



December 10, 2014

Ms. Michele Stancati, Town Clerk
Town of Southeast Town Board
1360 Route 22
Brewster, NY 10509

Emily Lloyd
Commissioner

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

465 Columbus Avenue
Valhalla, New York 10595
T: (845) 340-7800
F: (845) 334-7175

Re: **Crossroads 312 – Draft FEIS**
Route 312
Town of Southeast, Putnam County
Tax map#: 45.-2-55, 45.-2-56, 45.-2-52, 45.-2-53 & 45.-2-54
DEP Log #:2009-DI-0585-SQ.1

Dear Ms. Stancati and Members of the Town Board:

Thank you for providing the New York City Environmental Protection (DEP) the opportunity to review the draft Final Environmental Impact Statement prepared by LADA, P.C., Land Planners, dated July 25, 2014, and site plans prepared by LADA, P.C., last revised July 18, 2014 for the above referenced action.

While DEP appreciates the project sponsor's responses to several issues DEP has raised, there are some remaining concerns regarding the lack of information and potential adverse water quality impacts resulting from the project. DEP is concerned about the project's potential for turbidity and increased pollutant loading, particularly phosphorus, into Diverting Reservoir; disturbance of steep slopes; degradation of wetlands and downstream channels; and lack of "green infrastructure" and runoff reduction practices. This information should be provided either in a supplemental or revised FEIS.

DEP respectfully submits the following for the Board's consideration:

Stormwater Management – Chapter 13

1. The response to Comment Storm -3 is not sufficient. As previously stated, it was recommended that the applicant's representative make arrangements with DEP's Stormwater Programs section to witness deep hole tests in the areas proposed for the stormwater management basins. These recommended field investigations were never conducted, and as such, any conclusions concerning the site's soil suitability, expressed in the DEIS are speculative. To make arrangements, the applicant's engineer and/or representative may contact Jean marc Roche at (914)773-4464.
2. The response to Comment Storm -7 is not acceptable. All new areas of impervious surfaces, including those associated with the road

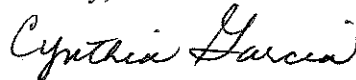
widening of Route 312, must be directed to a stormwater treatment practice(s) in accordance with the New York State Stormwater Management Design Manual and Watershed Regulations.

Alternatives – Chapter 18

The response to comment ALT-2 is inappropriate. Under SEQRA, compliance with a regulatory requirement does not necessarily constitute adequate mitigation of potential adverse impacts.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyc.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia
SEQRA Coordination Section

- X: D. Whitehead, NYSDEC-Region 3
SEQRA Unit, NYSDOT
T. Hahn, LADA, P.C.

Michele Stancati

From: Ashley Ley [aley@akrf.com]
Sent: Thursday, December 11, 2014 10:06 AM
To: Town Board, Southeast
Cc: Tom Fenton; Stephen Coleman; Will Stephens; Tom LaPerch; Victoria Desidero; Michele Stancati; Graham Trelstad
Subject: Re: DEP response to Crossroads
Attachments: SKMBT_50114121014020.pdf

I have reviewed NYCDEP's comments on the preliminary FEIS and discussed these issues with Tom Fenton. Please note that these comments were made on an earlier version of the FEIS, before it was accepted as complete. As such, some of these issues were already addressed in response to comment revisions that are in the accepted FEIS. The other items can be addressed in the Findings Statement (i.e. a more affirmative statement regarding the capturing of Route 312 runoff into stormwater management practices).

Please note that the issue regarding DEP monitoring the testing was responded to in the FEIS as follows:

*Exploratory deep tests and soil borings have been conducted at numerous locations throughout the property as were described in Appendices M and N of the DEIS. The preliminary plans for stormwater management on the site account for the limiting depths to groundwater and rock where practices have been sited based on the results of the nearest tests. The proposed practices include bioretention basins and infiltration chambers for green infrastructure techniques and micropool extended detention basin for additional treatment and quantity control. **As the site design process advances additional soil testing will be conducted for observation by the NYCDEP.** Representative deep tests will be excavated within the confines of bioretention and extended detention basins. Deep tests and percolation tests will be conducted as necessary in areas of proposed infiltration chambers.*

Thank you,

Ashley

Michele Stancati

From: Tony Hay [tonyhayusmc@gmail.com]
Sent: Thursday, December 04, 2014 7:28 AM
To: Bob Cullen; Chris DuBois; Edwin Alvarez; Liz Hudak; Lynne Eckardt; Michele Stancati; Will Stephens
Subject: Fwd: Crossroads 312

fyi

----- Forwarded message -----
From: christine capuano <crisee@hotmail.com>
Date: Thu, Dec 4, 2014 at 10:35 PM
Subject: Crossroads 312
To: tonyhayusmc@gmail.com

My comments are directed to Ms Hudak, Mr. Gross and Mr Alvarez.
You were elected to REPRESENT the people of Southeast, a majority of who do not want this ill conceived project to be built. It will create jobs at the expense of the businesses located in Putnam Plaza and other nearby stores to become vacant and a blight on our town. Southeast would benefit very little from the sales tax collected
I am guessing you would like Rt 6 and the 312 corridor to look like Rt 9 in Fishkill and Poughkeepsie, our lovely woodlands replaced by Neon and parking lots.
And forget about getting to Kohls , Home Depot or Marshalls on a Saturday or Sunday without allowing a lot of extra time. Very dangerous for fire trucks and when would the kids get to school? At lunchtime?
I urge these 3 board members to reconsider and vote this zone change down. All they see is dollar signs and this is true for the taxpayers who will have to shoulder the costs of maintaining Rt 6 and 312 when it is under such heavy traffic.
It seems tomme that our Supervisor and Ms Eckhart are the only ones thinking with their heads Please keep our beautiful town free from light pollution, tractor trailer fumes and keep our small stores open. Vote No on this zone change

Christine Capuano

Sent from Samsung tablet

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Tony Hay

Supervisor, Town of Southeast

1360 Route 22, Brewster, NY 10509

Michele Stancati

From: Art Singer [artshadow@juno.com]
Sent: Monday, December 08, 2014 6:45 AM
To: townboard@southeast-ny.gov

To: Town Board
Town of Southeast
1360 Route 22
Brewster NY 10509

December 8, 2014

Re: Crossroads FEIS

I was somewhat dismayed by Elizabeth Hudak's voting for and accepting the **incomplete** Crossroads FEIS document. Trying to explain her vote for Ashley Lay's incomplete document, Ms. Hudak, stated that "**I'm satisfied because our consultants are satisfied...we trust them**".

I have attended several meetings where Ms. Lay has demonstrated her comprehensive knowledge of the complicated SEQR process and I accept her as true professional Consulting Planner. The SEQR process can be difficult to fathom, requiring independent study, perhaps that is where Ms. Hudak fell into the trap of throwing up her hands and passing her responsibility as a Town Board member, to a hired consultant from out of town. Is she not aware that as a Public Officer, she is the one who signs the Oath of Office and is required to abide by the NYS Code of Ethics, not a hired consultant.

Sincerely,

Arthur Singer

Michele Stancati

From: Tony Hay [tonyhayusmc@gmail.com]
Sent: Wednesday, December 10, 2014 7:25 AM
To: cbirky59@verizon.net
Cc: Town Board
Subject: Re: Crossroads 312

Dear Ms. Birkenstock,

The Town is in receipt of your e-mail. Thank you. Tony Hay

On Tue, Dec 9, 2014 at 6:57 PM, <cbirky59@verizon.net> wrote:

Councilpersons Hudak, Cullen and Alvarez: My name is Carol Birkenstock, my family & I are very disappointed to hear that the town board is going to try to push this horrible development through. The idea of a hotel in the first place being built in Southeast is just absurd. This town is what it is & it doesn't need a hotel. The quiet beauty & charm is what drew us here over 21 years ago & now its slipping away. The impact on the environment will be forever. 32.7 acres & 3000 trees for what? The losses will be devastating.

Please deny this developer the zoning changes they are asking for. Isn't what we are asking for more important? The taxpayers & residents of Southeast. By the way, the town of Southeast will never benefit from the sales tax revenue. Actually there would be no benefit for us at all. More traffic congestion, dead animals in the road & noise is what we will have. Hasn't the Highlands Center been enough. Please stop this!
1 Pine Road Southeast

--

Tony Hay

Supervisor, Town of Southeast

1360 Route 22, Brewster, NY 10509

(845) 279-5345 (O)

(845) 278-2453 (F)

tonyhayusmc@gmail.com

thay@southeast-ny.gov

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Michele Stancati

From: cbirky59@verizon.net
Sent: Tuesday, December 09, 2014 6:58 PM
To: townboard@southeast-ny.gov
Subject: Crossroads 312

Councilpersons Hudak, Cullen and Alvarez: My name is Carol Birkenstock, my family & I are very disappointed to hear that the town board is going to try to push this horrible development through. The idea of a hotel in the first place being built in Southeast is just absurd. This town is what it is & it doesn't need a hotel. The quiet beauty & charm is what drew us here over 21 years ago & now its slipping away. The impact on the environment will be forever. 32.7 acres & 3000 trees for what? The losses will be devastating. Please deny this developer the zoning changes they are asking for. Isn't what we are asking for more important? The taxpayers & residents of Southeast . By the way, the town of Southeast will never benefit from the sales tax revenue. Actually there would be no benefit for us at all . More traffic congestion,dead animals in the road & noise is what we will have. Hasn't the Highlands Center been enough. Please stop this!

1 Pine Road Southeast

Michele Stancati

From: Tony Hay [tonyhayusmc@gmail.com]
Sent: Wednesday, December 10, 2014 7:20 AM
To: christine capuano
Cc: Town Board
Subject: Re: Crossroads 312

Dear Ms. Capuano,

The Town is in receipt of your e-mail. Thank you. Tony Hay

On Wed, Dec 10, 2014 at 8:02 PM, christine capuano <crisee@hotmail.com> wrote:

I urgently ask that board members Hudak, Alvarez and Cullen reconsider their vote for rezoning to HC1. The present zoning of RC should remain. I am disappointed and outraged that these board members would vote for this project before they even reviewed the FEIS in its completed form.

Our beautiful trees, rocky ridgelines will be gone forever, replaced by bright lights and retail signs. At the expense of low paying jobs, this project profits no one except the developer and lawyers who will litigate this project. Our air will become polluted from heavy traffic on 312, police, fire and emergency vehicles hampered. A visit to MKMG will seem like a roadtrip, especially when they widen 312, AT TAXPYER EXPENSE. To the above board members, please, please reconsider what you are doing by voting for this rezoning. You will be responsible for allowing 312 to look like Rt9 in Fishkill and Poughkeepsie. I will remember how they vote at election time.

Christine Capuano
Southeast NY

Sent from Samsung tablet

--

Tony Hay

Supervisor, Town of Southeast

1360 Route 22, Brewster, NY 10509

(845) 279-5345 (O)

(845) 278-2453 (F)

tonyhayusmc@gmail.com

thay@southeast-ny.gov

Michele Stancati

From: christine capuano [crisee@hotmail.com]
Sent: Wednesday, December 10, 2014 8:03 PM
To: townboard@southeast-ny.gov
Subject: Crossroads 312

I urgently ask that board members Hudak, Alvarez and Cullen reconsider their vote for rezoning to HC1. The present zoning of RC should remain. I am disappointed and outraged that these board members would vote for this project before they even reviewed the FEIS in its completed form.

Our beautiful trees, rocky ridgelines will be gone forever, replaced by bright lights and retail signs. At the expense of low paying jobs, this project profits no one except the developer and lawyers who will litigate this project. Our air will become poluted from heavy traffic on 312, police, fire and emergency vehicles hampered.

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Christine Capuano
Southeast NY

Sent from Samsung tablet

Michele Stancati

From: Tony Hay [tonyhayusmc@gmail.com]
Sent: Tuesday, December 09, 2014 6:15 PM
To: mrogers
Cc: Town Board
Subject: Re: Crossroads 312

Mr. Rogers,

The Town is in receipt of your e-mail. Thank you. Tony Hay

On Tue, Dec 9, 2014 at 5:29 PM, mrogers <mtrogers14@gmail.com> wrote:

This email is intended for Councilpersons Hudak, Cullen, and Alvarez, It is my understanding that the three of you are in favor of the project titled Crossroads 312. As a resident of Southeast for the last 10 years I would like you to know I among others are greatly opposed to this project. I grew up on Long Island in the 70's 80's and 90's and can tell you first hand what over development does to a suburban community. I grew up watching commercial buildings and strip malls go up at a frantic pace and so many of them sat vacant soon after being built. It is an eyesore and magnet for crime and loitering. I moved to Southeast to raise my family and give my daughters a good safe small town to grow up in. I am sure you can't disagree that this world needs more places like Southeast during these times. I have also spent the last 19 years of my life as a NYPD officer and Detective and can tell you that someone who spends a majority of their time in the city does not want to come home to traffic, congestion and overcrowding. I am set to retire in 6 months and am looking forward to staying in Southeast and raising my children here where the way of life is enviable and the schools are outstanding. I can not imagine I am alone in saying that if this project goes through many of us will consider leaving to find somewhere that the way of life isn't being pushed aside for the greed of money and big business.

Please reconsider your votes on this matter and keep Southeast the wonderful place it is to raise a family.

Sincerely,
Michael Rogers
Southeast resident.

--

Tony Hay

Supervisor, Town of Southeast

1360 Route 22, Brewster, NY 10509

(845) 279-5345 (O)

(845) 278-2453 (F)

tonyhayusmc@gmail.com

thay@southeast-ny.gov

Michele Stancati

From: Tony Hay [tonyhayusmc@gmail.com]
Sent: Tuesday, December 09, 2014 6:18 PM
To: Peter Benfield
Cc: Town Board
Subject: Re: Crossroads 312

Mr. Benfield,

The Town is in receipt of your e-mail. Thank you. Tony Hay

On Tue, Dec 9, 2014 at 5:16 PM, Peter Benfield <peter@benfieldpp.com> wrote:

Attn. Southeast Town Board:

We don't WANT Crossroads 312.

We don't NEED Crossroads 312.

Why would we change our zoning to allow construction of something larger than is currently allowed??

If they want to use the land, let it be under existing zoning – no problem...

Don't sell away our town and environment for a few tax dollars that Southeast won't even benefit directly from.

If you really aren't certain what the people you represent want – put it to a referendum!

Thank you,

Peter Benfield

398 Brewster Hill Rd.

Brewster, NY 10509

845-279-1166

Michele Stancati

From: mrogers [mrogers14@gmail.com]
Sent: Tuesday, December 09, 2014 5:29 PM
To: townboard@southeast-ny.gov
Subject: Crossroads 312

This email is intended for Councilpersons Hudak, Cullen, and Alvarez, It is my understanding that the three of you are in favor of the project titled Crossroads 312. As a resident of Southeast for the last 10 years I would like you to know I among others are greatly opposed to this project. I grew up on Long Island in the 70's 80's and 90's and can tell you first hand what over development does to a suburban community. I grew up watching commercial buildings and strip malls go up at a frantic pace and so many of them sat vacant soon after being built. It is an eyesore and magnet for crime and loitering. I moved to Southeast to raise my family and give my daughters a good safe small town to grow up in. I am sure you can't disagree that this world needs more places like Southeast during these times. I have also spent the last 19 years of my life as a NYPD officer and Detective and can tell you that someone who spends a majority of their time in the city does not want to come home to traffic, congestion and overcrowding. I am set to retire in 6 months and am looking forward to staying in Southeast and raising my children here where the way of life is enviable and the schools are outstanding. I can not imagine I am alone in saying that if this project goes through many of us will consider leaving to find somewhere that the way of life isn't being pushed aside for the greed of money and big business.

Please reconsider your votes on this matter and keep Southeast the wonderful place it is to raise a family.

Sincerely,
Michael Rogers
Southeast resident.

Michele Stancati

From: Peter Benfield [peter@benfieldpp.com]
Sent: Tuesday, December 09, 2014 5:16 PM
To: townboard@southeast-ny.gov
Subject: Crossroads 312

Attn. Southeast Town Board:

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Thank you,

Peter Benfield
398 Brewster Hill Rd.
Brewster, NY 10509
845-279-1166

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Michele Stancati

From: terlizs@aol.com
Sent: Sunday, December 14, 2014 5:26 PM
To: townboard@southeast-ny.gov
Subject: Crossroads 312

May this serve as notice that we remain adamantly opposed to the Crossroads 312 project.

Michael and Sally Terlizzi

Michele Stancati

From: Tony Hay [tonyhayusmc@gmail.com]
Sent: Friday, December 12, 2014 2:29 PM
To: raybeth568
Cc: Town Board
Subject: Re: Fw: Fwd: Crossroads 312

Dear Ms. Fernandez,

The Town is in receipt of your e-mail. Thank you. Tony Hay

On Fri, Dec 12, 2014 at 11:40 AM, raybeth568 <raybeth568@comcast.net> wrote:

I am asking that Board Members Hudak, Alvarez and Cullen strongly consider not voting for rezoning to HC1...the zoning should remain as is. The beauty and tranquility of the area is our claim to fame and a very important one so don't destroy it!!! I see no benefit to the area by changing the zoning. It can only hamper our way of life here in many ways and won't add any revenue to the town of Southeast.

Elizabeth Fernandez
Southeast, NY

--
Tony Hay

Supervisor, Town of Southeast

1360 Route 22, Brewster, NY 10509

(845) 279-5345 (O)

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