

**BROWNFIELD CLEANUP PROGRAM
APPLICATION**

FOR

The Lofts on Main

Property Located at:

**922 Main Street and 921 Diven Street
Peekskill, New York**

Revised



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Check here if this application is to request significant changes to property set forth in an existing Brownfield Cleanup Agreement:

 Yes No

(If yes, skip to Section IV; see application instructions) below

Existing BCP project number: _____

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

July 2015

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME Parkview Development & Construction, LLC

ADDRESS c/o The Kearney Realty & Development Group Inc. 1777 Route 6

CITY/TOWN Carmel

ZIP CODE 10512

PHONE 845-306-7705

FAX 845-306-7707

E-MAIL thekearneygroup@aol.com

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

 Yes No

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

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

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

Section II. Project Description

1. What stage is the project starting at?

 Investigation Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

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

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

- reasonably anticipated use and benefits of the project to the community;
- anticipated remedial costs and cost of future development, if available;
- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

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

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

1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

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

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs	PAHs		
Metals	As, Pb, Cu, Hg		
Pesticides			
PCBs			
Other*			

*Please describe: See Attachment D for data.

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

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

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

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

- | | | | |
|---|--|---|--|
| <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: Historically used for residential and commercial purposes including a furniture store/warehouse

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME The Lofts on Main

ADDRESS/LOCATION 922 Main Street and 921 Diven Street

CITY/TOWN Peekskill ZIP CODE 10566

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY Westchester SITE SIZE (ACRES) 0.57

LATITUDE (degrees/minutes/seconds) 41 ° 17 ' 30.76 "	LONGITUDE (degrees/minutes/seconds) 73 ° 55 ' 16.78 "
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COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
922 Main Street	33.29	2	4	0.38
921 Diven Street	33.29	2	5	0.19

- Do the proposed site 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
- For purposes of the tangible property tax credit bonus, is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(6)? Yes No
If yes, identify census tract (see [DEC's website](#) for more information): 143
Percentage of property in En-zone (check one): 0-49% 50-99% 100%
- Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____
- Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No
- Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No
If yes, attach relevant supporting documentation.
- Are there any lands under water? Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

10. Property Description Narrative – **please refer to application instructions for proper format. Include sections for location, site features, current zoning and land use, past use of the site, and site geology and hydrogeology.**

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No
If yes, requestor must answer questions on the supplement at the end of this form.

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

Initials of each Requestor: *KZ* _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Kenneth Kearney		
ADDRESS 1777 Route 6		
CITY/TOWN Carmel	ZIP CODE 10512	
PHONE 845-306-7705	FAX 845-306-7707	E-MAIL kenkgroup@aol.com
NAME OF REQUESTOR'S CONSULTANT Ecosystems Strategies, Inc.		
ADDRESS 24 Davis Avenue		
CITY/TOWN Poughkeepsie	ZIP CODE 12603	
PHONE 845-452-1658	FAX 845-483-7083	E-MAIL paul@ecosystemsstrategies.com
NAME OF REQUESTOR'S ATTORNEY Lawrence Schnapf		
ADDRESS 55 East 87th Street #8B		
CITY/TOWN New York	ZIP CODE 10128	
PHONE 212-876-3189	FAX	E-MAIL Larry@SchnapfLaw.com

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

CURRENT OWNER'S NAME Parkview Development & Construction LLC and The Kearney Realty & Development Group, Inc.		
ADDRESS 1777 Route 6		
CITY/TOWN Carmel	ZIP CODE 10512	
PHONE 845-306-7705	FAX 845-306-7707	E-MAIL thekearneygroup@aol.com
CURRENT OPERATOR'S NAME		
ADDRESS		
CITY/TOWN	ZIP CODE	
PHONE	FAX	E-MAIL

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

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

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

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

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

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Have all known bulk storage tanks on-site been registered with DEC? Not Applicable Yes No

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other _____

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

Yes No

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

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

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

Section IX. Contact List Information

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

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

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am GENERAL PARTNER (title) of Parxview Development & Construction, LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. 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: 8-31-15 Signature: *Kenn Kearney*

Print Name: Kenneth Kearney

SUBMITTAL INFORMATION:

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

FOR DEC USE ONLY

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

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

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down or underutilized as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31):	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>"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.</p>	
<p>From 6 NYCRR 375-3.2(I) as of July 1, 2015: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p>	
<p>(I) "Underutilized" means, as of the date of application, real property:</p> <p style="margin-left: 20px;">(1) on which a building or buildings, can be certified by the municipality in which the site is located, to have for at least five years used no more than fifty percent of the permissible floor area under the applicable base zoning immediately prior to the application which has been in effect for at least five years;</p> <p style="margin-left: 20px;">(2) at which the proposed development is solely for a use other than residential or restricted residential;</p> <p style="margin-left: 20px;">(3) which could not be developed without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p style="margin-left: 20px;">(4) which is subject to one or more of the following conditions, as certified by the municipal department responsible for such determinations of the municipality in which the site is located:</p> <p style="margin-left: 40px;">(i) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p style="margin-left: 40px;">(ii) contains a building that is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p style="margin-left: 40px;">(iii) the proposed use is in whole or in substantial part for industrial uses.</p>	
<p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, or land purchase cost exemption or waiver, from a governmental entity; or for properties to be developed in whole or in part for industrial uses, a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or a tax credit, from a governmental entity, or a low-cost loan from an industrial fund managed by the municipality and partner financial institutions.</p>	

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

3. Is the project an affordable housing project as defined below?

Yes No

From 6 NYCRR 375- 3.2(a) as of July 1, 2015:

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name: The Lofts on Main
City: Peekskill

Site Address: 922 Main Street and 921 Diven Street
County: Westchester **Zip:** 10566

Tax Block & Lot
Section (if applicable): 33.29 **Block:** 2 **Lot:** 4

Requestor Name: Parkview Development & Construction, LLC **Requestor Address:** c/o The Kearney Realty & Development Group Inc. 1777 Route 6
City: Carmel **Zip:** 10512 **Email:** thekearneygroup@aol.com

Requestor's Representative (for billing purposes)
Name: Kenneth Kearney **Address:** 1777 Route 6
City: Carmel **Zip:** 10512 **Email:** kenkgroup@aol.com

Requestor's Attorney
Name: Lawrence Schnapf **Address:** 55 East 87th Street #8B
City: New York **Zip:** 10128 **Email:** Larry@SchnapfLaw.com

Requestor's Consultant
Name: Ecosystems Strategies, Inc. **Address:** 24 Davis Avenue
City: Poughkeepsie **Zip:** 12603 **Email:** paul@ecosystemsstrategies.com

Percentage of site within an En-Zone: 0% <50% 50-99% 100%

Requestor's Requested Status: Volunteer Participant

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	D. Tax Map
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	F. Zoning Map
	G. Zoning Map (Detail)
	H. Topographic Map
	I. Floodplain Maps
	J. Federal Wetland Map
	K. NYS Wetland Map
	L. Site Fieldwork Sampling Map
	M. Images for Proposed Development
C – Supplemental Records	
	NYS Division of Corporation – Entity Information
	Parkview Development & Construction LLC – members/owners names
	Letter to Document Repository and Library Acceptance e-mail
D – Previous Environmental Reports	
	Phase I Environmental Site Assessment dated December 3, 2015
	Phase II Environmental Site Assessment dated July 21, 2015
	Supplementary Subsurface Investigation dated August 12, 2015



A – Supplemental Information

Attachment A – Supplemental Information

Section II: Property Information Supplement

Property Description Narrative

The proposed “The Lofts on Main” property (hereafter referred to as the Site) consists of two tax lots located at 922 Main Street and 921 Diven Street, City of Peekskill, Westchester County, New York (identified as City of Peekskill tax lot parcels: Section 33.29, Block 2, Lots 4 & 5, respectively). The Site lots are being merged at the time of this application. The Site is a rectangular-shaped, 0.57-acre property which has 120 feet of frontage on the northern side of Main Street and 117.3 feet of frontage on the southern side of Diven Street (see Site Detail Map, Attachment B).

For additional information the on Site, see the Phase I and II Environmental Site Assessments dated December 3, 2014 and July 21, 2015, respectively (see Attachment D).

The Site is owned by and Parkview Development & Construction, LLC and The Kearney Realty & Development Group Inc.

Purpose and Scope of the Project

Parkview Development & Construction, LLC (Requestor), owner of the Site is seeking the acceptance of the proposed Site into the New York State Brownfield Cleanup Program (BCP). The purpose of the project is to remediate the site to permit redevelopment and re-use of the property for a multi-use development consisting of first floor commercial and affordable housing units (restricted residential). The contamination at the Site exceeds the restricted residential soil cleanup objectives and requires remediation to accommodate the proposed use of the Site. Therefore, the Site qualifies as a Brownfield Site as defined at proposed 6 NYCRR 375-1.2(b).

This project will support development of affordable housing and job creation. Sustainable materials and systems promoting occupant’s health, energy conservation and operation and maintenance savings will be designed and implemented.

Development plans for the Site include the construction of a four story mixed-use building (Building 1) located along the southern portions of the Site and a four story residential building (Building 2) located along the northern portions of the Site. A breezeway will connect the second level of Building 1 to the first level of Building 2. A landscaped courtyard area consisting of paver stones, planters, and benches will be located at the central portions of the Site. Each building will have a footprint of approximately 9,700 square feet. Building 1 will be a slab-on-grade structure. Building 2 will have a finished elevation of approximately 21 feet below street level. The proposed construction will create 70 residential units, 4 commercial units, and an art gallery.

In order to document on-site contamination, preliminary investigative activities were performed on the Site under the direction of Ecosystems Strategies, Inc. A Phase II Environmental Site Assessment was issued on July 21, 2015 and a supplemental subsurface investigation was performed in August 2015 (see below). Following acceptance to the BCP, the requestor will submit (in sequence) a Remedial Investigation Work Plan (RIWP), a Remedial Investigation Report (RIR), and a Remedial Action Work Plan (RAWP) to the New York State Department of Environmental Conservation (NYSDEC) for approval prior to initiation of site remediation. Following site remediation and NYSDEC approval, a Certificate of Completion would be issued.

Metals (e.g., arsenic, lead, mercury) and semi-volatile organic compound (e.g., benzo(a)anthracene, indeno(1,2,3-cd)pyrene) were identified in soil samples collected on the Site during the Phase II Environmental Site Assessment and supplemental subsurface investigation

Attachment A – Supplemental Information

exceed the restricted residential Soil Cleanup Objectives (SCOs) as provided in 6 NYCRR Subpart 375, Table 375-6.8(b). Fill soils and buried debris containing metallic items and materials that may be painted are likely sources of the contamination (see Item 10 below). Appropriate measures have been taken by the owner/requestor to contain and prevent human exposures to contaminated soils identified at the Site. During development activities, the owner/requestor will take appropriate measures to remediate and prevent human, environmental, or natural resource exposure to subsurface soil contamination at the Site (see also Section VII below). The project will excavate/remove approximately 10,000 tons of fill and debris as regulated waste. No tanks are known to exist at the Site. Any tanks identified during development will be registered in accordance with NYSDEC regulations.

The lender/investors for this project will require any cleanup be conducted with oversight of the NYSDEC so that the NYSDEC can issue a certificate of completion and liability release from the State of New York. The remediation of the existing contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be scheduling impacts associated with soil sampling and excavation site constraints that will extend the timeframes customarily required for traditional site excavation. Moreover, the BCP will enable the applicant to qualify for hazardous waste program fee exemption.

The tax credits available under the Brownfield Cleanup Program will make the project more economically feasible and result in substantial public benefits such as construction jobs and full-time employees as well as facilitate the redevelopment of the area.

Anticipated Project Schedule

Anticipated Date	Item/Task
August 2015	Submit application to the NYSDEC Brownfield Cleanup Program (BCP)
September 2015	NYSDEC determination of completeness
October 2015	BCP Agreement Issued BCP Agreement Executed Submission of RIWP
November 2015	Completion of Investigation
December 2015	Submission of RIR and RAWP Supplementary Site Investigation (if required)
February 2016	Approval of RAWP Issuance of Decision Documentation
March – July 2016	Remediation
December 2016	Issuance of Certificate of Completion

Attachment A – Supplemental Information

Section IV: Property's Environmental History

Item 10 – Property Description Narrative

Location

The proposed “The Lofts on Main” property (hereafter referred to as the Site) consists of two tax lots located at 922 Main Street and 921 Diven, City of Peekskill, Dutchess County, New York (identified as City of Peekskill tax lot parcels: Section 33.29, Block 2, Lots 4 & 5, respectively). The subject property is a rectangular-shaped, vacant 0.57-acre parcel, which has 120 feet of frontage on the northern side of Main Street and 117.3.2 feet of frontage on the southern side of Diven Street.

Site Features

The property is currently a vacant lot with overgrown vegetation. Concrete pads and rebar grids from an aborted earlier attempt at site development are located along the southern-central portions of the property. Geothermal wells are located on the southeastern portion of the property. The eastern and western property lines are bounded by institutional and residential properties while the northern and southern property borders are defined by Diven Street and Main Street, respectively (see Site Detail Map, Attachment B).

Current Zoning and Land Use

Current Zoning: C-2, Central Commercial. C-2 zoning permits the construction of new mixed-use buildings pursuant to Section 575-33B(11) and artist lofts pursuant to Section 575-33B(3) of the City of Peekskill Zoning Ordinance (see also Section X, Item 5 below). Current Land Use: The Site consists of vacant land that was previously utilized for commercial purposes (see Site Property Map and Land Use Map, Attachment B).

Past Use of the Site

Information regarding the environmental history of the Site was obtained from historical maps, ownership and occupant records, local records, and regulatory records. Information regarding subsurface conditions at the site was obtained from boring logs and laboratory data (provided in Appendix D).

The site is known to have been used for residential, commercial, and possibly manufacturing purposes since at least 1887. Information obtained during the review of Sanborn maps indicate that the site contained a furniture and upholstery store from sometime prior to 1895 until circa 1942 when a furniture warehouse replaced the upholstery shop. A review of city directories indicate that occupants of the subject property have included a furniture company in 1971, a shade company between 1971 and 1976, and the Paraco Fuel Corporation between 1971 and 1992. Some of the above-referenced activities have the potential to have handled/used solvents, paints, and other chemicals. The source of the documented soil contamination is consistent with historical manufacturing operations or other commercial uses and possibly debris materials from the demolition of former on-site structures that has resulted in contaminated media (identified in test pits extended at the Site, see below).

A total of 16 test pits were extended to maximum depths of approximately 12 feet below surface grade (bsg) during the Phase II Environmental Site Assessment and supplemental subsurface investigation in order to provide preliminary characterization of the site. Laboratory data

Attachment A – Supplemental Information

document an absence of VOCs in soil samples collected at the Site. Elevated concentrations of semi-volatile organic compounds (SVOCs), pesticides, and/or metals were detected in soil samples and low-level concentrations of a variety of aliphatic and aromatic VOCs were detected in soil vapor samples collected throughout the Site above the restricted residential SCOs.

Observations made during fieldwork activities indicate the presence of buried debris consisting of brick, metallic materials, and building materials. With the exception of the northern portions of the Site, fill materials and debris were identified in each test pit at depths ranging from surface elevations to a maximum depth of approximately 9 feet below grade. No field evidence of petroleum contamination (odors, elevated PID readings, staining), tanks, drums, or hazardous materials were noted; however, metallic and painted materials, and possibly pesticides, are likely sources of elevated metals concentrations. Groundwater was not encountered during the extension of any test pits.

Metal contamination is present throughout the site, with peak concentrations at the southern, eastern, and central portions of the property (also the location of elevated SVOC and pesticide levels) exceeding the restricted residential SCOs. Thus, on-site soils will require management as regulated waste.

Site Geology and Hydrogeology

A review of the Geologic Map of New York and the Surficial Geologic Map of New York (lower Hudson sheets) indicates that soils on the site are likely to be derived from glacial till deposits, which overlie granitic gneiss. Soil maps presented in the USDA NRCS Soil Survey of Westchester County, New York (Soil Survey), indicate that the Urban Land soil series is likely to be located on the property. The Urban Land designation is provided for areas where at least 50% of the surface is covered by buildings, parking areas or other impervious structures, and specific soil and bedrock characteristics are generally not well known. The former presence of on-site structures suggests that soils located on the property may have been altered by cutting, regrading and/or filling activities.

Subsurface soils encountered during the extension of test pits at the southern portions of the Site generally consisted of brown to dark brown, variable texture sand with cobbles and boulders. Subsurface soils encountered at the northern portions of the Site generally consisted of light brown to brown, fine sand with gravel, cobbles, and boulders. With the exception of the northern portions of the Site, debris materials (i.e., metallic items, asphalt, and/or brick) was encountered in each test pit at depths ranging from less than 1 foot bsg to approximately 9 feet bsg. No construction materials suspected of containing asbestos, or having painted surfaces likely to contain lead, were observed at any test pit location.

Information regarding on-site surface hydrology was obtained from the review of applicable maps, including the New York State Department of Environmental Conservation (NYSDEC) Freshwater Wetlands Map and the United States Department of the Interior National Wetlands Inventory Map, from National Flood Insurance Program Flood Insurance Rate Maps (FIRM), and from observations made during the site inspection. According to these sources, there are no surface water bodies, wet areas, or regulated wetlands on or near the property. Wetlands and Floodplain maps are provided in Attachment B.

Groundwater was not encountered during the extension of test pits to maximum depths of 12 feet bsg grade at the Site. Shallow groundwater flow in the vicinity of the property is likely to follow

Attachment A – Supplemental Information

overall surficial topography and be to the west, toward the Hudson River (located approximately 0.6-mile from the property).

Section VI: Current Property Owner/Operator Information

Current and Past Property Owners

922 Main Street (Lot 4)			
Date of Ownership	Owner	Date of Operations	Operator
12/31/2013- present	Parkview Development & Construction, LLC 1777 Route US Route 6 Carmel, NY 10512 (current owner)	12/31/2013	Parkview Development & Construction, LLC 1777 Route US Route 6 Carmel, NY 10512 (current owner)
12/28/2004	Peekskill NC, LLC c/o CPC Resources, Inc. 28 East 28th Street, 9th Floor New York, New York, 10016	12/28/2004	Peekskill NC, LLC c/o CPC Resources, Inc. 28 East 28th Street, 9th Floor New York, New York, 10016
2/3/2000	City of Peekskill 840 Main Street Peekskill, NY 10566	2/3/2000	City of Peekskill 840 Main Street Peekskill, NY 10566
9/1982	Paraco Fuel Corporation c/o Paraco Gas 800 Westchester Avenue S604 Rye Brook, NY 10573	9/1982	Paraco Fuel Corporation c/o Paraco Gas 800 Westchester Avenue S604 Rye Brook, NY 10573
5/1974	Peekskill Urban Renewal Agency 840 Main Street Peekskill, NY 10566	5/1974	Peekskill Urban Renewal Agency 840 Main Street Peekskill, NY 10566
Unknown	Jennie & Morris Borock (both deceased) Contact information not available	Unknown	Jennie & Morris Borock (both deceased) Contact information not available

Attachment A – Supplemental Information

921 Diven Street (Lot 5)			
Date of Ownership	Owner	Date of Operations	Operator
12/31/2013	Parkview Development & Construction, LLC 1777 Route US Route 6 Carmel, NY 10512 (current owner)	12/31/2013	Parkview Development & Construction, LLC 1777 Route US Route 6 Carmel, NY 10512 (current owner)
12/28/2004	Peekskill NC, LLC c/o CPC Resources, Inc. 28 East 28th Street, 9th Floor New York, New York, 10016	12/29/2004	Peekskill NC, LLC c/o CPC Resources, Inc. 28 East 28th Street, 9th Floor New York, New York, 10016
2/3/2000	City of Peekskill 840 Main Street Peekskill, NY 10566	2/3/2000	City of Peekskill 840 Main Street Peekskill, NY 10566
12/1979	Paraco Fuel Corporation c/o Paraco Gas 800 Westchester Avenue S604 Rye Brook, NY 10573	12/1979	Paraco Fuel Corporation c/o Paraco Gas 800 Westchester Avenue S604 Rye Brook, NY 10573
5/1971	Benjamin and David Newman (both deceased) Contact information not available	5/1971	Benjamin and David Newman (both deceased) Contact information not available
Unknown	Esther Newman (deceased) Contact information not available	Unknown	Esther Newman (deceased) Contact information not available

Supplemental Current and Past Owners Information

No other ownership history is available for review. Additional information regarding the historical operations at the Site obtained from Sanborn maps, local records, and city directories is provided in Attachment D; however, no reasonably ascertainable contact information for former on-site commercial and residential occupants is available.

Section VII – Requestor Eligibility Information

The Requestor qualifies as a Volunteer because (i) all disposals occurred prior to the time it acquired title to the Site, ii) The Requestor does not have any previous relationship or corporate affiliation with responsible party and (iii) with any of the Site’s current or former owners, occupants, or operators and (iii) completed All Appropriate Inquiries (AAI) pursuant to 40 CFR 312 prior to taking title. Since acquiring title and assuming control over the Site, Requestor has exercised “appropriate care” by ensuring that no releases have taken place and protecting human health exposures by not disturbing the soils at the Site. Requestor will not disturb soils until the RIR and RAWP are approved by the NYSDEC. A CAMP will be implemented during remedial activities.

Attachment A – Supplemental Information

Section VIII – Property Eligibility Information

5. Existing Order

No existing order has been issued for the Site.

6. Enforcement Action Pending

No enforcement action pending.

Section IX: Contact Information

Item 1: Local Officials

City of Peekskill Mayor	Frank A. Catalina Peekskill City Hall 840 Main Street Peekskill, NY 10566 (914) 737-3400
City Manager of City of Peekskill:	Richard Leins City of Peekskill 840 Main Street Peekskill, NY 10566 (914) 734-4245
City of Peekskill Council Member	Carol Capobianco, Chair City of Peekskill 840 Main Street Peekskill, NY 10566 (914) 737-3400
Building Planning & Zoning:	Jeffrey Stern, Chair City of Peekskill 840 Main Street Peekskill, NY 10566 (914) 737-3400

Attachment A – Supplemental Information

Item 2: Residents, Owners, and Occupants of Property and Adjoining Properties

Address Parcel Identification	Owner Name and Address	Current Operators/ Occupants
Property		
922 Main Street 33.29-2-4	Parkview Development & Construction LLC Kearney Realty & Development Group, Inc. 1777 US Route 6 Carmel, New York 10512	Vacant
921 Diven Street 33.29-2-5	Parkview Development & Construction LLC Kearney Realty & Development Group, Inc. 1777 US Route 6 Carmel, New York 10512	Vacant
Adjoining Properties		
924 Diven Street 33.21-3-2	Kelly Courts, Inc. 205 Nelson Avenue Peekskill, NY 10566	Vacant
930 Diven Street 33.21-3-3	Schurr, Noreen PO Box 2188 Peekskill, NY 10566	Condominiums, apartments, multi-family residential
929 Diven Street 33.29-2-29	Bobolia, Nicholas 22 Shaw Highway Cortlandt Manor, NY 10567	Single family residential
942 Main Street 33.29-2-6	Spanish Church 942 Main Street Peekskill, NY 10566	Mixed use
900 Central Avenue 33.29-4-16	City of Peekskill 840 Main Street Peekskill, NY 10566	Transportation, communications, utilities
951 Main Street 33.29-4-17	Barham House LLC 700 White Plains Road Scarsdale, NY 10583	Condominiums, apartments, multi-family residential
205 Nelson Avenue 33.21-3-1	Kelly Courts, Inc. 205 Nelson Avenue Peekskill, NY 10566	Condominiums, apartments, multi-family residential
916 Main Street 33.29-2-3	916 Peekskill Realty Bruno Gonzalez 33 Bleakley Drive Peekskill, NY 10566	Mixed use
Information provided by http://giswww.westchestergov.com/taxmaps/default.aspx?sMun=Peekskill#		

Attachment A – Supplemental Information

Item 3: News Media

The Journal News
1133 Westchester Ave
Suite N110
White Plains NY 10604
(914) 694-5158

Item 4: Public Water Supplier

City of Peekskill Department of Public Works
Edward A. Khuns III, Superintendent
840 Main Street
Peekskill, NY 10566
(914) 734-4150

Item 5: Persons requesting to be placed on the contact list

None to date

Item 6: Administrator for any nearby school or day care facility

None

Item 7: Document Repository

Robert Boyle
Peekskill Public Library
Field Library
4 Nelson Avenue
Peekskill, NY 10566
(914) 737-1212

Item 8: Community Board

Not Applicable

Attachment A – Supplemental Information

Section X: Land Use Factors Supplement

Item 2: Current Use

As displayed in the Property Map Detail (Exhibit C), the Site is a vacant parcel in an urban environment.

Item 3: Intended Use

The Site will be remediated within the BCP program to comply with the restricted residential SCOs, followed by construction of new 4 story, mixed-use and residential buildings (Building 1 and Building 2, respectively). Beginning at grade level, Building 1 will include 4 commercial units, an art gallery unit, elevator bank, mechanical, laundry, and bike rooms. Building 2 will begin at approximately 21 feet below street level and include three residential units, a superintendent's unit, management office, and media, laundry, mechanical, fitness, and common rooms. The remaining residential units will be located on the second through fourth floors in each building. All residential units will be 100% affordable housing.

Item 4: Historical/Current Development

The Site is located in an urban area comprised primarily of multi-family residential and commercial properties. A description of the adjoining and nearby properties is provided in the table below.

The Site is known to have been used for residential, commercial, and possibly manufacturing purposes since at least 1887 until sometime between 2000 and 2004 when the former on-site structure was demolished. Sanborn maps indicate that furniture and upholstery stores and a furniture warehouse were formerly located at the Site. City directories indicate that occupants of the subject property included a furniture company, a shade company, and the Paraco Fuel Corporation. A full presentation of historical operations is provided in Attachment D.

Item 5: Proposed Use Consistent with Applicable Zoning Laws/Maps

The Site is located in a C-2, central commercial zoning area which permits construction of new mixed-use buildings pursuant to Section 575-33B(11) and artist lofts pursuant to Section 575-33B(3) of the City of Peekskill Zoning Ordinance. Proposed use is consistent with applicable zoning laws.

Item 6: Proposed Use Consistent with Applicable Comprehensive Community Master

The proposed use includes the construction of four story mixed-use and residential buildings which will create jobs and 70 affordable housing units. The proposed use is consistent with the City of Peekskill Main Street revitalization.



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B – Exhibits

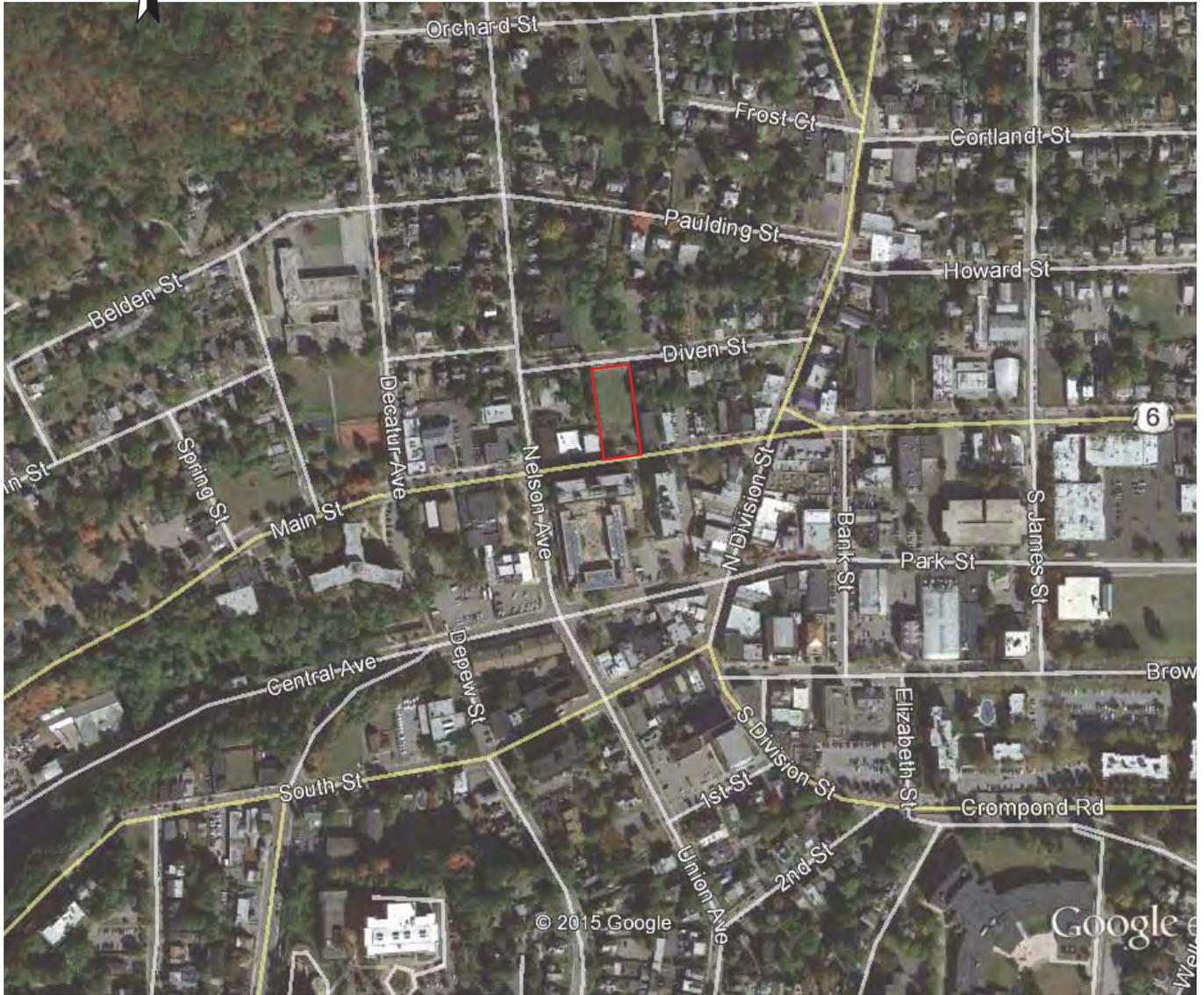
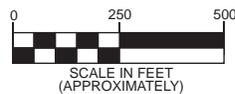


Exhibit A - Site Location Map

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

Legend: — subject property border

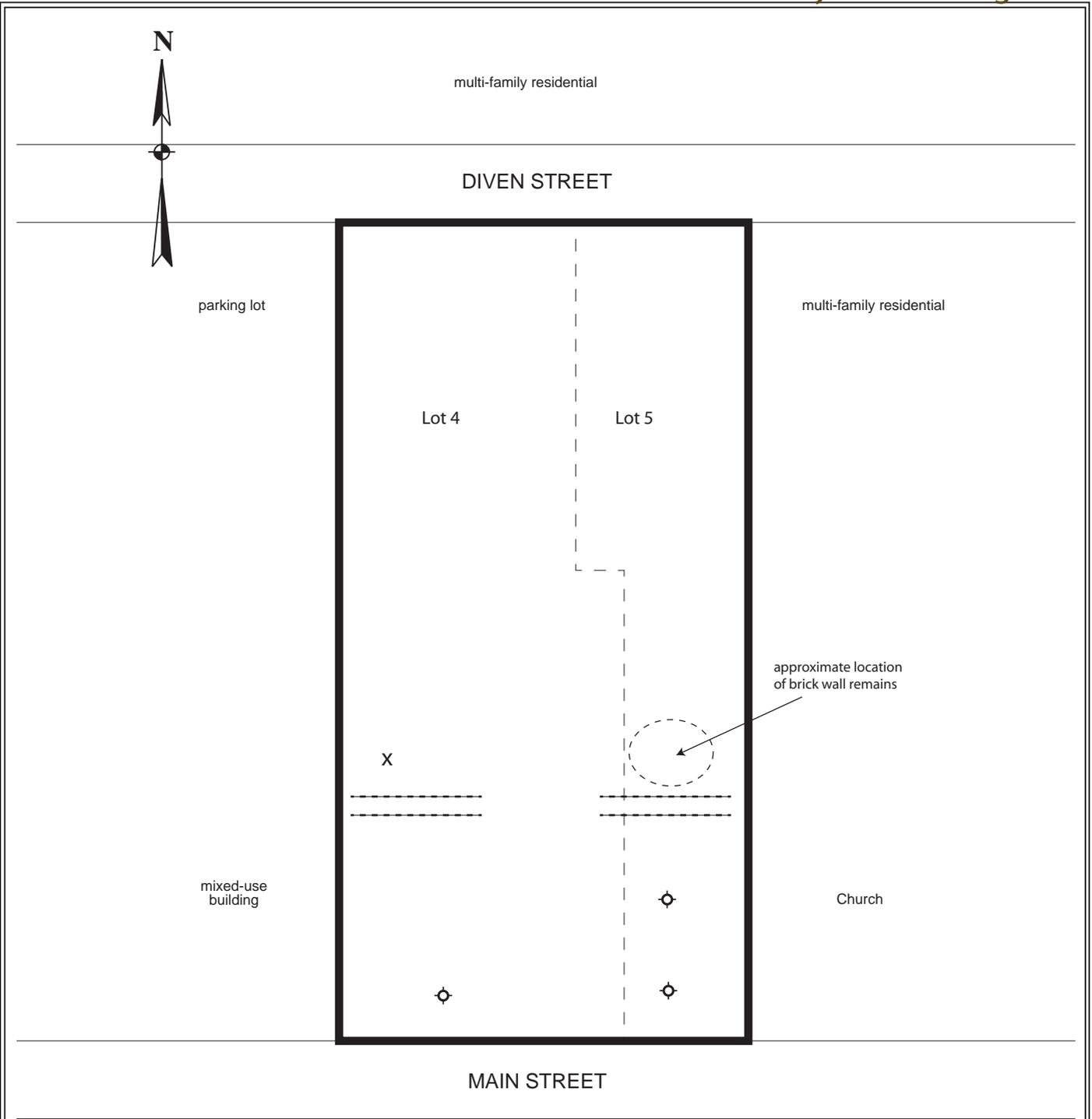
Longitude = -73°55'16.78"W
 Latitude = 41°17'30.90"N



ESI File: KP14175.50

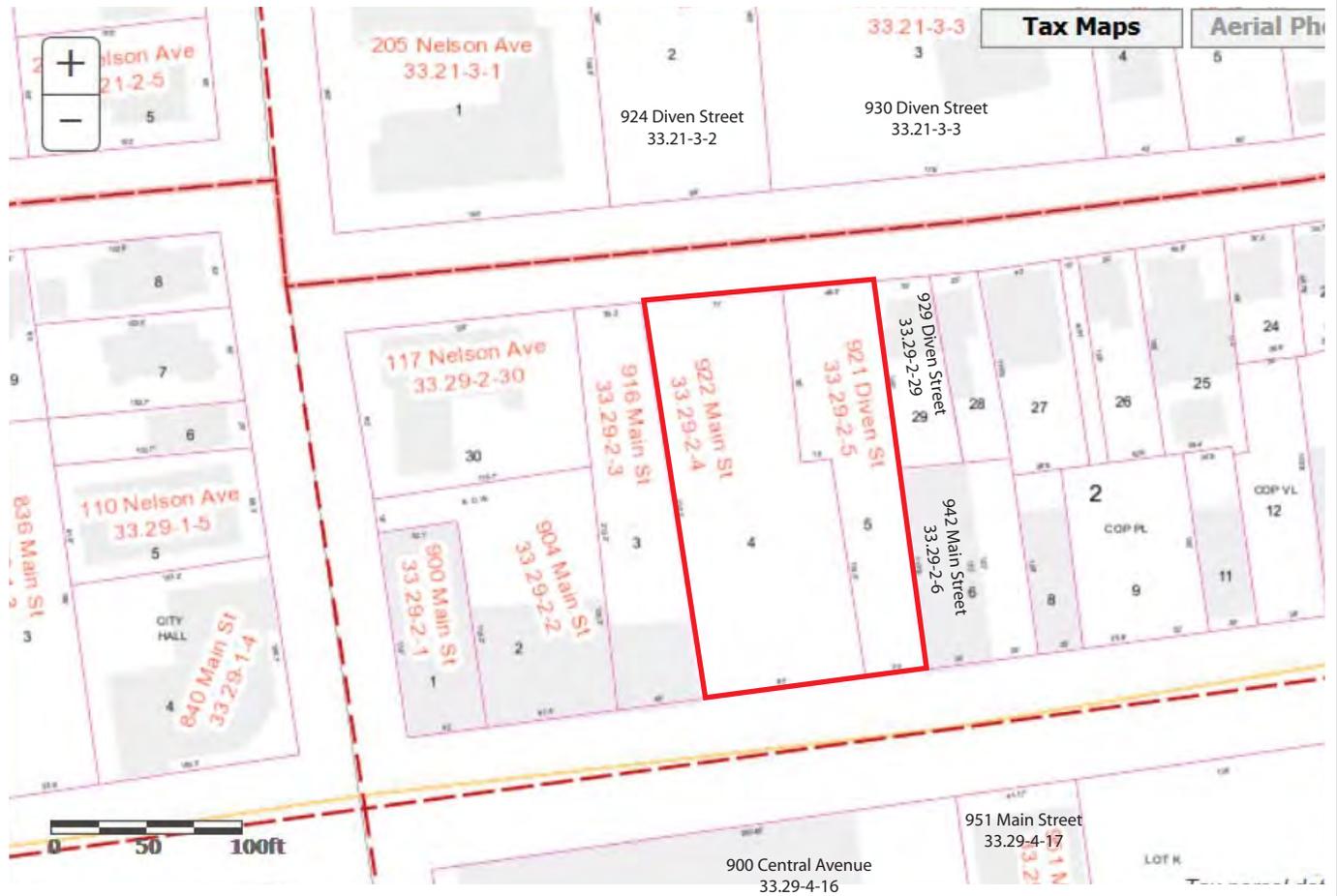
August 2015

Attachment B



All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

<p>Exhibit B - Site Detail Map 922 Main Street and 921 Diven Street City of Peekskill Westchester County, New York</p>	<p>Legend:</p> <ul style="list-style-type: none"> subject property border approximate location of concrete & rebar ⊙ approximate location of Geothermal wells x approximate location of 2 inch pipe 	<p>ESI File: KP14175.50</p>
		<p>August 2015</p>
		<p>Scale as shown</p>
		<p>Attachment B</p>



Source map provided by <http://giswww.westchestergov.com/taxmaps/default.aspx?sMun=Peekskill>

Exhibit D - Tax Map

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

Legend:

— subject property border

ESI File: KP14175.50

August 2015

Attachment B



LEGEND:

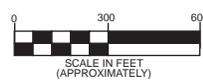
-  Agricultural Uses - Farms, Stables, Nurseries
-  Single Family Residential
-  Two, Three Family and Multi-Structure Properties
-  Condominiums, Apartments, Multi-Family Residential Use
-  Common Land Homeowner Assoc.
-  Vacant Properties
-  Commercial and Retail
-  Manufacturing, Industrial and Warehouse
-  Office and Research
-  Mixed Use
-  Institutional and Public Assembly
-  Transportation, Communications and Utilities
-  Cemeteries
-  Public Parks and Parkway Lands
-  Private Recreation
-  Nature Preserve
-  Water Supply Lands
-  Interior Water Bodies

Exhibit E - Land Use

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

Legend:

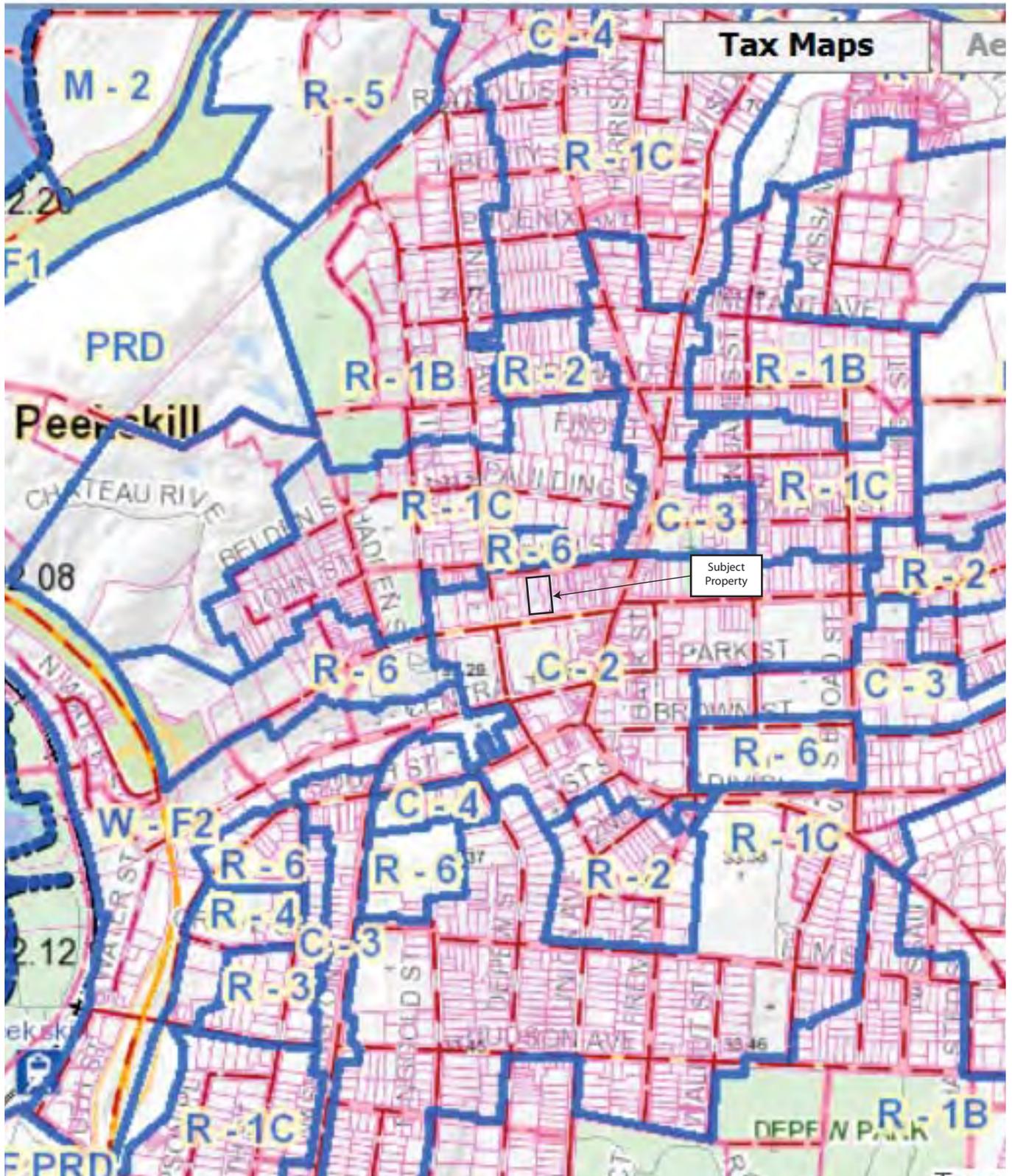
 subject property border



ESI File: KP14175.50

August 2015

Attachment B



Source map provided by <http://giswww.westchestergov.com/taxmaps/default.aspx?sMun=Peekskill>

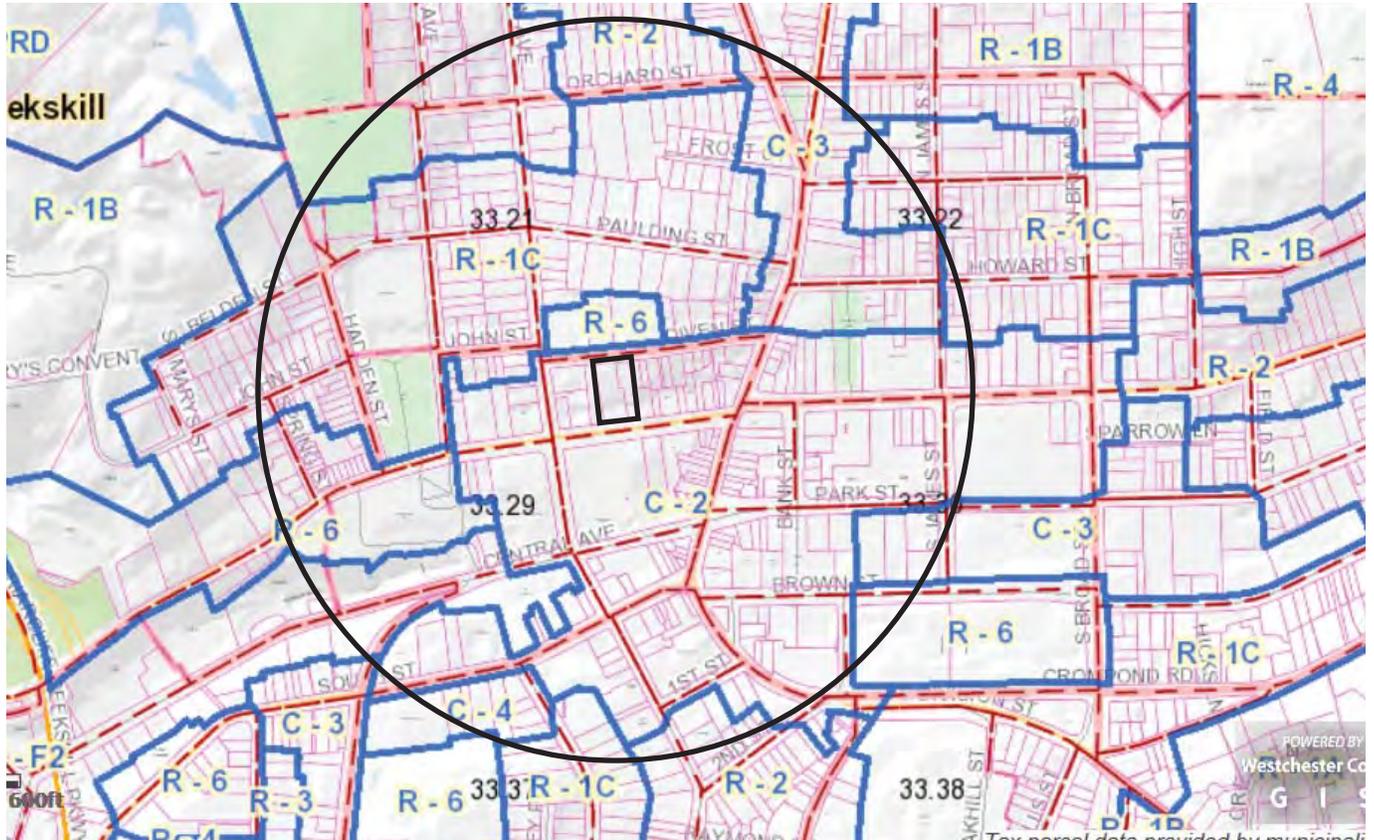
Exhibit F - Zoning Map

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

ESI File: KP14175.50

August 2015

Attachment B

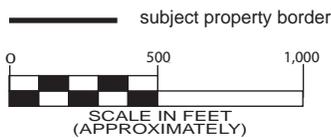


Source map provided by <http://giswww.westchestergov.com/taxmaps/default.aspx?sMun=Peekskill>

Exhibit G - Zoning Map (1,000' Radius)

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

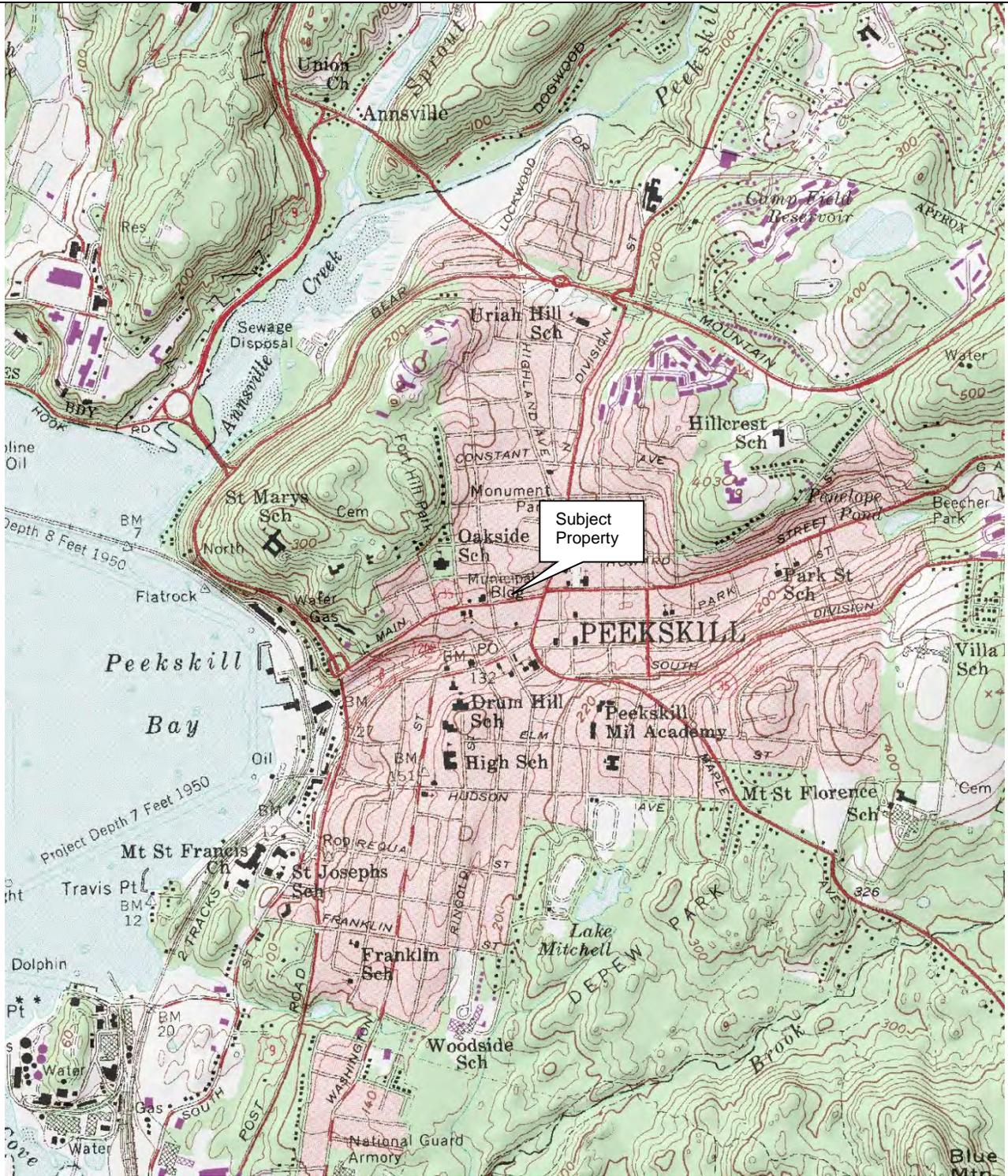
Legend:



ESI File: KP14175.50

August 2015

Attachment B



Source: USGS Topographic Map of the Peekskill, New York Quadrangle, dated 1981, digital image provided by MyTopo.com

Exhibit H - U.S.G.S. Topographic Map

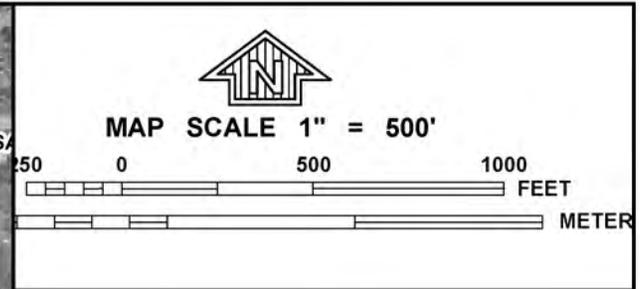
922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York



ESI File: KP14175.50

August 2015

Scale: 1:24000



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0016F

FIRM
FLOOD INSURANCE RATE MAP

for WESTCHESTER COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
CORTLANDT, TOWN OF	360906
PEEKSKILL, CITY OF	360924

PANEL 16 OF 426
MAP SUFFIX: F
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
36119C0016F

EFFECTIVE DATE
SEPTEMBER 28, 2007

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov


U.S. Fish and Wildlife Service
National Wetlands Inventory



- Wetlands**
- Freshwater Emergent
 - Freshwater Forested/Shrub
 - Estuarine and Marine Deep
 - Estuarine and Marine
 - Freshwater Pond
 - Lake
 - Riverine
 - Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Source map provided by www.fws.gov/wetlands/Data/Mapper.html

Exhibit J - Federal Wetlands Map

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

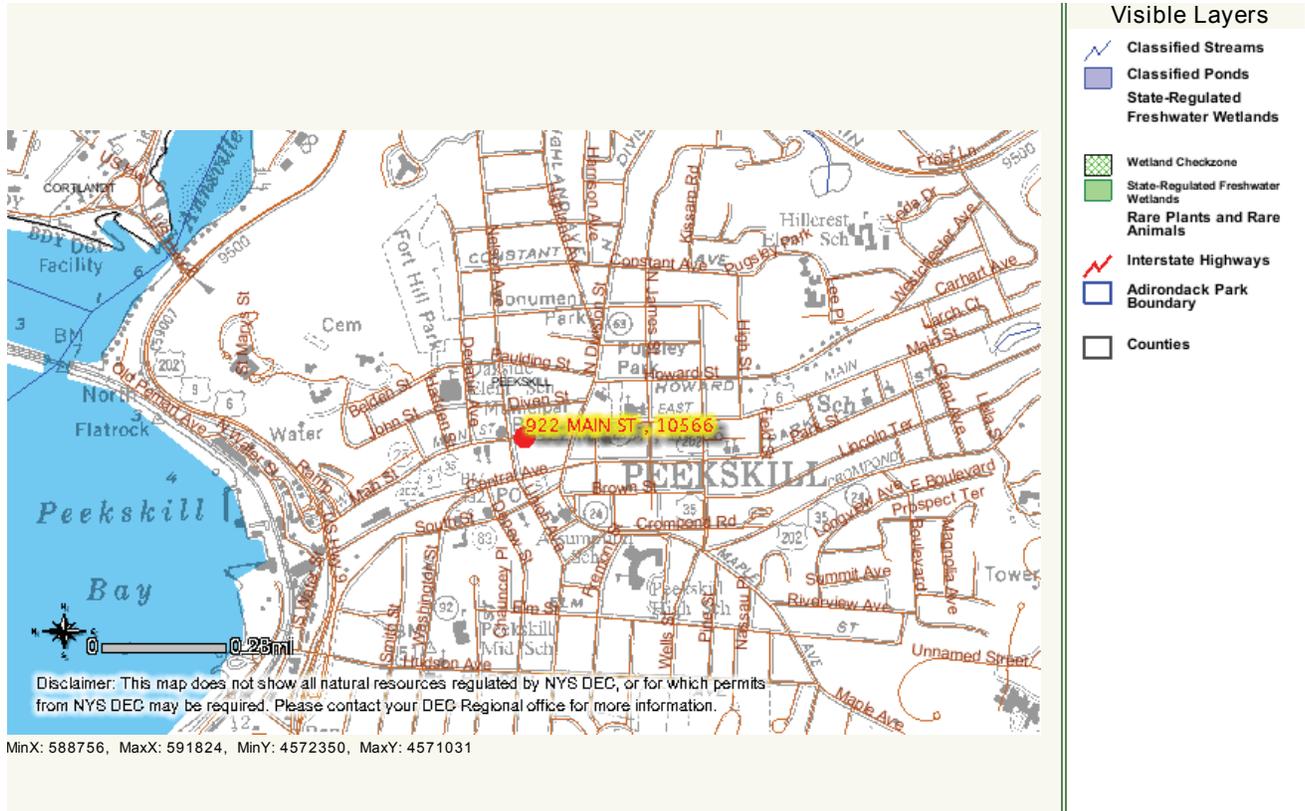
Legend:

subject property border

ESI File: KP14175.50

August 2015

Attachment B



Source Map provided by NYS Environmental Resource Mapper at www.dec.ny.gov

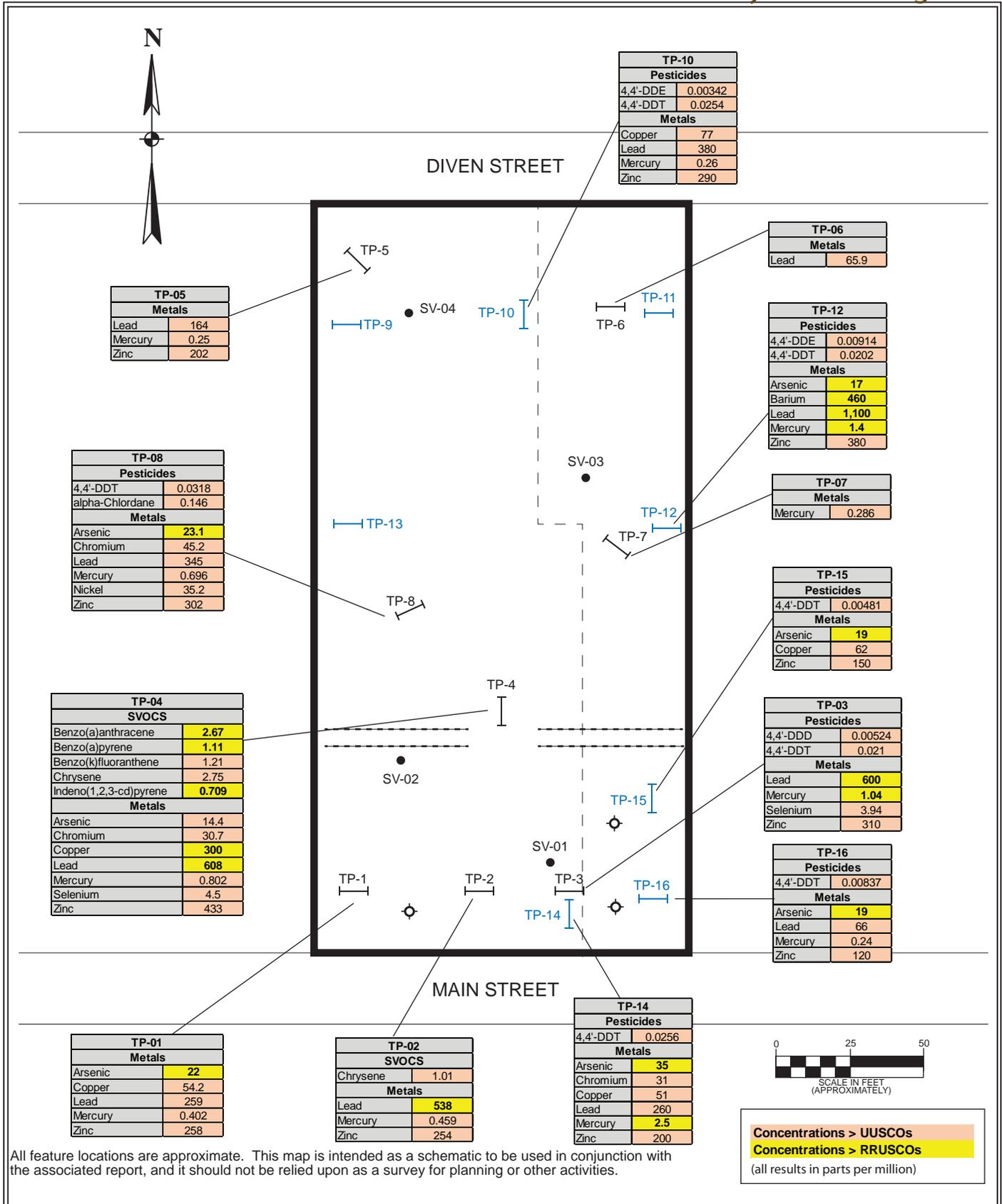
Exhibit K - New York State Map

922 Main Street and 921 Diven Street
 City of Peekskill
 Westchester County, New York

ESI File: KP14175.50

August 2015

Attachment B



All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

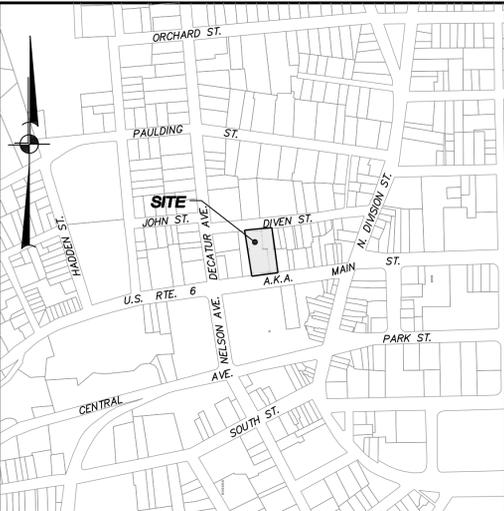
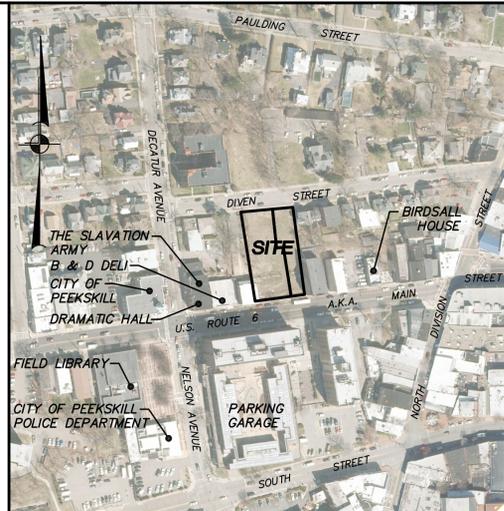
<p>Exhibit L- Sampling Map 922 Main Street and 921 Diven Street City of Peekskill Westchester County, New York</p>	<p>Legend:</p> <ul style="list-style-type: none"> subject property border lot line approximate location of concrete & rebar approximate location of Geothermal wells test pit location 6/22/15 test pit location 8/5/15 soil vapor location 	<p>ESI File: KP14175.20</p>
	<p>August 2015</p>	<p>Scale as shown</p>
	<p>Attachment B</p>	



Ecosystems Strategies, Inc.

Exhibit M – Images for Proposed Development

PLANT LIST				
KEY	QTY	BOTANICAL/COMMON NAME	SIZE	ROOT/SPACER
SHADE AND FLOWERING TREES				
CF	4	<i>Cornus florida</i> / Flowering Dogwood	7' - 8' HT.	B&B
RP	2	<i>Robinia pseudoacacia</i> / Black Locust	2"-2 1/2" CAL.	B&B
SHRUBS				
CO	24	<i>Chamaecyparis obtusa</i> 'Nana Lutea' / Golden Dwarf Hinoki Cypress	30" - 36" HT.	#5 CONT.
RR	8	<i>Rhododendron</i> var. / Bloom-A-Than Red Reblooming Azalea	24" - 30" HT.	#5 CONT.
PERENNIALS/GROUNDCOVERS				
IC	24	<i>Iris cristata</i> / Crested Iris	12"-15" HT	#1 CONT. / 18"O.C.
LM	28	<i>Lamium maculatum</i> / Dead Nettle	12"-15" HT	#1 CONT. / 18"O.C.
SH	87	<i>Sarcococca hookeriana</i> var. <i>humilis</i> / Sweetbox	12"-15" HT	#1 CONT. / 24"O.C.
VM	30	<i>Vinca Minor</i> / Periwinkle	12"-18" SPR.	4" POT / 18"O.C.



AREA MAP

SCALE: 1" = 200'±

LOCATION MAP

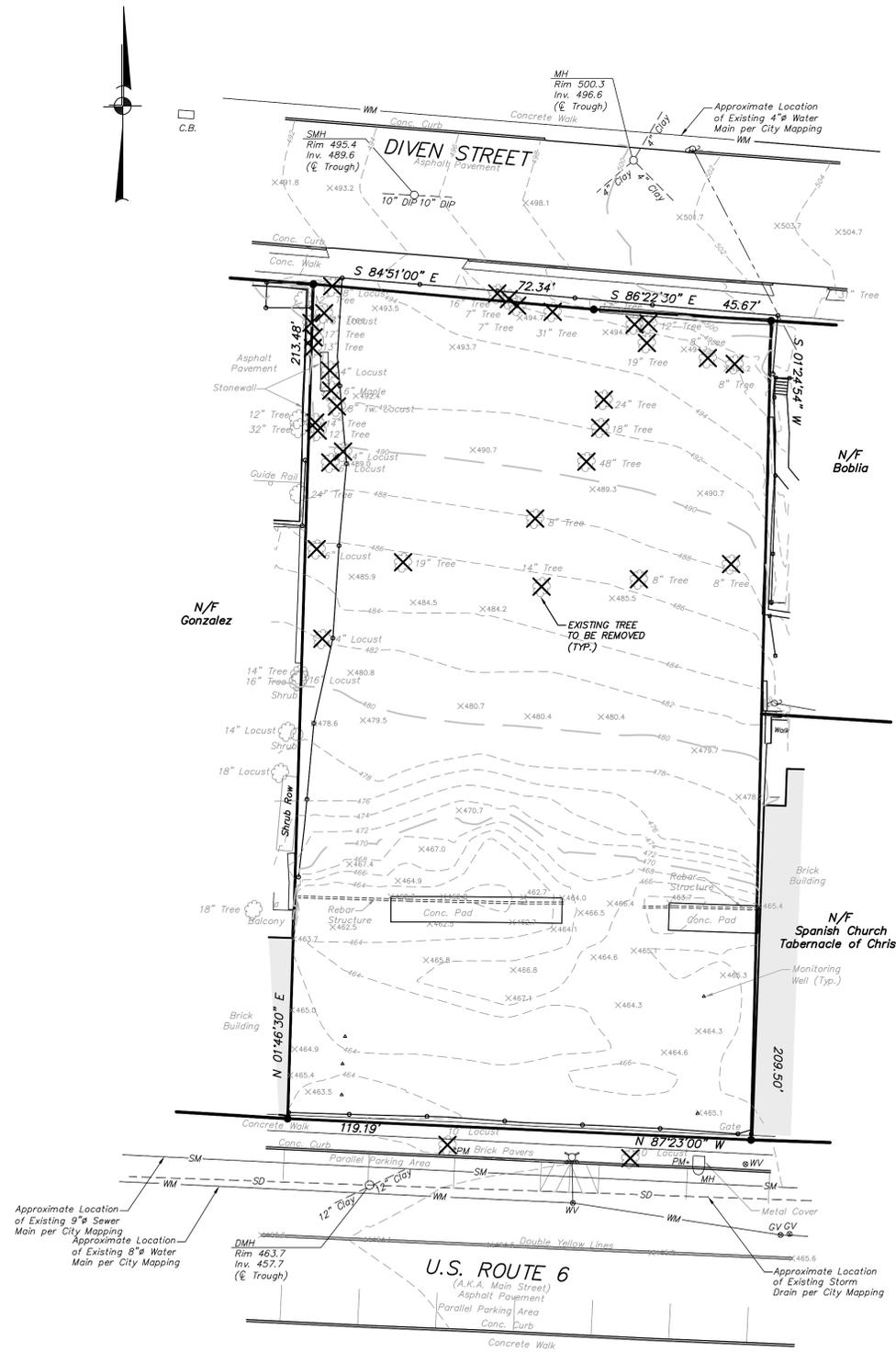
SCALE: 1" = 400'±

OWNER/APPLICANT:
The Kearney Realty and Development Group, Inc.
1777 Route 6
Carmel, NY 10512

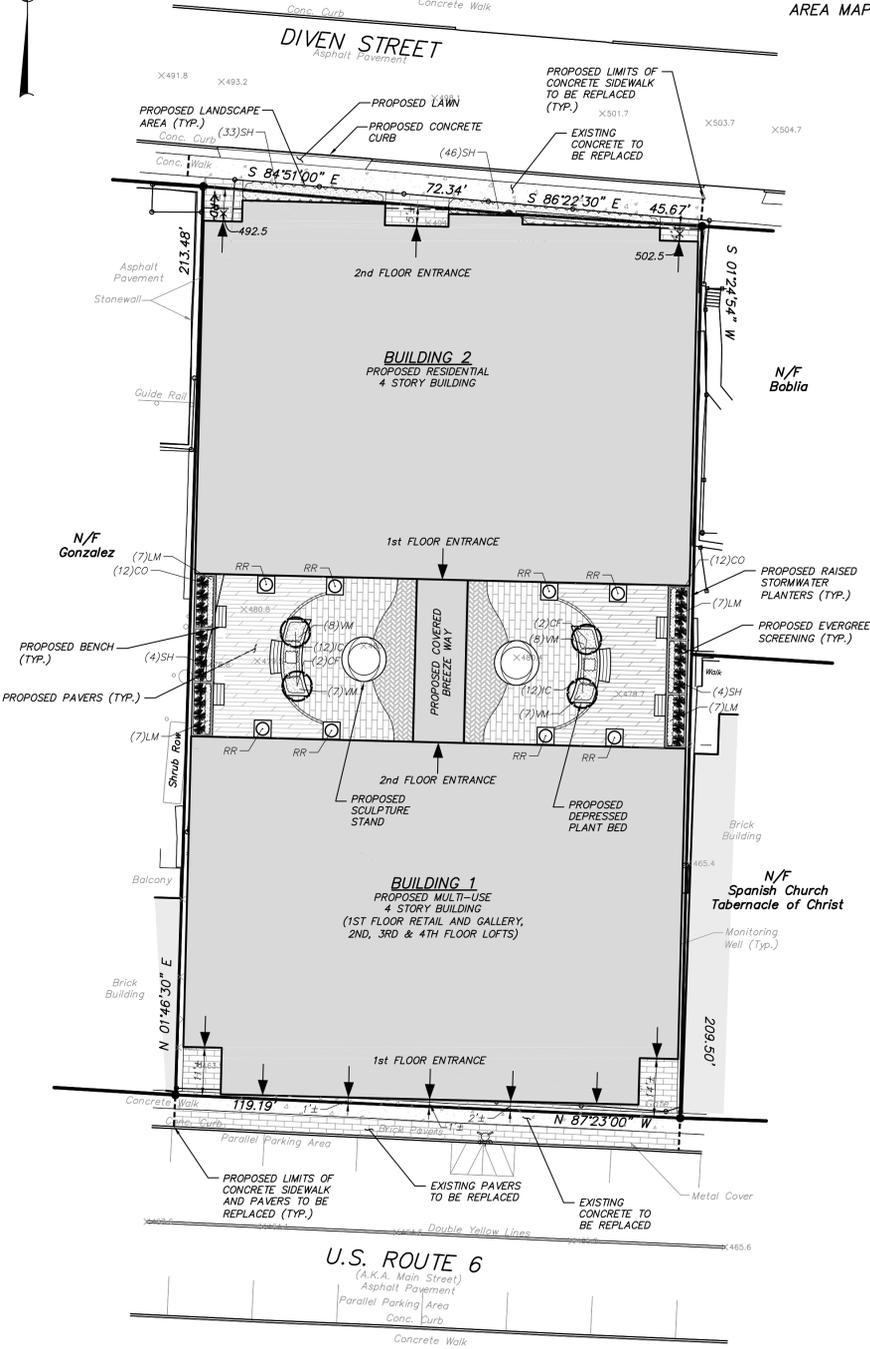
SITE DATA:
Zone: C-2
Total Acreage: 0.57 AC
Tax Map No.: 33.29-2-4
33.29-2-5

- GENERAL NOTES:**
- Existing boundary information taken from survey prepared by Matthew A. Novelli, P.E., Consulting Engineers & Land Surveyors dated July 10, 2003.
 - Topography shown herein is based upon actual fieldwork performed by Insite Engineering, Surveying & Landscape Architecture, P.C. and completed June 8, 2015. Elevations shown herein are referenced to an arbitrary datum. The contour interval is 2'.
 - Existing sewer main, water main and storm drain locations shown herein are approximate and were obtained from mapping provided by the City of Peekskill.

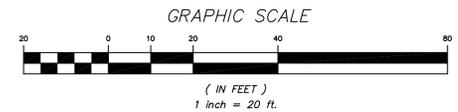
LEGEND	
	Existing Property Line
	Existing 10' Contour
	Existing 2' Contour
	Existing Tree to Remain
	Existing Tree to be Removed
	Existing Curb
	Existing Stonewall
	Existing Chainlink Fence
	Existing Utility Pole with Overhead Wires
	Existing Hydrant
	Existing Water Valve
	Existing Manhole
	Existing Gate Valve
	Existing Catch Basin
	Existing Water Main
	Existing Sewer Main
	Existing Storm Drain
	Existing Parking Meter
	Proposed Door
	Proposed Bench
	Proposed Raised Stormwater Planters
	Proposed Pavers



EXISTING CONDITIONS SITE PLAN
SCALE: 1" = 20'



LAYOUT & LANDSCAPE PLAN
SCALE: 1" = 20'



ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.

NO.	DATE	REVISION	BY
INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
PROJECT: THE LOFTS ON MAIN 921 DIVEN STREET & 922 MAIN STREET, CITY OF PEEKSKILL, COUNTY OF WESTCHESTER, NEW YORK			
DRAWING: SITE PLAN			
PROJECT NUMBER	14165.100	PROJECT MANAGER	J.J.C.
DATE	6-11-15	DRAWN BY	M.E.U.
SCALE	1" = 20'	CHECKED BY	J.L.K.
DRAWING NO.	SHEET		
	SP-1		1/3

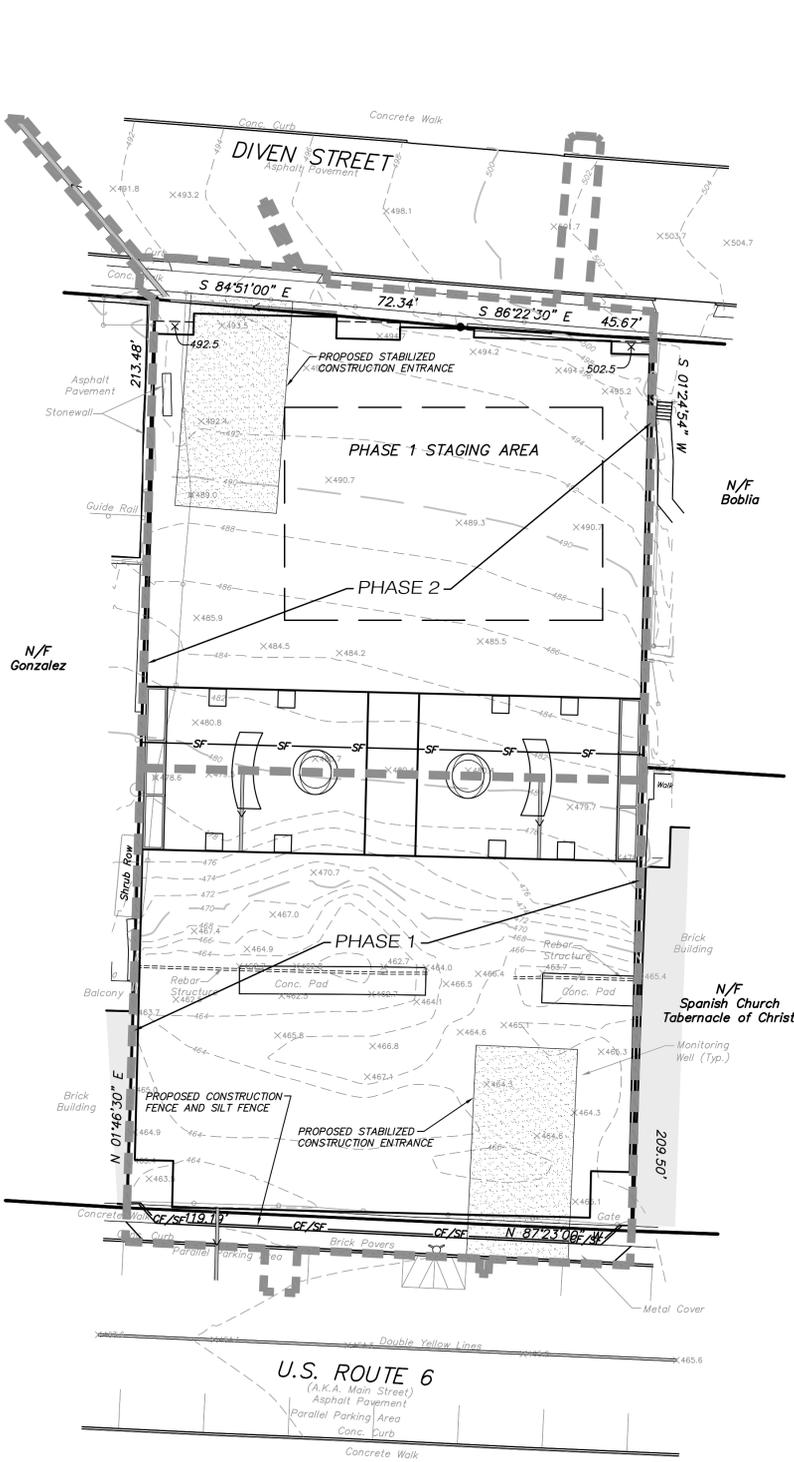
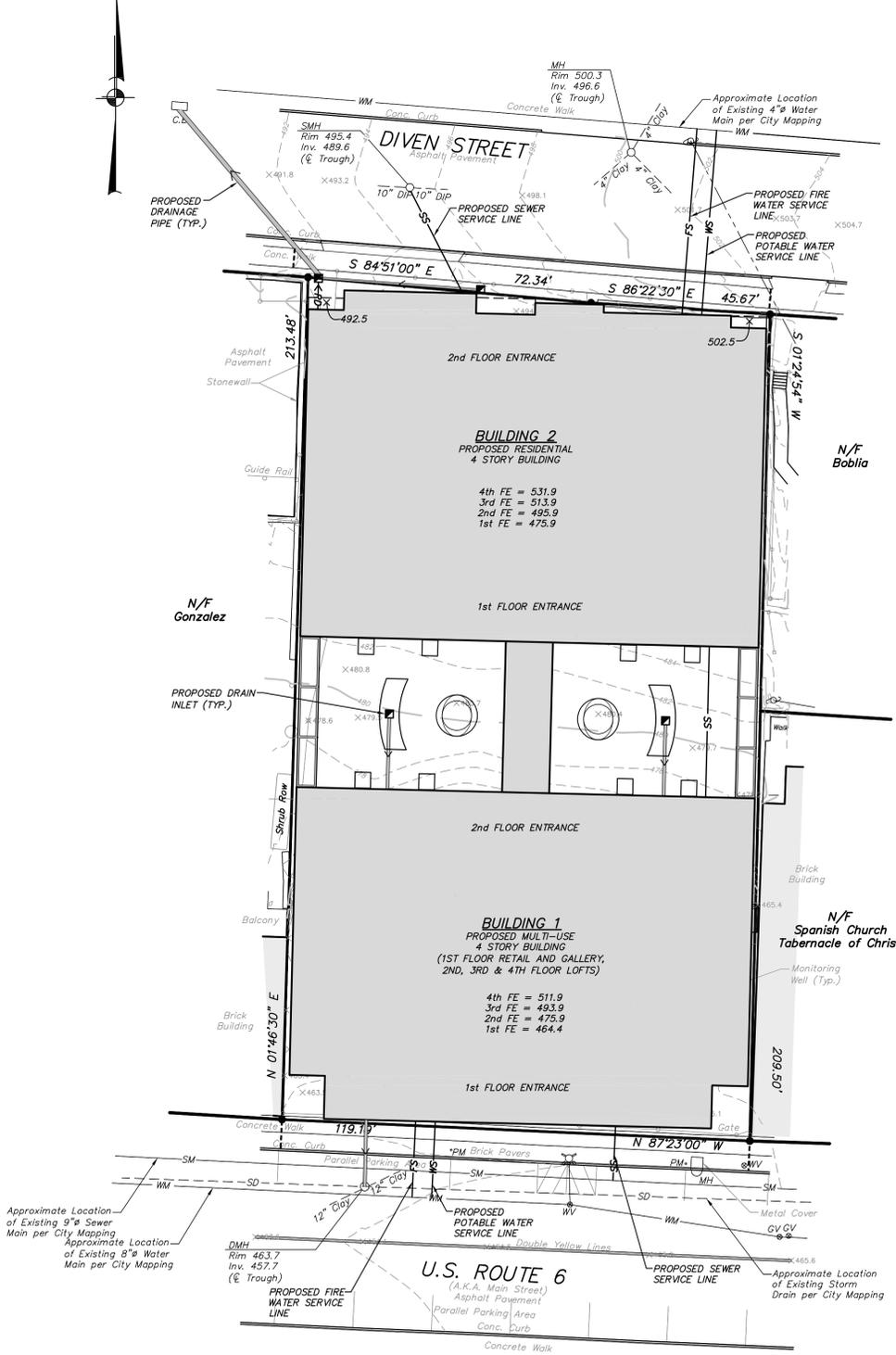
3 Garrett Place
Carmel, NY 10512
(845) 225-0690
(845) 225-9717 fax
www.insite-eng.com

Erosion & Sediment Control Notes:

- The Erosion and Sediment Control Plan is only to be referred to for the installation of erosion and sediment control measures. For all other construction related activities, including, but not limited to, grading and utilities, refer to the appropriate drawings.
- The Contractor shall be responsible for the implementation and maintenance of erosion and sediment control measures on this site prior to and during construction.
- All construction activities involving the removal or disposition of soil are to be provided with appropriate protective measures to minimize erosion and contain sediment disposition within. Minimum soil erosion and sediment control measures shall be implemented as shown on the plans and shall be installed in accordance with "New York Standards and Specifications For Erosion and Sediment Control," latest edition.
- Wherever feasible, natural vegetation should be retained and protected. Disturbance shall be minimized in the areas required to perform construction.
- When land is exposed during development, the exposure shall be kept to the shortest practical period of time, but in no case more than 7 days after the construction activity in that portion of the site has ceased. Disturbance shall be minimized in the areas required to perform construction.
- The stabilized construction entrances, silt fence, and temporary chain link fence shall be installed as shown on the plans prior to beginning any clearing, grubbing or earthwork. Refer to General Note 13 on Drawing EX-1.
- All topsoil to be stripped from the area being developed shall be stockpiled and immediately seeded with *Lolium perenne aristatum* or *Lolium perenne multiflorum* for temporary stabilization. *Lolium perenne aristatum* shall be used for winter seeding and *Lolium perenne multiflorum* shall be used for spring and summer seeding.
- Any graded areas not subject to further disturbance or construction traffic shall, within 7 days of final grading, receive permanent vegetation cover in combination with a suitable mulch. All seeded areas to receive a minimum 4" topsoil (from stockpile area) and be seeded and mulched as follows:
 - Seed mixture to be planted between March 21 and May 20, or between August 15 and October 15 or as directed by project representative at a rate of 100 pounds per acre in the following proportions:
 - Kentucky Bluegrass 20%
 - Creeping Red Fescue 40%
 - Perennial Ryegrass 20%
 - Annual Ryegrass 20%
 - Mulch: Salt hay or small grain straw applied at a rate of 90 lbs./1000 S.F. or 2 tons/acre, to be applied and anchored according to "New York Standards and Specifications For Erosion and Sediment Control," latest edition.
- Grass seed mix may be applied by either mechanical or hydroseeding methods. Hydroseeding shall be performed in accordance with the current edition of the "NYSDOT Standard Specification, Construction and Materials, Section 610-3.02, Method No. 1".
- Paved roadways shall be kept clean at all times.
- The site shall at all times be graded and maintained such that all stormwater runoff is diverted to soil erosion and sediment control facilities.
- All storm drainage outlets shall be stabilized, as required, before the discharge points become operational.
- Stormwater from disturbed areas must be passed through erosion control barriers before discharge beyond disturbed areas or discharged into other drainage systems.
- Erosion and sediment control measures shall be inspected and maintained on a daily basis by the NYSDEC trained individual to insure that pipes are clear of debris and that all silt fence is intact. Any failure of erosion and sediment control measures shall be immediately repaired by the contractor and inspected for approval by the NYSDEC trained individual and/or site engineer.
- Dust shall be controlled by sprinkling or other approved methods as necessary, or as directed by the NYSDEC trained individual.
- Cut and fills shall not endanger adjoining property, nor divert water onto the property of others.
- All fills shall be placed and compacted in 6" lifts to provide stability of material and to prevent settlement.
- The NYSDEC trained individual shall inspect downstream conditions for evidence of sedimentation on a weekly basis and after rainstorms.
- As warranted by field conditions, special additional erosion and sediment control measures, as specified by the site engineer and the City Engineer shall be installed by the contractor.
- Erosion and sediment control measures shall remain in place until all disturbed areas are suitably stabilized.
- After completion of the site improvements, the owner will assume responsibility for maintenance of the parking lots, drainage systems and stormwater facilities (Refer to General Note 9). Each spring the paved areas shall be cleaned to remove the winter accumulation of traction sand. After this is completed the drain inlet, drain inlet sumps and hydrodynamic separator should be cleaned. All pipes should be checked for debris and blockage and cleaned as required. During the cleaning process, the drain inlet and pipes should be inspected for structural integrity and overall condition. Repairs and/or replacements should be made as required.
- Refer to the Stormwater Management Report for additional details regarding long-term maintenance of the storm drainage facilities.

LEGEND

	Existing Property Line
	Existing 10' Contour
	Existing 2' Contour
	Existing Curb
	Existing Stonewall
	Existing Chainlink Fence
	Existing Utility Pole with Overhead Wires
	Existing Hydrant
	Existing Water Valve
	Existing Manhole
	Existing Gate Valve
	Existing Catch Basin
	Existing Water Main
	Existing Sewer Main
	Existing Storm Drain
	Existing Parking Meter
	Proposed Fire Water Service Line
	Proposed Water Service Line
	Proposed Sewer Service Line
	Proposed Drainage Pipe
	Proposed Roof Drain
	Proposed Rain Inlet
	Proposed Raised Stormwater Planters



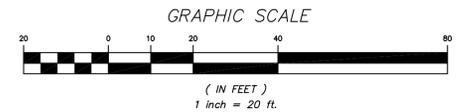
EROSION AND SEDIMENT CONTROL MAINTENANCE SCHEDULE

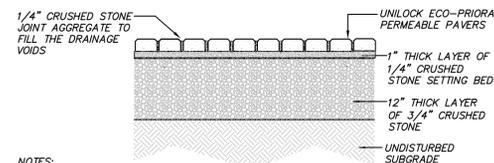
PRACTICE	MONITORING REQUIREMENTS			MAINTENANCE REQUIREMENTS	
	DAILY	WEEKLY	AFTER RAINFALL	DURING CONSTRUCTION	AFTER CONSTRUCTION
SILT FENCE BARRIER	-	Inspect	Inspect	Clean/Replace	Remove
STABILIZED CONSTRUCTION ENTRANCE	Inspect	-	Inspect	Clean/Replace Stone and Fabric	Remove
DUST CONTROL	Inspect	-	Inspect	Mulching/Spraying Water	N/A
*VEGETATIVE ESTABLISHMENT	-	Inspect	Inspect	Water/Reseed/Remulch	Reseed to 80% Coverage
SOIL STOCKPILES	-	Inspect	Inspect	Mulching/Silt Fence Repair	Remove
ROAD & PAVEMENT	-	Inspect	Inspect	Clean	Clean

* Permanent vegetation is considered stabilized when 80% of the plant density is established. Erosion control measures shall remain in place until all disturbed areas are permanently stabilized. Note: The party responsible for implementation of the maintenance schedule during and after construction is:
The Kearney Realty and Development Group, Inc.
1777 Route 6
Carmel, NY 10512

ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.

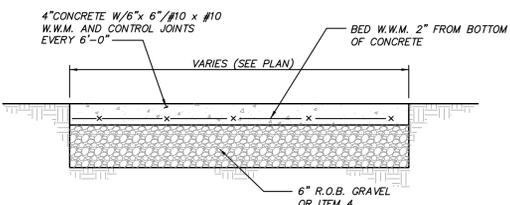
NO.	DATE	REVISION	BY
INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
PROJECT: THE LOFTS ON MAIN 921 DIVEN STREET & 922 MAIN STREET, CITY OF PEESKILL, COUNTY OF WESTCHESTER, NEW YORK			
DRAWING: GRADING, UTILITIES & EROSION & SEDIMENT CONTROL PLAN			
PROJECT NUMBER	14165.100	PROJECT MANAGER	J.J.C.
DATE	6-11-15	DRAWN BY	M.E.U.
SCALE	1" = 20'	CHECKED BY	J.L.K.
DRAWING NO.	SHEET		
	SP-2		2/3



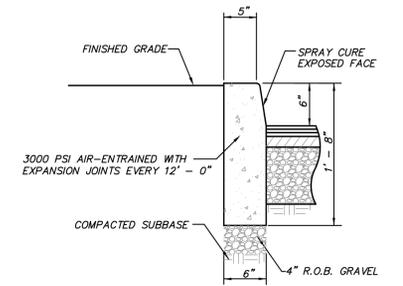


- NOTES:
- PAVERS TO BE UNILOCK ECO-PRIORA PERMEABLE PAVERS 5"X10"X3 1/8" SET IN HERRINGBONE PATTERN.
 - PAVER FINISH TO BE IL CAMPO. PAVER COLOR TO BE AS APPROVED BY OWNER.
 - JOINT AGGREGATE COLOR TO BE COORDINATED WITH PAVER COLOR.

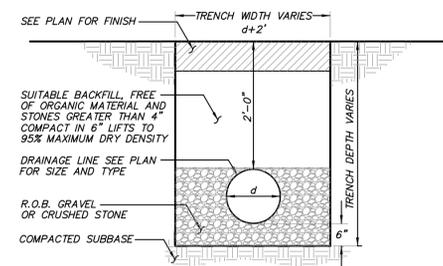
PAVERS DETAIL
(N.T.S.)



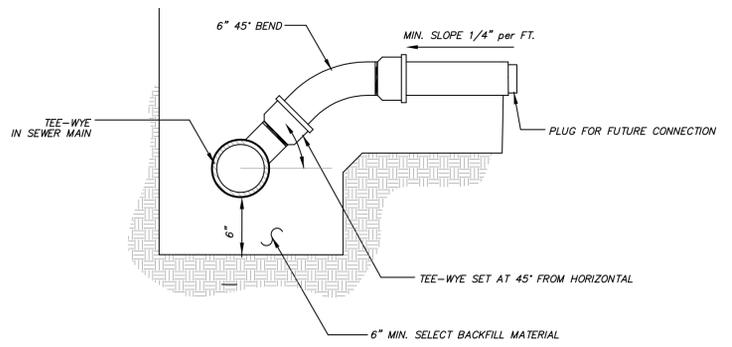
CONCRETE SIDEWALK DETAIL
(N.T.S.)



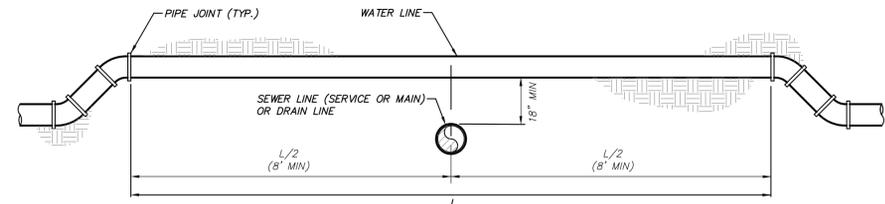
CONCRETE CURB DETAIL
(N.T.S.)



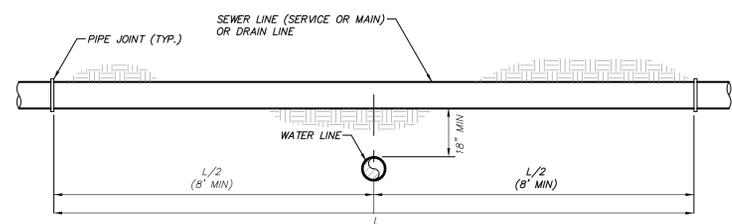
DRAINAGE LINE TRENCH DETAIL
(N.T.S.)



SEWER SERVICE CONNECTION DETAIL
(N.T.S.)



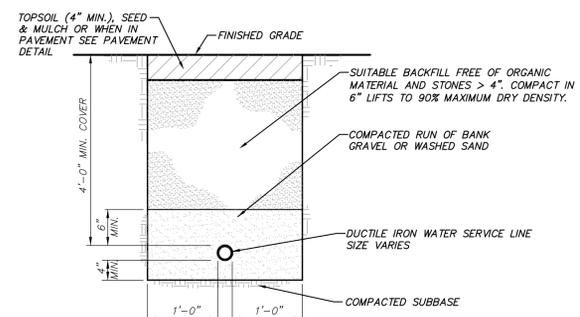
**WATER LINE CROSSING OVER
SANITARY SEWER LINE OR STORM DRAIN LINE**



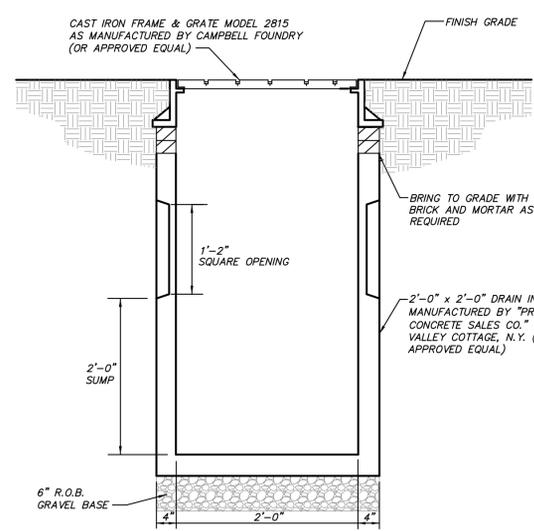
**WATER LINE CROSSING UNDER
SANITARY SEWER LINE OR STORM DRAIN LINE**

- NOTES:
- WHEN 18" SEPARATION CANNOT BE MAINTAINED, THE WATER LINE SHALL BE ENCASED IN CONCRETE (SEE DETAIL) ONLY WITH PRIOR APPROVAL OF THE DESIGN ENGINEER AND DEPARTMENT OF HEALTH.
 - PROVIDE PIPE AND FITTING RESTRAINT AS REQUIRED.
 - THE 18" SEPARATION APPLIES TO WATER MAINS AND WATER SERVICE CONNECTIONS.

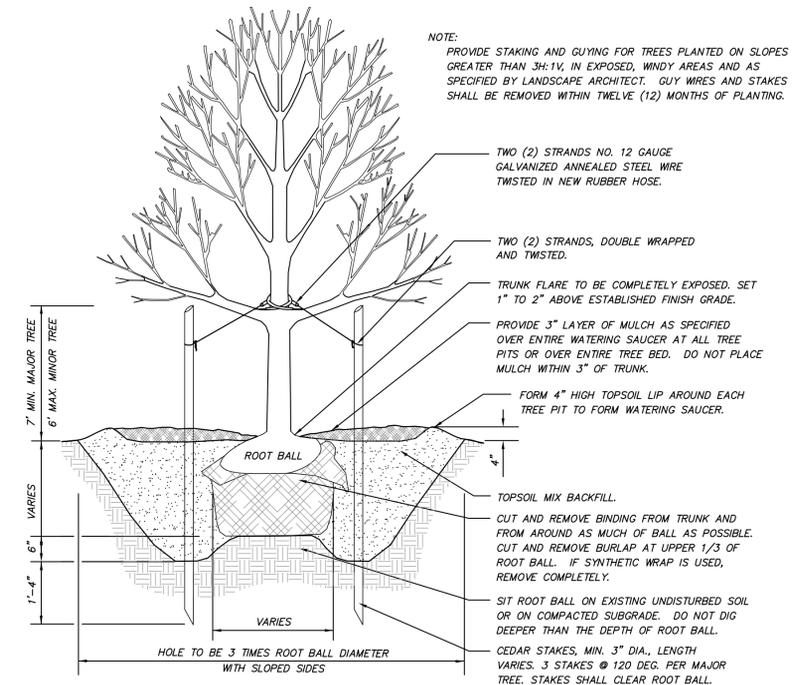
WATER LINE CROSSING DETAIL
(N.T.S.)



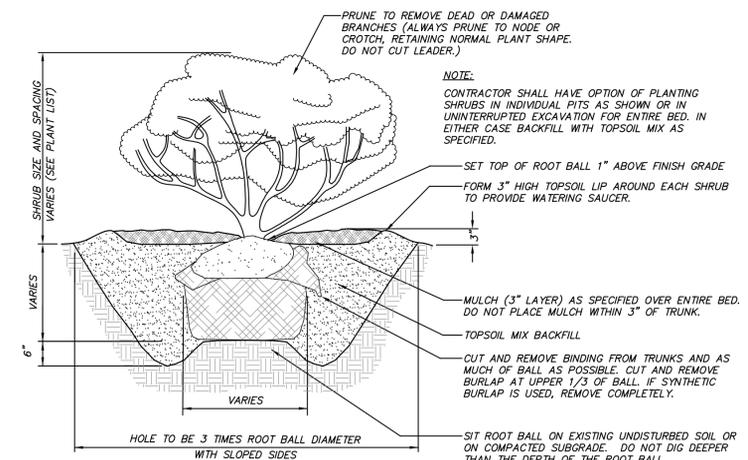
WATER SERVICE LINE TRENCH DETAIL
(N.T.S.)



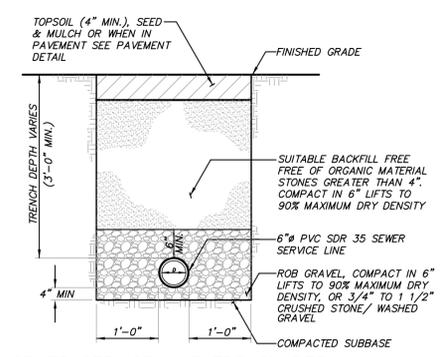
**DRAIN INLET DETAIL (TO BE DESIGNED
FOR H-20 LOADING)**
(N.T.S.)



TREE PLANTING DETAIL
(N.T.S.)



SHRUB PLANTING DETAIL
(N.T.S.)



SEWER SERVICE LINE TRENCH DETAIL
(N.T.S.)

NO.	DATE	REVISION	BY
PROJECT: THE LOFTS ON MAIN 921 DIVEN STREET & 922 MAIN STREET, CITY OF PEESKILL, COUNTY OF WESTCHESTER, NEW YORK			
DRAWING: DETAILS			
PROJECT NUMBER	14165.100	PROJECT MANAGER	J.J.C.
DATE	6-11-15	DRAWN BY	M.E.U.
SCALE	AS SHOWN	CHECKED BY	J.L.K.
DRAWING NO.	SHEET		
	D-1		3/3

ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.



C – Supplemental Records

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through August 11, 2015.

Selected Entity Name: PARKVIEW DEVELOPMENT & CONSTRUCTION, LLC

Selected Entity Status Information

Current Entity Name: PARKVIEW DEVELOPMENT & CONSTRUCTION, LLC

DOS ID #: 4205734

Initial DOS Filing Date: FEBRUARY 22, 2012

County: PUTNAM

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

C/O THE KEARNEY REALTY & DEVELOPMENT GROUP INC.

1777 ROUTE 6

CARMEL, NEW YORK, 10512

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

Natalie Conklin

From: Michelle Valenzo <thekearneygroup@aol.com>
Sent: Tuesday, September 01, 2015 3:57 PM
To: Natalie Conklin
Subject: RE: BCP Application for The Lofts on Main
Attachments: loftssig.pdf

Parkview Development & Construction, LLC

Members/Owners: Kenneth Kearney & Sean Kearney

Best regards,

Michelle Valenzo
The Kearney Realty & Development Group
Tern Construction & Development, LLC
1777 Route 6
Carmel, NY 10512
Tel: 845.306.7705
Fax: 845.306.7707
Cell: 914.656.3882

information is not recorded and only available by
[viewing the certificate.](#)

***Stock Information**

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

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
FEB 22, 2012	Actual	PARKVIEW DEVELOPMENT & CONSTRUCTION, 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.

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Ecosystems Strategies, Inc.

24 Davis Avenue, Poughkeepsie, NY 12603

phone 845.452.1658 | fax 845.485.7083 | ecosystemsstrategies.com

August 12, 2015

Robert Boyle
Peekskill Public Library
Field Library
4 Nelson Avenue
Peekskill, New York 10566

Re: Document Repository for the property located at 922 Main Street and 921 Diven Street,
City of Peekskill, Westchester County New York
ESI File: KP14175.50 – Brownfields Cleanup Program Application

Dear Mr. Boyle:

This letter is an acknowledgment that the Peekskill Public Library, Field Library will act as the Document Repository for the above-referenced Site as a requirement of New York State Department of Environmental Conservation. All documents will be placed on a CD and sent to the Library for the public to access.

If you have any questions, please contact me at (845) 452-1658.

Sincerely,

ECOSYSTEMS STRATEGIES, INC.

Adam Atkinson
Project Manager

Natalie Conklin

From: Bob Boyle <rboyle@wlsmail.org>
Sent: Tuesday, September 01, 2015 2:43 PM
To: Natalie Conklin
Subject: Re: Document Repository for Brownfield Application for property located at 922 Main Street and 921 Diven Street

Dear Ms. Conklin:

This e-mail acknowledges The Field Library's willingness to act as a Document Repository for any information relating to the property located at 922 Main Street and 921 Diven Street, Peekskill, NY.

Sincerely,
Bob Boyle

Robert Boyle, Head of Reference
The Field Library
4 Nelson Avenue
Peekskill, NY 10566

914-862-3292

On Tue, Sep 1, 2015 at 1:03 PM, Natalie Conklin <natalie@ecosystemsstrategies.com> wrote:

Mr. Boyle

We spoke earlier month about the Peekskill Library acting as document repository for the documents relating to 922 Main Street and 921 Diven Street Property. I sent you the attached follow-up letter. The NYSDEC is now requesting an acknowledgement from the Library. Could you please reply to this e-mail acknowledging that you agree to act as the document repository. Thank you.

Natalie Conklin
Administrative Assistant
Ecosystems Strategies, Inc.
24 Davis Avenue
Poughkeepsie, NY 12603
[845-452-1658](tel:845-452-1658) Ph
[845-485-7083](tel:845-485-7083) Fax
natalie@ecosystemsstrategies.com