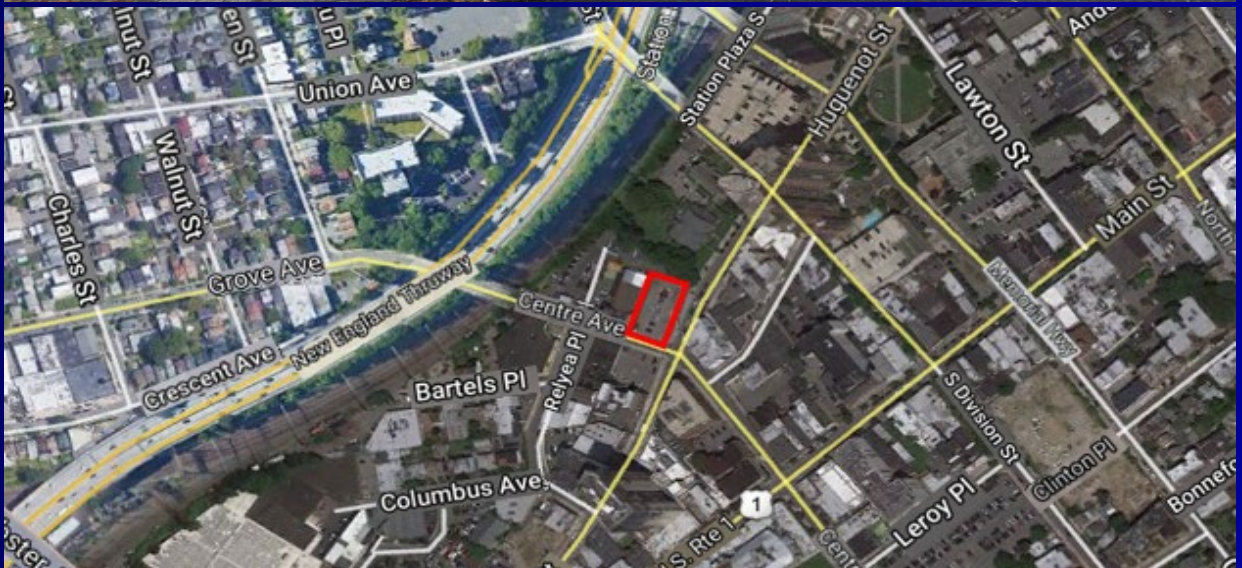


**RFMCH Huguenot Property Owner II LLC and  
RFMCH Huguenot Development Partners II LLC  
Brownfield Cleanup Program Application  
Block 417 New Rochelle  
327 Huguenot Street  
New Rochelle, New York 10801**



**Legal & Consulting Team:  
Knauf Shaw LLP & SESI Consulting Engineers.  
February 2021**



## 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 RFMCH Huguenot Property Owner II LLC & RFMCH Huguenot Development Partners II LLC

ADDRESS 7 Renaissance Square, 4th Floor

CITY/TOWN White Plains, New York

ZIP CODE 10601

PHONE (914) 769-6500

FAX NA

E-MAIL kmcmanus@icappelli.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			
Chlorinated Solvents			
Other VOCs			
SVOCs	X	X	
Metals	X	X	
Pesticides	X	X	
PCBs	X	X	
Other*	X	X	

\*Please describe: PFOA and PFOS

**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 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: contaminated fill



Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Block 417 New Rochelle				
ADDRESS/LOCATION 327-329 Huguenot Street				
CITY/TOWN New Rochelle, New York		ZIP CODE 10801		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New Rochelle and Westchester County				
COUNTY Westchester County		SITE SIZE (ACRES) 0.344 acres		
LATITUDE (degrees/minutes/seconds) 40 ° 54 ' 30.9 "		LONGITUDE (degrees/minutes/seconds) 73 ° 47 ' 06.1 "		
<b>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.</b>				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
327-329 Huguenot Street	2	417	1	0.344
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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 <a href="#">DEC's website</a> for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <div style="text-align: right; margin-right: 50px;">If yes, identify census tract : <u>Census Tract 61</u></div> <div style="margin-top: 10px;">             Percentage of property in En-zone (check one):              <input type="checkbox"/> 0-49%              <input type="checkbox"/> 50-99%              <input checked="" type="checkbox"/> 100%           </div>				
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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

NA

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)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Bruce Berg			
ADDRESS 7 Renaissance Square, 4th Floor			
CITY/TOWN White Plains, New York		ZIP CODE 10601	
PHONE (914) 769-6500	FAX NA	E-MAIL bruce@icappelli.com	
NAME OF REQUESTOR'S CONSULTANT SESI Consulting Engineers, DPC (Fuad Dahan, P.E.)			
ADDRESS 12A Maple Avenue			
CITY/TOWN Pine Brook, New Jersey		ZIP CODE 07058	
PHONE (862) 702 - 5713	FAX NA	E-MAIL fd@sesi.org	
NAME OF REQUESTOR'S ATTORNEY Linda Shaw, Esq., Knauf Shaw LLP			
ADDRESS 1400 Crossroads Building, 2 State Street			
CITY/TOWN Rochester, New York		ZIP CODE 14614	
PHONE (585) 546-8430	FAX (585) 546-4324	E-MAIL lshaw@nyenvlaw.com	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME RFMCH Huguenot Property Owner LLC OWNERSHIP START DATE: 8/15/19			
ADDRESS c/o Huguenot Centre Holdings, LLC, 7 Renaissance Square, 4th Floor			
CITY/TOWN White Plains, New York		ZIP CODE 10601	
PHONE (914) 769-6500	FAX NA	E-MAIL bruce@icappelli.com	
CURRENT OPERATOR'S NAME Same as owner above - parking their own vehicles on lot; no tenants			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<b>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".</b>			
<b>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.</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 Affiliated LLC

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? ☐ Yes ☒ No  
If yes, please provide: Order # \_\_\_\_\_
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No  
If yes, please provide explanation as an attachment.

## 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? DB/ (DO-2) Districts

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

See Support Narrative.

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

☒ Yes ☐ No

See Support Narrative.

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.

☒ Yes ☐ No

See Support Narrative.

## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hererby 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: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am Authorized Person for RFMCH Huguenot Development Partners II 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: 3/3/2021

Signature:  \_\_\_\_\_

Print Name: Bruce Berg

### 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:** \_\_\_\_\_



## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hererby 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: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am Authorized Person for RFMCH Huguenot Property Owner II 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: 3/3/2021

Signature:  \_\_\_\_\_

Print Name: Bruce Berg

### 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 checked="" 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.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>From ECL 27-1405(31):</b>	
<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><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)</p>	
<p>375-3.2:</p> <p>(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</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(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</p> <p>(c) there are no structures.</p> <p>"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.</p>	

### 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:** Block 417 New Rochelle  
**City:** New Rochelle, New York

**Site Address:** 327-329 Huguenot Street  
**County:** Westchester County **Zip:** 10801

### Tax Block & Lot

**Section (if applicable):** 2 **Block:** 417 **Lot:** 1

**Requestor Name:** RFMCH Huguenot Property Owner II LLC & RFMCH Huguenot Development Partners II LLC **Requestor Address:** 7 Renaissance Square, 4th Floor  
**City:** White Plains, New York **Zip:** 10601 **Email:** kmcmamus@icappelli.com

### Requestor's Representative (for billing purposes)

**Name:** Bruce Berg **Address:** 7 Renaissance Square, 4th Floor  
**City:** White Plains, New York **Zip:** 10601 **Email:** bruce@icappelli.com

### Requestor's Attorney

**Name:** Linda Shaw, Esq., Knauf Shaw LLP **Address:** 1400 Crossroads Building, 2 State Street  
**City:** Rochester, New York **Zip:** 14614 **Email:** lshaw@nyenvlaw.com

### Requestor's Consultant

**Name:** SESI Consulting Engineers, DPC (Fuad Dahan, P.E.) **Address:** 12A Maple Avenue  
**City:** Pine Brook, New Jersey **Zip:** 07058 **Email:** fd@sesi.org

**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:

# **BCP APPLICATION SUPPORT DOCUMENT**

## **BCP APPLICATION SUPPORT DOCUMENT**

### **Exhibit List**

- Exhibit A -** DOS Entity Information
- Exhibit B-** Corporate Consent
- Exhibit C-** Deed
- Exhibit D-** Site Access Agreement
- Exhibit E-** Previous Owners and Operators
- Exhibit F-** Site Drawing Spider Maps
- Exhibit G-** Survey and Tax Map
- Exhibit H-** Site Location Map, Base Map, and En-Zone Map
- Exhibit I-** Zoning Map
- Exhibit J-** Flood Map
- Exhibit K-** Site Contact List
- Exhibit L-** Repository Letter

#### **ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:**

- A. November 2016 MACTEC Engineering and Consulting, P.C. Remedial Investigation Report (RIR) prepared for NYSDEC Re: Industrial Overall Site [NON-SITE RELATED REPORT REFERENCED IN JUNE PHASE II SITE RELATED REPORT BELOW]
- B. April 2017 Nelson, Pope & Voorhis, LLC (NP&V) Phase I ESA prepared for Renaissance Downtowns UrbanAmerica, LLC
- C. April 2017 Toxics Targeting Phase I Environmental Database Report
- D. June 2017 Nelson, Pope & Voorhis, LLC (NP&V) Limited Soil Vapor Phase II ESA prepared for Renaissance Downtowns UrbanAmerica, LLC
- E. July 2019 SESI Consulting Engineers, DPC (SESI) Summary Memorandum of Environmental Sampling at 329 and 339 Huguenot Street
- F. September 2019 SESI Geotechnical Subsurface Investigation and Report
- G. January 2021 SESI Phase I ESA Report prepared for Requestors
- H. January 2021 SESI Phase II ESA Report prepared for Requestors
- I. February 2021 SESI Remedial Investigation Work Plan (RIWP)



## **PART A**

### **SECTION I - REQUESTOR INFORMATION**

The Requestors are RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC. The Requestors are Delaware limited liability companies and are located at 7 Renaissance Square, 4<sup>th</sup> Floor, White Plains, New York 10601. RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC are authorized to do business in the State of New York. *See Exhibit A, NYSDOS Entity Information.* The members of RFMCH Huguenot Property Owner II LLC are Louis Cappelli and Bruce Berg. The members of RFMCH Huguenot Development Partners II LLC are Louis Cappelli and Bruce Berg.

The Written Consent provides Bruce Berg, with authority to sign all Brownfield Cleanup Program (“BCP”) documents on behalf of the Requestors RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC. *See Exhibit B, Corporate Consent.*

As further described below in Section IV, the Site is located at 327-329 Huguenot Street, New Rochelle, New York 10801, Tax Parcel Identification No. 2-417-0001 (“Site” or “BCP Site.”).

Requestors are not the owner of the site. As more fully described below in Section VI, RFMCH Huguenot Property Owner LLC, an affiliated company, has owned the Site since August 15, 2019. *See Exhibits C, Deeds, and Exhibit G, Survey.* RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC have received a temporary license from the Owner to access the property to perform investigation and remediation work required by the BCP. *See Exhibit D, Site Access Agreement.* However, neither the current owner, nor the Requestors, have any prior relationship with any past owners that caused the contamination. The Requestors did not cause any of the contamination of the Site, which predates the Site owner’s and Requestors’ involvement at the Site.

### **SECTION II - PROJECT DESCRIPTION**

**Please refer to responses to Questions 1-3 on the BCP Application Form.**

#### **4. Short Project Description**

The planned redevelopment of the Site entails the construction of a mixed-use residential and commercial building. Ten (10) percent of the apartments will be affordable and the remainder market rate. The building will be approximately 346,000 square feet including a below grade basement.

#### **Schedule- Commencement through COC**

Assuming the BCP Application is approved and the BCA is executed within four months by the end of May 2021, and the Remedial Investigation Work Plan (RIWP) submitted with the application is approved by early June 2021 since this work plan will be publicly noticed with the application, the Remedial Investigation (RI) work can commence in June-July 2021. The

Remedial Investigation Report (RIR) and the Remedial Action Work Plan (“RAWP”) will be completed and submitted at the same time in or about July-August 2021. Required remediation may commence in mid fall 2021 and the Certificate of Completion is anticipated to be issued on or before December 2021 or in early 2022. All land use approvals have already been obtained.

## **SECTION III – PROPERTY’S ENVIRONMENTAL HISTORY**

### **1. List of Environmental Reports**

The following is the list of environmental reports for the Site separately attached:

- A. November 2016 MACTEC Engineering and Consulting, P.C. Remedial Investigation Report (RIR) prepared for Industrial Overall Site [NON-SITE RELATED REPORT REFERENCED IN SITE RELATED REPORTS BELOW]
- B. April 2017 Nelson, Pope & Voorhis, LLC (NP&V) Phase I ESA prepared for Renaissance Downtowns UrbanAmerica, LLC
- C. April 2017 Toxics Targeting Phase I Environmental Database Report
- D. June 2017 Nelson, Pope & Voorhis, LLC (NP&V) Limited Soil Vapor Phase II ESA prepared for Renaissance Downtowns UrbanAmerica, LLC
- E. July 2019 SESI Consulting Engineers, DPC (SESI) Summary Memorandum of Environmental Sampling at 329 and 339 Huguenot Street
- F. September 2019 SESI Geotechnical Subsurface Investigation and Report
- G. January 2021 SESI Phase I ESA Report prepared for Requestors
- H. January 2021 SESI Phase II ESA Report prepared for Requestors
- I. February 2021 SESI Remedial Investigation Work Plan (RIWP)

### **2. Sampling Data**

*See Exhibit F, Spider Maps, which include sampling data summaries, and Section IV.10.F.*

### **3. Site Drawing**

*See Exhibit F, Spider Maps.*

### **4. Past Land Uses**

*See Section IV.10.D for full description of past land uses.*

## **SECTION IV – PROPERTY INFORMATION**

### **1. Site Boundary and Tax Parcel Information**

The Site boundary does correspond to the tax boundaries. The Tax Boundary Map and a Survey

map are provided in Exhibit G. The Site Location Map, Base Property Map, and En-zone Map are in Exhibit H. The Site is in En-Zone Type B, Census Tract 61.

## **2. Property Map**

The Site Location and Base Property Map are in Exhibit H. A Survey map is in Exhibit G.

**Please refer to responses to Questions 3-9 on the BCP Application Form.**

## **10. Property Description Narrative**

### **A. Site Location**

*See* Response to Section IV.1 and IV.2 above. The 0.344 acre Site is located at 327-329 Huguenot Street, New Rochelle, New York 10801. The Site is located in a mixed-use downtown commercial and residential neighborhood undergoing significant revitalization as the result of the Brownfield Cleanup Program. The surrounding properties are used as stores, restaurants, parking lots, residential buildings, and a church.

### **B. Site Features**

The 0.344-acre Site is currently improved as a rectangular parking lot. Two circular asphalt patched areas are located within the Site. The patched areas are suspected to be filled potholes. The Site is currently used for storage of construction materials, parking, and also contains two temporary office trailers by the Site owner. A bus stop shelter location is located adjacent to the Site along Huguenot Street. The closest waterbody to the Site is Ferris Creek, which is located approximately 0.68 miles from the Site. The closest open surface water body to the Site is the Long Island Sound, which is approximately 0.95 miles from the Site. The Site is not located in a flood zone. *See* Exhibit J, Flood Plain Map.

### **C. Current Zoning and Land Use**

The Site is currently located in the Downtown Business (DB) and Downtown Overlay (DO-2) Gateway Transition Districts. *See* Exhibit I, Zoning Map. Allowed uses in these districts include stores, retail, offices, and residential units on the second floor and above in buildings. The subject property is currently used as a parking lot. A church is located north of the Site. Huguenot Street is located east of the Site. Centre Avenue and a parking lot are located south of the Site. This is a BCP Site being redeveloped. Commercial properties are present to the west of the Site. The surrounding properties also include stores, restaurants, commercial buildings, and residential buildings. The closest residential area is an apartment building located approximately 0.083 miles away. The closest rail line is located approximately 0.034 miles away from the Site.

### **D. Past Use of the Site**

#### **1. Past Use of the Site**

Based on aerial photographs, deeds, and historical Sanborn maps, the historical uses of the Site include the following uses:

Maps from 1887 - 1903 depict the Site as a vacant lot. D. and L. Building company recorded a mortgage for the Site in May 1910. This may be when the contaminated historic fill soils were placed on the Site. In maps from 1911-1951, the Site is occupied by apartments and street level stores. The complex is identified as "D&L Apartments." In July 1915, Bonnicrest, Inc. purchased the property from Robertson T. Barrett, Referee, at a public auction. Jacob Malakoff became the owner of the Site in 1921. The Site was purchased by Irene Hendrick in July 1925. Ms Hendrick sold the Site to The Emigrant Industrial Savings Bank in 1938. In June 1939, The Emigrant Industrial Savings Bank transferred ownership of the Site to Thelma Portugh, who then transferred the property to Herald Management Corp. Samron Realty Corporation purchased the Site in December 1939. In June 1945, 1320-1328 Grant Avenue Corporation purchased the Site. Huguenot-Center Corporation purchased the site in June 1946.

Maps between 1951 and 1992 show "D&L Apartments" are on the site, but the buildings were noted to be vacant. In January 1952, Leon Steinman and Sylvia Rubin purchased the site. Harry Crown purchased the Site in May 1956, and he sold the property to Ruth Crown in 1960. Salco Holding Corporation purchased the property in February 1962. Residential lists were associated with the Site in 1972. In 1986, Huguenot Arms Associates (c/o Danray Development Organization) purchased the site. Residential lists were associated with the Site in 1987.

The City of New Rochelle acquired the Site through a condemnation proceeding in 1990. In the 1993 map, the apartments are no longer present. Therefore, the current parking lot, which is present on the Site now, is likely to be been constructed by the City after building demolition. Maps from 1994 to 2003 depict the Site as a parking lot. The City of New Rochelle Corporation for Local Development acquired ownership of the Site in May 2019. Later in the same month, Huguenot Partners LLC purchased the property. The current owner, RFMCH Huguenot Property Owner LLC purchased the Site from Huguenot Partners LLC in August 2019.

2. Past Investigations Related to Uses and Environmental Conditions that Led to the Submission of this application.

In April 2017, Nelson, Pope & Voorhis, LLC (NP&V) prepared a Phase I Environmental Site Assessment for a prior prospective purchaser Don and Darren Monti of Renaissance Downtowns UrbanAmerica, LLC. The Phase I ESA was performed to identify Recognized Environmental Conditions (RECs) on the Site and properties located south of the Site. The southern property is known as 339 Huguenot Street (tax identification nos. 2-437-0001 and 2-437-003).

The Site inspection revealed no evidence of stressed vegetation, pools of discharge, or residue of toxic substances, chemical odors, or other such indicators. In addition, no suspect

friable asbestos containing material was observed at the Site. However, a Tier I Vapor Encroachment Condition (VEC) Assessment was conducted as part of the April 2017 Phase I ESA due to the proximity of this site to other suspect brownfield sites. The assessment revealed the presence of several sites located within critical distances with documented releases or which were involved in an activity that could result in a release of petroleum product or toxic chemicals. Therefore, NP&V could not rule out a VEC for this Site.

NP&V obtained an Environmental Database Report from Toxics Targeting, Inc. as part of the Phase I ESA, which was separately attached. The Site did not appear on any of the relevant lists. Nevertheless, NP&V identified two RECs for the Site. The first REC was that the Site was formerly occupied by an apartment building and that improper demolition may have caused environmental contamination. The second REC was that several sites located within established critical distances had documented a release or were involved in an activity which could result in a release of petroleum product or toxic chemicals.

NP&V recommended a ground penetrating survey (GPR) be performed on the Site. In addition, a soil vapor intrusion study was recommended to determine if the subject property is being impacted by vapor migration from nearby sites.

NP&V performed a Limited Phase II Environmental Site Assessment in June 2017 on this Site and an adjacent Site at 339 Huguenot Street. This assessment was also prepared for prior prospective purchasers Don and Darren Monti of Renaissance Downtowns Urban America, LLC. A ground penetrating radar (GPR) survey was conducted during the Limited Phase II ESA to determine if any underground fuel oil storage tanks associated with buildings on the Site were still present. The survey did not identify any underground fuel oil storage tanks on the property. NP&V also received records from the City of New Rochelle, which allegedly indicated that fuel oil storage tanks that had been present in a former building had been removed and properly disposed. However, NP&V failed to specify which of the two parcels they were investigating applied to this comment and failed to attach the actual City records to their report. Nevertheless, since the tanks were allegedly removed and the GPR survey did not find any evidence of tanks, there was no evidence that tanks are present on this Site.

NP&V also performed soil vapor/ambient air quality testing during the Limited Phase II ESA. Two (2) soil vapor sampling ports and one ambient air sampling port were installed. Several VOCs were found in the samples collected. Tetrachloroethylene and methylene chloride were detected below their NYSDOH guidance values in the soil vapor samples. NP&V concluded that the soil vapor contamination indicated that soil vapors are possibly being generated from an on-site or off-site source.

In this Phase II Report, NP&V referenced an earlier November 2016 Remedial Investigation Report (RIR) prepared by MACTEC Engineering and Consulting, P.C. prepared for the NYSDEC in relation to the Industrial Overall Superfund Site (Site # 360109). MACTEC's RIR contained a plume map suggesting this Site may have contaminated groundwater to the north impacting this Site even though located approximately 0.08 miles from this BCP Site. Area-wide contaminated groundwater was



impacted with tetrachloroethene (PCE) and trichloroethene (TCE), vinyl chloride, 1,1,1-Trichloroethane (TCA), and cis-1,2-dichloroethene. Only excerpts of this report were provided.

Between June 2019 and July 2019, SESI Consulting Engineers D.P.C. (SESI) performed a geotechnical and waste characterization environmental investigation program at this Site and at 339 Huguenot Street/33 Centre Avenue before the current Owner purchased this Site. The Volunteers' affiliated prior owner entities obtained a reliance letter on July 8, 2019 in relation to the NP&V 2017 Phase I and II Investigation Reports and reviewed the data from this June/July Investigation before acquiring the Site. The data was then summarized in a July 2019 Memorandum, which was also shared with the Volunteers. Neither party was aware of the Site's contamination based on the Site history and prior investigations until SESI's June/July investigation, which consisted of a site reconnaissance, a review of existing soils and geologic data, a review of previous soil borings performed by Geotechnical Engineering Services, PC, a field investigation and a new subsurface investigation for only geophysical and waste characterization environmental conditions at the Site. The composite waste characterization soil samples taken resulted in sample results revealing PAHs, pesticides, and metals above the NYSDEC unrestricted use soil cleanup objectives (USCOs) and SVOCs and metals above the NYSDEC restricted residential soil cleanup objectives (RRSCOs). SESI recommended additional soil vapor testing based on the exceedance levels detected at the Site.

In September 2019, SESI also prepared the Geotechnical and Subsurface Investigation Report for Huguenot Partners, LLC c/o The Cappelli Organization since The Cappelli Organization had become associated with Huguenot Partners LLC, the prior site owner at this time. With respect to the geophysical conditions on the Site, SESI concluded that the soils on the Site would provide satisfactory support for the proposed buildings. The bedrock would provide suitable support for conventional shallow foundations with high bearing capacities. However, SESI recommended an evaluation of the foundations of adjacent buildings prior to construction and noted additional steps would be required due to the high level of groundwater. These steps would include installation of a foundation with a permanent dewatering system. The subsurface conditions of the Site also indicated that removal of rock will be needed prior to construction of the building. The Site soils were classified as Site Class B for seismic design purposes. *See* Section IV.10.E for full Site Hydrology and Geology.

In January 2021, SESI completed a new Phase I and II ESA at the request of the site Owner and the Requestors to further investigate the Site conditions. An Environmental Data Resources, Inc. (EDR) search did not identify the Site on any relevant lists or maps. However, once again surrounding properties were listed on the report including the spill at 316 Huguenot Street (Spill # 2003772), which SESI listed as a REC. A second REC was the soil contamination identified in the July 2019 soil analysis. SESI recommended a Phase II ESA for the Site in order to investigate the RECs.

In January 2021, SESI completed a Phase II ESA for the site Owner and Volunteers to further investigate the RECs identified in the January 2021 Phase I ESA. SESI advanced

twenty-one (21) soil borings, six (6) temporary wells, and four (4) soil vapor points during the Phase II ESA. The soil samples were collected from varying depths based on field screening, which included screening with a Photo Ionization Detector, visual observations, and olfactory observations. No groundwater was encountered in the overburden soils during sampling. Groundwater was encountered only within the bedrock. Soil sample results were compared to NYSDEC Restricted Residential Soil Cleanup Objectives (RRSCOs) and Unrestricted Use Soil Cleanup Objectives (USCOs). Groundwater sample results were compared to the NYSDEC Technical and Administrative Guidance Series 1.1.1 Ambient Groundwater Quality Criteria (AWQS) and Groundwater Effluent Limitations Criteria (TOGS). Soil vapor analytical results were compared to the NYS Department of Health (DOH) Sub-Slab Vapor Concentrations Criteria Matrices A, B, and C. SESI identified the contaminants of concern as SVOCs, metals, pesticides, and PCBs in soil and SVOCs, metals, pesticides, PCBs, and PFAS compounds in groundwater. *See* Section IV.10.F for full Environmental Assessment.

The soil samples included exceedances indicative of contaminated historic fill. However, some samples were in excess of typical contaminated fill concentration for PAHs, metals, PCBs, and pesticides. These same contaminants were also found in groundwater. Soil vapor analytical results did not identify any exceedances of the NYSDOH Sub-Slab Vapor Concentration Criteria Matrices during this round of sampling.

SESI recommended additional investigation and remediation prior to development on the Site.

In February 2021, SESI prepared a Remedial Investigation Workplan (RIWP) for the Site to achieve the following objectives:

- To complete the horizontal and vertical delineation of the nature and extent of contamination at the site;
- To identify any potential source areas of contamination;
- To determine the remedial action needed to protect human health and the environment;
- To collect sufficient data to advance remediation of the Site; and
- To installation support-of-excavation in preparation for and to enable the soil excavation work.

In the RIWP, SESI proposed soil borings, soil vapor points, and groundwater monitoring wells to determine the complete nature and extent of the contamination at the Site. The soil remediation investigation will consist of the advancement of sixteen (16) soil borings that will extend to bedrock or refusal. Four (4) permanent groundwater monitoring wells will be advanced as part of the groundwater investigation to determine if a contamination plume is present, to gather data about groundwater movement, and to provide information about the groundwater background quality. The soil vapor investigation will consist of the collection of four (4) soil vapor samples and one (1) outdoor ambient air sample.

In addition to the subsurface investigation work, support-of-excavation (SOE) is planned to be installed along the Site perimeter to prepare for potential soil excavation at the Site.

The design and installation of the SOE system will support the structural stability of the potential excavation and will be designed to prevent impacts to off-site structures. Limited soil excavation/disturbance may occur during the installation of the SOE.

E. Site Geology and Hydrogeology

According to the United States Geological Survey (USGS) Mount Vernon, 2013, 7.5-minute Series topographic map, the Site is approximately 96 feet above mean sea level. The Site's topography slopes gently to the north.

According to the Department of the Interior United States Geologic Survey, the site soils are mapped as Quaternary till overlaying bedrock further classified as a geologic ground moraine. The subject property is composed of Uf – Urban Land soil. This indicates that over sixty percent of the land surface is covered. Surface materials on the Site consist of 3 to 5 inches of asphalt. The subsurface geology of the Site generally consists of uncontrolled fill from grade to depths ranging from 5 to 11 feet below grade surface (ft-bgs). The uncontrolled fill consisted of red-brown/brown coarse to fine sand and/or coarse to fine gravel with varying amounts of silt, brick, concrete and asphalt millings. Some portions of fill were composed of brick fragments or concrete. A concrete slab is present in some parts of the Site between 3 and 8 ft-bgs. A decomposed rock stratum begins between 5 to 11 ft-bgs. The natural decomposed rock extends to depths between 10 and 22 ft-bgs. Bedrock is present under the natural decomposed rock. The bedrock is part of the Hartland formation defined as mica schist and mica gneiss, medium to coarsely crystalline. The bedrock consists of dark gray, weathered, hard, slightly to intensely fractured Gneiss; overlying dark gray, slightly weathered, hard, slightly fractured to moderately fractured Schist, with high angle foliations/banding.

Groundwater on the Site is primarily derived from precipitation. NP&V estimated that groundwater flowed to the east towards Ferris Creek. However, SESI's Phase I report noted that groundwater flow was expected to be to the south-southwest based on its investigation of the neighboring property to the south (339 Huguenot Street) and on reports for a nearby facility. Overburden groundwater is present at the Site ranging between 0.2 to 10 ft-bgs. Groundwater was also found between 16 and 27 ft-bgs throughout the Site. The depth of the groundwater indicates that some shallow water-bearing fractures are present in the bedrock.

F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are SVOCs, metals, pesticides, and PCBs in soil and SVOCs, metals, pesticides, PCBs, and PFAS compounds in groundwater. *See Exhibit F Site Drawing Spider Maps.*

**Soil:**

SVOC Restricted Residential Cleanup Objective exceedances included:

- Benzo(a)anthracene in eight borings at 1, 1.2, 1.4, 1.5, 2.1, 2.3, 6.2, and 30 mg/kg exceeded the RRSCO of 1 mg/kg at 1-6 ft-bgs.
- Benzo(a)pyrene in seven borings at 1.2, 1.2, 1.3, 2.4, 2.5, 7, and 24 mg/kg exceeded the RRSCO of 1 mg/kg at 1-6 ft-bgs.
- Benzo(b)fluoranthene in ten borings at 1.1, 1.1, 1.2, 1.3, 1.4, 1.5, 2.9, 2.9, 7.6, and 28mg/kg exceeded the RRSCO of 1 mg/kg at 1-6 ft-bgs.
- Benzo(k)fluoranthene in one borings 9.6 mg/kg exceeded the RRSCO of 1 mg/kg at 1-6 ft-bgs.
- Chrysene in two borings at 6.6, and 26 mg/kg exceeded the RRSCO of 3.9 mg/kg at 1-6 ft-bgs.
- Dibenzo(a,h)anthracene in four borings at 0.35, 0.37, 1, and 4.1 mg/kg exceeded the RRSCO of 0.33 mg/kg at 1-6 ft-bgs.
- Indeno(1,2,3-cd)pyrene in eleven borings at 0.54, 0.58, 0.6, 0.6, 0.63, 0.64, 0.75, 1.4, 1.4, 3.9, and 14 mg/kg exceeded the RRSCO of 0.5 mg/kg at 1-6 ft-bgs.

Metal Restricted Residential Cleanup Objective exceedances included:

- Arsenic, total, in in one boring at 16.1 mg/kg exceeded the RRSCO of 16 mg/kg at 1-6 ft-bgs.
- Barium, total, in five borings at 409, 411, 713, 774, and 776 mg/kg exceeded the RRSCO of 400 mg/kg at 1-6 ft-bgs.
- Lead, total, in five borings at 409, 615, 964, 1190, and 2530 mg/kg exceeded the RRSCO of 400 mg/kg at 1-6 ft-bgs.
- Mercury, total, in one boring at 1.82 mg/kg exceeded the RRSCO of 0.81 mg/kg at 1-6 ft-bgs.

PCBs Restricted Residential Cleanup Objective exceedances included:

- Aroclor 1254 in one boring at 4.64 mg/kg exceeded the RRSCO of 1 mg/kg at 1-6 ft-bgs.
- PCBs, Total, in one boing at 4.64 mg/kg exceeded the RRSCO of 1 mg/kg at 1-6 ft-bgs.

Pesticide Restricted Residential Cleanup Objective exceedances included:

- 4,4'-DDT in one boring at 19.4 mg/kg exceeded the RRSCO of 13 mg/kg at 1-6 ft-bgs.

#### **Groundwater:**

SVOC NYSDEC TOGS AWQS exceedances include:

- Benzo(a)anthracene in five borings at 0.04, 0.06, 0.54, 0.8, and 4.9 µg/L exceeded the NYSDEC TOGS AWQS of 0.002 µg/L.
- Benzo(a)pyrene in five borings at 0.04, 0.06, 0.54, 0.8, and 4.9 µg/L exceeded the

NYSDEC TOGS AWQS of 0 µg/L.

- Benzo(b)fluoranthene in five borings at 0.04, 0.07, 0.58, 1.1, and 5.7 µg/L exceeded the NYSDEC TOGS AWQS of 0.002 µg/L.
- Benzo(k)fluoranthene in five borings at 0.02, 0.02, 0.19, 0.3, and 1.7 µg/L exceeded the NYSDEC TOGS AWQS of 0.002 µg/L.
- Chrysene in five borings at 0.02, 0.05, 0.63, 0.9, and 5.9 µg/L exceeded the NYSDEC TOGS AWQS of 0.002 µg/L.
- Indeno(1,2,3-cd)pyrene in five borings at 0.03, 0.05, 0.38, 0.63, and 3.6 µg/L exceeded the NYSDEC TOGS AWQS of 0.002 µg/L.
- Phenol in two borings at 1.9 and 6.2 µg/L exceeded the NYSDEC TOGS AWQS of 1 µg/L.

Metal NYSDEC TOGS AWQS exceedances include:

- Aluminum, total, in three borings at 3260, 15300, and 27700 µg/L exceeded the NYSDEC TOGS AWQS of 0 µg/L.
- Antimony, dissolved in one boring at 4.15 µg/L exceeded the NYSDEC TOGS AWQS of 3 µg/L.
- Antimony, total, in one boring 5.54 µg/L exceeded the NYSDEC TOGS AWQS of 3 µg/L.
- Arsenic, total, in two borings at 25.66 and 30 µg/L exceeded the NYSDEC TOGS AWQS of 25 µg/L.
- Barium, total, in two borings at 3515 and 4612 µg/L exceeded the NYSDEC TOGS AWQS of 1000 µg/L.
- Beryllium, total, in one boring at 22 µg/L exceeded the NYSDEC TOGS AWQS 3 of µg/L.
- Chromium, total, in two borings at 181.8 and 748 µg/L exceeded the NYSDEC TOGS AWQS 50 of µg/L.
- Copper, total, in one boring at 1617 µg/L exceeded the NYSDEC TOGS AWQS of 200 µg/L.
- Iron, dissolved, in one boring at 76400 µg/L exceeded the NYSDEC TOGS AWQS of 300 µg/L.
- Iron, total, in six borings at 31400, 33700, 36500, 63700, 134000, and 542000 µg/L exceeded the NYSDEC TOGS AWQS of 300 µg/L.
- Lead, total, in five borings at 76.5, 352, 1474, 3501, and 10660 µg/L exceeded the NYSDEC TOGS AWQS of 25 µg/L.
- Magnesium, dissolved, in six borings at 44500, 53200, 117000, 118000, 158000, and 228000 µg/L exceeded the NYSDEC TOGS AWQS of 35000 µg/L.
- Magnesium, total, in six borings at 114000, 125000, 146000, 162000, 170000, 237000 µg/L exceeded the NYSDEC TOGS AWQS of 35000 µg/L.
- Manganese, dissolved, in four borings at 706.1, 878.9, 2281, and 6889 µg/L exceeded the NYSDEC TOGS AWQS of 300 µg/L.
- Manganese, total, in six borings at 1452, 2516, 2821, 3188, 7096, and 12050 µg/L exceeded the NYSDEC TOGS AWQS of 300 µg/L.
- Mercury in one boring at 0.9 µg/L exceeded the NYSDEC TOGS AWQS of 0.7



- $\mu\text{g/L}$ .
- Nickel, total, in two borings at 142.6 and 1036  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 100  $\mu\text{g/L}$ .
- Selenium, total, in two borings at 12.1 and 18.5  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 10  $\mu\text{g/L}$ .
- Sodium, dissolved, in six borings at 147000, 518000, 615000, 880000, 946000, and 1010000  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 20000  $\mu\text{g/L}$ .
- Sodium, total, in six borings at 153000, 547000, 636000, 728000, 749000, and 1120000  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 20000  $\mu\text{g/L}$ .
- Thallium, total, in three borings at 0.54, 1.79, and 7  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.5  $\mu\text{g/L}$ .
- Zinc, total, in two borings at 2228 and 2693  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 2000  $\mu\text{g/L}$ .

PCBs NYSDEC TOGS AWQS exceedances include:

- Aroclor 1248 in one boring at 0.723  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.09  $\mu\text{g/L}$ .
- Aroclor 1254 in one boring at 0.214  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.09  $\mu\text{g/L}$ .
- PCBs, total, in one boring at 0.986  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.09  $\mu\text{g/L}$ .

Pesticides NYSDEC TOGS AWQS exceedances include:

- Dieldrin in three borings at 0.016, 0.047, and 0.136  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.004  $\mu\text{g/L}$ .
- 4,4'-DDE in two borings at 0.231 and 0.556  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.2  $\mu\text{g/L}$ .
- 4,4'-DDT in three boring(s) at 0.41, 1.04, and 1.08  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.2  $\mu\text{g/L}$ .
- Chlordane in three borings at 0.387, 0.766, and 1.2  $\mu\text{g/L}$  exceeded the NYSDEC TOGS AWQS of 0.05  $\mu\text{g/L}$ .

PFOS and PFOA MCL exceedances include:

- PFOA in three borings at 0.0146, 0.0226, and 0.0926  $\mu\text{g/L}$  exceeded the NY MCL of 0.01  $\mu\text{g/L}$ .
- PFOS in three borings at 0.0243, 0.491, and 0.522  $\mu\text{g/L}$  exceeded the NY MCL of 0.01  $\mu\text{g/L}$ .

**There are no responses to question 11-13 on the BCP Application Form since this Site is not located in New York City.**

## **PART B**

### **SECTION V- ADDITIONAL REQUESTOR INFORMATION**

*See responses in the Application form.*

### **SECTION VI- CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

RFMCH Huguenot Property Owner LLC is the Owner of the Site. RFMCH Huguenot Property Owner LLC has owned the parcels since August 2019. See Exhibit C, Deed. The Site Owner is also the operator but has only used the Site for parked vehicles and equipment without disturbing the paved surface of the Site.

A past owner and operator list is attached as Exhibit E. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestors' relationship to each owner and operator (all of which are "None"). Exhibit E also includes the prior operators' use of the Site, which generally included an apartment building and a parking lot. The Requestors have performed all required environmental due diligence prior to submitting this application.

As stated in Section I, the Requestors have no prior relationship with any current or past owners or operators of the Site that caused contamination on the Site. The Requestors are affiliates of the current site Owner - RFMCH Huguenot Property Owner LLC - which has only owned the Site since August 2019. However, the current Site Owner and immediately prior owner Huguenot Partners LLC, which briefly owned the Site before the current owner from May 2019 to August 2019, relied on the requisite environmental due diligence before acquiring the Site. See Exhibit C Deeds and E Previous Owners and Operators List. Neither the Requestors, nor the current Site Owner and Huguenot Partners LLC caused any of the contamination of the Site, which predates the Requestors' involvement at the Site as it is present under the existing parking lot and is clearly the result of contaminated historic fill. There is no indication of any contribution to or exacerbation of Site conditions during the time of Requestors' involvement with the Site or since Huguenot Partners LLC as of May 2019 or RFMCH Huguenot Property Owner LLC as of August 2019.

### **SECTION VII- REQUESTOR ELIGIBILITY INFORMATION**

**Please refer to responses to Questions 1-11 on the BCP Application Form.**

#### **REQUESTORS CERTIFICATION**

Pursuant to ECL § 27-1405(1), the Requestors, RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC, are properly designated Volunteers because

these entities do not own the Site, only became involved with the Site after discharge or disposal of contaminants at the Site and performed all of the requisite environmental due diligence. As part of environmental due diligence, the Requestors reviewed existing available environmental reports for the Site and adjacent properties and became aware of on-site contamination of soil, groundwater, and soil vapor. The Requestors had no relationship whatsoever with the prior owners or operators of the Site that caused the Site contamination, which is present under an existing paved surface that has not been disturbed. For the foregoing reasons, the Requestors certify that they are Volunteers, since they do not own the Site, and do not have nor have ever had a relationship with any of the past owners or operators of the Site at the time of disposal.

## **SECTION VIII- PROPERTY ELIGIBILITY INFORMATION**

Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirms the site is not ineligible for the BCP.

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site's eligibility for the BCP.

The Site meets the definition of an eligible "brownfield site" in Environmental Conservation Law § 27-1405(2) as "any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations." Environmental investigation results show evidence of impact from the Site's previous commercial and industrial uses, which can be linked to and caused Site contamination above the applicable cleanup standards. See Environmental Reports and the Spider Maps in Exhibit F, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

## **SECTION IX - CONTACT LIST INFORMATION**

*See Exhibit K for the Site Contact List. See Exhibit L, for the Repository Letter.*

## **SECTION X- LAND USE FACTORS**

### **1. Current Zoning**

The Site is within the Downtown Business (DB) and Downtown Overlay (DO-3) Gateway Transition Districts. *See Exhibit I, Zoning Map.*

**2. Current Use**

This Site is currently used as a parking lot. The Site has been used as a parking lot since approximately 1992.

**3. Intended Use Post Remediation**

Post remediation use of the Site will include the construction of a downtown transit-oriented apartment building with some commercial uses on the ground floor. *See* Section II, Project Scope for a more detailed description.

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

Yes, the City of New Rochelle's downtown is being transformed into a new downtown neighborhood. In 2015, the City of New Rochelle engaged in a new planning effort, which resulted in a Recommended Action Plan (RAP) and SEQRA Generic Environmental Impact Statement (GEIS) incorporating some zoning amendments that created their current Central Parking Area and Downtown Overlay Zone District. The RAP and GEIS encourage transit-oriented projects in the DO Zones, which allow for a vertical and horizontal mix of uses including residential, office, retail, commercial, cultural/entertainment, civic/religious, light industrial, and parking/utilities.

**5. Is the proposed use consistent with applicable zoning laws/maps?**

Yes, the proposed use is consistent with Downtown Business (DB) and Downtown Overlay (DO-3) Gateway Transition Districts.

**6. Consistent with the Master Plan?**

Yes, as stated above in response to Question 4, the project is consistent with the New Rochelle RAP and GEIS, which intends to promote downtown urban transit- oriented living.

# **EXHIBIT A**



# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through January 28, 2021.

---

Selected Entity Name: RFMCH HUGUENOT DEVELOPMENT PARTNERS II LLC

Selected Entity Status Information

**Current Entity Name:** RFMCH HUGUENOT DEVELOPMENT PARTNERS II LLC

**DOS ID #:** 5928914

**Initial DOS Filing Date:** JANUARY 28, 2021

**County:** WESTCHESTER

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN 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)**

RFMCH HUGUENOT DEVELOPMENT PARTNERS II LLC

7 RENAISSANCE SQUARE,

4TH FLOOR

WHITE PLAINS, NEW YORK, 10601

**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
JAN 28, 2021	Actual	RFMCH HUGUENOT DEVELOPMENT PARTNERS II 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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# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through January 28, 2021.

---

Selected Entity Name: RFMCH HUGUENOT PROPERTY OWNER II LLC

Selected Entity Status Information

**Current Entity Name:** RFMCH HUGUENOT PROPERTY OWNER II LLC

**DOS ID #:** 5929036

**Initial DOS Filing Date:** JANUARY 28, 2021

**County:** WESTCHESTER

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN 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)**

RFMCH HUGUENOT PROPERTY OWNER II LLC

7 RENAISSANCE SQUARE

4TH FLOOR

WHITE PLAINS, NEW YORK, 10601

**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
JAN 28, 2021	Actual	RFMCH HUGUENOT PROPERTY OWNER II 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 B**



## WRITTEN CONSENT

The undersigned, being an Authorized Person of RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC, does hereby certify as follows:

1. RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC are the prospective volunteers for Block 417 New Rochelle located at 327-329 Huguenot Street, New Rochelle, New York 10801, Tax Parcel Identification No. 2-417-0001 (the "Site").

2. The following person, Bruce Berg, an Authorized Person of both RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteers RFMCH Huguenot.

Dated: February 2, 2021

A handwritten signature in black ink, appearing to read 'Paul Slaney', is written over a horizontal line.

Paul Slaney, Esq.  
Legal Counsel for  
RFMCH Huguenot Property Owner II LLC and  
RFMCH Huguenot Development Partners II LLC

# **EXHIBIT C**

**BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S ACTS**

---

CITY OF NEW ROCHELLE CORPORATION  
FOR LOCAL DEVELOPMENT,  
a New York local development corporation

TO

HUGUENOT PARTNERS LLC,  
a Delaware limited liability company

SECTION: 2  
BLOCK: 417; 437  
LOT: 1; 1 and 3  
CITY: New Rochelle  
COUNTY: Westchester

RETURN BY MAIL TO:

Greenberg Traurig, LLP  
200 Park Avenue  
New York, New York 10166  
Attention: Peter A. Miller, Esq.

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS THIS INDENTURE**, made as of the 23<sup>rd</sup> day of May, 2019.

**BETWEEN** CITY OF NEW ROCHELLE CORPORATION FOR LOCAL DEVELOPMENT, a New York local development corporation having an address at 515 North Avenue, New Rochelle, New York 10801 ("Grantor"), and Huguenot Partners LLC, a Delaware limited liability company having an address at c/o DHA Capital LLC, 154 Grand Street, New York, New York 10013 ("Grantee"),

**WITNESSETH**, that the Grantor, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, the heirs or successors and assigns of the Grantee forever,

**ALL** of the buildings and improvements erected on that certain plot, piece or parcel of land, situate, lying and being in City of New Rochelle, County of Westchester, State of New York, more particularly described on Exhibit A attached hereto and hereby made part hereof.

**BEING**, and intended to be the same premises acquired by Grantor by virtue of that certain Bargain and Sale Deed Without Covenant Against Grantor's Acts from the City of New Rochelle, dated May 23, 2019 and recorded in the Office of the Clerk of the County of Westchester on \_\_\_\_\_, 2019 as Instrument Number \_\_\_\_\_;

**TOGETHER** with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee forever.

**AND** the Grantor covenants that the Grantor has not done or suffered anything whereby the said premises has been encumbered in any way whatever, except as aforesaid.

**AND** the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**AND** said premises are sold subject to the following covenants and conditions: that the Grantee, for itself and its successors and/or assigns, does hereby represent, warrant, covenant and agree to and with Grantor, its successors and/or assigns, that Grantee, for itself and its successors and/or assigns, shall: (a) comply with all Federal, State of New York, City of New Rochelle and local laws, in effect from time to time, prohibiting discrimination or segregation by reason or race, creed, color, national origin, age, gender, sexual orientation, marital status or disability in the sale, lease or rental or in the use or occupancy of the premises conveyed hereby or of any improvements

erected or to be erected thereon, or any part thereof, (b) comply with the regulations issued by the Secretary of Housing and Urban Development set forth in 37 F.R. 22732-3 and all applicable rules and orders issued thereunder which prohibit the use of lead-based paint in residential structures undergoing federally assisted construction or rehabilitation and require the elimination of lead-based paint hazards, and (c) not effect or execute any agreement, lease, conveyance or other instrument whereby the premises conveyed hereby or any part thereof is restricted upon the basis of race, creed, color, national origin, age, gender, sexual orientation, marital status or disability in the sale, lease or occupancy thereof, and that these covenants and restrictions shall be binding on and enforceable against Grantee, and each and every successor and/or assign of Grantee (including, without limitation, all subsequent owners of all or any portion of the premises, all tenants, licensees, occupants and/or users of all or any portion thereof), shall run with the land in perpetuity, and shall inure to the benefit of Grantor, its successors and/or assigns.

**AND** in amplification, and not in restriction of, the provisions of this Deed, it is intended and agreed that the Grantor and its successors and assigns shall be deemed beneficiaries of the agreements and covenants provided herein, and the United States shall be deemed a beneficiary of the covenant provided herein, both for and in their or its own right and also for the purposes of protecting the interests of the community and other parties, public or private, in whose favor or for whose benefit such agreements and covenants have been provided.

**AND** said premises are sold subject to the following covenants and conditions: Grantor at its election can recover fee title of the premises upon payment by Grantor to Grantee or its successors, transferees or assigns, as the case may be, of an amount equal to the purchase price paid by Grantee or its successors, transferees or assigns to Grantor for said premises pursuant to that certain Master Developer Agreement, dated as of December 15, 2014, by and among Grantor, the City of New Rochelle and RDRXR at New Rochelle LLC, as amended or supplemented (the "MDA"), for "RD Cluster II" (as hereinafter defined), if Grantee or its successors, transferees or assigns fails to meet the "Reverter Conditions" (as hereinafter defined) with respect to RD Cluster II within six (6) years following the commencement of the Development Period under the MDA (which commencement is hereby acknowledged and agreed to have occurred on December 8, 2015) with respect to RD Cluster II.

As used in this Deed, the term "RD Cluster II" means, collectively, the following parcels of land located in the City of New Rochelle, Westchester County, New York: DC Zone B.1, Huguenot Street, Tax Parcel #2-0417-0001 lot, 0.34 acre, and DC Zone B.2, Huguenot Street, Tax Parcel #2-0437-0001 lot, 0.11 acre ("Parcel 1"), and Huguenot Street, Tax Parcel #2-0437-0003 lot, 0.12 acre ("Parcel 2").

As used in this Deed, the term "Reverter Conditions" shall be deemed to mean that Grantee or its successors, transferees or assigns, has either failed to (i) close on a construction loan with respect to RD Cluster II that will, together with available equity and funds received from other financings (evidence of which, reasonably satisfactory to Grantor, shall be furnished by Grantee or its successors, transferees or assigns), be reasonably sufficient to fund the intended improvements for RD Cluster II, or (ii) commence construction of the intended improvements on RD Cluster II within the time frames set forth in this Deed. For the avoidance of doubt, with respect to RD Cluster II, satisfaction of either of the Reverter Conditions on Parcel 1 or Parcel 2 shall be deemed

to satisfy the Reverter Conditions for RD Cluster II in its entirety.

The Reverter shall be terminated upon the earlier to occur of either (1) a construction loan closing with respect to RD Cluster II that will, together with available equity and funds received from other financings as hereinbefore described, be sufficient to fund the intended improvements for all, or either Parcel 1 or Parcel 2, of RD Cluster II, or (2) the commencement of construction of the intended improvements with respect to all or on either Parcel 1 or Parcel 2 of RD Cluster II, provided the events set forth in either clause (1) or (2) above, together with the satisfaction of the Closing Conditions set forth in Section 4.01(a)(ix) and(x)(4) of the MDA which are hereby incorporated herein and hereby made part hereof by reference as if the same were fully set forth herein, takes place within six (6) years following the commencement of the Development Period (which commencement is hereby acknowledged and agreed to have occurred on December 8, 2015).

As used in this Deed, the terms “commence construction” and “commencement of construction” shall be deemed to include any use permitted under the Downtown Overlay 2 Zone of the City of New Rochelle and shall mean:

- (a) all pre-construction engineering and design necessary for construction has been substantially completed, all necessary licenses, permits and local and national environmental clearances have been received, all contractors have been engaged and all essential equipment and supplies as, in each case, can reasonably be considered necessary for construction commencement have been ordered or are readily available so that physical construction of the improvements may begin and proceed to completion (subject to “Agreed Tolling Events” as hereinafter defined); and
- (b) physical construction (including, at a minimum, site grading or excavation for foundations or the installation or erection of improvements) on either parcel of RD Cluster II has begun.

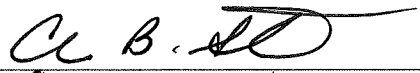
As used in this Deed, the term “Agreed Tolling Events” means that whenever a period of time is prescribed for action to be taken by any party to this Deed for commencement of construction, no party shall be liable or responsible for, and there shall be excluded from the computation of any such period of time the duration of any delays due to acts of God, war, insurrection, riot and in the event of a major strike or work stoppage. Notwithstanding anything to the contrary contained in this Deed, whenever there is any action, proceeding, lawsuit and/or any other legal challenge or opposition brought as relates to the contemplated development and/or redevelopment of the premises and/or this Deed, and commencement of construction cannot be undertaken in a commercially reasonable manner, the time for commencement of construction contained in this Deed shall be extended for a period of time equal to the duration (from commencement through un-appealable resolution) of any such litigation or earlier date which Grantee, in its reasonable judgment, deems commercially reasonable to commence construction.

The words “Grantor” and “Grantee” shall be construed as if it read “Grantors” and “Grantees” whenever the sense of this indenture so requires.


[The remainder of this page is intentionally left blank.]  
[Signature page follows]

IN WITNESS WHEREOF, the Grantor and Grantee has each duly executed this deed the day and year first above written.

CITY OF NEW ROCHELLE CORPORATION  
FOR LOCAL DEVELOPMENT

By:   
Name: Charles B. Stone II  
Title: City manager

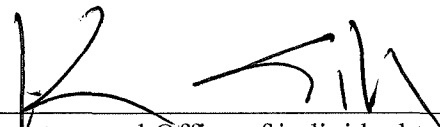
HUGUENOT PARTNERS LLC

By:   
Name: Daniel Hollander  
Title: Authorized Signatory



STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF WESTCHESTER        )

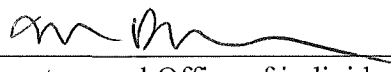
On the 17 day of May in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Charles B. Street personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Signature and Office of individual taking  
acknowledgement

KATHLEEN GILL  
Notary Public, State of New York  
No. 02GI5027974  
Qualified in Westchester County  
Commission Expires May 23, 18 2021

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK            )

On the 16<sup>th</sup> day of May in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel Hollander, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Signature and Office of individual taking  
acknowledgement

Megan Brandon  
Notary Public, State of New York  
No. 01BR6382916  
Qualified in New York County  
Certificate Filed in New York County  
Commission Expires 11/05/2022

## **EXHIBIT A**

### **Legal Description**

#### **PARCEL 1**

##### **Parcel A**

ALL THOSE LOTS OF LAND, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, known and designated as Lots Numbers 54, 55, 56, 57 and 58 and 59 on a certain map entitled, "Map of Property belonging to the Estate of Maria R. Lawton, deceased, at New Rochelle, N.Y." made by Charles H. Haswell, Civil Engineer, dated April 16, 1884 and filed in the Office of the Register of the County of Westchester on December 12, 1886, (now County Clerk of Division of Land Records) in Volume 6 of Maps at page 58, and being more particularly bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northeasterly side of Centre Avenue with the northwesterly side of Huguenot Street;

RUNNING THENCE along the said northeasterly side of Centre Avenue, North 63 degrees 32 minutes 30 seconds West, 100.00 feet;

THENCE North 26 degrees 26 minutes 30 seconds East, 150.00 feet;

THENCE South 63 degrees 32 minutes 30 seconds East, 100.00 to the northwesterly side of Huguenot Street;

THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West, 150.00 feet to the northeasterly side of Centre Avenue at the point or place of BEGINNING.

For Information Only: Said premises are known as 327 Huguenot Street, New Rochelle, NY and designated as Section 2 Block 417 Lot 1 as shown on the Westchester County Land and Tax Map.

##### **Parcel B**

ALL that certain lot, piece or parcel of land situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, being designated and described as follows:

BEGINNING at the corner formed by the intersection of the northwesterly side of Huguenot Street with the southwesterly side of Centre Avenue; and

RUNNING THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West;

RUNNING FROM THENCE in a northwesterly direction, along said southwesterly side of Centre Avenue, 100 feet;

THENCE RUNNING southwesterly and at right angles or nearly so to Centre Avenue, 49.13 feet to land formerly of one Bercow;

THENCE southeasterly along said land formerly of one Bercow, 100 feet to the northwesterly side of Huguenot Street; and

THENCE RUNNING northeasterly along said northwesterly side of Huguenot Street, 49.13 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 339 Huguenot Street, New Rochelle, NY and designated as Section 2 Block 437 Lot 1 as shown on the Westchester County Land and Tax Map.

## **PARCEL 2**

### **Parcel C**

ALL that certain lot, piece or parcel of land situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, being designated and described as follows:

BEGINNING at a point on the northwesterly side of Huguenot Street, distant 100 feet westerly from the corner formed by the intersection of the northerly side of Huguenot Street with the westerly side of Centre Avenue, which point of beginning is the southeasterly corner of land now or late of Christian Lykke;

THENCE RUNNING northwesterly along the said land now or late of Lykke, 100 feet to a locust stake at the southwesterly corner of land of Young and Davidson;

THENCE northeasterly along said land of Young and Davidson, 50.87 feet to other land now or formerly of Robert Coble;

THENCE southeasterly along said land now or formerly of Coble, 100 feet to the northerly side of Huguenot Street aforesaid;

THENCE southwesterly along the northerly side of Huguenot Street, 50.87 feet to the point or place of BEGINNING.

For Information Only: Said premises are known as 339 Huguenot Street, New Rochelle, NY and designated as Section 2 Block 437 Lot 3 as shown on the Westchester County Land and Tax Map.



Office of the Westchester County Clerk



\*591343072TPD003Y\*

### Supporting Document Cover Page

#### Submitter Information

Name:	Stewart Title Insurance Company (pick up by Ramon .	Phone:	914-993-9393
Address 1:	711 Westchester Avenue, Ste 302	Fax:	914-997-1698
Address 2:		Email:	nymetrorecordings@stewart.com
City/State/Zip	White Plains NY 10604	Reference for Submitter:	7151385 - Huguenot Partners LLC

#### Parent Document Details

Control Number:	591343043	Document Type:	Deed (DED)
Package ID:	2019051400031001000		

#### Supporting Document Information

Supporting Document Type: TP-584



**Combined Real Estate  
Transfer Tax Return,  
Credit Line Mortgage Certificate, and  
Certification of Exemption from the  
Payment of Estimated Personal Income Tax**

Recording office time stamp

PREP

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

**Schedule A — Information relating to conveyance**

<b>Grantor/Transferor</b> <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Single member LLC <input checked="" type="checkbox"/> Other	Name (if individual: last, first, middle initial) ( <input type="checkbox"/> check if more than one grantor)		Social security number
	CITY OF NEW ROCHELLE CORPORATION FOR LOCAL DEVELOPMENT		
	Mailing address 515 NORTH AVENUE		Social security number
	City NEW ROCHELLE	State NY	ZIP code 10801
	Single member's name if grantor is a single member LLC (see instructions)		Federal EIN 61-1721247
<b>Grantee/Transferee</b> <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input checked="" type="checkbox"/> Single member LLC <input type="checkbox"/> Other	Name (if individual: last, first, middle initial) ( <input type="checkbox"/> check if more than one grantee)		Social security number
	HUGUENOT PARTNERS LLC		
	Mailing address C/O DHA CAPITAL LLC 154 GRAND STREET		Social security number
	City NEW YORK	State NY	ZIP code 10013
	Single member's name if grantee is a single member LLC (see instructions)		Federal EIN 83-1157091
HUGUENOT CENTRE HOLDINGS, LLC		Single member EIN or SSN 84-1740481	

## Location and description of property conveyed

Tax map designation — Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address	City, town, or village	County
2-417-1	551000	327 HUGUENOT STREET	NEW ROCHELLE	Westchester

## Type of property conveyed (check applicable box)

1 <input type="checkbox"/> One- to three-family house	5 <input checked="" type="checkbox"/> Commercial/Industrial	Date of conveyance <sup>23</sup> <table border="1"> <tr> <td>5</td> <td>16</td> <td>2019</td> </tr> <tr> <td align="center">month</td> <td align="center">day</td> <td align="center">year</td> </tr> </table>	5	16	2019	month	day	year	Percentage of real property conveyed which is residential real property _____ % (see instructions)
5	16		2019						
month	day		year						
2 <input type="checkbox"/> Residential cooperative	6 <input type="checkbox"/> Apartment building								
3 <input type="checkbox"/> Residential condominium	7 <input type="checkbox"/> Office building								
4 <input type="checkbox"/> Vacant land	8 <input type="checkbox"/> Other								

## Condition of conveyance (check all that apply)

a. <input checked="" type="checkbox"/> Conveyance of fee interest	f. <input type="checkbox"/> Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)	i. <input type="checkbox"/> Option assignment or surrender
b. <input type="checkbox"/> Acquisition of a controlling interest (state percentage acquired _____ %)	g. <input type="checkbox"/> Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)	m. <input type="checkbox"/> Leasehold assignment or surrender
c. <input type="checkbox"/> Transfer of a controlling interest (state percentage transferred _____ %)	h. <input type="checkbox"/> Conveyance of cooperative apartment(s)	n. <input type="checkbox"/> Leasehold grant
d. <input type="checkbox"/> Conveyance to cooperative housing corporation	i. <input type="checkbox"/> Syndication	o. <input type="checkbox"/> Conveyance of an easement
e. <input type="checkbox"/> Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E)	j. <input type="checkbox"/> Conveyance of air rights or development rights	p. <input type="checkbox"/> Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)
	k. <input type="checkbox"/> Contract assignment	q. <input type="checkbox"/> Conveyance of property partly within and partly outside the state
		r. <input type="checkbox"/> Conveyance pursuant to divorce or separation
		s. <input type="checkbox"/> Other (describe) _____

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B., Part I \$ _____ Schedule B., Part II \$ _____		

591343043-003

**Schedule B — Real estate transfer tax return (Tax Law, Article 31)****Part I — Computation of tax due**

1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) ..... <input type="checkbox"/> <b>Exemption claimed</b>	1.	0.00
2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien) .....	2.	0.00
3 Taxable consideration (subtract line 2 from line 1) .....	3.	0.00
4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3 .....	4.	0.00
5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G) .....	5.	0.00
6 Total tax due* (subtract line 5 from line 4) .....	6.	0.00

**Part II — Computation of additional tax due on the conveyance of residential real property for \$1 million or more**

1 Enter amount of consideration for conveyance (from Part I, line 1) .....	1.	
2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...	2.	
3 Total additional transfer tax due* (multiply line 2 by 1% (.01)) .....	3.	

**Part III — Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada)..... a ☐
- b. Conveyance is to secure a debt or other obligation..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying really as bona fide gifts ..... d ☐
- e. Conveyance is given in connection with a tax sale..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F..... f ☐
- g. Conveyance consists of deed of partition..... g ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property..... i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents supporting such claim) ..... k ☐

\*The total tax (from Part I, line 6 and Part II, line 3 above) is due within 15 days from the date conveyance. Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in New York City, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

PREP

## Schedule C — Credit Line Mortgage Certificate (Tax Law, Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

I (we) certify that: (check the appropriate box)

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
- ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
- ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
- ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
- ☐ The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

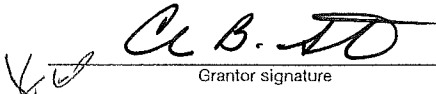
**Please note:** for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

☐ Other (attach detailed explanation).

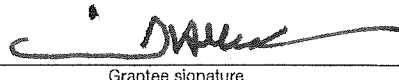
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
- ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
- ☐ A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in \_\_\_\_\_ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is \_\_\_\_\_. No exemption from tax is claimed and the tax of \_\_\_\_\_ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City, make check payable to the NYC Department of Finance.)

## Signature (both the grantor(s) and grantee(s) must sign)

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

  
Grantor signature

  
Title

  
Grantee signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Grantor signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Grantee signature

\_\_\_\_\_  
Title

**Reminder:** Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in New York City, to the **NYC Department of Finance**? If no recording is required, send your check(s), made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

591343043-003



**Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)**

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part II, and check the second box under *Exemptions for nonresident transferor(s)/seller(s)* and sign at bottom.

**Part I - New York State residents**

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

**Note:** A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

**Part II - Nonresidents of New York State**

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on page 1 of Form TP-584-I.

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from .      Date      to      Date      (see instructions).
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

TP584 Addendum (Parent Document Control Number 591343043)

Additional Properties			
Address	SWIS Code	City, town or village	Tax Identifier
339 HUGUENOT STREET	551000	NEW ROCHELLE	2-437-1
339 HUGUENOT STREET	551000	NEW ROCHELLE	2-437-3



Office of the Westchester County Clerk



\*591343071RPD003X\*

### Supporting Document Cover Page

#### Submitter Information

Name:	Stewart Title Insurance Company (pick up by Ramon .	Phone:	914-993-9393
Address 1:	711 Westchester Avenue, Ste 302	Fax:	914-997-1698
Address 2:		Email:	nymetrorecordings@stewart.com
City/State/Zip	White Plains NY 10604	Reference for Submitter:	7151385 - Huguenot Partners LLC

#### Parent Document Details

Control Number:	<b>591343043</b>	Document Type:	<b>Deed (DED)</b>
Package ID:	2019051400031001000		

#### Supporting Document Information

Supporting Document Type: RP-5217

FOR COUNTY USE ONLY

C1. SWIS Code

C2. Date Deed Recorded

C3. Book

C4. Page

New York State Department of  
Taxation and Finance

Office of Real Property Tax Services

RP-5217

Real Property Transfer Report (8/10)

## PROPERTY INFORMATION

PREP

1. Property Location 327 HUGUENOT STREET  
STREET NUMBER STREET NAME  
NEW ROCHELLE 10801  
CITY OR TOWN VILLAGE ZIP CODE

2. Buyer Name HUGUENOT PARTNERS LLC  
LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  
STREET NUMBER AND NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 3 # of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:  
5. Dead 0.00 X 0.00 OR 0.56  
Property Size FRONT FEET DEPTH ACRES  
4A. Planning Board with Subdivision Authority Exists ☐  
4B. Subdivision Approval was Required for Transfer ☐  
4C. Parcel Approved for Subdivision with Map Provided ☐  
CITY OF NEW ROCHELLE CORPORATION FOR LOCAL DE  
6. Seller Name LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

7. Select the description which most accurately describes the use of the property at the time of sale:  
F. Commercial  
Check the boxes below as they apply:  
8. Ownership Type is Condominium ☐  
9. New Construction on a Vacant Land ☐  
10A. Property Located within an Agricultural District ☐  
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

## SALE INFORMATION

11. Sale Contract Date 12/15/2014  
12. Date of Sale/Transfer 5/16/2019 5/23/2019  
13. Full Sale Price 0.00  
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

## 15. Check one or more of these conditions as applicable to transfer:

- ☐ A. Sale Between Relatives or Former Relatives  
☐ B. Sale between Related Companies or Partners in Business.  
☐ C. One of the Buyers is also a Seller  
☐ D. Buyer or Seller is Government Agency or Lending Institution  
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)  
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)  
☐ G. Significant Change in Property Between Taxable Status and Sale Dates  
☐ H. Sale of Business Is Included in Sale Price  
☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)  
☒ J. None

Comment(s) on Condition:

14. Indicate the value of personal property included in the sale 0.00

## ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) 19 17. Total Assessed Value 14,200.00  
18. Property Class 438 19. School District Name New Rochelle  
20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))  
2-417-1 2-437-1 2-437-3

## CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

## SELLER SIGNATURE

SELLER SIGNATURE 5/17/19  
DATE

## BUYER SIGNATURE

BUYER SIGNATURE  
DATE

## BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock, company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Huguenot Partners LLC  
LAST NAME FIRST NAME  
646 5288668  
AREA CODE TELEPHONE NUMBER (Ex: 99999999)  
154 Grand Street  
STREET NUMBER STREET NAME  
New York NY 10013  
CITY OR TOWN STATE ZIP CODE

## BUYER'S ATTORNEY

Greenberg Taurig, LLP  
LAST NAME FIRST NAME  
212 8019200  
AREA CODE TELEPHONE NUMBER (Ex: 99999999)

591343043-002

RP5217 Addendum (Parent Document Control Number 591343043)

Additional Properties			
Address	City or Town	Village	Tax Identifier
339 HUGUENOT STREET 10801	NEW ROCHELLE		2-437-1
339 HUGUENOT STREET 10801	NEW ROCHELLE		2-437-3

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



\*592193309DED0045\*

## Westchester County Recording & Endorsement Page

### Submitter Information

Name: Stewart Title Insurance Company (pick up by Ramon . Phone: 914-993-9393  
Address 1: 711 Westchester Avenue, Ste 302 Fax: 914-997-1698  
Address 2: Email: nymetrorecordings@stewart.com  
City/State/Zip: White Plains NY 10604 Reference for Submitter: 7156443 - Huguenot parcels

### Document Details

Control Number: **592193309** Document Type: **Deed (DED)**  
Package ID: 2019080700144001001 Document Page Count: **5** Total Page Count: **7**

### Parties

☐ Additional Parties on Continuation page

#### 1st PARTY

#### 2nd PARTY

1: HUGUENOT PARTNERS LLC - Other 1: RFMCH HUGUENOT PROPERTY OWNER LLC - Other  
2: 2:

### Property

☒ Additional Properties on Continuation page

Street Address: 339 HUGUENOT STREET Tax Designation: 0002-0437-003  
City/Town: NEW ROCHELLE Village:

### Cross- References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

### Supporting Documents

1: RP-5217 2: TP-584

### Recording Fees

Statutory Recording Fee: \$40.00  
Page Fee: \$30.00  
Cross-Reference Fee: \$0.00  
Mortgage Affidavit Filing Fee: \$0.00  
RP-5217 Filing Fee: \$250.00  
TP-584 Filing Fee: \$5.00  
Total Recording Fees Paid: **\$325.00**

### Transfer Taxes

Consideration: \$7,389,440.00  
Transfer Tax: \$29,558.00  
Mansion Tax: \$0.00  
Transfer Tax Number: 1759

### Mortgage Taxes

Document Date:  
Mortgage Amount:  
  
Basic: \$0.00  
Westchester: \$0.00  
Additional: \$0.00  
MTA: \$0.00  
Special: \$0.00  
Yonkers: \$0.00  
Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt: ☐  
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 08/30/2019 at 09:32 AM  
Control Number: **592193309**  
Witness my hand and official seal

*Timothy C. Idoni*

Timothy C. Idoni  
Westchester County Clerk

### Record and Return To

☐ Pick-up at County Clerk's office

DelBello Donnellan Weingarten Wise & Wiederkehr  
1 North lexington Avenue  
Fl. 11  
White Plains, NY 10601  
Attn: Heidi Winslow, Esq.

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

\*592193309DED0045\*

## Westchester County Recording & Endorsement Page

### Document Details

Control Number: **592193309**

Document Type: **Deed (DED)**

Package ID: 2019080700144001001

Document Page Count: 5

Total Page Count: 7

### Properties Addendum

339 HUGUENOT STREET 10801

NEW ROCHELLE

0002 0437 001

327 HUGUENOT STREET 10801

NEW ROCHELLE

002 417 001



**DEED (339 HUGUENOT PARCEL AND PHASE II PARCEL)**  
**BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S**  
**ACTS**

---

**HUGUENOT PARTNERS LLC**  
a Delaware limited liability company

TO

**RFMCH HUGUENOT PROPERTY OWNER LLC,**  
a Delaware limited liability company

ADDRESS: 339 Huguenot Parcel and  
327 Huguenot Street

SECTION: 2  
BLOCKS: 417, 437  
LOTS: 1 1& 3  
CITY: New Rochelle  
COUNTY: Westchester  
STATE: New York

RETURN BY MAIL TO:

DelBello Donnellan Weingarten  
Wise & Wiederkehr, LLP  
One North Lexington Avenue, Fl. 11  
White Plains, New York 10601  
Attention: Heidi M. Winslow, Esq.

## **BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS**

**THIS INDENTURE**, made as of the 15<sup>th</sup> day of August, 2019

**BETWEEN** HUGUENOT PARTNERS LLC, a Delaware limited liability company, having an office at 7 Renaissance Square, 4th Floor, White Plains, New York 10601, party of the first part, and RFMCH HUGUENOT PROPERTY OWNER LLC, a Delaware limited liability company, having an office at c/o Huguenot Centre Holdings, LLC, 7 Renaissance Square, 4th Floor, White Plains, New York 10601, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by the party of the second part, the receipt and sufficiency of which is hereby acknowledged by the party of the first part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings, fixtures and improvements now or hereafter located or erected thereon, situate, lying and being in the City of New Rochelle, County of Westchester, State of New York, more particularly described on Exhibit A attached hereto and hereby made a part hereof.

**BEING** and intended to be the same premises described in a certain deed made by the City of New Rochelle Corporation for Local Development to the party of the first part, dated May 23, 2019 and recorded in the Office of the Clerk of the County of Westchester on June 4, 2019 in Control Number 591343043.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises has been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

**HUGUENOT PARTNERS LLC,**  
a Delaware limited liability company

By: Huguenot Centre Holdings, LLC, its sole Member

By: 515 Huguenot Partners LLC, its Managing Member

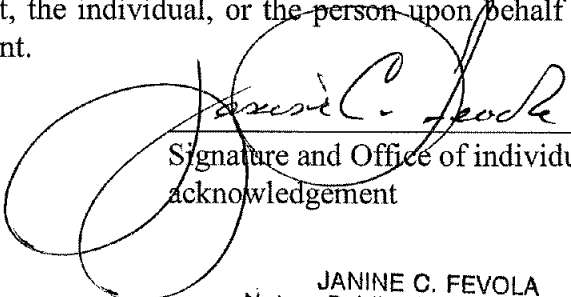
By:  \_\_\_\_\_

Name: Louis R. Cappelli

Title: Managing Member

STATE OF NEW YORK                    )  
  )ss.:  
COUNTY OF WESTCHESTER        )

On the 6 day of August in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Louis R. Cappelli personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Signature and Office of individual taking  
acknowledgement

JANINE C. FEVOLA  
Notary Public, State of New York  
No. 01FE6186788  
Qualified in Westchester County  
Commission Expires May 12, 20 20

**Exhibit A to Bargain and Sale Deed**

**Legal Description**

**(Attached)**

## **SCHEDULE A – DESCRIPTION**

**PARCEL A:** ALL THOSE LOTS OF LAND, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, known and designated as Lots Numbers 54, 55, 56, 57 and 58 and 59 on a certain map entitled, "Map of Property belonging to the Estate of Maria R. Lawton, deceased, at New Rochelle, N.Y." made by Charles H. Haswell, Civil Engineer, dated April 16, 1884 and filed in the Office of the Register of the County of Westchester on December 12, 1886, (now County Clerk of Division of Land Records) in Volume 6 of Maps at page 58, and being more particularly bounded and described as follows: BEGINNING at the corner formed by the intersection of the northeasterly side of Centre Avenue with the northwesterly side of Huguenot Street; RUNNING THENCE along the said northeasterly side of Centre Avenue, North 63 degrees 32 minutes 30 seconds West, 100.00 feet; THENCE North 26 degrees 26 minutes 30 seconds East, 150.00 feet; THENCE South 63 degrees 32 minutes 30 seconds East, 100.00 to the northwesterly side of Huguenot Street; THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West, 150.00 feet to the northeasterly side of Centre Avenue at the point or place of BEGINNING.  
For Information Only: Said premises are known as 327 Huguenot Street, New Rochelle, NY and designated as Section 2 Block 417 Lot 1 as shown on the Westchester County Land and Tax Map.

## **COMPOSITE DESCRIPTION OF PARCELS B AND C:**

ALL that certain lot, piece or parcel of land situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, being designated and described as follows: BEGINNING at the corner formed by the intersection of the northwesterly side of Huguenot Street with the southwesterly side of Centre Avenue; and RUNNING THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West, 100.00 feet; THENCE North 63 degrees 32 minutes 30 seconds West, 100.00 feet; THENCE North 26 degrees 26 minutes 30 seconds East, 100.00 feet; **THENCE along the southwesterly side of Centre Avenue, South 63 degrees 32 minutes 30 seconds East, 100.00 feet to the northwesterly side of Huguenot Street, at the point or place of BEGINNING.**

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



\*600633293SDE001W\*

## Westchester County Recording & Endorsement Page

### Submitter Information

Name: Stewart Title Insurance Company (pick up by Ramon) Phone: 914-993-9393  
Address 1: 711 Westchester Avenue, Ste 302 Fax: 914-997-1698  
Address 2: Email: nymetrorecordings@stewart.com  
City/State/Zip: White Plains NY 10604 Reference for Submitter: 7188593 RFMCH - correction 2

### Document Details

Control Number: **600633293** Document Type: **Deed, Correction (SDE)**  
Package ID: 2020030300163001001 Document Page Count: **6** Total Page Count: **8**

### Parties

☐ Additional Parties on Continuation page

#### 1st PARTY

#### 2nd PARTY

1: NEW ROCHELLE CITY OF CORP FOR LOCAL DEVELOPM - Other 1: HUGUENOT PARTNERS LLC - Other  
2: 2:

### Property

☒ Additional Properties on Continuation page

Street Address: 327 HUGUENOT STREET Tax Designation: 2-417-1  
City/Town: NEW ROCHELLE Village:

### Cross-References

☐ Additional Cross-Refs on Continuation page

1: 591343043 2: 3: 4:

### Supporting Documents

1: RP-5217 2: TP-584

### Recording Fees

Statutory Recording Fee: \$40.00  
Page Fee: \$35.00  
Cross-Reference Fee: \$0.50  
Mortgage Affidavit Filing Fee: \$0.00  
RP-5217 Filing Fee: \$250.00  
TP-584 Filing Fee: \$5.00  
RPL 291 Notice Fee: \$0.00  
Total Recording Fees Paid: **\$330.50**

### Transfer Taxes

Consideration: \$0.00  
Transfer Tax: \$0.00  
Mansion Tax: \$0.00  
Transfer Tax Number: 10351

### Mortgage Taxes

Document Date:  
Mortgage Amount:  
  
Basic: \$0.00  
Westchester: \$0.00  
Additional: \$0.00  
MTA: \$0.00  
Special: \$0.00  
Yonkers: \$0.00  
Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt: ☐  
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 03/13/2020 at 10:33 AM  
Control Number: **600633293**  
Witness my hand and official seal

Timothy C. Idoni  
Westchester County Clerk

### Record and Return To

☐ Pick-up at County Clerk's office

DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
One North Lexington Avenue  
11th Floor  
White Plains, NY 10601  
Attn: Heidi M. Winslow, Esq.

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

\*600633293SDE001W\*

Westchester County Recording & Endorsement Page

Document Details

Control Number: 600633293  
Package ID: 2020030300163001001  
Document Type: Deed, Correction (SDE)  
Document Page Count: 6  
Total Page Count: 8

Properties Addendum

339 HUGUENOT STREET 10801  
NEW ROCHELLE  
2 437 42

718 8593  
STEWART TITLE INSURANCE  
711 WESTCHESTER AVENUE  
SUITE 302  
WHITE PLAINS, NY 10604

**CORRECTION BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S  
ACTS**

---

CITY OF NEW ROCHELLE CORPORATION  
FOR LOCAL DEVELOPMENT,  
a New York local development corporation

TO

HUGUENOT PARTNERS LLC,  
a Delaware limited liability company

ADDRESS: 339 Huguenot Parcel and  
327 Huguenot Street

SECTION: 2  
BLOCKS: 417, 437  
LOTS: 1 42 (formerly Lots 1& 3)  
CITY: New Rochelle  
COUNTY: Westchester  
STATE: New York

RETURN BY MAIL TO:

DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
One North Lexington Avenue, Floor 11  
White Plains, New York 10601  
Attn: Heidi M. Winslow, Esq.



**CORRECTION BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS**

**THIS INDENTURE**, made as of the 6<sup>th</sup> day of March, 2020

**BETWEEN** CITY OF NEW ROCHELLE CORPORATION FOR LOCAL DEVELOPMENT, a New York local development corporation having an address at 515 North Avenue, New Rochelle, New York 10801 ("Grantor"), and HUGUENOT PARTNERS LLC, a Delaware limited liability company having an address at c/o 7 Renaissance Square, 4th Floor, White Plains, NY 10601 ("Grantee"),

**WITNESSETH**, that the Grantor, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, the heirs or successors and assigns of the Grantee forever,

**ALL** of the buildings and improvements erected on that certain plot, piece or parcel of land, situate, lying and being in City of New Rochelle, County of Westchester, State of New York, more particularly described on Exhibit A attached hereto and hereby made part hereof.

**BEING**, and intended to be the same premises acquired by Grantor from the City of New Rochelle by a certain deed dated May 23, 2019 and recorded in the Westchester County Clerk's Office on June 4, 2019 as Control Number 591343087, and is being recorded for the purpose of removing the reversionary interest in that certain deed from Grantor to Grantee dated May 23, 2019 and recorded in the Westchester County Clerk's Office on June 4, 2019 as Control Number 591343043;

**TOGETHER** with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee forever.

**AND** the Grantor covenants that the Grantor has not done or suffered anything whereby the said premises has been encumbered in any way whatever, except as aforesaid.

**AND** the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**AND** said premises are sold subject to the following covenants and conditions: that the Grantee, for itself and its successors and/or assigns, does hereby represent, warrant, covenant and agree to and with Grantor, its successors and/or assigns, that Grantee, for itself and its successors and/or assigns, shall: (a) comply with all Federal, State of New York, City of New Rochelle and local laws, in effect from time to time, prohibiting discrimination or segregation by reason or race, creed, color, national origin, age, gender, sexual orientation, marital status or disability in the sale, lease or rental or in the use or occupancy of the premises conveyed hereby or of any improvements erected or to be erected thereon, or any part thereof, (b) comply with the regulations issued by the Secretary of Housing and Urban Development set forth in 37 F.R. 22732-3 and all applicable rules and orders issued thereunder which prohibit the use of lead-based paint in residential structures undergoing federally assisted construction or rehabilitation and

require the elimination of lead-based paint hazards, and (c) not effect or execute any agreement, lease, conveyance or other instrument whereby the premises conveyed hereby or any part thereof is restricted upon the basis of race, creed, color, national origin, age, gender, sexual orientation, marital status or disability in the sale, lease or occupancy thereof, and that these covenants and restrictions shall be binding on and enforceable against Grantee, and each and every successor and/or assign of Grantee (including, without limitation, all subsequent owners of all or any portion of the premises, all tenants, licensees, occupants and/or users of all or any portion thereof), shall run with the land in perpetuity, and shall inure to the benefit of Grantor, its successors and/or assigns.

**AND** in amplification, and not in restriction of, the provisions of this deed, it is intended and agreed that the Grantor and its successors and assigns shall be deemed beneficiaries of the agreements and covenants provided herein, and the United States shall be deemed a beneficiary of the covenant provided herein, both for and in their or its own right and also for the purposes of protecting the interests of the community and other parties, public or private, in whose favor or for whose benefit such agreements and covenants have been provided.

The words "Grantor" and "Grantee" shall be construed as if it read "Grantors" and "Grantees" whenever the sense of this indenture so requires.


[The remainder of this page is intentionally left blank.]

[Signature page follows]

**IN WITNESS WHEREOF**, the Grantor and Grantee have duly executed this deed the day and year first above written.

GRANTOR:

**CITY OF NEW ROCHELLE CORPORATION  
FOR LOCAL DEVELOPMENT,**  
a New York local development corporation


By:   
Name: Adam Salgado  
Title: Executive Director

GRANTEE:

**HUGUENOT PARTNERS LLC,**  
a Delaware limited liability company

By: Huguenot Centre Holdings, LLC, its sole Member

By: 515 Huguenot Partners LLC, its Managing Member

By:   
Name: Louis R. Cappelli  
Title: Managing Member

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF WESTCHESTER )

On the 6<sup>th</sup> day of March in the year 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared **Adam Salgado**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Michael J. Horning  
Signature and Office of individual taking  
acknowledgement

**MICHELE L. HERING**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01HE6391896**  
**Qualified in Westchester County**  
**My Commission Expires 05-20-2023**

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF WESTCHESTER )

On the 4 day of March in the year 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared **Louis R. Cappelli**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

~~Signature and Office of individual taking  
acknowledgement~~

**JANINE C. FEVOLA**  
Notary Public, State of New York  
No. 01FE6186788  
Qualified in Westchester County  
Commission Expires February 1, 2024

[Correction Bargain and Sale Deed NRCLD to Huguenot Partners LLC]

## **EXHIBIT A**

### **Legal Description**

**PARCEL A:** ALL THOSE LOTS OF LAND, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, known and designated as Lots Numbers 54, 55, 56, 57 and 58 and 59 on a certain map entitled, "Map of Property belonging to the Estate of Maria R. Lawton, deceased, at New Rochelle, N.Y." made by Charles H. Haswell, Civil Engineer, dated April 16, 1884 and filed in the Office of the Register of the County of Westchester on December 12, 1886, (now County Clerk of Division of Land Records) in Volume 6 of Maps at page 58, and being more particularly bounded and described as follows: BEGINNING at the corner formed by the intersection of the northeasterly side of Centre Avenue with the northwesterly side of Huguenot Street; RUNNING THENCE along the said northeasterly side of Centre Avenue, North 63 degrees 32 minutes 30 seconds West, 100.00 feet; THENCE North 26 degrees 26 minutes 30 seconds East, 150.00 feet; THENCE South 63 degrees 32 minutes 30 seconds East, 100.00 to the northwesterly side of Huguenot Street; THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West, 150.00 feet to the northeasterly side of Centre Avenue at the point or place of BEGINNING. For Information Only: Said premises are known as 327 Huguenot Street, New Rochelle, NY and designated as Section 2 Block 417 Lot 1 as shown on the Westchester County Land and Tax Map.

### **COMPOSITE DESCRIPTION OF PARCELS B AND C:**

ALL that certain lot, piece or parcel of land situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, being designated and described as follows: BEGINNING at the corner formed by the intersection of the northwesterly side of Huguenot Street with the southwesterly side of Centre Avenue; and RUNNING THENCE along the said northwesterly side of Huguenot Street, South 26 degrees 26 minutes 30 seconds West, 100.00 feet; THENCE North 63 degrees 32 minutes 30 seconds West, 100.00 feet; THENCE North 26 degrees 26 minutes 30 seconds East, 100.00 feet; THENCE along the southwesterly side of Centre Avenue, South 63 degrees 32 minutes 30 seconds East, 100.00 feet to the northwesterly side of Huguenot Street, at the point or place of BEGINNING. For Information Only: Said premises are known as 339 Huguenot Street, New Rochelle, NY and currently designated as Section 2 Block 437 Lot 42 (formerly known as Section 2, Block 437, Lots 1 and 3) as shown on the Westchester County Land and Tax Map.

# **EXHIBIT D**


RFMCH Huguenot Property Owner II LLC  
and RFMCH Huguenot Development Partners II LLC  
7 Renaissance Square, 4<sup>th</sup> Floor  
White Plains, New York 10601

**Re: Site Access to Perform Brownfield Cleanup Program Work  
327-329 Huguenot Street, New Rochelle, New York 10801  
Tax Parcel No. 2-417-0001**

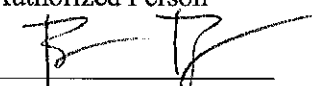
RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC ("Volunteers") are submitting a Brownfield Cleanup Program ("BCP") Application to the New York State Department of Environmental Conservation ("NYSDEC") to voluntarily investigate and remediate the following property: 327-329 Huguenot Street, New Rochelle, New York 10801 (Tax Parcel No. 2-417-0001 (the "BCP Site"). RFMCH Huguenot Property Owner LLC ("Owner") owns the aforementioned parcel that makes up the BCP Site. Volunteers need Owner's written permission below to access the BCP Site for the purpose of performing environmental investigation and remediation work for acceptance into the BCP.

Once signed by Owner, this letter grants a "temporary license" to allow an appropriate contractor hired to enter the BCP Site to perform the BCP investigation and remediation work. To the extent an environmental easement is required for the BCP Site after the remediation is complete because a Track 1 remediation was unable to be achieved, Owner is also herein giving permission to Volunteers to work with Owner to place an environmental easement on the BCP Site to give the NYSDEC access to ensure the BCP Site is properly maintained pursuant to all program requirements to the extent Owner still holds title to the BCP Site at the time the environmental easement is required.

Sincerely,

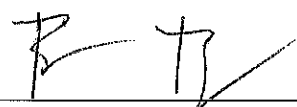
  
\_\_\_\_\_  
RFMCH Huguenot Property Owner II LLC

By: Bruce Berg  
Authorized Person

  
\_\_\_\_\_  
RFMCH Huguenot Development Partners II LLC

By: Bruce Berg  
Authorized Person

As an Authorized Person of the Owner, I am authorized to grant this temporary license and agree to allow RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC and their agents to enter my property to perform the BCP Investigation and/or remediation work required and to place an environmental easement on the Site.

  
\_\_\_\_\_  
RFMCH Huguenot Property Owner LLC

By: Bruce Berg

# **EXHIBIT E**



**PREVIOUS OWNERS & OPERATORS LIST**  
**Block 417 New Rochelle**  
**327-329 Huguenot Street**  
**New Rochelle, New York 10801**  
**2-417-0001**

<b>Year</b>	<b>Contact Information</b>	<b>Status</b>	<b>Relation to Requestor</b>
Unknown - 1884	Maria R. Lawton <b>Address:</b> Unknown <b>Phone:</b> Unknown	Deceased	None
1910	D. and L. Building Company (Lost the property due to a legal judgement) – Possibly: D & L Construction Management, Inc. <b>Address:</b> 180 Varick Street, Suite 1202 New York, New York 10014 <b>Phone:</b> (516) 662-8960	Active	None
1915 - 1921	Bonniecrist, Inc. (Bonniecrist Owners Corporation) <b>Address:</b> 629 Kappock Street Bronx, New York 10463 <b>Phone:</b> (718) 543-6531	Inactive	None
1921 - 1925	Jacob Malakoff and Rose Malakoff <b>Deed Address:</b> 323 Huguenot Street New Rochelle, New York <b>Phone:</b> Unknown	Unknown	None
1925 – 1938	Irene E. Henrick <b>Deed Address:</b> 21 Brookside Place New Rochelle, New York <b>Phone:</b> Unknown	Unknown	None
1938 – 1939	The Emigrant Industrial Savings Bank (Emigrant Savings Bank) <b>Address:</b> 5 East 42 <sup>nd</sup> Street New York, New York 10017 <b>Phone:</b> (212) 850-4521	Active	None
1939	Thelma Potruch <b>Deed Address:</b> 203 West 90 <sup>th</sup> Street New York, New York <b>Phone:</b> Unknown	Unknown	None
1939	Herald Management Corporation <b>Address:</b> 292 Madison Avenue New York, New York 10017 <b>Phone:</b> Unknown	Inactive	None
1939 – 1945	Samron Realty Corporation <b>Address:</b> 331 Madison Avenue New York, New York 10017 <b>Phone:</b> Unknown	Inactive	None
1945 - 1946	1320-1328 Grant Avenue Corporation <b>Address:</b> 349 East 149 <sup>th</sup> Street Bronx, New York 10452 <b>Phone:</b> Unknown	Inactive	None
1946 - 1952	Huguenot-Center Corporation <b>Address:</b> 271 North Avenue New Rochelle, New York 10801 <b>Phone:</b> Unknown	Inactive	None
1952 – 1956	Leon Steinman and Sylvia G. Rubin <b>Deed Address:</b> 381 Fifth Avenue New Rochelle, New York <b>Phone:</b> Unknown	Deceased	None
1956 - 1960	Harry Crown <b>Deed Address:</b> 321 Wagner Avenue Mamaroneck, New York <b>Phone:</b> Unknown	Deceased 1970	None
1960 - 1962	Ruth Crown and Doris Sonkin <b>Deed Address:</b> 321 Wagner Avenue Mamaroneck, New York <b>Phone:</b> Unknown	Deceased	None
1962 - 1986	Salco Holding Corporation <b>Address:</b> 41 Relyea Place <b>Phone:</b> Unknown	Inactive	None

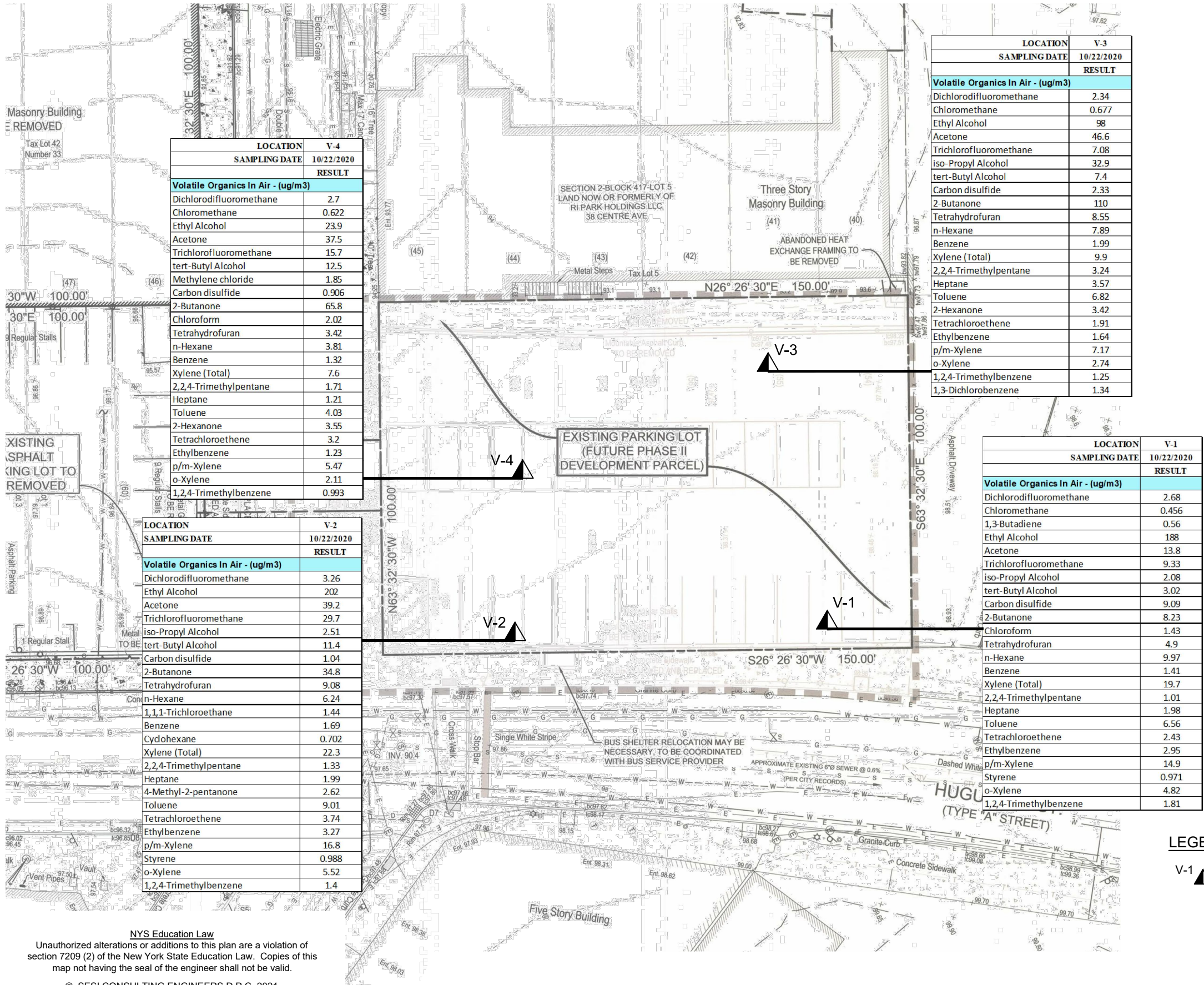
## PREVIOUS OWNERS & OPERATORS LIST

**Block 417 New Rochelle  
327-329 Huguenot Street  
New Rochelle, New York 10801  
2-417-0001**

	New Rochelle, New York 10801		
1986 – 1990	Huguenot Arms Associates c/o Danray Development Organization (Lost property in Condemnation Proceeding titled “City of New Rochelle, Plaintiff, vs. Huguenot Arms Associations, Defendant” in 1990 as Index No.: 2097/1990) <b>Address:</b> c/o Danray Development Organization PO Box 1694 New Rochelle, New York 10802 <b>Phone:</b> Unknown	Unknown	None
1990 - 2019	City of New Rochelle <b>Address:</b> City Hall, 515 North Avenue New Rochelle, New York 10801 <b>Phone:</b> (914) 654-2000	Active	None
5/23/2019 Correction deed dated 3/6/2020	City of New Rochelle Corporation for Local Development <b>Address:</b> Executive Director City Hall, 515 North Avenue New Rochelle, New York 10801 <b>Phone:</b> (914) 654-2140	Active	None
5/23/2019 – 8/15/2019	Huguenot Partners LLC <b>Address:</b> 7 Renaissance Square, 4 <sup>th</sup> Floor White Plains, New York 10601 <b>Phone:</b> (914) 769-6500	Active	Affiliated
8/15/2019 – Present	RFMCH Huguenot Property Owner LLC <b>Address:</b> 7 Renaissance Square, 4 <sup>th</sup> Floor White Plains, New York 10601 <b>Phone:</b> (914) 769-6500	Active	Affiliated - Current Owner of Site
<b>Operator</b>			
1887-1903	Vacant	N/A	None
1911-1951	D & L Apartments (Multiple Residential listings with Street Level stores) <b>Address:</b> Unknown <b>Phone:</b> Unknown	Unknown	None
1934	Harper Method Shop (Owned by Marry K. O’Brien – Hair Salon) – Franchise <b>Address:</b> c/o Wilfred Academy 1657 Broadway New York, NY 10019 <b>Phone:</b> Unknown	Inactive	None
1951-1992	Apartment buildings were vacant	N/A	None
1993	Buildings demolished	N/A	None
1994- 8/15/2019	Parking (Laz Parking – City of New Rochelle) <b>Address:</b> City Hall, 515 North Avenue Ground Floor New Rochelle, New York 10801 <b>Phone:</b> (914) 654-2186	Active	None
8/15/2019	RFMCH Huguenot Property Owner LLC (parking vehicles on parking lot – no tenants) <b>Address:</b> 7 Renaissance Square, 4 <sup>th</sup> Floor White Plains, New York 10601 <b>Phone:</b> (914) 769-6500	Active	Affiliated – Current Owner

# **EXHIBIT F**

N:\ACAD\11571\CAD\PHASE II\11571 - FIG-4 - SOIL VAPOR SAMPLE LOCATION PLAN.DWG 03/03/21 04:47:44PM, aas, LAYOUT:FIG-4



NYS Education Law  
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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REFERENCE  
SITE INFORMATION TAKEN FROM "EXISTING CONDITIONS & DEMOLITION PLAN" PREPARED BY NELSON & POPE ENGINEERS & SURVEYORS. DATED 5-02-19.

dwg by: yy  
chk by: MF  
scale: 1" = 40'  
date: 03/03/2021

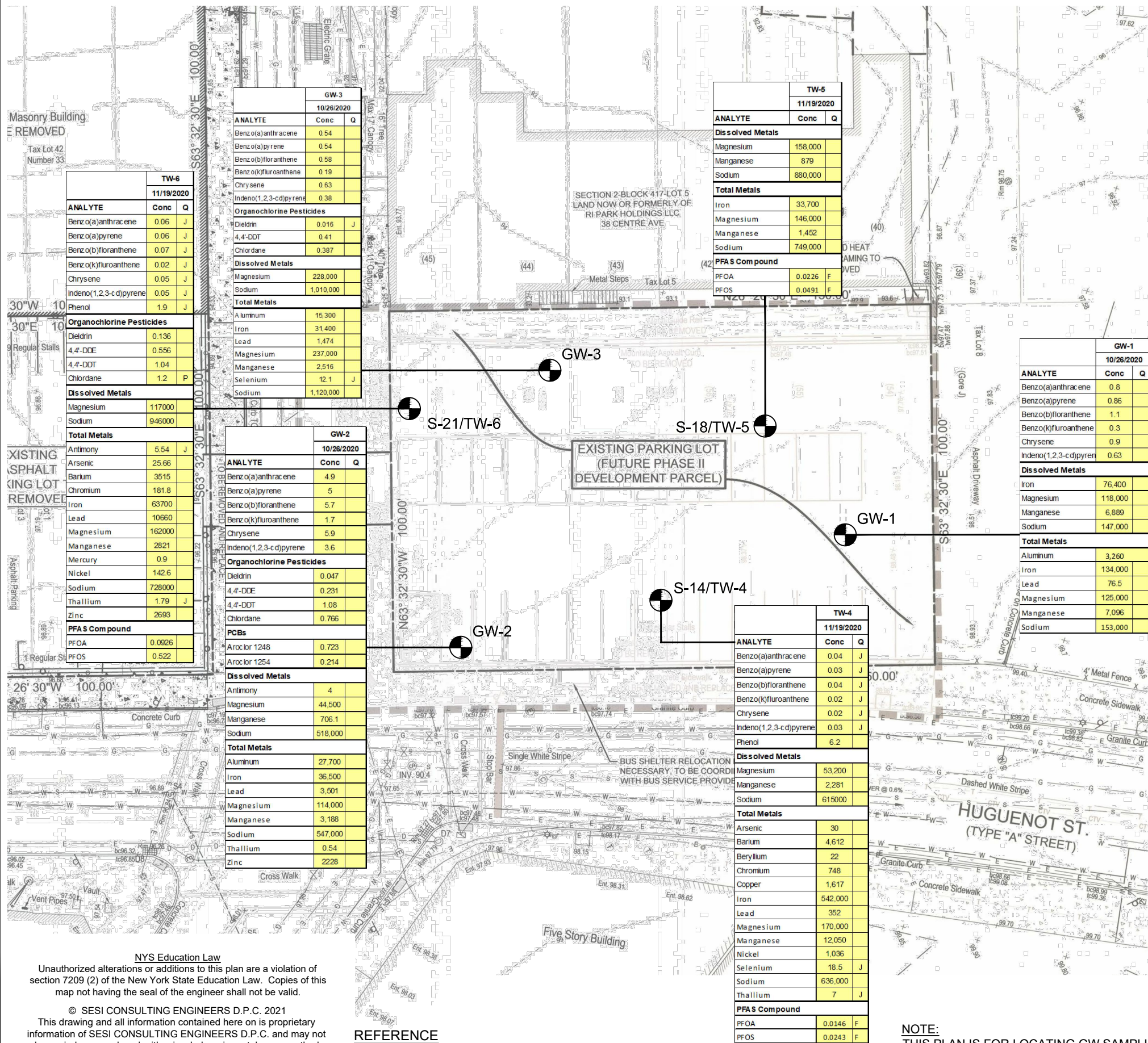
SOILS / FOUNDATIONS  
SITE DESIGN  
ENVIRONMENTAL  
**SESI**  
CONSULTING  
ENGINEERS D.P.C.  
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

329 HUGUENOT STREET  
NEW ROCHELLE, NEW YORK  
SOIL VAPOR SAMPLING RESULTS PLAN

job no: 10785  
drawing no:  
**FIG-4**  
1 of 1



N:\ACAD\11571\CAD\PHASE II\11571 - FIG-3 - GROUNDWATER SAMPLING RESULTS PLAN.DWG 01/13/21 01:22:52PM, aqs, LAYOUT:FIG-3



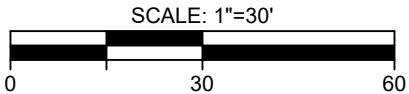
**NYS Education Law**  
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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**REFERENCE**  
SITE INFORMATION TAKEN FROM "EXISTING CONDITIONS & DEMOLITION PLAN"  
PREPARED BY NELSON & POPE ENGINEERS & SURVEYORS. DATED 5-02-19.

**NOTE:**  
THIS PLAN IS FOR LOCATING GW SAMPLING ONLY.  
OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.

**LEGEND:**  
GW-1 - GROUNDWATER SAMPLE NUMBER & APPROX. LOCATION



ANALYTE	NY-AWQS (ug/l)
<b>SVOCs</b>	
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Chrysene	0.002
Indeno(1,2,3-c-d)pyrene	0.002
Phenol	1
<b>Total Metals</b>	
Aluminum	NA
Antimony	3
Arsenic	25
Barium	1,000
Beryllium	3
Chromium	50
Copper	200
Iron	300
Lead	25
Magnesium	35,000
Manganese	300
Mercury	0.7
Nickel	100
Sodium	20,000
Selenium	10
Thallium	0.5
Zinc	2,000
<b>Organochlorine Pesticides</b>	
Dieldrin	0.004
4,4'-DDE	0.2
4,4'-DDT	0.2
Chlordane	0.05
<b>PCBs</b>	
Aroclor 1248	0.09
Aroclor 1254	0.09
<b>NY-MCL (ug/l)</b>	
<b>PFAS Compounds</b>	
PFOA	0.01
PFOS	0.01

dwg by: yy  
chk by: MF  
scale: 1" = 40'  
date: 12/01/2020

SOILS / FOUNDATIONS  
SITE DESIGN  
ENVIRONMENTAL  
SESI CONSULTING ENGINEERS D.P.C.  
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

329 HUGUENOT STREET  
NEW ROCHELLE, NEW YORK  
GROUNDWATER SAMPLING RESULTS PLAN  
FIG-3  
1 of 1

job no: 10785  
drawing no:





# **EXHIBIT G**





## UTILITY NOTES

SUBSURFACE UTILITY ENGINEERING (SUE) QUALITY LEVELS OF SERVICE (ACCURACY)  
ALL UTILITIES ARE QUALITY LEVEL B (QL-B) UNLESS OTHERWISE NOTED

QL-A = QUALITY LEVEL A (TEST HOLES)  
DATA TYPICALLY ACQUIRED AT ONE POINT ON AN UNDERGROUND UTILITY FEATURE EXPOSED BY AIR VACUUM EXCAVATION OR OTHER MEANS. THE HORIZONTAL AND VERTICAL LOCATION OF THIS REFERENCE POINT IS ACQUIRED AND REPORTED TO ACCEPTABLE SURVEY TOLERANCES. THE ACQUIRED DATA FULFILLS SECTION 5.4.5 ON PAGE 6 OF ASCE STANDARD 38-02.

QL-B = QUALITY LEVEL B (UTILITY DESIGNATION)  
DEPICTION OF AN UNDERGROUND UTILITY LINE ESTABLISHED BY SENSING THE LOCATION WITH ELECTRONIC INSTRUMENTATION. LINEWORK AND UTILITY SURFACE FEATURES ARE ACQUIRED BY SURVEYING POINTS ALONG ALIGNMENT TO ACCEPTABLE SURVEY TOLERANCES.

QL-C = QUALITY LEVEL C (RECORDS PLOTTING)  
UTILITY INFORMATION OBTAINED FROM RECORD INFORMATION AND PLOTTED TO CORRELATE WITH SURFACE UTILITY FEATURES WHICH HAVE BEEN SURVEY LOCATED AND ACCURATELY REDUCED ON TO DESIGN/CONSTRUCTION DOCUMENTS.

QL-D = QUALITY LEVEL D (RECORDS DRAFTING)  
DEPICTION OF UNDERGROUND UTILITY LINES BY TRANSCRIPTION FROM UTILITY RECORDS OR PLACED FROM VERBAL RECOLLECTIONS WITHOUT BENEFIT OF SURVEYED SURFACE FEATURES. ACCURACY OF INFORMATION IS QUESTIONABLE.

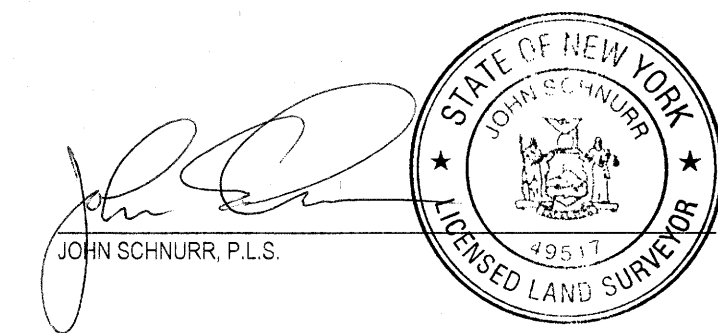
EOI  
END OF INFORMATION PERTAINS TO THE LOSS OF SIGNAL THAT HAS BEEN APPLIED TO AN UNDERGROUND UTILITY AND THEN DETECTED TO ELECTRONICALLY LOCATE THE UTILITY. COMMONLY FOUND WHERE UTILITIES CHANGE TO NON-CONDUCTIVE MATERIALS. ARE CUT OR AT END OF UTILITY.

## GENERAL NOTES

- PARCEL AREA IS 10,000.00 S.F. OR 0.23 ACRES
- ELEVATIONS REFER TO N.A.V.D. 1988.
- THE OFFSETS AND DIMENSIONS SHOWN FROM STRUCTURES TO THE PROPERTY LINE ARE FOR A SPECIFIC PURPOSE AND ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES WALLS POOLS PATIOS ADDITIONS TO BUILDINGS AND ANY OTHER CONSTRUCTION.
- THE LOCATIONS OF UNDERGROUND STRUCTURES AND UTILITIES SHOWN HEREON ARE BASED ON ABOVEGROUND FEATURES AND/OR RECORD DRAWINGS AND MARKOUT PROVIDED BY SINGER UTILITY ENGINEERING, P.C. ON SEPTEMBER, 2018. LOCATIONS OF UNDERGROUND STRUCTURES AND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED STRUCTURES AND UTILITIES MAY BE ENCOUNTERED. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.

## SURVEYORS CERTIFICATION

WE HEREBY CERTIFY TO STEWART TITLE INSURANCE COMPANY, RFMCH HUGUENOT PROPERTY OWNER LLC AND NEW ROCHELLE INDUSTRIAL DEVELOPMENT AGENCY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS



SHEET: 1 OF 2

H2M

architects  
+  
engineers

538 Broad Hollow Road  
4th Floor East  
Melville, NY 11747  
P:(631)756-8000  
F:(631)694-4122

Melville, NY 11747  
Albany, NY 12205  
New York, NY 10001  
White Plains, NY 11604  
New City, NY 10958  
Parsippany, NJ 07054  
Howell, NJ 07731

DESIGNED BY CFAN/JW	DRAWN BY AJS	CHECKED BY	PROJECT NO. HUPA-1801	DATE 9/28/18	SCALE 1"=20 FEET
------------------------	-----------------	------------	--------------------------	-----------------	---------------------

REVISIONS:  
ADD TOPO TO NORTH  
CHANGE TAX LOT NUMBERS  
ADD CERTIFICATIONS ONLY

10/20/18  
10/24/18  
8/6/19

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 2005 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP MAY BE MADE FOR THE LAND SURVEYOR AND HIS OR HER SUBSIDIARY SEAL SHALL NOT BE CONSIDERED TO BE A VALID OR TRUE COPY. CERTIFICATIONS INDICATED HEREON SHALL BE IN FULL TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND SHALL BE VALID TO THE TITLE COMPANY, GOVERNMENT AGENCY AND LENDING INSTITUTION LISTED HEREON. ANY TO THE ASSUREMENTS OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

BOUNDARY AND  
TOPOGRAPHIC SURVEY  
HUGUENOT PARTNERS LLC  
NEW ROCHELLE  
WESTCHESTER COUNTY  
NEW YORK

BOUNDARY SURVEY OF  
LOTS 46 THRU 49 AND 60 THRU 63 INCL.  
MAP OF PROPERTY BELONGING TO  
MARIA R. LAWTON, DECEASED  
FILED: VOLUME 6, PAGE 58  
FILE DATE: DECEMBER 12, 1886  
WCTM SECTION 2, BLOCK 437, LOTS 1, 3, AND 42

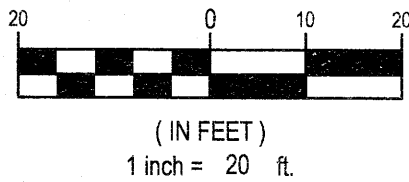
## LEGEND

①	DRAINAGE MANHOLE	=====	CURB
②	INLET	=====	DROP CURB
③	INLET	-----○-----	STORM DRAIN
④	HYDRANT	-----W-----	WATER MAIN
⑤	WATER VALVE	-----W-----	WATER MAIN (QL-D)
⑥	ROOF DRAINLEADER	-----S-----	SANITARY SEWER
⑦	SANITARY MANHOLE	-----S-----	SANITARY SEWER (QL-D)
⑧	ELECTRIC MANHOLE	-----G-----	UNDERGROUND GAS
⑨	ELECTRIC RISER	-----G-----	UNDERGROUND GAS (QL-D)
⑩	LIGHT	-----E-----	UNDERGROUND ELECTRIC
⑪	PULL BOX	-----G-----	UNDERGROUND ELECTRIC (QL-D)
⑫	TRAFFIC SIGNAL POLE	-----T-----	UNDERGROUND TELEPHONE
⑬	UTILITY POLE/GUY POLE	-----T-----	UNDERGROUND TELEPHONE (QL-D)
⑭	GUY WIRE	-----GUY-----	UNDERGROUND CABLE TV
⑮	TELEPHONE MANHOLE	-----OH-----	OVERHEAD WIRES
⑯	COMMUNICATIONS MANHOLE	-----X-----	FENCE
⑰	GAS VALVE	⑰	HANDICAP PARKING STALL
⑱	SIGN	⑱	HANDICAP WARNING PAD
⑲	TWO POST SIGN	⑲	ASPHALT PAVEMENT
⑳	MONITORING WELL	⑳	CONCRETE PAVEMENT
㉑	FUEL MANHOLE	㉑	BRICK/PAVER PAVEMENT
㉒	BOLLARD		
㉓	DECIDUOUS TREE		

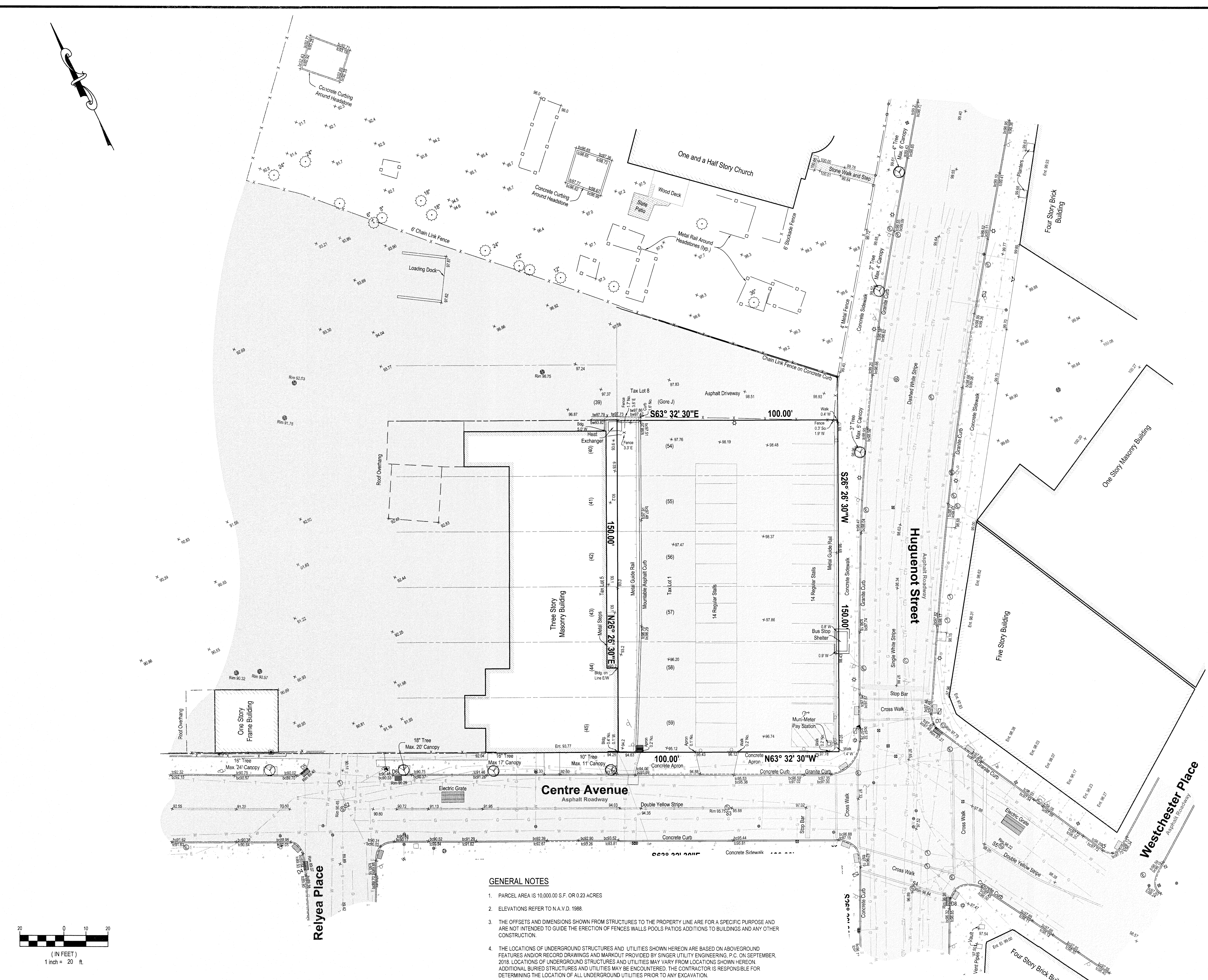


## DRAINAGE & SANITARY STRUCTURE SCHEDULE

STRUCT. NUMBER	STRUCTURE TYPE	RIM/BC ELEVATION (FEET)	TOP OF RING ELEVATION (FEET)	BOTTOM OF STRUCTURE ELEVATION (FEET)	EFFECTIVE DEPTH (FEET)	INVERT ELEVATIONS (FEET)
D1	CATCH BASIN, 2' X 2.5' BOX	81.23	NA	79.4	NA	NO PIPES VISIBLE, FULL OF WATER
D2	RECTANGULAR INLET, 2'5' X 4' SOLID BRICK BOX	84.31	NA	80.6	NA	W 80.6 (12" CONC)
D3	CATCH BASIN, 3.5' X 4' BOX	86.51	NA	85.1	NA	NO PIPES VISIBLE, FULL OF WATER
D4	CATCH BASIN, 4' X 4' SOLID BRICK BOX	89.07	NA	85.9	NA	N 87.1 (15" CONC), S 86.9 (15" CONC)
D5	CATCH BASIN, 3.5' X 4' SOLID BRICK BOX	89.46	NA	87.5	NA	E 88.0 (12" CAST IRON)
D6	RECTANGULAR INLET, 2'5' X 4' SOLID CONCRETE BOX	90.29	NA	88.0	NA	W 88.8 (12" CAST IRON)
D7	CATCH BASIN, (FULL OF WATER POOR VISIBILITY)	97.79	NA	93.8	NA	(FULL OF WATER POOR VISIBILITY)
D8	CATCH BASIN, (FULL OF WATER POOR VISIBILITY)	96.26	NA	92.1	NA	(FULL OF WATER POOR VISIBILITY)
S1	SANITARY MANHOLE, 4'Ø SOLID CONCRETE POOL	85.56	NA	76.4	NA	N 76.5 (8" CLAY), SW 76.1 (8" CLAY)
S2	SANITARY MANHOLE, 4'Ø SOLID BRICK POOL	90.45	NA	79.6	NA	N 79.8 (6" CLAY), S 79.6 (8" CLAY), 80.2 (6" CLAY)
S3	SANITARY MANHOLE	95.75	NA	89.2	NA	W 93.5 (6" CLAY), W 89.2 (6" CLAY)
S4	SANITARY MANHOLE, 5'Ø BRICK STRUCTURE	96.84	NA	87.3	NA	S 86.3 (6" CLAY), E 86.4 (6" CLAY)
S5	SANITARY MANHOLE, 4'Ø SOLID BRICK POOL	98.22	96.2	87.5	9	S 87.0 (6" CLAY), E 87.0 (6" CLAY), W 88.4 (6" CLAY)







**UTILITY NOTES**

**SUBSURFACE UTILITY ENGINEERING (SUE) QUALITY LEVELS OF SERVICE (ACCURACY)**  
ALL UTILITIES ARE QUALITY LEVEL B (QL-B) UNLESS OTHERWISE NOTED

**QL-A = QUALITY LEVEL A (TEST HOLES)**  
DATA TYPICALLY ACQUIRED AT ONE POINT ON AN UNDERGROUND UTILITY FEATURE EXPOSED BY AIR VACUUM EXCAVATION OR OTHER MEANS. THE HORIZONTAL AND VERTICAL LOCATION OF THIS REFERENCE POINT IS ACQUIRED AND REPORTED TO ACCEPTABLE SURVEY TOLERANCES. THE ACQUIRED DATA FULFILLS SECTION 5.4.5 ON PAGE 6 OF ASCE STANDARD 38-02.

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**EOI**  
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LEGEND	
	DRAINAGE MANHOLE
	INLET
	INLET
	HYDRANT
	WATER VALVE
	ROOF DRAINLEADER
	SANITARY MANHOLE
	ELECTRIC MANHOLE
	ELECTRIC RISER
	LIGHT
	PULL BOX
	TRAFFIC SIGNAL POLE
	UTILITY POLE/GUY POLE
	GUY WIRE
	TELEPHONE MANHOLE
	COMMUNICATIONS MANHOLE
	GAS VALVE
	SIGN
	TWO POST SIGN
	MONITORING WELL
	FUEL MANHOLE
	BOLLARD
	DECIDUOUS TREE
	CURB
	DROP CURB
	STORM DRAIN
	WATER MAIN
	WATER MAIN (QL-D)
	SANITARY SEWER
	SANITARY SEWER (QL-D)
	UNDERGROUND GAS
	UNDERGROUND GAS (QL-D)
	UNDERGROUND ELECTRIC
	UNDERGROUND ELECTRIC (QL-D)
	UNDERGROUND TELEPHONE
	UNDERGROUND TELEPHONE (QL-D)
	UNDERGROUND CABLE TV
	OVERHEAD WIRES
	FENCE
	HANDICAP PARKING STALL
	HANDICAP WARNING PAD
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT
	BRICK/PAVER PAVEMENT

**SURVEYORS CERTIFICATION**

WE HEREBY CERTIFY TO STEWART TITLE INSURANCE COMPANY, RFMCH HUGUENOT PROPERTY OWNER LLC AND NEW ROCHELLE INDUSTRIAL DEVELOPMENT AGENCY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

JOHN SCHNURR, P.L.S.

STATE OF NEW YORK  
JOHN SCHNURR  
LICENSED LAND SURVEYOR  
1951

**SHEET: 2 OF 2**

architects  
+  
engineers

538 Broad Hollow Road  
4th Floor East  
Melville, NY 11747  
P:(631)756-8000  
F:(631)694-4122

Melville, NY 11747  
Albany, NY 12205  
New York, NY 10001  
White Plains, NY 11004  
New City, NY 10956  
Parsons, NY 10705  
Howell, NJ 07731

DESIGNED BY: CFAN/JW  
DRAWN BY: AJS  
CHECKED BY:

PROJECT NO: HUPA-1803  
DATE: 9/28/18  
SCALE: 1"=20' FEET

REVISIONS:  
ADD TOPO TO NORTH  
CHANGE TAX LOT NUMBERS  
ADD CERTIFICATIONS ONLY

10/20/18  
10/24/18  
8/6/19

**BOUNDARY AND TOPOGRAPHIC SURVEY  
HUGUENOT PARTNERS LLC**

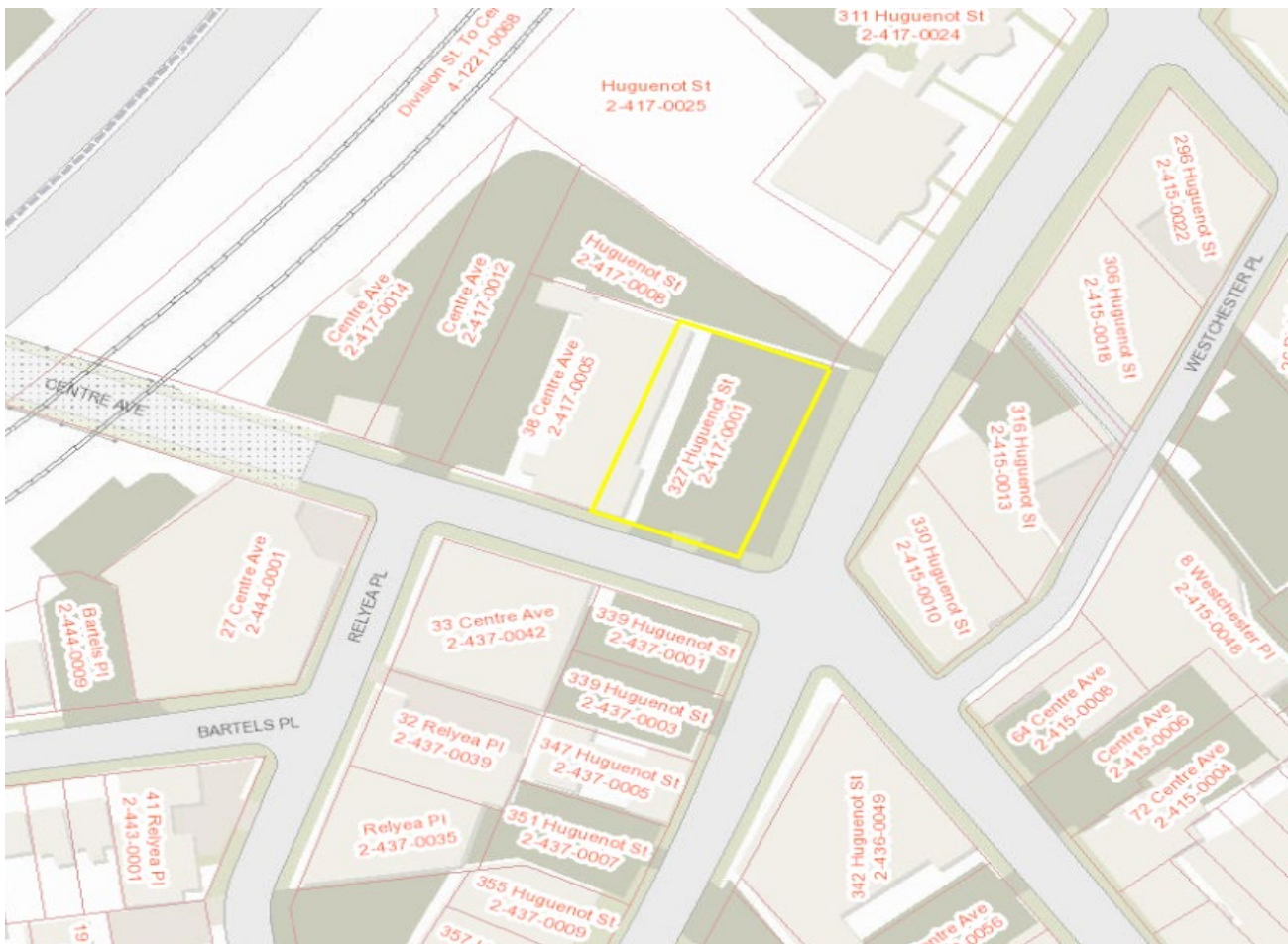
NEW ROCHELLE  
WESTCHESTER COUNTY  
NEW YORK

**BOUNDARY SURVEY OF  
LOTS 54 THRU 59 INCL.  
MAP OF PROPERTY BELONGING TO  
MARIA R. LAWTON, DECEASED**

FILED: VOLUME 6, PAGE 58  
FILE DATE: DECEMBER 12, 1886  
WCTM SECTION 2, BLOCK 417, LOT 1

- GENERAL NOTES**
- PARCEL AREA IS 10,000.00 S.F. OR 0.23 ACRES
  - ELEVATIONS REFER TO N.A.V.D. 1988
  - THE OFFSETS AND DIMENSIONS SHOWN FROM STRUCTURES TO THE PROPERTY LINE ARE FOR A SPECIFIC PURPOSE AND ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES WALLS POOLS PATIOS ADDITIONS TO BUILDINGS AND ANY OTHER CONSTRUCTION.
  - THE LOCATIONS OF UNDERGROUND STRUCTURES AND UTILITIES SHOWN HEREON ARE BASED ON ABOVEGROUND FEATURES AND/OR RECORD DRAWINGS AND MARKOUT PROVIDED BY SINGER UTILITY ENGINEERING, P.C. ON SEPTEMBER, 2018. LOCATIONS OF UNDERGROUND STRUCTURES AND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED STRUCTURES AND UTILITIES MAY BE ENCOUNTERED. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.





**Disclaimer:**

This tax parcel map is provided 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 the assessor's office of the municipality.

# **EXHIBIT H**



# BASE MAP

Block 417 New Rochelle  
327-329 Huguenot Street  
New Rochelle, New York 10801  
Section: 2 Block: 417 Lot: 1

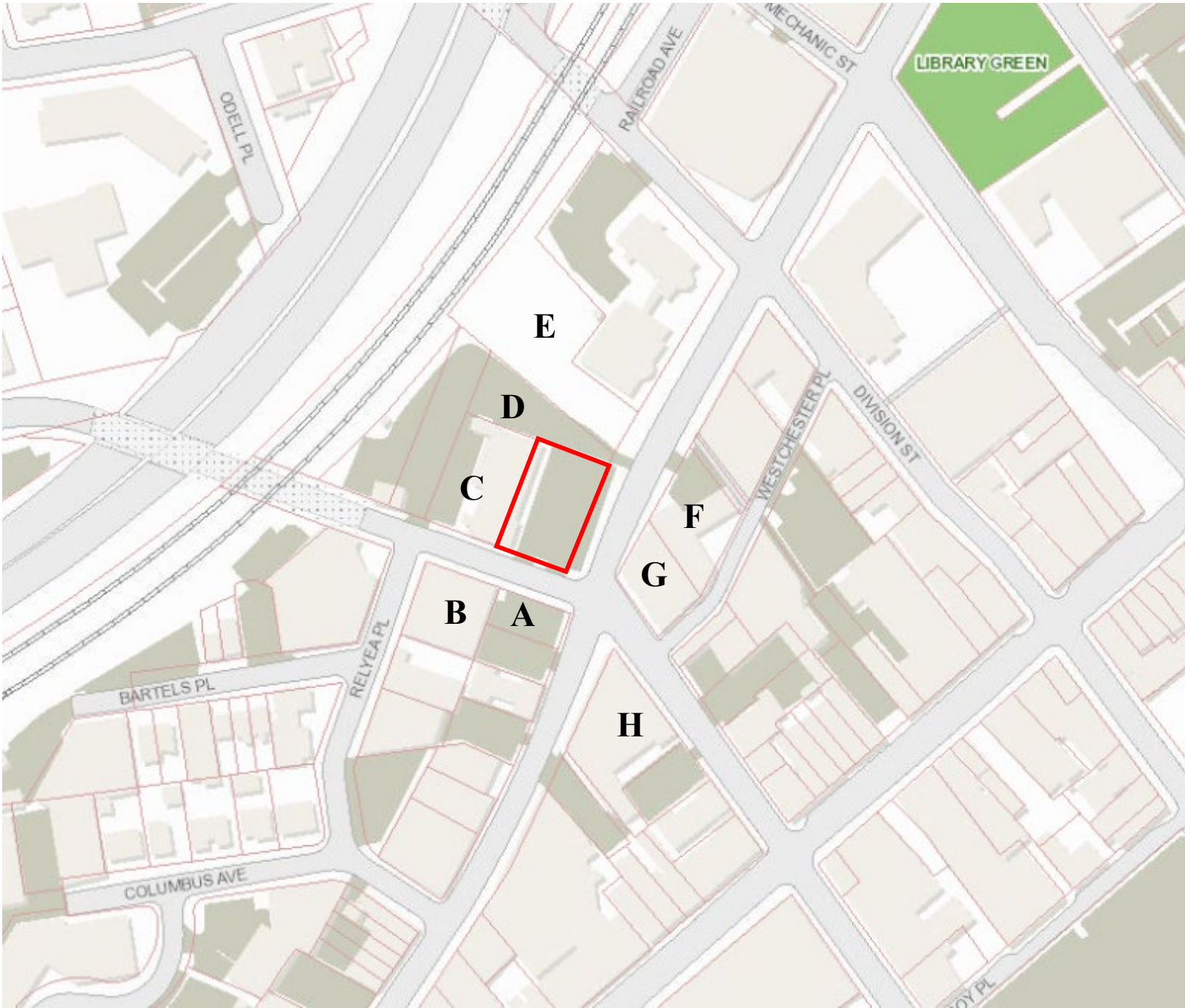
**Legend:**  
 Site Property Boundary

Corresponding page  
lists adjacent property owners by letter  
A – H



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

**January 2021**  
**Source: Westchester County GIS**  
**Scale: 1" = 100' approximately**



<b>Letter</b>	<b>Adjacent Property Owner(s) Name(s)</b>	<b>Property Address</b>	<b>Section-Block-Lot</b>
<b>A</b>	Huguenot Partners LLC	339 Huguenot Street	2-437-0001
<b>B</b>	Centre Ave Associates LLC	33 Centre Avenue	2-437-0042
<b>C</b>	RI Park Holdings LLC	38 Centre Avenue	2-417-0005
<b>D</b>	RI Park Holdings LLC	Huguenot Street	2-417-0008
<b>E</b>	Trinity Church	Huguenot Street	2-417-0025
<b>F</b>	Allstate Ventures LLC	316 Huguenot Street	2-415-0013
<b>G</b>	Seasonwein Management LLC	330 Huguenot Street	2-415-0010
<b>H</b>	Verizon NY Inc.	342 Huguenot Street	2-436-0049



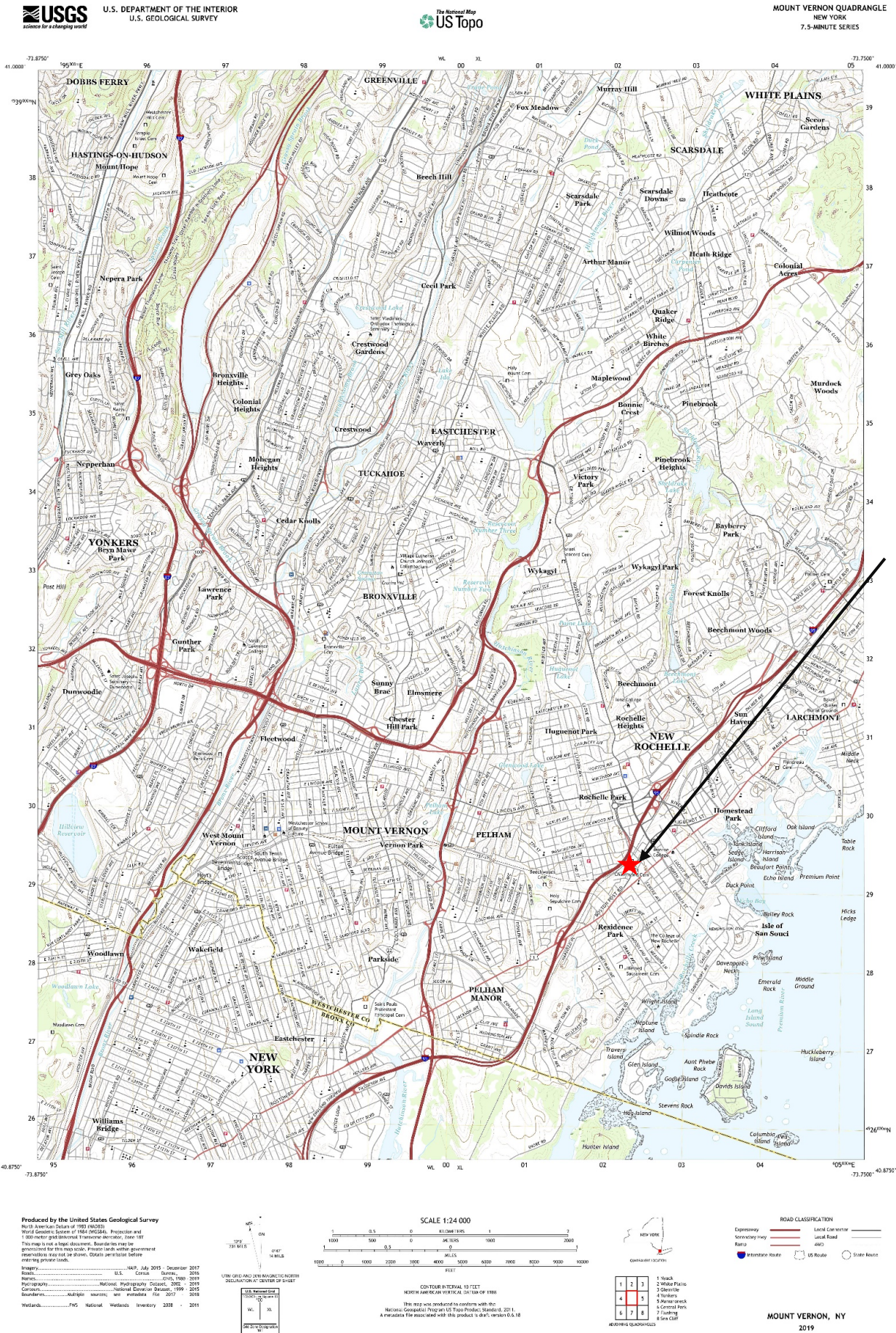
**En-Zone**  
**Block 417 New Rochelle**  
**327-329 Huguenot Street**  
**New Rochelle, New York 10801**

Census Tract 61	
EnZoneType B	
FIPS	36119006100
County_FIP	36119
Geography	Census Tract 61
County	Westchester County
UnempRate	10.4
NYS_UR	11.5
Pov_Rate	26.9
CountyPR	9.5
CountyRate	19
Criteria_B	Y
Both_AB	
Criteria_A	
Type	AY





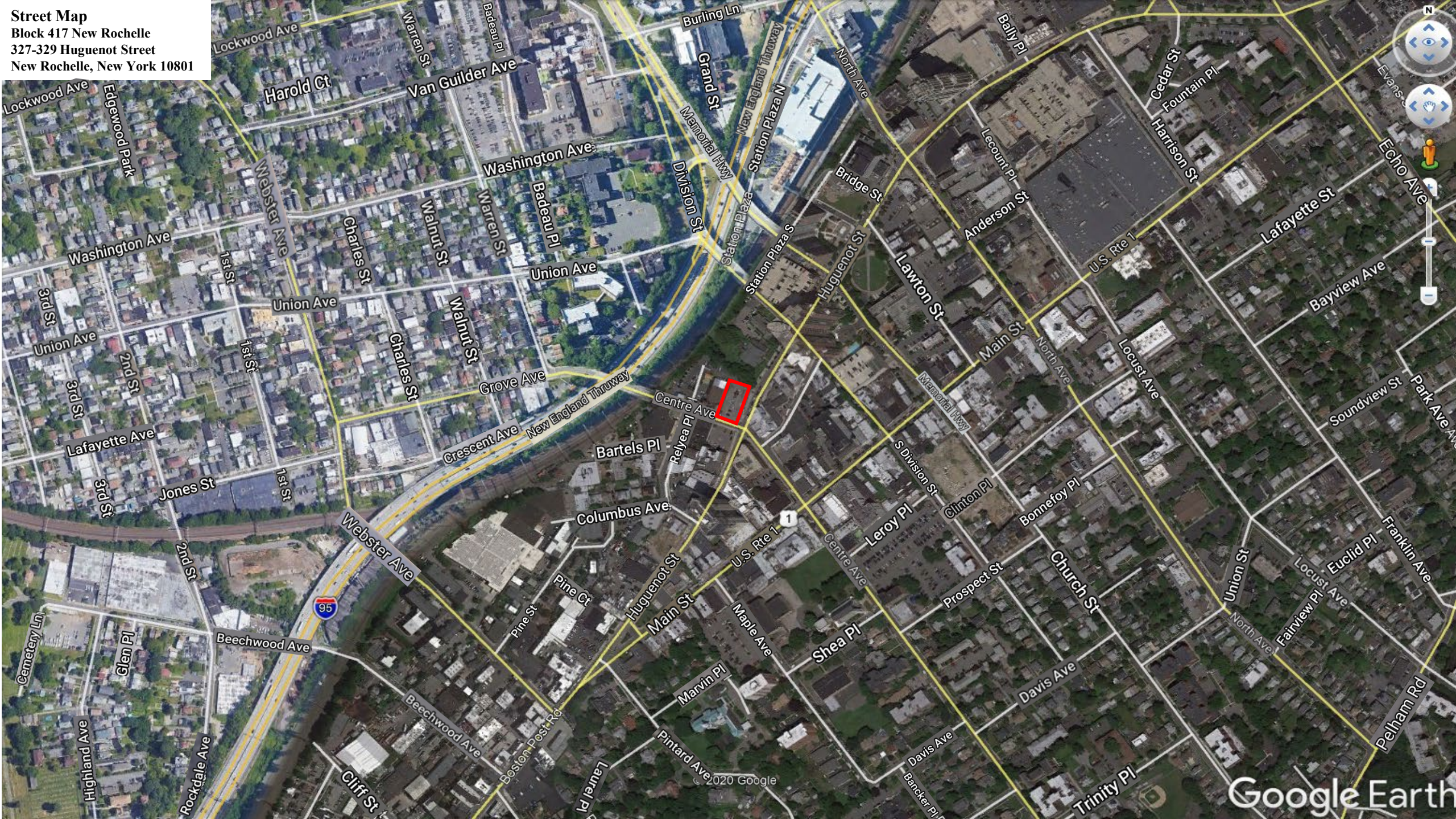
Site Location Map  
Block 417 New Rochelle  
327-329 Huguenot Street  
New Rochelle, New York 10801



Site



Street Map  
Block 417 New Rochelle  
327-329 Huguenot Street  
New Rochelle, New York 10801



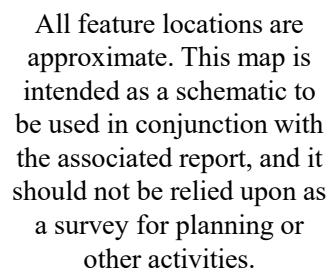


# **Exhibit I**

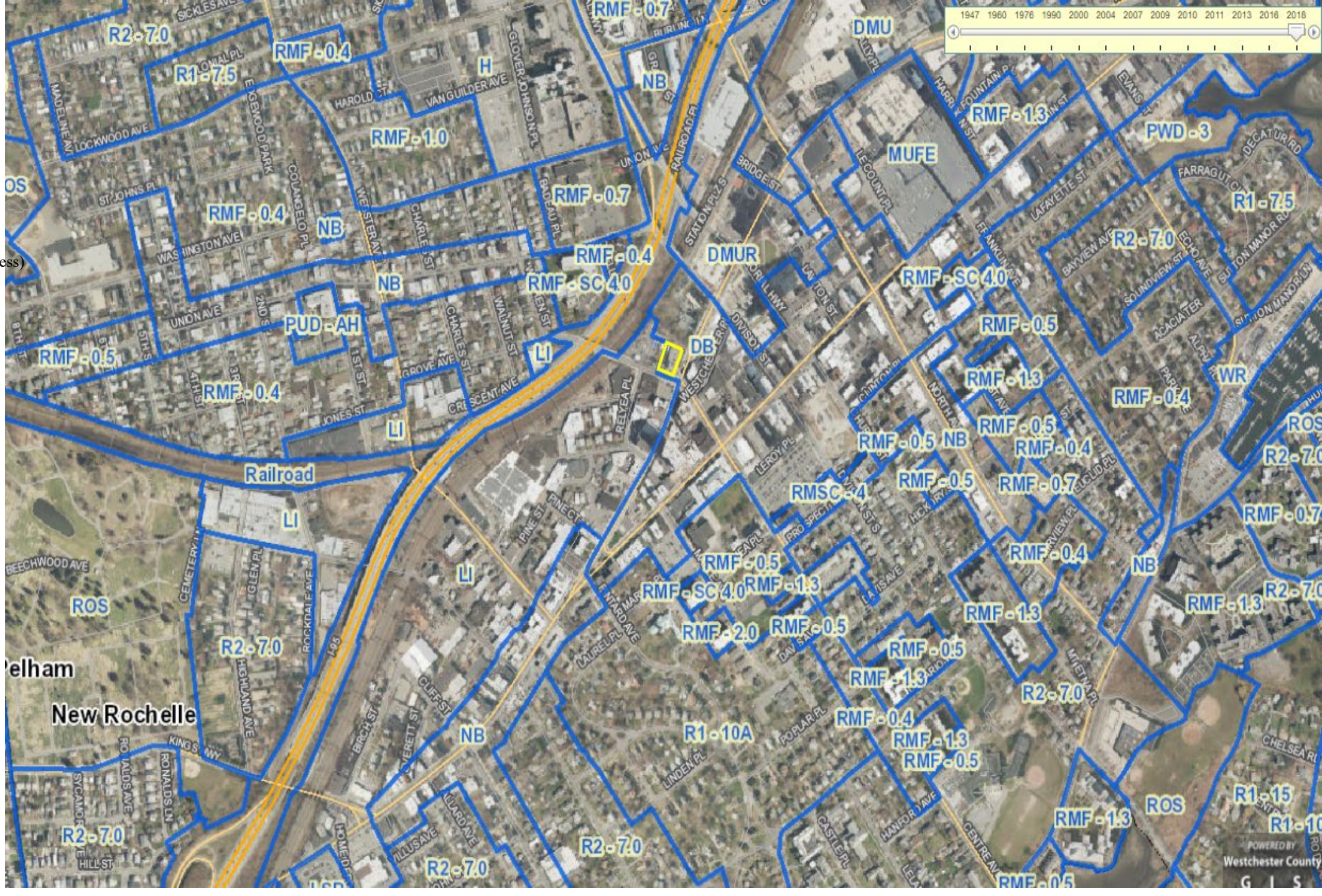


Block 417 New Rochelle  
327-329 Huguenot Street  
New Rochelle, New York 10801  
Section: 2 Block: 417 Lot: 1

 Site property boundary  
 Zoning District: DB (Downtown Business)



**January 2021**  
**Source: Westchester County GIS**  
 ArcGIS  
 Scale: 1" = 100" approximately





**Zoning District: Downtown Business (DB)**

- Classified as “Commercial/Industrial”
- DB Downtown Business District, to allow the future growth and orderly development of the primary downtown area in the City with a wide variety of retail, office, service business and residential uses.
- The DB district includes much of the area that fronts on North Avenue in the proposed DO-5 Zone, and along Main Street as it travels through multiple DO Zones.
- Permitted:
  - Business, professional, or governmental offices, to be located above first floor
  - Medical care facilities above first floor
  - Stores and shops for sales at retail or the performance of customary personal services, excluding the sale of building materials, stone, lumber, coal, other fuels or other materials or products
  - Theaters up to a capacity of 200 persons. (no capacity limit)
  - Bowling Alleys
  - Skating Rinks
  - Banks
  - Indoor Tennis Courts
  - Health Club
  - Martial arts studios, dance studios and aerobic exercise studios (in DB district above first floor only)
  - Restaurants, and Restaurant Carry-out
  - Catering hall
  - Hotel
  - Funeral Parlor
  - Businesses which store, package and ship products to wholesale or catalog retail establishments which utilize the internet
  - Dwelling units located on the second floor and above only, including living/loft or office arrangements
  - Off-street parking facility
  - House of worship
  - College-related uses
  - Business or trade schools, to be located above first floor
- Special Permit Use:
  - Tattoo studio
  - Billiard Hall
  - Microbrewery with sit down restaurant
  - Cabaret accessory to restaurant
  - Outdoor dining area
  - Clubs
  - Daycare center
  - Public utilities
  - Cellular antennas
- Accessory Use:
  - Amusement devices
  - Satellite earth station or dish antennas
- Of the commercial/industrial zoning districts, the DB district allows the largest buildings (FAR 2.0) and the tallest buildings, at 70 feet and six (6) stories.

<b>Zoning District</b>	<b>Max Floor Area Ratio</b>	<b>Max Building Height, Stories</b>	<b>Max Building Height, Feet</b>	<b>Max Building Coverage (%)</b>	<b>Max Impervious Surface Coverage (%)</b>
C1-M	1.0	2	30	100	100
DB	2.0	6	70	90	100
NB	0.5	2	30	50	95 (50%)
LSR	1.0	---	50	70	100
LI	1.0	2	40	60	90
Standards for these districts are in both the zoning text and dimensional table. For the NB district, 331 Attachment 3 indicates the maximum impervious surface coverage is 95%, and Section 331-71 indicates maximum lot coverage (all impervious surfaces) is 50%.					

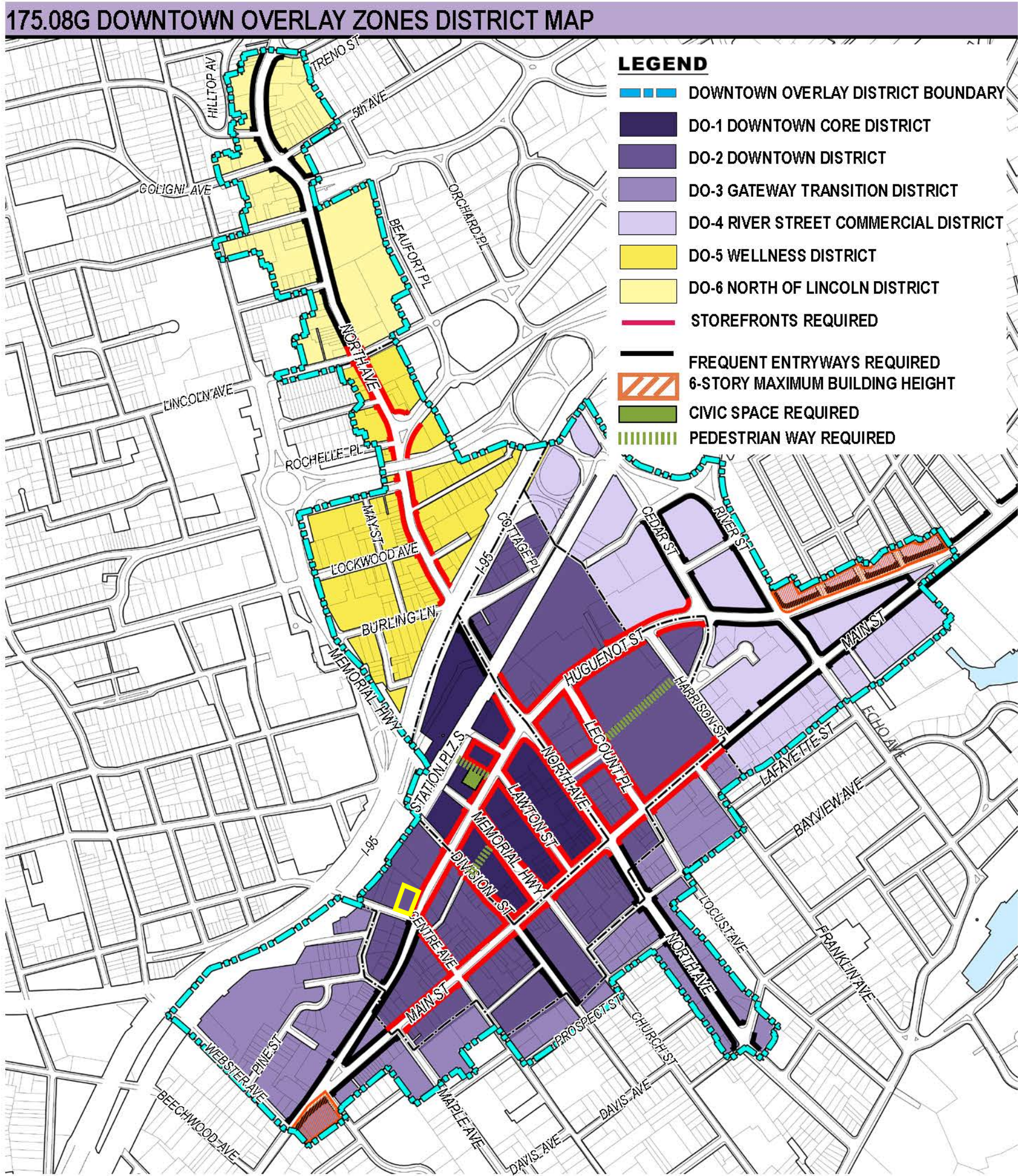


**Zoning Map – Downtown Overlay Zones**  
**Block 417 New Rochelle**  
327-329 Huguenot Street  
New Rochelle, New York 10801

Site Boundary  
Downtown Overlay Zone: DO-2 Downtown District

**DOWNTOWN OVERLAY ZONES**  
City of New Rochelle

**DOZ STANDARDS MAP**  
**DOWNTOWN OVERLAY ZONES DISTRICT MAP** Section 331  
175.08





# **Exhibit J**



# **Exhibit K**



# Site Contact List

Block 417 New Rochelle  
327-329 Huguenot Street, New Rochelle, New York 10801

Name	Title	Address	City	State	Zip
Charles Schumer	U.S. Senator	780 Third Avenue, Suite 2301	New York	NY	10017
Kristen Gillibrand	U.S. Senator	780 Third Avenue, Suite 2601	New York	NY	10017
James Bowman	U.S. House of Representatives, 16th District	6 Grammatan Avenue, Suite 205	Mt. Vernon	NY	10550
Andrea Stewart-Cousins	New York State Senator, 35th District	28 Wells Avenue, Building #3	Yonkers	NY	10701
George Latimer	Westchester County Executive	148 Martine Avenue	White Plains	NY	10601
Richard Hyman	Westchester County Planning Board	148 Martine Avenue	White Plains	NY	10601
Noam Bramson	Mayor of New Rochelle	515 North Avenue	New Rochelle	NY	10801
Sarah C. Dobbs-Brown	City of New Rochelle Planning Board, Chair	515 North Avenue, First Floor	New Rochelle	NY	10801
The Journal News	Media Outlet	1133 Westchester Avenue, Suite N110	White Plains	NY	10604
Katie Marino	Mount Kisco Water Bureau, Public Water Suplier	Village Hall, 1st Floor, 104 Main Street	Mt. Kisco	NY	10549
Tom Geoffino	New Rochelle Public Library	1 Library Plaza	New Rochelle	NY	10801
Andrea Schwach	New Rochelle Stars Middle School, Campus Alternative School	50 Washington Avenue	New Rochelle	NY	10801
Michael Hilderbrand	Trinity Elementary School, Principal	180 Pelham Road	New Rochelle	NY	10801
Michael Galland	Columbus Elementary School, Principal	275 Washington Avenue	New Rochelle	NY	10801
Tawanda Gerald Robinson	Isaac E. Young Middle School, Principal	270 Centre Avenue	New Rochelle	NY	10801
Deloris R. Hogan	Dee's Tots Childcare, Administrator	166 Lincoln Avenue	New Rochelle	NY	10801
Carmen M. Youngs	Little Rascals Daycare	18 Badeau Place	New Rochelle	NY	10801
Angela Sampogna	The Learning Experience	1 Bally Place	New Rochelle	NY	10801
Suzanne Prigoda	Creative Learning Center	32 Le Count Place	New Rochelle	NY	10801
Martha Mendoza	Martha's Group Family Daycare	173 Elm Street	New Rochelle	NY	10801
Huguenot Partners LLC	Adjacent Property Owner of 339 Huguenot Street	154 Grand Street, Suite 4S03	New York	NY	10013
Centre Ave Associates LLC	Adjacent Property Owner of 33 Centre Avenue	PO Box 816	New Rochelle	NY	10802
RI Park Holding LLC	Adjacent Property Owner of 38 Centre Avenue and Huguenot Street	136-40 39th Avenue, Suite 304	Flushing	NY	11354
Trinity Saint Paul's Eposcopal Church	Adjacent Property Owner of Huguenot Street	311 Huguenot Street	New Rochelle	NY	10801
Allstate Ventures LLC	Adjacent Property Owner of 316 Huguenot Street	13 Hayes Court, Unit 101	Monroe	NY	10950
Seasonwein Management LLC	Adjacent Property Owner of 330 Huguenot Street	300 Gramatan Avenue	Mt. Vernon	NY	10552
Verizon NY Inc.	Adjacent Property Owner of 342 Huguenot Street	140 West Street	New York	NY	10007
Rancho Grande	Adjacent Property Operator of 38 Centre Avenue	38 Centre Avenue	New Rochelle	NY	10801
Viva Ranch Fruit Market	Adjacent Property Operator of 38 Centre Avenue	38 Centre Avenue	New Rochelle	NY	10801
El Sabor De Mi Tierra	Adjacent Property Operator of 316 Huguenot Street	324 Huguenot Street	New Rochelle	NY	10801
The Little Ranch Boots	Adjacent Property Operator of 330 Huguenot Street	328 Huguenot Street	New Rochelle	NY	10801
Hair Salon Galicia	Adjacent Property Operator of 330 Huguenot Street	60 Centre Avenue	New Rochelle	NY	10801
Humane Society Thrift Shop	Adjacent Property Operator of 330 Huguenot Street	54A Centre Avenue	New Rochelle	NY	10801
Chappy's Haircuts	Adjacent Property Operator of 330 Huguenot Street	56 Centre Avenue	New Rochelle	NY	10801
Verizon	Adjacent Property Operator of 342 Huguenot Street	342 Huguenot Street	New Rochelle	NY	10801

# **Exhibit L**



January 5, 2021

VIA ELECTRONIC MAIL

[tgeoffino@nrpl.org](mailto:tgeoffino@nrpl.org)

Tom Geoffino, Director  
New Rochelle Public Library  
1 Library Plaza  
New Rochelle, New York 10801

**RE: Brownfield Cleanup Program Application**  
**Applicant: RFMCH Huguenot Property Owner II LLC and**  
**RFMCH Huguenot Development Partners II LLC**  
**Site Name: Block 417 New Rochelle**  
**Site Address: 327-329 Huguenot Street**  
**New Rochelle, New York 10801**

Dear Mr. Geoffino:

We represent RFMCH Huguenot Property Owner II LLC and RFMCH Huguenot Development Partners II LLC in their anticipated Brownfield Cleanup Program application for the above-referenced site at 327-329 Huguenot Street in the City of New Rochelle, Westchester County, New York. Your branch is currently the repository for this project. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent in CD format.

Please sign below and return the original in the enclosed stamped self-addressed envelope if you are able to certify that your library would be willing and able to act as the temporary public repository for this Brownfield Cleanup Program project.

Thank you.

Sincerely,

KNAUF SHAW LLP

LINDA R. SHAW

Yes, the New Rochelle Public Library is willing and able to act as a public repository for documents related to the cleanup of 327 Huguenot Street in the City of New Rochelle, Westchester County, New York under the NYS Brownfield Cleanup Program.

  
Tom Geoffino, Director

1/6/21  
Date