



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
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Office of Facilities Planning, Room 1060 Education Building Annex
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www.emsc.nysed.gov/facplan/

August 11, 2003

Dear Superintendent:

It has come to our attention over the past few months that many districts are contemplating substantial reconstruction of their athletic fields using “free” fill from construction sites. In many of these cases, there is a push to accept the fill in exchange for finished sports fields on top of the deposited material. There are many potential hidden costs such as pouring rights and vending contracts associated with these projects, to pay for the “free” fields. Office of Facilities Planning staff have been approached by school business officials, superintendents, and citizens, with questions about these projects.

Historically, we have held that districts doing pure site work were not subject to the review requirements for a building permit. It is clear, however, that these types of projects go far beyond simple field re-grading and will require the assistance of licensed professionals to ensure proper design, drainage and compliance with various regulatory agencies. It is also critical to provide adequate testing and oversight of the fill material to be certain it is free of contamination.

Effective immediately: in the case of major field reconstruction where the elevation of the playing field surface is to be raised significantly, the project will require a full review by Facilities Planning Staff. Permits and oversight from other regulatory agencies such as New York State Department of Environmental Conservation may also apply.

Finally, I urge you to consider the disturbance that a significantly elevated field may present to the neighboring community: concerns over increased runoff, pollution, loss of privacy and mistrust of district officials are very real and can significantly affect the quality of life from their perspective. A full environmental review of these projects may help to mitigate many of these concerns.

Thank you for your attention to this matter. If you have any questions regarding field reconstruction using fill, please contact Debbie Johnson, Curt Miller or me at 518-474-3906.

Sincerely,

Carl T. Thurnau, P.E., Coordinator