**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**Division of Environmental Remediation, Office of the Director**
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9722
www.dec.ny.gov

December 6, 2024

County of Suffolk
Attn: Kevin B. Malloy, Chief Deputy County Executive
Office of the County Executive
H. Lee Dennison Building, 100 Veteran's Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Certificate of Completion
Suffolk Airport Canine Kennel
Town of Southampton, Suffolk County
Site No. C152079

Dear Mr. Malloy:

Congratulations on having satisfactorily completed the remedial program at the Suffolk Airport Canine Kennel. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- You must record a notice of the COC in the recording office for the county where the site is located within 30 days of issuance of the COC. A standard Notice of Certificate of Completion form is attached to this letter.

- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

  Heather Bishop, Remedial Bureau A
  New York State Department of Environmental Conservation
  Division of Environmental Remediation
  625 Broadway
  Albany, NY 12233-7015

- Provide the notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing

the institutional and engineering controls (IC/ECs) that are required at the site and distribute it to the County Listserv within 10 days.

- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2026.

If you have any questions regarding any of these items, please contact Ms. Heather Bishop at 518-402-9692.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Director
Division of Environmental Remediation

ec w/ enclosure:
C. Vooris – NYSDOH, christine.vooris@health.ny.gov
S. Selmer – NYSDOH, stephanie.selmer@health.ny.gov
S. Berninger – NYSDOH, steven.berninger@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov
Christina Capobianco, christina.capobianco@suffolkcountyny.gov
Phyllis Seidman, phyllis.seidman@suffolkcountyny.gov
Michael Camacho, michael.camacho@suffolkcountyny.gov

ec w/o enc.:
Heather Bishop
John Swartwout
Girish Desai
Rick Mustico
Kieran McCarthy
Leia Schmidt
Kelly Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

# *CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

| **Name** | **Address** |
|---|---|
| COUNTY OF SUFFOLK | 100 Veteran's Memorial Highway, Hauppauge, NY 11788 |

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 9/30/05 **Agreement Execution:** 11/16/06
**Agreement Index No.:W1 -1080-05-09**
**Application Amendment Approval:** none **Agreement Amendment Execution:** 1/23/19

**SITE INFORMATION:**

**Site No.:** C152079 **Site Name:** Suffolk Airport Canine Kennel
**Site Owner:** Suffolk County
**Street Address:** Old Riverhead Road
**Municipality:** Westhampton Beach **County:** Suffolk **DEC Region:** 1
**Site Size:** 0.937 Acres
**Tax Map Identification Number(s):** 312-1-4.002
**Percentage of site located in an EnZone:** 0 - 49 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

**CERTIFICATE ISSUANCE**

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

**Allowable Uses under the BCP:** Commercial and Industrial
**Cleanup Track:** Track 2: Restricted use with generic soil cleanup objectives
**Tax Credit Provisions:**
Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 33 %.

Tangible Property Credit is 10%. Comprised of 10% Base.
Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Suffolk County as Liber D00013267 P016.

**LIABILITY LIMITATION**

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

**CERTIFICATE TRANSFERABILITY**

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

**CERTIFICATE MODIFICATION/REVOCATION**

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon finding any of the following:

(1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;

(2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;

(3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;

(4) there is good cause for such modification or revocation;

(5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;

(6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Sean Mahar
Interim Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/6/24

Andrew O. Guglielmi, Director
Division of Environmental Remediation

# Exhibit A

# Site Description

## Description of Environmental Easement

**All** that certain plot, piece, or parcel of land, situate, lying and being in property of County of Suffolk, Francis S. Gabreski Airport, Westhampton, Town of Southampton, County of Suffolk, State of New York, and being part of Lots 23 and 24 on the 1924 map of Quogue Purchase – Last Division filed in the Suffolk County Clerk's Office as Map No. 1014, and also as shown on a map entitled "As-built Survey," prepared by L.K. McLean Associates, dated June 20, 2017 and last revised May 7, 2018; said easement being more particularly bounded and described as follows:

**Beginning** at the southwest corner of the subject parcel, said corner being the following eleven (11) courses and distances from the point of intersection of the easterly boundary line of Westhampton – Riverhead Road (C.R. 31) and the northerly boundary line of the Long Island Railroad (M.T.A.):

1. North 81° 52' 19" East, a distance of 839.52 feet to a point; thence
2. North 81° 46' 46" East, a distance of 2,499.95 feet to a point; thence
3. North 81° 41' 57" East, a distance of 0.77 feet to a point; thence
4. North 08° 18' 03" West, a distance of 240.27 feet to a point; thence
5. North 20° 11' 18" East, a distance of 102.09 feet to a point; thence
6. North 57° 01' 51" East, a distance of 155.74 feet to a point; thence
7. North 81° 41' 57" East, a distance of 610.92 feet to a point; thence
8. South 08° 18' 03" East, a distance of 395.00 feet to a point; thence
9. North 81° 41' 57" East, a distance of 1,598.07 feet to a point; thence
10. North 81° 43' 57" East, a distance of 1,615.74 feet to a point; thence
11. North 03° 30' 57" West, through the property of County of Suffolk, a distance of 1,908.73 feet to the point or place of beginning;

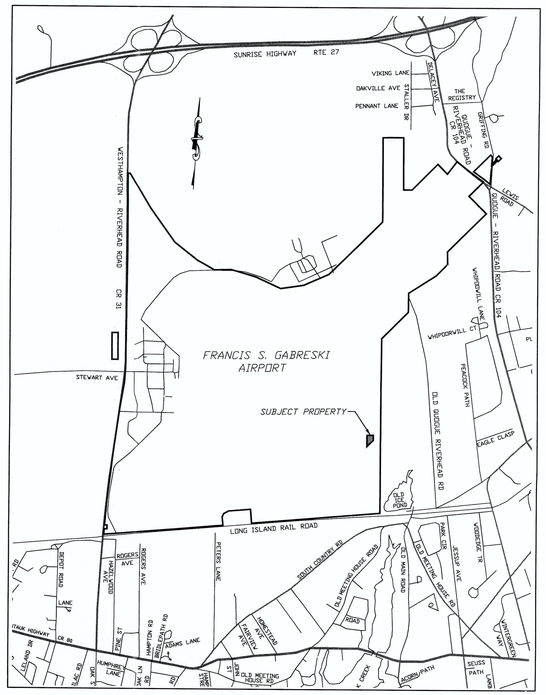
**Thence**, continuing through said property of County of Suffolk the following four (4) courses and distances:

1. North 03° 30' 57" West, a distance of 313.51 feet to a point; thence
2. North 86° 29' 03" East, a distance of 180.00 feet to a point; thence
3. South 03° 30' 57" East, a distance of 140.00 feet to a point; thence
4. South 42° 32' 08" West, a distance of 250.01 feet to the point or place of beginning.

Subject Easement area being 40,816 square feet or 0.937 acre, more or less.

# Exhibit B

# Site Survey




KEY MAP
1" = 2000'

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law.

**THE ENGINEERING AND INSTITUTIONAL CONTROLS for the Easement are set forth in more detail in the Site Management Plan ("SMP"). A copy of the SMP must be obtained by any party with an interest in the property. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.**

**DESCRIPTION OF THE ENVIRONMENTAL EASEMENT**

**All** that certain plot, piece, or parcel of land, situate, lying and being in property of County of Suffolk, Francis S. Gabreski Airport, Westhampton, Town of Southampton, County of Suffolk, State of New York, and being part of Lots 23 and 24 on the 1924 map of Quogue Purchase - Last Division filed in the Suffolk County Clerk's Office as Map No. 1014, and also as shown on a map entitled "As-built Survey," prepared by L.K. McLean Associates, dated June 20, 2017 and last revised May 7, 2018; said easement being more particularly bounded and described as follows:

**Beginning** at the southwest corner of the subject parcel, said corner being the following eleven (11) courses and distances from the point of intersection of the easterly boundary line of Westhampton - Riverhead Road (C.R. 31) and the northerly boundary line of the Long Island Railroad:

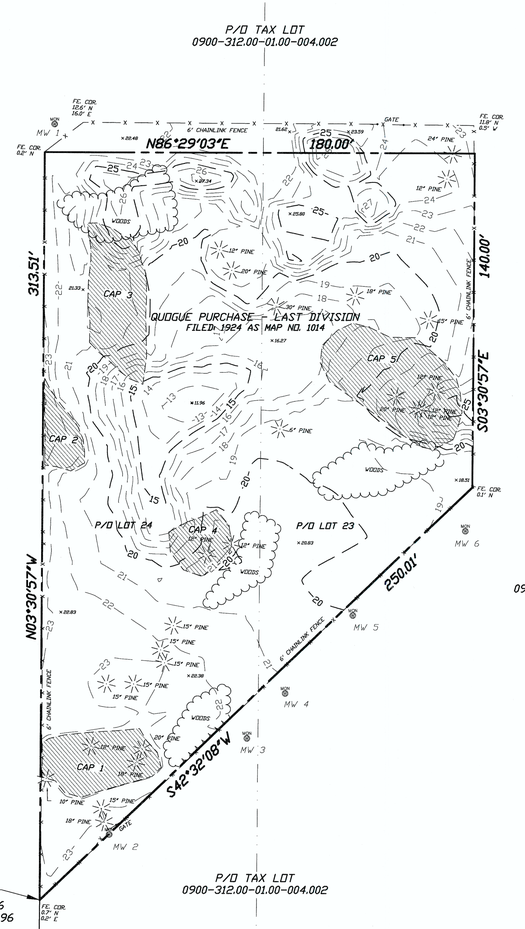
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2. North 81° 46' 46" East, a distance of 2,499.95 feet to a point; thence
3. North 81° 41' 57" East, a distance of 0.77 feet to a point; thence
4. North 08° 18' 03" West, a distance of 240.27 feet to a point; thence
5. North 20° 11' 18" East, a distance of 102.09 feet to a point; thence
6. North 57° 01' 51" East, a distance of 155.74 feet to a point; thence
7. North 81° 41' 57" East, a distance of 610.92 feet to a point; thence
8. South 08° 18' 03" East, a distance of 395.00 feet to a point; thence
9. North 81° 41' 57" East, a distance of 1,598.07 feet to a point; thence
10. North 81° 43' 57" East, a distance of 1,615.74 feet to a point; thence
11. North 03° 30' 57" West, through the property of County of Suffolk, a distance of 1,908.73 feet to the point or place of beginning;

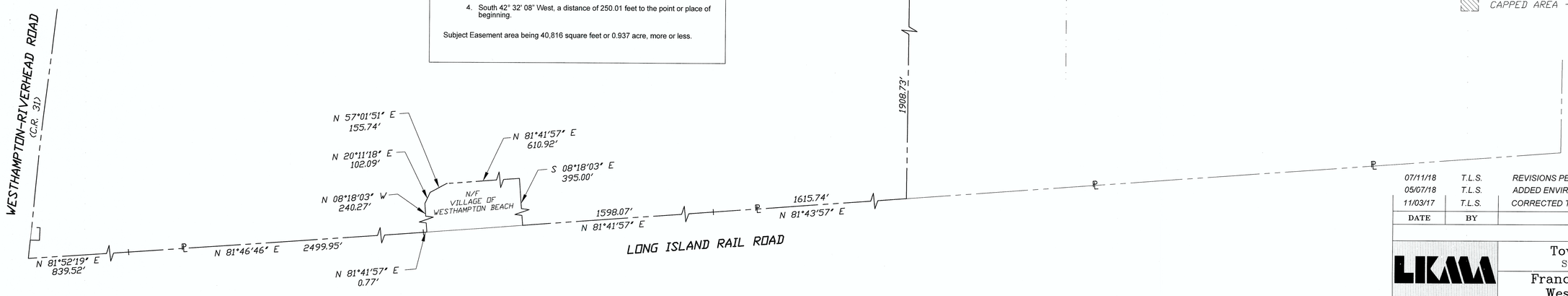
**Thence**, continuing through said property of County of Suffolk the following four (4) courses and distances:

1. North 03° 30' 57" West, a distance of 313.51 feet to a point; thence
2. North 86° 29' 03" East, a distance of 180.00 feet to a point; thence
3. South 03° 30' 57" East, a distance of 140.00 feet to a point; thence
4. South 42° 32' 08" West, a distance of 250.01 feet to the point or place of beginning.

Subject Easement area being 40,816 square feet or 0.937 acre, more or less.




MAP OF A PORTION OF
PROPERTY OF
# FRANCIS S. GABRESKI AIRPORT
KNOWN AS THE
## CANINE KENNEL SITE
LOCATED AT
## WESTHAMPTON
TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

DESCRIBED PROPERTY OWNED BY
## THE COUNTY OF SUFFOLK

AREA = 40,816± SQ. FT.
OR 0.937± ACRE

*NOTES*

1. *MEASUREMENTS ARE IN ACCORDANCE WITH U.S. STANDARDS.*
2. *BEARINGS SHOWN ARE IN NEW YORK STATE PLANE COORDINATE SYSTEM, LONG ISLAND ZONE. VERTICAL DATUM IS NAVD88.*
3. *UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.*
4. *ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S "EMBOSSED" OR "INKED" SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.*
5. *CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.*
6. *RIGHTS-OF-WAY NOT SHOWN ARE NOT CERTIFIED.*
7. *THE SURVEY CLOSES MATHEMATICALLY.*

*LEGEND*

MON — *MONITORING WELL*

*CAPPED AREA - TOPSOIL*

*SUFFOLK COUNTY REAL PROPERTY TAX MAP NO.:*

| | |
|---|---|
| *DISTRICT* | *0900* |
| *SECTION* | *312.00* |
| *BLOCK* | *01.00* |
| *P/o LOT* | *004.002* |

GRAPHIC SCALE
30 (9.1 M) 0 15 (4.6 M) 30 (9.1 M) 60 (18.3 M) 120 (36.6 M)
( IN FEET )
1 inch = 30 ft.
(9.144 M)

*I hereby certify that this map was made from an actual survey completed by me on 06/09/2017.*

*DANIEL P. JEDLICKA, P.L.S.*
*NYSPLS No. 50098*

| DATE | BY | DESCRIPTION | APPROV. BY |
|---|---|---|---|
| 07/11/18 | T.L.S. | REVISIONS PER CLIENT REVIEW | D.P.J. |
| 05/07/18 | T.L.S. | ADDED ENVIRO. EASEMENT DESC. & NOTES | D.P.J. |
| 11/03/17 | T.L.S. | CORRECTED TAX MAP SECTION NO. | D.P.J. |

REVISIONS

LIKMA
*Phone: (631) 286-8668*

Town of Southampton
Suffolk County, New York
Francis S. Gabreski Airport
Westhampton, New York
As-Built Survey

L. K. McLEAN ASSOCIATES, P.C.
CONSULTING ENGINEERS & LAND SURVEYORS
437 SO. COUNTRY ROAD, BROOKHAVEN, NEW YORK

| | | | |
|---|---|---|---|
| Field Survey By: K.G./P.L. | Scale: 1"= 30' | Sheet No. | |
| Office Survey By: T.L.S. | Date: June 20, 2017 | 1 | |
| Approved By: D.P.J. | File No. 16089.000 | 1 | |

P:\16089.000 (Gabreski Airport - Canine Kennel Site Remediation)\Environmental Easement\16089.000_DFF_SUR_DEC Survey.dwg 7/26/2018 1:58 PM Tamara Stillman

**NOTICE OF CERTIFICATE OF COMPLETION**
**Brownfield Cleanup Program**
**6 NYCRR Part 375-1.9(d)**

Suffolk Airport Canine Kennel, Site ID No. C152079
Old Riverhead Road, Westhampton Beach, NY 11978
Town of Southampton, Suffolk County, Tax Map Identification Number 312-1-4.002

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to the County of Suffolk for a parcel 0.937 acres in size located on Old Riverhead Road in the Town of Southampton and County of Suffolk.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☐ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Suffolk County as Liber D00013267 P016.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

***Suffolk Airport Canine Kennel, Site ID No. C152079***
***Old Riverhead Road, Westhampton Beach, NY 11978***

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

**PLEASE TAKE NOTICE**, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

**PLEASE TAKE NOTICE**, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 1 office, located at 50 Circle Road in Stony Brook, NY 11790 by contacting the Regional Environmental Remediation Engineer, or at https://www.dec.ny.gov/data/DecDocs/C152079.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

County of Suffolk

By: _____

Title: _____

Date: _____

STATE OF NEW YORK ) SS:
COUNTY OF )

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name 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 signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Signature and Office of individual
taking acknowledgment

**Please record and return to:**
County of Suffolk
Attn: Kevin B. Molloy
100 Veteran's Memorial Hwy.
P.O. Box 6100
Hauppauge, NY 11788

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**Site Management Form**

11/14/2024

## SITE DESCRIPTION

**SITE NO. C152079**

**SITE NAMESuffolk Airport Canine Kennel**

SITE ADDRESS: Old Riverhead Road ZIP CODE: 11978

CITY/TOWN: Westhampton Beach

COUNTY: Suffolk

ALLOWABLE USE: Commercial and Industrial

## SITE MANAGEMENT DESCRIPTION

| SITE MANAGEMENT PLAN INCLUDES: | YES | NO |
|---|---|---|
| IC/EC Certification Plan | ■ | □ |
| Monitoring Plan | □ | ■ |
| Operation and Maintenance (O&M) Plan | □ | ■ |

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 03/30/2026

## Description of Institutional Control

**County of Suffolk**
100 Veteran's Memorial Highway
**Old Riverhead Road**
Environmental Easement
Block: 1
Lot: 4
Sublot: 002
Section: 312
Subsection:
S_B_L Image: 312-1-4.002 (p/o Lot 4.002)
Ground Water Use Restriction
IC/EC Plan
Landuse Restriction
Site Management Plan
Soil Management Plan

**Description of Engineering Control**

**County of Suffolk**
100 Veteran's Memorial Highway
**Old Riverhead Road**
Environmental Easement
Block: 1
Lot: 4
Sublot: 002
Section: 312
Subsection:
S_B_L Image: 312-1-4.002 (p/o Lot 4.002)
Cover System