

May 15, 2002

New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-7013

Att: Jeff Trad, P.E.

Dear Mr. Trad:

Enclosed please find the copy of the Blydenburgh Deed Restriction.

If you have any questions, please contact me at (631)224-5650

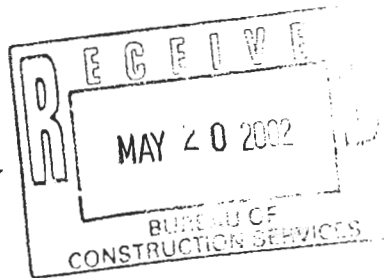
Very truly yours,

Paul J. Conefry, C.P.A.  
Assistant Treasurer IRRA

PJC:jn



**MEMORANDUM FROM:  
OFFICE OF THE TOWN ATTORNEY**



*8/14/02  
order on case  
file  
cc: Pa-1  
m. Fol*

**TO:** TOWN CLERK

**DATE:** JANUARY 7, 2002

**TYPE OF DOCUMENT:** DECLARATION OF COVENANTS & RESTRICTIONS

**DATE OF DOCUMENT:** 10/4/01

**DATE RECORDED:** 11/28/01

**LIBER:** 12155

**PAGE NO.** 604

**SCTM NO.:** 0500-027.00-01.00-P/O 022.000

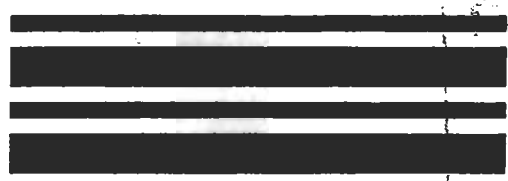
**LOCATION:** HAUPPAUGE

**DECLARANT:** Town of Islip Resource Recovery Agency  
and  
TOWN OF ISLIP

**FROM:** ERNEST J. CANNAVA  
Senior Assistant Town Attorney

**CC:** ERIC M. HOFMEISTER, COMMISSIONER OF ENVIRONMENTAL CONTROL

*Adm  
EJL*



DEC 21 2001

OWN ATTORNEY



**SUFFOLK COUNTY CLERK  
RECORDS OFFICE  
RECORDING PAGE**

Type of Instrument: DECLARATION COVENANT/RESTRICTI      Recorded: 11/28/2001  
Number of Pages: 10      At: 04:32:06 PM  
LIBER: D00012155  
PAGE: 604

District:                      Section:                      Block:                      Lot:  
0500                      027.00                      01.00                      022.000

**EXAMINED AND CHARGED AS FOLLOWS**

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$30.00	NO	Handling	\$5.00	NO
COE	\$5.00	NO	TP-584	\$0.00	NO
Notation	\$0.00	NO	Cert.Copies	\$0.00	NO
RPT	\$183.00	NO	SCTM	\$0.00	NO
			Fees Paid	\$223.00	

**THIS PAGE IS A PART OF THE INSTRUMENT**

**Edward P.Romaine  
County Clerk, Suffolk County**

1 2

3

Number of pages 10

TORRENS

Serial # \_\_\_\_\_

Certificate # \_\_\_\_\_

Prior Ctf. # \_\_\_\_\_

RECORDED  
2001 Nov 28 04:32:06 PM  
Edward P. Romaine  
CLERK OF  
SUFFOLK COUNTY  
L 000012155  
P 604

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamps

4

FEES

Page / Filing Fee 30

Handling 5

TP-584 \_\_\_\_\_

Notation \_\_\_\_\_

EA-52 17 (County) \_\_\_\_\_ Sub Total 35. -

EA-5217 (State) \_\_\_\_\_

R.P.T.S.A. 183

Comm. of Ed. 5 00

Affidavit \_\_\_\_\_

Certified Copy \_\_\_\_\_

Reg. Copy \_\_\_\_\_

Other \_\_\_\_\_

Sub Total 188. -

GRAND TOTAL 223. -



Mortgage Amt. \_\_\_\_\_

1. Basic Tax \_\_\_\_\_

2. Additional Tax \_\_\_\_\_

Sub Total \_\_\_\_\_

Spec./Assit. \_\_\_\_\_  
Or \_\_\_\_\_

Spec. /Add. \_\_\_\_\_

TOT. MTG. TAX \_\_\_\_\_

Dual Town \_\_\_\_\_ Dual County \_\_\_\_\_

Held for Apportionment \_\_\_\_\_

Transfer Tax \_\_\_\_\_

Mansion Tax \_\_\_\_\_

The property covered by this mortgage is or  
will be improved by a one or two family  
dwelling only.

YES \_\_\_\_\_ or NO \_\_\_\_\_  
If NO, see appropriate tax clause on page #  
\_\_\_\_\_ of this instrument.

5

Real Property Tax Service Agency Verification



Dist.

Section

Block

Lot

SEE

ATTACHED

PAGE

Date 11/16/01

Initials

7 Satisfactions/Discharges/Releases List Property Owners Mailing Address  
RECORD & RETURN TO:

Islip Town Attorney  
655 Main Street  
Islip, New York 11751

Attn: Ernest J. Cannava  
Sr. Asst. Town Attorney

6

Community Preservation Fund

Consideration Amount \$ \_\_\_\_\_

CPF Tax Due \$ \_\_\_\_\_

Improved \_\_\_\_\_

Vacant Land \_\_\_\_\_

TD \_\_\_\_\_

TD \_\_\_\_\_

TD \_\_\_\_\_

8

Title Company Information

Co. Name \_\_\_\_\_

Title # \_\_\_\_\_

9

Suffolk County Recording & Endorsement Page

This page forms part of the attached Declaration of Covenants & Restrictions made by:  
(SPECIFY TYPE OF INSTRUMENT)

Town of Islip Resource Recovery Agency

Town of Islip

TO

The premises herein is situated in  
SUFFOLK COUNTY, NEW YORK.

In the Township of Islip

In the ~~VILLAGE~~

or HAMLET of Hauppauge

5   Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp	0500	027.00	01.00	022.000 023.000
Date	↓	↓	↓	024.000 025.000
Initials	↓	↓	↓	026.000



5   Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp	0500	027.00	02.00	002.000 003.000
Date	↓	↓	↓	004.000 005.000
Initials	↓	↓	↓	006.000 007.000
	0500	027.00	02.00	018.000

5   Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp	0500 0500	027.00 027.00	02.00 02.00	020.000 024.000
Date	0500	027.00	02.00	001.000
Initials				

Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp	0500	016.00	01.00	009.000 013.005
Date	↓	↓	↓	013.006 013.007
Initials	0500	016.00	01.00	016.001

5   Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp	0500	016.00	02.00	003.001 004.000
Date				
Initials				

5   Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp				
Date				
Initials				

5   Real Property Tax Service Agency Verification				
	Dist.	Section	B lock	Lot
Stamp				
Date				
Initials				

## **Declaration of Covenants and Restrictions**

October 4 , 2001

WHEREAS, the Town of Islip Resource Recovery Agency, a public authority organized and existing under the laws of the State of New York, having its principal office at 401 Main Street, Islip, New York 11751, and the Town of Islip, a municipal corporation of the State of New York, having its principal office at 655 Main Street, Islip, New York 11751 (collectively hereinafter referred to as the "Town") own property in the Hamlet of Hauppauge, Town of Islip, situated on the east and west sides of Blydenburg Road and is known as "Blydenburg Road Landfill" (the "Site"). A portion of the Site includes a municipal solid waste (MSW) landfill which was unlined and reported that periodically hazardous waste had been disposed of in the MSW landfill; and

WHEREAS, a leachate plume was defined as originating from the unlined portion of the MSW landfill area; and

WHEREAS, the Site was listed on the National Priorities list (NPL) and the Agency and New York State Department of Environmental Conservation (NYSDEC) entered into an Order on Consent to conduct a remedial program at the site. The Site also being listed in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site Number 152002, and

WHEREAS; the Blydenburgh Road Landfill Property as identified in the Declaration for the Record of Decision (ROD) is attached as Attachments No. 1 and No. 2 and the Site is identified in the Suffolk County Tax Map District No. 0500; Section No. 027, Block 1, Lots 22 through 26 and Block 2, Lots 1 through 7 and lots 18, 20 and 24; and, Section No. 016, Block 1, Lots 9, 13.5, 13.6, 13.7 and 16.1; and Block 2, Lots 3.1 and 4; and described in the annexed schedule "A" as Parcels One, Two, Three and Four.

NOW, THEREFORE, the Town for itself and its successors and assigns, covenants and declares that:


1. Unless prior written approval by the New York State Department of Environmental Conservation (or any subsequently delegated agencies) is first obtained, there shall be no use or occupancy of the Site which results in the disturbance or excavation of the waste material on the site, or which results in human exposure to contaminated materials.
2. Unless prior written approval by the above stated agency is obtained, there shall be no change in the use of the site in any way. If such new use of the site is approved, any and all further remedial activities at the site deemed necessary and appropriate by the above stated agency will be performed by the Town of Islip.
3. The Town, its successors and assigns will not disturb the site in any way, except

to implement the remedial measures pursuant to the terms of the Record of Decision and to properly maintain the integrity of the remedial measures undertaken.

4. This Declaration is and shall be deemed to be a covenant running with the land, binding the Town of Islip Resource Recovery Agency and the Town of Islip, their or any successor of the Town of Islip in perpetuity or until such time the New York State Department of Environmental Conservation (or any subsequently delegated agencies) determined, in writing, that the Declaration is no longer necessary for the protection of human health and the environment. At such time, the covenant shall be null and void and have no effect upon the land.

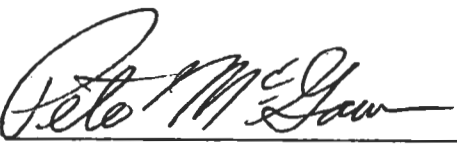

TOWN OF ISLIP  
RESOURCE RECOVERY AGENCY

FORM APPROVED

  
ERNEST J. CANNAVA  
SR. ASST. TOWN ATTORNEY

By:   
ERIC HOFMEISTER,  
PRESIDENT

TOWN OF ISLIP

By:    
PETER MCGOWAN  
SUPERVISOR

**DESCRIPTION OF PROPERTY OF THE TOWN OF ISLIP**  
**SUFFOLK COUNTY TAX MAP NUMBER**  
**0500-027-02-018**  
**PARCEL ONE**

**BEGINNING** at a point on the easterly side of Blydenburgh Road, said point being 103.62' North of the intersection formed by the easterly side of Blydenburgh Road and the northerly side of Milmay Avenue;

**RUNNING THENCE** from said point of beginning in a northerly direction along the easterly line of Blydenburgh Road N19°15'30"E, 129.51' to a point;

**RUNNING THENCE** in an easterly direction S85°51'00"E, 408.04' to a point;

**RUNNING THENCE** in a southerly direction S18°56'00"W, 129.31' to a point;

**RUNNING THENCE** in a westerly direction N85°51'00"W, 408.78' to the point or place of beginning.

**DESCRIPTION OF PROPERTY OF THE TOWN OF ISLIP**  
**SUFFOLK COUNTY TAX MAP NUMBER**  
**0500-027-02-20 & 24**  
**PARCEL TWO**

**BEGINNING** at the corner formed by the intersection of the Southerly side of Milmay Avenue with the easterly side of Blydenburgh Road;

**RUNNING THENCE** along the southerly side of Milmay Avenue, North 85°03'00"E, 1135.43' to a point;

**RUNNING THENCE** along said division line South 9° 38' W, 150.21', more or less; thence west along a line parallel with the southerly side of Milmay Avenue 1135.43', more or less, to the easterly side of Blydenburgh Road;

**THENCE** along the easterly side of Blydenburgh Road, North 9°38'E, 123.61', more or less, to the corner, at the point or place of Beginning.

**ISLIP RESOURCE RECOVERY AGENCY  
HAUPPAUGE LANDFILL  
NORTH PARCEL THREE  
DESCRIPTION OF PROPERTY OF THE TOWN OF ISLIP**

**BEGINNING** at a point on the westerly side of Blydenburgh's Road. The following (2) two courses:

(1) N18 deg. 31' 30" East 521.27 feet

(2) N19 deg. 27' 30" East 434.01 feet from the intersection of the northerly side of Long Island Motor Parkway (CR67) and the westerly side of Blydenburgh's Road.

**RUNNING THENCE** from said point of beginning in a westerly direction N79 deg. 53' 00" West 943.48 feet to a point;

**RUNNING THENCE** northerly N10 deg. 07' 00" East 1001.02 feet to the southerly line of the map of Woods Edge Estates, filed 9/6/74 under file No. 6143;

**RUNNING THENCE** westerly and said southerly map line N79 deg. 53' 00" West 160.00 feet to a point;

**RUNNING THENCE** northerly N10 deg. 07' 00" East 230.84 feet to the southerly side of Woods Edge Court;

**RUNNING THENCE** along the arc of a curve bearing to the left having a radius of 60.00 feet and a distance of 245.23' feet to a point;

**RUNNING THENCE** along the arc of a curve to the right having a radius of 20.00 feet and a distance of 19.47 feet to a point;

**RUNNING THENCE** in a westerly direction N87 deg. 53' 00" West 69.68 feet to a point;

**RUNNING THENCE** in a northerly direction N10 deg. 07' 00" East 287.65 feet to the northerly map line of said Woods Edge Estates;

**RUNNING THENCE** westerly and along said northerly map line N79 deg. 53' 00" West 413.50 feet to the easterly side of Hoffman Lane;

**RUNNING THENCE** northerly and along the easterly side of Hoffman Lane N10 deg. 07' 00" East 583.50 feet to the lands of the Hauppauge School District;

**RUNNING THENCE** easterly and along the lands of the Hauppauge School District S79 deg. 53' 00" East 721.50 feet to a point;

**RUNNING THENCE** northerly still along lands of the Hauppauge School District N10 deg. 07' 00" East 124.05 feet to a point;

**RUNNING THENCE** easterly S79 deg. 53' 00" East 1215.08 feet to the westerly side of Blydenburgh's Road;

**RUNNING THENCE** southerly and along the westerly side of Blydenburgh's Road the following courses and distances:

- (1) S06 deg. 42' 20" West 364.05 feet
- (2) S08 deg. 01' 30" West 923.81 feet
- (3) S43 deg. 57' 10" West 384.55 feet
- (4) S19 deg. 27' 30" West 695.27 feet to the point of beginning.

**DESCRIPTION OF PROPERTY OF THE TOWN OF ISLIP  
ISLIP RESOURCE RECOVERY AGENCY  
HAUPPAUGE LANDFILL  
SOUTH PARCEL FOUR**

**BEGINNING** at a point on the westerly side of Blydenburgh's Road. Being a bearing and distance of N18 deg. 31' 30" East 265.40 feet from the intersection of the northerly side of Long Island Motor Parkway (CR67) and the westerly side of Blydenburgh's Road;

**RUNNING THENCE** from said point of beginning and along the lands of LILCO N84 deg. 46' 41" West 838.67 feet to a point;

**RUNNING THENCE** in a northerly direction N10 deg. 07' 00" East 1.45 feet to a point;

**RUNNING THENCE** in a westerly direction N79 deg. 53' 00" West 721.50 feet to the easterly side of Hoffman Lane;

**RUNNING THENCE** in a northerly and along the easterly side of Hoffman Lane N10 deg. 07' 00" East 1312.87 feet to a point;

**RUNNING THENCE** in a easterly direction S79 deg. 53' 00" East 721.50 feet to a point;

**RUNNING THENCE** in a southerly direction S10 deg. 07' 00" West 561.39 feet to a point;

**RUNNING THENCE** in a easterly direction S79 deg. 53' 00" East 943.46 feet to a point;

**RUNNING THENCE** southerly and along the westerly side of Blydenburgh's Road the following courses and distances:

- (1) S19 deg. 27' 30" West 434.01 feet to a point;
- (2) S18 deg. 31' 30" West 255.87 feet to the point of beginning.

STATE OF NEW YORK)

: ss:

COUNTY OF SUFFOLK)

On the 4<sup>th</sup> day of October in the year 2001, before me, the

undersigned, personally appeared

ERIC HOFMEISTER

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signatures(s) on the instrument, the individual(s), or the person upon behalf of which the individuals, acted, executed the instrument.

MARY JO ROBUS  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01R05061811, SUFFOLK COUNTY  
TERM EXPIRES JUNE 17, 2002

*Mary Jo Robus*  
\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEW YORK)

: ss:

COUNTY OF SUFFOLK)

On the 4<sup>th</sup> day of October in the year 2001, before me, the

undersigned, personally appeared

PETER MCGOWAN

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signatures(s) on the instrument, the individual(s), or the person upon behalf of which the individuals, acted, executed the instrument.

FILOMENA DEMOTTA  
Notary Public, State of New York  
No. 01DE4720434  
Qualified in Suffolk County  
Term Expires July 31, 2002

*Filomena Demotta*  
\_\_\_\_\_  
NOTARY PUBLIC

DRAFTER: Y. CARUNCHO

APPROVED: B.B.

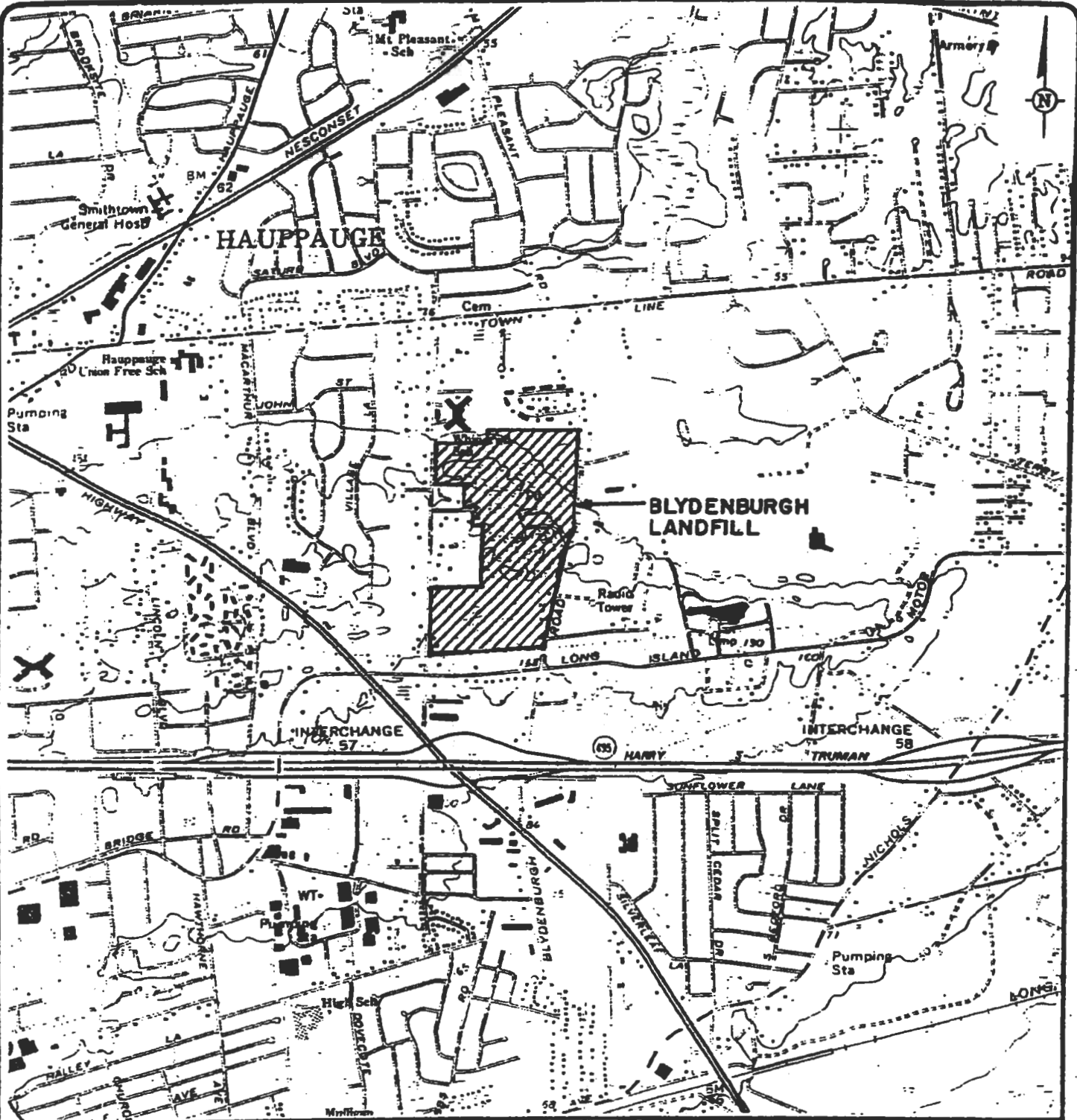
CHECKED: A.N.

DRAWING: TOPQ

FILE NO.: 1400

PRJCT NO.: NY18403

DWG DATE: 5/91



0 2000 FT



QUADRANGLE LOCATION



# LOCATION OF THE BLYDENBURGH LANDFILL, HAUPPAUGE, NEW YORK

TOWN OF ISLIP  
ISLIP, NEW YORK

FIGURE

1

DRAFTER: CS

APPROVED: BB

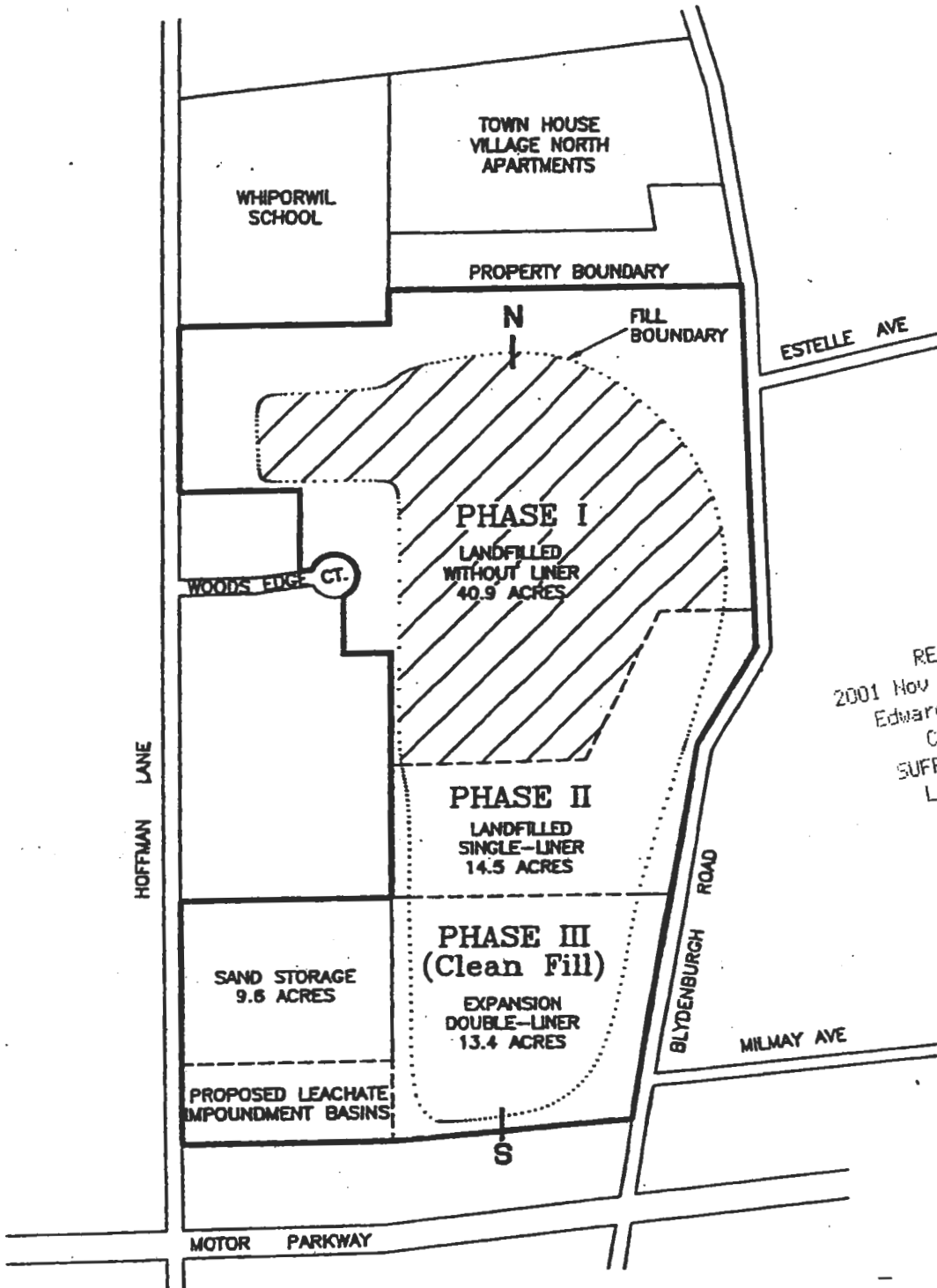
CHECKED: MW

DRAWING: BLY-LAND

FILE NO.: 1400

PROJECT NO.: NY16403

DATE: 8-11-91



RECORDED  
2001 Nov 28 04:32:06 PM  
Edward P. Romaine  
CLERK OF  
SUFFOLK COUNTY  
L 000012155  
P 604

EXPLANATION



RI STUDY SITE



LANDFILLING PHASES AND ACREAGE  
BLYDENBURGH LANDFILL, HAUPPAUGE,  
NEW YORK

TOWN OF ISLIP  
ISLIP, NEW YORK

FIGURE

3