQS for 3-hour SO₂ has also been adopted as the ambient air quality standard for New York State, but is defined on a running 12-month basis rather than for calendar years only. New York State also has standards for total suspended particles, settleable particles and 24-hour and annual SO₂, which correspond to federal standards that have since been revoked or replaced, and for the noncriteria pollutants fluoride and hydrogen sulfide.”

Response 13-1: Comment noted.

Comment 13-2 (Letter 3, AKRF 8/5/22): Please specify the respective standard (federal vs New York State) in DEIS Table 13-1.

Response 13-2: DEIS Table 13-1 provides the National Ambient Air Quality Standards that are followed by both New York State and federal agencies. This information is provided in the New York State Air Quality Report for 2020.

Comment 13-3 (Letter 3, AKRF 8/5/22): Please supplement the discussion of the NAAQS with the attainment status for each criteria pollutant.

Response 13-3: Each of the criteria pollutants listed in DEIS Table 13-1 meets NAAQS standards for attainment. The DEIS listed two pollutants, ozone and sulfur dioxide, in Table 13-4. These pollutants were listed given the proximity of the Mt. Ninham station to the Project Site. This station collects data for these specific pollutants. Other stations collect data for other pollutants. These stations are in Region 3 but are not as close to the Project Site as Mt. Ninham. The other more distant monitoring locations include: Rockland County, Millbrook (in Dutchess County), Valley Central (in Orange County), White Plains (in Westchester County), Belleayre Mountain (in Ulster County), Wallkill (in Orange County), and Newburgh (in Orange County). The results of all the monitored pollutants in Region 3, ozone, sulfur dioxide, lead, and inhalable particulates, are within NAAQS requirements according to the New York State Ambient Air Quality Report dated 2020. Region 3 ozone, sulfur dioxide, lead, and inhalable particulates levels are all reported to be within attainment status, and the EPA Green Book provides no further detailed information about attainment area designations for Putnam County.

Comment 13-4 (Letter 3, AKRF 8/5/22): Please include all monitored pollutants and averaging periods that have a corresponding air quality standard in Table 13-4 and consider multiple years of monitored values following the form of the respective standards.

Response 13-4: All monitored pollutants at Mt. Ninham station and averaging periods are provided in DEIS Table 13-4. The most recent NYS Ambient Air Quality Report (2020) provides appropriate and relevant data for a discussion of general regional air quality. Multiple years of data are considered in the averages.

The table below amends DEIS Table 13-4:

DEIS Table 13-4 (Revised)				
Regional Air Quality Data Summary				
Monitoring Location	Pollutant	Concentration	Air Quality Standard	Within Standard?
Mt. Ninham	Ozone (O ₃)	0.065 ppm ⁽¹⁾⁽⁴⁾	0.07 ppm	Yes
Mt. Ninham	Sulfur Dioxide (SO ₂)	0.12 ppb ⁽²⁾	30 ppb	Yes
Mt. Ninham	Sulfur Dioxide (SO ₂)	2.0 ppb ⁽³⁾⁽⁴⁾	75 ppb	Yes
NOTES:				
(1) 4th Highest Daily Maximum 8-Hour Average in parts per million (ppm).				
(2) Annual Arithmetic Mean in parts per billion (ppb).				
(3) 3-Year Average 99 th Percentile 1-Hour (2018 – 2020)				
(4) Averages account from multi-year data.				
Source: NYSDEC, Region 3, Air Quality Data 2020.				

Comment 13-5 (Letter 3, AKRF 8/5/22): While the duration of construction work, its schedule and the type of work anticipated are discussed under “Mitigation Measures,” please also include this information in the section “Short-Term Construction Air Impacts”.

Response 13-5: Comment noted. The relevant information is provided in each respective section.

Comment 13-6 (Letter 3, AKRF 8/5/22): DEIS Page 13-6 states “The potential impact from the project generated traffic was evaluated using the New York State Department of Transportation (NYSDOT) Environmental Procedures Manual (EPM) Chapter 1, Section 9, Projects Needing Air Quality Analysis (January, 2001).” Please note that the air quality section of the NYSDOT Environmental Procedures Manual (now The Environmental Manual) was last updated in March 2020. Please update references to the EPM to TEM.

Response 13-6: Comment noted. According to the NYSDOT Engineering Division:

“The process of replacing the Environmental Procedures Manual (EPM) with new guidance on environmental issues entitled, The Environmental Manual (TEM) began in 2010. The new manual is intended to provide updated guidance that better meets the needs of the users and that is more closely aligned with other Department guidance.¹”

**Name Change: The Environmental Manual has been renamed the Transportation Environmental Manual in NYSDOT’s Manual of Administrative Procedures. New TEM updates will use the revised name and reference to the Environmental Manual will be phased out.”*

¹ The Environmental Manual, New York State Department of Transportation, 2020.

Comment 13-7 (Letter 3, AKRF 8/5/22): Page 13-6 states “According to the NYSDOT EPM, signalized intersections with level of service C or better, do not require air quality analysis.” Please confirm/clarify that the level of service screening considered only the Build level of service.

Response 13-7: *The section of the former EPM document that was referenced (Chapter 1, Section 9) was revised in April of 2018. The revisions do not change the recommendation that signalized intersections with level of service C or better do not require an air quality analysis. The cited criterion applies to the build scenario in the Traffic Impact Study.*

Comment 13-8 (Letter 3, AKRF 8/5/22): The air quality chapter should include a discussion of PM and whether quantitative hot-spot analysis is warranted as particulate matter is a primary and principal pollutant of concern with vehicular exhaust emissions. According to NYSDOT’s guidance for PM, microscale screening and analysis should be based on the EPA’s Transportation Conformity Guidance to Quantitative Hot-spot Analyses in PM2.5 and PM10 Nonattainment and Maintenance Areas.

Response 13-8: *The EPA’s Transportation Conformity Guidance to Quantitative Hot-Spot Analysis in PM 2.5 and PM 10 Nonattainment and Maintenance Areas is a guidance document for state and local agencies to conduct “hot spot analysis” for new highway and transit projects that involve significant diesel emissions. The proposed project is a local recreational facility that will not result in a traffic “hot spot” or significant diesel emissions. As indicated in Response 13-7, the project does not meet the criteria for an air quality analysis and therefore would not meet the requirements for a PM Hot-Spot analysis per the EPA Transportation Guidance document. The proposed project is not anticipated to generate a significant number of diesel-fueled vehicles nor a higher proportion of such vehicles than exists within the current traffic in the vicinity.*

Comment 13-9 (Letter 3, AKRF 8/5/22): Please expand on the rationale for not needing a stationary source analysis for the heating and cooling system for the main recreational building and offices in addition to stating that the equipment that would be installed would utilize efficient fuel (e.g., the heating and cooling system for the proposed buildings would not require a permit and would not jeopardize the SIP’s goal to attain and maintain the NAAQS).

Response 13-9: *Stationary Source Analysis is commonly used for stationary sources of air pollution that primarily involve an industrial use such as a factory, refinery, boiler or power plant. The project is proposing a commercial heating and cooling system of an appropriate size for a recreation building, not a major air pollutant source that is subject to air quality permits.*

Comment 13-10 (Letter 3, AKRF 8/5/22): The chapter should describe the parking proposed as part of the project and indicate whether there is a potential for impact on air quality from parking uses.

Response 13-10: *Parking proposed for users of the recreation facility is anticipated to be primarily for passenger vehicles. Vehicles are anticipated to arrive and depart the site, or arrive and park at the site, without a significant amount of idling that would create air quality concerns.*

Comment 13-11 (Letter 3, AKRF 8/5/22): The FEIS should include a discussion of potential air quality impacts associated with off-site vehicle operations during construction. Discussion

should include available relevant information (i.e., number of work vehicles, number of heavy-duty trucks, anticipated vehicle miles traveled, if possible).

Response 13-11: *As indicated in Chapter 15 of the DEIS, construction truck traffic, as well as work vehicles are anticipated to access the site primarily from Interstate 84 via NYS Route 312. The Interstate is 1.5 miles from the site and the Route 312 corridor around the interchange is currently used by commercial traffic. Construction vehicles traveling to and from the site, including workers, will result in an incremental increase in the overall traffic on Interstate 84 and on NYS Route 312. In general, off-site air quality concerns from traffic are typically related to congested areas and trucks idling in slow moving traffic. Such traffic conditions occur only occasionally near the Project Site, primarily due to an accident or weather conditions.*

Comment 13-12 (Letter 3, AKRF 8/5/22): The DEIS indicates that “[m]itigation measures are proposed as part of the project during construction to limit the generation of dust and potential emissions from construction equipment.” Detailed discussion of mitigation of fugitive dust is provided in Section 13.4 of the DEIS. A discussion of mitigation of potential emissions from construction equipment should be included as well in the FEIS.

Response 13-12: *Emissions from construction equipment can be minimized through the use of modern, well-maintained vehicles and equipment that have current emission control equipment. Construction equipment is anticipated to be well maintained to minimize emissions to the extent practical. When construction vehicles are not in use, they will be turned off and not left to idle. The NYSDEC prohibits heavy duty vehicles, including non-diesel and diesel trucks and buses with a gross vehicle weight rating (GVWR) of more than 8,500 pounds, from idling for more than five minutes at a time (6 NYCRR Subpart 217-3).*

14.0 NOISE COMMENTS AND RESPONSES

Comment 14-1 (Letter 3, AKRF 8/5/22): Explain why mobile source analyses would not result in impacts.

Response 14-1: A mobile source analysis at assess off-site noise from project-generated traffic was not done given that the primary access route to and from the site is Pugsley Road via NYS Route 312 and there are no residences (sensitive receptors) on the Pugsley Road access. As discussed in DEIS page 14-10, paragraph 3, with the proposed limitation on patron traffic using Fields Corner Road to access this project to/from the north, existing residents north of the site will experience no growth in traffic that could otherwise create noise from mobile sources.

Comment 14-2 (Letter 3, AKRF 8/5/22): The text references “Theodore Court near Fair Street” on page Summary-19. Is this referencing Theodore Trail? Additionally, the residences on Twin Brook Court to the west of the project site appear closer than Theodore Trail and should be included as near sensitive noise receptors.

Response 14-2: The name of Theodore Court in the DEIS refers to Theodore Trail off of Fields Corner Road in Patterson. The DEIS mentions Twin Brook Court as a potential sensitive receptor location on page 14-4, 5th full paragraph. Other sensitive receptors along Fields Corner Road were determined to be closer to the project site than residences on Twin Brook Court and were therefore evaluated in the assessment.

Comment 14-3 (Letter 3, AKRF 8/5/22): Provide a source for the assumption of “a peak sound level of 75 dBA from the loudspeakers at intermittent times.” (page Summary-19).

Response 14-3: The volume and resultant sound levels for public address loudspeakers can be controlled, just as the volume for a home stereo can be controlled. Several loudspeaker and public service sound system manufacturers were researched to determine a reasonable future noise level for the Brewster Yards sound system.¹ A common rule of thumb is for a loudspeaker to be effectively heard, it should be adjusted to be 6 to 10 dBA above the ambient noise level. It should be noted that indoor loudspeaker design and set-up will be different than outdoor speaker design. It is expected that normal speech and crowd noise at a game will be in the range of 60 to 65 dBA. The DEIS referenced the crowd noise at two soccer games in a 2015 noise study with an average noise level of 59.0 dBA (DEIS page 14-8) Therefore, the outdoor speakers will likely be operated in the range of 70 to 75 dBA, with 75 dBA at the upper end of the range.

Comment 14-4 (Letter 3, AKRF 8/5/22): Identify whether the Saturday time period is the anticipated peak usage period for the proposed project. (page 14-5)

Response 14-4: The schedule for games and tournaments will vary seasonally and week to week, but summer weekends will be the busiest usage period, according to the Applicant. Saturday afternoon was selected as a representative busy period (peak period) for facility usage.

¹ www.public-address-info.co.uk/ ; www.kintronics.com ; www.toa.co.in/

Comment 14-5 (Letter 3, AKRF 8/5/22): If existing noise levels were not measured at Location 1 during a Saturday due to equipment malfunction, please explain why the measured levels on the following Sunday/Monday provide a sufficient representation.

Response 14-5: *The noise levels measured at Location 1 during the afternoon and evening periods of December 3rd were compared to measurements over the same periods on December 12, 2021. The noise levels were consistent and are reflective of the fact that Fields Corner Road has very low traffic volumes and limited residential development near the monitored location. Average and peak noise levels at Locations 1 and 2 are quite consistent since they are located on-site. Location 3 is more variable, given its location close to Fair Street where there is more residential development.*

Comment 14-6 (Letter 3, AKRF 8/5/22): Clarify why the three selected analysis hours on page 14-5 were identified as potentially sensitive and why analysis during these time periods would capture any potential noise impacts.

Response 14-6: *As indicated in the DEIS, noise measurements were collected over a minimum 24-hour period and analysis periods then selected when the difference between existing ambient levels and future conditions were anticipated to be most significant. The morning period 8:00 a.m. to 9:00 a.m. was selected given that during summer months, activity and games will begin on the site at 8:00 a.m. Generally, weekend morning periods are considered to be more sensitive for residents, thus this period was selected for a comparison of existing versus post development AM noise conditions. Similarly, the period of 9:00 p.m. to 10:00 p.m. provides a future night-time period when activities are ending at the site and patrons leave and would be more sensitive for residents. The afternoon period 1:00 to 2:00 p.m. was selected to provide a representative mid-day time period when other activity and traffic occurs near the Project Site.*

Comment 14-7 (Letter 3, AKRF 8/5/22): Explain why a construction mobile source analysis was not included.

Response 14-7: *A mobile source analysis was not done since, generally construction vehicle traffic will vary considerably depending upon the stage of construction, material deliveries and the number of workers travelling to and from the site at different stages of construction. As indicated on DEIS page 15-2, the majority of construction workers will arrive and depart the site out of phase with the weekday AM and PM peak traffic periods, thereby lessening potential cumulative noise impacts. The construction vehicle access route is anticipated to be primarily from Interstate 84 via NYS Route 312, passing an area of commercial development, and thus minimizing noise impacts to residential neighborhoods that are some distance to the north.*

Comment 14-8 (Letter 3, AKRF 8/5/22): Please provide the logistics, plans, distance markups, and any other documentation that was used in the construction noise analysis.

Response 14-8: *The discussion of construction noise provides a best estimation of an unavoidable temporary impact. As indicated on DEIS page 15-2, the level of noise impact from construction depends upon a number of variables, including the type and number of construction vehicles, the duration of the activity and the distance of a sensitive receptor from the construction area. The limit of grading (shown most graphically in drawing OPG-1 in DEIS*

Appendix M) was used to estimate the potential distance between construction equipment and receptors.

The types of noise generating equipment to be used in constructing the playfields, including the multisport field and adjacent stormwater basins, are anticipated to be chain saws, backhoes, bulldozers, loaders and dump trucks. Site-specific information also indicates that rock removal is expected at the south side of the MS Field which would be expected to generate greater noise for a relatively short period during the construction. Given the distance to the northern property line (approximately 600 feet) and proximity of the closest neighboring house to the north, noise levels during use of a rock drill (98 dBA in the table below) are calculated to be up to 78 to 80 dBA at the residential property line during this construction. Rock removal is expected to be completed in approximately one-months' time. Noise generated by dump truck operations (91 dBA in the table below) moving excavated material from the south side of the MS Field located within 250 feet from the property to the north, would result in a noise level of 76 to 78 dBA at the property line. Grading in this area is expected to be completed in approximately five-months' time. These operations will only occur during daytime hours in conformance with the Town Code. Noise will vary in duration and intensity. The project grading plans show that most of the construction for the multisport field and adjacent stormwater basins will involve earth filling.

The current plan includes the construction of a turnaround on Fields Corner Road at the northern edge of the property, adjacent to the closest neighboring house. Backhoes and a grader will be operated and dump trucks will deliver gravel for intermittent periods over an anticipated one-months' time. Noise levels from this work will range from 83 to 91 dBA.

Comment 14-9 (Letter 3, AKRF 8/5/22): Clarify and provide supporting information for DEIS Table 14-5. How can the validity of these reference noise levels be confirmed? Various federal and state agencies provide generally accepted reference noise levels for construction equipment; use of these levels would avoid the need to verify/confirm the levels in this table.

Response 14-9: The reference noise levels in DEIS Table 14-5 were compiled from published data, including from State and Federal sources. For reference, Table D below is reproduced from NYSDEC Assessing and Mitigating Noise, 2001. The noise levels for comparable equipment are similar to the levels provided in DEIS Table 14-5.

Table D*
Common Equipment Sound Levels

EQUIPMENT	DECIBEL LEVEL	DISTANCE (feet)
Augured earth drill	80	50
Backhoe	83-86	50
Cement mixer	63-71	50
Chain saw cutting trees	75-81	50
Compressor	67	50
Garbage Truck	71-83	50
Jackhammer	82	50
Paving breaker	82	50
Wood Chipper	89	50
Bulldozer	80	50
Grader	85	50
Truck	91	50
Generator	78	50
Rock drill	98	50
(excerpt and derived from Cowan, 1994)		

* Source of Table D: NYSDEC Assessing and Mitigating Noise, 2001.

Table 9.9 below is reproduced from the FHWA Highway Construction Noise Handbook, August 2006. The noise levels for comparable equipment are similar to the levels provided in DEIS Table 14-5. It should be noted that noise levels from equipment will vary depending upon the equipment type and model and the sound testing conditions.

Table 9.9**
FTA Construction Equipment Noise Emission Levels

Equipment	Typical Noise Level (dBA) 50 ft from Source*
Air Compressor	81
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane Derrick	88
Crane Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Paver	89
Pile Driver (Impact)	101
Pile Driver (Sonic)	96
Pneumatic Tool	85
Pump	76
Rail Saw	90
Rock Drill	98
Roller	74
Saw	76
Scarifier	83
Scraper	89
Shovel	82
Spike Driver	77
Tie Cutter	84

*Table based on EPA Report, measured data from railroad construction equipment taken during Northeast Corridor improvement project and other measured data.

Federal Transit Administration (FTA)

**Source: FHWA Highway Construction Noise Handbook, August 2006

Comment 14-10 (Letter 3, AKRF 8/5/22): State the expected duration of the construction tasks (e.g., grading for stormwater basin and multi-sports field) assumed in the construction noise analysis and described as “temporary.”

Response 14-10: *DEIS Figure 15-1 Construction Sequence provides an approximate estimated duration for various construction tasks on a month-to-month basis. As indicated in the Figure, construction will occur at different locations on the Project Site during different periods and therefore, noise from construction activities will vary considerably at potential receptor sites on a daily, weekly and monthly basis. Figure 15-1 projects earthwork for the multi-sports field and north stormwater basins to occur over a 2-month period. Noise from this work will ebb and flow depending on the equipment being operated and is temporary as it will cease when this construction is completed.*

Comment 14-11 (Letter 3, AKRF 8/5/22): DEIS page 14-7 states that the “noisiest period of construction will occur during site clearing and grading activities.” Please explain how this conclusion was made, as the text does not make it obvious.

Response 14-11: *Typically, clearing and earthmoving operations require some of the noisiest and heaviest construction equipment, including excavators, graders, front-end loaders and dump trucks. Less heavy equipment will be used once building pads and rough grades are established for subsequent construction of buildings and the playfields.*

Comment 14-12 (Letter 3, AKRF 8/5/22): It may be helpful in the discussion of blasting to point out the expected number of blasts per day as further support of the temporary and short-term nature of this noise.

Response 14-12: *Blasting rock and the resulting noise and vibration will last only a few seconds, but the planning and set-up for a blasting event can take days or weeks. Core drilling by machine is undertaken, often over a period of days, prior to setting the blasting materials including blasting mats placed over the rock to minimize rock movement. The number of cores drilled and timing of each blast varies considerably and is determined after the rock conditions at the site are evaluated by the blasting contractor. Generally, only one blast event is done in one day given the time needed for each set-up and preparation. Noise from this work is temporary, short-term and will cease when this construction is completed.*

Comment 14-13 (Letter 3, AKRF 8/5/22): For the noise assessments mentioned on DEIS page 14-8 as “public record information,” provide supporting information as well as the noise survey data for all the referenced measurements, or the approved Site Plan review(s). Define which noise descriptor (including time-weighting if applicable) is being used throughout this page.

Response 14-13: *The noise studies completed by Tim Miller Associates, Inc. (TMA) referenced for the DEIS Noise Assessment include the following source information. In December 2009 TMA completed a noise assessment for the proposed expansion of the Hudson Valley Sportsdome, Inc. property to include festival events with live music. This assessment was reviewed by the Town of Milton (NY) Planning Board as part of the SEQRA site plan review process. In April through December of 2011 TMA completed a noise assessment for Camp Ramah in the Berkshires for a site plan application before the Town of Dover (NY) Planning Board. In June through November of 2015 TMA conducted a noise assessment for a site plan application known as Primo Sports Athletic Field before the Town of Chester (NY) Planning Board. These studies are part of the public record site plan application files in respective municipalities referenced.*

The noise descriptor used on DEIS pages 14-7 and 14-8 was dBA(Leq).

Comment 14-14 (Letter 3, AKRF 8/5/22): Provide a source for assumption that the sound of batting would be comparable to that from a loudspeaker on DEIS page 14-9.

Response 14-14: *Noise from batting is characterized as impulsive (very short duration) sounds and thus differs from the noise from loudspeakers. During a baseball game batters will strike baseballs intermittently over the course of the game with alternative intervals of no sound. No study data has been found with actual measured sound from baseball batting however, one technical study provides the sound levels for softball batting with different bat compositions.² The average (mean) sound level for wooden bats was reported to be 116 dBC, composite bats 118 dBC and for aluminum bats 122 dBC corresponding to the distance between the bat and the batter's ears. (The study was completed using the "C"-weighted sound pressure level spectrum, not the more commonly used "A" weighted sound levels which spectrum is closer to typical human hearing.) At a distance of 900 to 1,000 feet, the sound level for an aluminum bat hitting a ball equates to an impulse of approximately 73 dB.*

The distance to the north property line from the nearest batter's box is approximately 1,036 feet measured horizontally, however the above estimate applies to a direct line of sight between the noise source and the receptor, which is not the case at Brewster Yards. As shown in FEIS Figure 1-3 North Property Line Section & Plan, the post-development topography (i.e., earth) will intercept the line of sight between the playfields and the residences to the north. (Refer to the blue dashed line in Figure 1-3.) Earth will attenuate noise from the field. In this case the receptor is positioned in the shadow of a physical barrier to sound from the source, referred to as an acoustic shadow. According to the US Department of Transportation, a solid noise barrier can achieve a 5 dB noise level reduction when it breaks the line of sight between the noise source and the receiver and it can achieve an approximate 1.5 dB additional noise level reduction for each meter (3.25') of height after it breaks the line of sight.³ The NYSDEC Noise Program Policy document indicates dense vegetation that is at least 100 feet in depth will reduce sound levels by 3 to 7 dB.⁴ Therefore, the attenuating effect of topographic interference and distance on noise levels (including attenuation of approximately 260 feet of existing forest foliage to remain) can be expected to maintain noise levels from batting below the estimated 73 dB.

Comment 14-15 (Letter 3, AKRF 8/5/22): The operational noise analysis is confusing because it doesn't specify descriptors or discuss cumulative effects. Provide a table showing all predicted noise sources, their cumulative levels, and the associated increase in noise levels. It would be reasonable to prepare this for both the Leq and Lmax metrics and compare each to the relevant limits described earlier in the chapter.

Response 14-15: *Cumulative noise from the multiple playing fields can be estimated. Since noise levels will vary considerably at different fields and at different times, the overall cumulative noise levels have been estimated. The noise from spectators and loudspeakers will vary over*

² Cook, K. and Atcherson, S.R.. *Impulse Noise: Can Hitting a Softball Harm Your Hearing?* The Scientific World Journal, March 20, 2014.

³ *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, US Department of Transportation, June 1995. https://www.fhwa.dot.gov/Environment/noise/regulations_and_guidance/polguide/polguide04.cfm

⁴ *Assessing and Mitigating Noise Impacts*, NYSDEC Program Policy, 2001.

the course of a game and this noise source does not have the same sound characteristics as a stationary, constant noise source, such as from an engine that is running.

The NYSDEC noise policy and technical publications provide guidance for the additive effects of multiple noise sources, or combining noise from multiple sources.⁵ Noise levels from multiple sources cannot be added mathematically but are added with a logarithmic formula. Software can also be used to combine multiple noise levels.⁶ Table 14-1 below provides an estimate for the cumulative noise that may reach the closest sensitive receptor near the Project Site, the residence at the northern property line. This tabulation assumes full use of all playing fields simultaneously which could occur on a weekend mid-day.

As described in the DEIS, a noise level for spectators at a game was estimated at 59.0 dBA, based upon previous noise studies completed by TMA. It was assumed that the crowd noise will be greater at the two Showcase Fields since more seating will be provided for those fields. The anticipated noise from a loudspeaker is estimated at 75 dBA. The crowd noise at the Showcase Fields was estimated to be between 59 dBA and 75 dBA, intermittently. For this assessment, it is assumed that one loudspeaker system will be operating at each of the Baseball/Little League fields and the multi-purpose field will not have loudspeakers. Noise loss over distance (attenuation) was calculated for the combined noise reaching the northern property line, or nearest sensitive receptor.

Table 14-1 Cumulative Noise Estimate

Noise Source	Multiple Noise Sources (dBA)	Combined Noise Level at Source (dBA)	Distance to Northern Property Line	Combined Noise Level at Northern Property Line (dBA)
Multi-Purpose Field	59	59	350 ft	41.0
Baseball Clover (4-Fields)	59 + 59 + 59 + 59 + 75	75.4	1,070 ft	49.9
Little League Clover (3-Fields)	59 + 59 + 59 + 75	75.3	1,650 ft	45.2
LL Showcase Field	65 + 75	75.4	1,910 ft	44.3
BB Showcase Field	65 + 75	75.4	2,500 ft	42.1
Estimated Cumulative Noise =				52.7

The cumulative noise from activity at all fields is estimated to intermittently be approximately 52.7 dBA. Noise levels will vary depending upon activity and loudspeaker use at each field. This noise level is well below the Town of Southeast Noise Code daytime standards of 65 dBA for continuous sounds and 75 dBA for impulsive sounds. The estimated noise level of 52.7 is above the ambient noise levels measured at the northern property line of 42.1, 44.5 and 44.2 (dBA) in the morning, mid-day and evening, respectively.

The estimates of noise loss over distance are conservative and assume a direct line of sight between the noise sources and the residential receptor at the northern property line. As shown in Figure 1-3 Property Line Section & Plan relative to the northern-most fields, the post-development topography will prevent a direct line of sight between all of the spectator stands on the proposed sports fields and the residential receptors.

⁵ Ibid.

⁶ www.noisetools.net/decibelcalculator

See also response 14-14.

Comment 14-16 (George Pangis, Public Hearing 8/8/22): You have nine baseball, slash, softball fields, and a general-purpose field. And I haven't heard differently so I'm making assumptions that they can all be used simultaneously. That this is not going to be four or five fields at a time. But at least the potential exists that all ten fields could be used at the same time. Under that assumption, I'd like to know more about the noise levels, especially now that we're hearing it would be open as late as 10:00 at night. There are not a lot of residents there, but there are some. And I think that's a concern that they would be right to have. I know in your Executive Summary on DEIS page 18, you referenced that there's a peak sound level of 75 decibels from loudspeakers. There's nothing citing where that assumption comes from. I think we'd like some knowledge on where that comes from. And I didn't see anything contemplated about the screaming fans that will be there. They can be louder than loudspeakers if you get enough of them together. So I'd like to hear a little bit more about the noise levels especially when we're talking that late into an evening. **(David Rush, Public Hearing 8/8/22):** Will there be a P.A., people making announcements? So in essence, you could have four events going on simultaneously. **(Letter 9, Juergen Tempel 8/26/22):** There will be evening noise to the surrounding neighborhoods.

Response 14-16: *The cumulative noise impacts for all of the fields being used simultaneously is discussed in Response 14-15. The potential noise from loudspeakers is discussed in Response 14-3. Normal attendance of outdoor events at Brewster Yards will typically decrease down to the participants and family spectators of the final event or activity by the end of the day. See Response 1-6.*

Comment 14-17 (George Pangis, Public Hearing 8/8/22): Are all the fields going to have loudspeakers? If that determination has been finalized, there will be up to ten fields with loudspeakers, again, clarify that for us.

Response 14-17: *Nine of the ten fields are expected to have loudspeaker systems, with the northern multi-purpose field not having loudspeakers. The cumulative noise impacts for the full use of the fields are discussed in Response 14-15.*

15.0 CONSTRUCTION IMPACTS COMMENTS AND RESPONSES

Comment 15-1 (Letter 3, AKRF 8/5/22): The DEIS indicates that “[t]ree clearing at the beginning of the construction process will only occur during the months of November through March.” The FEIS should identify when tree clearing would occur (and how this would impact the project schedule and phasing) should the project not commence in January 2023, as indicated in Figure 15-1.

Response 15-1: *Tree clearing will be undertaken outside the months of April through October in accordance with the requirements of NYSDEC for protection of potential bat populations. At this time site clearing is planned for March 2023. Should the clearing schedule not be possible in March, tree clearing would be undertaken in November 2023 and the sequence of operations following that would be shifted accordingly. The preliminary sequence in DEIS Figure 15-1 will be replaced by a formal construction phasing sequence specified in the construction drawings and proposed SWPPP to meet the requirements of the approving agencies.*

Comment 15-2 (Letter 3, AKRF 8/5/22): The DEIS states that earthwork will be scheduled outside of seasonal periods of rainfall and snowmelt. The FEIS should clarify what times of year are considered seasonal periods of rainfall and snowmelt. Figure 15-1 includes earthwork in most months of the year, with only January and February clearly excluded.

Response 15-2: *The preliminary construction sequence presented in the DEIS provides an overview of the construction process, particularly to illustrate how the construction operations would be phased to allow for the orderly and sequential development of the site. The months of February and March typically experience snowmelt conditions in this region when soils are least suitable for earthwork. July is historically the wettest month of the year in this region. Earthwork will need to be scheduled outside of periods of wet soil conditions. However, seasonal periods of rainfall and snowmelt vary year to year and the exact dates of site operations will follow a comprehensive construction schedule to be established by the project construction manager at the commencement of construction, in conjunction with parameters established by regulatory authorities (such as a stormwater management sequence approved under the SWPPP).*

Comment 15-3 (Letter 3, AKRF 8/5/22): The DEIS indicates that “lighting for project security is anticipated to be localized at equipment and materials storage areas and at the project trailers.” Since equipment and materials storage areas “have not been determined,” the FEIS should include a discussion of how neighboring residential areas will be protected from light pollution, should equipment and materials storage areas be located close by (e.g., neighbors on Fields Corner Road, residents near Theodore Court and Twin Brook Court, and the Hunters Glen development).

Response 15-3: *Neighboring residential areas will be protected from light pollution during construction according to the following measures. Equipment and materials storage areas will be located a minimum distance of 800 feet from the nearest residence on Fields Corner Road, which dimension reaches to the baseball clover. No equipment or materials will be stored in the vicinity of the multipurpose field (which is less than 800 feet from the nearest residence). The nearest residence on Theodore Court is 1,700 feet north. The nearest residence on Twin Brook Court is 1,660 feet to the west and Hunters Glen is at least 2,700 feet to the southwest. Project trailers will be located in the vicinity of the proposed main building, a minimum distance of 1,500 feet from the nearest residence. Lighting for nighttime security at the construction site, should it*

be determined to be needed, would consist of temporary pole lamps generally 12' to 15' high located around the storage and trailer areas to provide a level of lighting similar to a series of residential driveway pole lamps which would not be visible from any existing residence.

Comment 15-4 (Letter 17, NYCDEP 8/10/22): DEIS 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.

Response 15-4: *As the project advances to permitting, additional detail on the project phasing will be advanced to meet the requirements of the approving agencies. Typical information anticipated to be added to the plans will include a detailed construction sequence, earthwork calculations by phase, and supporting notes and details specific to the construction of this project.*

16.0 ALTERNATIVES COMMENTS AND RESPONSES

Comment 16-1 (Letter 3, AKRF 8/5/22): For the “Natural Turf Alternative,” the FEIS should qualitatively discuss the difference in infiltration rates between natural turfgrass and synthetic turf.

Response 16-1: *In general, construction for synthetic turf systems involves removal of the topsoil followed by heavy compaction of the remaining soil to establish a firm, uniform base on which to install the subdrainage layer and synthetic turf surface. This compaction reduces soil infiltration rates and potentially increases runoff from the landscape. A recent study by Simpson and Francis (2021)¹ demonstrated that synthetic turf lawns had more runoff and decreased water retention compared to living turf lawns. A similar study (Chang et al. 2021)² found that living turf provided greater runoff control than synthetic turf. Common design practice may add runoff control and infiltration measures downgradient from the turf surfaces to reduce overall runoff from the property which could offset infiltration losses from the turf surface.*

The infiltration rates through the synthetic turf used in the stormwater model are representative of the stormwater runoff curve number associated with the field areas. A locally accepted curve number for the field turf (86) was used in the stormwater model which is indicative of very little initial absorption and greater runoff volumes.

Comment 16-2 (Letter 3, AKRF 8/5/22): The FEIS should consider an alternative where some ballfields are natural turfgrass (e.g., the “Showcase Baseball Field”) and the remainder of the ballfields are synthetic turf. This could provide additional benefits to the project, including allowing greater rates of infiltration in critical areas.

Response 16-2: *The proposed stormwater design accommodates the increased runoff from the proposed synthetic fields with the implementation of a higher curve number to appropriately size the stormwater management practices for stormwater treatment. Consideration of a natural turf alternative for all the fields is presented in DEIS section 16.4. A key program component of the Applicant’s proposal is to provide year-round sports activities that will allow for maximum use of outside facilities for young sports enthusiasts. The proposal for all synthetic turf fields will provide for maximal use of the fields when weather permits. This facility will provide usable sports fields when other natural-turf fields are unusable due to wet weather. With the project systems designed to account for the runoff from the proposed synthetic fields, an alternative where some ballfields are natural turfgrass does not consider the objectives of the Applicant’s program for the project.*

An alternative plan where the Baseball Showcase field is constructed in natural turf would significantly curtail the extent of use of the facility (due to the number of rainy days and days following needed for field recovery) by one third or more, which would reduce the competitive advantage of this facility within the region and in turn would directly impact the economic

¹ Simpson, Thomas J., and Francis, Robert A., “Artificial lawns exhibit increased runoff and decreased water retention compared to living lawns following controlled rainfall experiments.” *Urban Forestry & Urban Greening*, Volume 63, August 2021.

² Chang et al., “Effects of urban residential landscape composition on surface runoff generation.” *Science of The Total Environment*, August 20, 2021.

viability of the project, in the Applicant's opinion. The Showcase fields will be programmed for a series of competitive games, often following team practice sessions at the clover fields, which would not be possible after a rain event in this alternative. As described in response 16-1, natural turf typically accommodates greater infiltration of stormwater thereby resulting in wet soil conditions; in this alternative there would be a minor reduction in the quantity of stormwater runoff to be managed and treated in the on-site systems while terminating the use of the field for a period of time. Any number of additional ballfields constructed in natural turf would further curtail the viability of the project as a whole in the same way. Any number of natural turf fields will not support the Applicant's program.

Comment 16-3 (Letter 17, NYCDEP 8/10/22): 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.

Response 16-3: *Physical constraints or other limitations to development of the site are discussed in the topic areas of the DEIS. These include:*

- *the site's current designation as dedicated public open space*
- *natural slopes and soils of the property*
- *natural habitats on the property*
- *wetlands and watercourses*
- *road accessibility*
- *lack of development infrastructure*

The DEIS examined four alternatives:

- *No Action - The No Action Alternative does not consider the objectives of the Applicant's proposal. This alternative would preserve the site's current designation as dedicated public open space, preserve the natural slopes, soils, habitats, wetlands and watercourses on the property. Accessibility for use by the public from public roads would remain as currently exists without any potential environmental impact.*
- *Alternative Development According to RC Zoning - The project site's current designation as dedicated public open space precludes any change from its present use without an act of the NY State Legislature to alienate its present use for another stated purpose. Absent the proposed action, no development (No Action) is anticipated at the project site. As can be seen in the respective columns of DEIS Table 16-1, there is no difference between the No Action (Existing Conditions) scenario and the Alternative Development per RC Zoning scenario.*
- *Alternative Project Scale and Siting designs presented in the DEIS demonstrate the overall extent of development that may be viable on the subject property. These concept plans illustrate where project elements could be situated on the property that are conducive to grading and accessibility, and protective of natural systems of the site, particularly its wetlands and watercourses. DEIS Table 16-1 lists the ranges of quantifiable site constraints for comparison of the proposed project plan with two Concept Sketches and a Larger Building Alternative.*

The alternative project layouts studied and presented in the DEIS would have a similar building footprint to the proposal in order to accommodate the program of activities

envisioned for the project, with comparable areas of pavement (new impervious surfaces), lawn and landscaped land (managed pervious surfaces) and turf fields. With plans that are sensitive to the preservation of the site's most sensitive natural resources (which is a common goal of any modern development plan), impacts on existing waterbodies and wetlands would be expected to be virtually the same as the proposed plan. These alternative plans would result in somewhat greater impacts to the woodland tree cover and steep slopes as they would provide approximately 1.7 acres of additional play surfaces (approximately 10% greater) than the proposed plan. Accordingly, utilization of the site could be approximately 10% greater as illustrated in the projected peak trip generation numbers.

The Larger Building Alternative assessment in the DEIS demonstrates that with the main recreation building approximately 26% larger than the originally proposed building, development would result in virtually the same amount of pavement, lawn and landscaped area, turf surfaces, avoidance of watercourses and wetlands (no disturbance), tree clearing and steep slope disturbance for the same programming of the playfields as proposed – thus the same peak trip generation as the proposed plan.

- *Natural Turf Alternative - Consideration of a natural turf alternative for all the fields is presented in DEIS section 16.4 but this alternative does not consider the objectives of the Applicant's proposal. As can be seen in DEIS Table 16-1, physical impacts to the project site environment would be virtually the same in this scenario as for the proposed project. However, natural rain events that typically occur an average of one-third of the time in this region would significantly curtail the use of the facility on the rainy days and days following needed for field recovery. Rain events would terminate the use of natural turf fields for a period of time and significantly impact the economic viability of the project. For this reason any number of natural turf fields will not support the objectives of the Applicant's proposal.*

The Applicant believes that the current project proposal includes the requisite environmental mitigation of physical constraints or other limitations to development associated with the site's open space designation; natural slopes and soils; natural habitats; wetlands and watercourses; road accessibility; and provision of adequate infrastructure to support the project as proposed.

17.0 CUMULATIVE IMPACTS COMMENTS AND RESPONSES

Comment 17-1 (Letter 2, Snyder & Snyder 7/13/22): Hunter's Glen is also concerned with the noise and light pollution that will be generated by such a large project and again respectfully submits that the cumulative impacts from both the Brewster Yards and Lincoln Logistics projects must be studied and properly mitigated so as to prevent significant impacts to the residents of Hunter's Glen.

Response 17-1: DEIS section 14 established the location of Hunter's Glen and distance relative to Brewster Yards. Due to intervening topography and distance from the site (over half a mile), the Hunter's Glen community is not considered a sensitive noise receptor for the Brewster Yards project. Sensitive noise receptors were considered to be locations where there was potential for the activities at the project site to raise the noise levels for receptor locations above the ambient conditions, considering the distance, intervening topography and other obstructions. Given the distance of the project site from Hunters Glen (approximately 2,850 feet) and intervening topography and forest cover, peak noise levels from the site (75 dBA at intermittent times) would be reduced to less than 42 dBA.

The noise assessment included in the Logistics EIS projected that its operational noise levels would be below 55 dBA, the Town's Noise Ordinance threshold (range of 43 to 54 in varying conditions).¹ Combined with intermittent peak noise levels from Brewster Yards, the cumulative noise from Brewster Yards and Logistics of approximately 55.2 dBA is not expected to be significant for the Hunter's Glen residents. Since the Logistics facilities are located on a ridgeline between the Brewster Yards site and Hunters Glen, noise from the Logistics property would be dominant for the Hunters Glen residents.

DEIS section 5 also provided an evaluation of cumulative lighting from the Brewster Yards and Logistics projects. Based on the lighting information provided on plans for the two projects, the DEIS assessment concludes that the potential cumulative effect of night lighting from the fully developed Brewster Yards and Logistics projects would not be expected to create significant outdoor illumination levels affecting neighboring properties or the greater study area. (Also see response 5-4.)

Comment 17-2 (Letter 9, Juergen Tempel 8/26/22): What makes things even worse is that additional development of a truck and warehouse complex and Brewster Yards compounds all the adverse environmental, community and neighborhood effects.

Response 17-2: The Brewster Yards and Logistics projects were reviewed in separate environmental impact studies with respect to the human environment – that is, potential effects of noise, lighting and traffic generated by the projects. As required by the SEQRA process, the DEIS for Brewster Yards included evaluations of these aspects of the local environment as potential cumulative impacts – see DEIS sections 14, 5 and 11, respectively.

The DEIS section 5.3 assessment (Potential Visual Impacts, Cumulative Effects) discusses increased intensity of land use on Pugsley Road that would result from the Brewster Yards and Logistics projects. Periodic increases in noise, traffic and light pollution are possible. As a sports events venue, Brewster Yards would attract activities that result in noise, traffic and light which

¹ Draft Environmental Impact Statement, Northeast Interstate Logistics Center, June 2018, pgs. III.L-1 thru III.L-27.

would change the character of the neighborhood on a very local scale, given that the neighborhood consists of sizable tracts of wooded, vacant land, existing and future commercial enterprises, active transportation corridors, and two single family homes. Notwithstanding, placement of this use at this location addresses a stated goal of the Town Comprehensive Plan: "Future non-residential uses should be targeted to those areas where they will have minimal impact on ... community character." [Page 7-4, Comprehensive Plan]

Appendix A
SEQRA DOCUMENTATION

State Environmental Quality Review**Notice of Completion of Draft Environmental Impact Statement
and
Notice of SEQR, Site Plan, and Wetland Permit Public Hearings****Lead Agency:** Town of Southeast Planning Board**Date:** June 13, 2022**Address:** 1 Main Street
Brewster, NY 10509

This Notice is issued pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act "SEQRA") and its implementing regulations.

A Draft Environmental Impact Statement (DEIS) has been completed and accepted by the Town of Southeast Planning Board, as lead agency, for the proposed action described below.

A public hearing to receive public comment on the DEIS, site plan, and wetland permit applications is scheduled for 7PM on August 8, 2022 at the Southeast Town Offices, 1360 Route 22, Brewster, NY, 10509. Written comments are requested and will be accepted by the Planning Board until the close of business on August 26, 2022, or 10 days following the close of the hearing if adjourned to a later date. Written comments should be addressed to the following Contact Person: Victoria Desidero, Administrative Assistant, Town of Southeast Planning Board, 1 Main Street, Brewster, NY 10509. Phone: 845-279-7736. E-mail: planning@southeast-ny.gov.

Name of Action: ProSwing-Pugsley (Brewster Yards)**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 "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 5.1 acres of Town of Southeast wetland buffer/controlled area.

Location: 132 and 160 Pugsley Road in the Town of Southeast, Putnam County, New York. (Tax Lots: 45.-1-10 and 11)**Potential Environmental Impacts:**

The DEIS analyzes the following areas of potential environmental impacts: Land Use, Zoning, and Public Policy; Community Services; Economic Conditions; Visual Resources and Community Character; Cultural Resources; Natural Resources; Geological Resources; Water Resources and Wetlands; Traffic and Transportation; Infrastructure and Energy; Air Quality; and Noise.

A copy of the DEIS and additional information may be obtained from:

Contact Person: Victoria Desidero, Planning Board Secretary

Address: Town of Southeast
1 Main Street
Brewster, NY 10509

Telephone Number: (845) 279-7736

Additional copies for public review are available at:

Town of Southeast Town Clerk, 1360 Route 22, Brewster, NY 10509

Brewster Public Library, 79 Main Street, Brewster, NY 10509

Town of Southeast web-site: <https://www.southeast-ny.gov/383/Brewster-Yards-pka-ProSwing>

A copy of this notice has been sent to:

Lead Agency:

Planning Board, Town of Southeast, 1 Main Street, Brewster, NY 10509

Involved Agencies:

Town of Southeast Town Clerk, 1360 Route 22, Brewster, NY 10509

Town of Southeast Town Board, 1360 Route 22, Brewster, NY 10509

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

Town of Southeast Zoning Board of Appeals, 1360 Route 22, Brewster, NY 10509

Town of Southeast Highway Superintendent, 10 Palmer Road, Brewster, NY 10509

Town of Southeast Building Inspector, 1 Main Street, Brewster, NY 10509

Putnam County Department of Health, 1 Geneva Road, Brewster, NY 10509

Putnam County Department of Planning, Development & Public Transportation, 841 Fair St, Carmel Hamlet, NY 10512

Putnam County Highways & Facilities, 842 Fair Street, Carmel, NY 10512

New York City Department of Environmental Protection, Bureau of Water Supply, 465 Columbus Avenue, Valhalla, New York 10595-1336

New York State Department of Environmental Conservation, 625 Broadway, Room 538, Albany, New York 12233-1750

New York State Department of Environmental Conservation, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561-1696

New York State Department of Transportation, Traffic Engineering & Safety Division, SEQR Unit, 4 Burnett Boulevard, Poughkeepsie, NY 12603

New York State Department of Transportation, Region 8, 4 Burnett Boulevard, Poughkeepsie, NY 12603

New York State Department of Transportation, Main Office, 50 Wolf Road, Albany, NY 12232

New York State Department of Parks, Recreation & Historic Preservation, 625 Broadway, Albany, NY 12207

United States Army Corps of Engineers, New York District, Attn: Chief, Eastern Permits Section, 26 Federal Plaza, New York, NY 10278

Interested Agencies:

New York State Office of the Attorney General, Environmental Protection Bureau, NYC Watershed Inspector General Scientist, The Capitol, Albany, NY 12224

Metro-North Headquarters, Attn: Louis Oliva, Deputy General Counsel – Environmental, 2 Broadway, New York, NY 10004

US Fish and Wildlife Service, New York Field Office, 3817 Luker Road, Cortland, NY 13045

Town of Patterson, Patterson Town Hall, 1142 Route 311 – PO Box 470, Patterson, NY 12563

Town of Southeast Fire Inspector / E-911 Coordinator, 1 Main Street, Brewster, NY 10509

Brewster Fire Department, 501 North Main Street, Brewster, NY 10590

Putnam County Sheriff's Department, 3 County Center, Carmel, NY 10512

New York State Police, Brewster Barracks, 1672 Route 22, Brewster, NY 10590

Property owners within 500 feet of the Project Site

Town's Consultants:

AKRF, Inc., 34 South Broadway, Suite 300, White Plains, NY 10601

Nathan L. Jacobson & Associates, 86 Main Street, P.O. Box 337, Chester, CT

Aspect 120 Landscape Architecture PC, 90 North Broadway, Suite 223, Irvington, NY 10533

Applicant:

ProSwing Sports Realty, Inc., 14 Autumn Ridge Road, South Salem, NY 10590

DEIS Preparer and Project Engineer:

KG+D Architects, PC, 285 Main Street, Mount Kisco, NY 10549

Environmental Notice Bulletin:

NYS Department of Environmental Conservation, 625 Broadway, 4th Floor, Albany, NY 12233-1750

**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

Appendix B
CORRESPONDENCE

Town of Southeast
Highway Department

10 Palmer Road, Brewster, N.Y. 10509

(845) 279-2141

mburdick@southeast-ny.gov

FAX (845) 279-3226

Michael Burdick
Highway Superintendent

Sept. 1, 2022
MB

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

Re: ProSwing Sports – Brewster Yards
160 & 132 Pugsley Road
Tax Map No.: 45.-1-10 & 11
Draft Environmental Impact Statement

Dear Mr. LaPerch:

As the Town of Southeast Highway Superintendent, I am providing comments concerning the submitted Draft Environmental Impact Statement (DEIS) for the subject project. After review of the DEIS, a significant concern which we previously noted is the condition of Fields Corner Road between the proposed access drive to the project and the Town Boundary with the Town of Patterson.

Page 3-7 of the DEIS notes the following:

"In response to the initial inquiry sent to the Highway Superintendent, concerns were raised by the Superintendent to the Town's Engineering Consultant that improvements would be warranted on Fields Corner and Zimmer Roads to address a perceived increase in traffic flow to and from the developed project site and to allow the roads to be properly maintained by the Highway Department with increased use. In anticipation of such concerns and with knowledge of public concerns raised about the increased use of Fields Corner Road from development of the logistics project, the Applicant proposes to avert such use by the traffic project by signing at the project driveway for No Right Turns northward on Fields Corner Road."

The No Right Turn signage may discourage, but will not prevent, vehicles from exiting the site onto Fields Corner Road and driving north towards Patterson. In addition, there are no restrictions proposed to stop vehicles from exiting the site onto Zimmer Road and then turning right onto Fields Corner Road north towards Patterson; and there are no stated restrictions to vehicles traveling southbound on Fields Corner Road to enter the site. For these reasons, the DEIS does not mitigate the previous concern regarding increased traffic and the condition of Fields Corner Road between the project and the Town of Patterson.

Because of this, we are now recommending that as part of project improvements Fields Corner Road be closed to public traffic north of the project. This could be done by providing a gate north of the project entrance from Field Corner Road and a second gate near the Patterson Town line. In addition, a full cul-de-sac should be provided north of the project entrance and before the

southerly gate to allow vehicles to turn around on the public road. Although closed to public traffic, the portion of the road between the gates would be maintained by the Southeast Highway Department so as to always be accessible for emergency access. The gates should meet any required specifications of local emergency service agencies and the Brewster Fire Department so as not to delay any emergency services response.

With respect to other public improvements necessitated by the project, as noted in the DEIS, Pugsley Road from Route 312 to Zimmer Road will be improved as part of the logistics development. Improvements to Zimmer Road and improvements to Fields Corner Road from Zimmer Road to the project entrance should be completed as part of the Brewster Yards project to bring those roads to Town Road Standards and to the satisfaction of this Department.

Should you have any questions, please feel free to contact me.

Michael Burdick
Town of Southeast
Highway Superintendent
(845) 519 7759

From: DO-NOT-REPLY <donotreply@avangrid.us>
Sent: Tuesday, November 30, 2021 6:12 PM
To: NYSEG Customer Service <custserv@nyseg.com>
Subject: Web Form Submission - NYSEG - Contact Send Us an Email

formName: Contact Send Us an Email
companyName: NYSEG
internalEmailAddress: custserv@nyseg.com
primaryNatureOfCorrespondenceSelected13: Other
contactInfoFirstName: Frederick
contactInfoLastName: Wells, RLA
contactInfoAddress: 160 Pugsley Road
contactInfoCity: Brewster
state: NY
zip: 10509
accountNumberNYSEG:
phone: 914.666.5900
extension: 233
email: fwells@kqdarchitects.com
confirmEmail: fwells@kqdarchitects.com
bestTimeToCall: 9-6
additionalQuestionsORcomments:

I am a land planner working on a prospective development project at this address and the Town requires me to get written verification from NYSEG that there is available service capacity at my client's site. I'd like to speak to a field planner to discuss what the project entails.

From: DO-NOT-REPLY <donotreply@avangrid.us>
Sent: Tuesday, December 7, 2021 10:22 AM
To: NYSEG Customer Service <custserv@nyseg.com>
Subject: Web Form Submission - NYSEG - Contact Send Us an Email

formName: Contact Send Us an Email
companyName: NYSEG
internalEmailAddress: custserv@nyseg.com
primaryNatureOfCorrespondenceSelected4: Service options
contactInfoFirstName: Kendra
contactInfoLastName: Lintner
contactInfoAddress: Pugsley Road; Tax Map 45, Block 1, Lots 10 & 11.
contactInfoCity: Southeast
state: NY
zip: 10509
accountNumberNYSEG:
phone: 203.313.7217
extension:
email: kjbillings@yahoo.com
confirmEmail: kjbillings@yahoo.com
bestTimeToCall: 9-2
additionalQuestionsORcomments:

Ecological Analysis (EA) is currently working on the Draft Environmental Impact Statement (DEIS) for the proposed project, Brewster Yards, to be located on Pugsley Road and Fields Corner Road in the Town of Southeast, Putnam County, New York. Brewster Yards, an indoor and outdoor multi-sport facility, would be developed on 82.0 by year 2023 and would include the following amenities: nine (9) baseball/little league fields, one (1) multi-purpose field, concession, and media support buildings, and 32,000 square foot indoor facility (would be sprinklered). A hiking / fitness trail is also planned on the site to circulate around the adjacent ridgeline area to be open to the public. The facility is expected to be open year-round with the following hours of operation: Monday through Friday: 10 am to 10pm on season, 3pm to 10pm - off season/winter; Saturday, Sunday, and Holidays: 8am to 10pm.

We are looking for information on site hook up location and any other information that would be helpful. Thank you. Kendra

Follow up:

- 12.14.2021 – Kendra spoke with NYSEG rep – stated project and gave estimated peak electrical demand. This information was to be passed along however, engineers and workers were called to restoration work in Plattsburgh. Waiting on response from a field planner representative from Brewster Division.

Brewster Yards Sports Complex

From: Kendra Billings (kjbillings@yahoo.com)

To: info@brewsterfiredepartment.org

Date: Friday, September 30, 2022 at 02:21 PM EDT

To whom it may concern: \

My name is Kendra Lintner and I am currently working on the Final Environmental Impact Statement (FEIS) of the proposed Brewster Yards sports complex to be located along Pugsley Road in the Town of Southeast.

I have a few questions about fire services and the proposed development. Please see below.

I can be reached anytime at 203.313.7217 or via this email address.

Please give me a call or email when you have a moment. Thank you in advance.

Sincerely,
Kendra Lintner
Environmental Planner

- 1) What would your estimated response time be to the project site located at 132 and 160 Pugsley Road?
- 2) Can you please let me know the source of the below multipliers:

Letter 6, Brewster Fire Department 8/24/22) EMS Concerns - Increased Call Volume – If we were to compare the “Brewster Yards” project with a similar venue with similar attendance numbers, it may result in approximately 21 potential EMS calls per operational season. Nationally averaged EMS call data yields an EMS request rate of 1 call per 3,000 people per day. Using this guideline, with the stated weekend capacity of the location being 2,000 people would yield the following result;

- i. stated capacity 2,000 = 2/3 of a call per day (of National Average).
- ii. 26 weekends a year. Capacity crowd expected for 8 months per year on weekends = 32 possible gatherings of 2,000 x 2 (Saturday and Sunday) shows potential surge crowd of 2,000 64 times per year.
- iii. 2/3 of a call per day x 64 days x length of operation 0.5 (12 hours per day)

= 21 potential EMS calls per season.

M E M O



DATE: November 8, 2022, *Rev. 11/18/22*

TO: Attendees

FROM: Frederick Wells, RLA
KG+D Architects, PC

RE: Meeting RE Brewster Yards with Brewster Fire Department Committee

A meeting with Brewster Fire Department’s Target Hazard Planning Group representatives was held today to discuss the layout of the Brewster Yards project and design details being developed relative to EMS and fire safety measures. Attended by: Marty Miller, Dan Rubin, and Chris Frank / BFD THPG; Tom LaPerch / Southeast Planning Board Chair; Mike Burdick / Southeast Highway Superintendent; Eric Schlobohm, PE / Insite Engineering; Fred Wells.

The following summarizes items of the Brewster Yards proposal discussed today, generally in the order listed in the Fire Department’s August 24, 2022 comment letter to the Town Planning Board. *It should be noted that project design drawings reviewed from the DEIS were preliminary. Further details including items discussed below will be specified in the project documents being prepared for submission to the Planning Board.*

EMS calls and on-site medical preparedness –

1. One EMS vehicle with at least one certified EMT will be contracted by Brewster Yards to be present on-site and visible for tournament weekends during the peak season (generally from the second weekend in March to the third weekend in November – approximately 35 weekends), weather permitting. Further, at least two Certified Athletic Trainers will be hired and on-site for tournament games and all primary staff employed during peak and off-peak seasons will be CPR and First Aid trained and certified.
2. Staffing on a summer weekend will provide personnel coverage throughout the facility, at peak times including 2 athletic trainers, 14 umpires, 10 maintenance staff, and 2 First Aid staff, at minimum.
3. Brewster Yards will have AEDs on-site at four locations – at the concession stands inside each of the two baseball “clovers” and at each of the two showcase fields.
4. Brewster Yards will have at least one First Aid vehicle of its own dedicated and equipped to provide initial emergency care and mobile transport. The main recreation building will have space that can be dedicated to function as a temporary medical station if needed.

Emergency vehicle access on the site –

5. A vehicle access route 24 feet wide is provided to the rear of the main building sufficient to accommodate a fire truck. The concourse / plaza surface is designed to accommodate vehicle circulation by concession and maintenance trucks and emergency vehicles, with ability to support outriggers. Placement of landscaping around the building will allow room for placement of ladders for firefighting.

6. Paved aisles between the ballfields in the two clovers are specified to be 15 feet wide (which would accommodate an EMS vehicle to enter and back out). The proposed driveway along the west side of the site will be 24 feet wide to accommodate emergency vehicle access to the fields. The minimum width of paved pathways around the site is 10 feet.
7. Direct access to Fields Corner Road from the parking lot at the multisport field is not proposed given the significant elevation difference between these points and the stormwater management basins proposed here.

Source of water for firefighting –

8. The proposed stormwater basins are designed as dry basins and will not hold water for purposes of firefighting. Two small (connected) ponds exist next to Zimmer Road and will be preserved in the proposed plan for their biological function. The size of these ponds and the extent of natural sediment in the ponds, however, will not provide a sufficient water source for their use for emergency water for firefighting.
9. Water lines serving the various buildings within the project will be 1” or 2” diameter for potable water supply only and with insufficient pressure for firefighting.
10. The proposed water storage and fire hydrant system in the project reviewed by representatives of the Brewster Fire Department comprise a water storage tank for fire protection (30,000 gallon) located near the southwest corner of the main building which will supply the building sprinkler system via a fire pump. In addition, 6” dry lines from the tank will supply four (4) dry hydrants located around the main building. The dry hydrant system will be pressurized by Department equipment when needed.
11. A Fire Department Connection is also proposed on the building.

Electrical concerns –

12. Eight EV charging stations are proposed in the main parking lot. As discussed with Department representatives, their location should be sufficiently separated from the building to avoid a fire hazard to the building.
13. Project mechanical and electrical design drawings included with the DEIS were in the preliminary stage of design. Electrical power requirements for the site and building devices, disconnect switches, generator information and fire alarm system at the main building will be specified on plans submitted for preliminary approval. All devices/equipment will be labeled and defined for its intended use. Backup generator size will be defined along with its fuel type. A fire alarm system for the main recreation building will be designed in accordance with applicable standards.

Fields Corner Road Improvements -

14. Brewster Yards proposes several improvements to Fields Corner Road to control the future potential use of this unimproved roadway at the recommendation of the Town of Southeast Highway Superintendent. Various locations of gates and turnarounds were discussed today. Descriptions of the measures proposed by Brewster Yards will be outlined in a separate memo.

Please promptly advise if these notes miss or misstate any items discussed.

Subject:

FW: Brewster Yards - meeting with Brewster Fire Department

From: Christopher Frank <CFrank@brewsterfiredepartment.org>**Sent:** Saturday, November 26, 2022 3:31 PM**To:** Fred Wells <fwells@kgdarchitects.com>; commissioner bsejfd <commissioner@bsejfd.com>; ChiefsGroup <Chiefs@brewsterfiredepartment.org>; THPG <THPG@brewsterfiredepartment.org>**Cc:** LaPerch, Tom <tlaperch@houlihanlawrence.com>; mburdick@southeast-ny.gov; Eric Schlobohm <ESchlobohm@insite-eng.com>**Subject:** RE: Brewster Yards - meeting with Brewster Fire Department

Fred,

I have reviewed your meeting minutes and have no comments as they are accurate on what we discussed. Thank you for the progress set of drawings as well.

Christopher J. Frank, P.E.
Target Hazard Planning Group
Brewster Fire Department
C: 845-216-8530

From: Fred Wells <fwells@kgdarchitects.com>**Sent:** Thursday, November 10, 2022 11:20 AM**To:** commissioner bsejfd <commissioner@bsejfd.com>; ChiefsGroup <Chiefs@brewsterfiredepartment.org>; THPG <THPG@brewsterfiredepartment.org>**Cc:** LaPerch, Tom <tlaperch@houlihanlawrence.com>; mburdick@southeast-ny.gov; Eric Schlobohm <ESchlobohm@insite-eng.com>**Subject:** Brewster Yards - meeting with Brewster Fire Department

To All,

Attached are our notes from the November 8, 2022 meeting with Brewster Fire Department representatives regarding the Brewster Yards project proposal. Also attached is a progress set of the site plans (as of 10/31/22) – these plans are being further developed for submission to the Town.

Please let me know if these notes misstate any of our discussion or your understanding of the project proposal. We will provide a separate memo regarding the proposed road improvements discussed.

We very much appreciate meeting with the Department to review this project!

Thank you.

Frederick P. Wells, RLA - Associate

Landscape Architect + Planner

fwells@kgdarchitects.com

Cell: 914.204.1658

**KG+D Architects, PC**

285 Main Street, Mount Kisco, New York 10549

Phone: 914.666.5900 Ext. 233



Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

Project Summary

Project Code: 2023-0023680

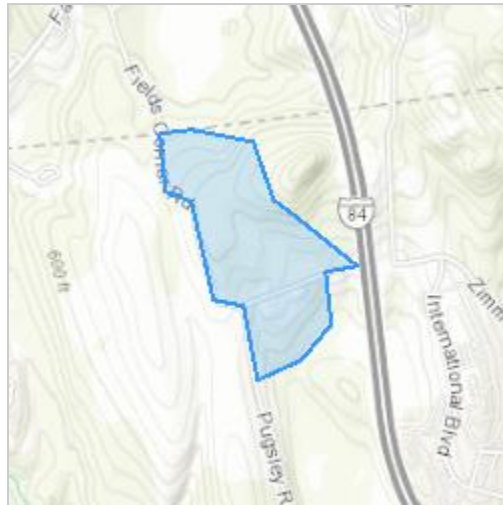
Project Name: Brewster Yards

Project Type: New Constr - Above Ground

Project Description: Pugsley Road, Brewster NY - new commercial / recreation development on approx 82 acres, planned for construction in 2023.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.436436650000005,-73.63570664556315,14z>



Counties: Putnam County, New York

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

Reptiles

NAME	STATUS
Bog Turtle <i>Glyptemys muhlenbergii</i> Population: Wherever found, except GA, NC, SC, TN, VA No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6962	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPaC User Contact Information

Agency: Planning Consultant

Name: F Wells

Address: 285 Main St

City: Mt Kisco, NY

State: NY

Zip: 10549

Email: fpwells@gmail.com

Phone: 9146665900



Environmental, Planning, and Engineering Consultants

34 South Broadway
Suite 401
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: KG+D Architects, PC, Fred Wells, RLA
From: Jim Lau, RLA
Date: January 10, 2023
Re: ProSwing-Pugsley (Brewster Yards) Zimmer Rd – Wetlands
cc: Town of Southeast Planning Board, Ashley Ley, AKRF, Inc.

AKRF, Inc. has reviewed the following project to verify the wetland delineation due to the project being on hold. The site visit took place on September 30th, 2022. I was met by Bruce R. Friedmann, a Senior Environmental Scientist from Ecological Analysis Inc.

PROJECT DESCRIPTION

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 5.1 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.

WETLAND COMMENTS

We did not move any of the existing flags during the site visit. The Applicant had reset most of the flags prior to our site verification meeting. The newly set wetland flags were all viable and georeferenced on the wetland plans.

In looking at the areas that we could access in conjunction with review of the topography maps we determined that there were no changes or disturbances to the areas that would warrant any additional re-

delineation of the wetland boundary for the project. The main focus was the areas of potential disturbance to the wetland buffers. These areas were all situated within existing ponds that had a functional culvert; therefore, the water table would remain consistent. This memo hereby provides verification that the existing wetland boundary has not changed.

From: Christopher Frank <CFrank@brewsterfiredepartment.org>
Sent: Tuesday, February 07, 2023 9:03 PM
To: Ryan Marchbanks
Cc: Joseph Fierro; Fred Wells; THPG
Subject: RE: Brewster Yards FD Call

Ryan,

I apologize for the delay in response. Understood that our request is the limiting factor, your 600gpm for 2hrs with 60psi (residual) is sufficient. Thank you for taking our requests into consideration.

Regards,

Christopher J. Frank, P.E.
Target Hazard Planning Group
Brewster Fire Department
C: 845-216-8530

From: Ryan Marchbanks <rmarchbanks@olace.com>
Sent: Friday, January 20, 2023 12:51 PM
To: Christopher Frank <CFrank@brewsterfiredepartment.org>
Cc: Joseph Fierro <jfierro@olace.com>; fwells@kgdarchitects.com
Subject: Brewster Yards FD Call

Good afternoon Chris,

Following up to our conversation on the hydrant design for the Brewster Yards project. It was previously stated by the fire department that 1500 GPM and 75 psi is required at the hydrants. The original design that was agreed upon consisted of a 30,000 gallon dead storage tank with dry hydrants located around the Fieldhouse.

The Fieldhouse building is constructed of non-combustible materials and is a light hazard occupancy and the building will be protected with an approved automatic sprinkler system and fire alarm system. With this understanding, we have conducted a review of NFPA 1 Section 18.4 Fire Flow Requirements for Buildings. Based on the proposed building's fire area and utilizing the reduction allowed in section 18.4.5.3.2, this flow rate is permitted to be reduced by 75% in buildings protected with an automatic sprinkler system as long as the resulting low rate is not less than 600 gpm for 2 hours. The resulting flow rate from these calculations is 600 gpm due to the actual calculation equaling ~560 gpm.

The anticipated building sprinkler demand will not exceed 500 gpm or 70 psi therefore the hydrant demand would be driving the size of the fire pump and water storage tank. It is our intent to design a fire pump that can sufficiently supply the building's sprinkler system as well as provide storage for fire department firefighting use. However, in the interest of our Client and the project, we respectfully request further review of the site fire hydrant requirements in an effort to not oversize the equipment or over pressurize the system.

Please let us know if site fire flow of 600 gpm for 2 hours with 60 psi available will be sufficient the fire departments use.

Regards,
Ryan



Ryan Marchbanks
Mechanical Engineer

1

OLA Consulting Engineers, PC
50 Broadway, Hawthorne, NY 10532
8 West 38th Street, Suite 501, New York, NY 10018
office: 646-849-4116 mobile: 332-215-8737



Appendix C
DEIS PUBLIC HEARING TRANSCRIPT

PLANNING BOARD
TOWN OF SOUTHEAST, NEW YORK

-----X

PRO SWING / BREWSTER YARDS

Public Hearing
for Draft Environmental Impact Statement

-----X

August 8, 2022
7:08 p.m.
Town of Southeast Town Hall
1360 Route 22
Brewster, New York

BEFORE:

TOM LaPERCH, Chairman
DAVID RUSH, Vice Chairman
MICHAEL HECHT, Member
JAMES KING, Member
GEORGE M. PANGIS, Member
LYNNE ECKARDT, Member

PRESENT:

ASHLEY LEY, Town Planner
VICTORIA DESIDERO, Administrative Assistant

FOR THE APPLICANT:

RICHARD O'ROURKE, ESQ.
KEANE & BEANE, P.C.
445 Hamilton Avenue
White Plains, New York 10601

FREDERICK P. WELLS, RLA, KG&D
STEVE TARABOKIJA, DTS Provident
JOHN M. WATSON, PE, Insite Engineering

*** NOTE:**

Page numbering of this transcript starts at 53. There are no previous pages.



1 PRO SWING / BREWSTER YARDS

2 MR. LAPERCH: We'll give them a couple
3 minutes to set up. For purposes of the public,
4 this gentleman in front is a stenographer. So
5 on high profile properties, we asked the
6 applicant to get a stenographer to come in to
7 make sure that everything is recorded properly
8 even though Victoria does a great job. The
9 applicant is paying for this stenographer. So
10 what we're going to do is we're going to hear
11 about the project from their team. And once
12 again, this is similar to what I just did now.
13 After we're finished hearing from them, we have
14 the board make any additional comments and then
15 go to the public. And by the way, everybody
16 should know that everything that we do tonight
17 is a public record, and it's up on the website.
18 Correct, Victoria?

19 MS. DESIDERO: Correct.

20 MR. LAPERCH: So if you don't know certain
21 things or you miss certain things, go to our
22 website. We do a good job keeping everybody
23 informed with our documents up there. Let's
24 see what the presentation has to say. We'll
25 have a couple comments from the board. And

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2 we'll get to your comments as soon as possible.

3 Your name for the record, sir.

4 MR. O'ROURKE: Yes.

5 MR. LAPERCH: Oh, my bad. Hold on. I'd
6 like to make a motion to open tonight's public
7 hearing. I'll make a motion. Do I have a
8 second?

9 MS. ECKARDT: I'll second.

10 MR. LAPERCH: Seconded by Ms. Eckardt.
11 All in favor?

12
13 (A chorus of "ayes.")

14
15 MR. LAPERCH: There you go. Welcome.

16 MR. O'ROURKE: Thank you. Good evening,
17 Mr. Chairman, members of the board, members of
18 the public. As you know, this is a project
19 that's been ongoing for a little bit in terms
20 of the preparation necessary when you put forth
21 a project of this magnitude. What we're
22 proposing is a commercial recreation facility
23 that is permitted use as of right. This
24 evening's program, an opportunity as a public
25 hearing for public comments, it's just that so

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2 our comments are going to be very, very brief.
3 And then we are going to, of course, the public
4 will be able to make whatever statements they
5 wish to make with respect to the pending
6 application.

7 What I think is important here is that we
8 provide you with an overview of this
9 application. And with that, there will be
10 certain people that will speak to provide that
11 information to you. And so what I'd like to do
12 is just introduce the team that will be making
13 a presentation. And so if you bear with us,
14 we'll give you a brief presentation.

15 Oftentimes, there's misconceptions and
16 misunderstandings about applications. And we
17 found in the past, when we provide you with --
18 with an overview, sometimes it answers a lot of
19 the questions. So this evening, John Watson,
20 who is a professional engineer, who just spoke
21 on behalf of Green Chimneys is within Insite
22 Engineering Carmel. He is going to provide us
23 an overview of the site plan of the
24 application. After that Fred Wells, who is a
25 registered landscape architect, who is with the

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2 architectural firm of KG&D out of Mount Kisco,
3 he's going to outline the DEIS topics addressed
4 in the DEIS. So that you understand, if you
5 have not had the opportunity to look at the
6 DEIS that has been on the website and the
7 public library and the town hall and everywhere
8 else, he'll provide you with overview of that.
9 That will be followed by Steven Tarabokija, who
10 is with the firm of DTS Provident, is with a
11 specific focus on traffic engineering and
12 traffic planning. This DEIS, as I've
13 mentioned, has been available to the public for
14 a long period. We do hope that you've had an
15 opportunity to go through it, that you didn't
16 fall asleep halfway through it because
17 obviously it has hundreds of pages of detail,
18 all of which is essential when you are dealing
19 with a project of this magnitude. The proposal
20 is for a state-of-the-art recreation complex
21 that's incorporating, in our opinion,
22 environmentally sensitive elements into a
23 complex that's designed to use development
24 while respecting, to the maximum extent
25 practicable, the environmental features of this

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2 property. Because there are sometimes those
3 misunderstandings, I hope you listen carefully
4 to what we have to say, and give us a fair
5 opportunity to -- to answer your questions. We
6 are creating opportunities for recreation and
7 what we believe to be quality economic
8 development. We apologize in advance because
9 the format of this public hearing and the
10 regulations of the State Environmental Quality
11 Review Act do not allow us to answer your
12 questions this evening. By law, your questions
13 will be answered in writing as part of the
14 process. So we apologize again for not giving
15 or being able to give you all the answers this
16 evening. Those answers will be put into what
17 is known as a "final environmental impact
18 statement," an FEIS, which will detail the
19 answers to the questions and the comments that
20 were raised this evening. So thank you very
21 much. With that, I'm going to turn it over to
22 Mr. Watson and take you through the site plan.
23 Thank you.

24 MR. LAPERCH: Rick, that was great. Thank
25 you very much for kind of lending that out. I

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2 just to kind of want to ask Ashley to make sure
3 the public understands where we are in a
4 journey so when you hear what's going on
5 tonight, there's still a long way to go. And
6 she'll explain to you what the next step after
7 you hear questions that will be answered.

8 MS. LEY: Sure.

9 So as Mr. O'Rourke was alluding to, we are
10 in the middle of the SEQRA, which is the state
11 environmental review act process. What the
12 applicant has done so far has prepared what's
13 known as a "draft environmental impact
14 statement" that is the subject of the public
15 hearing tonight as well as the site plan
16 wetland permit and subdivision application.
17 Following the close of the public hearing, we
18 -- what is recommended right now is that the
19 oral portion of the public hearing on the DEIS
20 be closed this evening with a written comment
21 period held open until the end of August,
22 August 26th. So you will have until August
23 26th to submit any additional comments that you
24 may have in writing to the planning board
25 office. Once the public comment period is

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2 closed, the applicant will then prepare what's
3 known as draft -- the "preliminarily final
4 environment impact statement." That document
5 then becomes the planning board's document.
6 And the planning board, as the lead agency,
7 will make sure that all of the comments that we
8 receive are adequately addressed, and that they
9 agree with the conclusions. Once that document
10 is accepted as complete, there will then be a
11 ten-day waiting period until the planning board
12 can then adopt what's known as the "finding
13 statement." And that is the document that
14 summarizes all the mitigation and other
15 requirements that the planning board feels are
16 necessary to mitigate the environmental impacts
17 of the project and to allow the project to go
18 forward. So at this point, I mean, if the --
19 it's probably quite a ways off between the time
20 when the FEIS is accepted as complete. The
21 finding statement is adopted, earliest would
22 probably be sometime in the winter when that
23 would be finalized. And then once that's all
24 finalized, then the board as -- as lead agency,
25 as the planning board, can approve the site

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2 plan. So quite a ways off. But this is
3 certainly the best opportunity for you to lay
4 out any comments that you may have so they can
5 be addressed in the final environmental impact
6 statement.

7 MR. O'ROURKE: Agreed.

8 MR. LAPERCH: Counsel, are we on the same
9 page?

10 MR. O'ROURKE: Same page.

11 MR. LAPERCH: All right. Mr. Watson, we'd
12 love to hear from you, buddy.

13 MR. WATSON: Thanks, Tom. Thanks, Ashley.
14 Again, John Watson from the Insite Engineering
15 Surveying & Landscape Architecture out of
16 Carmel. We are the site civil engineers for
17 the project. What I'd like to do now is walk
18 you through briefly what -- through the site
19 plan.

20 So to give you some context, this property
21 in the northwest corner of the town of
22 Southeast. It is north on Pugsley Road, about
23 4,000 feet north of Route 312 and 84. So if
24 you were at Home Depot and back towards Carmel,
25 and you have that school road that's often

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2 closed in the winter, that's Pugsley Road. You
3 go up there 4,000 feet, and that's where our
4 site begins. So what we're looking to do is
5 develop the property which basically runs
6 north-south to the context of this map is
7 rotated so that north is to the left. So for
8 -- if State 84 is here, so we border Interstate
9 84 on our east. And on the west side of our
10 site, we border Pugsley Road and Fields Corner
11 Road. The logistics project that's been in
12 front of the town for quite a long time and
13 just cleared all the trees, that's located on
14 the opposite side of Fields Corner and Pugsley
15 Road. That's over here (indicating) What we're
16 looking to do as part of this application is to
17 realign the Four Corner intersection of Fields
18 Corner Road, Pugsley Road, Zimmer Road, and
19 Barrett Road. And that's where the entrance to
20 our site will be. So it will have -- it will
21 have an entrance to a series of parking lots
22 and a main recreation building, which is the
23 big, brown rectangle down off the parking lots.
24 From there we are going to have a series of
25 sidewalks and pathways and pavilions in between

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2 all of these -- all the fields and the
3 buildings so that everybody has walking access.
4 It's expected to have a generally flat site so
5 that you can walk in between all these
6 amenities. Coming off the back of the rec
7 building, we're going to have four separate
8 little league fields. They are 200-foot fields
9 for the four little league fields. Moving
10 further north, we have four baseball fields
11 that are 325-foot fields, four of them.

12 MR. LAPERCH: John, time out. Can you
13 move that board? Can you guys see it? Can we
14 put it in the middle?

15 MR. WATSON: Sure.

16 MR. LAPERCH: How about we put it in the
17 middle here?

18 MR. WATSON: Like in front of you?

19 MR. LAPERCH: I'm old. I couldn't see it.
20 So I kind of figured --

21 MR. WATSON: How's that, better?

22 MR. LAPERCH: Bring it in further, John.
23 Go deep.

24 MR. WATSON: Should I grab a mic?

25 MR. LAPERCH: If you talk loud enough, you

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2 don't need a mic. But let's just put the board
3 out here so everyone can see it. All right.
4 We've seen it. So you kind of talk to the
5 audience.

6 MR. WATSON: All right.

7 MR. LAPERCH: Thank you.

8 MR. WATSON: To open, I'll start, I'm not
9 going to go through the whole thing. But this
10 is Interstate 84. This is Pugsley Road, this
11 is Fields Corner Road. This is all the
12 logistics project. Our property starts at that
13 Four Corner intersection. Our parking lot --
14 this is our main rec building. These are the
15 four little league fields we just mentioned.
16 Moving further north, we have four baseball
17 fields. These are 325-foot fields. And then
18 furthest north is a rectangular, multi-sport
19 field. As you can see, we've left a wooded
20 buffer at the north end of the property.
21 There's also some residential neighbors up
22 there. Also for reference, the town of
23 Patterson, town of Southeast town line is right
24 here (Indicating.).

25 And then finally, the highlight of the

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2 project is a showcase field. This is a
3 350-foot field on the south site of Zimmer Road
4 over here, and this will be set up more like a
5 stadium. The site itself does have some
6 environmental constraints that we worked
7 around. There are wetlands. There are a
8 couple ponds on the property. There are some
9 streams that connect the wetlands and ponds
10 that are shown in blue, not impacting any ponds
11 or wetlands or water courses. There are some
12 wetland buffers both for the New York safety
13 DEC and for the town of Southeast. We are
14 going to encroach in some of those buffers in a
15 couple of places. There's some steep slopes
16 that we're staying away from. And there's also
17 a town of Southeast ridgeline protection area
18 in the northeast portion of the property up
19 here which we are not going anywhere near. For
20 our onsite infrastructure beyond the parking,
21 this is a main parking lot here. We're going
22 to have satellite parking lots at the showcase
23 field, and then a couple here along the west
24 side of these fields. For water, we are going
25 to drill our own onsite wells, and we're going

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2 to have our own onsite treatment, storage,
3 distribution. For septic and sewer, each
4 building is going to have its own septic tank.
5 We're dealing with all the sewer on site also.
6 So we're going to have one combined septic area
7 for the entire project. That's this light
8 green area on the eastern side of the property.
9 And then the stormwater management, we're
10 breaking up the project into separate
11 sub-drainage areas. And then we're using a
12 series of green infrastructure practices and
13 stormwater basins to collect and treat all of
14 the stormwater from all of the proposed
15 developments. You know, we need a lot of
16 permits from a lot of agencies to do this
17 project. And we have done our -- a lot of or
18 background field testing and soil testing and
19 -- and proved out that -- that the soil can
20 support the development that we're proposing.

21 MR. LAPERCH: All right. John. Rick,
22 counsel, I'd like for the public to hear the
23 business behind this. The business plan, the
24 operations and things like that. I think
25 that's more important. I don't think they are

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2 really interested in soils. But I think they'd
3 like to hear about how, you know, operational
4 -- how this might work. If you have somebody
5 to speak to that issue, I appreciate it.

6 MR. O'ROURKE: I -- I think we do.
7 However, I just want to mention one other
8 thing --

9 MR. LAPERCH: Sure.

10 MR. O'ROURKE: -- in terms of water
11 utilization. John, that is great, except that
12 I don't know if you've mentioned it's
13 artificial turf.

14 MR. WATSON: I did not. You got me.
15 Yeah. It's all -- it's all synthetic turf
16 fields.

17 MR. O'ROURKE: Yeah. So, you know, in
18 terms of water consumption, that's, you know,
19 part -- that's an important consideration.
20 So --

21 MR. LAPERCH: Thank you.

22 MR. O'ROURKE: So that from a -- from a
23 business perspective, if I may, perhaps what I
24 can do is just continue with Fred for the time
25 being, and we'll get back to that.

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2 MR. LAPERCH: Take the board down.

3 MR. WATSON: Fred is going --

4 MR. LAPERCH: Yeah. Fine. To replace the
5 board. Thank you.

6 Fred -- for the record, please.

7 MR. WELLS: Frederick Wells of KG&D
8 Architects.

9 MR. LAPERCH: Please come in the middle
10 here with the board.

11 MR. WELLS: We have --

12 MR. LAPERCH: Thank you.

13 MR. WELLS: We have numerous boards here.
14 They are also in the draft EIS, but we brought
15 them full size. Also, we have a video that I'd
16 like to show. And I'll probably start with
17 that. I think it's the best because they
18 include these -- these graphics but also give a
19 sense of the scale of the property.

20 MS. ECKARDT: Victoria, lights, do you
21 know?

22 MR. LAPERCH: Who's in charge of the
23 lights?

24 MS. DESIDERO: I guess I am.

25 MR. LAPERCH: No. No. Ms. Bell, Ms.

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2 Bell, can you handle lights, please? Thank
3 you.

4 MS. ECKARDT: Thank you. I never know
5 which one.

6
7 (Video playing.)

8
9 MR. WELLS: So this video is starting at
10 the south end of the project. At the bottom of
11 the screen is the showcase field, the
12 grandstand in the back, as you can see. And
13 we're looking -- sorry, look west, westward.
14 This was -- this model was made in 3D obviously
15 with the topo. It's an early version of the
16 plan. So there are some little nuances that
17 might have gotten tweaked since this was done.
18 But it generally shows you the showcase field
19 and grandstand, a small grandstand that
20 overlooks it. There's an existing pond on the
21 property we're preserving. And at the bottom
22 is the softball showcase field, which is a
23 single field with also dugouts. And all the
24 fields have dugouts and stands and batting
25 cages. The main building has a ticket window

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2 on the right, as you see here. We're going up
3 to the main entrance. The pedestrians can walk
4 into the site too. In the back of the building
5 going up a little bit in grade is the main
6 terrace in back of this building, which would
7 have food court set up, or there could be food
8 trucks, concessions. A small building there on
9 the right is a concession building. As I say,
10 each field has its own dugouts and batting
11 cages, and it's a full-fledged field in terms
12 of use.

13 And then going north on the right-hand
14 side, this is the baseball clover, four
15 baseball fields. All the fields have lighting.
16 As John indicated, they're all AstroTurf,
17 artificial turf. And then back up here, this
18 is just a multi-purpose practice field at the
19 north-end of the site. It's shown here fairly
20 formal. It may not be developed that formally,
21 but it's meant to be used for multi-sports
22 events. And then we're going back towards the
23 -- looking more or less south here, going back
24 towards the main concourse area, there's a
25 playground at the bottom right. There's a

1 PRO SWING / BREWSTER YARDS

2 playground in a triangular area. There's a
3 main concession stand with restrooms, et
4 cetera. And on the left there, and then going
5 back on the back of the building where it's
6 fairly large terrace, it has shade structures
7 as well as seating and use for it by patrons.
8 And then the building itself is still being
9 developed. The design concept, we'll come up
10 with a plan to develop that has indoor courts
11 and indoor facilities for sports and training.
12 So again, I'm not going to go through each one
13 of these unless there's questions. But this is
14 -- what I will show is this particular graphic
15 was requested by the planning board which shows
16 our plan. This is generally looking south.
17 Our plan is here in the middle ground. This is
18 the Logistics property as proposed in their
19 application. And so I put the two together so
20 that you can kind of see what it looks like.
21 And I'll turn this around for the board because
22 they have not seen it yet.

23 MR. LAPERCH: Surprise me.

24 MR. WELLS: This the same view that
25 Logistics provide you with a graphic, and we --

1 PRO SWING / BREWSTER YARDS

2 MR. LAPERCH: Thank you. Can we -- see it
3 later too. Thank you.

4 MR. WELLS: All right. So as they said,
5 you can use -- these boards are the same as
6 what you just saw in the video, and they are
7 also in the EIS.

8 I'd like to briefly go through the --
9 sorry, my pad -- go through the contents of the
10 draft EIS. It was developed based on the
11 public scoping session that was held by this
12 board where the contents of the -- basically
13 developing the table of contents for the study
14 and the criteria that needs to be looked at.
15 So I'm going to briefly go through them, and
16 there's obviously a lot of more detail in each
17 one of these subjects, but I'll just highlight
18 what the subjects are basically from the main
19 content -- table of contents. We -- we looked
20 at zoning and land use and public policy and
21 the town comprehensive plan to take a look at
22 how this fits in. This project does not need
23 any zoning change. It is in a rural,
24 commercial district. It's a commercial
25 project. And obviously, it would have a little

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2 more intense use than what's there now, which
3 is all wooded land. We looked at community
4 services, economics. Obviously, the project
5 like this will have some effect on community
6 services such as -- like police and emergency
7 services, fire. And so we looked at those
8 aspects of it. Obviously, as a commercial
9 project, the project will provide tax revenue
10 to the town, which will offset some of those
11 impacts that -- that are, you know, funded by
12 the town right now. The project also, in terms
13 of economics, will provide, obviously, not only
14 tax revenues but will induce patronage in
15 existing businesses in the town and as well as
16 providing much needed recreation space for --
17 for the residents. We looked at visual
18 resources and visual impact of this project as
19 viewed from five different locations around the
20 site. The viewshed is actually fairly limited
21 because of topography, but we looked at those
22 aspects of it, site line studies were done. We
23 looked at nighttime and daytime visuals and
24 lighting aspect of it. And we feel that
25 lighting is not going to be significant in

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2 terms of glare or overflow onto the neighboring
3 properties. Today's use -- uses modern LED
4 lights that are fairly focused on what you are
5 trying to light and not spillover. Like, we
6 looked at noise levels. Based on what's in the
7 town code, the requirements are here spelled
8 out in the code. We did some measurements at
9 and around the site and then compared and then
10 we're able to calculate what noise levels might
11 be from the project as it's operating, and
12 that's presented in the EIS. We also looked at
13 vegetation and wildlife. The wetlands on site
14 were all flagged and surveyed. And there's
15 town wetlands. There's state wetlands.
16 There's federal wetlands. And they all have
17 different criteria. So we took those -- those
18 things into account and laid out the site plan.
19 And obviously, there's going to be significant
20 removal of trees. And so what this project
21 needs to do is preserve whatever is protected
22 on the site so that whatever remains will not
23 be significantly damaged by the clearing of
24 this haven for these fields. One thing, Tom,
25 can you mention -- I wanted to bring up was on

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2 the site plan, this portion of the site is --
3 is on the existing property. The existing
4 property is this whole area that's in green,
5 but this area is proposed to be subdivided off
6 and remain in town ownership. It's called the
7 "ridgeline protection area." It's kind of a
8 tall peak on the site. So we've deliberately
9 cut that piece off and will -- you know, will
10 stay in town ownership and be as accessible to
11 the public as it is now. The project obviously
12 has to deal with stormwater management. It's
13 -- the project is in the New York City
14 watershed. So there needs to have -- to meet
15 the criteria of the city watershed regulations
16 as well as local regulation and DEC regulations
17 in terms of stormwater. So those are all taken
18 into account here. We looked at air quality.
19 There's nothing significant about this project
20 in terms of what it might generate. It's not a
21 massive generator of pollution per se. So we
22 looked at that particularly in terms of traffic
23 because large traffic generators will tend to
24 affect air quality. So we looked at that from
25 a detailed point of view to be able to quantify

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2 what the potential impact would be. We looked
3 at traffic as well. There was a -- traffic
4 counts were done, and Steve will speak to that
5 a little bit about what was found and how we --
6 how we quantify that -- that kind of traffic,
7 the impact of traffic. And then we looked at
8 other alternative, or other effects like
9 construction impacts, irreversible commitment
10 of -- of resources, growth effects, heat
11 cumulative impacts are discussed in the
12 document that's in various ways in various
13 locations in the document. And finally, as
14 required by SEQRA, we also looked at
15 alternatives to the project as proposed. We
16 looked at something called "a no action
17 alternative," which is assuming no action would
18 happen on the site; it would remain as it is.
19 We also looked at the development according to
20 RC zoning that is now in place. We looked at
21 alternative scale to the project, including a
22 larger main building. And we also looked at
23 natural turf as opposed to artificial turf in
24 the project. So that's a summary of what's in
25 the EIS.

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2 MR. LAPERCH: No, thank you. That was
3 well done. Thank you very much. So Mr.
4 O'Rourke, do we have somebody to talk about
5 programming?

6 MR. O'ROURKE: Yes. But -- we will. But
7 I thought, perhaps, I had Steve lined up to do
8 a brief presentation on traffic. You want to
9 do that first, or you want --

10 MR. LAPERCH: Sure. Let's get it out
11 there. It is an issue.

12 Thank you. Name for the record, sir.

13 MR. TARABOKIJA: Good evening. My name is
14 Steve Tarabokija. I'm associated with DTS
15 Provident & Design Engineering.

16 MR. LAPERCH: Welcome.

17 MR. TARABOKIJA: Thank you.

18 So we conducted a detailed traffic study
19 for this project. At the study area that you
20 see on the board there -- I'll just point it
21 out. In the middle here is the site location.
22 Down the center here is Interstate Route 84,
23 and along the bottom here is New York State
24 Route 312. So we study that area, five
25 intersections during the peak weekday, a.m.

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2 Commuter period, the peak p.m. commuter period,
3 and the peak Saturday period. The study area
4 and the study times were selected in accordance
5 with the approved scoping document. So what we
6 did is we obtained traffic volume data for the
7 study area. We then took that data and grew it
8 by a -- a rate of one percent per year to the
9 build year for the project, just -- just
10 generally accounts for background traffic
11 growth rate in the area. We also consulted
12 with the town of Southeast and town of
13 Patterson for any larger developments in the
14 area that would have been approved. And we
15 obtained traffic volume data for five
16 additional adjacent developments in the area
17 which we included into our traffic study. So
18 between the -- the growth rate of the existing
19 traffic volumes and the adjacent development
20 traffic, we combined them to form the future
21 traffic volumes without the project. That's
22 also known as the "no-build condition." We
23 also took any improvements that were associated
24 with some of those adjacent developments such
25 as the Logistics project across the road from

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2 us, we included that in our analysis. From
3 there, we estimated trips for the project.
4 Typically, we will generally reference the
5 Institute of Transportation Engineers' trip
6 generation manual. But in this instance, this
7 project didn't really fit any of the land uses
8 in that manual. So what we ended up doing was
9 we collected actual traffic volume data at a
10 similar facility in Connecticut. We did it --
11 it's typical of this facility. It has multiple
12 sports fields and an indoor facility.

13 MR. LAPERCH: Where is that facility?

14 MR. TARABOKIJA: It was in North Branford
15 Connecticut, called the "Connecticut
16 Sportsplex."

17 MR. LAPERCH: Thank you.

18 MR. TARABOKIJA: We then estimated traffic
19 based on the data we obtained from that
20 existing facility. And we layered that into
21 the future traffic volumes that I described
22 earlier. And we created a future traffic
23 volume condition with the project, which was
24 also known as the "build condition." And what
25 we did was we ran an analysis on the no-build

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2 and build condition and compared the results of
3 each of those analyses to see the impacts of
4 the proposed project. And what we found is
5 with the a few different traffic signal timing
6 adjustments at some of the intersections that
7 we studied, we were able to mitigate the impact
8 from the -- from the proposed project. And I
9 think that's really a brief overview that I had
10 of the traffic study that we conducted.

11 MR. LAPERCH: So to dumb this down for me,
12 you took what's proposed Logistics Center,
13 which was a big project, you incorporated your
14 data because, if I understand you correctly,
15 you might be off-peak in terms of their
16 schedule in terms of your weekend. That's why
17 I was curious about programming. So the bottom
18 line is your mitigation is mostly based on
19 modern signalization changes for -- and you are
20 not doing any more turning lanes or anything
21 like that; right?

22 MR. TARABOKIJA: We didn't need any more
23 physical improvements.

24 MR. LAPERCH: So work with the DOT of the
25 signalization of all the lights in the region?

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2 MR. TARABOKIJA: Correct.

3 MR. LAPERCH: Thank you. I had to dumb it
4 down.

5 MR. TARABOKIJA: Yeah. I just wanted to
6 say, we -- we included the Logistics study, but
7 also included four other nearby developments --

8 MR. LAPERCH: We have (inaudible). We
9 have a lot of things coming online.

10 MR. TARABOKIJA: Yes. Correct.

11 MR. LAPERCH: Very good. Thank you for
12 your presentation.

13 MR. TARABOKIJA: Thank you.

14 MR. LAPERCH: Mr. O'Rourke.

15 MR. O'ROURKE: I think one of the key
16 points to all of this is we all know that the
17 -- over \$5 million in security as proposed to
18 the town with regard to the -- the improvement
19 of the intersection with Route 312 and Pugsley
20 Road. So that's going to look a little bit
21 different from what you now have there.

22 You asked in terms of the operation of the
23 -- of the --

24 MR. LAPERCH: Programming.

25 MR. O'ROURKE: The programming. I have

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2 Dan Gray who is the president of the
3 applicant's corporation. He owns this
4 property. Dan is an author. He has run
5 ProSwing Sports for many years out of Mount
6 Kisco. I know him early on -- on this -- he
7 received some letters from major league
8 ballplayers who learned their skills through
9 Dan. So with that, I like to introduce Dan.

10 MR. LAPERCH: Dan, come on up. And Dan,
11 do me a favor. Stand in the middle, please,
12 when you make the presentation.

13 MR. GRAY: Sure.

14 MR. LAPERCH: I refer to -- everybody's
15 asking what's going on. I say it's kind of the
16 Cal Ripken of Brewster, that facility. That's
17 the best I can kind of equate. So why don't
18 you please tell the group here what your
19 program is, how do you operate it seasonally,
20 everything about it, please.

21 MR. GRAY: Sure. The emphasis is going to
22 be from all the way down from three-year-olds
23 to college-age players. There will be a large
24 emphasis, obviously, on baseball and softball.
25 Obviously, baseball for the boys, softball for

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2 the girls. There will be a multi-sport aspect
3 to it. Most of that will be done in the indoor
4 facility that -- that Fred had shown you
5 earlier. But the fields are useable for
6 multi-sport capacity. So for the younger kids
7 -- and thank you to my -- my little guys who
8 showed up. For the younger kids, it's
9 basically, again, just trying to get them to
10 really enjoy the game, learn how to play the
11 game, and create a passion for the game. I've
12 been doing it a long time. I told the board
13 we've been going on, me and Mr. O'Rourke, three
14 years now with this project. You know, this is
15 a labor of love. This is something that I
16 think is needed for the community. Not only
17 for the local community, but to make Southeast
18 a destination location for kids that want to
19 continue to play. I believe it is the greatest
20 game in the world. I think that the major
21 league baseball has done a very poor job in
22 trying to connect the youth to the game at the
23 highest level. And I feel like it's part of my
24 responsibility to keep these kids engaged, to
25 get them to understand not just through

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2 baseball and softball but other sports the life
3 lessons that are learned through teamwork,
4 building friendships, understanding commitment
5 and dedication and hard work that I think
6 spills over into life after baseball.

7 Everybody's baseball career is going to end at
8 some point. Some kids will end when they're
9 done with little league. Some kids will end in
10 high school or college. Some kids, like
11 myself, I was able to play professional
12 baseball for six years. So it will end at some
13 point. But to enjoy the journey that they take
14 while they're playing and understand that, at
15 least for me and some of them here today, the
16 friends that I made in baseball were lifelong
17 friends. And I believe that this facility,
18 when done the right way, will not only help the
19 local communities, obviously, Southeast, and
20 the existing towns but a larger kind of area
21 and scope that we can touch to really make
22 youth baseball and the kids really commit to a
23 sport that they love. And that when they are
24 done with their careers, whatever that is, that
25 there will be fans of the sport for the rest of

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2 their lives.

3 MR. LAPERCH: All right, Dan. Do me a
4 favor.

5 MR. GRAY: Yeah.

6 MR. LAPERCH: John, take the board down
7 please and put it back over there. So we can
8 see the public a little bit better here. I
9 think the important thing -- I get your passion
10 and the life journey stuff.

11 MR. GRAY: Uh-huh.

12 MR. LAPERCH: We need programming.

13 MR. GRAY: Sure.

14 MR. LAPERCH: When you start in the
15 morning, when do you end? What's your season?
16 Is it spring, summer, fall? Is it indoor?
17 This is -- these are the questions that I think
18 they are looking for.19 MR. GRAY: So -- so the tournaments -- the
20 tournament's schedule based on the outfield --
21 the outside fields, the fields that we have
22 created will be in the spring and run through
23 the end of October. So that's when the outside
24 field uses will be at its maximum. Obviously,
25 with weather conditions coming in the end of

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2 October through November, through the middle to
3 the end of March, things will move inside to
4 the indoor facility where there will be
5 training and other sports that will be in their
6 offseason as well to train at.

7 So basically, what you are looking at for
8 the most part is from the end of March to the
9 end of October. These will be usually what --
10 the model is weekend tournaments. So Friday
11 night into Saturday and Sunday. That's usually
12 when the largest portion of the tournament
13 scheduling is done on the outside fields. The
14 indoor scheduling in the winter months, again
15 from November through the middle to the end of
16 March, will be in the early afternoon to the --
17 I don't want to say late evening but, you know,
18 8, 9:00. Usually Monday through Friday, and
19 then during the weekend, it goes from 8 in the
20 morning until 8 at night, as far as the indoor
21 programming. So what do I mean by programming?
22 There's individual lessons where a player comes
23 in and works with a specific coach. There's
24 small group lessons where two to four people
25 come in and work with a coach. And then you

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2 have group programs that are usually anywhere
3 from 10 to 15 to 20 kids, whether it be my
4 three- to five-year-olds or my after-school
5 program which is eight- to ten-year-olds or my
6 -- the teams that might come in and rent to do
7 some practice. Those can be anywhere 10- to
8 16-year-old teams that would be using the
9 indoor facility especially in the winter months
10 when we can't do much outside in our
11 environment working on -- on whatever their
12 sport is. So that's really just a very general
13 view of what the schedule is as far as it
14 pertains to the facility.

15 MR. LAPERCH: Hours of operation. Last
16 game, first game, what times?

17 MR. GRAY: Hours of operation would be --
18 for the tournaments, would probably start at 5
19 or 6:00 on a Friday night and go until about
20 8:00 on a Sunday. So maybe we would have two
21 games on a Friday. You would have games from
22 8:00 in the morning until 8:00 at night on
23 Saturday or Sunday.

24 MR. LAPERCH: No game will start after?

25 MR. GRAY: Correct.

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2 MR. LAPERCH: After?

3 MR. GRAY: Usually 8:00 or 8:30 at the
4 latest.

5 MR. LAPERCH: That's public record here.
6 This is a public hearing.

7 MR. GRAY: Yep. Yep. Yep. Because there
8 will be time limits on every game.

9 MR. LAPERCH: Will you be hosting high
10 school tournaments?

11 MR. GRAY: Yes.

12 MR. LAPERCH: And all that?

13 MR. GRAY: Yes. And college conference
14 games as well.

15 MR. LAPERCH: Even better. Okay. All
16 right. Thank you. All right.

17 MR. GRAY: Thank you.

18 MR. LAPERCH: So listen, you heard it.
19 Very exciting, in my opinion, for the area. So
20 right now, once again, just like last time, I'm
21 going to ask the board for any additional
22 questions. You did see it. They advanced
23 their programming a lot since the last time
24 we've talked. So I'm going to ask my board
25 some questions, then we'll ask the public what

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2 they think. And once again, you are not going
3 to get an answer tonight, but you'll get an
4 answer eventually through a written comment
5 through the applicant. I'm going to start with
6 Mr. King to my right. He was very involved
7 with the little league. And Mr. King, any
8 questions regarding since the last time we saw
9 it?

10 MR. KING: Since the last time I saw it
11 was -- I like the video by the way. That was
12 nice. But I didn't see any parking on the
13 video. Was there one of the new big boards out
14 there that I didn't see that showed parking? I
15 did not see those big boards the last time you
16 were here.

17 MR. WATSON: Yes, there is.

18 MR. LAPERCH: That's the Logistics Center.

19 MR. WATSON: The main parking would be out
20 -- this is the main building, the main rec
21 building. There's going to be bays of parking
22 here, parking here, parking over here for the
23 showcase field (Indicating.), and there will be
24 satellite lots up here and up here.

25 MR. KING: Okay. All told, how many

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2 spots?

3 MR. WATSON: 300 and --

4 UNIDENTIFIED SPEAKER: A little over 400.

5 MR. WATSON: A little over 400.

6 MR. KING: Got it. Thank you.

7 MR. LAPERCH: Ms. Eckardt.

8 MS. ECKARDT: Yeah. I think it's easier
9 to tell you what I want to see rather than to
10 ask you tonight, and I do want to hear from the
11 public.

12 But I didn't care for the hours on Sunday
13 before ending at 10, and I think Mike had the
14 same issue on that. I'd love to see more
15 specific plans or something for the town and
16 little league. Because we were told that some
17 things would be gratis or a lower rate or
18 whatever. I'd like to see specifics on that
19 because we haven't had anything. I would like
20 to see specifics and actually mention this on
21 three buildings. It's mentioned, and we have
22 this all the time, and we end up with one
23 skylight. So I would really like to see
24 something -- I would really like to see solar
25 panels or something that really -- that really

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2 does help, especially in this kind of heat that 1-8
3 we are all seeing now. Also specifics on EMS
4 and fire department, coordination. I know that
5 was mentioned, and I think it's extremely
6 important. Mike can talk to that much better
7 than I can. And my number one concern is 1-9
8 safety in crossing Zimmer Road, because the
9 county does use the land especially after big
10 storms, the end of the road. So I want to see,
11 and the board might disagree with me, I really
12 want to see at least one crosswalk if it's
13 allowed to put in some speed -- if we are
14 allowed to put in some speed bumps. It can be
15 pricey. It's a town road. But I'm very
16 concerned about kids crossing roads. So those
17 are my comments, and if I think of any others,
18 I'll write to you.

19 MR. LAPERCH: That was good. Lynne, I
20 actually can answer that Zimmer Road issue
21 here. I spoke to John Tully, the acting 1-10
22 planning director for the county that the town
23 and the county is actually thinking of
24 relocating that.

25 MS. ECKARDT: Okay. That would be great.

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2 MR. LAPERCH: So I'll get -- that's not
3 confirmed. But there was a discussion.

4 MS. ECKARDT: And one last thing is the --
5 I really want to see Pugsley remain open. I
6 know we have the gate that may be used, but one
7 of the most dangerous things we can do is to
8 close off roads. Because when you close off a
9 road with another town and that town, and then
10 you need it open, permanently open, it's almost
11 impossible to effect that change that might be
12 very necessary. So I feel very strongly on
13 that too.

14 MR. LAPERCH: Great questions. Thank you.

15 MS. ECKARDT: Thank you.

16 MR. LAPERCH: Mr. Pangis.

17 MR. PANGIS: So to leapfrog, one of the
18 things that Lynne was saying, the DEIS calls
19 for additional community services. That's
20 something that this board is -- with a lot of
21 the projects that come before us recently and,
22 you know, just starting to get going, we are
23 increasingly concerned about stretching our --
24 our community services even thinner. So yes, I
25 have the same concerns about EMTs on --

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2 especially on tourney days, and fire but also
3 security. We are relying on police. The town
4 doesn't really have its own police force.
5 We're relying on state and the county police as
6 it is. So who is handling security especially
7 if you have upwards of 1,000 people on
8 tournament days? If the proposal is that you
9 will provide private security, that's great.
10 Let's -- let's get that formalized.

11 You have nine baseball, slash, softball
12 fields, and a general-purpose field. And I
13 haven't heard differently. So I'm making
14 assumptions or like to make assumptions that
15 there's at least contemplation that they can
16 all be used simultaneously. That this is not
17 going to be four or five fields at a time. But
18 at least the potential exists that all ten
19 fields could be used at the same time. Under
20 that assumption, I'd like to know more about
21 the noise levels, especially now that we're
22 hearing as late as 10:00 at night. There's not
23 a lot of residence there, but there are some.
24 And I think that's a concern that they would be
25 right to have. I know in your executive

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2 summary on page 18, you referenced that there's
3 a peak sound of level 75 decibels from
4 loudspeakers. There's nothing citing where
5 that assumption comes from. I think we'd like
6 some knowledge on where that comes from. And I
7 didn't see anything contemplated about the
8 screaming fans that will be there. They are
9 not loudspeakers. They can be louder than
10 loudspeakers if you get enough of them
11 together. So I'd like to hear a little bit
12 more about the noise levels especially when
13 we're talking that late into an evening.

14 Similarly, the lights. I know they're going to
15 be LED. I know they're supposed to be down
16 lighting. But I think some of the neighbors
17 will have some concerns. So I think there's a
18 little more specificity needed with exactly
19 what you're contemplating the lights, of
20 certain lights, et cetera. And at past
21 meetings, I know we discussed -- we weren't
22 sure whether all the -- I think all the fields
23 were going to be lit or at least have the
24 potential to be lit. They all have light, but
25 I wasn't sure if they were all going to have

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2 loudspeakers. If that determination has been
3 finalized, there will be up to ten fields with
4 loudspeakers, again, clarify that for us as
5 well. Everything else, I think, has been asked
6 or will be asked by other members regarding
7 community services. So I will defer to them.
8 I would like to thank you for the change you
9 made so far from when we started this; I know
10 last year. I know a lot of the things this
11 board has requested we're seeing implemented.
12 So I do appreciate that.

13 MR. LAPERCH: Great questions. Thank you
14 very much.

15 Mr. Hecht.

16 MR. HECHT: So just echoing what Lynne was
17 talking about before, and I know the last time,
18 we were here discussing the hours of operation.
19 There was some concern about late night games
20 specifically on Sundays and holidays. I did
21 hear maybe now, it will be -- 8:00 would be the
22 end. But I really think we need to memorialize
23 that somehow, some approval in terms of the
24 absolutely latest, you know, game will just
25 stop, you know, overtime session, whatever it

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2 is. I think that's going to be important for
3 you to just know what the final hours are
4 specifically on Sundays and holidays.

5 And the other thing is, I guess, maybe a
6 question for Mr. O'Rourke. I don't know how
7 far the conversation have gone in terms of the
8 emergency medical services. Is the plan to
9 provide paid EMTs at this point or has that not
10 gotten to that point?

11 MR. LAPERCH: Rick, do you want to answer
12 that tonight, or you want to answer it in your
13 response?

14 MR. O'ROURKE: I think we will answer
15 through the FEIS.

16 MR. LAPERCH: Okay.

17 MR. HECHT: I will just emphasize, with
18 the recent folks coming in from the 50-plus
19 community that's going to be going up and all
20 the developments specifically on 312 are
21 emergency medical services, specifically
22 paramedics and EMTs, are completely just
23 swamped. And there's enough trouble getting a
24 lot of those folks out during the day because
25 now, people have more jobs, multiple jobs, and

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2 we've been subsidizing paid EMTs just to cover
3 routine medical for the town. And something
4 like this would be a really big strain if there
5 wasn't some additional arrangements to have
6 paid medical services. Just be a real big
7 burden on the system that we are not geared up
8 for. So I think those are my big two concerns.

9 MR. LAPERCH: Great. Once again, strain
10 on services. We've heard from the EMTs. We've
11 heard from the fire department. This is a
12 growing town. We're stretched. Mike's
13 specialty is he works with the fire department.
14 So he's at ground zero and knows the numbers of
15 what is going on here. And it's become a major
16 concern for us with our growth. So Mike --

17 MR. HECHT: From 6 a.m. to 6 p.m.
18 We're --

19 MR. LAPERCH: Yeah. It affects our tax
20 rates and things like that. So fair questions
21 here. So the board is doing a great job.

22 And so David Rush who will go next. Are
23 you finished, Mike?

24 MR. HECHT: Yeah.

25 MR. LAPERCH: So David Rush is an

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2 architect by trade. He's the one that kind of
3 gives us the vision, make sure that these
4 things look right. So when you drive by there,
5 you can be proud of what everything looks like.
6 And he digs in every time we have a big
7 application. So Dave will give his comments
8 now.

9 MR. RUSH: I accept no liability. Thank
10 you very much, I guess. And great question
11 from our board.

12 Just to go on the shoulder of a couple of
13 things here. I think I understood you said the
14 last game would be at 8 p.m., starting not
15 ending; right? So it could run to until, you
16 know -- okay, I wanted to make sure of that.
17 And then on the sound, will there be like a PA,
18 people making announcements, now at bat blah,
19 blah, blah. So in essence, you could have that
20 kind of mitigating sound as well? No? No PA?
21 No --

22 MR. GRAY: Can I answer that or no?

23 MR. LAPERCH: It's your decision.

24 MR. RUSH: I'm asking that question. So
25 if you have four things going on

1-6

14-16

1 PRO SWING / BREWSTER YARDS

2 simultaneously, you know, now at bat, number
3 21, Mr. O'Rourke, you know, blah, blah, blah.
4 And this one going and that one going. So
5 those kind of mitigating sounds are something,
6 I guess, I would be concerned about. Talking
7 about -- those kinds of things radiate out.

8 I didn't see -- do you have bus parking?
9 You do? I didn't see that on the -- so I'm
10 assuming that you got buses coming in from out,
11 wherever. And did I -- what were the fields?
12 Are they turf? Are they real, or what --

13 UNIDENTIFIED SPEAKER: They're all turf.
14 synthetic.
15 All ~~synthetic~~

16 MR. RUSH: So that would mitigate the
17 water. I know we talked about that. So the
18 water is off the question. The water usage in
19 general was very low. We don't need it so
20 badly.

21 And what about the landscaping around?
22 Are you going to leave that natural, or is that
23 going to be something? I know that you've
24 shown it very green; everything is green. But
25 that's something I would be concerned about,
like, how are you going to deal with that? I

14-16

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1 PRO SWING / BREWSTER YARDS

2 don't think you want a lot of maintenance --

3 MR. LAPERCH: I think we're engaging our
4 consultant, who on major projects gets
5 involved --

6 MR. RUSH: You know what I mean, there's a
7 lot of --

8 MR. LAPERCH: Susan, right; correct?

9 UNIDENTIFIED SPEAKER: Yes.

10 MR. LAPERCH: So it's a work in progress.
11 We have an outside consultant for when we have
12 major projects who will be guiding us on these
13 landscaping issues.

14 MR. RUSH: So I would just like to see
15 something that obviously you applied what you
16 got, and you don't have a lot of maintenance
17 involved with the noise, water, or whatever.

18 Lynne touched on -- I'm curious what other
19 sustainable measures were going into the
20 buildings themselves. Lynne mentioned solar.
21 I don't know what you're doing and if there's
22 anything special about the buildings. We did,
23 I think, talk about electric vehicles in the
24 future and how you might address that. And
25 those are my points. Thank you. And you know

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1 PRO SWING / BREWSTER YARDS

2 what, I appreciate that board. Could I see
3 that one more time where you put the -- the
4 other -- the Logistics site together. Now,
5 this isn't loaded up yet, is it?

6 MR. LAPERCH: We don't have --

7 MR. WATSON: Not yet.

8 MS. LEY: You could get to me to get it on
9 the town website.

10 MR. LAPERCH: Please send it to us so we
11 could put it up online.

12 MS. LEY: And the video too. That could
13 go on the website.

14 MR. O'ROURKE: It's really too large to
15 post.

16 MR. LAPERCH: All right. Whatever. We
17 want it for public in case they want to go
18 online. That's a -- that's a very good visual
19 for us. Thank you.

20 All right. Before we go, I have a
21 comment. I received correspondence from town
22 of Patterson, and their concern about traffic
23 coming out of this facility. Mr. Rich
24 Williams, supervisor, sent me an email saying
25 that he would like to see signage, no left

11-20

1 PRO SWING / BREWSTER YARDS

2 turns out of that facility as much as possible. 11-20

3 I spoke to the town highway supervisor of

4 Southeast and our town engineer, and there will 11-21

5 be road improvements there. To what level,

6 it's still a discussion point. In terms of how

7 that's going to go from the end of their

8 property to the line of Patterson, that's a

9 work in progress. I do not have any answers

10 for you, but they are aware that they have to

11 improve it. To what level, the town is -- our

12 supervisor will be talking to the applicant

13 about that. But the town of Patterson

14 supervisor made it very clear that we need good 11-20

15 signage. So they don't come out and go left.

16 They're concerned about that traffic coming on

17 there. So I just wanted that for the record.

18 So at this point, once again, we're going to

19 ask the public to come up. Give us your

20 comments. Come up to the microphone over

21 there, name, address for our record, please.

22 Again, if you wanted -- if there's not a lot of

23 people, stand in line to be fair so you don't

24 jump the line here. And this -- tell us what

25 you think, if you have comments. And once

1 PRO SWING / BREWSTER YARDS

2 again, we're not answering you tonight. It
3 will be memorialized, and then they'll have to
4 answer at a later date. So at this point, if
5 you have a question, please stand over there in
6 a line, and please give us your questions.
7 Good evening. Let's get going. Name for the
8 record and address.

9 MR. GUIDICE: Domenick Guidice, 13 Lalli
10 Drive, Katonah. I'm in the Somers school
11 district.

12 MR. LAPERCH: Okay. Welcome.

13 MR. GUIDICE: I coach my four kids for 15
14 years. I'm pretty familiar with the youth
15 sports landscape. I actually have a comment
16 besides a question. A facility like this, it
17 doesn't exist for a long way out. Those of us
18 who have kids, you know, the whole youth club
19 thing has exploded. So you leave your town to
20 go to a club in third grade. Now by sixth
21 grade, your kids are there for three years.
22 His best friends or her best friends are on
23 this team. Now, all of a sudden, we've got to
24 start traveling to Maryland. And I just got
25 back from Delaware. We played a team from

1 PRO SWING / BREWSTER YARDS

2 Connecticut, and a team from New Rochelle, and
3 a team from Rockland. I couldn't help but
4 think, we're all -- we've come all the way down
5 here in Delaware. We've bought -- we stayed at
6 hotels on the beach which we never had a chance
7 to actually be on the beach, playing baseball
8 all day. So we played teams from right in the
9 area, but we all drive -- we did it in
10 Maryland. We did it in Delaware. We've gone
11 up to Boston, played at Harvard stadium, you
12 know, all that.

13 A facility like this, for me, a sports
14 parent and so many of us, it would be a huge
15 benefit for all of us. The traveling and
16 everything we do is really difficult. So I'm
17 really hoping that --

18 MR. LAPERCH: Great comment. Been there,
19 as a parent myself. Thank you for the comment.

20 Next up please, your name and address for
21 the record, please.

22 PABLO: Hi. My name is Pablo
23 (indiscernible). I'm (inaudible) Tailer Road
24 in Brewster.

25 MR. LAPERCH: Welcome. We'll take your

1 PRO SWING / BREWSTER YARDS

2 comments, sir.

3 PABLO: Well, what he's saying is
4 interesting because the same way it's going to
5 happen with this project, it would be a lot of
6 traffic coming. So we have to take that into
7 account. To what Lynne was saying -- and
8 David, are they going to be connected to NYSEG?

9 MR. LAPERCH: I'm sorry. I didn't
10 understand.

11 PABLO: The power. The power. Who is
12 going to provide the power?

13 MS. LEY: NYSEG?

14 PABLO: NYSEG. Sorry.

15 MR. LAPERCH: No, that's all right.

16 PABLO: So yeah, I think it will be
17 important if they kind of balance the grid. It
18 will be really a critical issue.

19 MR. LAPERCH: That's on their side to make
20 sure it makes -- it works.

21 PABLO: And -- and they should provide
22 like the estimate of how much power they will
23 be consuming, you know, to be able to calculate
24 that.

25 The other thing is I don't know about this

12-14

1 PRO SWING / BREWSTER YARDS

2 because I'm new today. But is this going to be
3 open to the public for specifically for
4 residents? Is it going to be a pass to work at
5 the end of the day? Or pass --

6 MR. LAPERCH: That's where the gentleman
7 says -- the answer is yes. And he has a
8 program and a director of planning of events.
9 So if you would like to get a copy --

10 PABLO: Okay.

11 MR. LAPERCH: I would suggest you talk to
12 him offline after this meeting to get more
13 comfortable with that question. But my
14 understanding is yes, it's open to the public.

15 PABLO: Okay. And also the last one is
16 about the taxes. This facility is going to pay
17 taxes? I hope they do.

18 MR. LAPERCH: There will be a -- this is a
19 taxable event.

20 PABLO: Yes. And will -- is -- would
21 there be a way to find out how much taxes they
22 pay?

23 MR. LAPERCH: We are waiting on that. The
24 assessor is going to opine about what this
25 might be assessed for at a later date, and

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1 PRO SWING / BREWSTER YARDS

2 we'll get you that information. But your --
3 your question is on record, yes.

4 PABLO: Okay. Okay. Thank you.

5 MR. LAPERCH: So thank you for coming
6 tonight. Next, please.

7 MS. SIMONE: Good evening. My name is
8 Amanda Simone. I live at 62 South Church
9 Street, Bedford Hills, New York.

10 MR. LAPERCH: Welcome.

11 MS. SIMONE: Thank you. I am a ProSwing
12 coach's wife and a mother of three wonderful
13 kids. My oldest, Christopher or CJ, is a
14 12-year-old travel baseball player since the
15 age of seven. CJ's been coached by Coach Dan
16 and his incredible staff since the age of
17 three. He will tell you that ProSwing is his
18 home away from home. Their care, their
19 support, attention to detail, professionalism
20 and expertise is a rarity, and it's something
21 that my family truly values. I spent the last
22 six years traveling to the United States, more
23 so in the Northeast, watching CJ play in
24 tournaments. We pack up our family of five
25 most times. I leave my two younger children at

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2 home and go on the road with my husband and my
3 son. I leave my other two in the care of my
4 family, separating myself from them one weekend
5 after the other.

6 Often, we arrive at these facilities,
7 whether it's Baseball Heaven or Diamond Nation,
8 even Ripken. And I see Poughkeepsie Lightning,
9 East Fishkill Patriots, Danbury Hatters, and
10 many other teams from our area. We travel
11 hundreds of miles to play these teams that live
12 within a few miles of our hometowns. We spend
13 thousands of dollars on the weekends. We stay
14 in their hotels. We eat in their restaurants,
15 and sometimes we're showing up with 30 to 40
16 people to eat there. It would be incredible, a
17 few times out of the year, we could be the
18 local team that commutes to the facility and
19 host those families at our local restaurants so
20 they can shop in our stores and spend their
21 money here. Brewster Yards would attract those
22 teams and families and countless other people
23 from the Northeast. Coach Gray knows what's
24 out there. And he knows what all these other
25 facilities offer. But he also knows where they

1 PRO SWING / BREWSTER YARDS

2 fall short. I'm confident that the right
3 decision will be made, and I'm excited for the
4 approval and completion of the project. My
5 family and I support the project 100 percent,
6 and we take the -- can't wait to take the
7 field. Thank you.

8 MR. LAPERCH: Thank you for your comments.
9 Well said. Thank you.

10 Good evening.

11 ELLEN: Hello.

12 MR. LAPERCH: There you go.

13 ELLEN: I'm also short.

14 MR. LAPERCH: That's all right. Your
15 name.

16 ELLEN: How do you do? My name is Ellen
17 Yass [ph.]. I live at 933 Drewville Road.
18 And --

19 MR. LAPERCH: What town is that?

20 ELLEN: Southeast, Drewville Road.

21 MR. LAPERCH: Drewville.

22 ELLEN: Right opposite Middle Branch
23 Reservoir.

24 MR. LAPERCH: Okay. Welcome. Your
25 comment, please.

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2 ELLEN: Nobody has mentioned the truck
3 depo that is going to be on Pugsley Road and
4 the ensuing traffic from this truck depot.
5 They've done traffic studies, but I hear nobody
6 mention that. I also -- I have everybody -- a
7 lot of these questions have already been
8 addressed about the traffic and the parking.
9 Sanitation is a big issue. Who is going to
10 collect all the garbage and the re-cycling and
11 everything else that is going to be generated
12 by lots of people?

13 The other thing is we live in a watershed.
14 We live in a fragile conservation area. I'm
15 not for something this big. I think it build
16 it, and they will not come, and -- which leads
17 me to the golf bubble on Route 22 which is
18 closed and the hockey ring which was supposed
19 to attract and keep a farm team which it did
20 not do. So is this the third strike and you're
21 out with another sort of questionably
22 considered sports facility? I'd rather see a
23 pool. I'd rather see a community pool rather
24 than nine sports fields. I'd rather see other
25 sports. I'd rather see something for the under

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2 21-year-olds. There are lots of reasons
3 baseball is failing here. Night games is one
4 of them to attract children, but I won't go
5 there. But as I said, three strikes, you may
6 be out with this. Thank you.

7 MR. LAPERCH: Thank you so much for your
8 comments.

9 Good evening. Your name, sir.

10 DR. HOROWITZ: Good evening, everyone.
11 I'm Dr. Steve Horowitz, and I want to apologize
12 if this becomes a little bit more one way
13 communication than I would prefer, having
14 hearing aids on order, and they haven't quite
15 yet arrived.

16 MR. LAPERCH: It's fine. Where are you
17 from, sir? Your address?

18 DR. HOROWITZ: Something is brewing in
19 Brewster --

20 MR. O'ROURKE: Sir, where do you live?
21 Your address? Your address? Where do you
22 live?

23 DR. HOROWITZ: Oh, I currently live with
24 my wife, in lower Bridgeport, Connecticut in a
25 little community called "Black Rock." And --

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1 PRO SWING / BREWSTER YARDS

2 but I had spent five, six, seven years living
3 in the town of Pleasantville. Where I came to
4 know --

5 MR. LAPERCH: Okay. Welcome. Your
6 comment, sir. Your comment, sir.

7 DR. HOROWITZ: Okay. Thank you.

8 MR. LAPERCH: Thank you.

9 DR. HOROWITZ: Well, something is brewing
10 in Brewster. And it may very well add to the
11 value of this exquisite proposal for a sports
12 complex known as "Brewster Yards." I am Steve
13 Horowitz. And I'm the owner of the marketing
14 and public relations company called "New
15 Freedom Communications." And it is my pleasure
16 to add my voice to those who have or will speak
17 on behalf of the proposed facility complex here
18 in Brewster. Having worked with Dan Gray on
19 numerous occasions, and on many levels, many
20 related to the marketing of his highly
21 successful ProSwing baseball training center in
22 Mount Kisco, I've come to recognize Dan, not
23 only as a man of impeccable baseball
24 credentials, but more importantly as a leader
25 who has spent a lifetime building character in

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2 each and every young person who had the good
3 fortune to come under his guidance. I've had
4 the opportunity to sit with Dan and his team,
5 who are planning for the Brewster Yard sports
6 facility complex. And I've come to know and
7 respect the extraordinarily professionalism,
8 expertise, and tireless effort by these
9 dedicated individuals in their vision to build
10 a model facility that embraces all of the
11 values that they have cultivated in young
12 people and the Brewster community can be
13 enthusiastically supportive of.

14 Among the many benefits that come to the
15 community of Brewster, I would like to
16 emphasize the opportunities for Brewster's
17 young men and women to be involved in a host of
18 possibilities that come with this project,
19 including areas such as marketing,
20 entertainment, broadcasting, coaching, event
21 planning, and working with the media to promote
22 not only the sports facility, but Brewster as a
23 whole. These types of positions offer not only
24 immediate work experience but skills and
25 character-building qualities so highly sought

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2 after by colleges, universities, government
3 organizations, and businesses. The benefits of
4 this internship-type program will produce
5 students who are confident and ready to succeed
6 in higher education or directly in the world of
7 work that awaits them. Again, I'm very proud
8 to add my voice to the many heard on behalf of
9 this visionary and inspiring project that will
10 undoubtedly speak volumes of the commitment of
11 Brewster to the community, its residents, and
12 in particular, its young people. This project
13 will serve not only as a model for the rest of
14 the New York metropolitan area but a
15 demonstration of vision and leadership for the
16 rest of the nation as well. And thank you, and
17 good evening again.

18 MR. LAPERCH: Thank you. Very passionate.
19 Thank you very much.

20 Good evening.

21 MS. PRIMIANO: Good evening. Good
22 evening, everyone. My name is Allaire
23 Primiano. I currently live at 209 Wirth Avenue
24 in Sleepy Hollow. So I came up this evening,
25 most importantly to support Dan and the

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2 fantastic initiative that's taking place in
3 this area. So I, for one, am an individual
4 that was impacted by not only Dan's expertise
5 in the field and his impact on youth, but the
6 -- but the professionalism that his staff
7 exhibits as well. So I've been a ProSwing
8 athlete from the age of ten, and I have worked
9 my way up to now being an athletic director.
10 So I now understand the importance of the
11 impact on the youth that this facility can have
12 most importantly with traveling and the various
13 areas that I, myself as a student athlete and
14 my parents had to travel multiple areas within
15 the tristate area, across the country, down
16 south to just make sure that I was receiving
17 the experience that we very well could be
18 experiencing now in Brewster and Southeast.

19 I again, now, am an athletic director. I,
20 for one, see facilities multiple times
21 throughout the year in order to provide an
22 experience for our student athletes, again,
23 impacting them in several ways, inviting at
24 various conferences, and as Dan alluded to,
25 perhaps even conference play at the college

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2 level. Just making sure that we are providing
3 experience from the youth and throughout, you
4 know, their development as young individuals.
5 So again, fully support this. I cannot express
6 enough of the impact that it will have
7 throughout, of course, the youth but until, you
8 know, teens, college student athletes. And
9 can't let alone express the importance of the
10 impact of really just those that can contribute
11 to impacting the professionalism and the work
12 experience.

13 MR. LAPERCH: Where are you the AD?

14 MS. PRIMIANO: So I was recently the
15 director of athletics, built the program up
16 from the ground up from -- at Monroe College
17 Bronx. And I am now the associate director of
18 athletics and the senior woman administrator at
19 Nassau Community College.

20 MR. LAPERCH: Congratulations.

21 MS. PRIMIANO: Thank you.

22 MR. LAPERCH: Well said. Thank you for
23 coming tonight.

24 Good evening, my old friend.

25 MR. KENNY: Good evening. My name is

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2 David Kenny. I'm an attorney with Snyder &
3 Snyder, here to represent the interests of
4 Hunters Glen Masters Association. As the board
5 knows, Hunters Glen is a homeowners association
6 of over 1100 residents. Their properties are
7 located just behind the Northeast Logistics
8 Center. I was pleased to hear that the
9 Northeast Logistics Center's traffic impacts
10 were included in the traffic studies done by
11 the applicant. We just wanted to highlight
12 that we think that there is some unique impacts
13 presented by both projects because there's
14 going to be a significant increase in
15 commercial vehicles, not just passenger
16 vehicles with the trucks that will be coming to
17 the Northeast Logistics Center, and obviously,
18 the buses that will be used to transport teams
19 to the project. I think that increases or
20 magnifies the impacts of traffic for those that
21 transfers the corridor. They should be
22 properly studied to ensure that there's proper
23 mitigation.

24 It was unclear, I heard, that one of the
25 reasons why they think the impacts won't be

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1 PRO SWING / BREWSTER YARDS

2 exacerbated is that they're going to be **11-24**
3 off-hours projects. I'm not sure how that's
4 going to work as Northeast Logistic Center does
5 operate 24 hours. It will have -- it has
6 trucks that go from 6 to 11, but actually, the
7 employees, it's a 24-hour operation. And then
8 -- so we wanted to make sure that even if the
9 games go to 10 p.m. and trucks to 11 p.m.,
10 there is a likelihood that both projects will
11 be creating traffic impacts in this corridor.
12 I just wanted to make sure that the cumulative **17-1**
13 impacts across the board are studied. For
14 instance, light impacts, the impacts from the
15 Northeast Logistics Center are taken into
16 account as well as the noise impacts. We
17 believe that both projects should be studied as
18 part of the cumulative impacts to ensure
19 there's proper mitigation.

20 MR. LAPERCH: Good questions. Nice to see
21 you again. Thank you for your comments.

22 Good evening, Alicia.

23 MS. RUSSO: Hi, how are you.

24 MR. LAPERCH: Welcome. Name for the
25 record, please.

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2 MS. RUSSO: Alyssa [ph.] Russo. I'm at
3 102 Fields Corner Road --

4 MR. LAPERCH: Put the mic down. Alycia,
5 put the mic down so we can hear you better.

6 MS. RUSSO: Alyssa Russo, 102 Fields
7 Corner Road, Patterson, New York. I'm right
8 next to the project. And as I've indicated to
9 Dan, listen, I may not like the project because
10 of the direct impact, but I recognize I'm
11 probably going to have to live with it. But I
12 would like the courtesy, as Dan brought up,
13 good relationships, interaction, teaching
14 people to be good neighbors, nowhere here do I
15 really see my property referenced. I think
16 even two meetings ago when we were allowed to
17 speak, I asked that we -- they were talking
18 about doing an overview. I think Lynne asked
19 for it, and I asked please include my property.
20 Not included. I'm being told it's going to be
21 300 feet from my property. I hear Tilly Foster
22 now more than ever with all the trees down. So
23 I would like a barrier, set of trees, whatever
24 you would like, between the fields, the
25 baseball, right in between. I don't need to

1-14

1 PRO SWING / BREWSTER YARDS

2 hear 1,000 cheerleaders and audience. You **1-14**
3 know, the hours of operations -- you say the
4 last game is going to be at 8:00. Well, that
5 could go until 10:30, 11:00. There are
6 residents in the area that get up 3:30, 4:00 in
7 the morning that are operating heavy
8 18-wheelers and could put people's lives at
9 risk because they are unable to sleep. So, you
10 know, a barrier or something to prevent that
11 with the lights.

12 And the other thing, you mentioned -- and
13 I apologize I didn't see turtles referenced in
14 the DEIS. But there are three species of **7-8**
15 concern. Because I've had to take care of
16 them, move them out of the way wherever there
17 was work done. The eastern box turtle, and I
18 have pictures of all these and video, spotted
19 turtle, and the wood turtle. So there are
20 species of special concern. I just don't know
21 what happens with them. The traffic study,
22 again, wonderful, talked about what the 312 **11-25**
23 over on that area, nothing about Fair Street,
24 nothing about 311, because that's where the
25 traffic's going to be pushed. Lynne, I know

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2 you don't want that road closed, but are you
3 aware there's been three drunk driving
4 accidents, cars passing one another, my husband
5 being one of them. A car flipped, and they had
6 to call people in. They tried to find the guy,
7 weren't able. Point being, Fields Corner is
8 only 11 feet wide. Two cars cannot safely
9 pass, and the way they fly down there is
10 unacceptable. Since this has been going on,
11 kids have now taken advantage of going to the
12 other end to a point where you hear them, and
13 they're racing because now you've created
14 trails, ProSwing, by the way, where you have
15 minibikes going through there. And I hear
16 them. And I make my phone calls. I just want
17 this to be happy for all. I mean, you have
18 people traveling say, oh, this is a great
19 thing. It's a great thing. It is a great
20 thing when it's not in your neighborhood. This
21 was supposed to be on Star Ridge. There was an
22 issue On Star Ridge. People didn't want the
23 traffic there. It moved. I also want my well
24 preserved. I want testing to make sure that my
25 well is not going to be compromised. I know

11-26

9-5

1 PRO SWING / BREWSTER YARDS

2 there was a gentleman that was with ProSwing
3 that said they would put monitors in the well.
4 I think these are all reasonable asks. I think
5 the road needs to be closed. It's closed now,
6 and you still have issues going on.

7 MR. LAPERCH: All right. Thank you for
8 the comments. And by the way, it was never
9 proposed for Star Ridge.

10 MS. RUSSO: He bought the property then.
11 Why would he buy the property?

12 MR. LAPERCH: There was never an
13 application for Star Ridge.

14 MS. RUSSO: Oh, but he bought the
15 property; right?

16 MR. LAPERCH: That's a legal issue that
17 I'm not going there.

18 MS. RUSSO: Right. But I'm saying --

19 MR. LAPERCH: The application was never
20 considered for Star Ridge just for the record.

21 MS. RUSSO: Okay. Then I --

22 MR. LAPERCH: The other questions are
23 noted, and I thank you. And we will continue
24 the conversation. Thank you.

25 MS. RUSSO: Okay. Okay.

9-5

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2 MR. LAPERCH: Gentleman -- my other
3 gentleman, welcome. What do you got for us?
4 Your name, please.

5 ALEX: Hello. Hello, my name is Alex
6 Simeo [ph.]. I live at 54 Brownick [ph.] Road
7 in Katonah, New York.

8 MR. LAPERCH: Welcome.

9 ALEX: Thank you for having me. And
10 today, I just wanted to speak -- ever since
11 before I could walk, I was introduced to the
12 game of baseball at a very young age. I met
13 Dan Gray when I was probably four or five years
14 old. He's kind of showed me the way through
15 the game, not only making me become a better
16 player but a better person in life. And I have
17 him to thank a lot for me playing sports in
18 college currently. And growing up, I loved to
19 play the game, and tournaments were the
20 greatest thing ever. But driving to Yaphank to
21 go to Baseball Heaven or some who now call it
22 now Baseball Hell, unfortunately, it's brutal.
23 It's really hard. First off, the facility is
24 dirty, and it's not very well taken care of.
25 And people -- parents don't want to drive far

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2 way. I don't blame them. I never had to drive
3 that far yet. I just started driving. I'm
4 only 19. And of course, I don't have kids.

5 So I really enjoyed the tournament aspect.
6 And having a local state-of-the art facility
7 that would be run spectacularly especially by
8 people I've grown up around and known my whole
9 entire life, that helped me become the person I
10 am today, would not only help families around.
11 But I think everything about the community,
12 town of Southeast will just increase. And
13 Brewster, I mean, the place is spectacular. It
14 looks fantastic. And it will be run
15 fantastically. I know every single issue will
16 be addressed to its best occasion. I know
17 everybody here. They've always helped me in my
18 life. Any issues we've all faced, we faced it
19 together. I trust every one of these people
20 with my life, of course. But this
21 state-of-the-art facility will bring a lot of
22 people together, not only just increase the
23 game of baseball but sports in general. I know
24 there's a lot of baseball fields, but there's a
25 multi-purpose field. There's an indoor

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2 facility for people to work at. There's a
3 facility for kids to train at, which will not
4 only just -- you know, I mean they can help
5 them go anywhere in life. Sports are a great
6 thing for kids. I'm not saying you have to
7 play sports. But I've made lifelong friends
8 that I'll never forget even after college. I
9 mean, I can't thank sports enough for
10 everything it's helped me with. This is
11 awesome. Everything about this is great. I
12 really think that having this facility around
13 will make parents' lives easier, everybody's
14 lives easier. And I truly believe that every
15 single issue will be addressed. And --

16 MR. LAPERCH: Let me shut you off here.
17 You sound passionate. And you're a very
18 well-spoken young man, and we love it. And you
19 will be for the project; correct?

20 ALEX: Yes, sir. Yes. So sorry -- my
21 final thing, though. I know kind of some
22 sports projects have been not truly successful
23 around here. But I do truly believe that this
24 project will not be strike three and instead it
25 will be a grand slam.

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2 MR. LAPERCH: Well said. Thank you for
3 your comments, sir.

4 All right. Next.

5 MR. ZASLAW: Hi. Thank you for the
6 opportunity to speak.

7 MR. LAPERCH: Your name, sir.

8 MR. ZASLAW: My name is David Zaslav. I
9 live in Yorktown, New York.

10 MR. LAPERCH: Welcome.

11 MR. ZASLAW: Thank you.

12 I had the opportunity to work with the
13 group here. I run the Greater Hudson Valley
14 Baseball League. We have been running baseball
15 for the youth and youth travel baseball for the
16 past 23 seasons, starting nine years ago. When
17 I talked to -- I sent a quick note out to some
18 of my constituents about tonight's meeting and
19 that we were going to talk about baseball. We
20 have a number of folks that came out tonight
21 from Patterson, from Brewster, from Mahopac,
22 from Ossining, from Beekman, you've heard from
23 Katonah and Bedford Hills and Yorktown. We are
24 -- couldn't be more excited. I think that --
25 to kind of gave you perspective and really

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2 piece of mind. I've already committed to
3 essentially moving our operations in the
4 Greater Hudson Valley Baseball League where we
5 have essentially between 5 and 600 teams in the
6 spring, 600 teams here in the summer, and
7 another 5 to 600 teams in the -- in the fall.
8 They play at fields, 400 fields all over the
9 area from Connecticut to Rockland County up to
10 Ulster and Orange and down in lower
11 Westchester. This is essentially in the
12 middle. We just -- I just got back -- I'm a
13 little tired, exhausted from two days of our
14 championship weekend, 80 teams, 40 brackets,
15 all playing at Danbury, Connecticut at Rogers
16 Park. We had Friday, unfortunately, we were
17 washed out because there was 20 minutes of rain
18 in their clay fields. And 20 minutes of rain
19 unfortunately wipes out a night.

20 MR. LAPERCH: Can I cut to the chase here.

21 MR. ZASLAW: Certainly.

22 MR. LAPERCH: I see great things here. I
23 hear a lot of people in support of it. And I
24 -- the meeting is starting to get long.

25 MR. ZASLAW: Yes.

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2 MR. LAPERCH: And I appreciate all the
3 positive comments.

4 MR. ZASLAW: Sure.

5 MR. LAPERCH: So unless there's something
6 new that we're going to hear from the next
7 couple people about the actual draft
8 environmental impact statement, this has been a
9 great session hearing, how great --

10 MR. ZASLAW: Yup.

11 MR. LAPERCH: -- it is for the community.
12 And we appreciate your support, and you guys
13 out of town, this is very good. But I got to
14 get real questions here --

15 MR. ZASLAW: Totally understand.

16 MR. LAPERCH: Okay. So I thank you for
17 your time --

18 MR. ZASLAW: Can I just say --

19 MR. LAPERCH: Sure.

20 MR. ZASLAW: -- again, I asked for
21 comments from coaches. What I'll just say, I
22 will not read it. I will forward it you for
23 the record.

24 MR. LAPERCH: Thank you.

25 MR. ZASLAW: But I have a coach that's

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2 been in our league from Patterson baseball that
3 is in unbelievable support of the project. I
4 have the Carmel High School baseball coach,
5 Ryan Doll [ph.] --

6 MR. LAPERCH: Please make it part of the
7 record.

8 MR. ZASLAW: Absolutely.

9 And the last one from Cortlandt, Mike
10 Vaccaro, who runs Cortlandt Baseball. They
11 can't wait to see it happen. So thank you.

12 MR. LAPERCH: Thank you for your positive
13 comment.

14 MR. ZASLAW: Appreciate it.

15 MR. LAPERCH: Once again, I'm just going
16 to limit the comments to questions regarding
17 the DEIS and not about the program. We've
18 heard it before. And it sounds very positive.
19 So I got to keep this meeting moving out of
20 respect for everybody else.

21 So your name for the record, please.

22 MS. RABINOWITZ: Rebecca Rabinowitz, Ice
23 Pond Road, Brewster.

24 MR. LAPERCH: Put your mic down there. So
25 we can hear better. So you can talk. Thank

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2 you.

3 MS. RABINOWITZ: Do you hear me better?

4 MR. LAPERCH: Absolutely. Thank you.

5 MS. RABINOWITZ: I don't love baseball. I
6 like baseball. It's okay. I do like kayaking
7 and riding bikes and the Empire trail and all
8 the beautiful things that we already have that
9 don't require any development. It's perfect
10 the way it is. And I think we should really
11 focus on what we have here that benefits us,
12 the residents here. I pay a lot of taxes,
13 property taxes. I have two properties on Ice
14 Pond Road in Southeast on Brewster. And I just
15 want to know if this project is going to lower
16 my property taxes?

17 MR. LAPERCH: That's not answered tonight.
18 Once again, it's a comment for the record.

19 MS. RABINOWITZ: But also just the impact
20 of what it's like to live here. I live on Ice
21 Pond Road, and I can hear Unilock working the
22 machinery at night from Ice Pond Road. I hear
23 the high school playing games. I hear
24 cheering, and I like that. But it's a question
25 of how much, how consistent, how nonstop, and

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2 how it's going to affect me and my life here as
3 I drive the roads and live my life.

4 MR. LAPERCH: Great questions. Thank you
5 for your comments.

6 Next. Double team, group efforts.

7 MR. MAZZOTTA: Alex Mazzotta.

8 MR. ANDERSON: My name is Richie Anderson.

9 MR. LAPERCH: Welcome.

10 MR. ANDERSON: 63 Ice Pond Road in
11 Brewster, and president of Brewster Little
12 League, and cofounder of the Brewster baseball
13 program. Alex is an executive board member
14 also.

15 MR. LAPERCH: Okay.

16 MR. MAZZOTTA: So I know you mentioned we
17 were dealing with DEIS questions at this point.
18 But this may be applicable or not --

19 MR. LAPERCH: Sure. What you got?

20 MR. MAZZOTTA: We certainly would love to
21 discuss the potential of, you know, Brewster
22 Little League hopefully being able to utilize
23 these fields during our spring seasons.
24 Certainly, you know, obviously, we know the
25 weekends are going to be their prime time for

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2 their tournaments. But maybe there's going to
3 be some off-season, you know, off-days earlier
4 in the week where we love to engage them and
5 see if we could utilize the fields locally here
6 during our season. So --

7 MR. LAPERCH: You have two board members
8 who've been advocating that since day one. So
9 I think that's on the record, and that's
10 something that hopefully they will consider.
11 But I couldn't agree more with you. Thank you
12 for your service in running the leagues.

13 MR. ANDERSON: Thank you.

14 MR. LAPERCH: Thank you for coming
15 tonight. Next, please. Oh, I'm sorry.

16 MR. ANDERSON: Do you mind just two
17 seconds? I don't want to kick a dead horse. I
18 could stand up here and tell you all the great
19 things about Dan Gray and his partners and how
20 he wrote the book on the youth baseball, and
21 how he was the right man for development and
22 all that.

23 But I will speak to, real quick, just to
24 the comment that baseball is failing in
25 Brewster. Actually, baseball is thriving here

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2 in Brewster. So I think it's relevant that I
3 think there is a need for this. When I became
4 the president of Brewster Little League, one of
5 the things that we noticed was travel baseball
6 had died. There was no travel baseball. We
7 stopped playing in the winter tournament.
8 That's where we put Brewster Crush together,
9 and we put a travel program now which is the
10 arm of Brewster baseball travel program. We
11 service nine teams now. We have an 8-U, a 9-U,
12 two 9-Us, a 10-U, an 11-U, two 13-Us and two
13 15-Us. And we are trying to work those teams
14 from high school to eight years old. The
15 problem we're running into now with nine teams
16 is training facilities. We don't have the
17 space. We have a local businessman and local
18 resident, Gerard Galella, who started Brewster
19 Baseball Garage. I could tell you this is not
20 going to affect his business. He's full.
21 There's no room there. I have ten-year-olds at
22 Caramel last year. The only time slot we can
23 give ten-year-old kids was Friday night from 9
24 to 10.

25 MR. LAPERCH: So you're in favor of it?

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2 MR. ANDERSON: Absolutely. And there is a
3 need. Yeah. So --

4 MR. LAPERCH: Thank you very much for your
5 comments.

6 MR. ANDERSON: For what it's worth.

7 MR. LAPERCH: And thank you again for
8 running the league for the town.

9 Good evening.

10 MS. JOYNER: Hello, I guess I'm one of the
11 few people from Brewster. Everybody seems to
12 be from everywhere else.

13 MR. LAPERCH: It's 50/50 right now. It's
14 50/50.

15 MS. JOYNER: 606 --

16 MR. LAPERCH: Well, welcome. Your name
17 for the record, please.

18 MS. JOYNER: Elaine Joyner. 606 Somerset
19 Road --

20 MR. LAPERCH: Welcome. Thank you.

21 MS. JOYNER: -- in Brewster.

22 My concern is the traffic. As I look, is
23 Pugsley Road the only way in and out? That, to
24 me, is a big concern with the number of people
25 we're talking about with buses and whatever.

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2 And I travel 312 to get various places. And
3 the traffic at times is bad. And so I don't
4 know if there is a plan to do something but
5 Pugsley Road to 312 is going to be a big
6 concern if that's the only entrance and exit.

7 MR. LAPERCH: Fair question. Thank you so
8 much.

9 Good evening, sir, your name for the
10 record, sir.

11 MR. CURRY: Jim Curry. I'm from Ossining,
12 New York, not from Brewster.

13 MR. LAPERCH: All right.

14 MR. CURRY: 2016 district champions,
15 sectional champions, and state champions for
16 New York. 2017 same, regional finalist.

17 MR. LAPERCH: We love that. Did you have
18 a DEIS question?

19 MR. CURRY: I have a DEIS -- I have a
20 statement about the importance of having
21 facility like this and having access for
22 players to play. Okay. Without them, you will
23 not be able to have a field of dreams ever.
24 And you will never have an opportunity. Right
25 now, my son plays for the Texas Rangers in the

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2 minor leagues because the town invested in
3 facilities in Ossining for us to play little
4 league. From that team, seven of those players
5 played Division 1 baseball, six of which would
6 have never gone to college. So if you don't
7 build, if you think you are not going to build
8 because they're not going to come, they're not
9 going to come. If you don't build it, their
10 dreams will never come.

11 MR. LAPERCH: Congratulations on your son.
12 Thank you for your comments. All right. I
13 believe this is the last comment. Mr. Bell,
14 name for the record, sir.

15 MR. BELL: Peter Bell, 23 River Road. The
16 comment that I have is we were just down in
17 Maryland at Cal Ripken Stadium a month ago.
18 And the traffic was practically nil because
19 there was so many games going on at so many
20 times. They all changed different times going
21 in and different times going out. But that's
22 not really my question.

23 My question is, we will need hotels when
24 this gets erected because there are hotels all
25 around Ripken Stadium based on all of the

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2 summer leagues that come in. And I think that
3 maybe that's something you should or shouldn't
4 be addressed in the DEIS.

5 MR. LAPERCH: It's how -- yes, lodging.

6 MR. BELL: Yes.

7 MR. LAPERCH: Lodging. Fair comment.

8 Thank you.

9 Okay. Any other further comment here?

10 Okay. All right. Great comments and great
11 endorsements for the program, which I
12 appreciate the passion in this room. But
13 there's still a lot of work to be done. I saw
14 the applicant taking lots of notes. And they
15 have a job to do to get back to us. So Ashley,
16 at this point, I see my cheat sheet says a
17 couple things going to do right now; right?
18 The first one is I like to make a motion to
19 close tonight's public hearing on DEIS with a
20 written comment period until 8/26/22. So that
21 is a couple weeks from now; right?

22 MS. LEY: Yes.

23 MR. LAPERCH: Okay. So you still have an
24 opportunity, and this is public information.
25 This gentleman is taking all the notes down

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2 here. Anybody didn't make the meeting still
3 have an opportunity to give us comments about
4 this project. So I would like to make that
5 motion. Do I have a second, please?

6 MR. KING: Second.

7 MR. LAPERCH: Second by Mr. King. All in
8 favor?

9
10 (A chorus of "ayes.")

11
12 MR. LAPERCH: All right. That passes.

13 All right. The next motion is to continue
14 the public hearing for the site plan, the
15 wetland permit, and the subdivision until
16 November 14th. Now, before I make that motion,
17 Ashley, what does that mean for the board and
18 public what I did just say?

19 MS. LEY: All right. So the public
20 hearing tonight was on the DEIS site plan, the
21 wetland permit, and the subdivision
22 application. The DEIS that means that public
23 hearing needs to close so the applicant can go
24 back and prepare the preliminarily final
25 environmental impact statement which we which

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2 discussed earlier. Once that whole SEQRA
3 process is done, there's still an opportunity
4 for the planning board to comment on the site
5 plan and the wetland permit and the subdivision
6 application, and they need to take action on
7 those items. We are going to hold those public
8 hearings open because what usually happens
9 between the DEIS and FEIS is that there are
10 some changes to the project in response to
11 public comments. There might be some fields
12 that have shifted. There might be some
13 lighting changes, whatever the case may be.
14 Those changes will be presented in the FEIS,
15 and we'll keep the public hearing open so that
16 when those changes have been presented and the
17 findings are done, and the SEQRA is done,
18 you'll have another opportunity to comment
19 before the planning board ultimately votes on
20 the application. We are picking a random date,
21 not completely random, but we're picking a date
22 in November because --

23 MR. LAPERCH: In the future.

24 MS. LEY: -- in the future because we are
25 anticipating that it will take a few months for

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2 the applicant to actually draft the FEIS. What
3 will happen in November, it will really depend
4 on how quickly the applicant can turn the
5 document around. If we haven't seen the
6 document yet at that meeting in November, the
7 board will simply just continue it to another
8 date in the future.

9 MS. DESIDERO: Also to point out that if
10 it's going to just be continued to another date
11 in the future, we usually know that in advance.

12 MS. LEY: Yes.

13 MS. DESIDERO: And it would be on the
14 agenda stating that. So you don't have to come
15 here just to hear that.

16 MR. LAPERCH: Right. Thank you. Great
17 job.

18 I'm going to make that motion, but I'll
19 give the public some information on the
20 Logistics Center so you can understand the
21 whole totality of what's going on there. So
22 I'd like to make a motion to continue the
23 public hearing for the site plan, wetland
24 permit, and subdivision until November 14,
25 2022. I will make that motion. Do I have a

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2 second?

3 MR. HECHT: Second.

4 MR. LAPERCH: Second by Mr. Hecht. All in
5 favor.6
7 (A chorus of "ayes.")8
9 MR. LAPERCH: So I received a call from
10 Matt Geanetta [ph.], the head of the DEP
11 region. And he said he signed off finally on
12 the SWPP, which is a stormwater prevention plan
13 for the Logistics Center that's been sitting
14 there for months. And so you will probably see
15 activity -- site activity to start moving some
16 dirt on that project in the next 30 days.
17 Okay. That has nothing to do with this
18 project. It has to do with logistics. So
19 don't go hearing rumors that we approved this.
20 That's just Logistics Center finally got their
21 approval from DEP. Because in major project,
22 we do approvals condition on outside agencies.
23 And this DEP just finished up their review.
24 We're still waiting on DOT which will
25 then, for the purpose of the public to

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2 understand, the DOT is approving four lanes
3 coming out of Pugsley, going up to 84. There's
4 going to be a light there. There's going to be
5 three lanes going in. That is all about
6 logistics. It has nothing to do with this
7 application. All right? So don't think that
8 this thing is being approved. Okay. Because
9 there's all of a sudden activity, they go, oh,
10 it's done. Not even close. So we need to
11 clear the area to make sure everybody knows
12 what's going on here so there's -- the rumor
13 mill doesn't start here. Okay. So once again,
14 everything is going to be up on the website,
15 but I gave you fresh information about what to
16 expect over the next 30 days on the Pugsley
17 Road because the DEP signed off on allowing
18 them to do the SWPP. Watson's nodding his
19 head. He knows the journey. It's a long
20 journey, and they finally got it. Mr.
21 O'Rourke, any final comments about tonight?

22 MR. O'ROURKE: Very brief. As a resident
23 of the town of Southeast for 40 years and had a
24 daughter who played on the Brewster Rockets and
25 had teammates that got scholarships based on

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2 their softball prowess, something like this, so
3 you don't have to travel like I did to Easton,
4 Pennsylvania, or other places to play. It does
5 improve the quality of life of the residents
6 and parents. Thank you.

7 MR. LAPERCH: All right. We're done. I'm
8 going to give the room to clear, two minutes.
9 We have other applicants that are basically
10 waiting to move on. So please, any questions
11 or anything, chatter, take it outside.

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15 (Time noted: 8:36 p.m.)
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C E R T I F I C A T E

I, Douglas F. Colavito, RPR, a Certified Court Reporter and Notary Public of the State of New York, do hereby certify that the transcript of the foregoing proceedings, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

Douglas F. Colavito

DOUGLAS F. COLAVITO, RPR



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Appendix D
WRITTEN COMMENTS RECEIVED ON THE DEIS

**Index of Written Comments Received on the DEIS
Brewster Yards**

Letter #	Author	Date
1	United States Department of the Interior, Fish & Wildlife Service (Form letter)	June 28, 2022
2	Snyder & Snyder, LLP on behalf of Hunter's Glen Condominium Association (David J. Kenny)	July 13, 2022
3	AKRF Inc.	August 5, 2022
4	Donald W. Lake, Jr. PE, CPESC, CPSWQ on behalf of the Office of New York City Watershed Inspector General	August 10, 2022
5	Town of Patterson (Richard Williams, Sr., Supervisor)	August 4, 2022
6	Brewster Fire Department Target Hazard Planning Group	August 24, 2022
7	James A. King (Member, Southeast Planning Board)	August 9, 2022
8	Ellen Yass & Peter Simon	August 25, 2022
9	Juergen Tempel	August 26, 2022
10	Town of Southeast Highway Department (Michael Burdick, Highway Superintendent)	September 1, 2022
11	Ryan Dall	August 8, 2022
12	Dr. Alex Gialanella	August 8, 2022
13	Mike Vaccaro	August 8, 2022
14	Greater Hudson Valley Baseball League (Dave Zaslav, Founder)	August 11, 2022
15	Colliers Engineering & Design (Philip Grealy, PhD, PE)	September 9, 2022
16	Brewster Fire Department Target Hazard Planning Group	August 29, 2022
17	New York City Department of Environmental Protection (Cynthia Garcia)	August 10, 2022



United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, New York 13045



Project Number: None provided Date: 6/28/22
 To: Victoria Desidero
 Project Name: ProSwing-Pugsley (Brewster Yards)
 Town/County: Town of Southeast, Putnam County

We have received your request for information regarding occurrences of federally listed threatened and endangered species within the vicinity of the above-referenced project/property. Please see the check box below that pertains to this project regarding next steps to take in order for your project to be reviewed by the U.S. Fish and Wildlife Service's (Service) New York Field Office (NYFO).

An official species list was not requested through IPaC.

Next steps to take: Please log into the IPaC website at [IPaC: Home \(fws.gov\)](http://IPaC: Home (fws.gov)) to obtain an official species list for the above-mentioned project. The NYFO cannot accept species lists that indicate they are "Not for Consultation." ***Project submittals will not be reviewed until official species list requests are obtained and the project is resubmitted.***

Insufficient project information was provided to complete our review.

Next steps to take: Please go to the NYFO Project Review website at <https://www.fws.gov/office/new-york-ecological-services-field/new-york-project-reviews> and follow the instructions to complete our 7-Step process before submitting a project for our review. To ensure that all pertinent project information has been submitted for Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) review, please use the Project Review Submittal Checklist found here: <https://www.fws.gov/media/project-submittal-checklist>. ***Project submittals will not be reviewed until all pertinent project information has been submitted.***

*If you do not have access to online resources, please coordinate with the NYFO for assistance at 607-753-9334.

**It is preferred that all project reviews be submitted via email at fw5es_nyfo@fws.gov. If you cannot submit documents electronically, please mail them to the NYFO at the address at the top of this page.

As a reminder, sections 9 and 4(d) of the ESA establish protections for endangered and threatened species, respectively. For any federally listed threatened species in New York, contact this office. Additionally, section 7(a)(2) of the ESA, requires **Federal agencies**, in consultation with the Service, to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of designated critical habitat.

For **non-federal projects**, those not authorized, funded, or carried out by a Federal agency, we provide technical assistance to individuals and other non-federal entities to assist with project planning to avoid the potential for “take”¹ or when appropriate, to provide assistance with their application for an incidental take permit pursuant to section 10(a)(1)(B) of the ESA.

To avoid potentially impacting listed species or causing unauthorized impacts, we encourage project sponsors to ensure all requirements of the ESA have been fulfilled prior to finalizing project plans. If you have any questions or require further assistance regarding threatened and endangered species, please contact the NYFO Endangered Species Program at 607-753-9334. Please refer to the above Project Number (if provided) or the Project Name in any future correspondence.

¹ Take is defined in section 3 of the ESA as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct.

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REPLY TO:

Tarrytown office

July 13, 2022

Honorable Chairman Thomas LaPerch
and Members of the Planning Board
Town of Southeast
1 Main Street
Brewster, New York 10509

RE: Comments on Brewster Yards (a/k/a Proswing) project by
Hunter's Glen Master Association

Dear Hon. Chairman LaPerch and
Members of the Planning Board:

We are the attorneys for Hunter's Glen Master Association ("Hunter's Glen") and write to provide comments on the latest proposal and SEQRA review being conducted in connection with the above captioned matter.

As you are aware Hunter's Glen is a condominium community with 382 homes and approximately **1100 residents** of the Town of Southeast. Hunter's Glen is in close proximity to the proposed development and, as such, Hunter's Glen has a significant interest in the thorough review of the proposed development, and respectfully requests to be named as an interested agency in connection with the SEQRA review for the Brewster Yards project.

1-1

Hunter's Glen is particularly interested in the efforts being taken to mitigate the significant traffic impacts that are expected to result from the proposed development. We also respectfully request that the Planning Board take into consideration the cumulative effects of the impacts that will result from both the Brewster Yards project and the Lincoln Logistics project, which was just recently approved. Both projects will result in a significant increase in traffic in this area of the Town particularly with both projects utilizing Fields Corner Road and Pugsley Road for access. Hunter's Glen is also concerned with the noise and light pollution that will be generated by such a large project and again respectfully submits that the cumulative impacts from both the Brewster Yards and Lincoln Logistics projects must be studied and properly mitigated so as to prevent significant impacts to the residents of Hunter's Glen.


11-1

17-1

We greatly appreciate the Planning Board's attention to the concerns being raised by Hunter's Glen and respectfully request that the interests of Hunter's Glen be considered when reviewing the significant environmental impacts related to the Brewster Yards project. We entrust that the Planning Board will use any and all efforts to ensure that the developer is mitigating all of the potential impacts as best as possible, so to as limit their impact on the residents of Hunter's Glen.

We thank you for your consideration and look forward to discussing this matter further at the public hearing on August 8, 2022. Please include this letter in the public hearing record, and please include Hunter's Glen, via our office, as an interested agency for this project.

Respectfully submitted,
Snyder & Snyder, LLP

By: 
David J. Kenny

cc: Town Board
ZBA
Hunters Glen

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Environmental, Planning, and Engineering Consultants

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White Plains, NY 10601
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www.akrf.com

Memorandum

To: Town of Southeast Planning Board
From: AKRF, Inc.
Date: August 5, 2022
Re: Brewster Yards DEIS Substantive Review Comments
cc: KG+D Architects

AKRF, Inc. has reviewed the May 2022 Draft Environmental Impact Statement (DEIS) prepared for the Brewster Yards project. This document has previously been reviewed by AKRF for completeness. On June 13, 2022, the Town of Southeast Planning Board accepted the document as complete. The following comments comprise AKRF’s substantive review of the DEIS.

EXECUTIVE SUMMARY

1. The list of required approvals on page Summary-2 should also include “blasting permit” as an approval required by the Town of Southeast Building Inspector. **1-4**
2. Explain in the Potential Impacts section on page Summary-19 under Noise why mobile source analyses would not result in impacts. **14-1**
3. The text references “Theodore Court near Fair Street” on page Summary-19. Is this referencing Theodore Trail? Additionally, the residences on Twin Brook Court to the west of the project site appear closer than Theodore Trail and should be included as near sensitive noise receptors (see page 14-4). **14-2**
4. On page Summary-19, provide a source for the assumption of “a peak sound level of 75 dBA from the loudspeakers at intermittent times.” **14-3**
5. Page Summary-11 states that the soils that predominate the limit of disturbance (LOD) are CrC and PnC. As noted in the comments on Chapter 8 below, there are inconsistencies between Chapter 8 and Section 1.2 of the SWPPP regarding the soil types listed as within the limit of disturbance. Chapter 8 states that the soils that predominate the LOD are CrC and PnC; however, Section 1.2 of the SWPPP does not identify PnC as present within the LOD. **8-1**
6. The Traffic and Transportation section of the Executive Summary should be updated as needed after completing the revised analyses discussed below under comments on Chapter 11.

CHAPTER 1: PROJECT DESCRIPTION

7. Page 1-5 states that development of the building plans will integrate green building practices. The FEIS should provide further detail on specific green building practices the Applicant will consider. **1-2**
8. It is assumed the proposed perimeter fencing would exclude the two proposed stormwater basins located on the southern portion of the project site so as to avoid the need to construct the fence within the wetland buffer in this location. This should be clarified in the FEIS. **1-3**
9. The list of required approvals should also include “blasting permit” as an approval required by the Town of Southeast Building Inspector. **1-4**

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

10. The description of the land uses in the larger site vicinity in Section 2.1 should mention the Hunter Glen condominium development to the west. **2-1**

CHAPTER 3: COMMUNITY SERVICES

11. The DEIS states that the “proposed project would create potential demand for additional community services.” The FEIS should provide additional information as to the anticipated call volume (to police, fire, and EMS providers) that would be generated by the proposed project. A study of emergency service calls from similar baseball facilities, or research on how baseball facilities compare to other land uses in terms of calls for service, would be useful in estimating future conditions. Other information that could help bolster this discussion is whether baseball facilities result in more or less emergency service calls than other outdoor active recreational facilities. **3-1**
12. The DEIS discussion of police services for Brewster Yards indicates the distances to the locations of two identified police service providers. The FEIS should estimate the response time to the Project Site from the two identified police stations. **3-2**
13. The DEIS anticipates that nearby roads “are sufficient to accommodate the projected traffic without need for traffic control by police or traffic safety personnel.” If possible, the FEIS should refer to conditions at other, similar facilities, that would support this conclusion. DTS Provident used several other sites for calculation of trip generation. These other sites could be surveyed/interviewed to determine if police/traffic assistance is needed during peak visitation hours. **3-3**
14. The FEIS should indicate whether or not the Applicant contemplates contracting with a private security provider to oversee activities at Brewster Yards during operating hours, especially during in-season, non-school days, when up to 1,023 persons are anticipated to visit Brewster Yards. **3-4**
15. The DEIS discussion of fire protection services for Brewster Yards indicates the distances to the locations of two fire stations. The FEIS should estimate the response time to the Project Site from the two identified fire stations. **3-5**
16. The discussion of fire protection services for Brewster Yards should indicate whether the Applicant received responses to the letters sent to the Brewster Fire Department. **3-6**
17. The discussion of community services indicates that the “main building of the Brewster Yards would be equipped with a sprinkler system.” The FEIS should indicate whether sprinkler systems are contemplated for other buildings (e.g., concession buildings). **3-7**
18. The Applicant should initiate consultation with the Brewster/Southeast Joint Fire District regarding EMS services. It is recommended that representatives from the Applicant, the Brewster/Southeast Joint Fire District, and the Town of Southeast Planning Board meet to discuss the proposed project and the potential demand by Brewster Yards on EMS services. **3-8**

19. Section 3.4.3 indicates that “Brewster Yards proposes to contract with an ambulance service to be manned at the site.” The FEIS should further describe the scope of services that the Applicant anticipates it would contract for (e.g., number of ambulances, number of personnel, schedule). **3-9**

CHAPTER 4: ECONOMIC CONDITIONS

20. In Section 4.2 Existing Conditions, please indicate in text and/or in Table 4-1 the source for the Market Value/Assessment. **4-1**
21. In Section 4.4 Potential Impact, 4.4.1 Construction Phase, please define/describe the “local economy” that is the geographic area for the IMPLAN analysis. It is indicated in a footnote but should be more easily identifiable in table(s) or text. The FEIS should explain why that geography was chosen. The level of reliability of IMPLAN modeling at the zip code level should be noted. The data IMPLAN uses at the zip code level is an estimation based on County Business Patterns (CBP) data. CBP zip code data only provides the number of firms, thus IMPLAN estimates the number of employees associated with each firm. Additionally, CBP data does not cover the Construction Industry at the zip code level and instead uses NAICS 22- Utilities as a proxy. **4-2**
22. In describing indirect and induced job benefits, it is more appropriate to refer to jobs “supported” by the direct activity/investment, rather than jobs “created.” **4-3**
23. The operational benefits analysis refers to estimates for full operation for year one (1). The assessment should disclose whether this is reflective of stabilized long-term operating conditions, i.e., whether these annual benefits could be expected over the lifetime of the project. **4-4**
24. The operational (year 1) sales tax revenues are based on “the Applicant’s preliminary market study in August of 2021.” The FEIS should indicate where the public can find this document and provide a brief description of revenue sources and assumptions. **4-5**
25. The FEIS should define the terms “person-years” and full-time equivalent (FTE). Please indicate in text and tables if jobs are person-years, FTE, or full- and part-time. **4-6**
26. The FEIS should disclose the IMPLAN sectors used for modeling. **4-7**
27. The FEIS should indicate if the construction cost estimate of approximately \$28.3 million includes hard costs only or hard and soft costs. Please note that only hard costs should be used for the cost-based property valuation. **4-8**
28. The FEIS should indicate the dollar year of any inputs or results and indicate if any results were adjusted for inflation. **4-9**
29. It is unclear what footnote 6 is referring to. How is the NYS Department of Labor median annual salary (all occupations) for the Hudson Valley region factored into the analysis? **4-10**
30. Consider supplementing the construction-cost-based approach with a comparables or income-based approach for valuation. Due to high costs of materials, construction-cost-based valuation often results in an overestimate of property value. The FEIS should include an explanation of why a cost-based approach is most accurate. **4-11**

CHAPTER 5: VISUAL RESOURCES

31. The FEIS should indicate if the proposed lighting for the ballfields will be dark sky compliant. **5-1**
32. The FEIS should include visual simulations of the proposed project at night, both from within the project site and from external viewpoints, to illustrate the extent of potential nighttime visual impact of “indirect sky glow.” **5-2**
33. The DEIS indicates that “lighting designs are preliminary.” The FEIS should indicate if the height of the light poles shown on Figures 5-2 to 5-6 are actual or representative/estimated. If estimated, a note should be added to the Figures. **5-3**

CHAPTER 6: CULTURAL RESOURCES

No comments on this chapter.

CHAPTER 7: NATURAL RESOURCES

34. The FEIS should discuss potential environmental impacts of the anticipated “indirect sky glow” (e.g., on local fauna). **7-2**
35. Documentation indicated that the NYSDEC Environmental Resource Mapper (ERM) website did not identify any listed plant species or NYS “Species of Special Concern” on or near the property. **7-3**
36. Documentation indicated that the NYSDEC EAF Mapper website similarly identified no other plant or animal species listed by the federal government or NYS as an endangered or threatened species, nor was the property noted to include any “Significant Natural Community.” **7-4**
37. Of the 94 species of birds recorded from 1980-2005, none are NYS or federal protection as endangered or threatened species. **7-5**
38. The project site presents potential summer roosting, brooding, and foraging habitat for all regional species of northern long eared bat which are federally protected by the United States Fish and Wildlife Service (USFWS). Recommendation that trees be removed should be conducted between November 1 and March 31 for the protection of northern long-eared bats. **7-6**

CHAPTER 8: GEOLOGY

39. Table 8-1 is titled "List of Soils within the LOD." However, based on the soils map included as Figure 8-1, the soils listed in Table 8-1 represent the entire project site, rather than the 49-acre limit of disturbance as depicted on Drawing OPG-1 in Appendix M. **8-2**
40. There are inconsistencies between the list of soil types within the LOD in Table 8-1 and in Section 1.2 of the SWPPP. For example, Chapter 8 states that the soils that predominate the LOD are CrC and PnC; however, Section 1.2 of the SWPPP does not identify PnC as present within the LOD. **8-1**
41. Documentation from the May 2020 deep soil test borings performed by Insite Engineering should be included in an appendix. **8-3**
42. Section 8.4.2 provides a generic list of measures to prevent slope failure. The measures anticipated to be used for the proposed project, such as retaining walls, should be identified, and generally described. **8-4**

CHAPTER 9: WATER RESOURCES AND WETLANDS

43. The Town wetland and watercourse boundary confirmation should be provided in the FEIS. **9-1**
44. As noted in the comments on Chapter 1, it is assumed the proposed perimeter fencing would exclude the two proposed stormwater basins located on the southern portion of the project site to avoid the need to construct the fence within the wetland buffer in this location. This should be clarified in the FEIS. **1-3**
45. The project site contains seven wetland areas that are protected by the Town of Southeast. Several of these wetlands also fall within the jurisdiction of the US Army Corps of Engineers (USACE) and the NYSDEC as follows:
- Six of the wetlands are protected by USACE regulations.
 - Surface water that flows to the south enters a NYSDEC Freshwater Wetland LC-28 (a NYSDEC Class II wetland) and exits as a NYSDEC regulated stream (NYSDEC Regulation No. 864-194, a Class C stream).

- c. Surface water that flows to the north includes an intermittent stream which departs, off-site, into a stream NYSDEC Regulation No. 864-196, a Class C stream which runs through portions of the off-site NYSDEC Freshwater Wetland LC-18 (a NYSDEC Class I wetland).
 - d. The streams that exit NYSDEC Wetland LC-28 and LC-18 are minor tributaries to the Middle Branch of the Croton River.
46. For the Project development proposed within Lot 10 (north lot), the disturbances are:
- a. A corner of the synthetic turf multi-sport field and the associated retaining wall would encroach into the 166-foot Town of Southeast Wetland Controlled Area;
 - b. Approximately half of the parking lot associated with the main building, along with the western-most entrance from Zimmer Road and associated welcome sign, would encroach into either the 166-foot or 200-foot Town of Southeast Wetland Controlled Area;
 - c. A portion of the stormwater detention basin adjacent to the western-most entrance from Zimmer Road would encroach into the 166-foot Town of Southeast Wetland Controlled Area; and an associated drainage line would cross through this Controlled Area;
 - d. A portion of the sewer main would cross through the 200-foot Town of Southeast Wetland Controlled Area; and
 - e. A directional-drilled sewer force main would cross through the 100-foot Town of Southeast Watercourse Controlled Area and NYCDEP 100-foot Watercourse Limiting Distance.
47. For the Project development proposed within Lot 11 (south lot), the disturbances are:
- a. The majority of the access road along with a portion of the concession/restroom building, a portion of the bleacher seats and associated retaining wall, a corner of the batting cages, and a small corner of the synthetic turf showcase baseball field would encroach into the 200-foot Town of Southeast Wetland Controlled Area;
 - b. Portions of the two stormwater basins would encroach into the 200-foot Town of Southeast Wetland Controlled Area and/or the 133-foot Town of Southeast Wetland Controlled Area, as well as the NYCDEP 100-foot Limiting Distance; and
 - c. A drainage line running from Zimmer Road to the northern-most stormwater basin would cross through the 200-foot Town of Southeast Wetland Controlled Area, with a portion of it crossing the NYSDEC 100-foot Wetland Adjacent Area and the NYCDEP 100-foot Limiting Distance.
48. The Project improvements would disturb approximately 49 acres of land, primarily within upland portions of the site, while avoiding direct impacts to the site wetlands and watercourses. DEIS Table 9- 2 lists the sizes of upland areas within regulated wetland buffers that would be disturbed by the proposal, by jurisdiction.
49. Without appropriate mitigation incorporated into the proposed action, disturbance of the project site would have the potential to increase the volume and velocity of stormwater following the clearing and conversion of the present land cover into impervious surfaces and landscaped areas. If not controlled, these activities might lead to accelerated erosion and sedimentation both during and after construction of the Project. Sedimentation within the receiving streams, ponds, and wetlands, if not mitigated, could result in nutrient enrichment, increased turbidity, increased transport of pollutants, shielding of pathogens from disinfection processes, and clogging of the gills of aquatic organisms.
50. In reviewing the site plan submitted there are opportunities to avoid the wetland buffer and still accomplish the same program and design intent of the project. Site plan mark-ups will be submitted under separate cover for consideration.

CHAPTER 10: STORMWATER MANAGEMENT

51. Stormwater basins are proposed in the wetlands buffer. Best practice measures are to avoid wetland impacts. Recommendations are to try to locate the stormwater basins outside the limits of the wetland buffer. **10-1**
52. Comments received by NYCDEP on 9-13-2021 stated that they will have jurisdictional review of the SWPPP and the SSTS and soil testing with DEP present. Soil tests will include percolation testing, filtration testing and deep test pits, to assure the viability of the site plan and the development, prior to SEQRA approvals. Verification of testing should be submitted with final comments from NYCDEP. **10-2**
53. Comments received by NYSDEC on 9-1-2021 outlined the requirements for SPDES wastewater and SPDES stormwater permits. The project falls within the Municipal Separate Storm Water System (MS4) community and will require an SWPPP approval from the municipality. **10-3**
54. Wetland permit will be required if there are any impacts to NYSDEC jurisdictional wetland. Wetland avoidance is recommended. **10-4**
55. NYSDEC will anticipate a water quality certification for the project, which was not mentioned in the latest EIS submission. **10-5**
56. The area of disturbance of 49 acres and 27 acres of impervious surface, verification of volumes and stormwater are critical to assure the final sizes of the proposed stormwater basins and to assure the size and locations are feasible to accommodate the development of the site plan. **10-6**

CHAPTER 11: TRAFFIC

57. Provide all relevant backup information for trip generation, including StreetLight data. To verify the StreetLight data at the Connecticut Sportsplex facility used for trip generation, the Applicant should conduct spot counts for this location. **11-3**
58. Provide a list of adverse impacts to traffic as part of the FEIS and the revised TIS. It is recommended to define an impact to traffic as degradation from LOS A, B, C, or D to LOS E or F, from LOS E to LOS F, and an increase in delay of greater than 10 percent in LOS E or LOS F. **11-4**
59. Revise mitigations to not create new impacts at the study intersections. For example, the proposed mitigations create new impacts in Build with Improvement condition analyses at the following intersections: NYS Route 312 & US Route 6, NYS Route 312 & I-84 Eastbound Ramps, NYS Route 312 & I-84 Westbound Ramps. **11-5**
60. Include all mitigation measures noted in the Lincoln Logistics (formerly known as Commercial Campus at Fields Corner) resolution documents in the future analyses. The following should be incorporated in the No Build and Build analyses to match the Lincoln Logistics analyses: NYS Route 312 & I-84 Eastbound Ramps – signal timing modifications and lane geometry. **11-6**
61. Revise the Synchro analysis per the following comments: **11-7**
- a. All intersections: Revise the future No Build and Build analyses to reflect the heavy vehicle percentages and peak hour factors used for Lincoln Logistics.
 - b. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Revise the southbound approach to reflect a shared through and right turn lane and keep the dedicated right turn lane for future analyses, as it is a background improvement as part of Lincoln Logistics.
 - c. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Analyze the southbound left turn with a 320-foot long storage length.

- d. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Revise the Saturday analysis to reflect an actuated-coordinated signal control type using the correct time of day plan (matching the AM and PM signal timings). **11-7**
 - e. NYS Route 312 & I-84 EB Ramps intersection No Build and Build conditions: Revise the signal timings for all peak hours to reflect the Lincoln Logistics improvements.
 - f. NYS Route 312 & I-84 WB Ramps intersection Existing conditions: Revise the Saturday analysis to reflect an actuated-coordinated signal control type using the correct time of day plan (matching the AM and PM signal timings).
 - g. NYS Route 312 & I-84 WB Ramps intersection No Build and Build conditions: Revise the signal timings for all peak hours to reflect the Lincoln Logistics improvements.
62. The following movements have projected 50th percentile queues that extend beyond the storage length. Additional improvements should be provided to mitigate queue impacts. **11-8**
- a. US Route 6 & NYS Route 312: PM peak hour, southbound left turn
 - b. NYS Route 312 & I-84 EB Ramps: AM peak hour, southbound right turn; Saturday peak hour, eastbound left turn
 - c. NYS Route 312 & I-84 WB Ramps: PM peak hour, eastbound left turn
63. Revise the LOS table headers to reflect the correct Saturday and Weekday PM peak hours. **11-9**

CHAPTER 12: INFRASTRUCTURE AND ENERGY

64. This chapter (Section 12.1) indicates that the Applicant based projections of site usage “on similar facilities in the Northeast region.” Reference to the specific facilities (or studies) used for comparative purposes should be provided in the FEIS. **12-10**
65. This chapter (Section 12.4.1) indicates that “[n]o irrigation is proposed.” While the project proposes the use of synthetic turf for the ballfield, the project also includes landscaped areas. An explanation of how these landscaped areas would be watered/maintained should be provided in the FEIS. **12-11**
66. This chapter (Section 12.4.3) indicates that two inquiries were made to NYSEG regarding distribution line confirmation, information about hook up access to the project site, and information and cost of new electric service. Those inquiries (an email and “a request placed into a NYSEG representative”) should be included in an appendix to the FEIS. **12-12**

CHAPTER 13: AIR QUALITY

67. Page 13-1 states “The New York SIP adopted AAQS from a list of seven criteria pollutants established by the EPA. These pollutants were selected by the EPA based on a list of pollutants of primary concern nationwide. Attainment of the AAQS is required under the Act, and each State has a designated time period in which to bring nonconforming areas into compliance. The AAQS establish levels to protect the health (primary standard) and welfare (secondary standard) of the general public with an adequate margin of safety.” **13-1**
- Since EPA lists six criteria pollutants while New York State includes TSP, it might be clearer to state the six criteria pollutants and averaging periods included in the NAAQS and add:
- “The NAAQS for 3-hour SO₂ has also been adopted as the ambient air quality standard for New York State, but is defined on a running 12-month basis rather than for calendar years only. New York State also has standards for total suspended particles, settleable particles and 24-hour and annual SO₂, which correspond to federal standards that have since been revoked or replaced, and for the noncriteria pollutants fluoride and hydrogen sulfide.”
68. Please specify the respective standard (federal vs New York State) in Table 13-1. **13-2**

69. Please supplement the discussion of the NAAQS with the attainment status for each criteria pollutant. **13-3**
70. Please include all monitored pollutants and averaging periods that have a corresponding air quality standard in Table 13-4 and consider multiple years of monitored values following the form of the respective standards. **13-4**
71. While the duration of construction work, its schedule and the type of work anticipated are discussed under “Mitigation Measures,” please also include or consider moving this information to the section “Short-Term Construction Air Impacts” on Page 13-6. **13-5**
72. Page 13-6 states “The potential impact from the project generated traffic was evaluated using the New York State Department of Transportation (NYSDOT) Environmental Procedures Manual (EPM) Chapter 1, Section 9, Projects Needing Air Quality Analysis (January, 2001).”
Please note that the air quality section of the NYSDOT Environmental Procedures Manual (now The Environmental Manual) was last updated in March 2020. Please update references to the EPM to TEM. **13-6**
73. Page 13-6 states “According to the NYSDOT EPM, signalized intersections with level of service C or better, do not require air quality analysis.” Please confirm/clarify that the level of service screening considered only the Build level of service. **13-7**
74. The air quality chapter should include a discussion of PM and whether quantitative hot-spot analysis is warranted as particulate matter is a primary and principal pollutant of concern with vehicular exhaust emissions. According to NYSDOT’s guidance for PM, microscale screening and analysis should be based on the EPA’s Transportation Conformity Guidance to Quantitative Hot-spot Analyses in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas. **13-8**
75. Please expand on the rationale for not needing a stationary source analysis for the heating and cooling system for the main recreational building and offices in addition to stating that the equipment that would be installed would utilize efficient fuel (e.g., the heating and cooling system for the proposed buildings would not require a permit and would not jeopardize the SIP’s goal to attain and maintain the NAAQS). **13-9**
76. The chapter should describe the parking proposed as part of the project and indicate whether there is a potential for impact on air quality from parking uses. **13-10**

CHAPTER 14: NOISE

77. On page 14-5, identify whether the Saturday time period is the anticipated peak usage period for the proposed project. **14-4**
78. If existing noise levels were not measured at Location 1 during a Saturday due to equipment malfunction, please explain why the measured levels on the following Sunday/Monday provide a sufficient representation. **14-5**
79. Clarify why the three selected analysis hours on page 14-5 were identified as potentially sensitive and why analysis during these time periods would capture any potential noise impacts. **14-6**
80. Explain why a construction mobile source analysis was not included. **14-7**
81. Please provide the logistics, plans, distance markups, and any other documentation that was used in the construction noise analysis. **14-8**
82. Clarify and provide supporting information for Table 14-5. How can the validity of these reference noise levels be confirmed? Various federal and state agencies provide generally accepted reference noise levels for construction equipment; use of these levels would avoid the need to verify/confirm the levels in this table. **14-9**

83. State the expected duration of the construction tasks (e.g., grading for stormwater basin and multi-sports field) assumed in the construction noise analysis and described as “temporary.” **14-10**
84. Page 14-7 states that the “noisiest period of construction will occur during site clearing and grading activities.” Please explain how this conclusion was made, as the text does not make it obvious. **14-11**
85. It may be helpful in the discussion of blasting to point out the expected number of blasts per day as further support of the temporary and short-term nature of this noise. **14-12**
86. For the noise assessments mentioned on page 14-8 as “public record information,” providing supporting information as well as the noise survey data for all the referenced measurements, or the approved Site Plan review(s). Define which noise descriptor (including time-weighting if applicable) is being used throughout this page. **14-13**
87. Provide a source for assumption that the sound of batting would be comparable to that from a loudspeaker on page 14-9. **14-14**
88. The operational noise analysis is confusing because it doesn’t specify descriptors or discuss cumulative effects. Provide a table showing all predicted noise sources, their cumulative levels, and the associated increase in noise levels. It would be reasonable to prepare this for both the L_{eq} and L_{max} metrics and compare each to the relevant limits described earlier in the chapter. **14-15**

CHAPTER 15: CONSTRUCTION IMPACTS

89. The DEIS indicates that “[t]ree clearing at the beginning of the construction process will only occur during the months of November through March.” The FEIS should identify when tree clearing would occur (and how this would impact the project schedule and phasing) should the project not commence in January 2023, as indicted in Figure 15-1. **15-1**
90. The DEIS states that earthwork will be scheduled outside of seasonal periods of rainfall and snowmelt. The FEIS should clarify what times of year are considered seasonal periods of rainfall and snowmelt. Figure 15-1 includes earthwork in most months of the year, with only January and February clearly excluded. **15-2**
91. The DEIS indicates that “lighting for project security is anticipated to be localized at equipment and materials storage areas and at the project trailers.” Since equipment and materials storage areas “have not been determined,” the FEIS should include a discussion of how neighboring residential areas will be protected from light pollution, should equipment and materials storage areas be located close by (e.g., neighbors on Fields Corner Road, residents near Theodore Court and Twin Brook Court, and the Hunters Glen development). **15-3**
92. The FEIS should include a discussion of potential air quality impacts associated with off-site vehicle operations. Discussion should include available relevant information (i.e., number of work vehicles, number of heavy-duty trucks, anticipated vehicle miles traveled, if possible). **13-11**
93. The DEIS indicates that “[m]itigation measures are proposed as part of the project during construction to limit the generation of dust and potential emissions from construction equipment.” Detailed discussion of mitigation of fugitive dust is provided in Section 13.4 of the DEIS. A discussion of mitigation of potential emissions from construction equipment should be included as well in the FEIS. **13-12**

CHAPTER 16: ALTERNATIVES

94. For the “Natural Turf Alternative,” the FEIS should qualitatively discuss the difference in infiltration rates between natural turfgrass and synthetic turf. **16-1**
95. The FEIS should consider an alternative where some ballfields are natural turfgrass (e.g., the “Showcase Baseball Field”) and the remainder of the ballfields are synthetic turf. This could **16-2**

provide additional benefits to the project, including allowing greater rates of infiltration in critical areas.

CHAPTER 17: MITIGATION SUMMARY

No comments on this chapter.

CHAPTER 18: OTHER EFFECTS

UNAVOIDABLE ADVERSE IMPACTS

96. Section 18.1 states “[i]ndirect impacts to wildlife will occur as construction displaces resident wildlife until construction is completed and the wildlife can move back into the area.” However, as stated in Section 1.3, “[t]o secure the project at night, there will be chain link fencing surrounding the entire development area with swing gates at each driveway entrance.” Impacts to wildlife displacement due to operation of the Proposed Project should be acknowledged.

7-7

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

97. Section 18.2 identifies that the project requires a “future commitment of groundwater resources at the site.” The FEIS should disclose what caps on nearby development – if any – need to be placed as a result of capacity that would be committed to the proposed project.

9-3

GROWTH INDUCING AND CUMULATIVE IMPACTS

No comments on this section.

EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

98. Section 18.4 indicates that the “Applicant will incorporate applicable components of [Energy Star and New York Energy Smart programs] and Green Building standards.” The FEIS should identify specific energy conservation elements the Applicant hopes to incorporate into the proposed project (e.g., solar power, EV charging stations, low-flow fixtures, etc.), even if aspirational at this point in the development process.

12-13

RECOMMENDED ACTIONS

At the August 8, 2022, meeting AKRF recommends that the Planning Board open and close the public hearing on the DEIS with written comment period until 8/26/22.

**Brewster Yards (aka ProSwing)
160 & 132 Pugsley Road
Town of Southeast, Putnam County, NY**

**Review of the Draft Environmental Impact Statement
& Draft Stormwater Pollution Prevention Plan**

**By: Donald W. Lake, Jr. PE, CPESC, CPSWQ
on behalf of the
Office of New York City Watershed Inspector General
August 10, 2022**

These notes are based on my review of the following documents:

- a. Draft Environmental Impact Statement, May 16, 2022, Volume 1, 201 pages prepared by KG+D Architects, Mount Kisco, NY.
- b. Draft Environmental Impact Statement, Compiled May 16, 2022, 923 pages, DEIS Appendices A through M.
- c. Preliminary Stormwater Pollution Prevention Plan (PSWPPP), March 23, 2022, DEIS Appendix E, 282 pages, prepared by Insite Engineering with Appendices A through H.
- d. DEIS Appendix M, Civil Drawings, 14 sheets, various dates.

General

The proposed project is to build an athletic complex for youth baseball, softball, and soccer on two adjoining parcels of land along Pugsley Road in the Town of Southeast. The proposed site is in the Middle Branch Reservoir Watershed, which is within the East of Hudson portion of the NYC Watershed. The overall site is approximately 82 acres of wooded land with some wetlands. The project will disturb 49 acres, including 5.1 acres of wetland buffer. No wetlands will be disturbed. A vegetated buffer of 16.5 acres will be retained between the project area and adjacent residential lots to mitigate noise and visual impacts.

The project will create 10.7 acres of impervious area and approximately 16.3 acres of synthetic turf fields. Although these synthetic turf fields are not considered impervious, they do have reasonably high runoff potential. There are also small discrete areas of the project site, totaling 1.1 acres, proposed for construction on steep slopes (greater than 25%). An onsite septic system is planned to handle all sanitary waste. Approximately 210,000 cubic yards of material, including some rock, will be excavated for the project.

Stormwater management practices on site were designed using updated NRCC rainfall values and correct rainfall distributions. The primary stormwater management practices consist of two separate infiltration basins, capable of infiltrating both the water quality treatment volume and the channel protection volume, generated from the 1-year, 24-hour storm runoff. There is no net increase in phosphorus or need for pollutant loading analyses, since all pollutant loads are infiltrated.

Preliminary Notes

This Draft DEIS is in its very early development stage. Other than the basic overview drawings provided in Appendix M, engineering drawings illustrating or addressing stormwater were not submitted. Missing elements include a construction phasing and sequencing plan, details for an erosion and sediment control plan, and the design and placement of selected stormwater practices. This information is crucial to performing a technical review and evaluating the elevations for the hydrology and hydraulic calculations that appear in DEIS Appendix E of the Preliminary Stormwater Pollution Prevention Plan (SWPPP).

10-7

The following comments identify some discrepancies in the data, poses some questions, and provides some recommendations.

1. Drawing OP-1 shows 13.5 acres of synthetic turf at Lot 2 and 0.3 acres at Lot 3, totaling 13.8 acres. In contrast, DEIS Table 16-1 shows a total of 16.3 acres of synthetic turf at Lots 2 and 3. This discrepancy needs to be reconciled.

10-8

2. Drawing SP-1 provides no references for the drawings that contain details for the outlet structures, underdrains, inlet

10-9

<p>protection, or the outlet at the end of the pipe on the natural slope. Will this be a level spreader? These Detail sheets need to be provided.</p>	<p>10-9</p>
<p>3. There are several locations on the drawings that show encroachment into the Town of Southeast wetland buffers. How will the Town of Southeast-owned wetland buffers be regulated?</p>	<p>9-4</p>
<p>4. Stormwater detention basins EDB 1.4 and 2.7 are discharging concentrated flow onto natural slopes, that have not previously experienced concentrated flow. These discharged flows need to be quantified and evaluated for erosion potential, so their impact can be mitigated. No predeveloped discharge analyses for these locations are presented in the SWPPP.</p>	<p>10-10</p>
<p>5. How is the flow from the synthetic turf fields collected? More information is needed.</p>	<p>10-11</p>
<p>6. Drawing OPG-1 shows the limit of disturbance (LOD) at the toes of the slopes and at the tops of the cuts. The LOD total is 49 acres. But more room is needed along these slope boundaries for clearing and grubbing and the installation and maintenance of erosion and sediment control practices. Based on limited information, the LOD value of 49 acres appears to be underestimated and needs to be re-evaluated.</p>	<p>10-12</p>
<p>7. Drawing, Figure 4, Testing Plan, DEIS Appendix M, shows the plan view locations and testing results for the stormwater management infiltration basins. The results for holes I-11 and I-12, in infiltration basin 2.6, had rates of 102 inches per hour and 180 inches per hour, respectively. This basin is 15 feet directly above detention basin 2.7. Infiltration rates this high could cause slope stability problems. In addition, rates this high would probably not provide an opportunity for pollutant removal. Previous guidance in the 1992 and 1993 NYS DEC “Reducing the Impacts of Stormwater Runoff from New Development” set 7.5 inches per hour as a maximum infiltration rate to provide pollutant removal and to prevent direct injection into groundwater. The infiltration rates associated with I-11 and I-12 and the guidance value need to be re-</p>	<p>10-13</p>

evaluated. In addition, how do these values correlate to the 20 inches per hour used in HydroCAD? **10-13**

8. The hydrologic and hydraulic analysis shown in the preliminary SWPPP is inadequate. The existing analysis looks at two design lines instead of at design discharge points. The design lines need to be revised to design discharge points to incorporate all the pertinent sub areas. In addition, there will be impacts with the proposed design discharging to areas where there was no previous flow (see comment 4). **10-14**

9. The HydroCAD Developed analysis cannot be corroborated due to a lack of drawings and details. A Runoff Curve Number (RCN) of 86 was assigned to the 16.3 acres of synthetic turf fields. An RCN of 86 has an initial abstraction value of 0.326 inches. Initial abstraction is defined as the amount of precipitation that is lost before runoff begins. This includes infiltration, adsorption, evaporation, transpiration, and entrapment. The source documentation for this RCN value of 86 needs to be provided. **10-15**

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August 4, 2022

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

Re: Brewster Yards
“draft” Environmental Impact Statement

Dear Chairman LaPerch:

Please find comments on the draft Environmental Impact Statement for the Brewster Yards project. In summary;

- There is no data supporting the Traffic Engineer’s distribution of traffic arriving or departing from Brewster Yards. **11-10**
- The Traffic Study did not provide appropriate supporting information to demonstrate a conclusion that no traffic will be using Fields Corners Road. **11-11**
- There is no discussion of how traffic congestion along Route 6 or NYS Route 312 will impact the distribution of traffic or promote the use of Fields Corners Road as a shortcut. **11-12**
- The proposed project will produce a significant impact to Fields Corners Road which has not, and must be mitigated. The traffic impact of the project to Fields Corners Road needs to be correctly identified, assessed and mitigated. **11-13**
- The DEIS proposes to avoid or mitigate traffic impacts to Fields Corners Road in the Town of Patterson by the installation of “No Right Turns” at the project entrance. These signs will not reduce the incoming or outgoing traffic on Fields Corners Road from the project. **11-14**

- Fields Corners Road in the Town of Patterson must be improved for the increase in traffic that will result from the Amazon warehouse project and the Brewster Yards project. These improvements should include a 24' wide paved road with drainage from the Southeast Town line to the Fair Street intersection. Alternatively, Fields Corners Road should be closed at the Town line.

11-15

The Applicant proposes to construct a commercial recreation complex (Proposed Project) for baseball and other sports consisting of five full-size baseball fields, four Little League baseball fields, one multi-sports field, a recreation building, and accessory facilities (i.e., food concession stands and pro shop). Brewster Yards is proposed as the premier destination for young baseball and softball enthusiasts and is expected to attract local and regional visitation which will generate economic benefits, further economic development, job creation, and new tax revenue for the community. The plan proposes a total of 449 parking spaces, which exceeds the Town of Southeast parking requirement. The additional parking is needed based on the Applicant's expected peak parking needs. [Traffic Report, 5.0]

The DEIS shows that there will be significant traffic arriving and departing from the site, including the Traffic Engineer's analysis of the standard peak hours. The Applicant's projections of site usage for weekday after school and weekend patronage during the baseball season is projected to be up to 1023 persons -- players, spectators and staff. On school days, after-school field use is expected to be up to 358 persons. During peak use the project is anticipated to employ up to 63 people. [DEIS 11-3]. The DEIS shows that during times of peak usage of the facility on a Saturday, or when an event ends, there will be roughly 36 vehicles every 10 minutes queuing at the Pugsley Road/Route 312 intersection. Incorporating the traffic generated by the warehouse further increases the delays at the Pugsley Road/Route 312 intersection.

11-16

Although the project lies midway between Route 312 and Fair Street, the Traffic Engineer has assumed that 98% of the traffic will go south to Route 312, while only 2% of the traffic will access Fair Street to the north. This assumption is not supported by the DEIS, and considering the typical practices of motorist is an unlikely assumption. Motorists using the facility will be seeking the shortest, quickest route to their next destination, presumably their home. They will be looking to avoid the congestion of traffic on Route 6 or Route 312.

11-17

The distribution schematics included in the Traffic Study show that 20% of the anticipated arrivals and departures will be coming from the north by way of the Route 312/I-84 interchange. The distribution schematic shows that another 26% of the anticipated arrivals and departures will be coming from the Carmel/Kent area by Route 6. All of these motorist, which equal nearly 50% of the arrivals and departures from Brewster Yards, would likely view Fields Corners Road as a preferred alternative to the queuing that will occur at Pugsley Road when an event lets out. They will view Fields Corners Road as a route which will take less driving time to reach the facility, or drive back home.

With almost 50% of all arrivals and departures coming from, or leaving to a destination to the north, compounded by the congestion of Route 6 and Route 312, Fields Corners Road will become a desirable short cut between the facility and destinations to the north.

The DEIS proposes to “discourage” traffic from using Fields Corners Road by installing signs at the project entrance saying “no right turn”. A sign that says “no right turn” will not deter motorists from turning right unless law enforcement is sitting at the sign. And the proposed signs will have no value in preventing motorists from using Fields Corners Road to arrive at the site.

11-14

The DEIS/FEIS needs to redo the Traffic Study and provide a more realistic distribution of traffic.

11-17

The DEIS also needs to assess the overall geometry of Fields Corners Road. Any increase in traffic on the narrow dirt road will lead to a dangerous condition. A traffic study completed by Frederick P. Clark Associates, Inc. in 2019 previously concluded that Fields Corner Road in its current condition, cannot accommodate any additional traffic without significant improvements to the entire length of the road.

11-18

As a result of the potential traffic impact associated with the Project, Fields Corners Road must either be closed at the Southeast/Patterson Town line or Fields Corners Road must be improved to Patterson Town Road standards to accommodate the increase in traffic.

11-19

Sincerely yours,



Richard Williams Sr.
SUPERVISOR

cc: Town Board
Town Attorney
Supervisor, Town of Southeast



BREWSTER FIRE DEPARTMENT

Letter 6

Target Hazard Planning Group
Brewster Fire Department
501 North Main Street
Brewster, NY 10509

August 24, 2022

Town of Southeast Planning Board
1 Main Street
Brewster, NY 10509

Dear Planning Board Members,

Thank you for allowing the Brewster Fire Department the opportunity to review the plans and stated purpose for the upcoming "Brewster Yards" project. Our Group as well as the Office of the Chiefs have reviewed the material and would like to offer the enclosed suggestions.

The Statement of use document provided was of particular help as it is often hard to attend planning board meetings to hear these points being made live.

Respectfully,

Brewster Fire Department -
Target Hazard Planning Group



BREWSTER YARDS

Review and Recommendations

PART 1 - EMS Concerns

1. Increased Call Volume – If we were to compare the “Brewster Yards” project with a similar venue with similar attendance numbers, it may result in approximately **21 potential EMS calls per operational season.**
 - a. Nationally averaged EMS call data yields an EMS request rate of 1 call per 3,000 people per day.
 - b. Using this guideline, with the stated weekend capacity of the location being 2,000 people would yield the following result;
 - i. stated capacity 2,000 = 2/3 of a call per day (of National Average).
 - ii. 26 weekends a year. Capacity crowd expected for 8 months per year on weekends = 32 possible gatherings of 2,000 x 2 (Saturday and Sunday) shows potential surge crowd of 2,000 64 times per year.
 - iii. 2/3 of a call per day x 64 days x length of operation 0.5 (12 hours per day) = 21 potential EMS calls per season.
2. Attendee Medical Protection
 - a. New York State Public Health Law (Part 118) specifically requires EMS coverage for all events where there is a crowd of 5,000 or more anticipated to attend.
 - b. The stated maximum capacity of this facility does not meet that requirement; however, this does not mean that the public should not be protected.
 - c. At the very least, there should be a medical staff on duty, each weekend when surge attendance is likely to reach the stated maximum.
 - i. There should be at least one (1) Certified EMT on the grounds during peak hours. There should also be a designated Aid to the EMT (CFRD) or someone trained in basic First Aid.
 1. These employees may be dual role (i.e.; trainer / EMT or Vendor / EMT)
 2. There should be a First Aide / Medical Office established in a central location that would act as a “casualty collection point”, for responding EMS resources.
 - ii. During “regular” Mon – Friday hours, when capacity is stated to be 1,000 or less, there should be at least One (1) trained EMT on location who can “rapidly” respond should their services be required.
 - iii. Emergency Identification – Similar to College / University safety plans, there should be a blue strobe light activated at the concession stand nearest the incident to aid responders in locating the patient.
3. AED – NYS Public Health Law (S 225) as well as New York Business Law (S. 627A) require that “Health Club” or public assembly areas have a minimum of one (1) AED for every 500 patrons. As this facility is quite large, almost parklike in nature (with included

3-12

3-13

3-14



hiking trails), there should be at least 1 AED located in each distant area to decrease the amount of time necessary to deploy such a device when necessary. This requirement could be met by having an AED conspicuously mounted at each concession stand.

3-14

4. Initial First aid Response - There should also be an AED attached to a mobile response vehicle, similar to a Polaris or Gator type vehicle that can be dedicated to providing initial emergent care to someone in need.
 - a. First Aid – Sprain, Strain or Laceration
 - b. Transport (when feasible) to a central casualty collection point, or main medical office.

3-15

PART 2 – Fire Concerns

1. ACCESS/EGRESS - taking into consideration these are concept drawings we have the following comments:
 - a. Main Building
 - i. In reviewing the Architectural drawings, the elevation views do not show access/egress from the rear of the building.
 1. Recommend an on-grade exit at the rear of the building/concession stand area.
 - ii. In reviewing the Architectural and Civil Drawings, the grade difference of 10'-8" from the front to the rear of the building reveals a vertical foundation wall on the left side. This makes for difficult access to the floor level from outside the building with no ladder truck access due to trees.
 1. Recommend stairwell/deck/landing for emergency access/egress.
 - iii. Access to the rear of the building is by a delivery roadway that narrows down to approximately 12'-3" (see attached marked up drawing and below Fig. 1. **This should be wider** so we can get a ladder truck to the rear of the building.
 1. The exact width of the ladder trucks are 8'-6". HOWEVER, to fully operate they require a minimum of **21'-0"** due to the fully extended outriggers. Outrigger pads must also be on sound bearing surface. GVW = 40 tons.
 2. Ideal ladder placement is to access as many sides of the building as possible. This would mean right near the gate at the driveway.
 - b. Fields
 - i. There is minimal access to the center of the ballfields for EMS vehicles which are 8'-6" wide. The attached comments on the drawings show dimensions and areas for potential emergency vehicle access.
 - ii. Add an additional parking lot access/egress near the multi-sport field to avoid a dead-end parking lot.

1-25

1-26

1-27

1-28

1-29



2. WATER SOURCE

- a. On-site ponds
 - i. These are a great water source for emergencies.
 - ii. Add several wet hydrants as well as dry hydrants near the water ponds for fire department use should there be outside or brush fires. **12-1**
- b. Watermain - there is an 18" watermain going through part of the campus between the fields to supply the concession stands. **12-2**
 - i. What is the expected pressure of the system?
- c. Hydrants - despite the watermain going thru the middle of the campus, there are NO HYDRANTS connecting to that 18" main. **12-3**
 - i. Add hydrants throughout the campus at a maximum of 500' between them.
 - ii. Add a pressurized hydrants along Pugsley Road out to Route 312.
- d. 15,000gal water storage tank **12-4**
 - i. Architecture DWG SP-3 shows the Water Service Line (WSL, which is HDPE) go straight to the treatment building --> storage tank --> treatment building --> 18" Watermain. Should there be an issue at the water treatment building, will there be a Fire Department Connection (FDC) at the base of the storage tank?

3. ELECTRICAL

- a. Provide clear designation and location of any disconnect switches for large power devices such as a jumbotron. **12-5**
- b. Provide backup generator information including size, location, and fuel type.
- c. Provide information on any overhead loads (jumbotron, HVAC units, etc.)
- d. Fire Alarm system – one centralized panel with zones broken up as much as possible to easily isolate areas.
- e. Electronic vehicle charging stations – to be placed as far away from any exposure as possible.
 - i. Provide locations, number of stations, and disconnect switches.



4. FIRE FIGHTING

- a. Provide easily accessible FDC to supply the main buildings sprinkler and or stand pipe system. **12-6**
 - i. Preferred location shown in Fig. 2.
 - ii. Provide hydrant within 50ft of this FDC.
- b. Provide clear chemical signage wherever chemicals are stored identifying the type and quantity. **12-7**
- c. General Notes: **12-8**
 - i. New projects, such as Northeast Logistics; Restaurant Depot, Brewster yards, and future large projects, should rely on their own water supply for fire protection (no public hydrant system). This allows provides “overbuilt” fire protection systems that are independent of each other for redundancy.
 - ii. This redundancy would include water storage tanks and to place yard hydrants in locations and in quantities that we suggest (i.e. a hydrant just outside the main entrance to their complex for our use on other emergencies (fires) in that general area (Northeast Logistics architect has agreed to do this).

Subject: Proswing - Brewster Yards - Medical tent

From: King, James A <james.king@verizonwireless.com>
Sent: Tuesday, August 09, 2022 4:26 PM
To: Victoria Desidero <vdesidero@southeast-ny.gov>; LaPerch, Tom <tlaperch@hlcommercialgroup.com>
Subject: Proswing - Brewster Yards - Medical tent

I was thinking that the Proswing needs to have some permanent structure dedicated to Safety/ Medical uses. I understand that an Emergency Vehicle on hand with EMT's is important. Especially for the broken this or that, or the occasional heart attack. But they will need a place for the people that overheat. The Pitchers who come off the mound who need to ice their arms. A place centrally located with a medical sign above it where kids can be wrapped from their road rash, or just get a bandaid or an ice pack.

1-18

Jim King
Construction Manager
Verizon Wireless
(203) 856-1701



August 25, 2022

Tom LaPerch, Chairman
David Rush, Vice Chairman
Wendy Lewis, Member
Michael Hecht, Member
James King, Member
Lynne Eckardt, Member
George Pangis, Member
Town of Southeast Planning Board
1 Main Street
Brewster, NY 10509
planning@southeast-ny.gov

Brewster Yards Questions

Dear Madams and Sirs:

In light of the fragile environmental and ecological area that Southeast encompasses, please address these concerns regarding the construction of the above listed project:

- | | |
|---|--------------|
| 1. Soft Surface to Hard Surface —That the hard surfaces of asphalt, concrete, roofs, and Astroturf will replace grass, trees, and encroach upon wetlands, what plans are in place for rainwater runoff and collection? | 10-16 |
| 2. Charging Stations —That we are moving towards electric vehicles, are there plans in place for electric charging stations in the parking lot? | 12-9 |
| 3. Garbage and Waste —That people generate all kinds of plastic, paper, metal waste, effective waste management firms, such as TerraCycle™, collect and recycle every kind of waste. Will the management of Brewster Yards pay for and use easy to use TerraCycle™ boxes? | 1-19 |
| 4. Compost —That food scrap collection for facilities larger than 10,000 square feet is state law since January 2022. Technically, Brewster Yards will not be a food service provider, but wouldn't it be a great civic duty to Southeast if Brewster Yards management stewards and pays for food scrap collection? | 1-20 |
| 5. Food Services —Can local proprietors such as Salinger's Food Truck, Red Rooster, La Guadalapaña be given food concession exclusivity? Healthy food choices would be a nice option, since outside food will, justifiably, be prohibited. | 1-21 |
| 6. Construction —Can local businesses be hired to build the facility? | 4-12 |
| 7. Maintenance —Just as Southeast requires septic tanks to be emptied every five years, can Southeast require Brewster Yards to replace Astroturf on a similar timeframe? Can local business be hired to do this maintenance as well as electrical, plumbing, septic, and facilities maintenance, contracts to be bid upon for a limited amount of time? | 4-13 |

Brewster Yards is a great continuing economic and community opportunity for Southeast. Additionally, good sportsmanship and good citizenship go hand in hand. The educational opportunities afforded by being part of a team should include caring for and respecting the environment and our citizenry.

Yours truly,

Ellen Yass

ellenyass@gmail.com

Peter Simon

pcjsimon@hotmail.com

933 Drewville Road

Brewster, MA 10509

Juergen Tempel

252 Ice Pond Road
Brewster (Town of Patterson), NY 10509

August 26, 2022



To:
Town of Southeast Panning Board

RE: Brewster Yards/ ProSwing Sports Complex

Dear Planning Board Members,

I am writing to raise concerns about the planned commercial developments at Brewster Yards/ Pugsley Road and Barrett Road.

The proposed development proposed by ProSwing Sports Realty Inc. for a huge sports complex with many synthetic turf fields is not sustainable for our environment, our community, and for our neighborhood under the following considerations:

- The development will disturb wetland and will require further removal of our precious county woodlands, which keep our air clean and help to keep our nature intact. **7-9**
- The development is also close to water supplies such as the Middlebranch Reservoir. As it is already reality in parts of Putnam County, we are dealing with contaminated freshwater and drinking water supplies, which must not get further compromised. **9-6**
- The sports complex along with the other developments in the area requires further road development and destruction of nature and woodland. **1-22**
- There will be light pollution from illuminated ball fields as well as evening noise to the surrounding neighborhoods. **5-1 & 14-16**
- Events at the sports complex will also put a strain on Emergency and First Responder Resources in our community. **3-11**
- What make things even worse is that additional development of a truck and warehouse complex in Brewster Yards even compounds all the adverse environmental, community and neighborhood effects. **17-2**
- The increased traffic to the sports complex along with traffic to the proposed truck and warehouse will be extreme traffic congestion on along Route NY-312 near the I-84 junction of exit 65 with long traffic delays and unhealthy air from traffic. This can at times already be a problem during rush hour in the given environment. **11-27**
- With the traffic congestion adjacent roadways will be affected as well, and this will be an extreme quality of life issue for commuters and travelers, who will have a hard time to reach the Southeast Metro North Station in a timely fashion. Moreover even trucks and cars taking a wrong turn may end up in the Metro North parking lot thereby blocking access to the Metro North Station. **11-28**
- The truck and warehouse development in our Brewster Yards neighborhood will bring more crime to our quiet and safe area. **1-23**

The Brewster Yards/ Pugsley Road and Barrett Road area needs to stay in a stage that complements the serene spirit of nature and country feeling that complement its adjacent recreational sites such as the Tilly Foster Farm, the Carmel Golf Club, the Middlebranch Reservoir and the Putnam-Westchester Rail-Trail.

2-2

I ask you reconsider and revise all projects in Brewster Yards and consider small nature loving alternatives for this area to keep our environment healthy, our waters clean, our neighborhood quiet and safe, and community livable.

1-24

I also recommend extending the August 26th comment deadline for this project as many of our neighbors in the affected area may not even have been aware of this deadline. They should still get a chance to raise their concerns. After all, July and August have been summer months and people may have been away on vacation.

I hope you consider not moving forward with this proposed project at Brewster Yards.

Sincerely,



Juergen Tempel

Juorat 1002@aol.com

917-435-1142

**Town of Southeast
Highway Department**

10 Palmer Road, Brewster, N.Y. 10509

(845) 279-2141

mburdick@southeast-ny.gov

FAX (845) 279-3226

**Michael Burdick
Highway Superintendent**

Sept. 1, 2022
MB

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

Re: ProSwing Sports – Brewster Yards
160 & 132 Pugsley Road
Tax Map No.: 45.-1-10 &11
Draft Environmental Impact Statement

Dear Mr. LaPerch:

As the Town of Southeast Highway Superintendent, I am providing comments concerning the submitted Draft Environmental Impact Statement (DEIS) for the subject project. After review of the DEIS, a significant concern which we previously noted is the condition of Fields Corner Road between the proposed access drive to the project and the Town Boundary with the Town of Patterson.

11-29

Page 3-7 of the DEIS notes the following:

"In response to the initial inquiry sent to the Highway Superintendent, concerns were raised by the Superintendent to the Town's Engineering Consultant that improvements would be warranted on Fields Corner and Zimmer Roads to address a perceived increase in traffic flow to and from the developed project site and to allow the roads to be properly maintained by the Highway Department with increased use. In anticipation of such concerns and with knowledge of public concerns raised about the increased use of Fields Corner Road from development of the logistics project, the Applicant proposes to avert such use by the traffic project by signing at the project driveway for No Right Turns northward on Fields Corner Road."

The No Right Turn signage may discourage, but will not prevent, vehicles from exiting the site onto Fields Corner Road and driving north towards Patterson. In addition, there are no restrictions proposed to stop vehicles from exiting the site onto Zimmer Road and then turning right onto Fields Corner Road north towards Patterson; and there are no stated restrictions to vehicles traveling southbound on Fields Corner Road to enter the site. For these reasons, the DEIS does not mitigate the previous concern regarding increased traffic and the condition of Fields Corner Road between the project and the Town of Patterson.

11-29

Because of this, we are now recommending that as part of project improvements Fields Corner Road be closed to public traffic north of the project. This could be done by providing a gate north of the project entrance from Field Corner Road and a second gate near the Patterson Town line. In addition, a full cul-de-sac should be provided north of the project entrance and before the

southerly gate to allow vehicles to turn around on the public road. Although closed to public traffic, the portion of the road between the gates would be maintained by the Southeast Highway Department so as to always be accessible for emergency access. The gates should meet any required specifications of local emergency service agencies and the Brewster Fire Department so as not to delay any emergency services response.

With respect to other public improvements necessitated by the project, as noted in the DEIS, Pugsley Road from Route 312 to Zimmer Road will be improved as part of the logistics development. Improvements to Zimmer Road and improvements to Fields Corner Road from Zimmer Road to the project entrance should be completed as part of the Brewster Yards project to bring those roads to Town Road Standards and to the satisfaction of this Department.

11-29

Should you have any questions, please feel free to contact me.

Michael Burdick
Town of Southeast
Highway Superintendent
(845) 519 7759

On Mon, Aug 8, 2022 at 2:18 PM Dall, Ryan <rdall@carmelschools.org> wrote:

1-30

My name is Ryan Dall and I have coached varsity baseball at Carmel High school since 1994 and in the Patterson Baseball travel program since 2010. One of the biggest issues we have had both at the high school level and with the local travel teams that operate in the Carmel Central school district is field space. Carmel schools fields 4 teams from modified to varsity but only has 2 fields to play on.

Having the ability to access a facility like this would be a tremendous resource for our kids. Having a facility like this for our travel teams throughout the region.

Over the past 10 years I have traveled to Cooperstown NY, Myrtle Beach South Carolina, Sports at the Beach Delaware, Baseball Heaven in Long Island and Diamond Nation to name a few to have the ability to access sites like the one proposed here. I have spent 10's of thousands of dollars in travel expenses to do so. If we had a facility in our area it would save families thousands of dollars in travel expenses and even allow some local youth the opportunity to play baseball that may not have had the financial resources to do so due to financial restraints.

A facility like this will also bring money into our local businesses and contribute to our local tax base. I have lived in Carmel for my entire 50 years and we desperately need more businesses to help off set the burden placed on our tax payers.

I hope this facility will receive your support moving forward.

Sincerely

Ryan Dall
Carmel High School
History Teacher
Baseball coach
Football coach

On Mon, Aug 8, 2022 at 4:26 PM Alex Gialanella <agialanella@fordham.edu> wrote:

Dear Southeast Town Board,

I live in the town of Patterson and have been coaching in the greater Hudson valley league since it was founded in 2014. I cannot be there tonight due to business commitments I have in the south, but am sharing this letter in hopes it will be read.

1-30

I've coached hundreds of kids from the Brewster, Carmel, Kent, and Patterson areas and not being from this area originally, baseball was a big part of making this our home. I've taught CCD at Saint James for many years, and have coached youth basketball and football as well while my wife has volunteered to coach cheer. Baseball has a way of bringing people together, forging connections and building community.

We've formed lifelong friendships through baseball and I'm proud to have coached kids from tee ball all the way through college level. The only problem we have though, is due to lack of infrastructure in the area. I'm often taking the kids to tournaments on Long Island, in New Jersey, in Massachusetts, Connecticut, and upstate New York.

We have nothing in our area for these kids, and that creates two issues: first: lack of involvement (I believe more kids would get out and play if more facilities existed), and second: economic impact. I've seen the positive economic impact youth sports can have on an area, it brings in spending at stores and restaurants, it brings growth, and it brings much needed visitors to the area.

I am hopeful that this youth sports complex would be approved to serve generations to come, keep kids active, and give the area a much needed boost in what is today a serious gap.

I have been proud to be part of the greater Hudson valley league since the day it was formed, and the work that Dave and Jen have done is unparalleled. I look forward to volunteering and coaching for many years to come, and hope to do so one day on these fields being proposed.

Dr. Alex Gialanella

On Mon, Aug 8, 2022 at 1:15 PM Michael Vaccaro <mvaccaro3817@gmail.com> wrote:

Good evening. My name is Mike Vaccaro. Apologies I cannot be here in person. I am currently out of the country on vacation.

1-30

I am writing to show support for the proposed baseball complex in Brewster NY.

I have lived in Buchanan (Cortlandt) for 26 years and involved in youth sports for over 35 years. I am a high school and youth sports referee for football and Wrestling as well as a youth baseball coach for 12 years. I was also the President of Cortlandt National Little League for 5 years. My point is, I have been around Youth Sports for a very long time. I have seen the growth, the positives, and of course some negatives.

I feel the development of a tournament style baseball complex in Brewster would be an extreme positive for the community, as well as surrounding local counties (NY/CT).

- There are hundreds of teams from our local area who would look to play there. That means their dollars otherwise spent in other states with facilities would stay local.
- The revenue brought in from other states would boost not only the surrounding areas, but impact for miles around. Restaurants, hotels, entertainment etc would all see a spike in revenue. A recent study featured on HBO Sports highlighted several areas that were saved by building similar facilities.
- Assuming the plans are well done, the traffic flow and impact of people coming in should be manageable. No different than a shopping mall, large multiplex etc.
- Lastly, the amount of joy, memories, experiences of youth bonding via baseball cannot be measured. We are talking about Americas pastime.

The people of Brewster should welcome such a positive impact to their community. Youth Sports in one of the fastest growing industries and Brewster should welcome being a part of it.

Cordially
Mike Vaccaro
Cortlandt Nationals
Buchanan, NY.



8/11/2022

Dear Town of Southeast Planning Board Members:

1-30

As a former collegiate baseball player, current business owner supporting baseball teams in and around Brewster and the entire Greater Hudson Valley area with almost 2000 baseball teams in NYC, Westchester, Putnam, Dutchess, Orange, Ulster, and Fairfield County CT, the Brewster Yards project will be a welcome and treasured facility to build memories for kids throughout the area.

Today, area teams travel to Long Island, New Jersey, Massachusetts, Delaware, and Maryland to baseball complexes to play each other! How silly! Teams buy breakfast, lunch, dinner, and stay at hotels to play a team that is 20 minutes from them in our backyard.

The Greater Hudson Valley Baseball league will move all operations to the Brewster Yards complex as soon as it is built - guaranteeing the largest youth travel baseball league in NY and CT will call Brewster Yards its home for games, playoffs, tournaments, to augment the programming already planned for the complex.

Coaches, area programs, & kids can not wait for a place to build lifelong memories in beautiful Putnam County, Town of Brewster & Southeast.

We know and trust the team that is bringing this amazing project to the area to keep the kids on fields playing ball and giving reasons to put down the phone, playstation controller, and develop memories to last a lifetime. This group is different, they will cater to kids of all levels - recreation to professional prospects and everyone in-between.

This will be an inclusive, safe, inspiring place to learn and develop in the games of baseball, softball, and other field sports. I wholeheartedly support the effort to deliver Brewster Yards to the families of Southeast, Brewster, and to areas far and wide. We will do our part to make this endeavor a successful project for the years to come.

Thank you for your consideration.

Kind regards,

David Zaslaw
Founder
Greater Hudson Valley Baseball League

400 Columbus Avenue, Suite 180E
Valhalla, New York 10595
Main: 877 627 3772



September 9, 2022

Mr. Richard Williams, Sr., Supervisor
Town of Patterson
Planning Board
1141 Route 311
Patterson, NY 12563

Brewster Yards - Traffic Review
Town of Patterson, Putnam County, NY
Colliers Engineering & Design Project No. 22010220A

Dear Supervisor Williams,

As requested, we have reviewed the Traffic Impact Study prepared by DTS Provident Design Engineering, LLP, dated November 22, 2021 as well as the Transportation portion of the DEIS for the above referenced development. The proposed project consists of a commercial recreation complex for baseball and other sports consisting of five full size baseball fields, four Little League baseball fields, one multi-sports field, a recreation building, and related accessory facilities (i.e., food concession stands and pro shop). The proposed project is located along Pugsley Road (and Fields Corner Road to the north) in the Town of Southeast, Putnam County, New York. The site comprises two parcels of land separated by land owned by the Town of Southeast (labelled as Zimmer Road on site plan). Our review has focused on the methodology utilized, appropriateness of data and analysis results, as well as the adequacy of recommended mitigation outlined in the DEIS Traffic Study for the project. We have also reviewed the proposed mitigation/improvements and inspected the site to assist with the completion of our review. The following outlines the various areas reviewed.

General

Overall, the traffic study was prepared in accordance with the standard procedures and methodology required by NYSDOT and the Institute of Transportation Engineers (ITE) in evaluating and assessing development proposals. The specific components of the study which we reviewed included each of the following:

Existing Traffic Conditions

Based on the traffic data included in the Traffic Study, the intersections evaluated as well as the time periods and existing peak hours identified appear to be appropriate. The description of the area

roadways covers key factors and identifies the roadway system adequately. In establishing the existing traffic volumes, the intersection turning movement counts, which were based on the Northeast Interstate Logistics Center (NILC) data were also reviewed and appear reasonable based on comparison with other available historical data.

Future Conditions Without the Proposed Development

The study accounted for a background growth rate of 1 percent per year although historical NYSDOT data indicates that traffic volumes have not increased significantly in recent years. The use of this growth factor to project the background volumes was used, but a design year of 2023 seems to be optimistic and it should be at least extended to 2025 or 2026. Additionally, future traffic conditions also account for the proposed Ace Endico Expansion and Terravest Senior Housing and NILC developments. **If other developments in the Town of Southeast, Town of Kent, or Town Patterson are expected to occur in this time frame, they should also be accounted for.**

11-30

11-31

Accident Evaluation

Accident data was obtained and evaluated in the Traffic Impact Study relative to the surrounding intersections. Over the most recent three-year period there has been 110 accidents on the roadways within the study area. **The accident data should be summarized in a table including the type of accident to identify any common trends in the study area including those for the Fair Street and Fields Corner Road intersection.**

11-32

Traffic Generation Estimates

The site traffic generation estimates were computed based on existing traffic measurements from a similarly sized soccer/baseball sports complex in North Branford, CT. Traffic counts for this location were obtained from data provided by StreetLight during Covid-19. **Based on our initial calculations the trip generation estimates appear reasonable. However, we recommend that any other similar source data be identified and that a new manual traffic count at the physical site in Connecticut should be performed to account for any discrepancies in the GPS based data provided by StreetLight since in many cases it has been somewhat unreliable and to provide more specific details on entry and exit volumes.**

11-33

Sight Distance Considerations

The area access connections and intersections need to be evaluated in terms of the sight distances provided and compared to ITE, AASHTO, and NYSDOT Standards. The sight distance evaluation should include a review of Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) for the intersection of Fair Street and Fields Corner Road.

11-34

Arrival/Departure Distributions

The traffic study provides arrival and departure distributions for the proposed facility and as indicated on Figures No. 4 and 5, show over 98% of the traffic arriving to and from the south on Pugsley Road. **Based on a review the roadway network and in consideration of the current and potential future peak hour congestion at the NYS Route 312 and I-84 EB On-Off Ramp/Independent Way intersection, it is likely that a significant portion of traffic may decide to use Fields Corner Road to access the site (see further discussion below).**

Intersection Evaluations

Each of the intersections were analyzed using the proper procedures outlined in the *2016 Highway Capacity Manual*. **The capacity analysis results contained in the study utilize the HCM summaries as required by NYSDOT. The analysis results identify certain traffic signal modifications; however, it is unclear what improvements are accounted for at the NYS Route 312/Pugsley Road intersection and along Pugsley Road itself between NYS Route 312 and the site. Furthermore, based on the comments on distributions, the intersection of Fields Corner Road and Fair Street should be reanalyzed. Also, the intersection NYS Route 311 and Fair Street should also be evaluated. Input from NYSDOT should also be obtained to ensure that the improvements are being coordinated with them and that they are in conceptual agreement with such. The study should identify clearly what improvements and the timing of the installation of such that are being planned either by the NILC or by this project for Pugsley Road to accommodate the additional traffic generation.**

While the traffic report indicates that the Applicant proposes to restrict right turns out of the site onto Fields Corner Road we have concerns as to how this restriction will be enforced. Additionally, the potential for left turns entering the site does not appear to be restricted. **Based on the shorter distance and potential travel time savings associated with the use of Fields Corner Road to the north, we recommend that a separate sensitivity analysis be conducted to further account for this travel route and to identify any additional mitigation requirements.**

Summary and Recommendations

Overall, the methodology of the DTS Provident Design Engineering, LLP study follows industry standards. However, we believe that the Applicant should supplement their work with additional traffic counts and a detailed analysis of alternative travel routes via Fields Corner Road to account for travel times and the likelihood variations with the distributions for a development such as the one proposed.

Sincerely,

Colliers Engineering & Design CT, P.C.
(DBA Maser Consulting Engineering & Land Surveying)



Philip Grealy, Ph.D., P.E.
Geographic Discipline Leader



BREWSTER FIRE DEPARTMENT
Target Hazard Planning Group
Brewster Fire Department
501 North Main Street
Brewster, NY 10509

August 29th 2020

Town of Southeast Planning Board
1 Main Street
Brewster, NY 10509

Dear Planning Board Members,

Thank you for allowing the Brewster Fire Department the continued opportunity to review the plans for the “Brewster Yards” project. With regard to the installation of multiple gates on Fields Corners Rd. and the Carmel Town Line, we would like to offer the attached recommendations.

3-16

Respectfully,
Brewster Fire Department -
Target Hazard Planning Group

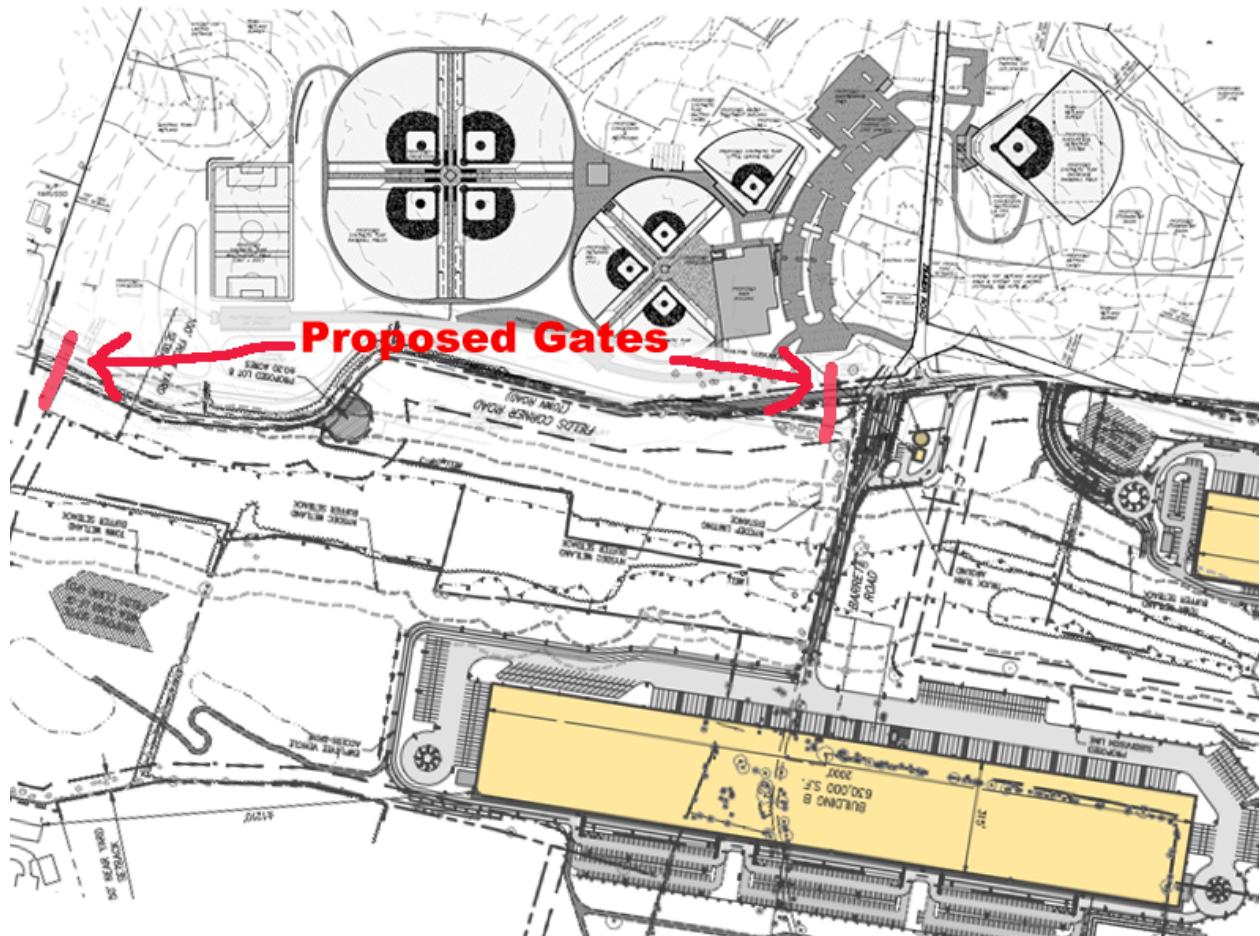


BREWSTER FIRE DEPARTMENT
Target Hazard Planning Group
Brewster Fire Department
501 North Main Street
Brewster, NY 10509

There are two main projects proposed for the Pugsley Road area.

1. Interstate Logistics
2. Brewster Yards

Below is a compilation of the projects from drawings obtained on the town website. While not exactly to the same scale, it does allow us to have a “birds eye” view of the area.





The placement of gates at the indicated areas could have a detrimental effect upon our ability to safely and efficiently respond to the site for an emergency.

3-16

1. Closing off Fields Corner Rd. would seal off emergency access to the majority and probably most used areas of the Brewster Yards project.
2. If two gates were to be installed, what would happen during winter months with snow on the ground?
3. Would the area between the gates be plowed?
4. Would the roadway between the gates be properly maintained? (potholes and freeze / thaw surface breaks?)
5. A gate at the Patterson Town line would also potentially slow mutual aid companies should we need them to respond to the Interstate Logistics ware house or Brewster Yards for a Fire / EMS mutual aid.
 - a. There are many occasions when the Brewster Fire Department receives more than one Fire or EMS call at a time or is involved with an ongoing EMS call when another emergency request is received.
 - b. We, as all Volunteer Fire Departments, rely on existing mutual aid agreements with our neighboring districts to handle multiple calls for assistance.
6. Gating access would force mutual aid companies to take a circuitous route to reach the assignment.
7. Perhaps Speed Humps would be a better option.

If a gate must be installed, then we would recommend that only one gate be installed at the Patterson Town Line. In addition, this gate should have the following specifications and abilities;

3-17

1. The gate should be a minimum of 9 feet wide to allow our vehicles to pass.
2. The gate should be equipped with a sensor that would automatically open when a specific siren tone is projected near the gate location. (This would probably be the most desired and least obstructive to the response process.)
3. If a lock must be installed, Keys must be provided to Carmel Fire Department, Patterson Fire Department and the Brewster Fire Department. We would recommend that the lock be the same as the Fire Road locks currently in use.



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

Dear Ms. Desidero and Members of the Planning Board:

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

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

9-7

9-8

9-9

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. **15-4**

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. **12-15**
12-16

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. **10-17**

6. In general, the circulated SWPPP does not include enough supporting information, such as engineering details, for DEP to evaluate the proposed practices. **10-18**

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. **10-19**

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. **10-20**

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 **10-21**

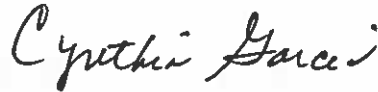
the various alternatives in order for involved agencies to make an informed, reasonable judgment.

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.

16-3

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