

New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3054 FAX: (845) 255-3042

Website: www.dec.ny.gov



Alexander B. Granis,
Commissioner

January 9, 2008

Eileen Finn
Village Clerk
120 Larchmont Avenue
Larchmont, New York 10538

Re: Flint Park Improvements -- Synthetic Turf Field
DEC Pre-Application # : 3-5532-00333/00003
Village of Larchmont, Westchester County

Dear Ms. Finn:

The Department of Environmental Conservation (DEC) has reviewed the information which was submitted to this office regarding the second phase of improvements to the facilities at Flint Park in the Village of Larchmont. It appears that this project will require a permit pursuant to Article 25 of the Environmental Conservation Law, Tidal Wetlands.

After reviewing the plans submitted in October it appeared that, based on the elevation lines, a portion of the work area does fall within Tidal Wetland Adjacent Area. The plans show areas of re-grading to the north and east of the proposed viewing stands which are within 300 feet of the wetland and below 10 feet in elevation. In addition, under Use Category # 44 of the Tidal Wetlands regulations, the discharge of stormwater in and of itself, even in the absence of physical disturbance in the wetland or adjacent area, requires a permit. Therefore, even if an existing outfall pipe is used, a permit is still required if the discharge is going to the tidal wetland.

On December 20, 2007, I spoke with your consultant Steve Lauria of Woodard & Curran. In the course of the conversation, Mr. Lauria stated that clearing and staging work had begun on the project, based on the assumption that no Tidal Wetland permit was required and the determination by the DEC Division of Water that the Stormwater Pollution Prevention Plan (SWPPP) met the standards for coverage under the DEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-02-01). However per GP-02-01, Part 1 D #7 "Authorization Under This General Permit", all other permits under Uniform Procedures must be issued before coverage under the General Permit is authorized.

No work should have begun prior to a final jurisdiction determination by the Department. As I informed Mr. Lauria, the Village must halt all work at the site that affects our areas of jurisdiction. The Division of Water will be reviewing this matter to determine whether or not the work done constitutes a violation of Article 17 of the Environmental Conservation Law, Water Pollution Control.

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Mr. Lauria indicated in an email dated December 27, 2007 that he proposed to relocate the stormwater pipe to drain to an existing catch basin outside the wetland Adjacent Area. This would not change the jurisdiction determination if that catch basin also drains into the wetland. If this change is proposed, new plans must provide information on the location of the discharge pipe for the catch basin.

The Village should also be aware that the Department has received correspondence from two members of the community opposing this project (enclosed). They have raised questions regarding potential impacts of the synthetic turf material on water quality standards and wetland habitat. These issues will need to be addressed prior to issuance of any permits.

In addition, a request for jurisdiction determination (CH # 1775) was received on December 7, 2007 from Dolph Rotfeld on behalf of the Town of Mamaroneck with regards to a proposed reconstruction of the stormwater drains north of the Synthetic Turf Field site, including removal of the sump area that was previously proposed as the receiving basin for this project's stormwater. This project will require a Tidal Wetlands permit and Department review for stormwater impacts to the wetlands. As I understand from Mr. Rotfeld, the stormwater system is the property of the Town, therefore the Village must provide a copy of written permission from the Town to tie into any portion of the system belonging to the Town. Plans should show the location of any easements belonging to the Town.

The Department is more than willing to meet with both the Town of Mamaroneck and the Village of Larchmont regarding these projects. If you have any questions or would like to set up a meeting, please feel free to contact me at (845) 256-3040 or the above address.

Sincerely yours,



Rebecca Crist
Environmental Analyst

Enc: E-mail from E. Radow dated December 10, 2007
Letter from Michele Lewis dated December 18, 2007

Cc: Supervisor, Town of Mamaroneck
Steve Lauria, Woodard & Curran, consultant for the Village of Larchmont
Dolph Rotfeld, P.E., consultant for the Town of Mamaroneck
Betsy Blair, NYSDEC Bureau of Marine Resources
Meena George, DEC Division of Water