

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND AND AMENDMENT



PART I. BROWNFIELD CLEANUP AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

Amendment to [check one or more boxes below] Add Substitute Remove Change in Name

an applicant(s) to the existing Brownfield Cleanup Agreement [Complete Section I-IV below and Part II]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? XYes No If yes, pursuant to 6 NYCRR Part 375-1.11(d), please also submit a Change of Use form. Already submittee See http://www.dec.ny.gov/chemical/76250.html

Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [Complete Sections I and V below and Part II]

Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [Complete Section I and V below and Part II]

Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

Amendment to add new property owner (1 Holland LLC) as a Volunteer under the BCA Amendment to correct listed acreage of property from Ø.65 to Ø.7221 acres. Note: No change in property boundary or TBL information, merchy corrects misstatement (1)(2)of acreage.

Please refer to the attached instructions for guidance on filling out this application

04/2014		
Section I. Existing Application Information		
BCP SITE NAME: 1-5 Holland Avenue BCP SITE NUMBER: C3610115		
NAME OF CURRENT APPLICANT(S): One Holland Avenue Development LLC		
INDEX NUMBER OF EXISTING AGREEMENT: C360115-11-10 DATE OF EXISTING AGREEMENT: December 1, 201		
Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)		
NAME I Holland LLC		
ADDRESS Holland Avenue		
CITY/TOWN White Plains ZIP CODE 10603		
PHONE 914-879-6962 FAX NIA EMAIL Lattonito@yahoo.com		
Is the requestor authorized to conduct business in New York State (NYS)?		
-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 (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.		
NAME OF NEW REQUESTOR'S REPRESENTATIVE THOMAS Attonito		
ADDRESS Holland Avenue		
CITY/TOWN White Plains ZIP CODE 18603		
PHONE 914-879-6962 FAX N/A EMAIL LattonitoGychou.com		
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)		
ADDRESS		
CITY/TOWN ZIP CODE		
PHONE FAX E-MAIL		
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable) Denise Forte, Trivella 3 Forte LLP		
ADDRESS 1311 MAMANONECK AVE, Suite 170		
CITY/TOWN White Plains ZIP CODE 10605		
PHONE 914-949-9075 FAX914.949-4757 E-MAIL denise Offslip, GM		
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:		
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. NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the contamination 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 contamination.		

Section II. New Requestor Information continued (if no change to	Current Applicant, skip to Section V)
Requestor's Relationship to Property (check one):	
Prior 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. (Note: proof of site access must be submitted for non-owners)	Yes No
Requester must submit proof that the party signing this Application and Amendment would be documentation from corporate organizational papers, which are updated, sh a Corporate Resolution showing the same, or an Operating Agreement or Resolution	howing the authority to bind the corporation, or
Describe Requestor's Relationship to Existing Applicant:	
Requester (1 Holland LLC) purchased at 1-5 Holland Avenue, White Plains, 1	the property located
at 1-5 Holland Avenue, White Plains, 1	VI trom Farticpal
(One Holland Avenue Development LLC)	on Septimber 30,2013
Section III. Current Property Owner/Operator Information (only new existing owner/operator information is provided, and highligh	
OWNER'S NAME (if different from requestor) Halland LLC	
ADDRESS Holland Avenue	
CITY/TOWN White Plains ZIP CODE	10603
PHONE 914-949-9875 FAX N/A	E-MAIL Lattonito@yahiu.w
OPERATOR'S NAME (if different from requestor or owner) White Plains Se	elf Storage
ADDRESS Holland Avenue	0
CITY/TOWN White Plains ZIP CODE	10603
PHONE 914-949-9075 FAX NA	E-MAIL tattonits & ychou a
Section IV. Eligibility Information for New Requestor (Please refe	r to ECL § 27-1407 for more detail).
If answering "yes" to any of the following questions, please provide an explanation a	s an attachment.
 Are any enforcement actions pending against the requestor regarding this site? Is the requestor subject to an existing order relating to contamination at the site? 	Yes XNo
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site?	Yes XNo
4. Has the requestor been determined to have violated any provision of ECL Article	
 Has the requestor previously been denied entry to the BCP? Has the requestor been found in a civil proceeding to have committed a negligent act involving contaminants? 	or intentionally tortious
7. Has the requestor been convicted of a criminal offense that involves a violent felo	ny, fraud, bribery, perjury, 🔲 Yes 💢 No
theft, or offense against public administration? 8. Has the requestor knowingly falsified or concealed material facts or knowingly su	bmitted or made use of a 🗌 Yes 🐹 No
false statement in a matter before the Department? 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) th	

	changes/add	litions/redu	ctions (if	applicabl	e)
ADDRESS 1-5 Holland Avenue					
CITYTOWN White Plains					
TAX BLOCK AND LOT (TBL) (in existing agreement)					
Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
1-5 Holland Avenue, White Plains	ī/ī	1	۱	1	Ø.65
Check appropriate boxes below: Changes to metes and bounds description or TBL correct Addition of property (may require a standard application instructions) Approximate acreage added: <u>0.07</u> 21 → NO ac ADDITIONAL PARCELS:	depending on t				tached
Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
1-5 Holland Avenue, white Plains	1]0	125.07	1	1	Ø.7221

metes and bounds description, survey, or acceptable site map to this application.

Note:

There is no change in the property subject to the BCA. The acreage Was identified as \$165 acres from an older report, but actual surveyed acreage for property remains as Ø.7221 acres for same metes/bands and some TBL descriptions.

Statement of Certification and S applicant must sign)	ignatures: Existing Applicant(s) (an authorized representative of each
(Individual)	ownfield Cleanup Agreement and/or Application referenced in Section I above and that I
am aware of this Application for an Amer	adment to that Agreement and/or Application. My signature below constitutes the requisite Application, which will be effective upon signature by the Department.
Date:Signature:	Print Name:
(Entity)	One Holland Avenue Development LLC
Agreement and/or Application referenced	title) of
Date: 1/28/14_Signature:	Jares Puetro Print Name: Maren S. Puckett
EMAINDER OF THIS AMENDMENT	F 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:

Effective Date of the Amendment:

Signature by the Department:

DATED:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

Robert W. Schick, P.E., Director Division of Environmental Remediation

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

BCP SITE NAME:	1-5 Holland Avenue BCP SITE NUMBER: C360115
NAME OF CURRENT A	
INDEX NUMBER OF EX	ISTING AGREEMENT: C360115-11-10
EFFECTIVE DATE OF E	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures 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 any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)		
(Individual)		
I acknowledge and agree to the general terms and conditions set forth in DER-32 <i>Brownfield Cleanup Program Applications and Agreements</i> . I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. 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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.		
Date: 7/10/2014 Signature: ES Print Name: 2000 October 55		
(Entity)		
A Hender I Holowid CCC I hereby affirm that I am (title) of (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 acknowledge and agree to the general terms and conditions set forth in DER-32 Brownfield Cleanup Program Applications and Agreements. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. 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. Edword Society signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.		
Date: 7/10/20 14 Signature: 25 Sol Print Name: Loword Social		

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

• Two (2) copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD, 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 <u>DEC's website</u> for information on our regional offices.

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE:_____

LEAD OFFICE:

PROJECT MANAGER:_____

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through July 22, 2014.

Selected Entity Name: 1 HOLLAND LLC
Selected Entity Status InformationCurrent Entity Name:1 HOLLAND LLCDOS ID #:4369595Initial DOS Filing Date:MARCH 06, 2013County:WESTCHESTERJurisdiction:NEW YORKEntity Type:DOMESTIC LIMITED LIABILITY COMPANYCurrent Entity Status:ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity) 1 HOLLAND LLC 1 HOLLAND AVENUE WHITE PLAINS, NEW YORK, 10604

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, 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

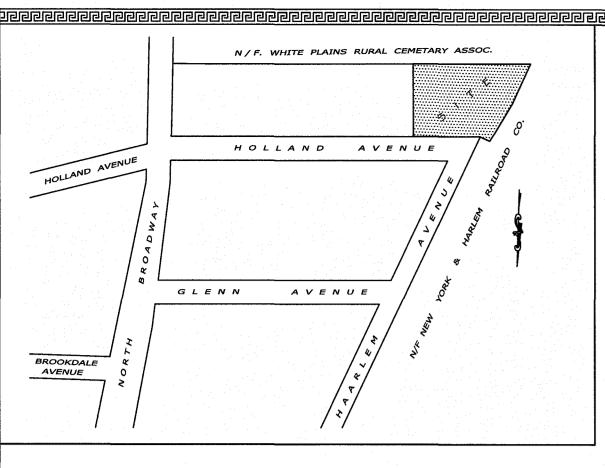
Filing DateName TypeEntity NameMAR 06, 2013Actual1 HOLLAND LLC

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.

Search Results New Search

<u>Services/Programs</u> | <u>Privacy Policy</u> | <u>Accessibility Policy</u> | <u>Disclaimer</u> | <u>Return to DOS</u> <u>Homepage</u> | <u>Contact Us</u>



LOCATION MAP (N.T.S)

135.27 feet to the easterly side of land of New York Central Railroad;

Legal Description

PARCEL

ALL those certain lots, pieces or parcels of land, situate, lying and being in the City of White Plains, County of Westchester and State of New York, known and designated as Lot Numbers 1, 2, 3, 4 and 13 in Block 3, on a certain map entitled, "Map of North White Plains, the Terminal City, situated in the Town and Village of White Plains and the Town of North Castle, in the County of Westchester and State of New York, surveyed for New York Suburbs Co." made by Lewis T. Haney, Civil Engineer and City Surveyor, 1907 and filed in the County Clerk's Office, Division of Land Records, formerly Register's Office of Westchester County, September 23, 1907 as Map Number 1749 and bounded and described as follows:

BEGINNING at the corner formed by the intersection of the southerly side of Holland Avenue and the easterly side of lands of the New York Central Railroad;

RUNNING THENCE along the southerly side of Holland Avenue, north 88 degrees 12 minutes 40 seconds east 140 feet to a point on the westerly side of Lot No. 5;

RUNNING THENCE along the same, south 1 degrees 47 minutes 20 seconds east 150.65 feet to a point; RUNNING THENCE south 87 degrees 58 minutes west 76.28 feet and south 88 degrees 14 minutes 00 seconds west

RUNNING THENCE along the same, north 23 degrees 34 minutes 54 seconds east 167 feet to the point of BEGINNING.

Comprising 0.6089 acres

PARCEL

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of White Plains, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at the southeasterly corner of the premises described and designated as Parcel No 1 in deed from Margaretta S. Clark to the New York Central and Hudson River Railroad Company, dated April 9, 1901 recorded in the Office of the Clerk of said County of Westchester, now Division of Land Records in Liber 1577 of deeds at page 216; and

RUNNING THENCE westerly along the southerly line of said Parcel No. 1 described in deed dated and recorded as aforesaid south 88 degrees 10 minutes 50 seconds west 33.08 feet to the southwesterly corner thereof, said corner being distant southeasterly 41.25 feet measured at right angles from the original center line of the New York and Harlem Railroad, said center line being marked by stone monument set in the ground;

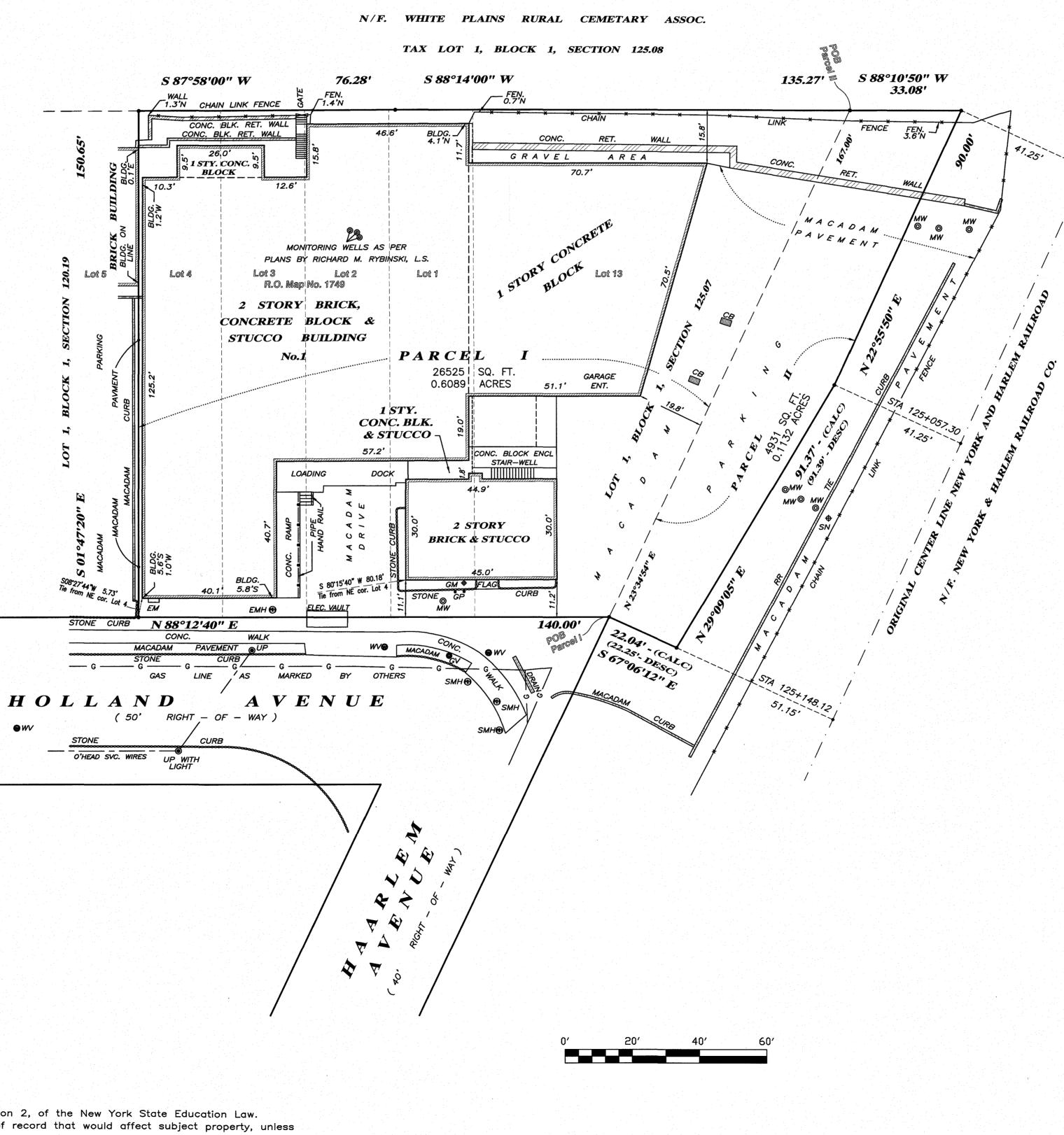
THENCE north 22 degrees 55 minutes 50 seconds east 90 feet, to a point opposite Chaining Station 125 plus 057.30 in said monumented center line;

THENCE north 29 degrees 09 minutes 05 seconds east 91.39 feet to a point distant southeasterly 51.15 feet measured at right angles from said monumented center line at chaining station 125 plus 148.12 feet therein; THENCE south 67 degrees 06 minutes 12 seconds east 22.25 feet to a point in the southeasterly line of Parcel No. 1 in deed dated and recorded aforesaid where the same is intersected by the southerly line of Holland Avenue;

THENCE southwesterly along said southeasterly line of said Parcel No. 1 in deed dated and recorded aforesaid south 23 degrees 34 minutes 54 seconds west 167 feet to the point or place of BEGINNING.

Comprising 0.1132 acres.

	EGEND
СВ	CATCH BASIN
SMH	SEWER MANHOLE
EMH	ELECTRIC MANHOLE
WV	WATER VALVE
SN	SIGN
EM	ELECTRIC METER
MW	MONITORING WELL
UP	UTILITY POLE
CONC	CONCRETE
SRW	STONE RETAINING WALL
RR	RAIL ROAD
ELEC	ELECTRIC
FLAG	FLAGSTONE
ENT	ENTRANCE
GM	GAS METER
GP	GUARD POST
GV	GAS VALVE



Unauthorized alteration or additions to this survey map is a violation of section 7209 sub-section 2, of the New York State Education Law. No guarantee is implied by this map as to the existence or non-existence of any easements of record that would affect subject property, unless surveyor has been furnished a complete copy of the title report. Dimensions shown from structures to property lines are not intended to be used for construction of fences, structures or other improvements

ARISTOTLE BOURNAZOS, P.C. LAND SURVEYORS - PLANNERS 20 CEDAR STREET NEW ROCHELLE NEW YORK , 10801 (914)633-0100

LICENSED IN NEW YORK NEW JERSEY CONNECTICUT

SCALE : 1 IN. = 20 FT

SURVEY OF

TAX LOT 1, BLOCK 1, SECTION 125.07 AS SHOWN ON THE TAX ASSESSEMENT MAPS OF THE CITY OF WHITE PLAINS, WESTCHESTER COUNTY, NEW YORK.

(Property also known as Lots 1, 2, 3, 4 & 13, Block 3 as shown on "Map of North White Plains, the Terminal City...", and filed in the Westchester County Clerk's Office, Division of Land Records on Sept. 23, 1907 as Map No. 1749; together with a parcel of land adjacent to the west.)

SURVEY COMPLETED : June 30, 2009 MAP DRAWN : July 6, 2009 REVISED : JULY 23, 2009 SURVEY UPDATED : MAY 27, 2014 REVISED : JUNE 4, 2014 I hereby certify this survey to:

One Holland Avenue Development LLC 1 Holland LLC

6/4/14 DATE Nuccessereps, C.S. 1AUSTOL3 ARISTOTLE BOURNAZOS, L.S., N.Y.S. LIC. No.46553

NOTES:

- 1. Property shown hereon lies in Zone X (area determined to be outside the 0.2% annual chance floodplain) as per Firm 36119C0267F, effective date 9/28/07 for City of White Plains, NY, Community No. 360935.
- 2. Area of property shown hereon = 31,456 Square Feet. Area of Parcel I = 26,525 Square Feet.
- Area of Parcel II = 4931 Square Feet.
- 3. Property shown hereon lies in Zone LI (Light Industrial).
 - a. Max bldg. coverage = 80%
 - b. Max F.A.R. = 2.00
 - c. Min lot area = 5000 S.F.
 - d. Min lot frontage = 50 Ft.
 - e. Min yard setbacks = None
 - f. Max bldg. height = 4 Stories
- 4. Total area of footprint of buildings at ground level = 16,417 sq. ft. 5. Address of subject premises: 1–5 Holland Avenue

White Plains, NY 10603

Enviornmental Easement and Engineering Controls:

- 1. Enviornmental Easement: the entire 31,456 sq. ft. (0.7221 acres) of the surveyed property is subject to an Enviornmental Easement.
- 2. Soil Cover System: the entire 31,456 sq. ft. (0.7221 acres) of the surveyed property is subject to an engineering control that prevents exposure to remaining contamination in soils/fill at the Site.
- 3. Sub-Slab Depressurization System: the Building Structures area covering the footprint of buildings at ground level and comprising 16,417 sq. ft. (0.3769 acres) is subject to an engineering control that mitigates potential for vapor intrusion into building structures at the Site. A metes and bounds description of the Building Structures area is provided below.

MAIN BUILDING No. 1

ALL that certain plot, piece or parcel of land, and the building situated thereon, situate, lying and being in the City of White Plains, County of Westchester and State of New York, known and designated as portions of Lot Numbers 1, 2, 3, 4 and 13 in Block 3 on a certain map entitled, "Map of North White Plains, the Terminal City, situated in the Town and Village of White Plains and the Town of North Castle, in the County of Westchester and State of New York, surveyed for New York Suburbs Co." made by Lewis T. Haney, Civil Engineer and City Surveyor, 1907 and filed in the County Clerk's Office, Division of Land Records, formerly Register's Office of Westchester County, September 23, 1907 as Map Number 1749 and bounded and described as follows:

BEGINNING at a point lying within Lot 4 as shown on said Map being distant 5.73 feet on a bearing of S 08°27'44" W from the northeasterly corner of said Lot 4;

RUNNING THENCE through Lots 4, 3, 2, 1 and 13 the following courses and distances:

	, _,
S 01°43'38" E, 125.2 feet	to a point,
S 88'04'20" W, 10.3 feet	
S 01'55'40" E, 9.5 feet t	o a point,
S 88'04'20" W, 26.0 feet	
N 01°55'40" W, 9.5 feet t	
S 88'04'20" W, 12.6 feet	to a point,
S 01'55'40" E, 15.8 feet	
S 88'04'20" W, 46.6 feet	
N 01°55'40" W, 11.7 feet	
S 88'13'11" W, 70.7 feet	
N 14.11'25" E, 70.5 feet	to a point,
N 88°13'11" E, 51.1 feet	
N 01°46'49" W, 19.0 feet	
N 87'57'45" E, 57.2 feet	
N 01'52'20" W, 40.7 feet	
and N 87°57'45" E, 40.1	feet to the point or place of beginning

SMALL 2 STORY BRICK & STUCCO BUILDING

ALL that certain plot, piece or parcel of land, and the building situated thereon, situate, lying and being in the City of White Plains, County of Westchester and State of New York, known and designated as portions of Lot Numbers 1 and 13 in Block 3 on a certain map entitled, "Map of North White Plains, the Terminal City, situated in the Town and Village of White Plains and the Town of North Castle, in the County of Westchester and State of New York, surveyed for New York Suburbs Co." made by Lewis T. Haney, Civil Engineer and City Surveyor, 1907 and filed in the County Clerk's Office, Division of Land Records, formerly Register's Office of Westchester County, September 23, 1907 as Map Number 1749 and bounded and described as follows:

"HOLL1"

Der *C09-125* 0

BEGINNING at a point lying within Lot 1 as shown on said Map being distant 80.18 feet on a bearing of S 80°15'40" W from the northeasterly corner of Lot 4 as shown on said Map;

RUNNING THENCE through Lots 1 and 13 the following courses and distances: S 01°48'35" E, 30.0 feet to a point, S 87'59'10" W, 18.7 feet to a point, S 01°46'00" E, 1.8 feet to a point, S 88'14'00" W. 4.0 feet to a point. N 02'00'50" W, 1.8 feet to a point, S 87°59'10" W, 22.2 feet to a point, N 01°58'05" W, 30.0 feet to a point, and N 88°01'39" E, 45.0 feet to the point or place of beginning