

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3

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

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www.dec.ny.gov

March 12, 2025

VIA EMAIL

Windemere Estates

Attn: Kate Costello, Horizon Land Co.

kcostello@horizonlandco.com

Re: Windemere Estates

DEC ID: 3-3348-00045/00001 (P3S) NY0105368

Article 17, State Pollutant Discharge Elimination System (SPDES)

Town of New Windsor, Orange County

NOTICE OF INCOMPLETE APPLICATION

Dear Kate Costello,

The New York State Department of Environmental Conservation (Department or DEC) has reviewed the application submitted for the above referenced project, located at 1 Nevis Drive, New Windsor. According to the application materials, the proposal consists of reauthorizing a lapsed State Pollutant Discharge Elimination System (SPDES) permit that expired on October 31, 2022. The permit authorized an existing surface discharge of 15,000 gallons per day of treated sanitary sewage to a tributary to unnamed tributary of Silver Stream Reservoir [Water Index Number H-P 225-1-2-P 226a-1, Class C], from a secondary treatment system at the facility, which operates as a manufactured home community.

Based on our review of the submitted materials, Department staff have determined that the application is incomplete. Please submit the following items for the Department to continue its review:

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES)

The technical review is complete.

ENVIRONMENTAL JUSTICE

This application is subject to CP-29, Environmental Justice and Permitting, which provides guidance for incorporating environmental justice concerns into the NYSDEC environmental review process and the DEC application of the State Quality Review Act. CP-29 can be found at the following link: <https://dec.ny.gov/regulatory/guidance-and-policy-documents/commissioner-policy-29-environmental-justice-and-permitting>.

A map that depicts Potential Environmental Justice Areas (PEJAs) relative to your project location may be obtained by utilizing the DEC Info Locator and activating the Public Involvement Layers (see: [DECinfo Locator](#)).

In addition to what you have already submitted, the policy requires the preparation and submission of a draft Public Participation Plan for review and approval by the Department. Your Public Participation Plan (PPP) must focus on the community potentially affected by the proposed project, inform interested stakeholders about the proposed action, and outline and describe a program of activities that provide opportunities for public participation in the NYSDEC environmental review process. Public Participation in the NYSDEC environmental permit review process means a program of activities that provides opportunities for stakeholders to be informed about and involved in the review of a proposed action.

- The Department has determined that the direct mailings should be sent to property owners that reside within a half mile of the treatment facility (Windemere) and property owners that boarder the waterbody within a ½ mile of the outfall. This direct mailing can just be the meeting invite (in Spanish and English) including a link to the repository.
- Please add the attached list of stakeholders to the PPP.
- The Department has determined that the meeting invite, factsheet, and EPPP should be in English and Spanish.
- Please note that the initial meeting date and time will need to be approved by the Department prior to draft PPP approval.
- Please see the attached template for your draft Public Participation Plan (PPP). Once you have prepared your draft PPP, please submit it to the Department for review. Please ensure the link to the document repository is live and goes directly to the repository.

For questions about the policy and its implementation, please contact Kerri Pickard-DePriest in the NYSDEC Office of Environmental Justice at kerri.pickard-depriest@dec.ny.gov.

UNIFORM PROCEDURES

Please be advised that pursuant to 6 NYCRR Part 621.4(e), this project is a major project. It will be required to undergo 30 days of public notice. Once the Department considers the application complete, the applicant will be responsible for publishing (for one day) the Notice of Complete Application in the official newspaper of the town in which the project will occur. Any comments received must be addressed before a final permit decision is made.

Your application will remain incomplete until the new application materials have been received, as allowed under the Uniform Procedures Act (UPA) regulations at 6 NYCRR 621.6(e). Please provide an electronic copy of all materials. Please reference DEC ID: 3-3348-00045.

If you have any questions regarding the above request, please contact me via email at alysse.devine@dec.ny.gov.

Sincerely,

A handwritten signature in black ink that reads "Alysse Devine". The script is cursive and fluid.

Alysse Devine
Division of Environmental Permits

Ecc: H. Joe Fung, NYSDEC Division of Water
Kerri Pickard-DePriest, NYSDEC Office of Environmental Justice
Town of New Windsor Clerk

Enc: Draft Public Participation Plan
Windemere Estates Stakeholder List

New Windsor/Newburgh Stakeholder list Windemere Estates - 1 Nevis Drive, New Windsor

Senator James Skoufis
45 Quaker Avenue
Suites 202 & @07
Cornwall, NY 12518-2146
Skoufis@nysenate.gov

Senator Rob Rolison
3 Neptune Road
Suite N22
Poughkeepsie, NY 12601
Rolison@nysenate.gov

Assemblymember Jonathan Jacobson
436 Robinson Avenue
Suite B
Newburgh, NY 12550
jacobsonj@nyassembly.gov

Assemblymember Chris Eachus
34 Smith Clove Road
Central Valley, NY 10917
eachusc@nyassembly.gov

Orange County Executive Steven Neuhaus
255 Main Street
Goshen, NY 10924
ceoffice@orangecountygov.com

Newburgh Mayor Torrance Harvey
83 Broadway
Newburgh, NY 12550
[City Council Contact Form](#)

New Windsor Town Supervisor
Stephen A. Bedetti
55 Union Ave
New Windsor, NY 12553
sbedetti@newwindsor-ny.gov

Mid-Hudson News
One Civic Center Plaza
Poughkeepsie, NY 12601

Hudson Valley Press
343 Broadway
Newburgh, NY 12550

Times Herald-Record
90 Crystal Run Rd., Suite 310
Middletown, NY 10941

Mid-Hudson Times
500 Stonybrook Court, Suite 2
Newburgh, NY 12550

Poughkeepsie Journal
85 Civic Center Plaza
Poughkeepsie, NY 12601

Protect Orange County - protectorangeco@gmail.com

River Keeper - info@riverkeeper.org

Scenic Hudson - Info@scenichudson.org

Orange Environment, Inc - orangeenvironment@gmail.com

The Preservation Collective, Inc - Info@thepreservationcollective.com

Hudson Valley Watershed Alliance - Emily@hudsonwatershed.org

Sustainable Hudson Valley - Info@sustainhv.org

Newburgh Clean Water Project - Info@anthropocenealliance.org

Newburgh Parks Conservancy - <https://www.newburghparksconservancy.org/contact>

Outdoor Promise - Info@outdoorpromise.org

Newburgh Conservation Advisory Council - <https://www.cityofnewburgh-ny.gov/327/Conservation-Advisory-Council>

Environmental Justice Collaborative of Orange County - <https://www.facebook.com/groups/ejcooc/>

Hudson River Sloop Clearwater, Inc - Office@clearwater.org

Quassaick Creek Watershed Alliance - gcwaic2009@gmail.com

Environmental Advocates NY - info@eany.org

Partners for Climate Action - Hello@climateactionhv.org

Next Step Hudson Valley Coalition - <https://www.facebook.com/nextstephudsonvalley/>

845 Unity - 845unity@gmail.com

Newburgh Free Library- 124 Grand Street Newburgh, NY 12550 - <https://newburghlibrary.org/about-us/hours-location/>

The Church of Jesus Christ of Latter-Day Saints - 485 Mount Airy Road New Windsor, NY 12553

NAACP Newburgh Highland Falls - [Website](#), Secretary@newburghareanaacp.org