



## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

☐ Yes ☒ No

If yes, provide existing site number: \_\_\_\_\_

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

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #:

NAME 130 Midland Ave Owner LLC

ADDRESS 271 Madison Avenue, 18th Floor

CITY/TOWN New York

ZIP CODE 10016

PHONE 646-872-5660

FAX 203-286-1122

E-MAIL [kleahey@renatusgroup.com](mailto:kleahey@renatusgroup.com); [smatri@renatusgroup.com](mailto:smatri@renatusgroup.com)

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

☒ Yes ☐ No

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

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

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

#### Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

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

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

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

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

### Section III. Property's Environmental History

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

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

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

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

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum		X	
Chlorinated Solvents			X
Other VOCs			
SVOCs	X		
Metals	X		
Pesticides			
PCBs			
Other*			

\*Please describe: Impacts from dry-cleaning operations (current) and historical underground storage tanks

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*

(\*answering No will result in an incomplete application)

☒ Yes ☐ No

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

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

Other: rail yard, automotive storage, nut and bolt manufacturing, paint shop, power plant

**Section IV. Property Information - See Instructions for Further Guidance**

PROPOSED SITE NAME 130 Midland Avenue

ADDRESS/LOCATION 130 Midland Avenue

CITY/TOWN Town of Rye ZIP CODE 10573

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Village of Port Chester

COUNTY Westchester

SITE SIZE (ACRES) 6.23

LATITUDE (degrees/minutes/seconds)

40 ° 59 ' 31 "

LONGITUDE (degrees/minutes/seconds)

73 ° 40 ' 15 "

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address

Section No. Block No. Lot No. Acreage

130 Midland Avenue

142.53

1

5

6.23

1. Do the proposed site boundaries correspond to tax map metes and bounds? ☒ Yes ☐ No  
If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application? ☒ Yes ☐ No  
(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?  
(See [DEC's website](#) for more information) Yes ☐ No ☒

If yes, identify census tract : \_\_\_\_\_

Percentage of property in En-zone (check one): ☒ 0-49% ☐ 50-99% ☐ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☒ No

If yes, identify name of properties (and site numbers if available) in related BCP applications: \_\_\_\_\_

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? ☐ Yes ☒ No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☒ No  
If yes, attach relevant supporting documentation.

7. 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

None.

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

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

☒ Yes ☐ No

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

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

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

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

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

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

Initials of each Requestor: \_\_\_\_\_

**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)****Section V. Additional Requestor Information  
See Instructions for Further Guidance**

DEC USE ONLY

BCP SITE NAME: \_\_\_\_\_

BCP SITE #: \_\_\_\_\_

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Stephen Matri, Jr., Kevin Leahey

ADDRESS 271 Madison Avenue, 18th Floor

CITY/TOWN New York

ZIP CODE 10016

PHONE 646-872-5660

FAX 203-286-1122

E-MAIL smatri@renatusgroup.com, kleahey@renatusgroup.com

NAME OF REQUESTOR'S CONSULTANT William Canavan, HydroEnvironmental Sololutions, Inc.

ADDRESS One Deans Bridge Road

CITY/TOWN Somers

ZIP CODE

PHONE 914-276-2560

FAX 914-276-2664

E-MAIL wcanavan@hesny.com

NAME OF REQUESTOR'S ATTORNEY Helen Mauch, Mintzer Mauch PLLC

ADDRESS 290 Madison Avenue, 4th Floor

CITY/TOWN New York

ZIP CODE 10017

PHONE 212-380-6170

FAX n/a

E-MAIL helen@mintzernauch.com

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

CURRENT OWNER'S NAME Mary Jean Vaccaro Annuity Trust; Olvac, LLC; and, Vaccaro 2, LLC OWNERSHIP START DATE: See Supplemental and Supporting Information

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

CURRENT OPERATOR'S NAME See Supplemental and Supporting Information

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

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

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

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

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

## Section VII. Requestor Eligibility Information (continued)

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

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

### ☐ PARTICIPANT

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

### ☒ VOLUNTEER

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

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

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

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☐ Current Owner ☒ Potential /Future Purchaser ☐ Other \_\_\_\_\_

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

☒ Yes ☐ No

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

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

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

## Section IX. Contact List Information

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

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

## Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? C-1

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

☐ Residential ☒ Commercial ☐ Industrial

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

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

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

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

If residential, does it qualify as single family housing?

☐ Yes ☒ No

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

☒ Yes ☐ No

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

The property will remain as a commercial use building, consistent with applicable zoning laws and maps.

☒ Yes ☐ No

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

The Village of Port Chester Comprehensive Plan (December 2012) supports the continued commercial use currently permitted at the property.

☒ Yes ☐ No

# **XI. Statement of Certification and Signatures**

(By requestor who is an individual) N/A

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

Date: 5/21/2020

Signature: [Signature]

Print Name: Stephen Matri, Jr.

(By a requestor other than an individual)

I hereby affirm that I am Manager of 130 Midland Developer LLC, which is manager of 130 Midland Ave Owner LLC; that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 04-24-2020

Signature: [Signature]

Print Name: Stephen Matri, Jr.

## **SUBMITTAL INFORMATION:**

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

**FOR DEC USE ONLY**

BCP SITE T&A CODE: \_\_\_\_\_

LEAD OFFICE: \_\_\_\_\_

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

**BCP App Rev 10**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<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
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
2. Is the property upside down or underutilized as defined below?  <b>From ECL 27-1405(31):</b>  "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.  <b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)  375-3.2: (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures.  "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No  Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No

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

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

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

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

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

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

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

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

**BCP Application Summary (for DEC use only)****Site Name:** 130 Midland Avenue**City:** Town of Rye**Site Address:** 130 Midland Avenue**County:** Westchester**Zip:** 10573**Tax Block & Lot****Section (if applicable):** 142.53      **Block:** 1      **Lot:** 5**Requestor Name:** 130 Midland Ave Owner LLC**City:** New York**Requestor Address:** 271 Madison Avenue, 18th Floor**Zip:** 10016**Email:** kleahey@renatusgroup.com; smatri@renatusgroup.com**Requestor's Representative (for billing purposes)****Name:** Stephen Matri, Jr., Kevin Leahey**Address:** 271 Madison Avenue, 18th Floor**City:** New York**Zip:** 10016**Email:** smatri@renatusgroup.com; kleahey@renatusgroup.com**Requestor's Attorney****Name:** Helen Mauch, Mintzer Mauch PLLC **Address:** 290 Madison Avenue, 4th Floor**City:** New York**Zip:** 10017**Email:** helen@mintzernauch.com**Requestor's Consultant****Name:** William Canavan, HydroEnvironmental Solutions, Inc. **Address:** One Deans Bridge Road**City:** Somers**Zip:****Email:** wcanavan@hesny.com**Percentage claimed within an En-Zone:** ☒ 0%    ☒ <50%    ☐ 50-99%    ☐ 100%**DER Determination:** ☐ Agree    ☐ Disagree**Requestor's Requested Status:** ☒ Volunteer    ☐ Participant**DER/OGC Determination:** ☐ Agree    ☐ Disagree

Notes:

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

Notes:

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

Notes:

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

Notes:

## **Supplemental Information To BCP Application for 130 Midland Ave Owner LLC**

### **Section I**

Print out from NYS Department of State – Exhibit A.

130 Midland Ave Owner LLC is a New York limited liability company. The members of 130 Midland Ave LLC are:

- Legacy Equity Enterprises, LLC
- 130 Midland Developer LLC

### **Section II. Project Description**

#### II.4 - Narrative Description

Additional remedial investigation (RI) will be completed upon entry into the BCP based on the comments made by NYSDEC. A Remedial Investigation Work Plan (RIWP), summarizing additional work to be performed will be submitted to the NYSDEC for approval within 1 month of entry into the program. Following completion of RI work, a Remedial Investigation Report (RIR), summarizing the findings of the additional NYSDEC required work, and a draft Remedial Action Work Plan (RAWP) will be compiled. Following approval of the RAWP, the remedial action (RA) will be implemented. The Certificate of Completion is anticipated by March 2021.

### **Section III. Property's Environmental History**

#### III.1 – Environmental Reports

The environmental reports and/or data deliverables prepared for the Site include the following, which are attached in Exhibit B.

1. Phase I Environmental Site Assessment, 130 Midland Avenue, Port Chester, NY; prepared by PM Environmental, Inc., dated May 2019.
2. Phase II Environmental Site Assessment, 130 Midland Avenue, Port Chester, NY; prepared by PM Environmental, Inc., dated May 2019.
3. Subsurface Investigation Report, 130 Midland Avenue, Port Chester, NY; prepared by HES dated March 3, 2020.

The subject property is associated with one open NYSDEC Spill No. 1903755 for documented impacts to soil and groundwater associated with historic onsite gasoline storage. One closed spill, Spill No. 1904864, was related to a release of transformer oil and was closed on the same day that it was reported.

### III.2 – Sampling Data

The laboratory reports containing sampling data are contained in the investigation reports referenced above.

### III.3 – Site Drawings

The site drawings for soil, groundwater and soil vapor are attached as Exhibit C. The data for these drawings are in the reports and laboratory deliverables that are referenced above.

## **Section IV. Property Information**

The following maps have been attached as Exhibit D.

- Westchester county tax map
- USGS topographic map, indicating the site's location
- Property base map

### IV.10. Property Description and Environmental Assessment

#### Location

The 130 Midland Avenue Site is located in a suburban area, at 130 Midland Avenue, Port Chester, NY. Actual property addresses at the Site span from 122 to 130 Midland Avenue.

#### Site Features

The Site feature includes one building used for commercial purposes (currently, a restaurant and liquor store with some vacant spaces), with an asphalt paved parking lot occupying the northern and eastern portions of the Site.

#### Current Zoning and Land Use

The Site is currently zoned C1 for neighborhood retail use.<sup>1</sup> The surrounding parcels to the south and west are used for commercial use; surrounding parcels to the east are used for a combination of commercial and residential uses; and surrounding parcels to the north are used for manufacturing and industrial uses. The nearest residential area is directly to the east, at 2 Weber Drive, Port Chester, NY 10573

#### Past Use of the Site

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<sup>1</sup> The Village has proposed amendments to its Zoning Code which, if adopted, would include the Site (along with the entire Midland Avenue corridor) in the “General Urban Character District” (CD4) to allow low-rise commercial buildings, mixed-use buildings, and higher-density residential use.

The subject property was initially developed prior to 1908 with two residential dwellings and a large industrial building containing a car barn, boiler room, and power plant. The property was operated as the New York and Stamford Railway Company. An additional industrial building was constructed between 1908 and 1915 and utilized as a railroad car barn and paint shop. The boiler room in the previously-constructed building was converted to an electrical substation. Railroad spurs onto the subject property were added by 1919. By 1934, the property was being utilized for bus storage and repair for the County Transportation System. Sanborn Fire Insurance Maps indicate that underground gasoline storage tank(s) were present along the western boundary of the property in 1934. There is no documentation associated with the removal or abandonment of these tanks. By 1950, the property was utilized as a nut and bolt manufacturing facility as well as for automotive storage. In addition to these building uses, exterior areas (which were unpaved) were utilized for equipment and machinery storage until sometime between 1971 and 1974 when all structures on the property were demolished and the property became vacant land. The existing building was constructed in 1983. Previous tenants of the existing building included a grocery store, restaurants, a liquor store, a dry cleaner, and a card and gift shop. Currently, a pizza restaurant and a liquor store occupy the subject building.

#### Site Geology and Hydrogeology

The subject property is located at an average elevation of approximately 15 feet above mean sea level (ft-msl) and lies at a topographically low area of the neighborhood. The overburden is composed predominantly of sand, silt, and gravel. Groundwater was encountered at depths ranging from 6 to 13 feet below grade (ft-bg). The groundwater flow direction has not been determined at the Site but is assumed to flow east-southeast toward the Long Island Sound. The Applicant will install and survey monitoring wells to confirm the direction of groundwater flow.

#### Environmental Assessment

Based on investigations conducted to date at the subject property, the primary contaminants of concern for the site are volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs), specifically polycyclic aromatic hydrocarbons (PAHs). A Phase II investigation was completed in April 2019. The Phase II investigation included the advancement of twelve soil borings, the collection of eleven soil samples, the installation of nine temporary monitoring wells, the collection of nine groundwater samples, the installation of two temporary soil vapor points, and the collection of two soil vapor samples.

#### Soil:

Results of the soil sampling indicated concentrations of SVOCs, specifically PAHs, in exceedance of Restricted Commercial Use Soil Cleanup Objectives (SCOs) in four of eleven soil samples. Benzo(a)pyrene was detected in exceedance of its Restricted Commercial Use SCO of 1 milligram per kilogram (mg/kg) in four soil samples (maximum concentration of 8.1 mg/kg). In addition, benzo(a)anthracene, benzo(b)fluoranthene, and dibenzo(a,h)anthracene were detected in exceedance of their respective Restricted Commercial Use SCOs in one soil sample collected from 4-5 ft-bg in the southeastern portion of the Site. Benzo(a)anthracene was detected at a

concentration of 9.2 mg/kg, above the Restricted Commercial Use SCO of 5.6 mg/kg; benzo(b)fluoranthene was detected at a concentration of 9.4 mg/kg, above the Restricted Commercial use SCO of 5.6 mg/kg; and, dibenzo(a,h)anthracene was detected at a concentration of 0.97 mg/kg, above the Restricted Commercial Use SCO of 0.56 mg/kg.

One metal, cadmium, was detected in exceedance of the Restricted Commercial Use SCO of 9.3 mg/kg in one soil sample collected from 2-3 ft-bg in the southwestern corner of the Site at a concentration of 11.2 mg/kg.

No VOCs or polychlorinated biphenyls (PCBs) were detected in exceedance of Restricted Commercial Use SCOs in any soil samples.

Based on the Supplemental Subsurface Investigation (SI) completed at the site in February 2020, several SVOCs which exceed NYSDEC RU(C)-SCOs were detected across the site and include Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene and Dibenzo(a, h)anthracene. Additionally, copper was also detected above NYSDEC RU(C)-SCOs. No VOCs, PCBs, Herbicides, Pesticides, or 1,4-Dioxane were detected above NYSDEC- RU(C)-SCOs in any of the soil samples collected for laboratory analysis.

#### Groundwater:

A variety of petroleum-related VOCs were detected in exceedance of the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS) and Guidance Values (Class GA Standards) in one groundwater sample collected from the southeastern portion of the Site (area of historic underground tanks), including 1,2,4,5-tetramethylbenzene [21 micrograms per liter (ug/l)], 1,2,4-trimethylbenzene (160 ug/l), 1,3,5-trimethylbenzene (15 ug/l), ethylbenzene (26 ug/l), isopropylbenzene (9.4 ug/l), n-butylbenzene (6.3 ug/l), n-propylbenzene (15 ug/l), naphthalene (20 ug/l), p-isopropyltoluene (6.6 ug/l), and p/m-xylenes (36 ug/l). All of the above analytes have a Class GA Standard of 5 ug/l, with the exception of naphthalene, which has a Class GA Standard of 10 ug/l.

Results of the groundwater sampling indicated concentrations of SVOCs, specifically PAHs, in exceedance of their respective Class GA Standards in three of nine samples collected, all of which were collected from the northern portion of the Site. Benzo(a)anthracene was detected at a maximum concentration of 0.43 ug/l; benzo(a)pyrene was detected at a maximum concentration of 0.28 ug/l; benzo(b)fluoranthene was detected at a maximum concentration of 0.41 ug/l; benzo(k)fluoranthene was detected at a maximum concentration of 0.27 ug/l; chrysene was detected at a maximum concentration of 0.41 ug/l; and indeno(1,2,3-cd)pyrene was detected at a maximum concentration of 0.19 ug/l. All of the above analytes have a class GA Standard of 0.002 ug/l, with the exception of benzo(a)pyrene, which has a Class GA Standard of non detect.

The results of groundwater sampling from monitor wells installed during the February 2020 Supplemental SI indicate that groundwater collected from the monitoring well at the MW-2 location contained concentrations of VOCs which include Isopropylbenzene (9.43 micrograms per

liter (ug/L)), n-Propylbenzene (12.4 ug/L), p- & m- Xylenes (6.06 ug/L) and Total Xylenes (8.4 ug/L) which exceeded their respective NYSDEC AWQS in accordance with the TOGS 1.1.1.

Groundwater collected from the monitoring well at the MW-4 location contained concentrations of SVOCs which include Benzo(a)anthracene (0.0778 ug/L), Benzo(a)pyrene (0.0556 ug/L), Benzo(b)fluoranthene (0.0556 ug/L) and Chrysene (0.0556 ug/L) which exceeded their respective NYSDEC AWQS in accordance with the TOGS 1.1.1.

Groundwater collected from the monitoring well at the MW-5 location contained concentrations of SVOCs which include Benzo(a)anthracene (0.108 ug/L), Benzo(a)pyrene (0.0973 ug/L), Benzo(b)fluoranthene (0.0757 ug/L), Benzo(k)fluoranthene (0.0757 ug/L), Chrysene (0.0856 ug/L) and Indeno(1,2,3-cd)pyrene (0.0541 ug/L) which exceeded their respective NYSDEC AWQS in accordance with the TOGS 1.1.1.

Furthermore, PFAS compounds were detected in each of the six monitor well locations installed during the Supplemental Subsurface Investigation.

#### Soil Vapor:

Elevated levels of the chlorinated solvent tetrachloroethene (PCE) were detected in both soil vapor samples collected within the former dry cleaner (maximum concentration of 9,900 micrograms per cubic meter [ug/m<sup>3</sup>]). In addition, trichloroethene (TCE), a breakdown product of PCE, was detected at low concentrations in both soil vapor samples (maximum concentration of 31.1 ug/m<sup>3</sup>).

Soil vapor data collected during the Supplemental SI conducted in February 2020 indicates widespread impacts to the soil vapor beneath the building's foundation slab and outside the building's footprint exist beneath the site. Historic operations at the site consisted of a grocery store and dry-cleaning facility. Elevated concentrations of Freon 11 and Freon 12 exist beneath the former grocery store slab. Additionally, high concentrations of Tetrachloroethylene (PCE) and Trichloroethylene (TCE) exist beneath the entire building slab as well as outside of the building footprint and are likely related to the presence of dry-cleaning facility.

#### Data Gaps

Analysis of deep soil. Of the eleven soil samples collected as part of the 2019 Phase II ESI, ten were collected from the shallow subsurface (1-3 feet below grade).

Analysis for pesticides in soil and pesticides, PCBs, and metals in groundwater. Analysis of pesticides in soil and pesticides, PCBs, and metals in groundwater will be performed to meet the requirements of the BCP.

Review of the 2019 Phase II ESI boring logs revealed that not all soil samples collected during this investigation were collected from the interval of highest suspected contamination. As a result, borings will be installed in the vicinity of Phase II ESI borings SB-4 and SB-5 and samples collected from the previously identified unsampled impacted intervals in each boring as part of the BCP-required investigation.

Areas of concern associated with historic uses of the property (i.e., nut and bolt factory, car barn, railroad, automotive storage) were not fully investigated. Soil, groundwater, and soil vapor will be investigated in these locations as part of the BCP-required investigation.

The potential presence of historic underground storage tanks (USTs) has not been investigated. Ground penetrating radar will be utilized as part of the RI to determine if the USTs depicted on the 1934 Sanborn Map are present onsite.

Review of the 2019 Phase II ESI revealed that soil vapor samples were collected over an approximate 10-minute period. Soil vapor samples to be collected as part of the RI will be collected over a minimum eight-hour period, as recommended for commercial structures in the New York State Department of Health (NYSDOH) Guidance for Evaluating Soil Vapor Intrusion in the State of New York (Soil Vapor Guidance) as part of the BCP required investigation.

Groundwater flow direction. Permanent monitoring wells will be installed during the BCP-required investigation and surveyed to a common datum in order to determine the shallow groundwater flow direction in the area of the Site. The monitor wells will need to be surveyed by a New York State licensed surveyor for location and top of casing elevations. Following completion of the survey, groundwater flow direction and hydraulic gradient can be calculated from collected groundwater level data. Several rounds of water level data will be collected, and groundwater elevation contour maps will be constructed.

The Supplemental SI was conducted based on the results of the Phase II ESA completed at the site. Based on the findings of the SI, the data gaps outlined above were investigated, with the exception of groundwater flow direction. An investigation of groundwater flow direction will be included in the Remedial Investigation Workplan to be submitted to NYSDEC by HES following acceptance of the site into the BCP as described below.

Upon acceptance of the site into the BCP, HES will submit a formal Remedial Investigation Workplan, outlining the additional investigation proposed for the site. After the RI Workplan is approved, HES will complete the investigation and submit a formal Remedial Investigation Report, summarizing the investigation work completed at the site.

## **Section VI – Previous Owners and Operators**

The current owners of the Site are Mary Jean Vaccaro Annuity Trust; Olvac, LLC; and, Vaccaro 2, LLC. See Exhibit E.

130 Midland Ave Owner LLC is not an affiliate of any of the prior owners or operators of the Site and has no prior business relationship with any of the prior or current owners or operators, other than as a contract vendee to purchase the Site.

## **Section VII – Requestor Eligibility Information**

130 Midland Ave Owner LLC is not an affiliate of any of the prior owners or operators of the Site and has no prior business relationship with any of the prior or current owners or operators, other than as a contract vendee to purchase the Site. As such, 130 Midland Ave Owner LLC should be considered a Volunteer pursuant to ECL 27-1405(b)(1).

See Exhibit F - letter regarding proof of access.

## **Section IX – Contact List**

See Exhibit G.

## **Section X – Land Use Factors**

### **X.2 – Summary of Current Business Operations or Uses:**

The property is developed with a one-story 59,359 square foot shopping center consisting of various commercial stores. Currently only a pizza restaurant and a wine and liquor store are operating. All other tenant units are vacant. The remainder of the site is capped with an asphalt parking lot.

### **X.3 – Reasonably Anticipated Use Post-Remediation:**

The anticipated post-remedial use is commercial retail.

## Exhibit A

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through April 10, 2020.

---

Selected Entity Name: 130 MIDLAND AVE OWNER LLC

Selected Entity Status Information

**Current Entity Name:** 130 MIDLAND AVE OWNER LLC

**DOS ID #:** 5669964

**Initial DOS Filing Date:** DECEMBER 11, 2019

**County:** WESTCHESTER

**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)**

INTERSTATE AGENT SERVICES LLC

301 MILL RD. STE U-5

HEWLETT, NEW YORK, 11557

**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 Date	Name Type	Entity Name
DEC 11, 2019	Actual	130 MIDLAND AVE OWNER 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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## Exhibit D

1. Site Plan Showing Soil Samples  
Exceeding Commercial Use Soil Cleanup  
Objectives

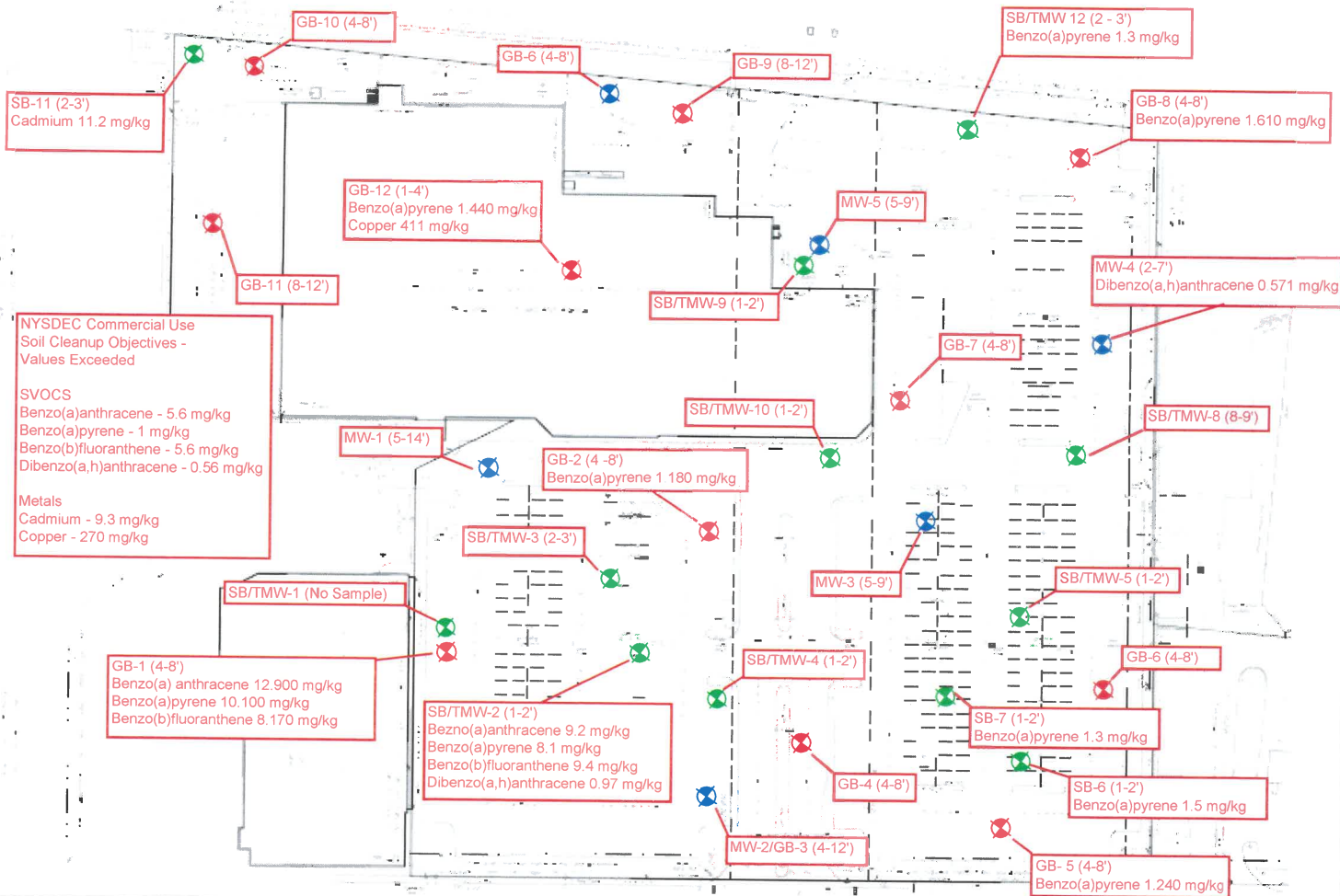
## LEGEND

✕ Soil Boring Location:  
Soil sampling and  
laboratory analysis performed  
by HES in January 2020

⊗ Monitoring Well Location:  
Soil sampling and  
laboratory analysis performed  
by HES in January 2020

⊗ Soil Boring/Monitoring Well  
Location: Soil sampling and  
laboratory analysis performed  
by PM in April 2019

Call-outs indicate  
constituents exceeding  
Commercial Use Soil  
Cleanup Objectives  
(CUSCOs)



130 MIDLAND AVENUE  
PORT CHESTER, NEW YORK

GENERALIZED  
SITE PLAN ADAPTED  
FROM VACCARO TRUST,  
OLVAC LLC SURVEY  
OCT. 20, 2018

APRIL 2019/JANUARY 2020

SITE PLAN SHOWING  
SOIL SAMPLES EXCEEDING  
COMMERCIAL USE  
SOIL CLEANUP OBJECTIVES  
(NTS)



**HydroEnvironmental  
SOLUTIONS, INC.**  
One Deans Bridge Road  
Somers, New York 10589

## Exhibit D

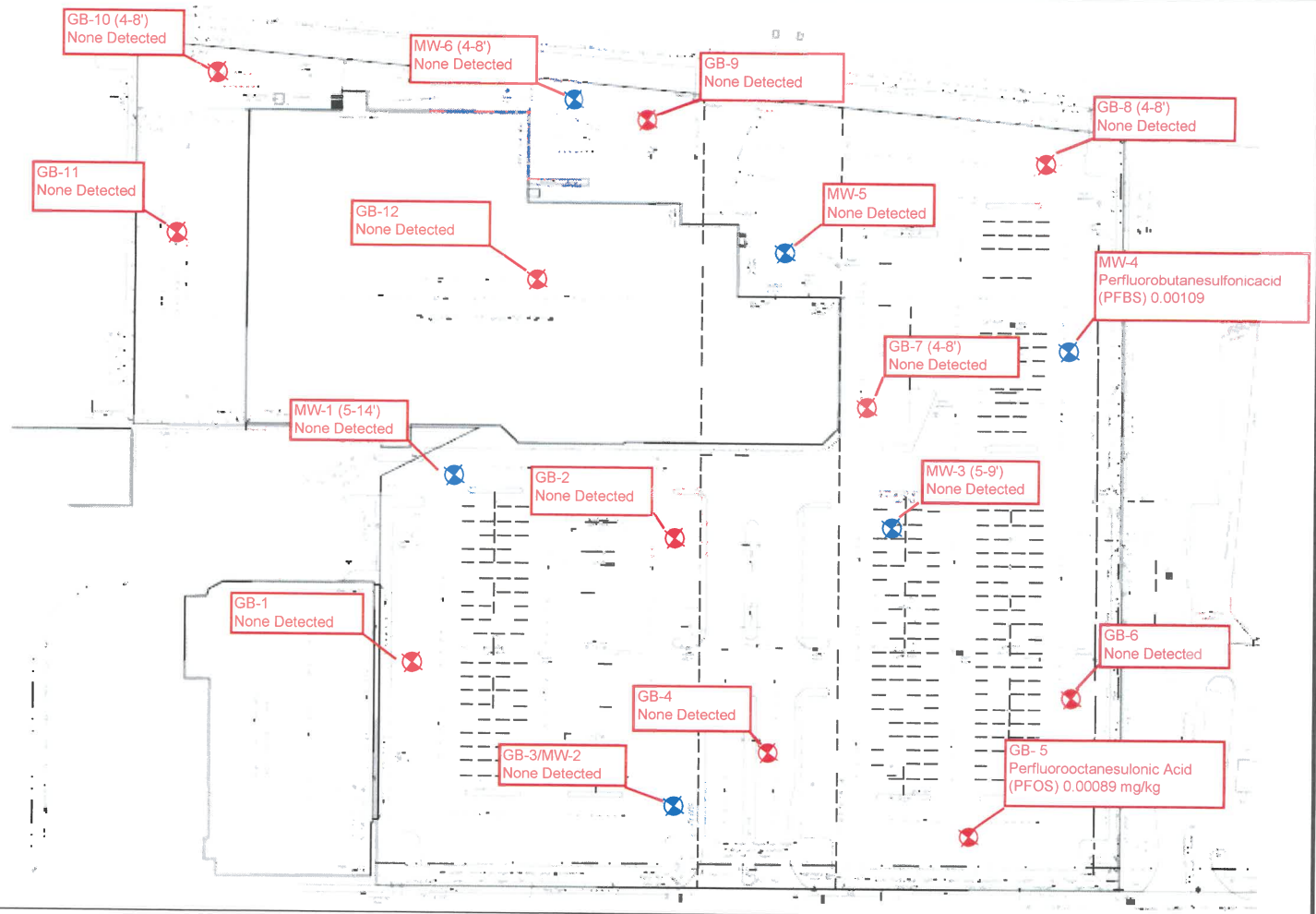
### 2. Site Plan Showing Soil Samples with PFAS Detections

## LEGEND

✕ Soil Boring Location:  
Soil sampling and  
laboratory analysis performed  
by HES in January 2020

⊕ Monitoring Well Location:  
Soil sampling and  
laboratory analysis performed  
by HES in January 2020

Call-outs indicate PFAS  
constituents detected  
above laboratory  
method detection limits

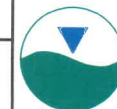


130 MIDLAND AVENUE  
PORT CHESTER, NEW YORK

GENERALIZED  
SITE PLAN ADAPTED  
FROM VACCARO TRUST,  
OLVAC LLC SURVEY  
OCT. 20, 2018

JANUARY 2020

SITE PLAN SHOWING  
SOIL SAMPLES  
WITH PFAS DETECTIONS  
(NTS)






**HydroEnvironmental  
SOLUTIONS, INC.**  
One Deans Bridge Road  
Somers, New York 10589

## Exhibit D

3. Site Plan Showing Soil Vapor Samples  
Exceeding Mitigate Levels from NYSDOH  
Matrices

## LEGEND

-  Vapor Point Location:  
Soil vapor sampling and laboratory analysis performed by PM Environmental on 4.19.19
-  Vapor Point Location:  
Soil vapor sampling and laboratory analysis performed by HES on 2.4.20 and 2.19.20
-  Ambient Air Sample Location:  
Ambient air sampling and laboratory analysis performed by HES on 2.4.20

Call-outs indicate constituents exceeding mitigate levels from NYSDOH matrices

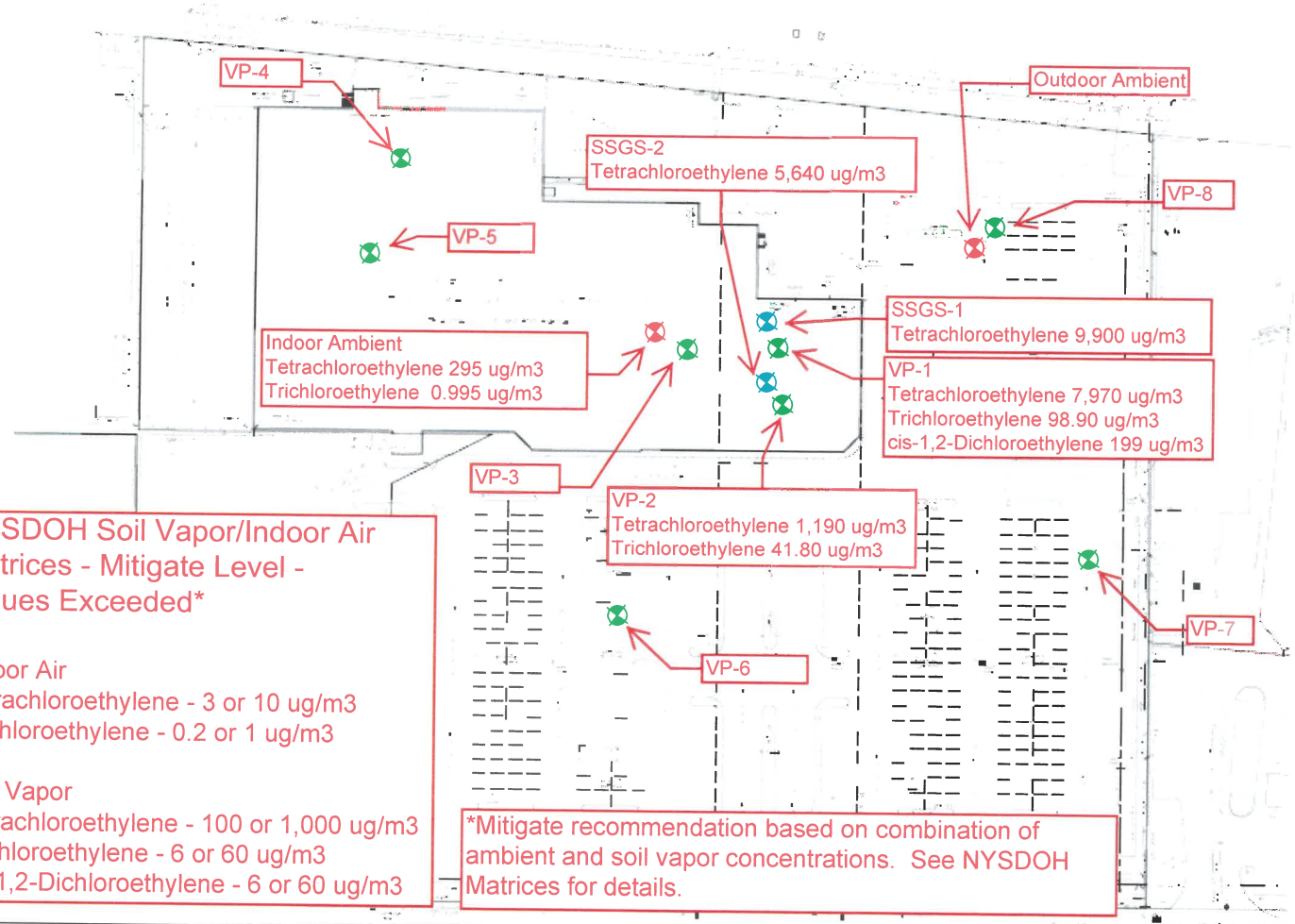


### NYSDOH Soil Vapor/Indoor Air Matrices - Mitigate Level - Values Exceeded\*

**Indoor Air**  
Tetrachloroethylene - 3 or 10 ug/m3  
Trichloroethylene - 0.2 or 1 ug/m3

**Soil Vapor**  
Tetrachloroethylene - 100 or 1,000 ug/m3  
Trichloroethylene - 6 or 60 ug/m3  
cis-1,2-Dichloroethylene - 6 or 60 ug/m3

\*Mitigate recommendation based on combination of ambient and soil vapor concentrations. See NYSDOH Matrices for details.

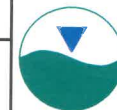


130 MIDLAND AVENUE  
PORT CHESTER, NEW YORK

GENERALIZED  
SITE PLAN ADAPTED  
FROM VACCARO TRUST,  
OLVAC LLC SURVEY  
OCT. 20, 2018

APRIL 2019/FEBRUARY 2020

SITE PLAN SHOWING  
SOIL VAPOR SAMPLES  
EXCEEDING MITIGATE LEVELS  
FROM NYSDOH MATRICES  
(NTS)



**HydroEnvironmental  
SOLUTIONS, INC.**  
One Deans Bridge Road  
Somers, New York 10589

## Exhibit D

4. Site Plan Showing Groundwater Samples  
Exceeding NYSDEC-AWQS

## LEGEND

Monitoring Well Location:  
Groundwater sampling and  
laboratory analysis performed  
by PM Environmental in  
April 2019

Monitoring Well Location:  
Groundwater sampling and  
laboratory analysis performed  
by HES in February 2020

Call-outs indicate  
well depth and  
constituents exceeding  
NYSDEC-AWQS from  
TOGS I.I.I

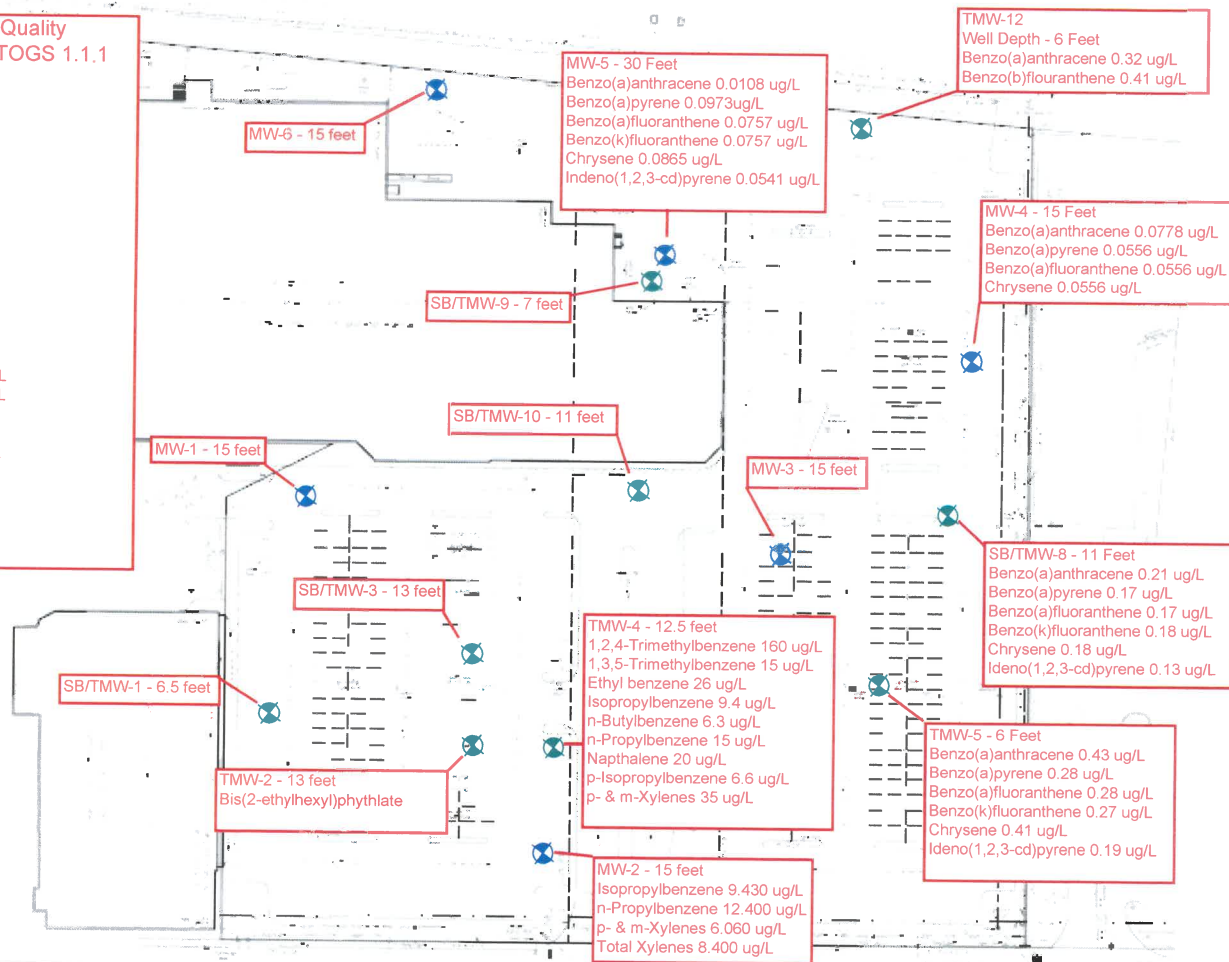
### NYSDEC Ambient Water Quality Standards (AWQS) from TOGS 1.1.1 Values Exceeded

#### VOCs

1,2,4-Trimethylbenzene - 5 ug/L  
1,3,5-Trimethylbenzene - 5 ug/L  
Ethyl Benzene - 5 ug/L  
Isopropylbenzene - 5 ug/L  
n-Butylbenzene - 5 ug/L  
n-Propylbenzene - 5 ug/L  
p-&m-Xylenes - 5 ug/L  
Xylenes, Total - 5 ug/L

#### SVOCs

Benzo(a)anthracene - 0.002 ug/L  
Benzo(a)pyrene - 0.002 ug/L  
Benzo(b)fluoranthene - 0.002 ug/L  
Benzo(k)fluoranthene - 0.002 ug/L  
Bis(2-ethylhexyl)phthalate - 5 ug/L  
Chrysene - 0.002 ug/L  
Ideno(1,2,3-cd)pyrene - 0.002 ug/L  
Naphthalene - 10 ug/L



130 MIDLAND AVENUE  
PORT CHESTER, NEW YORK

GENERALIZED  
SITE PLAN ADAPTED  
FROM VACCARO TRUST,  
OLVAC LLC SURVEY  
OCT. 20, 2013

APRIL 2019/FEBRUARY 2020

SITE PLAN SHOWING  
GROUNDWATER SAMPLES  
EXCEEDING NYSDEC-AWQS  
(NTS)



**HydroEnvironmental  
SOLUTIONS, INC.**  
One Deans Bridge Road  
Somers, New York 10589

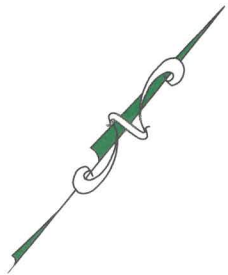
## Exhibit D

5. Site Plan Showing Groundwater Samples  
with PFAS Detections

## LEGEND

Monitoring Well Location:  
Groundwater sampling and  
laboratory analysis performed  
by HES in February 2020

Call-outs indicate well  
depths and PFAS  
constituents detected  
above laboratory  
method detection limits



MW-6 - 15 Feet  
Perfluorodecanoic Acid (PFDA) 0.00200 ug/L  
Perfluoroheptanoic Acid (PFHpA) 0.00796 ug/L  
Perfluorohexanesulfonic Acid (PFHxS) 0.00227 ug/L  
Perfluorohexanoic Acid (PFHxA) 0.00971 ug/L  
Perfluorooctanesulfonic Acid (PFOS) 0.00866 ug/L  
Perfluorooctanoic Acid (PFOA) 0.0103 ug/L  
Perfluoropentanoic Acid (PFPeA) 0.0131 ug/L

MW-5 - 30 Feet  
Perfluorobutanesulfonic Acid (PFBS) 0.00207 ug/L  
Perfluoroheptanoic Acid (PFHpA) 0.00790 ug/L  
Perfluorohexanesulfonic Acid (PFHxS) 0.00595 ug/L  
Perfluorohexanoic Acid (PFHxA) 0.0124 ug/L  
Perfluorooctanesulfonic Acid (PFOS) 0.0241 ug/L  
Perfluorooctanoic Acid (PFOA) 0.00828 ug/L  
Perfluoropentanoic Acid (PFPeA) 0.0174 ug/L

MW-4 - 15 Feet  
Perfluorobutanesulfonic Acid (PFBS) 0.00429 ug/L  
Perfluoroheptanoic Acid (PFHpA) 0.0303 ug/L  
Perfluorohexanesulfonic Acid (PFHxS) 0.00595 ug/L  
Perfluorohexanoic Acid (PFHxA) 0.0355 ug/L  
Perfluorononanoic Acid (PFNA) 0.00228 ug/L  
Perfluorooctanesulfonic Acid (PFOS) 0.0218 ug/L  
Perfluorooctanoic Acid (PFOA) 0.0212 ug/L  
Perfluoropentanoic Acid (PFPeA) 0.0574 ug/L

MW-1 - 15 Feet  
Perfluorobutanesulfonic Acid (PFBS) 0.00558 ug/L  
Perfluorodecanoic Acid (PFDA) 0.00418 ug/L  
Perfluoroheptanoic Acid (PFHpA) 0.0131 ug/L  
Perfluorohexanesulfonic Acid (PFHxS) 0.00393 ug/L  
Perfluorohexanoic Acid (PFHxA) 0.0229 ug/L  
Perfluorononanoic Acid (PFNA) 0.00573 ug/L  
Perfluorooctanesulfonic Acid (PFOS) 0.0437 ug/L  
Perfluorooctanoic Acid (PFOA) 0.0280 ug/L  
Perfluoropentanoic Acid (PFPeA) 0.0249 ug/L

MW-2 - 15 Feet  
Perfluorobutanesulfonic Acid (PFBS) 0.0171 ug/L  
Perfluoroheptanoic Acid (PFHpA) 0.00742 ug/L  
Perfluorohexanoic Acid (PFHxA) 0.0247 ug/L  
Perfluoropentanoic Acid (PFPeA) 0.0202 ug/L

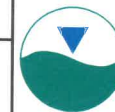
MW-3 - 15 Feet  
Perfluorobutanesulfonic Acid (PFBS) 0.0252 ug/L  
Perfluoroheptanoic Acid (PFHpA) 0.0148 ug/L  
Perfluorohexanesulfonic Acid (PFHxS) 0.00960 ug/L  
Perfluorohexanoic Acid (PFHxA) 0.0249 ug/L  
Perfluorooctanesulfonic Acid (PFOS) 0.0183 ug/L  
Perfluorooctanoic Acid (PFOA) 0.0323 ug/L  
Perfluoropentanoic Acid (PFPeA) 0.0182 ug/L

130 MIDLAND AVENUE  
PORT CHESTER, NEW YORK

GENERALIZED  
SITE PLAN ADAPTED  
FROM VACCARO TRUST,  
OLVAC LLC SURVEY  
OCT. 20, 2018

FEBRUARY 2020

SITE PLAN SHOWING  
GROUNDWATER SAMPLES  
WITH PFAS DETECTIONS  
(NTS)

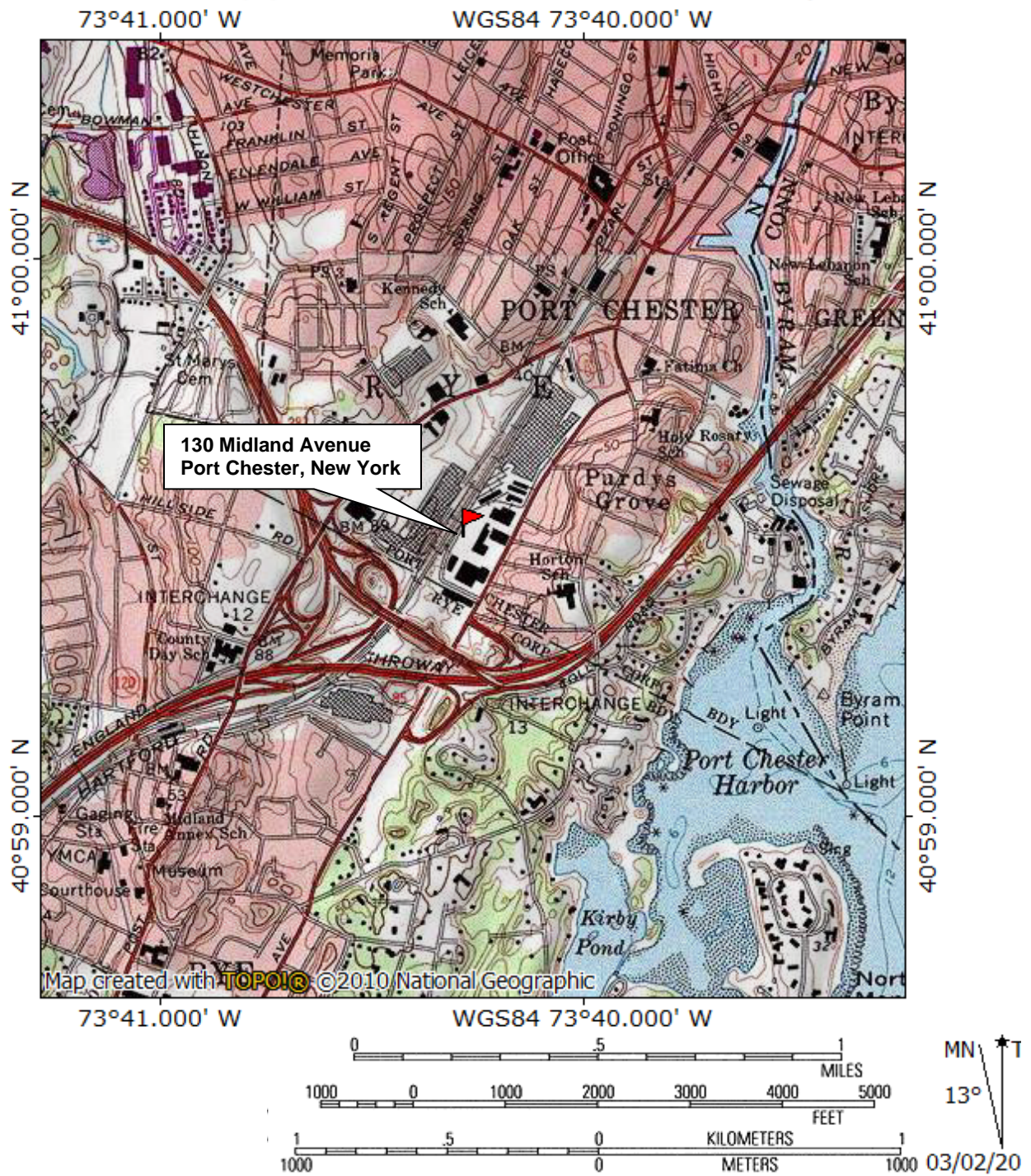


**HydroEnvironmental  
SOLUTIONS, INC.**  
One Deans Bridge Road  
Somers, New York 10589

## Exhibit E

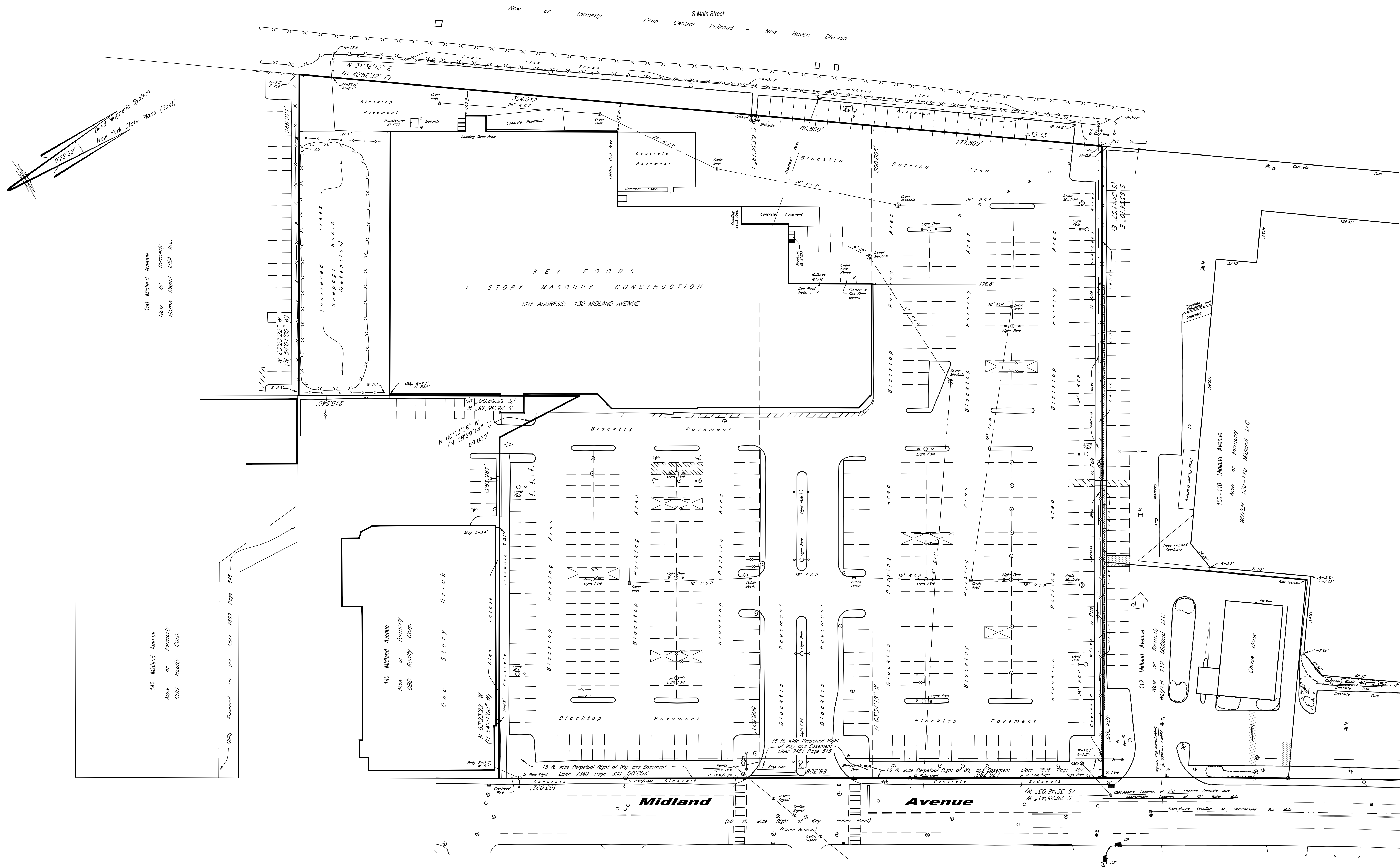
1. USGS Topographic Map

**Figure 1**  
**Site Location Map**



## Exhibit E

### 2. Property Base Map



Survey of Property  
prepared for  
**Vaccaro Trust, OLVAC LLC  
& Vaccaro 2, LLC**  
in the Village of  
**Port Chester**  
Westchester County, N.Y.  
Scale 1"=30' Oct. 20, 2018

The premises being Lot 5, Block 1, Section 142.5.3 as shown on the official Tax Assessment Maps of the Village of Port Chester, Town of Rye.

Note: Bearings shown in parenthesis ( ) are in the deed system.

Spatial Reference System  
USA/NAD 83 CORRS/NEW YORK (EAST)

Total Area = 269,747 sq. ft. or 6.1925 acres

Subsurface structures and their encroachments, if any exist, are not shown hereon.

\*Unauthorized alterations or additions to a survey map is a violation of section 7209, sub-division 2, of the New York State Education Law.

\*Only copies of the original survey marked with the land surveyor's inked or embossed seal shall be considered a true and valid copy.

\*Certifications indicated hereon signify that this survey was prepared in accordance with the existing code of practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run to the person for whom the survey is prepared only, and on his behalf to the Title Company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

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Ward Carpenter Engineers, Inc.  
76 Memoracck Avenue  
White Plains, N.Y. 10601

## Exhibit E

### 3. Westchester County Tax Map

# 130 Midland Ave. ID: 142.53-1-5 (Port Chester )



June 1, 2020

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

1:5,000



0 240 480 960  
ft

**Westchester County GIS**

**GIS**  
Geographic Information System  
<http://giswww.westchestergov.com>  
Michaelian Office Building  
148 Martine Avenue Rm 214  
White Plains, New York 10601

## Exhibit F

## Section VI – Previous Owners and Operators

The current owners of the Site are Mary Jean Vaccaro Annuity Trust, Olvac, LLC, and Vaccaro 2, LLC. Requestor's relationship to the current owners is as contract vendee to purchase the property. Each of the owners has authorized 130 Midland Ave Owner LLC ("Requestor") to apply to the Brownfield Cleanup Program. Requestor and its corporate members have no relationship to previous owners or operators of the property.

Previous Owners			
Name	Last Known Contact Information	Relationship to Applicant	Ownership
William J Telesco	130 Midland Avenue, Port Chester, NY 10573	None	Unknown - 1971
Rose M Telesco	130 Midland Avenue, Port Chester, NY 10573	None	1971 - 1974
Vaccaro Brothers Realty Co	130 Midland Avenue, Port Chester, NY 10573	Corporate Affiliate	1974 - 11/18/1994
Anthony Vaccaro, Lucy Vaccaro, Mary Jean Vaccaro and William Vaccaro	130 Midland Avenue, Port Chester, NY 10573	Corporate Affiliate	11/18/1994 - 11/30/1994
Anthony Vaccaro Annuity Trust	3 Frederick Court, Harrison, NY 10528	Corporate Affiliate	11/30/1994 - 4/29/2008
Mary Jean Vaccaro Annuity Trust	2 Oak Ridge Drive, Port Chester, NY 10573	Corporate Affiliate	11/30/1994 - present
Lucy Vaccaro Annuity Trust	3 Frederick Court, Harrison, NY 10528	Corporate Affiliate	11/30/1994 - 2/10/2002
Lucy Vaccaro Testamentary Trust	3 Frederick Court, Harrison, NY 10528	Corporate Affiliate	2/10/2002 - 4/29/2008
Mary Joan Vaccaro-Olko	3 Frederick Court, Harrison, NY 10528	Corporate Affiliate	4/29/2008 - 10/26/2017
William Vaccaro Annuity Trust	2 Oak Ridge Drive, Port Chester, NY 10573	Corporate Affiliate	11/30/1994 - 7/21/2018

<b>Previous Owners (Cont'd)</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Bernardino Vaccaro, Mary Joan Vaccaro	2 Oak Ridge Drive, Port Chester, NY 10573	Corporate Affiliate	7/21/2018
Olvac, LLC	3 Frederick Court, Harrison, NY 10528	Corporate Affiliate	10/26/2017 - present
Vaccaro 2, LLC	2 Oak Ridge Drive, Port Chester, NY 10573	Corporate Affiliate	7/21/2018 - present

<b>Previous Operators</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Operation (known years)</b>
New York and Stamford Railway Company	N/A	None	Circa 1908 - 1919
County Transportation Co. Inc.	N/A	None	Circa 1919 - 1950
Russell, Burdsall & Ward Bolt and Nut	10080 Wellman Road Streetsboro, OH 44241	None	Circa 1950 - 1974
Midland Cleaners	122 Midland Avenue, Port Chester, NY 10573	Tenant	1983 - 2018
Newkirk Superwest L.P.	1 Penn Plaza, Suite 4015, New York, NY 10019	Tenant	1983 - 2017
Vaccaro's Spirit Shop, Inc.	124 Midland Avenue, Port Chester, NY 10573	Tenant	1985 - 1996
Antonio's Pizza	130 Midland Avenue, Port Chester, NY 10573	Tenant	1987 - Current
Hertig Cards & Gifts	130 Midland Avenue, Port Chester, NY 10573	Tenant	1987
Pathmark Stores Inc.	130 Midland Avenue, Port Chester, NY 10573	Tenant	1987 - 2014
Super Markets General Corporation	130 Midland Avenue, Port Chester, NY 10573	Tenant	1992 - 2005
New York Community Bank	130 Midland Avenue, Port Chester, NY 10573	Tenant	2005
24 Hour Emergency Locksmith	130 Midland Avenue, Port Chester, NY 10573	Tenant	2005
Licare Corporation	124 Midland Avenue, Port Chester, NY 10573	Tenant	1996 - present

<b>Previous Operators (Cont'd)</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Operation (known years)</b>
Olvac Management, LLC	130 Midland Avenue, Port Chester, NY 10573	Applicant	10/12/2017 - present

## Exhibit G

Olvac Management, LLC  
3 Frederick Court  
Harrison, NY 10528

March 11, 2020

Elisa Chae, Esq.  
Assistant Regional Counsel  
New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, NY 12561

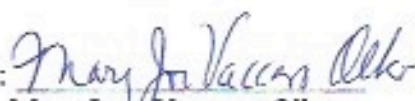
Re: 130 Midland Avenue, Port Chester, New York (Site)

Dear Ms. Chae:

We are writing to confirm that Olvac Management, LLC, the manager of the Site and the authorized agent for the Site's owners, will provide full access to the Site to 130 Midland Ave Owner LLC, the contract vendee for the Site, to enable it to fulfill all of the requirements of the New York State Brownfield Cleanup Program, including but not limited to access and the ability to place an easement on the Site.

Very truly yours,

Olvac Management, LLC

By:   
Mary Joan Vaccaro-Olko  
Manager

## Exhibit H

## **Contact List Information**

### **B1. The Chief Executive Officer And Planning Board Chairperson Of Each County, City, Town And Village In Which The Property Is Located.**

Mayor Richard A. Falanka  
222 Grace Church Street  
Port Chester, NY 10573

Christopher Steers, Village Manager  
Village Board of Trustees  
222 Grace Church Street  
Port Chester, NY 10573

Planning Department  
Westchester County  
148 Martine Avenue  
White Plains, NY 10601

Eric Zamft  
Department of Planning and Development, Suite 202  
222 Grace Church Street  
Port Chester, NY 10573

Regina Glennon  
Senior Office Assistant, Building Department  
Village Hall  
222 Grace Church Street  
Port Chester, NY 10573

Steven Otis  
Assembly Member, District 91  
222 Grace Church Street  
Port Chester, NY 10573

Shelley Mayer  
State Senator, District 37  
222 Grace Church Street, Suite 300  
Port Chester, NY 10573

### **B2. Residents, Owners And Occupants Of The Property And Properties Adjacent To The Property.**

#### Site Owners

Mary Jean Vaccaro Annuity Trust  
130 Midland Avenue  
Port Chester, NY 10573

Olvac, LLC  
3 Frederick Court  
Harrison, NY 10528

Vaccaro 2, LLC  
2 Oak Ridge Drive  
Port Chester, NY 10573

Site Occupants

Antonio's Pizza  
130 Midland Avenue  
Port Chester, NY 10573

Vaccaro's Wine and Spirits  
124 Midland Avenue  
Port Chester, NY 10573

140 Midland Avenue

Commercial building owned by: CBD Realty Corp.  
Owner Address: 140 Midland Avenue, Port Chester, NY 10573  
Occupied by: East Wok  
Occupant Address: 140 Midland Avenue, Port Chester, NY 10573  
Occupied by: B&G Laundry  
Occupant Address: 140 Midland Avenue #7, Port Chester, NY 10573  
Occupied by: Edo Japanese Steak House  
Occupant Address: 140 Midland Avenue, Port Chester, NY 10573  
Occupied by: Diane's Hair Family Salon  
Occupant Address: 140 Midland Avenue #5, Port Chester, NY 10573  
Occupied by: Garden Catering Port Chester  
Occupant Address: 140 Midland Avenue, Port Chester, NY 10573  
Occupied by: Carpet World of Westchester  
Occupant Address: 140 Midland Avenue, Port Chester, NY 10573  
Occupied by: Nail Plaza  
Occupant Address: 140 Midland Avenue #8, Port Chester, NY 10573

112 Midland Avenue

Commercial building owned by: WU/LH 112 Midland, LLC  
Owner Address: 112 Midland Avenue, Port Chester, NY 10573  
Occupied by: Chase Bank  
Occupant Address: 112 Midland Avenue, Port Chester, NY 10573

142 Midland Avenue

Commercial buildings owned by: Midland Properties of NY  
Owner Address: 142 Midland Ave, Port Chester, NY 10573  
Occupied by: Sherwin-Williams Paint Store  
Occupant Address: 142 Midland Avenue, Port Chester, NY 10573  
Occupied by: Dollar Cleaners  
Occupant Address: 142 Midland Avenue, Port Chester, NY 10573  
Occupied by: Midland Super Suds  
Occupant Address: 142 Midland Avenue, Port Chester, NY 10573

150 Midland Avenue

Commercial building owned/occupied by: Home Depot USA Inc.  
Owner/Occupant Address: 150 Midland Ave, Port Chester, NY 10573

100-110 Midland Avenue

Commercial building owned by: WU/LH 100-110 Midland, LLC  
Owner Address: 100-110 Midland Ave, Port Chester, NY 10573  
Occupied by: BMW of Greenwich and BMW of Mamaroneck Service  
Occupant Address: 110 Midland Avenue, Port Chester, NY 10573  
Occupied by: PGW Auto Glass – Port Chester  
Occupant Address: 100 Midland Avenue, Port Chester, NY 10573

South Main Street

Railroad owned/occupied by: Metropolitan Transit Authority  
Owner/Occupant Address: 341 Madison Avenue, New York, NY 10017

421-575 Boston Post Road

Commercial buildings owned by: DPCC Holdings L.P.  
Owner Address: 1739 Altamont Avenue, Schenectady, NY 12303  
Occupied by: Modell's Sporting Goods  
Occupant Address: 421 Boston Post Road, Port Chester, NY 10573  
Occupied by: DSW Designer Show Warehouse  
Occupant Address: 429 Boston Post Road, Port Chester, NY 10573  
Occupied by: Dressbarn  
Occupant Address: 501-503 Boston Post Road, Port Chester, NY 10573  
Occupied by: HomeGoods  
Occupant Address: 423 Boston Post Road, Port Chester, NY 10573  
Occupied by: Kohl's Port Chester  
Occupant Address: 431 Boston Post Road, Port Chester, NY 10573  
Occupied by: buybuy BABY  
Occupant Address: 441 Boston Post Road, Port Chester, NY 10573  
Occupied by: Ulta Beauty  
Occupant Address: 445 Boston Post Road, Port Chester, NY 10573  
Occupied by: Carvel  
Occupant Address: 465 Boston Post Road, Port Chester, NY 10573  
Occupied by: Halloween City  
Occupant Address: 495 Boston Post Road, Port Chester, NY 10573  
Occupied by: Jembro Stores  
Occupant Address: 551 Boston Post Road, Port Chester, NY 10573  
Occupied by: Tyson & Co Jewelers  
Occupant Address: 505 Boston Post Road, Port Chester, NY 10573  
Occupied by: Elite Furniture  
Occupant Address: 513 Boston Post Road, Port Chester, NY 10573  
Occupied by: GameStop Prestige  
Occupant Address: 517 Boston Post Road, Port Chester, NY 10573  
Occupied by: Staples  
Occupant Address: 515 Boston Post Road, Port Chester, NY 10573  
Occupied by: Sally Beauty  
Occupant Address: 525 Boston Post Road, Port Chester, NY 10573  
Occupied by: The Vitamin Shoppe  
Occupant Address: 535 Boston Post Road, Port Chester, NY 10573  
Occupied by: USALLIANCE Financial  
Occupant Address: 555 Boston Post Road, Port Chester, NY 10573  
Occupied by: Whole Foods Market

Occupant Address: 575 Boston Post Road, Port Chester, NY 10573  
Occupied by: BevMax Wines & Liquors  
Occupant Address: 449 Boston Post Road, Port Chester, NY 10573  
Occupied by: Verizon  
Occupant Address: 447 Boston Post Road, Port Chester, NY 10573  
Occupied by: Bank of America Financial Center  
Occupant Address: 433 Boston Post Road, Port Chester, NY 10573  
Occupied by: Dave's Dollar  
Occupant Address: 553 Boston Post Road, Port Chester, NY 10573  
Occupied by: Harka Shop  
Occupant Address: 515 Boston Post Road, Port Chester, NY 10573  
Occupied by: Angel Spa  
Occupant Address: 521 Boston Post Road, Port Chester, NY 10573  
Occupied by: Maselli's Delicatessen & Catering  
Occupant Address: 531 Boston Post Road, Port Chester, NY 10573  
Occupied by: Clino's Pizza Pasta & Things  
Occupant Address: 529 Boston Post Road, Port Chester, NY 10573  
Occupied by: Party City  
Occupant Address: 435 Boston Post Road, Port Chester, NY 10573  
Occupied by: Tripodi's Electric  
Occupant Address: 537 Boston Post Road, Port Chester, NY 10573  
Occupied by: Evergreen Cleaners  
Occupant Address: 519 Boston Post Road, Port Chester, NY 10573  
Occupied by: Vision World S.H. Laufer of Port Chester  
Occupant Address: 511 Boston Post Road, Port Chester, NY 10573  
Occupied by: F45 Training Port Chester  
Occupant Address: 509 Boston Post Road, Port Chester, NY 10573  
Occupied by: Old Navy  
Occupant Address: 461 Boston Post Road, Port Chester, NY 10573  
Occupied by: Pier 1 Imports  
Occupant Address: 427 Boston Post Road, Port Chester, NY 10573

289 Boston Post Road

Vacant land owned/occupied by: Briante Messina

182 Grace Church Street

Commercial and Residential buildings owned by: Graceland Terrace Housing Development  
Owner Address: 182 Grace Church Street, Port Chester, NY 10573  
Occupied by: Port Chester Housing Authority  
Occupant Address: 2 Weber Drive, Port Chester, NY 10573

295 Midland Avenue

Commercial building owned by: Southend Realty Co.  
Owner Address: 295 Midland Avenue, Port Chester, NY 10573  
Occupied by: Dunkin'  
Occupant Address: 295 Midland Avenue, Port Chester, NY 10573  
Occupied by: L P Wholesale Seafood  
Occupant Address: 295 Midland Avenue, Port Chester, NY 10573  
Occupied by: Port Chester Seafood  
Occupant Address: 295 Midland Avenue, Port Chester, NY 10573  
Occupied by: Fastlink Wireless

Occupant Address: 295 Midland Avenue, Port Chester, NY 10573

125 Midland Avenue

Commercial building owned by: Michael Iacobelli

Owner Address: 125 Midland Avenue, Port Chester, NY 10573

Occupied by: Michael's Pizza

Occupant Address: 125 Midland Avenue, Port Chester, NY 10573

129 Midland Avenue

Residential buildings owned/occupied by: Jose Oliveros or Occupant

117 Midland Avenue

Residential building owned/occupied by: Luis Lopez or Occupant

115 Midland Avenue

Commercial building owned by: Luis Lopez

Owner Address: 115 Midland Avenue, Port Chester, NY 10573

Occupied by: Coyote Flaco

Occupant Address: 115 Midland Avenue, Port Chester, NY 10573

302 Midland Avenue

Commercial building owned by: Midland Ave Properties, Inc.

Owner Address: 302 Midland Avenue, Port Chester, NY 10573

Occupied by: Small Village Café

Occupant Address: 302 Midland Avenue, Port Chester, NY 10573

**B3. Local News Media From Which The Community Typically Obtains Information.**

The Journal News

1133 Westchester Avenue, Suite N110

White Plains, NY 10604

Westmore News

38 Broad Street

Port Chester, NY 10573

New York Daily News

4 New York Plaza

New York, NY 10004

New York Post

1211 Avenue of the Americas

New York, NY 10036

**B4. The Public Water Supplier Which Services The Area In Which The Property Is Located**

SUEZ Westchester Operations

2525 Palmer Avenue

New Rochelle, NY 10801

The Village of Port Chester receives its water supply from the Catskill and Delaware watersheds of the New York City water system.

**B5. Any Person Who Has Requested To Be Placed On The Contact List.**

We are unaware of any requests for inclusion on the contact list.

**B6. The Administrator Of Any School Or Day Care Facility Located On Or Near The Property.**

One day care facilities are within 1,000 feet of the site:

Weber Drive Child Center  
11 Weber Dr  
Port Chester, NY 10573  
Port Chester Housing Authority, Owner  
(914) 690-9503

**B7. Locations of the Document Repositories**

Port Chester-Rye Brook Public Library (see attached repository confirmation)  
Attn: Stacey Harris  
1 Haseco Avenue  
Port Chester, NY 10573

**B8. In Cities With A Population of One Million or More, The Local Community Board, if The Proposed Site is Located Within Such Community Board's Boundaries**

The Village of Port Chester has a population of less than one million.