



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14

DEPARTMENT USE ONLY
BCP SITE #: C360112

07/07

Section I. Requestor Information

NAME Creme de la Creme (Mt Kisco), Inc.

ADDRESS 8400 East Prentice Avenue, Suite 1320

CITY/TOWN Greenwood Village, Colorado ZIP CODE 80111

PHONE 303 773 6607 FAX 303 773 3011 E-MAIL btkarpas@cremedelacreme.com

NAME OF REQUESTOR'S REPRESENTATIVE Douglas G. McClure

ADDRESS 350 South Main Street, Suite 400

CITY/TOWN Ann Arbor ZIP CODE 48104

PHONE 734 761 9000 FAX 732 761 9001 E-MAIL mcclure@cmplaw.com

NAME OF REQUESTOR'S CONSULTANT Carlin-Simpson & Associates

ADDRESS 61 Main Street

CITY/TOWN Sayreville, NJ ZIP CODE 08872

PHONE 732 432 5757 FAX 732 432 5717 E-MAIL manke@carlinsimpson.com

NAME OF REQUESTOR'S ATTORNEY Douglas G. McClure

ADDRESS 350 South Main Street, Suite 400

CITY/TOWN Ann Arbor ZIP CODE 48104

PHONE 734 761 9000 FAX 732 761 9001 E-MAIL mcclure@cmplaw.com

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, the requestor 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; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

Requestor Relationship to Property (check one):
 Previous Owner Current Owner Potential /Future Purchaser Other _____

If requestor is not the site owner, requestor will have access to the property throughout the BCP project. Yes No
(Note: proof of site access must be submitted for non-owners)

RECEIVED
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TECHNICAL SUPPORT

Section II. Property Information Summary Sheet

PROPERTY NAME: Undeveloped Parcel

ADDRESS/LOCATION 6 Morgan Drive CITY/TOWN Mount Kisco ZIP CODE 10549

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):
Mount Kisco

COUNTY Westchester SITE SIZE (ACRES) 4 acres

LATITUDE (degrees/minutes/seconds) 41 ° 11 ' 38.5 " LONGITUDE (degrees/minutes/seconds) 73 ° 44 ' 15.4 "

HORIZONTAL COLLECTION METHOD: SURVEY GPS MAP HORIZONTAL REFERENCE DATUM: Map

FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)
Parcel Address Parcel No. Section No. Block No. Lot No. Acreage

| | | | | | |
|--------------|---------------|----|---|-------|---|
| Morgan Drive | 80.55-1-2.1/3 | 80 | 1 | 2.1/3 | 4 |
| | | | | | |
| | | | | | |

- Do the property boundaries correspond to tax map metes and bounds? Yes No
If no, please attach a metes and bounds description of the property.
 - Is the required property map attached to the application? (application will not be processed without map) Yes No
 - Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)? Yes No
- For more information go to: http://www.nylovesbiz.com/BrownField_Redevelopment/default.asp.
If yes, identify area (name) _____
 50% 100% of the site is in the En-zone (check one)

PROPERTY DESCRIPTION NARRATIVE: The property currently consists of an undeveloped parcel, 4 acres in area, on the east side of a cul de sac at the end of Morgan Drive in Mount Kisco, Westchester County, New York. The property is bordered by the Kisco River to the northeast.

List of Existing Easements (type here or attach information)

| <u>Easement Holder</u> | <u>Description</u> |
|------------------------|-----------------------|
| Sanctuary Ventures | storm water and sewer |

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

| <u>Type</u> | <u>Issuing Agency</u> | <u>Description</u> |
|-------------|-----------------------|--|
| Wetland | NYSDEC | wetland permit #3-5556-00046 |
| Stormwater | NYCDEP | stormwater pollution prevention plan 2004-CNC-0697-SP.1 |

Initials of each Requestor: _____

Section III. Current Site Owner/Operator Information

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. 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 relating to contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Yes No
4. Has the requestor been determined to have violated any provision of ECL Article 27? Yes No
5. Has the requestor previously been denied entry to the BCP? Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? Yes No
7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? Yes No
8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(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

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

1. Is the property listed on the National Priorities List? Yes No
2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # _____ Class # _____ Yes No
3. Is 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. 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
5. 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 VI. Project Description

What stage is the project starting at? investigation remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. Environmental Reports

A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): Yes No

2. Sampling Data: Indicate known contaminants and the media which are known to have been affected:

| Contaminant Category | Soil | Groundwater | Surface Water | Sediment | Soil Gas |
|----------------------|------|-------------|---------------|----------|----------|
| Petroleum | | | | | |
| Chlorinated Solvents | | | | | |
| Other VOCs | | | | | |
| SVOCs | | | | | |
| Metals | X | | | | |
| Pesticides | | | | | |
| PCBs | | | | | |
| Other* | | | | | |

*Please describe: _____

3. Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:

| Contaminant Category | Soil | Groundwater | Surface Water | Sediment | Soil Gas |
|----------------------|------|-------------|---------------|----------|----------|
| Petroleum | | | | | |
| Chlorinated Solvents | | | | | |
| Other VOCs | | | | | |
| SVOCs | | | | | |
| Metals | | | | | |
| Pesticides | | | | | |
| PCBs | | | | | |
| Other* | | | | | |

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Above Ground Pipeline or Tank | <input type="checkbox"/> Lagoons or Ponds | <input type="checkbox"/> Underground Pipeline or Tank | <input type="checkbox"/> Surface Spill or Discharge |
| <input type="checkbox"/> Routine Industrial Operations | <input type="checkbox"/> Dumping or Burial of Wastes | <input checked="" type="checkbox"/> Septic tank/lateral field | <input type="checkbox"/> Drums or Storage Containers |
| <input type="checkbox"/> Adjacent Property | <input type="checkbox"/> Seepage Pit or Dry Well | <input type="checkbox"/> Foundry Sand | <input type="checkbox"/> Electroplating |
| <input type="checkbox"/> Coal Gas Manufacture | <input type="checkbox"/> Industrial Accident | <input type="checkbox"/> Unknown | |

Other: Former sewage disposal facility operations

5. INDICATE PAST LAND USES:

- | | | | | | |
|---|--|---|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input 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: Sewage disposal facility operated by the City of New York

6. Owners

A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none").

7. Operators

A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none").

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board/dept. chair 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). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Intended Use: Unrestricted Residential Commercial Industrial (check all that apply)

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals.

Yes No

| | | |
|--|-------------------------------------|-------------------------------------|
| 1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the proposed use consistent with applicable zoning laws/maps? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Are there any federal or state land use designations relating to this site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Do the population growth patterns and projections support the proposed use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Is the property accessible to existing infrastructure? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile? see attached | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile? see attached | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Are there floodplains within ½ mile? see attached | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Are there any institutional controls currently applicable to the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. | | |
| 13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas. | | |
| 14. Describe on attachment the geography and geology of the site. | | |

Statement of Certification and Signatures

(By requestor who is an individual)

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 an requestor other than an individual)

I hereby affirm that I am PRESIDENT (title) of CREME DE LA CREME (MT KISCO), INC. (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.

Date: 2/2/10 Signature: [Signature] Print Name: BRUCE KARPAS

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, 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

- One (1) paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.ny.gov/about/776.html>

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ LEAD OFFICE: _____

Attachments for Section VI

Project Purpose

The purpose of the proposed project is to remediate the referenced site to a level that meets the NYSDEC Commercial Use Soil Cleanup Objectives (CU-SCO). This work will include the following: 1) further identification of contaminants in two (2) identified areas of concern; 2) remediation of two (2) areas where mercury has been encountered in the subsurface soils at concentrations exceeding the NYSDEC CU-SCO; and 3) implementation of institutional controls to allow only commercial use of the property in the future.

Site History

Based on the findings of a Phase I Environmental Site Assessment (ESA) that was completed in 2007, we know that the subject property was previously part of a larger parcel that was occupied by a sewage treatment and disposal facility from approximately 1907 to the 1970s. The facility reportedly ceased operation around 1964 and remained on standby into the 1970s. However, the subsurface components were apparently never removed from the site. In 1990, soil fill was placed over a large portion of the property, burying the remnants of the former facility.

The components of the former sewage treatment and disposal facility that were located on the subject property included eight (8) sand filter beds, two (2) sludge beds, four (4) former structures for chlorination, a 10-inch cast iron force main, vitrified clay pipes to carry the partially treated sewage from the adjacent parcel, and additional clay pipes to collect the treated water from below the sand filter beds. In addition, a sludge spoil area was identified on the subject property.

A subsequent Phase II Environmental Site Investigation (ESI) was performed to investigate the identified areas of environmental concern. The results of the investigation were presented in a Report on Modified Phase I Environmental Site Assessment and Phase II Environmental Site Investigation that was dated 9 January 2008 and prepared by Carlin-Simpson & Associates.

During the investigation, a total of 13 geoprobe borings were advanced to investigate the areas of environmental concern identified during the Modified Phase I ESA. Based on the areas of concern, the geoprobe boring observations, and the field screening results, we collected 16 soil grab samples and one (1) composite soil sample from the subject property for laboratory analytical testing. In addition, three (3) temporary well points were installed to facilitate groundwater sampling and sediment and water samples were collected from the Kisco River, both upstream and downstream of the site.

The laboratory analytical results indicate that there are levels of residual contaminants present in the soil samples in isolated areas of the subject site. The residual contaminants are consistent with the former use of the property. Specifically, we noted the following: 1) in the former sludge bed areas, mercury was present in one sample at a concentration

exceeding the NYSDEC CU-SCO; and 2) in the area of a former structure, mercury was encountered at a concentration exceeding the NYSDEC CU-SCO.

It was also found that the groundwater beneath the site does *not* contain any VOCs, SVOCs, or metals at concentrations exceeding the NYSDEC Groundwater Quality Standards and the adjacent Kisco River does *not* appear to have been detrimentally impacted as a result of the portion of the former sewage treatment and disposal facility located on the subject property.

Project Scope of Work

The proposed project will include the following tasks:

1. Further identification of contaminants in the two identified areas of concern.
 - A. The two identified areas of concern are identified as “Sludge Bed #1” and “Pump House” on the attached site plan.
 - B. A series of four (4) test borings will be advanced in the area identified as “Sludge Bed #1” to better determine the approximate limits of the mercury contamination present at this location. The borings will only be performed where the sludge bed is present within the limits of the subject property.

A photoionization detector (PID) will be used to screen the soil samples from the borings to determine if volatile and semi-volatile organic compounds (VOCs and SVOCs) are present.

Soil samples will be collected from the organic material in the former sludge bed area at a depth of approximately 10’0” to 12’0” beneath the surface in each of the four test borings.

All soil samples will be submitted to a certified laboratory to be analytically tested for mercury.

- C. A series of four (4) test borings will be advanced in the area identified as “Pump House” to better determine the approximate limits of the mercury contamination present at this location.

Soil samples will be collected at a depth of approximately 12’0” to 13’0” beneath the surface from each of the four test borings.

All soil samples will be submitted to a certified laboratory to be analytically tested for mercury.

- D. Once the additional investigation is complete, a Remedial Action Workplan (RAWP) will be prepared for the referenced site and submitted to the NYSDEC for approval.

2. Remediation of two areas where mercury has been encountered at concentrations exceeding the NYSDEC CU-SCO.

A. The proposed remediation will involve the excavation and off-site disposal of contaminated soil/organic/sludge material from these two areas of concern.

In the former sludge bed area, the contaminated material was encountered at a depth of approximately 10'8" to 11'2" beneath the existing ground surface. Sludge Bed #1 will be remediated within the limits of the subject property based on the results of the additional investigation.

In the former pump house area, the contaminated material was encountered at a depth of approximately 12'0" to 13'0" beneath the existing ground surface. The pump house area will be remediated to the limits identified during the additional investigation.

B. Post-excavation soil samples will be collected from both areas to confirm that any remaining material meets the appropriate NYSDEC CU-SCO. The number of samples will be based on the size of the final excavation.

C. A Remedial Action Report (RAR) will be prepared for submittal to the NYSDEC.

3. Implementation of institutional controls to allow only future commercial uses on the property.

A. The subject property shall be remediated to levels that meet the NYSDEC CU-SCO. Therefore, institutional controls (i.e. an environmental easement/deed notification) will be required to limit future site uses to commercial use.

B. A soil management plan will be prepared for the site to describe the procedures that must be taken during any future work at the site. In the event that recreational use is planned for the property, the soil management plan will require that a soil cap consisting of at least two (2) feet of soil that meets the NYSDEC Restricted Residential Use Soil Cleanup Objectives be present at the surface of the site.

C. If mandated by the NYSDEC as a precautionary measure, the institutional controls will also consist of vapor barriers for the future site buildings.

Estimated Project Schedule

The additional investigation will begin upon acceptance into the Brownfield Cleanup Program. A Remedial Action Workplan (RAWP) will be prepared approximately four (4) to six (6) weeks after the fieldwork for the additional investigation has been completed. Once the RAWP has been approved, a contractor shall be retained to perform the remediation work and a remediation schedule will be prepared at that time.

Attachments for Section VI

Estimated Project Schedule

The additional investigation will begin upon acceptance into the Brownfield Cleanup Program. The fieldwork will take two (2) days and the laboratory analytical testing will take approximately three (3) weeks. A Remedial Action Workplan (RAWP) will be prepared approximately four (4) to six (6) weeks after the additional investigation has been completed. We anticipate having this phase of work completed by June 2010.

Once the RAWP has been approved by the NYSDEC, a contractor shall be retained to perform the remediation work and a final remediation schedule will be prepared. The following is an estimate of the remediation schedule from the time the RAWP is approved.

Retaining a remediation contractor to perform the work will take approximately two to three (2-3) weeks.

Preparation of the health and safety plan, design of the construction dewatering plan, and design of the excavation protection system will take one to two (1-2) weeks.

Installation of the dewatering system and excavation protection system will take approximately one (1) week.

Excavation and Backfilling of the two identified areas will take one to two (1-2) weeks.

Laboratory analytical testing for waste classification and for the post-excavation soil samples will take approximately three (3) weeks.

Soil loading, transport, and disposal will take approximately one (1) week.

Preparation & Implementation of Institutional Controls, preparation of the Soil Management Plan, and preparation of the Remedial Action Report will take approximately four to six (4-6) weeks.

Based on the above information, we estimate that the Remedial Action Report will be submitted to the NYSDEC approximately 13 to 18 weeks after we receive approval of the RAWP from the NYSDEC. Assuming that we receive authorization to proceed on or before 1 August 2010, this work would be completed by 3 December 2010.

Estimated Project Costs

Actual remediation costs will vary, depending on the findings of the additional investigation described above, and could be higher or lower than the estimates listed below.

1. Additional Investigation

| | |
|---|-----------------|
| Boring Subcontractor | \$ 4,000 |
| Field Engineer | \$ 1,000 |
| Field Screening Equipment | \$ 300 |
| Laboratory Analytical Testing | \$ 500 |
| Preparation of Remedial Action Workplan | \$ 2,000 |
| Unforeseen Expenses | <u>\$ 2,000</u> |
| Total: | \$ 9,800 |

2. Remediation of Sludge Bed #1 (Area 1) and Pump House (Area 2)

| | |
|---------------------------------------|-----------|
| Preparation of Health and Safety Plan | \$ 5,000 |
| Construction Dewatering | \$ 20,000 |

Area 1

| | |
|--|-----------|
| Excavation Protection (Sheeting) 1,150 sf @ \$100/sf | \$115,000 |
| Excavation and Staging, 1,800 CY @ \$15/CY | \$ 27,000 |
| Sludge Trans & Disposal, 95 tons @ \$108/ton | \$ 10,260 |
| Backfilling of Excavation, 1,800 CY @ \$10/CY | \$ 18,000 |
| Post-Excavation Sampling, 15 samples @ \$70/each | \$ 1,050 |

Area 2

| | |
|--|----------|
| Trench Box (Rental), 14 days @ \$250/day | \$ 3,500 |
| Excavation and Staging, 110 CY @ \$30/CY | \$ 3,300 |
| Soil Trans & Disposal, 40 tons @ \$108/ton | \$ 4,320 |
| Backfilling of Excavation, 110 CY @ \$20/CY | \$ 2,200 |
| Post-Excavation Sampling, 5 sample @ \$70/each | \$ 350 |

| | |
|---------------------------------------|------------------|
| Waste Classification Analysis | \$ 2,500 |
| Contractor Supervision | \$ 10,000 |
| Engineer Oversight | \$ 10,000 |
| Preparation of Remedial Action Report | \$ 5,000 |
| Unforeseen Expenses | <u>\$ 30,000</u> |

Total: \$267,480

3. Other Items

| | |
|---|------------------|
| Preparation & Implementation of Institutional Controls | \$ 7,000 |
| Preparation of Soil Management Plan | \$ 5,000 |
| Installation of Vapor Barrier for Future 25,000 SF Building | <u>\$ 25,000</u> |
| Total: | \$ 37,000 |

Attachments for Section VII

6. and 7. Previous Property Owners and Operators

The property was owned and operated by the City of New York from 1907 until 1985. The contact information for the City of New York is:

David Warne
Assistant Commissioner, NYCDEP
465 Columbus Avenue
Valhalla, NY 10595
(914)742-2099

It is believed that active sewage treatment and disposal ceased in approximately 1963. This owner/operator has no relationship to the requestor. Since 1985, the property has been owned and operated (as vacant land) by the following:

| Dates | Name | Address/Phone | Relationship |
|--------------|----------------------------|---|---------------------|
| 2003-2004 | ECD, LP | 780 Johnson Ferry Road Suite 470 Atlanta, GA 30342 | None |
| 1990-2003 | Sanctuary Ventures, LLC | c/o Krauss Whiting, LLC Four Landmark Square Stamford, CT 06901 | None |
| 1988-1990 | Radio Circle Business Park | c/o Engineering Associates 470 West Street Stamford, CT 06901 | None |
| 1985-1988 | Village/Town of Mt. Kisco | 104 Main Street Mt. Kisco, New York 10549 914-241-0500 | None |

Attachments for Section VIII

1. The chief executive office and planning board chairperson for each county, city, town, and village in which the property is located.

Andrew J. Spano, County Executive
Westchester County Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601
Tel. 914-995-2900

James M. Palmer, Village Manager
Mount Kisco Village Hall
104 Main Street
Mount Kisco, New York 10549
Tel. 914-864-0001

Joseph Cosentino, Planning Board Chairman
Planning Board
Mount Kisco Village Hall
104 Main Street
Mount Kisco, New York 10549
Tel. 914-864-0022

Donald Rose, Zoning Board Chairman
Zoning Board of Appeals
Mount Kisco Village Hall
104 Main Street
Mount Kisco, New York 10549
Tel. 914-864-0022

2. Residents, owners, and occupants of the property and properties adjacent to the property.

Sanctuary Ventures, LLC, a Florida limited liability company
c/o Krauss Whiting, LLC
Four Landmark Square
Stamford, CT 06901

3. Local news media from which the community typically obtains information.

The Journal News
185 Kisco Avenue
Mount Kisco, NY 10549
Tel. 914-666-6222

4. The public water supplier which services the area in which the property is located.

The Village/Town of Mount Kisco Water Department and distribution system is overseen by:

Jeffrey A. Econom, Assistant Village Manager.
Mount Kisco Village Hall
104 Main Street
Mount Kisco, New York 10549
Tel. 914-864-0026

The water filtration plant (Bedford Water Treatment Plant) and the Leonard Park Well Fields are operated by:

United Water New York
360 West Nyack Road
West Nyack, NY 10994
Tel. 877-426 8969

5. Any person who has requested to be placed on the contact list.

None

6. The administrator of any school or day care facility located on or near the property.

A school or day care facility is not located within the immediate vicinity of the property.

7. The location of a document repository for the project.

**The Mount Kisco Public Library | 100 Main Street | Mount Kisco, NY 10549
Phone 914-666-8041 | Fax 914-666-3899**

Attachments for Section IX

Question 8: To the knowledge of the undersigned, there are no important cultural resources, including federal or state historic or heritage sites or Native American religious sites, located within ½-mile of the property.

Question 9: There are large state and federal wetland areas located to the immediate north and northwest of the property.

Question 10: There are floodplain areas located along the Kisco River, which borders the property to the north and northeast. The 100-year flood zone of the Kisco River may extend into the northeastern portion of the property.

Question 12: The area immediately surrounding the subject property consists of commercial and industrial properties as well as some undeveloped wooded parcels. The site is bordered by Morgan Avenue followed by a post office to the west. Beyond the post office are commercial and industrial buildings on Radio Circle Drive. There is a wooded area and wetland area to the north of the site. To the east of the subject property is a town service road followed by a wooded area and the Kisco River and the subject site is bordered by building remnants from the former sewage treatment and disposal facility to the south. Further to the south are additional commercial and industrial buildings along Radio Circle Drive. Mount Kisco Country is approximately ¼-mile to the east of the site and the nearest residential properties are approximately 200 yards to the northeast.

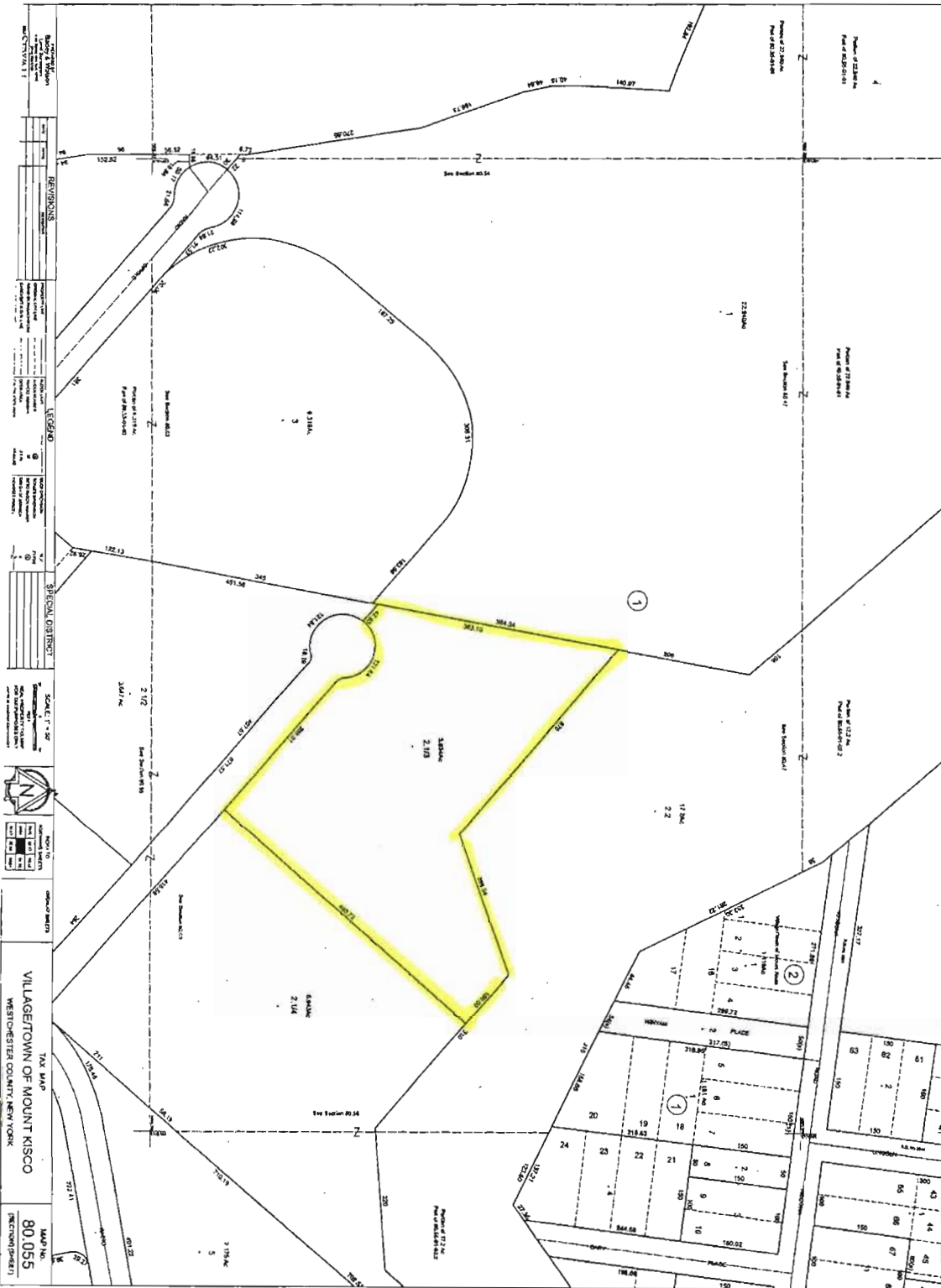
Question 13: The groundwater beneath the site and the adjacent Kisco River were investigated during the Phase II ESI in 2007. Based on the findings of the investigation, the groundwater and the river have not been detrimentally impacted as a result of the former sewage treatment and disposal facility on the subject property.

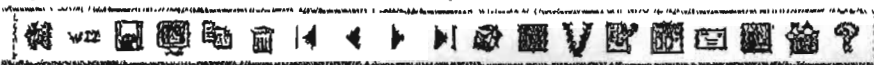
Question 14: The subject property is relatively flat and is located at approximately 290 feet above the National Geodetic Vertical Datum (NGVD) with topography in the immediate vicinity of the site generally decreasing to the west and northwest, towards the nearby Kisco River.

The soil conditions consist of existing fill throughout the site that generally consists of brown or gray brown coarse to fine Sand, trace (to some) Silt, trace (to little) coarse to fine Gravel with minor amounts of concrete, wood, coal, and brick in areas. The fill extends to depths ranging from 3'10" to 9'0" beneath the existing ground surface.

Beneath the fill in portions of the site is a sand layer from the former sand filter beds. This layer consists of brown or gray coarse to fine Sand, trace Silt, trace medium to fine Gravel and is approximately 1'0" to 3'6" in thickness. Below the sand layer in a few of the geoprobe borings is a layer of loose to medium dense coarse to fine Gravel, trace (to little) coarse to fine Sand. The gravel ranges from a few inches to 1'0" in thickness. Underlying the fill in a portion of the site is soft dark brown Organic Silt and Peat that ranges from approximately 1'0" to 6'6" in thickness.

Beneath the sand, gravel, and organic silt and peat layers is medium dense brown, gray brown, or gray coarse to fine Sand, little (to and) Silt, trace (to little) coarse to fine Gravel or medium stiff Silt, trace (to and) coarse to fine Sand, trace coarse to fine Gravel that extends to depths of at least 12'0" to 24'0" beneath the surface.





80.55-1-2173 555600 Mount Kisco Active R/S1 Secod Bradford Lenna
 Erens de La Grana (M. Kisco) Plot Area 2009 Cum Vacant/Comp 500.000
 E Morgan D Land Size 3.05 acres Total 300.000

- Parcel 05/22
- Notes
- History
- Assessment
- Special
- Description
- Owners
- Images
- Site
- Site Plan
- Sale 05/12/11
- Sale 05/11/11
- Sale 05/25/10
- Sale 05/11/10
- Sale 05/25/08
- Sale 05/11/08
- Sale 05/01/00

Name: Erens de La Grana
3rd Party Address:
Owner's To order: Click the appropriate box (Right Click to Add)
 Erens de La Grana (M. Kisco) Bradford Lenna
Last Name / Company: Erens de La Grana (M. Kisco) **First Name:**
Attention To / Contact Name: **Additional Address:**
Street: Plot D1, Sirely Rural Route **Street:** Road Dr **Unit/Apt:** Unit No
 3400 E Prontice Ave 1320
City: Greenwood Village **State:** CO **Zip Code:** 80111
Country: United States **Ownership:** P = Primary **Use:**