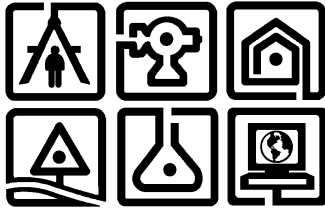


December 12, 2019



Brownfield Cleanup Program
Application
Mobile Media Inc.
175 Kelly Avenue
Hamlet of Pine Bush
Orange County, New York

Prepared for:

CHIEF, SITE CONTROL SECTION
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION
625 Broadway
Albany, New York 12233

Prepared by:

C.T. MALE ASSOCIATES
ENGINEERING, SURVEYING, ARCHITECTURE,
LANDSCAPE ARCHITECTURE & GEOLOGY, D.P.C
12 Raymond Avenue
Poughkeepsie, New York 12603
(845) 454-4400

C.T. Male Project No: 19.9347

Unauthorized alteration or addition to this
document is a violation of Section 7209
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Education Law.

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C.T. MALE ASSOCIATES

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Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

12 Raymond Avenue, Poughkeepsie, New York 12603
845.454.4400 www.ctmale.com



December 12, 2019

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Technical Support, 11th Floor
625 Broadway
Albany, New York 12233

RE: Brownfield Cleanup Program Application
Mobile Media Inc.
175 Kelly Avenue
Hamlet of Pine Bush, Town of Crawford, Orange County, New York

Dear Chief, Site Control Section:

On behalf of Mobile Media, Inc. (the "Requestor"), C.T. Male Associates is submitting a Brownfield Cleanup Program (BCP) Application for the Mobile Media Inc. property, located in the Hamlet of Pine Bush, Orange County, New York. Please find one (1) paper copy and one (1) electronic copy of the hard copy of the completed application package attached to this letter.

Please feel free to contact me at 845-454-4400 or via email at d.lent@ctmale.com if you have any questions.

Respectfully,
C.T. MALE ASSOCIATES

James D. McIver, Jr.
Managing Geologist
Regional Manager, Hudson Valley Region

Enclosure

cc: Lance Pennington, Mobile Media, Inc.
David Lent, C.T. Male
Daniel Cummings, C.T. Male



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes

☒ No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Mobile Media Inc.

ADDRESS P.O. Box 39 / 24 Center Street

CITY/TOWN Pine Bush, NY

ZIP CODE 12566

PHONE (845)-744-8080

FAX (845) 744-8090

E-MAIL lp@mobilemediastorage.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum		MTBE	MTBE
Chlorinated Solvents	TCE (Trace)	PCE, TCE, 1,2-DCA, Chloroform	PCE, TCE, Chloroform, Carbon Tetrachloride
Other VOCs			unknown
SVOCs			
Metals	unknown	unknown	
Pesticides	unknown	unknown	
PCBs	unknown	unknown	
Other*			

*Please describe: _____

3. **FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:**

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. **INDICATE PAST LAND USES (CHECK ALL THAT APPLY):**

<input type="checkbox"/> Coal Gas Manufacturing	<input checked="" type="checkbox"/> Manufacturing	<input type="checkbox"/> Agricultural Co-op	<input checked="" type="checkbox"/> Dry Cleaner
<input type="checkbox"/> Salvage Yard	<input type="checkbox"/> Bulk Plant	<input type="checkbox"/> Pipeline	<input type="checkbox"/> Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Mobile Media Inc.				
ADDRESS/LOCATION 175 Kelly Avenue				
CITY/TOWN Pine Bush, NY		ZIP CODE 12566		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Crawford / Hamlet of Pine Bush				
COUNTY Orange		SITE SIZE (ACRES) 0.80		
LATITUDE (degrees/minutes/seconds) 41 ° 36 ' 24.2 "		LONGITUDE (degrees/minutes/seconds) 74 ° 18 ' 02.6 "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address		Section No.	Block No.	Lot No. Acreage
175 Kelly Avenue		6	8	3 0.48
175 Kelly Avenue		6	9	1.2 0.32
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input checked="" type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

Petroleum Bulk Storage ID NO: NYSDEC
PBS3-602071

10,000-gallon #2 fuel oil
underground storage tank was
removed and closed in 2009

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included
in the **prescribed format**?

☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No
If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information
See Instructions for Further Guidance

DEC USE ONLY
BCP SITE NAME: _____
BCP SITE #: _____

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Lance Pennington

ADDRESS P.O. Box 39 / 24 Center Street

CITY/TOWN Pine Bush, NY

ZIP CODE 12566

PHONE (845)-744-8080

FAX (845) 744-8090

E-MAIL lp@mobilemediastorage.com

NAME OF REQUESTOR'S CONSULTANT James McIver, C.T. Male Associates

ADDRESS 12 Raymond Avenue

CITY/TOWN Poughkeepsie, NY

ZIP CODE 12603

PHONE (845) 454-4400

FAX

E-MAIL j.mciver@ctmale.com

NAME OF REQUESTOR'S ATTORNEY Gary S. Bowitch, Esq., Bowitch & Coffey, LLC

ADDRESS 17 Elk Street

CITY/TOWN Albany, NY

ZIP CODE 12207

PHONE (518) 813-9500

FAX (845) 478-8800

E-MAIL bowitch@bcalbany.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME

OWNERSHIP START DATE:

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

CURRENT OPERATOR'S NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☒ No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? ☐ Yes ☒ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. ☐ Yes ☒ No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☐ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?
If yes, please provide: Site # _____ Class # _____ ☐ Yes ☒ No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ ☐ Yes ☒ No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☒ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ ☐ Yes ☒ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. ☐ Yes ☒ No

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? Residential with variance for

What uses are allowed by the current zoning? (Check boxes, below)

☐ Residential ☒ Commercial ☒ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☒ Commercial ☒ Industrial ☐ Vacant ☐ Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☐ Residential ☒ Commercial ☒ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☐ No

4. Do current historical and/or recent development patterns support the proposed use?

☒ Yes ☐ No

See Section X.4 in report

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See Section X.4 in report

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See Section X.4 in report

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am President (title) of MOBILE MEDIA INC.; that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 9/4/19

Signature: [Signature]

Print Name: Lance Pennington

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY
BCP SITE T&A CODE: _____

LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.

☐ Yes ☐ No

Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.

☐ Yes ☐ No

Please answer questions below and provide documentation necessary to support answers.

1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see [DEC's website](#) for more information.

☐ Yes ☐ No

2. Is the property upside down or underutilized as defined below?

Upside Down? ☐ Yes ☐ No

Underutilized? ☐ Yes ☐ No

From ECL 27-1405(31):

"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(l) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)

375-3.2:

(l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and

(1) the proposed use is at least 75 percent for industrial uses; or

(2) at which:

(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;

(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and

(iii) one or more of the following conditions exists, as certified by the applicant:

(a) property tax payments have been in arrears for at least five years immediately prior to the application;

(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or

(c) there are no structures.

"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)**Site Name:** Mobile Media Inc.**City:** Pine Bush, NY**Site Address:** 175 Kelly Avenue**County:** Orange**Zip:** 12566**Tax Block & Lot****Section (if applicable):** 6 **Block:** 8 **Lot:** 3**Requestor Name:** Mobile Media Inc.**City:** Pine Bush, NY**Requestor Address:** P.O. Box 39 / 24 Center Street**Zip:** 12566**Email:** lp@mobilemediastorage.com**Requestor's Representative (for billing purposes)****Name:** Lance Pennington**Address:** P.O. Box 39 / 24 Center Street**City:** Pine Bush, NY**Zip:** 12566**Email:** lp@mobilemediastorage.com**Requestor's Attorney****Name:** Gary S. Bowitch, Esq., Bowitch & Coffey, LLC**Address:** 17 Elk Street**City:** Albany, NY**Zip:** 12207**Email:** bowitch@bcalbany.com**Requestor's Consultant****Name:** James McIver, C.T. Male Associates**Address:** 12 Raymond Avenue**City:** Poughkeepsie, NY**Zip:** 12603**Email:** j.mciver@ctmale.com**Percentage claimed within an En-Zone:** ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%**DER Determination:** ☐ Agree ☐ Disagree**Requestor's Requested Status:** ☒ Volunteer ☐ Participant**DER/OGC Determination:** ☐ Agree ☐ Disagree

Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No**Does Requestor Claim Property is Upside Down:** ☐ Yes ☐ No**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

ATTACHMENT 1 (SECTION I)
BCP APPLICATION
MOBILE MEDIA INC.
Hamlet of Pine Bush, Orange County

Requestor Information

On behalf of Mobile Media Inc. (the "Requestor"), C.T. MALE ASSOCIATES ENGINEERING, SURVEYING, ARCHITECTURE & LANDSCAPE ARCHITECTURE, D.P.C. (C.T. Male) presents this Brownfield Cleanup Program (BCP) Application to the New York State Department of Environmental Conservation (NYSDEC) for the property located at 175 Kelly Street, Pine Bush, New York.

The Requestor's Information is provided below:

- MOBILE MEDIA INC.
P.O. Box 39/24 Center Street
Pine Bush, New York 12566

A print-out of the Requestor's entity information from the New York State Department of State's (NYSDOS) Corporation and Business Entity Database is provided in this Attachment.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through June 14, 2019.

Selected Entity Name: MOBILE MEDIA INC.

Selected Entity Status Information

Current Entity Name: MOBILE MEDIA INC.

DOS ID #: 2388071

Initial DOS Filing Date: JUNE 14, 1999

County: ORANGE

Jurisdiction: NEW JERSEY

Entity Type: FOREIGN BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

MOBILE MEDIA INC.

PO BOX 39 / 24 CENTER STREET

PINE BUSH, NEW YORK, 12566

Chief Executive Officer

LANCE PENNINGTON

PO BOX 39

PINE BUSH, NEW YORK, 12566

Principal Executive Office

NANCY PENNINGTON

PO BOX 39 / 24 CENTER STREET

PINE BUSH, NEW YORK, 12566

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUN 14, 1999	Actual	MOBILE MEDIA INC.

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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ATTACHMENT 2 (SECTION II)
BCP APPLICATION
MOBILE MEDIA INC.
Hamlet of Pine Bush, Orange County

Project Description

II.1 Project Starting Stage

During the process of investigating and removing a petroleum underground storage tank (UST) in November 2014, contaminated soils were encountered by William L. Going & Associates (WGA). A Spill was called into the NYSDEC (Spill No. 1408784) and a Phase II sampling program was initiated. Sampling results revealed the presence of chlorinated volatile organic compounds (CVOCs) in soil and groundwater. The owner and operator of the site has never used CVOCs to their knowledge.

Based on the results of Phase II sampling completed by WGA and C₂G Environmental Consultants (C₂G), the Requestor began remediation efforts at the site using chemical injection methods, which were conducted by SEBI Environmental Services (SEBI). The Requestor was recently made aware of the benefits of the Brownfield Cleanup Program (BCP) by his existing NYSDEC case manager and decided to apply for the program.

If admitted into the BCP, the Requestor will enter at the Investigation Stage. Although the Phase II investigations performed by WGA, C₂G and SEBI contain relevant information, there are small data gaps that must be addressed to properly develop a remediation strategy for this site.

II.2 Final Remedial Investigation Report (RIR)

A Remedial Investigation Report (RIR) will not be submitted with the Application. A Remedial Investigation Work Plan (RIWP) will be submitted upon acceptance. The RIWP is anticipated to build upon the existing Phase II findings.

II.3 Description of Current Operations.

The site is currently used for the manufacturing and distribution of high-density shelving unit systems, primarily for the retail industry. Based on an initial inspection and chemical inventory of the facility, no chemicals including CVOC compounds were identified. This was supported by an interview with the Requestor, who indicated that to the best of his recollection, the only cleaning agents used in the manufacturing process were isopropyl alcohol based.

Previous businesses operating at the site included the Marietta Silk Company and Mastercraft Cravat Co. (Tie manufacturer). They were silk and tie manufacturing facilities. There were no readily available documents or historical accounts of the processes employed by these historic manufacturing entities, but it would not be surprising if they used CVOCs given the nature of the industry. Clothing manufacturing operations often clean garments with perchloroethylene (PCE), a common dry-cleaning solvent, prior to distribution.

In February 2015, pursuant to a Phase II Environmental Site Assessment (ESA) performed by WGA, concentrations of petroleum compounds, and chlorinated solvents exceeding NYSDEC Part 703 were detected in groundwater samples collected from monitoring wells on the site. In September 2015 C₂G performed groundwater sampling and found similar compounds exceeding NYSDEC Part 703. Site Investigations are planned to begin in October 2019 under C.T. Male Associates. The Certificate of Completion is anticipated for December 2020. No changes to the property or existing structures are planned by Mobile Media Inc.

A schedule is presented below.

[illegible]

[illegible]

ATTACHMENT 3 (SECTION III)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH, ORANGE COUNTY

Property's Environmental History

III.1 Environmental Reports

Environmental investigation reports which establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) are included in electronic format as Exhibits 1-4 on the attached compact disc (CD). These reports include the following:

- Exhibit 1: Phase II Environmental Site Assessment, prepared by William L. Going Associates, for Mobile Media Inc., dated February 2015;
- Exhibit 2: Subsurface Investigation Report, prepared by C₂G Environmental Consultants, LLC, for Mobile Media Inc., dated September 2015;
- Exhibit 3: Investigation, Remedial Action-Update, prepared by SEBI Environmental Services, for Mobile Media Inc., dated November 2016; and.
- Exhibit 4: Environmental Site Assessment Report, prepared C₂G Environmental Consultants, LLC, for Mobile Media Inc. dated September 2013.

A brief synopsis of environmental investigation and remediation activity that has occurred at the site is presented below:

Date	Investigation Performed
November 1994	Ira D. Conklin & Sons, Inc. performed Phase I & II ESAs: <ul style="list-style-type: none">- UST found- Wells drilled; contamination found
December 29, 1995	Ownership transfer from Arthur Cohen to Mobile Media, Inc.

October 29, 2009	10,000-gallon UST removed and closed
September 2013	C ₂ G prepared a Phase I Environmental Site Assessment
November 2014	WGA initiated Phase II ESA Investigations: <ul style="list-style-type: none"> - Soil Samples collected near inactive 1,000-gallon fuel oil UST - Petroleum and CVOC contamination discovered - Spill #1408784 was assigned by the NYSDEC
December 2014	WGA removed inactive 1,000-gallon UST <ul style="list-style-type: none"> - UST closure report submitted to NYSDEC
January 2015	WGA installs 4 monitoring wells <ul style="list-style-type: none"> - Soil and groundwater samples collected - No soil contamination identified above applicable SCGs - CVOC groundwater contamination was identified
July 31, 2015	Optima Environmental Services performed indoor air sampling <ul style="list-style-type: none"> - All results were below NYSDOH Air Guidance.
September 2015	C ₂ G initiated a subsurface investigation <ul style="list-style-type: none"> - Four monitoring wells were installed - CVOC groundwater contamination was identified
January - March 2016	Additional wells were added by SEBI
March 7, 2016	Vapor Intrusion investigation completed by SEBI
April-June 2016	Four chemical oxidation injection events of Permanganate / Potassium Permanganate completed
November 17, 2016	Investigation, Remedial Action-Update completed by SEBI Environmental Services

Several investigations have been performed at the site between November 1994 to the present. In 1994 Ira D. Conklin & Sons Inc. (Ira Conklin) performed a Phase I ESA on the vacant property that was previously occupied by Mastercraft Electronics. Ira Conklin removed a 10,000-gallon UST and tested the soil for petroleum impacts. Concentrations detected were below guidance levels, except for benzene.

In December 2014 WGA removed an inactive 1,000-gallon underground storage tank and 10.98 tons of petroleum contaminated soil. Spill #1408784 was assigned to the site. A detailed UST-Spill Closure Report was submitted to Mr. John O'Mara of the NYSDEC in February 2015 and the spill was closed by the NYSDEC.

In January 2015 monitoring wells were installed, and soil and groundwater samples were collected by WGA. The investigation results revealed trace concentrations of petroleum compounds and chlorinated solvent contamination in the soil samples, below the

applicable SCGs values. Groundwater impacts were identified above the applicable standards for chlorinated solvents.

In late 2015, C₂G attempted to further delineate CVOC groundwater impacts identified by WGA. Using a Geoprobe, soil borings were advanced and monitoring wells were installed for collection of groundwater samples. The investigation results revealed similar findings as the previous investigation by WGA, with MtBE and CVOCs concentrations detected above applicable standards.

In January through June 2016, SEBI installed additional soil borings and monitoring wells, conducted soil and groundwater sampling, installed six (6) chemical oxidation injection points, completed a vapor intrusion investigation, and conducted four (4) chemical oxidation injection events using permanganate solution.

III.2 Known Contaminants

Investigations by WGA, C₂G and SEBI have confirmed the presence of environmental contamination at the site. CVOC impacted soils, groundwater and soil vapor been identified in these investigations. Specifically, the Phase II ESA completed by WGA identified trace concentrations of trichloroethene (TCE) in soils ranging from 0.0069 to 0.029 mg/kg. Contaminant concentrations identified in groundwater exceeding applicable SCG values included MtBE, PCE, TCE, 1,2- dichloroethane (DCA) and chloroform. The highest concentrations of CVOCs were identified on the east side of the building where concentrations of TCE as high as 3,400 ug/l were identified in well TW-1. Following four (4) chemical oxidation events by SEBI, the concentration of TCE in TW-1 was 2,600 ug/l. A monitoring well location map provided in the C₂G Subsurface Investigation report is included with this Attachment. Analytical data tables provided in the SEBI report are also included with this attachment.

A vapor intrusion investigation completed by SEBI identified soil vapor concentrations beneath the building. Specifically, SEBI reported concentrations of PCE (0.058-0.198 ppbv), TCE (0.833-2.84 ppbv), and carbon tetrachloride (0.081-0.084 ppbv) were identified. Indoor air concentrations of TCE of 0.142 and carbon tetrachloride of 0.083 were also detected. SEBI compared the soil vapor and indoor air results to the appropriate NYSDOH Matrix and concluded that the results for vapor sample VP-2 indicated, "take reasonable and practical action to identify sources and reduce exposures for TCE." All other results indicated no further action.

Laboratory reports are provided in in the respective reports, included as Exhibits 1-3 on the attached CD.

III.3 Site Drawings of Impacted Media

Impacted Media Map for groundwater, soil, and soil vapor are included with this attachment as Figures 1a, 1b and 1c, which depict data provided in the SEBI Investigation, Remedial Action-Update. Specifically, Figures 1a through 1c depict sample locations, date of sampling event, key contaminants and concentrations detected, and highlighted exceedances of 6NYCRR Part 703.5.

III.4 Past Land Uses

Past uses of the site are summarized in a Phase I ESA prepared by C₂G for Mobile Media Inc. dated September 13, 2015. The C₂G Phase I ESA report is included in electronic format as Exhibit 4 on the attached CD. According to the report, information contained in the Orange County Clerk's office indicated that the historic use of the property and operations included the following:

- 1924 to 1953 the property was owned and operated by the Marietta Silk Co., a silk manufacturing company. Marietta Silk Company reportedly manufactured silk neckties.
- From 1957 to 1959 the property was owned and operated by Mastercraft Cravat Co. a tie manufacturing company. No further information was identified for the Mastercraft Cravat Co. besides it being a tie manufacturer.
- Prior to Mobile Media taking ownership the site was reportedly occupied by Channel Master Corporation (dates unknown), which had a history of use related to the electronics industry.
- 1995 to Present the property was owned by Mobile Media, Inc. and used for the manufacturing and distribution of high-density shelving unit systems, primarily for the retail industry.

C₂G Environmental Consultants, LLC

Subsurface Investigation Report

24 Center Street, Pine Bush, NY



Figure 2: Groundwater Monitoring Well Location Map

TABLE 1 Soil Volatile Organic Compounds (USEPA Method 8260) Mobile Media									
TA+A:UBLE 1	Recommended Soil Cleanup Level	SB-1	SB-2	SB-3	UST-COMP		MW-1	MW-2	MW-3
		11/18/2014	11/18/2014	11/18/2014	11/18/2014		1/16/2015	1/16/2015	1/16/2015
	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)
Acetone	0.05	0.026	0.0032	ND	0.23	0.31	ND	ND	ND
Trichloroethaene (TCE)	0.47	0.026	0.018	ND	0.12	0.032	0.029	0.012	0.0069
Tetrachloroethene (PCE)	1.3	0.0011	ND	ND	ND	0.02	ND	ND	ND
TICs	NA	NA	NA	NA	NA	NA	NA	NA	NA

Note:

NA = Value not available

ND =Compound non-detect

TICs= Tentatively identified compounds

* = Value in excess of guidance value

		TABLE 1 Soil Volatile Organic Compounds (USEPA Method 8260) Mobile Media							
TA+A:UBLE 1	Recommended Soil Cleanup Level	MW-4	PW-1	PW-2	PW-3	PW-4	PW-5	PW-6	PW-7
		1/16/2015	1/8/2016	1/8/2016	1/8/2016	1/8/2016	3/4/2016	3/4/2016	3/4/2016
	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)
Acetone	0.05	ND	ND	0.17	ND	ND	0.049	0.029	ND
Trichloroethane (TCE)	0.47	ND	ND	0.17	ND	ND	0.013	ND	0.0017
Tetrachloroethene (PCE)	1.3	ND	ND	0.0064	ND	ND	ND	ND	ND
TICs	NA	NA	ND	ND	ND	ND	ND	ND	ND

Note:

NA = Value not available

ND =Compound non-detect

TICs= Tentatively identified compounds

* = Value in excess of guidance value

TABLE 1 Soil Volatile Organic Compounds (USEPA Method 8260) Mobile Media				
TA+A:UBLE 1	Recommended Soil Cleanup Level	PW-8	PW-9	PW-10
		3/4/2016	3/5/2016	3/5/2016
	(ppm)	(ppm)	(ppm)	(ppm)
Acetone	0.05	0.062	ND	0.013
Trichloroethane (TCE)	0.47	0.0041	0.011	0.019
Tetrachloroethene (PCE)	1.3	ND	ND	ND
TICs	NA	ND	ND	ND

Note:

NA = Value not available

ND =Compound non-detect

TICs= Tentatively identified compounds

* = Value in excess of guidance value

TABLE 2 Mobile Media Center Street Volatile Organic Compounds (USEPA Method 8260-Stars)											
Compounds	NYSDEC (CP-51) Soil Cleanup Level	B-1	B-2	B-3	B-4	B-5	B-6	B-7	B-8	B-9	B-10
	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)	(ppm)
Tetrachloroethene	1.3	0.0012	0.0013	ND	ND	0.002	0.0067	ND	ND	ND	ND
Trichloroethene	0.47	0.062	0.023	ND	0.0018	0.10	0.0067	0.0017	ND	ND	ND
Total Xylenes	0.26	ND	ND	0.0079	ND	ND	ND	ND	ND	ND	ND

Note:

NA = Value not available

ND =Compound non-detect

* = Value in excess of guidance value

Guidance Values areDER-10 (May,2010)

TABLE3
Mobile Media
Groundwater Volatile Organic Compounds (USEPA Method 8260)
Historic Data

Compound	Groundwater Standards	MW-1						MW-2		MW-3		MW-4	
		1/7/2015	9/1/2015	4/15/2016	5/11/2016	6/22/2016	9/15/2016	1/7/2015	9/1/2015	1/7/2015	9/1/2015	1/7/2015	9/1/2015
	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)
Acetone	50	ND	ND	ND	ND	ND	ND		ND		ND		ND
1,2 Dichloroethane	0.6	ND	ND	ND	ND	ND	ND	2	ND	ND	ND	ND	ND
2-Butone (MEK)	50			17	ND	ND	ND						
cis 1,2 Dichloroethene	5	ND	3.5	ND	ND	ND	ND	1.7	1.8	ND	ND	ND	ND
Chlororform	7	ND	ND	ND	ND	ND	ND	0.99	1.5	1.7	1.4	ND	ND
Chloromethane	5	ND	ND	ND	ND	ND	ND	ND	1.1	ND	ND	ND	ND
MTBE	10	ND	8.6	ND	ND	3.8	8.5	42	38	0.34	ND	ND	ND
Trichloroethene (TCE)	5	87	860	71	52	150	600	1900	1400	ND	ND	ND	ND
Tetrachloroethene (PCE)	5	4.5	18	4.8	3.8	6.7	23	10	7.7	17	2.4	1.4	ND

Note:

NA : Value not available
ND detect

RED = Value in excess of guidance value

BLUE=Value detected but below guidance value

Guidance Values are TOGS 1.1.1

		TABLE3 Mobile Media Groundwater Volatile Organic Compounds (USEPA Method 8260) Historic Data														
Compound	Groundwater Standards	TW-1					TW-2					TW-3				TW-4
		9/1/2015	4/15/2016	5/11/2016	6/22/2016	9/15/2016	9/1/2015	4/15/2016	5/11/2016	6/22/2016	9/15/2016	9/1/2015	4/15/2016	5/11/2016	6/22/2016	9/1/2015
	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)	(ppb)
Acetone	50	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2 Dichloroethane	0.6	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.79	ND	ND	ND	ND
2-Butone (MEK)	50	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
cis 1,2 Dichloroethene	5	1.9	1.1	ND	1.8	2.3	ND	ND	ND	ND	ND	1.1	ND	ND	ND	ND
Chlororform	7	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	11
Chloromethane	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MTBE	10	24	14	12	15	13	ND	1.1	ND	ND	3.2	3.8	1.6	ND	ND	ND
Trichloroethene (TCE)	5	3400	2000	2900	2700	2600	3000	880	1100	790	960	180	350	100	150	ND
Tetrachloroethene (PCE)	5	72	42	49	49	32	nd	5.6	5.9	7.1	7.7	2.6	2.5	1.2	2.1	ND

Note:

NA : Value not available

ND detect

RED = Value in excess of guidance value

BLUE=Value detected but below guidance value

Guidance Values are TOGS 1.1.1

TABLE 3
Mobile Media
Groundwater Volatile Organic Compounds (USEPA Method 8260)
Historic Data

Compound	Groundwater Standards	TW-5					TW-6	PW-1	PW-2					PW-3				
	(ppb)	10/2/2015 (ppb)	4/15/2016 (ppb)	5/11/2016 (ppb)	6/22/2016 (ppb)	9/15/2016 (ppb)	10/2/2015 (ppb)	1/15/2016 (ppb)	1/15/2016 (ppb)	4/15/2016 (ppb)	5/11/2016 (ppb)	6/22/2016 (ppb)	9/15/2016 (ppb)	1/15/2016 (ppb)	4/15/2016 (ppb)	5/11/2016 (ppb)	6/22/2016 (ppb)	9/15/2016 (ppb)
Acetone	50	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2 Dichloroethane	0.6	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	5.6
2-Butone (MEK)	50		ND	2.5	ND	ND				ND	ND	ND	ND		ND	ND	ND	ND
cis 1,2 Dichloroethene	5	2.5	2.0	2.5	1.7	1.9	ND	ND	ND	ND	ND	ND	ND	ND	ND	1.6	2.3	5.6
Chlororform	7	1.0	ND	ND	ND	1.0	1.1	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Chloromethane	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
MTBE	10	21	21	15	17	16	22	ND	ND	ND	ND	ND	ND	ND	ND	1.2	2.7	6
Trichloroethene (TCE)	5	1800	2200	3500	1900	2100	1900	ND	36	26	33	36	39	71	360	830	990	2500
Tetrachloroethene (PCE)	5	2	12	12	9.6	3.3	13	ND	ND	ND	ND	ND	ND	2	8.6	14	22	55

Note:

NA : Value not available
 ND detect

RED = Value in excess of guidance value

BLUE=Value detected but below guidance value

Guidance Values are TOGS 1.1.1

		TABLE 3 Mobile Media Groundwater Volatile Organic Compounds (USEPA Method 8260) Historic Data										
Compound	Groundwater Standards	PW-4	PW-5	PW-6	PW-7	PW-8					PW-9	PW-10
	(ppb)	1/15/2016 (ppb)	(ppb)	3/8/2016 (ppb)	3/8/2016 (ppb)	3/8/2016 (ppb)	4/15/2016 (ppb)	5/11/2016 (ppb)	6/22/2016 (ppb)	9/15/2016 (ppb)	3/8/2016 (ppb)	3/8/2016 (ppb)
Acetone	50	ND	NS	ND	ND	ND	ND	ND	ND	ND	ND	7.1
1,2 Dichloroethane	0.6	ND	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND
2-Butone (MEK)	50						ND	ND	ND	ND		
cis 1,2 Dichloroethene	5	ND	NS	ND	ND	1.6	1.4	1.6	1.3	1.3	ND	1.6
Chlororform	7	ND	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND
Chloromethane	5	ND	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND
MTBE	10	ND	NS	ND	ND	15	15	8.1	10	6.1	ND	5.5
Trichloroethene (TCE)	5	ND	NS	ND	2.7	2700	2500	4300	3100	4200	26	1800
Tetrachloroethene (PCE)	5	ND	NS	ND	ND	28	34	38	43	49	ND	22

Note:

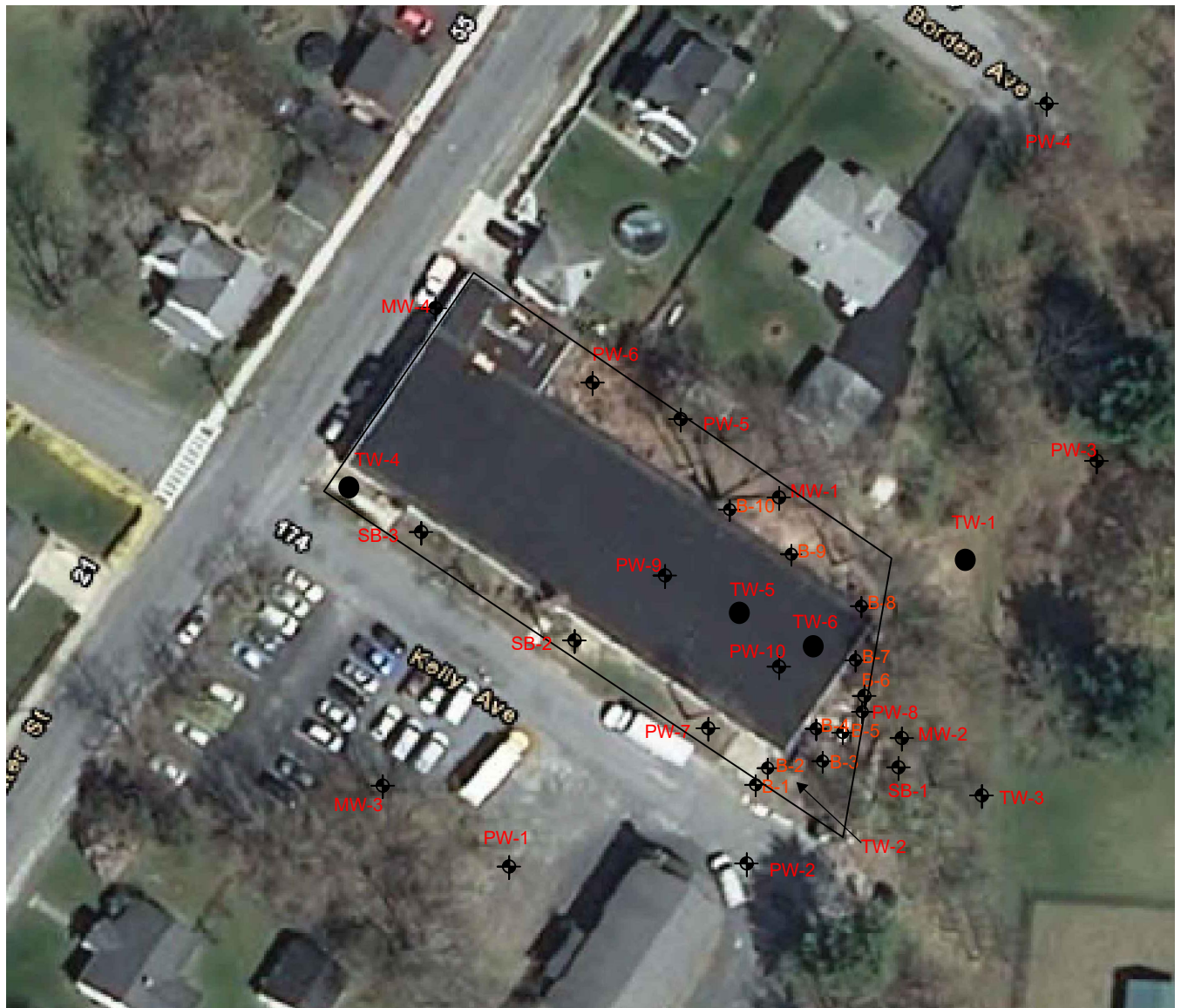
NA : Value not available

ND detect

RED = Value in excess of guidance value

BLUE=Value detected but below guidance value

Guidance Values are TOGS 1.1.1



Most Recent Groundwater Sampling Result Values

MW-1 9/15/2016: MTBE- 8.5 TCE- 600 PCE- 23	TW-4 9/1/2015: Chloroform- 11	TW-1 9/15/2016: cis 1,2 Dichloroethene- 2.3 MTBE- 13 TCE- 2600 PCE- 32	PW-1 1/15/2016: None Detect	PW-6 3/8/2016: None Detect
MW-2 9/1/2015: cis 1,2 Dichloroethene- 1.8 Chloroform- 1.5 Chloromethane- 1.1 MTBE- 38 TCE- 1400 PCE- 7.7	TW-5 9/15/2016: cis 1,2 Dichloroethene- 1.9 Chloroform- 1.0 MTBE- 16 TCE- 2100 PCE- 3.3	TW-2 9/15/2016: MTBE- 3.2 TCE- 960 PCE- 7.7	PW-2 9/15/2016: TCE- 39	PW-7 3/8/2016: TCE- 2.7
MW-3 9/1/2015: Chloroform- 1.4 PCE- 2.4	TW-6 10/2/2015: Chloroform- 1.1 MTBE- 22 TCE- 1900 PCE- 13	TW-3 5/11/2016: TCE- 100 PCE- 1.2	PW-3 9/15/2016: 1,2 Dichloroethane- 5.6 - 5.6 MTBE- 6 TCE- 2500 PCE- 55	PW-8 9/15/2016: cis 1,2 Dichloroethene- 1.3 MTBE- 6.1 TCE- 4200 PCE- 49
MW-4 9/1/2015: ND			PW-4 1/15/2016: None Detect	PW-9 3/8/2016: TCE- 26
			PW-5: Not Sampled	PW-10 3/8/2016: Acetone- 7.1 cis 1,2 Dichloroethene- 1.6 MTBE- 5.5 TCE- 1800 PCE- 22

Legend:

TCE-**600**: Concentrations denoted in red exceed 6 NYCRR Part 703.5
 All concentration recorded in parts per billion (ppb)

Figure 1a: Impacted Media Map - Groundwater

Map/Data source: Tables 3 of Investigation, Remedial Action-Update
 Report By: SEBI Environmental Services

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape
 Architecture & Geology, D.P.C.
 12 RAYMOND AVENUE, POUGHKEEPSIE NY 12603
 (845) 454-4400



Date: August 2019



Most Recent Soil Sampling Result Values

MW-1 1/16/2015: TCE- 0.029	SB-1 11/18/2014: Acetone- 0.026 TCE- 0.026	PW-1 1/8/2016: None Detect	PW-6 3/4/2016: Acetone- 0.29	B-1 9/20/2016: TCE- 0.062 PCE- 0.0012	B-6 9/20/2016: TCE- 0.0067 PCE- 0.0067
MW-2 1/16/2015: TCE- 0.012	SB-2 11/18/2014: Acetone- 0.0032 TCE- 0.018	PW-2 1/8/2016: Acetone- 0.17 TCE- 0.17 PCE- 0.0064	PW-7 3/4/2016: TCE- 0.0017	B-2 9/20/2016: TCE- 0.023 PCE- 0.0013	B-7 9/20/2016: TCE- 0.0017
MW-3 1/16/2015: TCE- 0.0069	SB-3 11/18/2014: None Detect	PW-3 1/8/2016: None Detect	PW-8 3/4/2016: Acetone- 0.062 TCE- 0.0041	B-3 9/20/2016: Total Xylene's- 0.0079	B-8 9/20/2016: None Detect
MW-4 1/16/2015: None Detect		PW-4 1/8/2016: None Detect	PW-9 3/5/2016: TCE- 0.011	B-4 9/20/2016: TCE- 0.0018	B-9 9/20/2016: None Detect
		PW-5 3/4/2016: Acetone- 0.049 TCE- 0.013	PW-10 3/5/2016: Acetone- 0.013 TCE- 0.019	B-5 9/20/2016: TCE- 0.10 PCE- 0.002	B-10 9/20/2016: None Detect

Legend:

All concentration recorded in parts per million (ppm)

Figure 1b - Impacted Media Map - Soil

Map/Data source: Tables 1 and 2 of Investigation, Remedial Action-Update Report By: SEBI Environmental Services

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape
Architecture & Geology, D.P.C.
12 RAYMOND AVENUE, POUGHKEEPSIE NY 12603
(845) 454-4400



Date: August 22, 2019



Legend:

All concentration recorded in parts per billion by volume (ppbv)

Figure 1c - Impacted Media Map - Soil Vapor

Map/Data source: Appendix B-3 of Investigation, Remedial Action-Update
Report By: SEBI Environmental Services

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape
Architecture & Geology, D.P.C.
12 RAYMOND AVENUE, POUGHKEEPSIE NY 12603
(845) 454-4400



Date: August, 2019

ATTACHMENT 4 (SECTION IV)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH. ORANGE COUNTY

Property Information

Mobile Media Inc., the proposed BCP site, is located at 175 Kelly Avenue Pine Bush, Orange County New York 12566. The site consists of two tax parcels that total approximately 0.8 acres. The coordinates for the approximate center of the site are 41° 36' 24.2" latitude and 74° 18' 02.6" longitude. The location of the proposed Brownfield project is depicted on Figure 2, Site Location Map. The proposed site consists of two tax parcels (S.B.L. 6-8-3 and 6-9-1.2). The Orange County tax records identified these parcels as being approximately 0.48 and 0.32 acres in size, respectively.

IV.1 Tax Map Metes and Bounds

The proposed BCP site boundaries correspond to the tax map metes and bounds. A tax map depicting the site and surrounding parcels is also included (Figure 3, Tax Parcel Map). Also attached is an August 1995 Site Plan prepared by Mercurio, Norton, Tarolli, Land Surveying, Engineering, P.C.

IV.2 Property Map

Figure 4 depicts the property boundaries and the proposed BCP Site Boundaries.

IV.3 EN-Zone Designation

The proposed BCP Site is not part of an EN-Zone.

IV.4 Multiple BCP Applications for a Large Project

The proposed BCP Site is not part of a larger project that is covered by multiple BCP Applications.

IV.5 Outside Contaminant Sources

The contamination observed in groundwater/soil vapor is not suspected to be emanating from a property other than the site subject to the present application.

IV.6 Previous Remediation (pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law)

The site is not subject to remediation it has not been remediated pursuant Titles 9, 13, and 14 of Article 27 and Title 5 of ECL Article 56. There was a historic petroleum spill; an inactive 1,000-gallon underground storage tank and 10.98 tons of petroleum contaminated soil were removed from the property in 2014. Spill #1408784 was assigned to the site, which has subsequently been closed but there is ongoing remediation to address CVOC groundwater contamination. Mobile Media Storage is currently working with the NYSDEC's Region 3 office to implement a subsurface remedy. Initial review of the data and results indicate that more work is necessary, but that the site may be BCP eligible.

IV.7 Under Water Lands

None of the proposed sites lands are underwater.

IV.8 Easements or Existing Rights of way

There are no easements or existing rights of way that would preclude remediation in the specified area.

IV.9 DEC/USEPA Permits

There is one NYSDEC Petroleum Bulk Storage ID NO: PBS3-602071 permit issued for the site. The 10,000-gallon #2 fuel oil underground storage tank was removed and closed in 2009.

IV.10 Property Description and Environmental Assessment

Location:

Mobile Media Inc. located at 175 Kelly Avenue Pine Bush, New York 12556 is considered a suburban area. The site is approximately 0.2 miles from the intersection of Main Street (NY-52) and Center Street in Pine Bush, New York.

Site Features:

This site features a single structure where Mobile Media Inc., operates a commercial manufacturing facility, making specialty high density shelving for the retail industry. Directly across Kelly Avenue from the site, there is a small parking lot that is also owned by Mobile Media Inc. The two properties are covered by a building and parking lot, respectively and are sparsely wooded with trees and landscaping.

Surrounding Property Use:

Direction	Adjoining Property	Property Beyond
North	Residential	Mobile Station (north-northeast)
South	Kelly Ave	Residential, Edward J. Russell
East	Town Water Well Building	
West	Center Street	Residential, Crispell Middle School

Current Zoning and Land Use:

Based on the current Town of Crawford Zoning Map, Mobile Media Inc. is residentially zoned. Included with this Attachment is a copy of the Town of Crawford Zoning Map. On Orange County's government website under property data for 175 Kelly Avenue, the property class for Mobile Media Inc. is manufacturing and the site classification is commercial. The zoning code however was left blank. The surrounding parcels are all residential. Less than one mile to the east there is land zoned "business park" and less than a half mile to the north the land is zoned "Center Hamlet" and "Historic/Architectural" according to the local zoning code.

The Town of Crawford building department was contacted and confirmed that the property is in a residential zone; the property has been used for manufacturing purposes

since the early 1900's and as such, Mobile Media Inc. is "grandfathered" to continue its manufacturing operations on the property.

Included with this Attachment is an appraisal letter for the site dated October 2, 1995, from Joseph A. Carfizzi Associates, Inc., Consultants and Appraisers to Walden Savings Bank, which documents that a variance was issued by the Town of Crawford Zoning Board of Appeals on September 6, 1995, allowing the Mobile Media property to be used for Industrial Use. Also attached is an email from Nancy Duryea, Secretary Planning Board and ZBA for the Town of Crawford, which confirms that a variance was issued for the continuation of light industry at 175 Kelly Avenue, and the Zoning Board meeting minutes from September 6, 1995, which documents the Zoning Board's decision.

Past Land Use:

Ownership of the land has transferred several times since the early 1900's. Several notable businesses previously occupied the property. They included the Marietta Silk Company, a silk manufacturer, from 1924 to 1923, Mastercraft Cravat Co., a tie manufacturer, from 1957 to 1959 and, prior to Mobile Media taking ownership the site was reportedly occupied by Channel Master Corporation (dates unknown), which had a history of use related to the electronics industry. Marietta Silk Company reportedly manufactured silk neckties. No further information was identified for the Mastercraft Cravat Co. besides it being a tie manufacturer. Based on the information available on the past uses of the property it is difficult to say with certainty where the impacts originated; however, the garment industry is notorious for the use of dry-cleaning products (CVOCs; Perchloroethylene) before bringing products to market and the electronics industry was known to use chlorinated solvents to degrease/clean electronic components. No direct evidence of parts washing, or dry-cleaning equipment was observed.

Two documented remedial activities took place outside of the current remedial investigation on the proposed site. A 10,000-gallon #2 fuel oil underground storage tank was removed and closed in 2009. The tank was registered as NYSDEC Petroleum Bulk Storage ID No: PBS3-602071. In October 2014, WGA located an UST on the proposed site. Spill #1408784 was assigned to the site. In December 2014 WGA removed the inactive 1,000-gallon underground storage tank and 10.98 tons of petroleum contaminated soil. A detailed UST-Spill Closure Report was submitted to Mr. John O'Mara of the NYSDEC in February 2015.

Site Geology and Hydrogeology:

The Mobile Media site consists of a well-drained Oakville loamy fine sand with 3 to 8 percent slopes. The landform setting of this soil type is consistent with deltas and outwash plains. The typical soil profile transitions from loamy fine sand at the surface to fine sand up to depths of 60 inches. The soil for the site was identified using the Web Soil Survey for the property. The bedrock geology of Pine Bush and the surrounding area is representative of the Austin Glen Formation composed of shale and graywacke middle to upper Ordovician in age.

Based on monitoring wells developed by WGA and C₂G during their Phase II ESA activities, the water table at Mobile Media Inc. is approximately seven to fifteen feet below ground surface. A groundwater contour map prepared by G₂G indicates the groundwater is to the south-southeast. The C₂G groundwater contour map is included with this Attachment.

The nearest surface water body is the Shawangunk Kill stream, located approximately 0.28 miles to the northwest of the site. This surface water body is hydraulically upgradient of the Mobile Media Site. Approximately 0.5 miles downgradient to the southeast of the Mobile Media property is a small tributary of the Wallkill River.

Environmental Assessment:

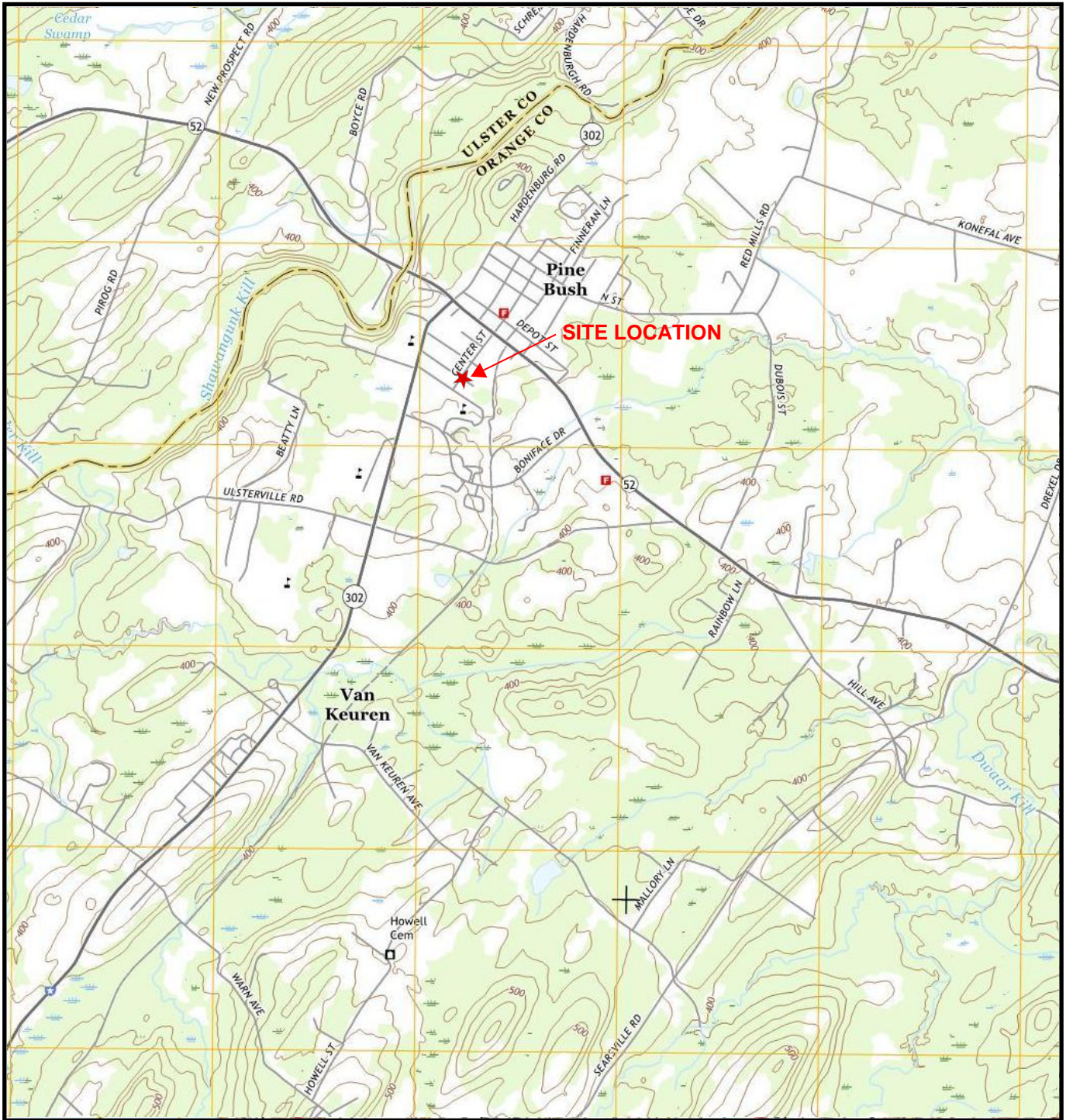
Based on the investigations completed in 2015-2016 by WGA, C₂G and SEBI, CVOC contaminants (TCE, PCE and 1,2-Dichloroethane, as well as MTBE and Chloroform) were detected above NYSDEC Water Quality Standards in the groundwater samples collected. Soil samples were analyzed for VOC's and did not reveal concentrations exceeding guidance values. Soil vapor and indoor air samples were collected by SEBI in March 2016. The results yielded a concentration of TCE, which based on the applicable NYSDOH Matrix indicates an action of "take reasonable and practical action to identify sources and reduce exposures for TCE." The indoor air sampling data report is included in Exhibit 3 on the attached CD.

WGA installed and sampled four groundwater monitoring wells, denoted as MW-1 to MW-4, on the Mobile Media Inc. property. Concentrations of TCE, PCE, and MtBE were found to be exceeding NYSDEC Water Quality Standards. Monitoring well MW-2, located on the eastern side of the Mobile Media Inc. building indicated the highest values of contaminants on site. Specifically, TCE was detected at 1,900 ppb, which is more than two orders of magnitude above its NYSDEC Ambient Water Quality Standard of 5 ppb.

In addition, PCE was detected at 10 ppb and MTBE was detected at 42 ppb, which exceeds the respective NYSDEC Water Quality Standards for these constituents. Monitoring well MW-4 located at the northwest corner of the building indicated the lowest concentrations of contaminants on site. The only contaminant detected in MW-4 was TCE at 1.4 ppb.

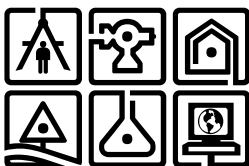
C2G installed and sampled four additional monitoring wells, denoted as TW1 to TW4, on site. C2G also resampled monitoring wells MW-1 to MW-4. Concentrations of TCE, PCE, 1,2-Dichloroethane, and MTBE were found to be exceed their respective NYSDEC Water Quality Standards. The highest concentrations of contaminants were identified on the east side of the building. TW-1, located on the eastern side of the Mobile Media Inc. building, indicated the highest values of contaminants on site. A groundwater sample collected from TW-1 detected TCE at 3,400 ppb, PCE at 72 ppb and MtBE at 24 ppb. Monitoring well MW-2, also located on the eastern side of the building detected TCE at 1,400 ppb, PCE at 7.7 ppb and MtBE at 38 ppb. Groundwater samples collected from the western side of the Mobile Media Inc. building indicated the lowest concentrations of contaminants with the only detected contaminant being chloroform detected at TW-4 at 11 ppb. Monitoring well MW-4 indicated no detectable concentrations of contaminants.

In January through June 2016, SEBI installed additional soil borings and monitoring wells, conducted soil and groundwater sampling, installed 14 chemical oxidation injection points, completed a vapor intrusion investigation, and conducted four chemical oxidation injection events using permanganate solution. Locations of the chemical oxidation injection points are depicted on the Injection Well Map prepared by SEBI, which is included with this Attachment. Concentrations of VOCs identified in groundwater were consistent with the previous investigations. Following four (4) chemical oxidation events by SEBI, the concentration of TCE in TW-1 was 2,600 ug/l.



MAP REFERENCE

United States Geological Survey
7.5 Minute Series Topographic Map
Quadrangle: Pine Bush, New York
Date: 2016



C.T. MALE ASSOCIATES

ENGINEERING, SURVEYING, ARCHITECTURE
LANDSCAPE ARCHITECTURE & GEOLOGY, D.P.C.

12 RAYMOND AVENUE
POUGHKEEPSIE, NY 12603

Figure 2 - Site Location Map

Town of Pine Bush

Orange County, New York

SCALE: 1:24,000

DRAFTER: DC

PROJECT No: 19.9347

The locations and features depicted on this map are approximate and do not represent an actual survey.



Legend:

STATE OR COUNTY LINE	---	TAX MAP BLOCK NO.	(4)
CITY TOWN OR VILLAGE	---	TAX MAP PARCEL NO.	32
BLOCK OR SECTION LIMIT	---	AREAS (DEED) 11.1A or (CALCULATED) 11.6A(C)	
SPECIAL DISTRICT LINE	---	DIMENSIONS (DEED) 66 or (CALCULATED) 75S	
PROPERTY LINE	---	PORTION OF TAX LOT	P/o 1-1-1
FILED PLAN LOT LINE	---	FILED PLAN BLOCK NO.	(2) (4)
EASEMENT LINE	---	FILED PLAN LOT NO.	(3) or (P/o 2)
MATCH LINE	---	STATE HIGHWAYS	N Y STATE HWY NO 17
WATER FEATURES	---	COUNTY HIGHWAYS	COUNTY ROAD NO 4
GRID COORDINATE/CENTROID	•	TOWN ROADS	TOWN ROAD 1

Proposed site

332600
TOWN OF CRAWFORD

Scale 1" = 100' Section No. 6

Date: July, 1 2019

Figure 3 - Tax Parcel Map of Mobile Media Inc. and Surrounding Properties

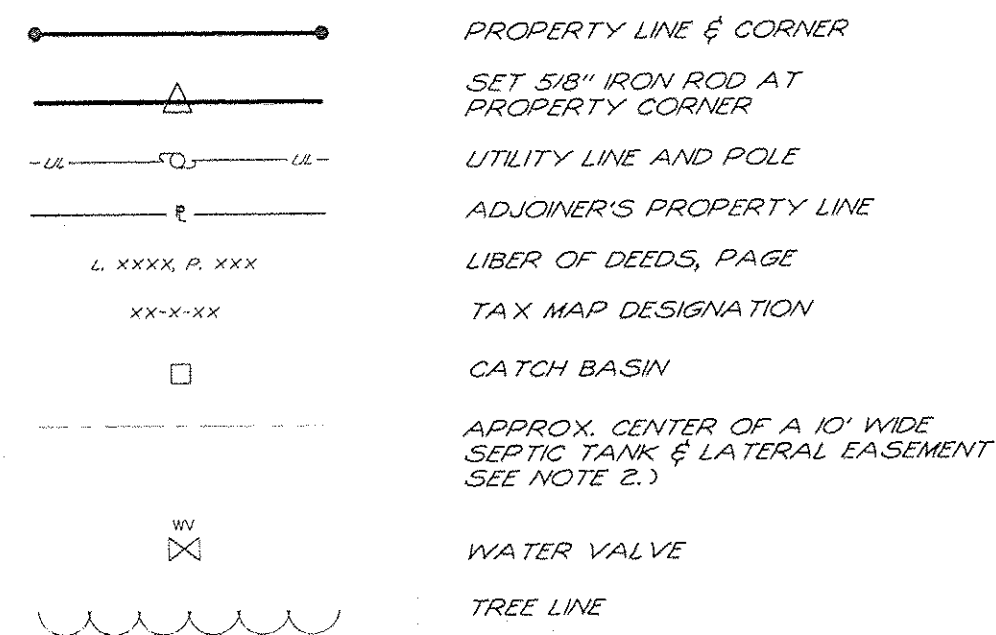
Prepared by: Orange County Tax Map Department
124 Main Street, Goshen NY 10924

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape
Architecture & Geology, D.P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 12110
(518) 786-7400 * (518) 786-7299



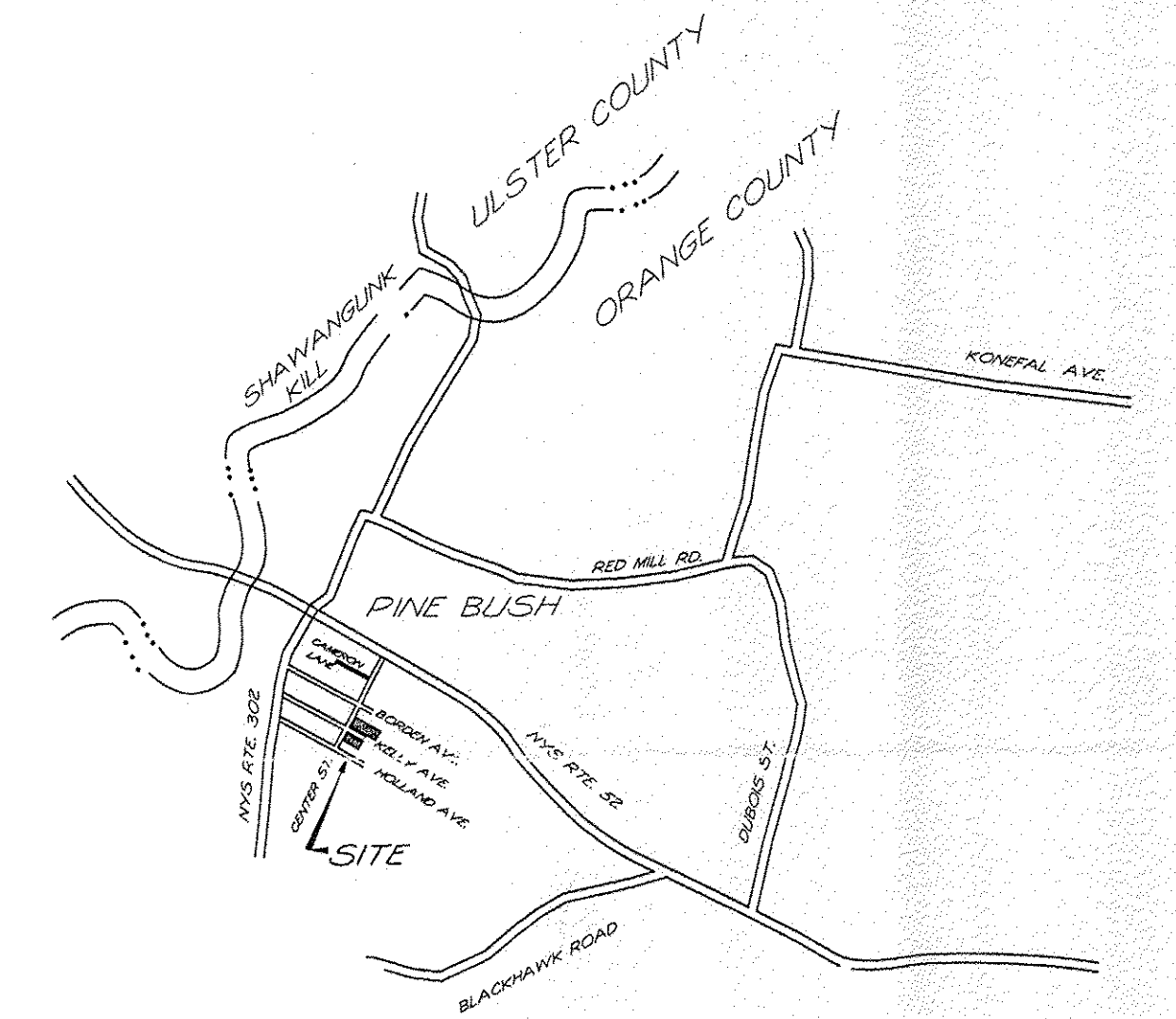
Legend



Zoning Legend R

WITH PUBLIC WATER & SEWER

MINIMUM LOT SIZE 15,000 S.F.
MINIMUM LOT WIDTH 100'
MINIMUM YARDS:
FRONT (TO & OF ROAD) 55'
SIDE (EACH) 15'
REAR 35'



Location Map

SCALE: 1" = 2000'

Notes:

- 1) SUBJECT TO UTILITY RIGHTS OF WAY OF RECORD, IF ANY.
- 2) SUBJECT TO A 10' WIDE SEPTIC TANK AND LATERAL SEWER EASEMENT IN FAVOR OF THE TOWN OF CRAWFORD SEWER DISTRICT NO. 1, AS DESCRIBED IN LIBER 2250 OF DEEDS, PAGE 300. EASEMENT ON THIS MAP IS APPROXIMATE, REFER TO ASBUILT DRAWINGS ON FILE IN THE TOWN CLERK'S OFFICE FOR ACTUAL LOCATION.
- 3) SUBJECT TO ANY FACTS THAT MAY BE REVEALED BY AN ACCURATE, UP TO DATE, ABSTRACT OF TITLE.
- 4) SUBJECT TO THAT PORTION WITHIN THE BOUNDS OF CENTER AND/OR KELLY AVENUE FOR USE AS PUBLIC HIGHWAYS.
- 5) THESE LOTS ARE SERVICED BY PUBLIC SEWER AND WATER.

Site Plan for Mobile Media, Inc.

CONTRACT PURCHASERS

LANDS OF THE ESTATE OF ARTHUR W. COHEN
SECTION 6, BLOCK 8, LOT 3
SECTION 6, BLOCK 9, LOT 12
LIBER 2112 OF DEEDS, PAGE 1147

Town of Crawford, Orange County
New York State
Scale: 1" = 20'
August, 1995

MAP CK: KVV 9-7-95

DRAFTED BY: JT PROJECT NO. 2225

Prepared by:

MERCURIO-NORTON-TAROLLI
P.O. BOX 166
75 MAIN STREET
PINE BUSH, N.Y. 12566
TEL 914-744-3620
FAX 914-744-3605
Land Surveying-Engineering, P.C.

Area = 0.321 Acres
T.M. # 6-9-12

LANDS OF
CHARLES L. & CAROLYN L. FROST
LIBER 1796 OF DEEDS, PAGE 727
6-9-5

LANDS OF
THE ESTATE OF RICHARD MILLER
LIBER 3804 OF DEEDS, PAGE 28
6-9-2

LANDS OF
FRANCIS S. & SOPHIE STUEBER
LIBER 1649 OF DEEDS, PAGE 575
6-9-11

REVISIONS

NO.	DATE	DESCRIPTION	BY

"Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's embossed seal is a violation of Section 1702, Subdivision 2, of the New York State Education Law."
"Only copies from the original tracing of this survey map marked with the Land Surveyor's embossed seal shall be considered valid true copies."
"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 Surveyors Association, said certifications shall run only to those named individuals and/or institutions for whom the survey was prepared. Certifications are not transferable to additional individuals, institutions, their successors and/or assigns, or subsequent owners."



Legend:

□ Proposed Site

Date: July 1, 2019

Figure 4 - Proposed BCP Site Boundaries

Town of Pine Bush

Orange County, New York

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape
Architecture & Geology, D.P.C.
12 RAYMOND AVENUE, POUGHKEEPSIE, NY 12603
(845) 454-4400



I hereby certify this document as the official Zoning Map for the Town of Crawford.

Signature Title Date

****Please note: this map and the contents therein are currently under the process of verification by the Town of Crawford. The Planning Department does not guaranty the accuracy of the zoning information depicted here.

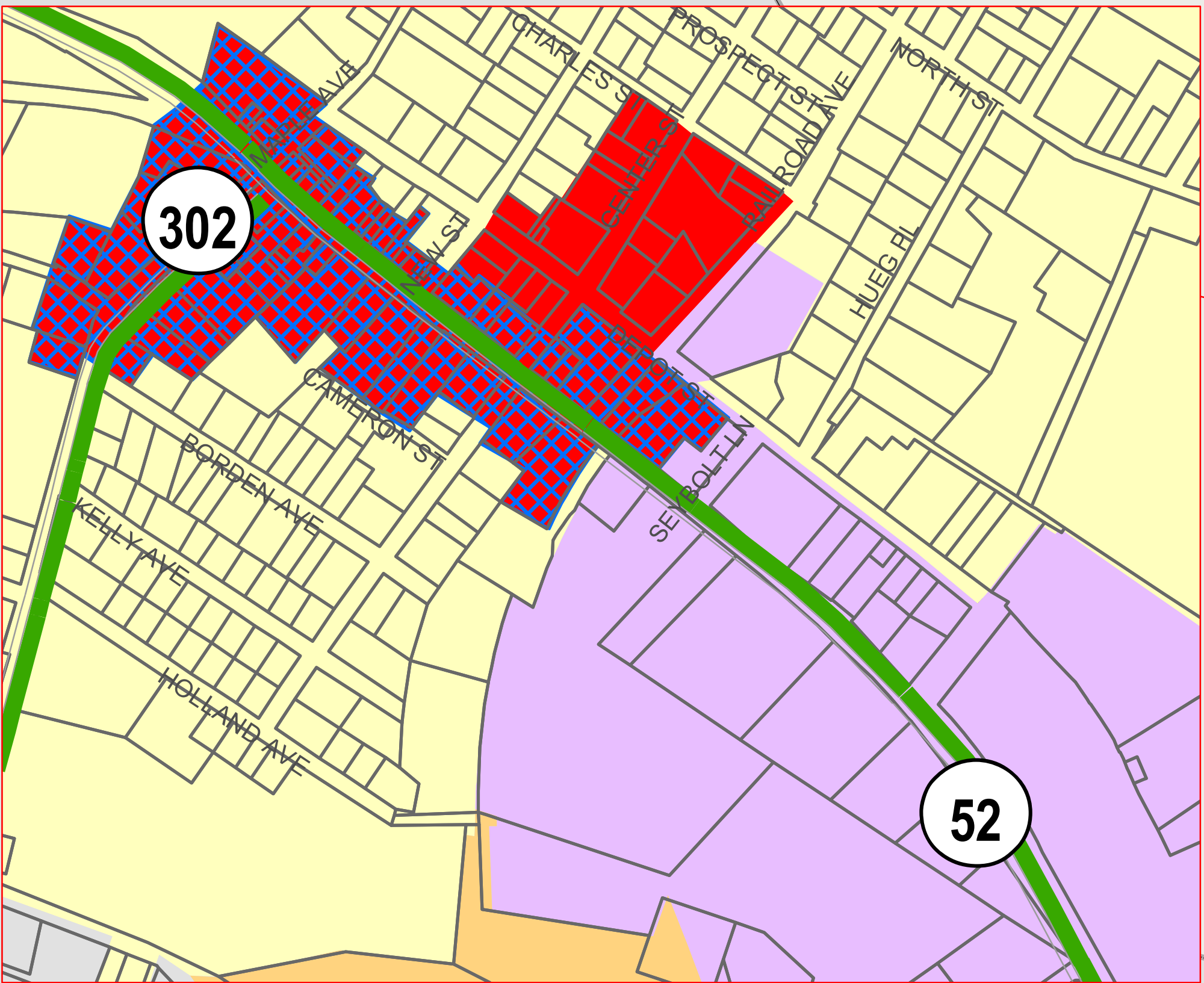
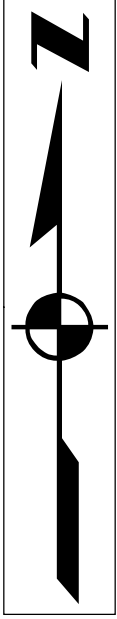
Town of Crawford

Zoning Map

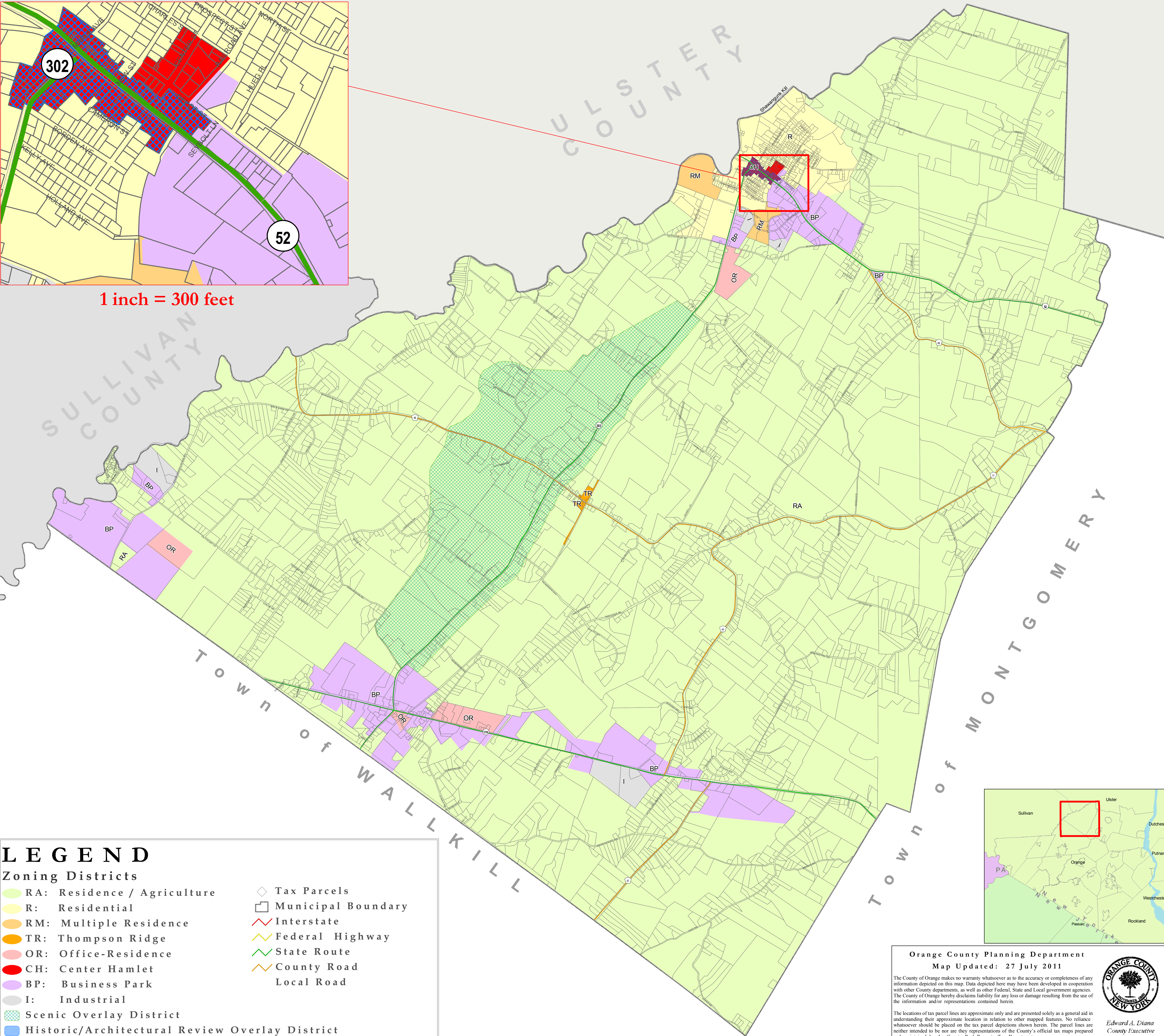
Last Amended: October 2010

0 0.25 0.5 1 Mile

1 inch = 1,500 feet



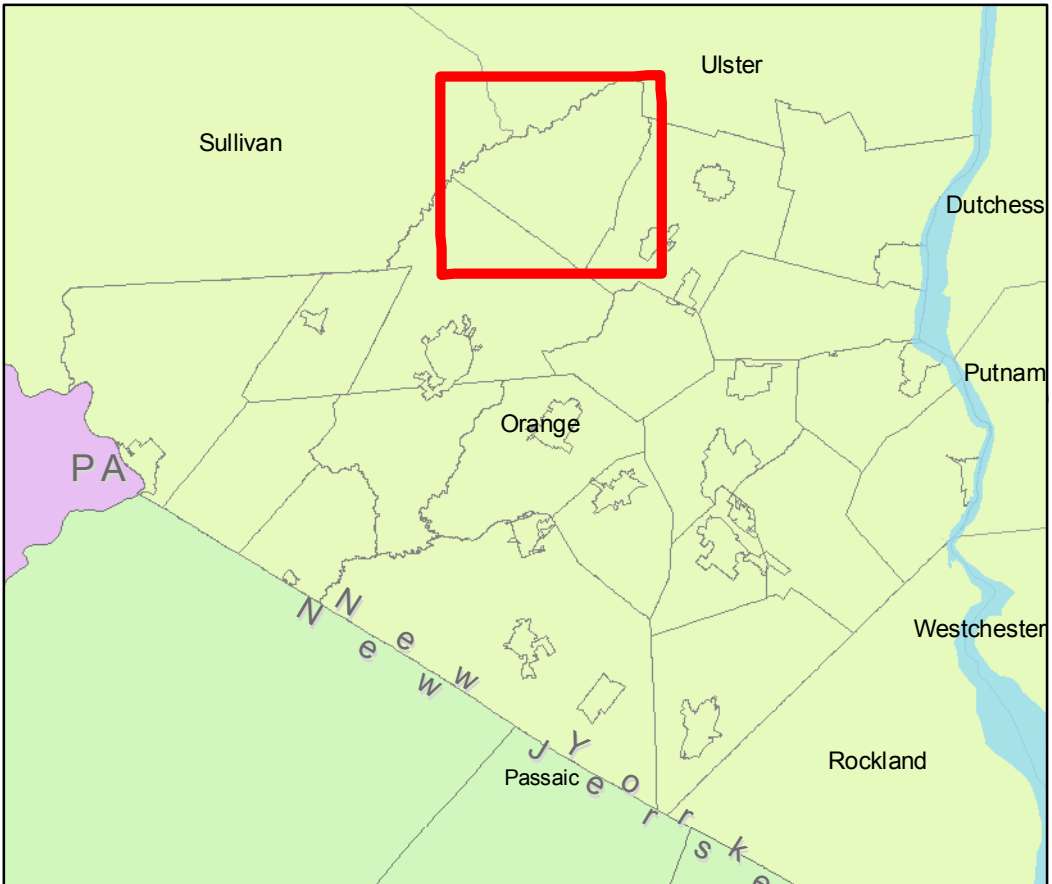
1 inch = 300 feet



LEGEND

Zoning Districts

- RA: Residence / Agriculture
- R: Residential
- RM: Multiple Residence
- TR: Thompson Ridge
- OR: Office-Residence
- CH: Center Hamlet
- BP: Business Park
- I: Industrial
- Scenic Overlay District
- Historic/Architectural Review Overlay District
- Tax Parcels
- Municipal Boundary
- Interstate
- Federal Highway
- State Route
- County Road
- Local Road



Orange County Planning Department
Map Updated: 27 July 2011

The County of Orange makes no warranty whatsoever as to the accuracy or completeness of any information depicted on this map. Data depicted here may have been developed in cooperation with other County departments, as well as other Federal, State and Local government agencies. The County of Orange hereby disclaims liability for any loss or damage resulting from the use of the information and/or representations contained herein.

The locations of tax parcel lines are approximate only and are presented solely as a general aid in understanding their approximate location in relation to other mapped features. No reliance whatsoever should be placed on the tax parcel depictions shown herein. The parcel lines are neither intended to be nor are they representations of the County's official tax maps prepared and maintained by the County Real Property Tax Department.



Edward A. Diana
County Executive

**JOSEPH A. CARFIZZI ASSOCIATES, INC.**

CONSULTANTS AND APPRAISERS
ROUTE 208 P. O. BOX 880
WALLKILL NEW YORK 12588
(914) 895-3700

FAX (914) 487-4288
FAX (914) 895-9246

Real Estate & Transportation - Valuation & Analysis - Feasibility Studies - Traffic Studies

October 2, 1995

Mr. John D. Garrison, President
Walden Savings Bank
2 Bank Street
Walden, New York 12586

Re: Moblie Media, Inc.
Sec. 6-8-3 Sec. 6-9-1.2
Town of Crawford, N. Y.

Dear Mr. Garrison:

Based upon a variance issued by the Zoning Board of Appeals on September 6, 1995 allowing the subject property named in the above caption to be used as industrial use, was appraised as industrial property.

The estimated value considered in my report dated September 26, 1995 indicates the estimated value to be \$ 200,000. as of September 22, 1995, subject to the applicant installing a shipping and receiving dock.

If the subject property were to be appraised as residential use, then, the estimated value of the land improvements would be \$ 80,000. including the land.

Assuming the building improvements could not be used and would have to demolished and removed from the said premises, then the land value would be estimated at \$ 60,000.

If you have any questions concerning the above please do not hesiate to call.

Very truly yours,

JOSEPH A. CARFIZZI ASSOC., INC.

JAC:cm


Joseph A. Carfizzi, Certified
General R. E. Appraiser #46000007070

Lent, David

From: Nancy Duryea <n.duryea@townofcrawford.org>
Sent: Wednesday, November 13, 2019 12:11 PM
To: Lent, David
Subject: Mobile Media Variance
Attachments: SKM_454e19111312580.pdf

Per our conversation today, attached are the minutes of the Sept. 6, 1995 ZBA meeting granting a variance for the continuation of light industry at 175 Kelly Avenue, 6-8-3.

Regards,

Nancy Duryea

Secretary Planning Board & ZBA
Town of Crawford
121 Rte. 302
Pine Bush, NY 12566
Tel: 845-744-6454
Fax: 834-744-3126
Email: n.duryea@townofcrawford.org

Claudio cont'd.

A motion was made by Mark Doty, seconded by Paul Congelosi, to grant the sideline variance for the 24' X 28', one-story, two-car garage, to be placed as depicted on the plat but may be no closer than 5' from the property side line, on Section 24, Block 2, Lot 7.

AYES: 5

NOES: NONE

CARRIED

X 3. **ESTATE OF COHEN/MOBILE MEDIA INC. (John Tarolli, Agent):** Having furnished proof of notice and all fees being paid, this hearing with reference to a request for an interpretation of Section 137-25 (A-4) of the Zoning Law, to determine whether a non-conforming use may continue or be renewed on the subject property or in the alternative, 2. A use variance, under the table of regulations, to allow a light manufacturing use in the "R" Zone. Upon receipt of a variance for the light manufacturing use by the applicant, the Planning Board will hear and consider this application for site plan approval, Center Street & Kelly Ave., Section 6, Block 8, Lot 3 & Section 6, Block 9, Lot 1.2, was opened at 7:47 p.m..

CHAIRMAN FEE - determined to handle each issue separately; starting with the interpretation of whether a manufacturing business, similar to the previous one, can continue after business ceased for a period of more than one year. He opened the hearing to the public.

FRANCIS STUEBER - asked if this will change the District from Residential?

CHAIRMAN FEE - replied negatively; Adding that the zone district will remain residential, as it is. The applicant is asking to continue with a light manufacturing use in the residential district.

ROBERT ADAMS - asked if he was correct in his understanding that since the tie manufacturing use ceased more than 12 months ago, the interpretation is to determine whether a different, light manufacturing business can continue under that same use even tho there was a lapse of business use for more than one year.

GEORGE DEMAS - asked if the Board was considering the different use, the span of more than 12 months or the change of ownership; Receiving a, "All", response, from Chairman Fee.

CHAIRMAN FEE - read a portion from the Zoning Law and then noted that the Board is actually going to determine whether the manufacturing use ceased at the time the tie factory ceased operation (over one year ago), or if the manufacturing use actually ceased once the existing machinery and equipment was removed (less than one year ago).

DICK SMITH - noted that manufacturing ceased in January of 1994. The contents were still in place until the Spring of 1995. Did the manufacturing use stop when the factory stopped or when the contents were gone. He analogized it with a residence, remaining empty for over one year yet still being considered a residence and still useable as such.

JOHN TAROLLI - agreed, stating that if a home is there and the people are gone for 1½ years, unsuccessful in selling; can't it still be sold as a home?

No one else wishing to be heard, a motion was made by Bruce Schwoppe, seconded by Mark Doty, to close this portion of the hearing at 7:55 p.m..

AYES: 5

NOES: NONE

CARRIED

only

X Estate of Cohen/Mobile Media cont'd.

CHAIRMAN FEE - polled the Board Members.

LES SHEELEY - felt the applicant could resume the use.

MARK DOTY - felt the use desisted when the tie factory discontinued use.

BRUCE SCHWOPE - still questionable on determination, felt that he would rather see the building occupied and put to use; thus, inclined to go along with it being a similar use and letting it continue. Yet, on the other hand, does the time span actually start when the last tie was made or when the contents went. He felt he might go along with allowing the similar use to go in.

MARK DOTY - agrees that the building should be put to use, rather than being left vacant but still feels the clock started when the last tie was made.

CHAIRMAN FEE - concurred with Mr. Doty.

PAUL CONGELOSI - labeled this as "borderline" but since the applicant qualifies for a use variance, he feels the business ceased when they stopped making ties over one year ago.

BRUCE SCHWOPE - after listening to the further discussion, decided to go with the business use stopping when the manufacturing operation ceased.

A motion was made by William Fee, seconded by Mark Doty, to make the interpretation that the business use ceased to be 12 months after the last tie was manufactured.

AYES: Mark Doty
Bruce Schwope
Paul Congelosi
William Fee

NOES: Les Sheeley

CARRIED

CHAIRMAN FEE - next, continued with the request for the use variance to allow this light manufacturing use in the residential zoned area.

JOHN TAROLLI - noted that the operation will have hours of 7:30 a.m. to 4:00 p.m..

LANCE PENNINGTON - described his operation. They make moveable carriages for storage purposes. Aluminum extrusions come in. They cut, assemble, pack and ship. There will be no painting done on the premises and no chemical cleaning. Scrap materials are taken to the scrap yard monthly. Regarding vehicle traffic, they will employ 8 to 10 people and average about one commercial vehicle per day.

CHAIRMAN FEE - asked how the material will be delivered; receiving a, "On a flatbed", reply from Mr. Pennington. Mr. Fee then opened the hearing to the public at 8:05 p.m.. He questioned the noise decible brought up at the Planning Board Meeting.

PAUL CONGELOSI - ^{ASKED} what they would be using to cut the aluminum?

BILL - The applicant's foreman, stated that he got a decible reading of 72 right at the ^{OPEN} loading dock door with the machinery running; 25' from the building the decible reading was less than 60. He also noted that they will be cutting only about 20% to 25% of the day. In answer to Mr. Congelosi's question, they use a 16" chop saw for cutting.

MR. STUEBER - said, "Sounds good"!

No one else wishing to be heard, a motion was made by Paul Congelosi, seconded by Bruce Schwope, to close this hearing at 8:08 p.m..

AYES: 5

NOES: NONE

CARRIED

cont'd pg 5

X Estate of Cohen/Mobile Media cont'd.

THE BOARD - appeared to have no problem with the applicant's use variance request.

A motion was made by Paul Congelosi, seconded by Bruce Schwope, to accept the EAF with negative impact.

AYES: 5

NOES: NONE

CARRIED

A motion was made by Paul Congelosi, seconded by Les Sheeley, to grant the use variance for light manufacturing in the old tie factory, Section 6, Block 8, Lot 3.

AYES: 5

NOES: NONE

CARRIED

CHAIRMAN FEE - then turned the meeting over to the Planning Board for their portion of the hearing regarding site plan approval.

CHAIRMAN ADAMS - read the minutes of the Planning Board's August 23rd meeting. He asked about the size of the proposed sign; being advised about 1½' X 2', by Mr. Pennington. Mr. Adams asked that the sign location be placed on the map.

MR. TAROLLI - presented an actual survey map, with the proposed sign location pencilled in over the door.

CHAIRMAN ADAMS - opened the hearing to the public at 8:13 p.m..

No one wishing to be heard, a motion was made by Philip Jamison, seconded by Mary Ann Kotlarich, to close this hearing at 8:14 p.m..

AYES: 3

NOES: NONE

CARRIED

THE BOARD - having no problem with this application, considered it to be straightforward.

CHAIRMAN ADAMS - did note that typically in noisy situations (i.e. mining operations), the Board likes to set restrictions on hours of operation.

THE BOARD - after discussion, decided that the hours of operation for Mobile Media would be set at 7:00 a.m. earliest start; must close no later than 7:00 p.m. Monday thru Friday. Saturday hours - 7:00 a.m. until noon only and no hours of operation allowed on Sundays.

THE APPLICANT - had no problem with the hours of restriction.

A motion was made by Mary Ann Kotlarich, seconded by Philip Jamison, to accept the EAF with negative impact.

AYES: 3

NOES: NONE

CARRIED

A motion was made by Philip Jamison, seconded by Mary Ann Kotlarich, to grant site plan approval to Mobile Media for their light manufacturing operation with sufficient parking, Section 6, Block 8, Lot 3 and Section 6, Block 9, Lot 1.2, conditioned on the applicant adhering to the time stipulation on working hours set above.

AYES: 3

NOES: NONE

CARRIED

C₂G Environmental Consultants, LLC

Subsurface Investigation Report

24 Center Street, Pine Bush, NY

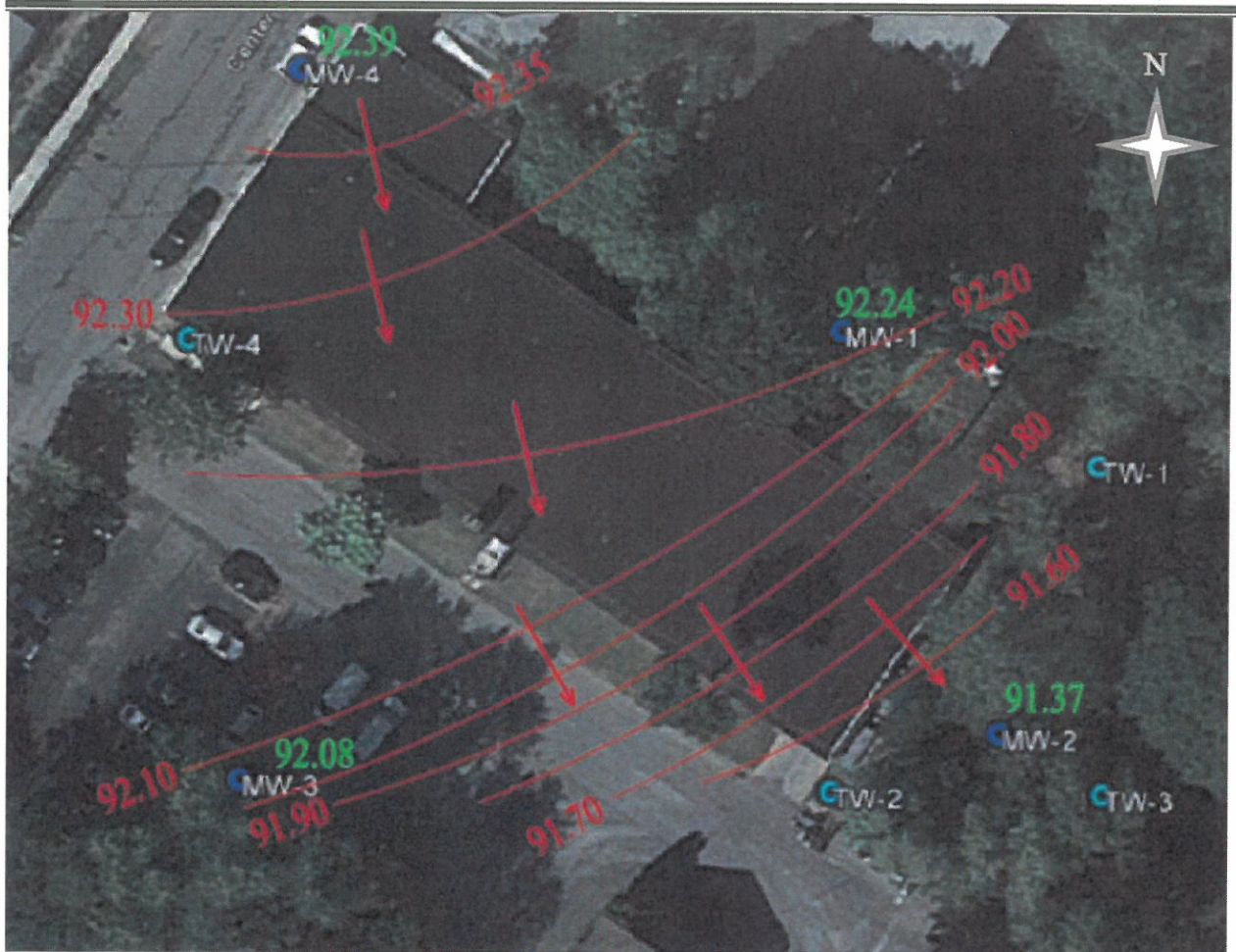


Figure 3: Groundwater Contour/Flow Direction Map – September 2015

Note: Groundwater elevations based on depth to groundwater measurements collected by C₂G on September 1, 2015 and top of well casing elevations measured by WGA in January 2015 using an arbitrary top of casing elevation of 100 feet for MW-3.



● INJECTION WELL

Spill Number
1508311

Date 12/18/15
Author SM

SCALE:as shown

SEBI Environmental Services Inc.
337 Fullerton Ave
Newburgh, NY 12550
845-789-1307

FIGURE2 INJECTION POINT LOCATIONS

Mobile Media
24 Center Street
Pine Bush, NY

ATTACHMENT 5 (SECTION V)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH, ORANGE COUNTY

ADDITIONAL REQUESTOR INFORMATION

No supplemental information required.

ATTACHMENT 6 (SECTION VI)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH, ORANGE COUNTY

**Current Property Owner/Operator Information – If not a
Requestor**

Not applicable; the current Owner/Operator is the Requestor

VI.1 List of Previous Owners/Operators

On August 20, 2019 C.T. Male Associates visited the Orange County Real Property office in Goshen, NY and the Town of Crawford Assessors office to view the property card and historic deeds for the Mobile Media Inc. property. The deeds viewed were copied and are provided in this Attachment. Also included with this Attachment is a Chain of Ownership for the site, provided on page 12 of the Phase I ESA report prepared by C2G, dated September 13, 2013. The Phase I ESA report is included as Exhibit 4 on the attached CD. Several of the last known addresses and telephone numbers for the historic owners and operators dating back to the 1950's was unavailable. The Requestor's corporate members have no relationship with the previous owners and operators.

Date of Ownership Transfer	Ownership Transfer	Last Known Address	Telephone No.	Relationship to Previous Owner
January 5, 1996 to Present	From Cohen Arthur C/O Belfer to Mobile Media Inc	P.O. Box 39 / 24 Center Street	(845)-744-8090	None
September 16, 1978	From Cohen Milton G & Arthur to Cohen Arthur C/O Belfer	211 East 70 th Street, New York, New York 10021	*	*
January 26, 1962	From Emily C. Glazer to Cohen Milton G & Arthur	278 First Avenue, New York City, NY	*	*
September 1, 1959	From Mastercraft Cravat Co. to Emily C. Glazer	Bloomington Road, Town of Wallkill, Orange County, NY	*	*
March 1, 1957	From Arthur E. Glazer and Michael F. Quinn to Mastercraft Cravat Co., Inc.	*	*	*
August 17, 1956	From Pine Bush Management Corp. to Arthur E. Glazer and Michael F. Quinn	*	*	*
March 28, 1953	From Ben Kelly and R. Jessie Kelly to Pine Bush Management Corp.	*	*	*
September, 1924	From Julia E. Kelly executrix of the last will and testament of Hugh Kelly, deceased to Marietta Silk Company Inc.	*	*	*
March 14, 1923	Pine Bush Development Co. to Marietta Silk Company Inc.	*	*	*

*Information unavailable

C₂G Environmental Consultants, LLC

transfer in 1996. According to review of the Sanborn Fire Insurance Maps provided by Environmental FirstSearch Corporation, the property had been mapped in 1937 and was, at that time, the Marietta Silk Company. Property ownership, based on a review of the records/deed information obtained from the Orange County Clerk's Office, is presented in Table 3, below.

Table 3: Chain of Ownership

<u>Approximate Date of Transaction</u> (According to documentation available from the Orange County Clerk's Office)	<u>Names of Grantor and Grantee</u>	
December 6, 1919	Ownership transferred from:	Julia E. Kelly
	Ownership transferred to:	Pine Bush Development Co.
March 14, 1924	Ownership transferred from:	Pine Bush Development Co.
	Ownership transferred to:	Marietta Silk Company
September 2, 1924	Ownership transferred from:	Hugh Kelly, Estate of
	Ownership transferred to:	Marietta Silk Company
February 10, 1953	Ownership transferred from:	Marietta Silk Company
	Ownership transferred to:	Pine Bush Management Corp
March 28, 1953	Ownership transferred from:	Ben and Jessie Kelly
	Ownership transferred to:	Pine Bush Management Corp
August 17, 1956	Ownership transferred from:	Pine Bush Management Corp
	Ownership transferred to:	Arthur E. Glazer and Michael F. Quinn
March 1, 1957	Ownership transferred from:	Arthur E. Glazer and Michael F. Quinn
	Ownership transferred to:	Mastercraft Cravat Co.
September 1, 1959	Ownership transferred from:	Mastercraft Cravat Co.
	Ownership transferred to:	Emily C. Glazer.
January 24, 1962	Ownership transferred from:	Emily C. Glazer
	Ownership transferred to:	Milton G Cohen and Arthur Cohen
August 1, 1978	Ownership transferred from:	Milton G Cohen and Arthur Cohen
	Ownership transferred to:	Arthur Cohen
December 29, 1995	Ownership transferred from:	Arthur Cohen
	Ownership transferred to:	Mobile Media, Inc
*No additional information regarding change of ownership reviewed during the Orange County records review.		

	REDUCTION POINTS	
GRADE FACTOR	C- [] [] []	%
C & D FACTOR	[] [] []	%
CDU		% DEPRECIATION

DWG. COMPUTATIONS	
BASE PRICE	
PLUMBING	
BASAMENT	
BSMT. FINISH	
ATTIC	
HEATING	
OTHER FEATURES	
ADDITIONS	
TOTAL BASE	
GRADE FACTOR	
TOTAL	
C & D FACTOR	
REPL. COST	
DEPRECIATION	%
BLDG. VALUE	
NOTES	

QTY.	ITEM DESCRIPTION	PRICE
18	PLUMBING FIXTURES @ 40.00	720.00
	TOTAL SPECIAL FEATURES	720.00

GROSS BUILDING SUMMARY										
I.D.	USE	CONSTRUCTION	GRADE	AGE ERECT + REMOD.	CDU	SIZE	RATE	REPLACEMENT COST	DEPRECIATION NORMAL - OBSOL.	BUILDING VALUE
	FACTORY	15'x28' CONG.		1918-201902				110650	50 - 15	47030
										54.375
TOTAL GROSS VALUE										47030

SEE DETAILED CARD
SEE DETAILED REPORT

DATE 10/1/19 BY 10

GRADE DENOTES QUALITY OF CONSTRUCTION: A-EXCELLENT; B-GOOD; C-AVERAGE; D-CHEAP; E-VERY CHEAP
CDU FACTOR REFERS TO THE CONDITION, DESIRABILITY AND USEFULNESS OF THE BUILDING

PARCEL: 2600/6-8-3[Return to Search](#)**Rec. Status:** CURRENT **Rec. Created:** Feb 28 1996 **Rec. Updated:** Oct 10 2007**Updated By:** System

<u>Swis</u>	<u>Section</u>	<u>SubSection</u>	<u>Block</u>	<u>Lot</u>	<u>SubLot</u>	<u>Suffix</u>	<u>Short Key</u>
2600	006	000	0008	003	000	0000	6-8-3

Parcel's Location: INT CENTER ST & KELLY AVE**Town Name:** Crawford**Village Name:****School District:** 332601/PINE BUSH CENTRAL**Parcel Acreage:** 0**Grid East:** 546609**Parcel Sq Ft:** 00000000**Grid North:** 1010307**Parcel Frontage:** 100**Condominium:** NO**Parcel Depth:** 236**Condo %:****Irreq Shape:** YES**Original Record:** 6-8-3**Prior Record:** 6-8-3**Parcel Split:** NO**Split Date:****Parcel Merged:** NO**Merge Date:****Parcel Notes:**

EASEMENT 2250-300

Created By: System Created On: Feb 28 1996 12:00AM

Parcel Owner(s) Information:

Other MOBILE MEDIA INC

Parcel Deeds Information:

<u>Deed's Book</u>	<u>Deed's Page</u>	<u>Deed's Date</u>	<u>Deed's Note</u>
4324	196	01/05/1996	

Special Districts:

FD031

SW098

WD057

LT014

Parcel History

<u>Short Sbl</u>	<u>Owner</u>	<u>Display</u>
6-8-3	COHEN ARTHUR C/O BELFER	Display
6-8-3	COHEN MILTON G & ARTHUR	Display

PARCEL: 2600/6-8-3[Return to Search](#)

Rec. Status: PRIOR **Rec. Created:** Jan 27 1993 **Rec. Updated:** Oct 10 2007
Updated By: System

<u>Swis</u>	<u>Section</u>	<u>SubSection</u>	<u>Block</u>	<u>Lot</u>	<u>SubLot</u>	<u>Suffix</u>	<u>Short Key</u>
2600	006	000	0008	003	000	0000	6-8-3

Parcel's Location: INT CENTER ST & KELLY AVE**Town Name:** Crawford**Village Name:****School District:** 332601/PINE BUSH CENTRAL**Parcel Acreage:** 0**Grid East:** 0546619**Parcel Sq Ft:** 00000000**Grid North:** 1010311**Parcel Frontage:** 100**Condominium:** NO**Parcel Depth:** 238**Condo %:****Irreg Shape:** YES**Original Record:** 6-8-3**Prior Record:** 6-8-3**Parcel Split:** NO**Split Date:****Parcel Merged:** NO**Merge Date:****Parcel Notes:**

EASEMENT 2250-300

Created By: System Created On: Jan 27 1993 12:00AM

Parcel Owner(s) Information:

Other COHEN ARTHUR C/O BELFER

Parcel Deeds Information:

<u>Deed's Book</u>	<u>Deed's Page</u>	<u>Deed's Date</u>	<u>Deed's Note</u>
2112	1147	10/16/1978	
1609	1044	01/26/1962	

Special Districts:

LT014

FD031

SW098

WD057

Parcel History

Short Sbl
6-8-3

Owner
COHEN MILTON G & ARTHUR

Display
[Display](#)

PARCEL: 2600/6-8-3[Return to Search](#)**Rec. Status:** PRIOR**Rec. Created:** Jan 28 1991**Rec. Updated:** Oct 10 2007**Updated By:** System

<u>Swis</u>	<u>Section</u>	<u>SubSection</u>	<u>Block</u>	<u>Lot</u>	<u>SubLot</u>	<u>Suffix</u>	<u>Short Key</u>
2600	006	000	0008	003	000	0000	6-8-3

Parcel's Location: INT CENTER ST & KELLY AVE**Town Name:** Crawford**Village Name:****School District:** 332601/PINE BUSH CENTRAL**Parcel Acreage:** 0**Grid East:** 0546619**Parcel Sq Ft:** 00000000**Grid North:** 1010311**Parcel Frontage:** 100**Condominium:** NO**Parcel Depth:** 238**Condo %:****Irreg Shape:** YES**Original Record:** 6-8-3**Prior Record:****Parcel Split:** NO**Split Date:****Parcel Merged:** NO**Merge Date:****Parcel Notes:****Parcel Owner(s) Information:**

Other COHEN MILTON G & ARTHUR

Parcel Deeds Information:

<u>Deed's Book</u>	<u>Deed's Page</u>	<u>Deed's Date</u>	<u>Deed's Note</u>
1609	1044	01/26/1962	

Special Districts:

LT014

FD031

SW098

WD057

Parcel History**Short Sbl****Owner****Display**



This Indenture,

Made the 1st day of September Nineteen Hundred and Fifty-nine

Between **MASTERCRAFT CRAVAT CO., INC.**, having its principal place of business at Center Street and Kelly Avenue, Pine Bush, Orange County, State of New York

a corporation organized under the laws of the State of New York

party of the first part, and
EMILY C. GLAZER of RD Bloomingburg, Town of Wallkill, Orange County,
New York (no street or number)

Witnesseth that the party of the first part, in consideration of
ONE - - - - - Dollar
(\$ 1.00 - - - -) lawful money of the United States,

paid by the party of the second part,
does hereby grant and release unto the party of the second part, her
heirs and assigns forever, all THOSE TRACTS OR PARCELS OF
LAND, with the buildings and improvements erected thereon, situate in
the unincorporated Village of Pine Bush, in the Town of Crawford,
County of Orange and State of New York, bounded and described as fol-
lows:

FIRST: BEGINNING at an iron pipe in the easterly side of Center Street extension and in the northeasterly side of a new street, and runs thence along said Center Street extension north 45 degrees 25' east 100 feet to an iron pipe in the rear of a lot facing on Borden Avenue; thence along same south 45 degrees east 70 feet to an iron pipe; thence south 45 degrees 25' west 100 feet to an iron pipe in the side of the new street; thence along same north 45 degrees west 70 feet to the place of beginning; it being the intention to hereby convey a 70 foot lot front and rear and extending from the rear of the lot facing on Borden Avenue to the side of the new street;

SECOND: BEGINNING at an iron pipe in the northeasterly side of a new street 70 feet southeasterly from the easterly side of Center Street extension and runs thence along said street south 45 degrees east 70 feet to an iron pipe; thence north 45 degrees 25' east 100 feet to the rear line of a tier of lots facing Borden Avenue; thence along same north 45 degrees west 70 feet to an iron pipe; thence south 45 degrees 25' west 100 feet to the place of beginning; it being the intention to hereby convey a 70 foot lot front and rear and extending from the rear of the lots facing on Borden Avenue to the said new street.

THIRD: BEGINNING at an iron pipe in the northeasterly side of a new

street 140 feet southeasterly from the easterly line of Center Street extension and runs thence along said new street south 45 degrees east about 98 1/2 feet to the lands of the Borden Milk Co.; thence along same north 17 degrees 30' East about 112 feet to the rear line of lots facing on Borden Avenue; thence along the same north 45 degrees west about 45 1/2 feet; thence south 45 degrees 25' west 100 feet to the place of beginning. It being the intention to hereby convey all the land lying easterly of a line 140 feet from Center Street extension and extending easterly to the lands of the Borden Milk Company and from the new street on the south to the rear line of a tier of lots facing Borden Avenue on the north.

BEING THE SAME PREMISES described in a deed, Pine Bush Development Co., Inc. to Marietta Silk Company, Inc. dated March 14, 1923 and recorded in the Orange County Clerk's Office on March 17, 1923, in Liber 629 of Deeds, at Page 460.

ALSO, ALL THAT TRACT OR PARCEL OF LAND located in the Village of Pine Bush, Orange County, New York, more particularly described as Lot 12A., on a map entitled "Map No. 2 of portion of Kelly Est., Pine Bush, N.Y.," April, 1923, made by L. H. Robinson, C.E., being a lot approximately seventy (70) feet front and rear, and one hundred (100) feet in depth.

BEING THE SAME PREMISES described in a deed, Julia E. Kelly, as Executrix of the Last Will and Testament of Hugh Kelly, Deceased, to Marietta Silk Company, Inc., dated September 2, 1924 and recorded in the Orange County Clerk's Office on January 31, 1953 in Liber 1257 of Deeds, at page 264.

BEING THE SAME PREMISES described in a deed, Marietta Silk Co., Inc. to Pine Bush Management Corp. dated February 10, 1953 and recorded in the Orange County Clerk's Office on February 24, 1953 in Liber 1259 of Deeds at page 47.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Crawford, County of Orange and State of New York described as Lot Eleven A on "Map No. 2 of portion of Kelly Est., Pine Bush, N.Y. April. 1923, L. H. Robinson, C.E." and filed in the office of Orange County Clerk.

To more specifically identify Lot #11A, the same being west of lot known as the "Water Tower Lot" and on the corner of Center Street and Kelly Avenue.

BEING THE SAME PREMISES described in a deed, Ben Kelly and R. Jessie Kelly to Pine Bush Management Corp. dated March 28, 1953 and recorded in the Orange County Clerk's Office on April 20, 1953, in Liber 1264 of Deeds, at page 269.

TOGETHER with all right, title and interest, if any, of, in and to any strips and gores of land lying in the bed of any street or road adjacent to the above described premises.

BEING THE SAME PREMISES described in a deed, Pine Bush Management Corp. to Arthur E. Glazer and Michael F. Quinn, dated August 17, 1956 and recorded in the Orange County Clerk's Office on August 20, 1956 in Liber 1398 of Deeds at page 46.

BEING THE SAME PREMISES described in a deed, Arthur E. Glazer and Michael F. Quinn to Mastercraft Cravat Co., Inc. dated March 1, 1957 and recorded in the Orange County Clerk's Office on April 12, 1957 in Liber 1421 of Deeds at page 598.

LIBER 1609 PG 1044

7612

This Indenture,

Made the
and Sixty-Two,

24th

day of January

nineteen hundred

Between EMILY C. GLAZER of RD Bloomingburg, Town of Wallkill, County of
Orange, State of New York,

party of the first part,

and MILTON G. COHEN and ARTHUR COHEN of 278 First Avenue, County of
New York, State of New York,

parties of the second part,

Witnesseth, that the party of the first part, in consideration of

-----TEN-----Dollars,

lawful money of the United States, and other good and valuable consideration,

paid by the parties of the second part

do hereby grant and release unto the parties of the second part, their heirs

and assigns forever,

All that certain plot, pieces or parcels of land, with the buildings and improvements thereon erected, situate, lying and being in the unincorporated Village of Pine Bush, Town of Crawford, County of Orange, State of New York, bounded and described as follows:

PARCEL ONE: BEGINNING at an iron pipe in the easterly side of Center Street Extension and in the northeasterly side of a new street, and runs thence along said Center Street Extension, North 45 degrees 25 minutes east 100 feet to an iron pipe in the rear of a lot facing on Borden Ave.; thence along same, south 45 degrees east 70 feet to an iron pipe; thence south 45 degrees 25 minutes west, 100 feet to an iron pipe in the side of the new street; thence along same north 45 degrees west 70 feet to the point or place of beginning. It being the intention to hereby convey a 70 foot lot front and rear and extending from the rear of the lot facing on Borden Ave. to the side of the new street.

PARCEL TWO: BEGINNING at an iron pipe in the northeasterly side of a new street 70 feet southeasterly from the easterly side of Center St. Extension, and runs thence along said street, south 45 degrees east, 70 feet to an iron pipe; thence north 45 degrees 25 minutes east 100 feet to the rear line of a tier of lots facing Borden Ave.; thence along same north 45 degrees west 70 feet to an iron pipe; thence south 45 degrees 25 minutes west 100 feet to the point or place of beginning. It being the

PARCEL THREE: BEGINNING at an iron pipe in the northeasterly side of a new street, 140 feet southeasterly from the easterly side of Center Street Extension and runs thence along said new street south 45 degrees east about 98 feet 2 inches to the lands of Borden Milk Co.; thence along same north 17 degrees 30 minutes east about 112 feet to the rear line of lots facing on Borden Ave.; thence along the same, north 45 degrees west about 45 feet 6 inches; thence south 45 degrees 25 minutes west, 100 feet to the point or place of beginning. It being the intention to hereby convey all the land lying easterly of a line 140 feet from the Center Street Extension and extending easterly to the lands of the Borden Milk Co.; and from the new street on the south to the rear line of a tier of lots facing Borden Avenue on the north.

BEING the same premises described in deed from Pine Bush Development Co. Inc. to Marietta Silk Company Inc. dated March 14, 1923 and recorded March 17, 1923 in Liber 629 of conveyances page 460.

PARCEL FOUR: All that tract or parcel of land located in the unincorporated Village of Pine Bush, Town of Crawford, Orange County, State of New York, described as lot 12A on a map entitled "Map No. 2 of portion of Kelly Est., Pine Bush, N. Y.," April 1923 made by L. H. Robinson, C. E., being a lot approximately 70 feet front and rear and 100 feet in depth.

BEING the same premises described in a deed Julia E. Kelly executrix of the last will and testament of Hugh Kelly, deceased, to Marietta Silk Company Inc., dated September 2, 1924 and recorded in the Orange County Clerk's Office on January 31, 1953 in Liber 1257 of conveyances page 264.

PARCEL FIVE: All that tract or parcel of land, situate in the unincorporated Village of Pine Bush, Town of Crawford, Orange County, State of New York, described as lot 11A on Map No. 2 of portion of Kelly Estate, Pine Bush, April 1923, L. H. Robinson, C. E. and filed in the Orange County Clerk's Office. To more specifically identify Lot 11A, the same being west of lot known as the Water Tower lot and on the corner of Center Street and Kelly Ave.

BEING the same premises described in a deed Ben Kelly and R. Jessie Kelly, his wife, to Pine Bush Management Corp. dated March 28, 1953 and recorded in Orange County Clerk's Office April 20, 1953 in Liber 1264 of conveyances page 269.

TOGETHER with all right, title and interest, if any, of seller in and to any strips and gores of land lying the bed of any street or road adjacent to the above described premises.

BEING the same premises as are conveyed by Mastercraft Cravat Company, Inc. to Emily C. Glazer by deed dated the 1st day of September 1959 and recorded in the office of the Clerk of Orange County on December 11, 1959 in Liber 1533 of Deeds page 48.

SUBJECT, however, to the lien of a first mortgage held by the County National Bank, Middletown, which mortgage is dated the 17th day of August, 1956 recorded in the Office of the Clerk of Orange County on the 20th day of August, 1956 in Liber 1191 of deeds at page 147 and upon which there is now due and owing the balance of \$19,877.84. SUBJECT also to the lien of a second mortgage now held by Louis Berger, which mortgage was made by Arthur E. Glazer, Michael F. Quinn and Mastercraft Cravat Company, Inc. on the 17th day of August, 1956 and recorded in the Office of the Clerk of Orange County on the 20th day of August, 1956 in Liber 1191 of deeds at page 151 and which mortgage was assigned to the present holder thereof, Louis Berger by Assignment dated June 22, 1957 recorded in the Office of the Clerk of Orange County on July 1st, 1957 in Liber 1258 of Assignments of Mortgages at page 107 and upon which there is a principal balance now due and owing in the sum of \$5,000., with interest from the 17th day of August, 1961.

ATTACHMENT 7 (SECTION VII)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH, ORANGE COUNTY

REQUESTOR ELIGIBILITY INFORMATION

Based on the information provided by the Requestor, to the best of their knowledge, chlorinated solvents have not been used in its manufacturing process since the factory began manufacturing in 1995 (please refer page 12 of the WGA Phase II ESA report included as Exhibit 1). No chemicals observed during the walkthrough were labeled as containing any of the chlorinated compounds observed in groundwater. The Requestor owns and operates Mobile Media Inc. and has been in the 175 Kelly Avenue building since 1995 and does not recall ever using chlorinated solvents for its operations which includes commercial manufacturing of high-density shelving systems. According to the Requestor, the only cleaning products used in the manufacturing process are alcohol based, which are not related to the historic operations on the property that caused the known contamination.

The Requestor, Mobile Media Inc. is certifying as a Volunteer in accordance with ECL 27-1405. Mobile Media Inc. liability arises solely as a result of ownership of the site. The Phase II Environmental Site Assessment's performed by C₂G, and WGA revealed CVOC contaminants TCE, PCE, 1,2-DCA, and MtBE, a gasoline-related compound, above NYSDEC Water Quality Standards. Based upon interviews with Mobile Media Inc., the operators of a shelving system assembly business for 20 years, they do not currently utilize any chlorinated solvents and have never utilized chlorinated solvents in the past.

ATTACHMENT 8 (SECTION VIII)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH, ORANGE COUNTY

Property Eligibility Information

VIII.1 Mobile Media Inc. property is not listed on the National Priorities List.

VIII.2 Mobile Media Inc. property is not listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites.

VIII.3 Mobile Media Inc. property is not subject to a permit under ECL Article 27, Title 9.

VIII.4 Not applicable.

VIII.5 Mobile Media Inc. property is not subject to a cleanup order under Navigation Law Article 12 or Article 17 Title 10.

VIII.6 Mobile Media Inc. property is not subject to a state or federal enforcement action related to hazardous waste or petroleum.

ATTACHMENT 9 (SECTION IX)

BCP APPLICATION

MOBILE MEDIA INC.

HAMLET OF PINE BUSH, ORANGE COUNTY

Contact Information List

IX.1 Local Officials

Town of Crawford Officials/Elected Representatives		
Charles Carnes Supervisor 121 Route 302 Pine Bush, NY 12566 (845)-744-5010	Dan Flanick Board Member (845)-361-3020	Mike Menedez Board Member (845)-598-8499
Kelly Eskew Board Member (845)-361-3200	Rory Holmes Board Member (914)-213-1315	Jessica Kempter Town Clerk townclerk@townofcrawford.org
Larry Marshall Highway Superintendent l.marshall@townofcrawford.org	Linda Zwart Planning Board Chairman	

Orange County Officials/Elected Representatives		
Charles W. Lee, Commissioner County Public Works Dept. 2455-2459 Route 17M Goshen, NY 10924	Annie Rabbitt, County Clerk Parry Building 4 Glenmere Cove Road Goshen, NY 10924	Steve Neuhaus, County Executive 255 Main Street Goshen, NY 10924
Stephen Brescia, Chmn. County Legislature 334 Round Hill Road Florida, NY 10921	Erik Denega County Environmental Facilities 2455-2459 Route 17M Goshen, NY 10924	David Church, Commissioner County Planning Dept. 124 Main Street Goshen, NY 10924

Dr. Irina Gelman Health Commissioner 124 Main Street Goshen, NY 10924		
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IX.2 Adjacent Landowners

SBL	Property Address	Owner	Owner's Mailing Address	Property Classification
6-8-1	92 Borden Ave. Apt. 1 & 2	Nancy/Kenneth Finnegan	P.O. Box 136 Pine Bush NY 12566	1 Family Residential
6-8-2	96 Borden Ave.	Elizabeth Marshall	P.O. Box 1168 Pine Bush NY 12566	1 Family Residential
6-9-1.1	6 Center Street	Mary T. Grass & Francis S III	P.O. Box 172 Pine Bush NY 12566	1 Family Residential
6-9-2	188 Kelly Avenue	Mark Vail Corp	P.O. Box 73 Wallkill NY 12589	1 use small building
6-9-3	77 Holland Avenue	Michael & Barbara Schrader	77 Holland Avenue Pine Bush NY 12566	1 Family Residential
6-9-4	71 Holland Avenue	Felicia & David Rivera	71 Holland Avenue Pine Bush NY 12566	1 Family Residential
6-9-5	65 Holland Avenue	Charles & Carolyn Frost	65 Holland Avenue Pine Bush NY 12566	1 Family Residential
6-11-9.1	15 Center Street	Lisa Marie Santos	P.O. Box 1221 Pine Bush NY 12566	1 Family Residential
6-11-9.2	7 Center Street	Laurie & James Johnston	P.O. Box 1076 Pine Bush NY 12566	1 Family Residential

6-12-11	82 Borden Avenue	Christopher & Kelly White	P.O. Box 1652 Pine Bush NY 12566	1 Family Residential
6-12-12	167 Kelly Avenue	Michael Velez & Pamela L Elgot	P.O. Box 1071 Pine Bush NY 12566	1 Family Residential
6-9-7.1	East of State Route 302	Joseph Longobardo	395 Crawford St Pine Bush NY 12566	Resident Vacant Land
6-9-7.22	East of State Route 302	Doraine King & Corinne Dewitt	252 Howell St Pine Bush NY 12566	Resident Vacant Land

IX.3 Local News Media

Print Media		
Kingston Freeman 79 Hurley Avenue Kingston, NY 12401	Times Herald Record 40 Mulberry Street Middletown, NY 10940	Poughkeepsie Journal PO Box 1231 Poughkeepsie NY 12602
El Clarin 48 Broadway Haverstraw, NY 10927	Mid-Hudson Times 300 Stony Brook Court Newburgh, NY 12550	Tri-State Gazette PO Box 2046 Middletown NY 10940-0558
Ottaway Newspapers, Inc. PO Box 401 Campbell Hall, NY 10916	Hudson Valley Black Press PO Box 2160 Newburgh, NY 12550	The Cornwall Local PO Box B Cornwall, NY 12518
Independent Republican PO Box 628 Goshen, NY 10924	News of the Highlands PO Box 278 Highland Falls, NY 10928	Orange County Post 17 Goshen Ave. Washingtonville, NY 10992
Hudson Valley Business Journal 86 E. Main Street Wappingers Falls, NY 12590	Photo News/Warwick Advertiser 20 West Ave. Chester, NY 10918	The Sentinel PO Box 406 Vails Gate, NY 12584

Television/Radio		
WALL/WRRV/WZAD PO Box 416 Poughkeepsie, NY 12603	WDLG/WTSX PO Box 920 Port Jervis, NY 12771	WDST PO Box 367 Woodstock, NY 12498
WELV/WTHN/WRWD/WBWZ 20 Tucker Drive Poughkeepsie, NY 12601	WGNY PO Box 2307 Newburgh, NY 12550	WHUD/WLNA/WBNR/WSPK PO Box 310 Beacon, NY 12508
WPDH/WEOK/WCZX PO Box 416 Poughkeepsie, NY 12602	Access 8 TV PO Box 321 Port Jervis, NY 12780	Cable 6 TV 27 Industrial Drive Middletown, NY 10940
Lisa Phillips, Bureau Chief WAMC 318 Central Ave. Albany, NY 12206-2522	WRNN TV 800 Westchester Ave. Ste S-640 Rye Brook, NY 10573	Hank Gross Mid-Hudson News Network 42 Marcy Lane Middletown, NY 10941
Cablevision News 12 19 South Street Warwick, NY 10990	women's e-news 6 Barclay St., 5 th floor New York, NY 10007	WSUL 198 Bridgeville Road Monticello, NY 12701

IX.4 Public Water Supplier

The proposed site receives water from the Pine Bush Water District. The water is sourced from three groundwater wells.

IX.5 Contact List

No persons to date have been requested to be placed on the contact list.

IX.6 Local

School	Address	Name	Position	Contact Information
E J Russel Elementary School	78 Holland Ave, Pine Bush, NY 12566	Elizabeth H. Sproul	Principal	(845) 744-2031 ext. 4213
E J Russel Elementary School	78 Holland Ave, Pine Bush, NY 12566	Emily Mesnick	Assistant Principal	(845) 744-2031 ext. 4212
Crispell Middle School	77 Maple Ave, Pine Bush, NY 12566	John Boyle	Principal	(845) 744-2031, ext. 4415
Crispell Middle School	77 Maple Ave, Pine Bush, NY 12566	Christopher Mummery	Assistant Principal	(845) 744-2031, ext. 4416
Pine Bush Central School District	156 NY-302, Pine Bush, NY 12566	Tim O. Mains	Superintendent of School	(845) 744-2031, ext. 4009

IX.7 Local Repository

C.T. Male contacted the Pine Bush Area Library on June 19, 2019 to request permission to use the library as a local repository. Mary Deegan confirmed that the Pine Bush Area Library may serve as a BCP repository for the Mobile Media Inc. site. Ms. Deegan sent an email confirmation to Daniel Murphy of C.T, Male, which is included with this Attachment.

The address and schedule of the Pine Bush Area Library is as follows:

Repository	Address	Contact	Hours
Pine Bush Area Library	227 Maple Avenue Pine Bush, NY 12566	(845) 744-3375	Mon & Wed 9-7 Tues & Thurs 11-7 Friday 9-5 Saturday 10-2

Clean up program



Mary Deegan - PBL <mdeegan@pbl.org>
To: Murphy, Daniel


 Reply

 Reply All

 Forward



Wed 6/19/2019 12:30 PM

 Follow up. Start by Wednesday, June 19, 2019. Due by Wednesday, June 19, 2019.

Dan You have permission to post or display your information about the 'Brown Field Clean Up Program'.

Thank You,

Mary Deegan
Adult Services

ATTACHMENT 10 (SECTION X)
BCP APPLICATION
MOBILE MEDIA INC.
HAMLET OF PINE BUSH, ORANGE COUNTY

Land Use Factors

X.1 Zoning Designation

175 Kelly Avenue Pine Bush, NY 12566 is currently zoned residential according to the Town of Crawford Zoning Map. Due to the nature of the Mobile Media Inc. Business the Town of Crawford Building Department was contacted to confirm the zoning classification for the property. The Building Department confirmed that the property is in a residential zone, but since the property has been utilized for commercial manufacturing since the early 1900's it is "grandfathered" to continue the commercial manufacturing activities.

An appraisal letter for the site dated October 2, 1995, from Joseph A. Carfizzi Associates, Inc., Consultants and Appraisers to Walden Savings Bank (included in Attachment IV), documents that a variance was issued by the Town of Crawford Zoning Board of Appeals on September 6, 1995, allowing the Mobile Media property to be used for Industrial Use.

X.2 Current Use

The current use of the proposed site is commercial. Mobile Media Inc. is a commercial manufacturing and distribution business of high-density shelving units for retail businesses.

X.3 Post Remediation Use

Mobile Media Inc. has no intentions of changing its current operations or land use following remedial activities.

X.4 Support of Proposed Use

The proposed site has existed since the early 1900's and is known to have engaged in manufacturing activities by three different companies (Mobile Media Inc., Marietta Silk Co., Mastercraft Cravat Co.). The town recognizes the use of the property and its history in the town. The current commercial use of the property has been "grandfathered" by the Town of Crawford, and, therefore, commercial manufacturing use is allowed to continue in the future.

X.5 Applicability of Proposed Use

The proposed use of site does not match the current Zoning Map for the Town of Crawford, which indicates zoning for the property as Residential. The Town of Crawford building office was contacted, and they confirmed that the property is within a residential zone but is "grandfathered" for commercial/industrial use; Thus, its current use is allowed to continue.

X.6 Consistency with Community Plans/Goals

The proposed site is 0.8 acres in total and located in residential zone of the community. Community revitalization or any other community plans will not likely be impacted by the proposed site and its use. The community recognizes the site's history within the town and its current and proposed use.