

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of the General Counsel

625 Broadway, 14th Floor, Albany, New York 12233-1500

P: (518) 402-9185 | F: (518) 402-9018

www.dec.ny.gov

VIA FEDERAL EXPRESS

October 21, 2024

Frontier Abstract & Recording
69 Cascade Drive
Suite 101
Rochester, NY 14614
Attn: Recording Department

RE: Environmental Notice
Site Name: Tuxedo Waste Disposal - Iazzetti
Site No.: 336035

To Whom It May Concern,

Enclosed please find an executed Environmental Notice for recording.

Once the Environmental Notice is recorded, the local municipality will need to be notified via Certified Mail, Return Receipt Requested.

Please return to my attention, copies of the recorded environmental notice marked by the County Clerk's Office with the date and location of recording, and a certified copy of the municipal notices.

If you have any further questions or concerns relating to this matter, please contact our office at (518) 402-8393.

Sincerely,



Cheryl A. Salem
Legal Assistant II
Remediation Bureau
Cheryl.salem@dec.ny.gov

ec: B. Rashkow, NYSDEC



Department of
Environmental
Conservation

ORIGIN ID:ALBA (518) 402-8599

CHERYL SALEM
NYSDOC CO
625 BROADWAY
14TH FLOOR - 09C
ALBANY, NY 12233

SHIP DATE: 21OCT24
ACTWGT: 1.00 LB
CAD: 25555370INET4535

UNITED STATES US

BILL SENDER

TO RECORDING DEPARTMENT

FRONIER ABSTRACT & RESEARCH

69 CASCADE DRIVE

SUITE 101

ROCHESTER NY 14614

(518) 402-8393
INV: REF: TUXEDO WASTE DISPOSAL-AZETTI

PO: 336035 DEPT: 1600

58CJ54FB6/C6C4



TRK# 7793 9917 6920

TUE - 22 OCT 5:00P
STANDARD OVERNIGHT

XP ONHA

14614
NY-US ROC



After printing this label:

CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH

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ENVIRONMENTAL NOTICE

To be issued in lieu of Environmental Easement/Deed Restriction as referenced in DER-33

THIS ENVIRONMENTAL NOTICE is made the 16th day of October 2024, by the New York State Department of Environmental Conservation (Department), having an office for the transaction of business at 625 Broadway, Albany, New York 12233.

WHEREAS, a parcel of real property identified as Tuxedo Waste Disposal Site (Site # 336035), located at 462 Route 17, in the Town of Tuxedo, County of Orange, State of New York, which is part of lands conveyed by Patricia J Iazzetti to Patricia J Iazzetti, as Trustee for the Patricia J. Iazzetti Living Trust by deed dated July 25, 2022 and recorded in the Orange County Clerk's Office on July 24, 2023 in Book 15449 of Deeds at Page 471 and being more particularly described in Appendix "A", attached to this noticed and made a part hereof, and hereinafter referred to as "the Property" is the subject of an Order on Consent executed by Ronald Iazzetti as part of the Department's State Superfund Program; and

WHEREAS, the Department approved a cleanup to address contamination disposed at the Property and such cleanup was conditioned upon certain limitations.

NOW, THEREFORE, the Department provides notice that:

FIRST, the Property subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "B" and made a part hereof.

SECOND, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results or may result in a significantly increased threat of harm or damage at any site as a result of exposure to soils. A violation of this provision is a violation of 6 NYCRR 375-1.11(b)(2).

THIRD, no person shall disturb, remove, or otherwise interfere with the installation, use, operations, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the SMP and listed below, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

FOURTH, the remedy was designed to be protective for the following uses: **its current use as a closed landfill**. Therefore, any use for purposes other than as a closed landfill, the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at any site.

FIFTH, no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency. Use of the groundwater without appropriate treatment may result in a significantly increased threat of harm or damage at any site.

SIXTH, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

IN WITNESS WHEREOF, the undersigned, acting by and through the Department of Environmental Conservation as Designee of the Commissioner, has executed this instrument the day written below.

By: Andrew Guglielmi
Andrew Guglielmi, Director
Division of Remediation

STATE OF NEW YORK)
COUNTY OF Albany ss:

On the 16th day of October, in the year 2024, before me, the undersigned, personally appeared Andrew Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his signature on the instrument, the individual, or the person upon behalf of which individual acted, executed the instrument.

Cheryl A. Salem
Notary Public State of New York

Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

Appendix "A"
Property Description

Easement Area Description

All that certain tract, piece or parcel of land situate in the Town of Tuxedo, County of Orange, State of New York, lying Easterly of New York State Route 17 Tuxedo-Harriman, Part 1 S.H. No. 8258, and being more particularly bounded and described as follows:

BEGINNING at a point on the Easterly 1925 highway boundary of New York State Route 17 Tuxedo-Harriman, Part 1 S.H. No. 8258 at its point of intersection with the division line between the lands now or formerly of Patricia J. Iazzetti as described in Book 13116 at Page 421 on the North and other lands now or formerly of Patricia Iazzetti as described in Book 12698 at 1372 on the South and runs thence from said point of beginning along said Easterly 1925 highway boundary of New York State Route 17 the following three (3) courses: 1) North 03 deg. 16 min. 08 sec. East 224.37 feet to a point; (2) North 14 deg. 52 min. 50 sec. East 234.58 feet to a point; and (3) North 21 deg. 47 min. 35 sec. East 137.45 feet to its point of intersection with the Southeasterly 1937 highway boundary of New York State Route 17 Tuxedo-Harriman Part 1 S.H. No. 8258; thence along said Southeasterly 1937 highway boundary North 29 deg. 36 min. 35 sec. East 83.68 feet to its point of intersection with the Easterly 1937 highway boundary of New York State Route 17; thence along said Easterly 1937 highway boundary the following two (2) courses: 1) North 21 deg. 50 min. 10 sec. East 105.96 feet to a point; and 2) North 14 deg. 21 min. 40 sec. East 87.86 feet to its point of intersection with the division line between the said lands now or formerly Patricia J. Iazzetti as described in Book 13116 at Page 421 on the Southwest and the lands now or formerly of Renard A Barone and Sarkis Khourouzian as described in Book 2436 at Page 77 on the Northeast; thence South 54 deg. 55 min. 53 sec. East along the last mentioned division line 299.04 feet to its point of intersection with the division between the said lands now or formerly of Patricia J. Iazzetti on the Northwest and the lands now or formerly of Renard A Barone and Sarkis Khourouzian on the Southeast; thence South 48 deg. 20 min. 25 sec. West along the last mentioned division line 93.64 feet to its point of intersection with the division line between the said lands now or formerly of Patricia J. Iazzetti on the South and the said lands now or formerly of Renard A. Barone and Sarkis Khourouzian on the North; thence South 86 deg. 41 min. 03 sec. East along the last mentioned division line 250.00 feet to its point of intersection with the division line between the said lands now or formerly of Patricia J. Iazzetti as described in Book 13116 at Page 421 on the West and the lands now or formerly of Pennsylvania Lines LLC (previously the Erie Lackawanna Railroad) on the East; thence along said division line in a Southerly direction along a curve to the left having a radius of 2914.43 feet, an arc length of 411.20 feet and a chord bearing of South 14 deg. 12 min. 13 sec. West 410.86 feet to a point on the Westerly bank of the Ramapo River; thence South 27 deg. 31 min. 13 sec. West along said Westerly bank of the Ramapo River 240.00 feet to its point of intersection with the above first mentioned division line; thence along said above first mentioned division line North 86 deg. 43 min. 52 sec. West 440.00 feet to the point or place of beginning and containing 360,909± square feet or 8.29 acres of land, more or less.

Appendix "B"
Map

