



**Department of
Environmental
Conservation**

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

Please refer to the attached instructions for guidance on completing this application.

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:

<input checked="" type="checkbox"/>	Amendment to modify the existing BCA (check one or more boxes below):
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Add applicant(s) <input type="checkbox"/> Substitute applicant(s) <input type="checkbox"/> Remove applicant(s) <input type="checkbox"/> Change in name of applicant(s)
<input checked="" type="checkbox"/>	Amendment to reflect a transfer of title to all or part of the brownfield site:
	a. A copy of the recorded deed must be provided. Is this attached? <input checked="" type="radio"/> Yes <input type="radio"/> No b. <input checked="" type="checkbox"/> Change in ownership <input type="checkbox"/> Additional owner (such as a beneficial owner) c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached? <input type="radio"/> Yes <input checked="" type="radio"/> No Submitted on: 10/23/2025
<input type="checkbox"/>	Amendment to modify description of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.
<input type="checkbox"/>	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:
 The current Volunteer is a subsidiary and is wholly owned by its Parent, Community Holdings, LLC. It submitted a Change of Use on October 23, 2025. Ownership is being transferred to another subsidiary of its Parent company that is also wholly owned by the Parent. The transferee new owner is named Hudson Prospect, (NY), LLC. Hudson Prospect has no prior connection to the Site and had no involvement in any releases of contamination at the Property. The current BCA Volunteer is transferring all of its rights, title and interest in the land, any of the buildings and infrastructure on the land to Hudson Prospect, (NY), LLC and both parties will coordinate activities under the BCA.

Both parties to the transaction are wholly owned by Community Holdings, LLC and have reviewed the BCA, Investigative Work Plan, the likelihood of an Environmental Easement, etc., so that the new owner is fully familiar with the BCP Site 1 and the program being, and to be, implemented. Both transferor and transferee will be Volunteers under the BCA. The current property information is attached to the existing BCA which is attached. A copy of the existing Deed to the property is attached hereto. The new deed reflecting the transfer to Hudson Prospect, (NY), LLC will be provided within the next 60 days as required.

SECTION I: CURRENT AGREEMENT INFORMATION*This section must be completed in full. Attach additional pages as necessary.*

BCP SITE NAME: Community Manufacturing Solutions	BCP SITE NUMBER: C356063
NAME OF CURRENT APPLICANT(S): Community Manufacturing Solutions, LLC	
INDEX NUMBER OF AGREEMENT: c356063-07-24	DATE OF ORIGINAL AGREEMENT: 08/09/24
APPLICANT'S SIGNATORY: John Yelle	

SECTION II: NEW REQUESTOR INFORMATION*Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.*

NAME: Hudson Prospect (NY) LLC			
ADDRESS: 101 Woodcrest Drive			
CITY/TOWN: Rifton, NY			ZIP CODE: 12471
PHONE: (845) 658-7700	EMAIL: brianbutton@ccimail.com		
REQUESTOR CONTACT: John Yelle, Secretary-Treasurer of Hudson Prospect (NY), LLC			
ADDRESS: 101 Woodcrest Drive			
CITY/TOWN: Rifton, NY			ZIP CODE: 12471
PHONE: (845) 658-7700	EMAIL: johnyelle@commholdings.com		
REQUESTOR'S CONSULTANT: LaBella Associates	CONTACT: Michael Carr		
ADDRESS: 5 McCrea Hill Road			
CITY/TOWN: Ballston Spa, NY			ZIP CODE: 12020
PHONE: (838) 946-5114	EMAIL: mcarr@labellapc.com		
REQUESTOR'S ATTORNEY: Young/Sommer LLC	CONTACT: Dean S. Sommer		
ADDRESS: 500 Federal Street, 5th Floor			
CITY/TOWN: Troy, NY			ZIP CODE: 12180
PHONE: (518) 438-9907	EMAIL: dsommer@youngsommer.com		
		Y	N
1. Is the requestor authorized to conduct business in New York State?		<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?		<input checked="" type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?		<input checked="" type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?	N/A	<input type="radio"/>	<input checked="" type="radio"/>
5. Describe the new requestor's relationship to all existing applicants: The Volunteer that is transferring the property and the new entity taking title to the property are both wholly owned subsidiaries of the same parent company. Neither of the entities caused or contributed to the contamination. Both entities expect to remain on the BCA.			

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.

Owner listed below is: <input type="radio"/> Existing Applicant <input type="radio"/> New Applicant <input type="radio"/> Non-Applicant		
OWNER'S NAME:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	
OPERATOR:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION

Complete this section only if adding new requestor(s). Attach additional pages if necessary.

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input checked="" type="radio"/>
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 or contaminants?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
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?	<input type="radio"/>	<input checked="" type="radio"/>	
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?	<input type="radio"/>	<input checked="" type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>	
12. THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:			
<input type="radio"/> PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.	<input checked="" type="radio"/> 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 a 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 they have 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's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?	N/A <input type="radio"/>	Y <input checked="" type="radio"/>	N <input type="radio"/>
14. Requestor's relationship to the property (check all that apply): <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input checked="" type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other: _____			
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?	N/A <input type="radio"/>	Y <input checked="" type="radio"/>	N <input type="radio"/>

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS: 115 Broadway/Route 9W

CITY/TOWN: Esopus, NY

ZIP CODE: 12466

CURRENT PROPERTY INFORMATION	TOTAL ACREAGE OF CURRENT SITE:			
PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
Information attached to BCA - same property	56.52	1	14	3.530

2. Requested change (check appropriate boxes below):

a. Addition of property (may require additional citizen participation depending on the nature of the expansion – see instructions)

PARCELS ADDED:

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE

TOTAL ACREAGE TO BE ADDED: _____

b. Reduction of property

PARCELS REMOVED:

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE

TOTAL ACREAGE TO BE REMOVED: _____

c. Change to SBL (e.g., lot merge, subdivision, address change)

NEW PROPERTY INFORMATION:

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE

3. TOTAL REVISED SITE ACREAGE: _____

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?

Y	N
<input type="radio"/>	<input type="radio"/>

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES (continued)

Complete this section for any addition of property. Use additional copies of this section as necessary.

5. Property information for parcels being added to the BCA

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
CURRENT OWNER:	CONTACT NAME:			
ADDRESS:				
CITY:	STATE:		ZIP:	
PHONE:	EMAIL:			
OWNERSHIP START DATE:				
CURRENT OPERATOR:	CONTACT NAME:			
PHONE:	EMAIL:			
REQUESTOR RELATIONSHIP TO NEW PROPERTY (select from below)				
<input type="checkbox"/> PREVIOUS OWNER	<input type="checkbox"/> CURRENT OWNER	<input type="checkbox"/> POTENTIAL/FUTURE PURCHASER	<input type="checkbox"/>	OTHER: _____

If the applicant is not the current owner of the property, documentation demonstrating site access (which includes the ability to place an environmental easement on the site) must be provided. If the applicant currently owns the property being added to the site, a copy of the deed must be included.

IS PROOF OF ACCESS / OWNERSHIP ATTACHED? ☐ YES ☐ NO ☐ N/A

PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE
CURRENT OWNER:	CONTACT NAME:			
ADDRESS:				
CITY:	STATE:		ZIP:	
PHONE:	EMAIL:			
OWNERSHIP START DATE:				
CURRENT OPERATOR:	CONTACT NAME:			
PHONE:	EMAIL:			
REQUESTOR RELATIONSHIP TO NEW PROPERTY (select from below)				
<input type="checkbox"/> PREVIOUS OWNER	<input type="checkbox"/> CURRENT OWNER	<input type="checkbox"/> POTENTIAL/FUTURE PURCHASER	<input type="checkbox"/>	OTHER: _____

If the applicant is not the current owner of the property, documentation demonstrating site access (which includes the ability to place an environmental easement on the site) must be provided. If the applicant currently owns the property being added to the site, a copy of the deed must be included.

IS PROOF OF ACCESS / OWNERSHIP ATTACHED? ☐ YES ☐ NO ☐ N/A

6. Data supporting the addition of property to the site must be included. Please refer to the instructions for a list of required tables and figures.

ARE THE REQUIRED FIGURES AND TABLES ATTACHED?

☐ YES ☐ NO ☐ N/A (land being added has been merged with an existing BCP lot and the applicant is not seeking to add more than an insignificant acreage of property to the BCA)

**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below? 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.	<input type="radio"/>	<input type="radio"/>
5. <u>For new tax parcels being added to the BCA through this amendment ONLY:</u> Are the parcels being added underutilized as defined below? From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category for the new tax parcels can only be made at the time of amendment application): 375-3.2: (I) "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.	<input type="radio"/>	<input type="radio"/>

<p>6. Is the project and affordable housing project as defined below?</p> <p>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</p> <p>(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.</p> <p>(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' household's annual gross income.</p> <p>(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 homeowners at a defined maximum percentage of the area median income.</p> <p>(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.</p>	<input type="radio"/>	<input type="radio"/>
<p>7. Is the project a planned renewable energy facility site as defined below?</p> <p>From ECL 27-1405(33) as of April 9, 2022:</p> <p>"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.</p> <p>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</p> <p>(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.</p>	<input type="radio"/>	<input type="radio"/>
<p>8. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?</p> <p>From ECL 75-0111 as of April 9, 2022:</p> <p>(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.</p>	<input type="radio"/>	<input type="radio"/>

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT**EXISTING AGREEMENT INFORMATION**

BCP SITE NAME: Community Manufacturing Solutions

BCP SITE NUMBER: C356063

NAME OF CURRENT APPLICANT(S): Community Manufacturing Solutions, LLC

INDEX NUMBER OF AGREEMENT: c356063-07-24

DATE OF ORIGINAL AGREEMENT:08/09/24

Declaration of Amendment:

By the requestor(s) and/or applicant(s) signature(s) below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from obligations held under the Agreement or those same laws.

STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR

Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.

(Individual)

I hereby affirm that the 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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Secretary-Treasurer (title) of Hudson Prospect (NY), LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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.

Digitally signed by John Yelle
Date: 2025.11.10 14:45:56 -05'00'

signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/10/2025Signature: Digitally signed by John Yelle
Date: 2025.11.10 11:44:39 -05'00'Print Name: John Yelle

STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)

An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am President (title) of Community Manufacturing Solutions LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. MY signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 11/10/2025 Signature: Timothy McMorris

Digitally signed by Timothy McMorris
Date: 2025.11.10 12:01:01 -05'00'

Print Name: Timothy McMorris

PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

☐

PARTICIPANT

A requestor who either (1) was the owner of the site at the time of the disposal of contamination 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 contamination.

☒

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 contamination.

Effective Date of the Original Agreement: _____

Signature by the Department:

DATED: 12/8/2025

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Janet E. Brown

Janet E. Brown, Assistant Director
Division of Environmental Remediation

SUBMITTAL REQUIREMENTS:

- The Department accepts both hard copy and electronic submittal of the *Application to Amend Brownfield Cleanup Agreement and Amendment* form.
- Hard copy submissions must also include an electronic version of the complete application form and attachments, in final, non-fillable Portable Document Format (PDF), on an external storage device (such as a thumb drive or CD). Applications must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway, 12th Floor
 - Albany, NY 12233-7015
- NOTE: Electronic applications submitted in fillable format will be rejected.

**STATEMENT DESCRIBING WHY THE REQUESTOR SHOULD BE
CONSIDERED A VOLUNTEER**

BCP Site Name: Community Manufacturing Solutions

BCP Site Number: C356063

The amendment to the BCA to add Hudson Prospect, (NY), LLC as a Volunteer is directly related to the current Volunteer status of Community Manufacturing Solutions since both companies are wholly owned by Community Holdings, LLC. Neither Community Holdings, LLC nor its wholly owned affiliates have any involvement in the contamination of the property. None of the entities (i) were owners at the time of the original release of contamination, (ii) were operators of businesses at the property when contamination was released, (iii) were involved in any release of contamination on the property. The entities only fall into the theoretical envelope of liability because of their ownership, and prospective ownership, of the property AFTER the contamination occurred. Despite their lack of involvement in any act or omission leading to the release of contamination at the property, the Community Holdings, LLC affiliates, initially Community Manufacturing Solutions and now with this Amendment, Hudson Prospect, (NY), LLC, agree to implement site investigation and cleanup pursuant to the Brownfield Cleanup Agreement and with NYSDEC oversight. All of the contamination was caused by prior owners of the property, and the prospective purchaser/transferee is acting in a manner expected of a brownfield program applicant and a Volunteer under the NYSBCP. These entities had nothing to do with the release of contamination on the property. Also attached is also the earlier determination by the Department reflecting that Community Manufacturing Solutions is a Volunteer and Hudson Prospect, (NY), LLC is another affiliate of the parent company having title passed from one affiliate to another; both having no involvement with the site contamination.

Section II, question 4

The member of the new requestor LLC is Community Holdings, LLC.

An official website of New York State.
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Department of State

Division of Corporations

Entity Information

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Entity Details



ENTITY NAME: HUDSON PROSPECT (NY) LLC
DOS ID: 7674783
FOREIGN LEGAL NAME: HUDSON PROJECT, LLC
FICTITIOUS NAME: HUDSON PROSPECT (NY) LLC
ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY
DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTIONOF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW
ENTITY STATUS: ACTIVE
DATE OF INITIAL DOS FILING: 07/31/2025
REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 07/31/2025
INACTIVE DATE:
FOREIGN FORMATION DATE: 07/17/2025
STATEMENT STATUS: CURRENT
COUNTY: ULSTER
NEXT STATEMENT DUE DATE: 07/31/2027
JURISDICTION: DELAWARE, UNITED STATES
NFP CATEGORY:

- <
- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: THE LLC
Address: 101 WOODCREST DRIVE, RIFTON, NY, UNITED STATES, 12471

Electronic Service of Process on the Secretary of State as agent: Permitted

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share

Community Manufacturing Solutions, LLC

101 Woodcrest Drive • Rifton NY 12471
tel: 845.658.7700 • fax: 845.658.3144

CERTIFICATE OF AUTHORITY

I, Brian Button, hereby certify that I am the duly appointed, qualified, and acting President of Community Holdings, LLC, a Delaware limited liability company which is the sole member of Community Manufacturing Solutions, LLC, a Delaware limited liability company authorized to conduct business in New York, and that I am authorized to execute this Certificate on behalf of the Community Manufacturing Solutions, LLC.

In my capacity as President of the sole member of Community Manufacturing Solutions, LLC, I certify the following:

Timothy McMorris is the duly authorized President of Community Manufacturing Solutions, LLC and as such has authority to sign a Change of Use notification and an Amendment to the current Brownfield Cleanup Agreement for the company.

IN WITNESS WHEREOF, I have executed this Certificate as of this 13th day of October 2025.

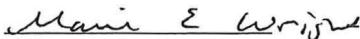


Brian Button, President
Community Holdings, LLC

State of ny)

County of Ulster) ss:

On the 13th day of October in the year 2025 before me personally came Brian Button, personally known to me, who, being by me duly affirmed, did depose and say that he resides in Rifton, NY; that he is the President of Community Holdings, LLC, the company described in and which executed the above instrument; and that he signed his name thereto by duly granted authority.



Notary Public



Hudson Prospect (NY), LLC
101 Woodcrest Drive • Rifton, NY 12471


CERTIFICATE OF AUTHORITY

I, Brian Button, hereby certify that I am the duly appointed, qualified, and acting President of Community Holdings, LLC, a Delaware limited liability company which is the sole member of Hudson Prospect (NY), LLC, a Delaware limited liability company authorized to conduct business in New York, and that I am authorized to execute this Certificate on behalf of Hudson Prospect (NY), LLC.

In my capacity as President of the sole member of Hudson Prospect (NY), LLC, I certify the following:

John Yelle is the duly authorized Secretary-Treasurer of Hudson Prospect (NY), LLC and as such has authority to enter a Brownfield Cleanup Agreement for the company and to enter into the Brownfield Cleanup Agreement amendment adding Hudson Prospect (NY), LLC to the Brownfield Cleanup Agreement as a Volunteer along with Community Manufacturing Solutions that currently is on the Brownfield Cleanup Agreement for Site #C356063.

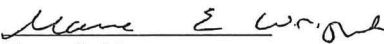
IN WITNESS WHEREOF, I have executed this Certificate as of this 14th day of October 2025.



Brian Button, President
Community Holdings, LLC

State of New York)
County of Ulster) ss:

On the 14th day of October in the year 2025 before me personally came Brian Button, personally known to me, who, being by me duly affirmed, did depose and say that he resides in Rifton, NY; that he is the President of Community Holdings, LLC, the company described in and which executed the above instrument; and that he signed his name thereto by duly granted authority.



Notary Public



Community Manufacturing Solutions, LLC

101 Woodcrest Drive • Rifton NY 12471
tel: 845.658.7700 • fax: 845.658.3144

October 14, 2025

John Yelle
Hudson Prospect (NY), LLC
101 Woodcrest Drive
Rifton, NY 12471

Re: Access Authorization to Site No. C356063 – Community Manufacturing Solutions property at 115 Broadway/Route 9W, Esopus, NY

Dear John,

As you know, Community Manufacturing Solutions is participating in the Brownfield Cleanup Program as a Volunteer under Article 27, Title 14 of the Environmental Conservation Law. We are submitting to the NYSDEC a Change of Use Notification, along with a proposed Brownfield Cleanup Agreement (BCA) Amendment adding you to the BCA. Once the BCA is amended, you would also be participating as a Volunteer. We have advised the NYSDEC that both Community Manufacturing Solutions, LLC and Hudson Prospect (NY), LLC have the same parent company.

Until the NYSDEC authorizes the BCA Amendment, this letter is to confirm that Hudson Prospect (NY), LLC, and any of its contractors, have the authority to enter onto the property for any purpose, including property inspection, assessment, investigation, remedial action and monitoring, all under the oversight of the NYSDEC in accordance with the BCA. This includes the right for Hudson Prospect (NY), LLC to place an easement on the property if necessary as part of the remediation approved by NYSDEC.

This Access Authorization is being attached to the BCA Amendment Application so that the NYSDEC is aware of your access right.

Kind regards,



Tim McMorris