108 Gateway, LLC Brownfield Cleanup Program Application 108 Main Port Chester Steam Laundry 108 South Main Street Port Chester, New York 10573



Legal & Consulting Team: Knauf Shaw LLP & SESI. February 2022

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NEW YORK STATE OF OPPORTUNITY

Department of Environmental Conservation

F 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 " <i>BCA</i> " (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?				
γ_{es} Vo If yes, provide existing site n	-			
PART A (note: application is separated into Parts A and B for DEC rev	view purposes) BCP App Rev 12			
Section I. Requestor Information - See Instructions for Further Gui				
NAME 108 Gateway, LLC				
ADDRESS 92 North Avenue, Suite 204				
CITY/TOWN New Rochelle, New York ZIP CODE 1	0801			
PHONE (9114) 459 - 1416 FAX NA	E-MAIL ralph@rmadevelopment.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 <u>DER-10: Technical Guidance for Site Investigation and Remediation</u> 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?	Remediation			
NOTE: If the project is proposed to start at the remediation stage, a F at a minimum is required to be attached, resulting in a 30-day public of Analysis and Remedial Work Plan are also attached (see DER-10 / T Investigation and Remediation for further guidance) then a 45-day public	comment period. If an Alternatives			
2. If a final RIR is included, please verify it meets the requirements of E (ECL) Article 27-1415(2): Yes No	nvironmental Conservation Law			
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 that the site requires remediation and 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 (<i>please submit the information requested in this section in electronic format only</i>):				
E1903). Please subm (PDF). Please do not	of an Investigation Report e with the latest American it a separate electronic of submit paper copies of	copy of each rep supporting docu	ort in Portab Iments.	le Document Format
2. SAMPLING DATA: INDIC BEEN AFFECTED. DATA S REFERENCED AND ALSO	UMMARY TABLES SHOUL	-		
Contaminant Category	Soil	Groundwater		Soil Gas
Petroleum				
Chlorinated Solvents		Х		Х
Other VOCs				Х
SVOCs	Х	Х		
Metals	Х	Х		
Pesticides	Х	Х		
PCBs	Х			
Other*		Х		
*Please describe: PFAS				
 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)				
4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):				
□Coal Gas Manufacturing □Salvage Yard □Landfill	Bulk Plant Pi Tannery El	ricultural Co-op peline ectroplating	Dry Clean	tation
Other: stores; saloon; printing				

Section IV. Property Information - See Instructions for Further Guidance					
PROPOSED SITE NAME 108 Main Port Chester Steam Laundry Site					
ADDRESS/LOCATION 108 South Main Street					
CITY/TOWN Port Chester, New York ZIP C	ODE 10)573			
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town	of Rye	, Westches	ter County		
COUNTY Westchester	S	ITE SIZE (AC	RES) 0.50		
LATITUDE (degrees/minutes/seconds) 40 ° 59 ' 53.4N "	73	0	es/minutes/se 39	4	56.0W ["]
Complete tax map information for all tax parcels included proposed, please indicate as such by inserting "P/O" in find include the acreage for that portion of the tax parcel in the PER THE APPLICATION INSTRUCTIONS.	ront of th	e lot number	in the approp	oriate box bel	ow, and only
Parcel Address		Section No.	Block No.	Lot No.	Acreage
108 South Main Street		142.38	1	57	0.5
1. Do the proposed site boundaries correspond to tag If no, please attach an accurate map of the propse		etes and bo	unds?	Yes 🗸	No
2. Is the required property map attached to the application? (application will not be processed without map) ✓ Yes No					
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <u>DEC's website</u> for more information) Yes ✓ No					
If yes, identify census tract : 80					
Percentage of property in En-zone (check one):	0-49	%	50-99%	√ 100%	, D
 4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes ✓ No 					
If yes, identify name of properties (and site numbers if available) in related BCP applications:					
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?					
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? If yes, attach relevant supporting documentation. Yes ✓ No					
 7. Are there any lands under water? 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.
Easement/Right-of-way Holder Description
 List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)
Type Issuing Agency Description
NA
 Property Description and Environmental Assessment – please refer to application instructions for the proper format of <u>each</u> narrative requested.
Are the Property Description and Environmental Assessment narratives included Yes No in the prescribed format ?
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 Yes No credits?
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 Yes No that the property is Upside Down?
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?
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, <u>except</u> 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: _____

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BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)				
Section V. Additional Requestor See Instructions for Further Gu		BCP SITE NAME: BCP SITE #	DEC USE ONLY <u>+:</u>	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Ralph E. Rossi				
ADDRESS 92 North Avenue, Suite 204				
CITY/TOWN New Rochelle, New	v York		ZIP CODE 10801	
PHONE (914) 459 - 1416	FAXNA		E-MAIL ralph@rmadevelopment.com	
NAME OF REQUESTOR'S CONSUL	TANT SESI CO	onsulting Engineers		
ADDRESS 12A Maple Avenue	•			
CITY/TOWN Pine Brook, New Je	ersey		ZIP CODE 07058	
PHONE (862) 702 - 5719	fax NA		E-MAIL fd@sesi.org	
NAME OF REQUESTOR'S ATTORN	IEY Knauf Shav	w LLP, Linda Shaw,	, Esq.	
ADDRESS 1400 Crossroads B	uilding, 2 Stat	e Street		
CITY/TOWN Rochester, New Yo	ork		ZIP CODE 14614	
PHONE (585) 546 - 8430	Fax (585) 54	6 - 4324	E-MAIL Ishaw@nyenvlaw.com	
Section VI. Current Property Ov	vner/Operator li	nformation – if not a R	Requestor	
CURRENT OWNER'S NAME 108	Gateway, LLC		OWNERSHIP START DATE: 8/31/21	
ADDRESS 92 North Avenue, Suite 204				
CITY/TOWN New Rochelle, New York ZIP CODE 10801				
PHONE (914) 459 - 1416	FAX NA		E-MAIL ralph@rmadevelopment.com	
CURRENT OPERATOR'S NAME Sa	ame as owner			
ADDRESS				
CITY/TOWN		ZIP CODE		
PHONE	FAX		E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE". IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.				
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)				
 If answering "yes" to any of the following questions, please provide an explanation as an attachment. 1. Are any enforcement actions pending against the requestor regarding this site? Yes ✓ No 2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes ✓ No 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes ✓ No 				

Section VII. Requestor Eligibility Information (continued)

 Has the requestor been determined in an administra any provision of the ECL Article 27; ii) any order or of Title 14; or iv) any similar statute, regulation of the s explanation on a separate attachment. Has the requestor previously been denied entry to the application, such as name, address, DEC assigned relevant information. 	determination; iii) any regulation implementing tate or federal government? If so, provide an ☐Yes ☑No ne BCP? If so, include information relative to the
6. Has the requestor been found in a civil proceeding to	
 Has the requestor knowingly falsified statements or jurisdiction of DEC, or submitted a false statement o connection with any document or application submit 	r made use of or made a false statement in
9. Is the requestor an individual or entity of the type se	t forth in ECL 27-1407.9 (f) that committed an act or
10. Was the requestor's participation in any remedial pr	
by a court for failure to substantially comply with an	agreement or order? ∐ Yes 🖌 No
11. Are there any unregistered bulk storage tanks on-si	te which require registration?
THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITH WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXE	
PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or	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
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	site subsequent to the disposal of hazardous waste or discharge of petroleum.

waste.

exposure to any previously released hazardous

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				
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				
 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 Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive 				
Hazardous Waste Disposal Sites pursuant to ECL 27-1305? If yes, please provide: Site # Class #				
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit type:	_			
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes ✓ No	-			
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide: Order #Yes ✓ No				
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleun If yes, please provide explanation as an attachment. ☐ Yes ✓ No	ו?			
Section IX. Contact List Information				
 To be considered complete, the application must include the Brownfield Site Contact List in accordance with <u>DER-23 / Citizen Participation Handbook for Remedial Programs</u>. Please attach, at a minimum, the names and addresses of the following: The chief executive officer and planning board chairperson of each county, city, town and village in whithe property is located. Residents, owners, and occupants of the property and properties adjacent to the property. Local news media from which the community typically obtains information. The public water supplier which services the area in which the property is located. Any person who has requested to be placed on the contact list. The administrator of any school or day care facility located on or near the property. 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 indicatin that it agrees to act as the document repository for the site. 	ch			

Section X. Land Use Factors	
 What is the current municipal zoning designation for the site? C2 and MUR 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 a 	uthority.
 2. Current Use: Residential Commercial Industrial Vacant Recreational (checapply) Attach a summary of current business operations or uses, with an emphasis on iden possible contaminant source areas. If operations or uses have ceased, provide the d 	tifying
3. Reasonably anticipated use Post Remediation: ✓ Residential ✓ Commercial □Industrial that apply) Attach a statement detailing the specific proposed use.	(check all
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.	
 Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary. See Support Narrative. 	√Yes No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.	√ Yes No
See Support Narrative.	

XI. Statement of Certificat	ion and Signatures
(By requestor who is an indi	
If this application is approve Agreement (BCA) within 60 conditions set forth in the DE in the event of a conflict betw in a site-specific BCA, the te information provided on this	ed, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup days of the date of DEC's approval letter; (2) to the general terms and <i>ER-32, Brownfield Cleanup Program Applications and Agreements</i> ; and (3) that ween the general terms and conditions of participation and the terms contained rms in the site-specific BCA shall control. Further, I hereby affirm that form and its attachments is true and complete to the best of my knowledge and false statement made herein is punishable as a Class A misdemeanor pursuant
Date:	Signature:
Print Name:	
all subsequent amendments direction. If this application is the date of DEC's approval is <i>DER-32, Brownfield Cleanup</i> between the general terms at the terms in the site-specific form and its attachments is to false statement made herein Penal Law.	an individual) <u>mber</u> (title) of <u>108 Gateway, LLC</u> (entity); that I am nake this application and execute the Brownfield Cleanup Agreement (BCA) and is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of etter; (2) to the general terms and conditions set forth in the <i>D Program Applications and Agreements</i> ; and (3) that in the event of a conflict and conditions of participation and the terms contained in a site-specific BCA, BCA shall control. Further, I hereby affirm that information provided on this true and complete to the best of my knowledge and belief. I am aware that any is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Signature:

SUBMITTAL INFORMATION:

- Two (2) copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:
 - o Chief, Site Control Section
 - o New York State Department of Environmental Conservation
 - o Division of Environmental Remediation

 - o 625 Broadway o Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

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 12

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes 🗸 No
Requestor seeks a determination that the site is eligible for the tangibl brownfield redevelopment tax credit.	e property credit component of the
Please answer questions below and provide documentation necess	ary to support answers.
 Is at least 50% of the site area located within an environmental zone Please see <u>DEC's website</u> for more information. 	pursuant to NYS Tax Law 21(b)(6)?
2. Is the property upside down or underutilized as defined below?	Upside Down? Yes No
From ECL 27-1405(31):	Underutilized?
"Upside down" shall mean a property where the projected and incurre remediation which is protective for the anticipated use of the property equ percent of its independent appraised value, as of the date of submission in the brownfield cleanup program, developed under the hypothetical con- contaminated.	uals or exceeds seventy-five of the application for participation
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligib underutilized category can only be made at the time of application)	ility determination for the
 375-3.2: (I) "Underutilized" means, as of the date of application, real p fifty percent of the permissible floor area of the building or buildings have been used under the applicable base zoning for at least three which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial or commercial by the proposed development could not take place without substancertified by the municipality in which the site is located; and (ii) one or more of the following conditions exists, as certified by the (a) property tax payments have been in arrears for at least five yea application; (b) a building is presently condemned, or presently exhibits docume certified by a professional engineer, which present a public health of (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, land purchase cost exemption or waiver, or tax credit, or some comgovernmental entity. 	ercial and industrial uses; tial government assistance, as e applicant: rs immediately prior to the ented structural deficiencies, as or safety hazard; or

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: 108 Main Port Chester Steam Laundry SiteSite Address: 108 South Main StreetCity:Port Chester, New YorkSite Address: 108 South Main Street				
Tax Block & LotSection (if applicable):142.38Block:1Lot:57				
Requestor Name:108 Gateway, LLCRequestor Address:92 North Avenue, Suite 204City:New Rochelle, New YorkZip:10801Email:				
Requestor's Representative (for billing purposes) Name: Ralph E. RossiAddress: 92 North Avenue, Suite 204City: New Rochelle, New YorkZip: 10801Email: relph@rmadevelopment.com				
Requestor's Attorney Name: Knauf Shaw LLP, Linda Shaw, Esq. Address: 1400 Crossroads Building, 2 State Street City: Rochester, New York Zip: 14614 Email: Ishaw@nyenvlaw.com				
Requestor's Consultant Name: SESI Consulting Engineers Address: 12A Maple Avenue City: Pine Brook, New Jersey Zip: 07058 Email: fd@sesi.org Percentage claimed within an En-Zone: 0% 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: \Box_{Yes} \Box_{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- Previous Owners and Operators
- **Exhibit E-** Site Drawing Spider Maps
- Exhibit F- Survey and Tax Maps
- Exhibit G- Site Location, Base, En-Zone, BOA, and EJ Maps
- Exhibit H- Zoning Map
- Exhibit I- Flood Map
- Exhibit J- Site Contact List
- Exhibit K- Repository Letter

ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:

- 1. December 2019 Whitestone Associates, Inc. Geotechnical Investigation Report prepared for a prior developer
- 2. April 2020 TEAM Environmental Phase I Environmental Site Assessment Report prepared for Prior Owner
- 3. August 2021 Spill No. 2104597
- 4. August 2021 Phase I Environmental Site Assessment ("ESA") prepared by SESI Consulting Engineers ("SESI") for RMA Development, LLC & Requestor
- 5. October 2021 Phase II ESA prepared by SESI for RMA Development, LLC & Requestor
- 6. December 2021 RIWP Prepared by SESI for 108 Gateway, LLC

PART A SECTION I - REQUESTOR INFORMATION

The Requestor is 108 Gateway, LLC, a New York limited liability company, located at 92 North Avenue, Suite 204, New Rochelle, New York 10801. 108 Gateway, LLC is authorized to do business in the State of New York. *See* Exhibit A, NYSDOS Entity Information. The members are as follows:

- 1. Ralph E. Rossi
- 2. Andre Manuel Fernandes

The Written Consent provides Ralph E. Rossi with authority to sign all Brownfield Cleanup Program ("BCP") documents on behalf of the Requestor 108 Gateway, LLC. *See* Exhibit B, Corporate Consent.

As further described below in Section IV, the Site is located at 108 South Main Street, Port Chester, New York 10573 (Tax Block 1 Lot 57) ("Site" or "BCP Site").

Requestor is the recent owner of the site. As more fully described below in Section VI, Requestor acquired the Site in August 2021 after performing environmental due diligence. *See* Exhibits C, Deeds, and Exhibit F, Survey.

The Requestor has no prior relationship with any current or past owners or operators of the Site other than Requestor purchased the Site from the previous owners. *See* Sections V and VI below, and Exhibit D, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's 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 new nine-story mixed-use building containing residential units, ground floor retail, co-working space, and four levels of parking space. The building will contain a fitness center, a day care center and full outdoor amenity space located on a green roof.

Schedule- Commencement through COC

Since a Remedial Investigation Work Plan ("RIWP") is being submitted with the application, the Remedial Investigation is expected to be completed on the Site by Spring 2022 shortly after the Site is accepted into the BCP. Site preparation activities in the form of Support of Excavation ("SOE") installation are expected to commence in spring 2022 as well. The Remedial Action Work Plan ("RAWP") will be completed thereafter in early summer of 2022 and any required

remediation will attempt to be completed in fall 2022. The Certificate of Completion is anticipated to be issued by December 2022.

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. December 2019 Whitestone Associates, Inc. Geotechnical Investigation Report prepared for a prior developer
- B. March 2020 Elite Tank Closure Report
- C. April 2020 TEAM Environmental Phase I Environmental Site Assessment Report prepared for Prior Owner
- D. August 2021 Spill No. 2104597
- E. August 2021 Phase I ESA prepared by SESI for RMA Development, LLC & Requestor
- F. October 2021 Phase II ESA prepared by SESI for RMA Development, LLC & Requestor
- G. December 2021 RIWP Prepared by SESI for 108 Gateway, LLC

2. Sampling Data

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

3. Site Drawing

See Exhibit E Spider Maps.

4. Past Land Uses

See Section IV.10.D for full description of past land uses. Most recently, the Site was used as a parking lot until August 2021 when the Site was acquired by the Requestor. The Site is now vacant and lock with a fence. Prior to that use, the Site had a long history of residential use and commercial operations. Most notably, historic dry cleaning and steam cleaning operations occurred on the Site and there was a major fire on the Site during its history. The historical owners and uses associated with the Site are described in the Exhibit D Previous Owners and Operators List.

SECTION IV – PROPERTY INFORMATION

1. Site Boundary and Tax Parcel Information

The Site boundary does not correspond to the tax lot boundary. The lots that make up the Site will soon be merged to create Lot 57. The Survey map provided in Exhibit F shows the lots and the

paper Street Myneta Place. The recently refiled November Deed for former lot 37 specifically includes all rights to the portion of Myneta Place within the BCP Site boundary, which is part of the BCP Site and will be merged Lot 57. The Tax Map in Exhibit F shows the merged lot 57. The Site Location Map, Base Map, En-Zone Map, BOA, and EJ Maps are in Exhibit G. The Site is in an En-Zone Type B, Census Tract 80. The Site is not located in a BOA. The Site is in a Potential Environmental Justice Area. The EPA ArcGIS map indicates that approximately 94.76% of the population surrounding this Site is a minority population. Approximately 61 % of the area surrounding the Site is linguistically isolated, so the BCP documents will need to be translated into Spanish.

2. Property Map

The Site Location and Base Property Map are in Exhibit G. A Survey Map depicting the prior lots is in Exhibit F.

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

10. Property Description Narrative

A. <u>Site Location</u>

See Response to Section IV.1 and IV.2 above. The Site is located at 108 South Main Street, Port Chester, New York 10573 (Tax Block 1 Lot 57). The Site is located in a mixed-use commercial and residential neighborhood. The Site is bordered to the northeast by Williams Street, a multi-family dwelling and apartment building (Southport Mews), to the southeast by Main Street, a professional office building (One Gateway Plaza) and Purdy Avenue, to the south/southwest by Boston Post Road and a church (Iglesia Pentecostal El Olivar) and to the northwest by a multi-family dwelling along Williams Street.

B. <u>Site Features</u>

The Site has been vacant and locked since the Requestor's Site ownership commenced in August 2021. Previously, the Site was utilized for parking. A portion of the Site is in a flood zone. *See* Exhibit I Flood Map. The Site is located approximately 0.233 miles from the Byram River.

C. Current Zoning and Land Use

A portion of the Site is located in a Marina Redevelopment Project Urban Renewal ("MUR') District. The remainder of the Site is located in the C2 Central Business District. *See* Exhibit H, Zoning Map. The C2 district allows for multifamily dwellings units with special approval. The surrounding properties include residences, commercial buildings, and commercial office space. Several adjacent lots are used for residential purposes. The Site is located approximately 0.054 miles from the closest rail line. The Port Chester Rail Station is located approximately 0.276 miles from the Site. Therefore, the project is a transit-oriented development project.

D. <u>Past Use of the Site</u>

1. Past Use of the Site

In 1885, a store, saloon, and several dwellings were present along the South Main Street side of the Site. A shirt and iron novelties shop were present in the southern portion of the former Lot 35. A dwelling and a few sheds were present in the northern portion of the former lot 35. A dwelling was present in the northern portion of the former Lot 37. Sanborn fire insurance maps from 1890 show that the multi-tenant commercial building along South Main Street was occupied by "Chinese Laundry" and a shoe shop. A new dwelling replaced the dwelling northwest of the multi-tenant building. A vacant commercial building was present along the southwestern portion of the former Lot 35. In 1895, the commercial building was occupied by "Port Chester Street Laundry."

In 1902, the commercial building on the former Lot 35 is no longer present. The shoe shop along South Main Street was occupied by a cobbler. A two-story dwelling with an attached garage was depicted on the former Lot 37. In 1908, Sanborn fire insurance maps depict several commercial buildings on the former Lot 35. The building occupants included a clothing store, barber shop, liquor wholesaler, a drug store, a theater, and a saloon. In 1935, the mixed-use building on the former Lot 35 contained a drug store, a liquor store, barber, furniture business, cobbler, butcher, pool room, print shop, and restaurant. In 1919, Myneta Place is shown on Sanborn Fire Insurance maps. A detached garage was present in the southwest corner of the former Lot 37.

Aerial photographs from 1934 depict several large buildings on the former Lot 35. The buildings were multistory developments with store fronts. Several unidentified stores and printing operations occupied the storefronts. A dwelling was present on the former Lot 37. Aerial photographs from 1941 through 1966 do not depict any significant changes from the 1934 maps. A fire allegedly occurred on the Site in 1973 and thereafter most of the on-Site buildings were demolished as part of an urban renewal project. By 1974, the southern portion of the former Lot 35 has been cleared. In 1985, no buildings are present along South Main Street. In aerial photographs from 1990, no buildings were present on the former Lot 35. The former Lot 28 was partially utilized for parking. In 1991, only one structure was present along the northwest boundary of the former Lot 37. The structure was no longer present in maps from 1997. Aerial photographs from 2008 depict no changes from earlier photographs except that vegetation is present in some portions of the Site. In photographs from 2011, the former Lot 35 appears to have been paved and utilized as a parking lot. Aerial photographs from 2014 and 2017 have no significant changes from the 2011 photographs.

2. <u>Past Investigations Related to Uses and Environmental Conditions that Led to the</u> <u>Submission of this Application.</u>

In December 2019, Whitestone Associates, Inc. prepared a Geotechnical Investigation Report for a prior Site developer, which noted that fill materials were identified within the

subsurface materials of the Site including debris. The debris encountered consisted of glass, brick, plastic, and wood in fill materials extending to depths between 3 to 9 feet below grade surface (ft bgs). The report also noted that the top of weathered rock was encountered at depths ranging between approximately 3 to 9 ft bgs. Static groundwater was not encountered within the five subsurface tests performed, however, perched water was encountered within one of the borings at a depth of approximately 8 ft bgs.

In April 2020, TEAM Environmental consultants ("TEAM") prepared a Phase I ESA for the Site, and Elite Environmental Service ("Elite") prepared a Tank Closure Report for the Site. TEAM observed a fill port in the remaining house structure on the former Lot 37 and recommended a geophysical survey to determine if the underground storage tank ("UST") was still present. Subsequently, a geophysical investigation identified only this one tank on Site. A March 2020 Tank Closure report was prepared after the removal of a 1,000-gallon home heating oil UST associated with the former residence on Lot 37. Elite collected one composite soil sample from the bottom of the excavation, the results of which were not attached to the copy of the report provided. According to the TEAM Phase I prepared for the owner, VOCs were detected "above the method drive analytical detection limits" and seven SVOCs were found below the NYSDEC "regulatory guidelines" analytics after tank removal. *See* TEAM Phase I Report at 9. Elite concluded that no-petroleum contaminated soils were present.

On August 14, 2021, Spill No. 2104597 was reported to the NYSDEC in relation to a half gallon spill of antifreeze from a transit vehicle at the intersection of South Main Street and Williams Street. While this spill did not occur on the Site, this spill file has been included because it occurred adjacent to the Site very recently and is surprisingly not closed.

In August 2021, SESI prepared a Phase I ESA for the Site prior to the Requestor's Site acquisition on the last day in August. At the time of the investigation, no buildings were present on the Site and the Site was vacant. As part of its investigation, SESI filed information requests with the Municipal Clerk of Port Chester, the Westchester County Health Department, and the NYSDEC. No records of environmental concern were reported for the Site from the NYSDEC and Westchester County Department of Health. Records of interest from the Port Chester business department included: (i) repair of fire damage in July 1967; (ii) lead paint hazard conditions noted to have poisoned a child in November 1979; (iii) violation of yard debris and hazardous conditions in February 1989; (iv) boiler installation in September 1994; (v) removal of one 1000-gallon exterior tank in December 2019; and (vi) a technical report prepared by Elite post-tank removal in February 2020.

SESI identified several Recognized Environmental Conditions (RECs) for the Site Plan including historic fill, which may require special handling during future removal; potential per- and poly-fluoroalkyl substances ("PFAS") contamination since aqueous firefighting foam ("AFFF") may have been used to put out the historic on-Site fire; and former commercial operations, including potential dry cleaner "Chinese Laundry" operations, steam cleaning operations, an iron and novelties shop, a shirt manufacturer, a cobbler, a liquor and drug store, printing operations, and a saloon. *See* Exhibit E REC Location Plan. Additional tenants not specified in historical documents also occupied the Site. The early dry cleaners that operated on the Site in the late 1800s and early 1900s may have used chemical products such as kerosene and gasoline as part of the drycleaning processes around the time dry cleaners were presence on the Site and the later steam cleaning operations may have used chlorinated solvents.

Since the 2020 Tank Removal Report did not include post excavation soil or groundwater sampling information, SESI concluded that there is a potential for the former 1,000-gallon heating oil UST to have adversely impacted the Site. SESI also noted that there is a potential for additional former heating oil USTs to be present at the Site as well as potential discharges even though no tank information was found during the geophysical investigations.

In October 2021, SESI prepared a Phase II ESA for the Site. The Phase II summarized soil, groundwater, soil vapor, and ambient air samples collected to commence an investigation of the Site. SESI identified the contaminants of concern as poly aromatic hydrocarbons ("PAHs"), semi-volatile organic compounds ("SVOCs"), pesticides, PCBs, and metals in soil; volatile organic compounds ("VOCs"), PAHs, SVOCs, pesticides, metals, and PFAS in groundwater; and chlorinated solvents and petroleum hydrocarbons in soil vapor. *See* Section IV.10.F for full environmental assessment. SESI noted that while the presence of historical fill may have contributed to the presence of PAHs in soils, the levels of exceedances are significantly higher than the typical historic fill PAH levels in soil. PCB exceedances are potentially the result of historical site activities. SESI noted that additional investigation would be required to full characterize the soil exceedances and the source of groundwater and soil gas detections and exceedances. SESI concluded that remediation of the soil, groundwater, and soil vapor will be needed prior to Site development.

G. Site Geology and Hydrogeology

According to the United States Geological Survey ("USGS") Mamaroneck, NY and Glenville, CT 7.5-minute Series topographic map, the Site's topographic elevation is approximately 18 feet above mean sea level ("amsl"). The Site is relatively level.

As per the USDA National Cooperative Soil Survey map for the area, the soils at the Site ae characterized as UoA (Urban Land outwash substratum) urban land which is surface covered by pavement, concrete, buildings, and other structures underlain by disturbed and natural soil material, till substratum, 0 to 3 percent slopes. During the SESI Phase II ESA, soil conditions within the borings consisted of brown sand and silt with fill material to the boring terminus at the top of bedrock, which varied from 4.5-9.0 feet below ground surface ("ft-bgs"). Evidence of fill material included wood, fabric, glass, and brick.

The depth of groundwater at the Site is approximately 9-12 ft-bgs. The groundwater flow direction is expected to be in the northeast direction.

F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are

PAH SVOCs, pesticides, PCBs, and metals in soil; VOCs, PAHs, SVOCs, pesticides, metals, and PFAS in groundwater; and chlorinated solvents and petroleum hydrocarbons in soil vapor. See Exhibit E Site Drawing Spider Maps.

Analytes > RRSCOs	Detections > RRSCOs	Maximum Detection (mg/kg)	RRSCO (mg/kg)	Depth (ft-bgs)	
	SV	OCs			
Benzo(a)anthracene	9	51.9	1	7-8	
Benzo(a)pyrene	9	49.5	1	7-8	
Benzo(b)fluoranthene	9	51.1	1	7-8	
Benzo(k)fluoranthene	5	22.7	3.9	7-8	
Chrysene	6	46.6	3.9	7-8	
Dibenzo (a, h) anthracene	8	5.35	0.33	7-8	
Indeno (1,2,3-cd) pyrene	10	31.4	0.5	2-8	
Metals					
Barium	6	1250	400	2.5-7.5	
Lead	7	6160	400	2.5-7.5	
Mercury	2	1.9	0.81	2.5-7.5	
PCBs					
Total PCBs	2	37.4	1	2-7.5	

Soil:

During the Phase II investigation, SESI also noted that several additional SVOCs, metals, and pesticides were detected in soil above the Unrestricted Use Soil Cleanup Objective ("UUSCOs").

Soil Vapor:

New York does not have standards for soil vapor. In the Phase II ESA, SESI utilized the NYSDOH Matrices. No compounds were detected above any of the soil vapor NYSDOH Matrices concentrations in soil gas or ambient air samples for the 12 compounds in the matrices. However, several chlorinated solvents and petroleum hydrocarbons were detected. The detected compounds included: acetone, 1,3 butadiene, benzene, carbon disulfide, chloroform, chloromethane, cyclohexane, dichlorodifluoromethane, m-dichlorobenzene, ethanol, ethylbenzene, ethyl acetate, 4-ethyltoluene, heptane, hexane, isopropyl alcohol, methyl ethyl ketone, methyl isobutyl ketone, methyl methacrylate, propylene, styrene, 1,2,4-trimethylbenze, 1,3,5-trimethylbenzene, 2,2,4-trimethylbenzne, tertiary butyl alcohol, tetrachloroethylene, tetrahydrofuran, toluene, trichloroethylene, trichlorofluoromethane, vinyl acetate, m,p-xylene, o-xylene, and total xylenes.

Groundwater:

	Detections	Max	AWQS				
Analyte > AWQS	> AWQS	Detection	$(\mu g/L)$				
	~	(µg/L)	(1.9.2)				
	VOCs						
Trichloroethene	1	5.5	5				
	SVOCs						
Benzo(a)anthracene	2	17.4	0.002				
Benzo(a)pyrene	2	18.2	0.002				
Benzo(b)fluoranthene	2	24.5	0.002				
Benzo(k)fluoranthene	2	8.2	0.002				
Chrysene	2	19.5	0.002				
Bis(2-ethylhexyl) phthalate	1	7.6	5				
Indeno(1,2,3-cd) pyrene	2	15.5	0.002				
	Pesticides						
Dieldrin	2	0.22	0.004				
4,4'-DDT	1	0.38	0.2				
	Metals						
Antimony	1	6.4	3				
Arsenic	2	39.2	25				
Barium	3	5920	1000				
Beryllium	3	20.1	3				
Cadmium	2	10.6	5				
Chromium	3	306	50				
Copper	3	574	200				
Iron	3	120000	300				
Lead	3	13900	25				
Magnesium	3	128000	35000				
Manganese	3	37500	300				
Mercury	2	6.3	0.7				
Nickel	3	1110	100				
Selenium	2	12	10				
Sodium	3	283000	20000				
Zinc	2	3790	2000				
PFAS							
Perfluorooctanoic acid	3	227	10				
Perfluorooctanesulfanic	3	107.6	10				
acid	3	197.6	10				
Total PFAS	1	880.4	500				

Regarding Questions 11-13 on the BCP Application:

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 Section I, Requestor Information and responses in the Application form. As stated in Section I, the Requestor has no prior relationship with any current or past owners or operators of the Site other than the Requestor purchased the Site from past owners. *See also* Exhibit D Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's involvement at the Site.

SECTION VI- CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The Requestor 108 Gateway, LLC is the recent owner of the Site since August 31, 2021. *See* Exhibit C Deed. Since taking ownership, there are no operations on the Site. The most recent use prior to August 31, 2021, was parking.

The Previous Owner and Operator list is attached in Exhibit D. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestor's relationship to each owner and operator (all of which are "None"). Exhibit D also includes the prior operators' use of the Site.

SECTION VII- REQUESTOR ELIGIBILITY INFORMATION

Please refer to responses to Questions 1-10 on the BCP Application Form.

11. Unregistered bulk storage tanks

There are no known bulk storage tanks on the Site that need registration. This was confirmed by a geophysical investigation performed by the prior owner and by the Requestor as part of their environmental due diligence before acquiring the property. In addition, neither the Westchester County Department of Health nor the NYSDEC Bulk Storage Database have any petroleum bulk storage tank records related to the Site.

REQUESTOR CERTIFICATION

The Requestor certifies it is a Volunteer, since it does have nor has ever had a relationship with any of the past owners or operators of the Site other than it purchased the Site from the last owner. Requestor certifies that does not have nor has it ever had a relationship with the past owners or operators that caused the contamination, nor did it have involvement with the Site at the time of disposal. The Requestor has also performed all required environmental due diligence prior to acquiring the Site and has implemented due care of the Site. Finally, there are no known tanks on the Site from which a release could still be occurring.

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 separately attached and the Spider Maps in Exhibit E, 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 J for the Site Contact List. See Exhibit K, for the Repository Letter.

SECTION X- LAND USE FACTORS

1. Current Zoning

The Site is in the C2 Central Business District. A portion of the Site is located in a Marina Redevelopment Project Urban Renewal ("MUR') District. *See* Exhibit H, Zoning Map. The. The C2 zoning district allows for multifamily residential dwellings units with special approval. Site Plan Approval was originally issued on October 28, 2019, for the prior owner. *See* this Zoning approval in Exhibit H. On May 20, 2020, after the Requestor's new site plan was approved, the Village adopted a new Form-Based Zoning Code. Under the current code, this Site falls under the CD-5 (Urban Center Character District). Nevertheless, the Site has been grandfathered under the prior C-2 district regulations and not the newly issued CD-5 regulations. The required approvals were assigned to Requestor

in August 2021. See also Zoning Assignment in Exhibit H.

2. Current Use

The Site is currently vacant and has no occupants.

3. Intended Use Post Remediation

Post remediation use of the Site will be developed with a new mixed-use building containing residential units, ground floor retail, co-working space, and four levels of parking space. *See* Section II, Project Scope for a more detailed description.

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

Yes, current, historical, and recent development patterns support the proposed use.

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

Yes, Requestor has been assigned the appropriate approvals required for the development. *See* Zoning Approvals in Exhibit H.

6. Consistent with the Master Plan?

Yes, the project is consistent with the Port Chester Strategic Plan, which intends to create incentives to diversify the housing stock. The project is also consistent with the Port Chester Comprehensive Plan, which seeks to preserve, restore, and revitalize Port Chester's housing stock and downtown neighborhood. The Comprehensive Plans seeks to encourage a balanced range of housing types and densities in the Village that also considers the associated costs of servicing future densities.

EXHIBIT A

COVID-19 Vaccines

Vaccine appointments are available at New York State mass vaccination sites for children ages 5- 11. Vaccines are also widely available through your child's pediatrician, family physician, local county health department, FQHC, or pharmacy. FIND PROVIDER >

Department of State Division of Corporations

Entity Information



ENTITY DISPLAY NAME HISTORY FILING HISTORY MERGER HISTORY ASSUMED NAME HISTORY

Service of Process Name and Address

Name: 108 GATEWAY, LLC

Address: 92 north avenue, suite 204, NEW ROCHELLE, NY, United States, 10801

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:				
Address:				
Farmcorpflag				
Is The Entity A Farm Corporation: No				
Stock Information				
Share Value	Number Of Shares	Value Per Share		

EXHIBIT B

WRITTEN CONSENT

The undersigned, being a Member of 108 Gateway, LLC, does hereby certify as follows:

1. 108 Gateway, LLC is the prospective volunteer for the prospective Brownfield Cleanup Program (BCP) Site located at 108 South Main Street, Port Chester, New York 10573 (Tax ID No. Section 142.38, Block 1, Lot 35) (the "BCP Site").

2. The following person, Ralph E. Rossi, the managing member of 108 Gateway, LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer 108 Gateway, LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 13th day of December 2021.

Andre Manuel Fernandes Member of 108 Gateway, LLC

EXHIBIT C

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.

,



612423394DED001Y

	ty Recording & Endorse	ement 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 Su	ubmitter: 1369406/71172807 108 S Main/112 Eas		
	Document Details			
Control Number: 612423394	Document Type: Deed (DED)			
Package ID: 2021083000176001003	Document Page Count: 6	Total Page Count: 8		
·	Parties	Additional Parties on Continuation page		
1st PARTY		2nd PARTY		
	ther 1 : 108 GATEWAY LL	.C - Other		
2:	2:	F 3		
Street Address: 108 S. MAIN ST	Property Tax Designation:	Additional Properties on Continuation page 142.38-1-35		
City/Town: RYE TOWN	Village:	PORT CHESTER		
C	ross- References	Additional Cross-Refs on Continuation page		
1: 2:	3:	4:		
Sur	porting Documents			
1: RP-5217 2: TP-584				
Recording Fees		Mortgage Taxes		
Statutory Recording Fee: \$40.00	Document Date:			
Page Fee: \$35.00	Mortgage Amount:			
Cross-Reference Fee: \$0.00				
Mortgage Affidavit Filing Fee: \$0.00	Basic:	\$0.00		
RP-5217 Filing Fee: \$250.00	Westchester:	\$0.00		
TP-584 Filing Fee: \$5.00	Additional:	\$0.00		
RPL 291 Notice Fee: \$0.00	MTA:	\$0.00		
Total Recording Fees Paid:\$330.00	Special:	\$0.00		
Transfer Taxes	Yonkers:	\$0.00		
Consideration: \$2,850,000.00	Total Mortgage Tax:	\$0.00		
Transfer Tax: \$11,400.00		40.00		
Mansion Tax: \$0.00	Dwelling Type:	Exempt: 🔲		
Transfer Tax Number: 2652	Serial #:			
		Record and Return To		
RECORDED IN THE OFFICE OF THE WESTCHESTER COUL		Pick-up at County Clerk's office		
Recorded: 09/15/2021 at 11:28 AM				
Control Number: 612423394				
$\left[\begin{array}{c} \begin{array}{c} \begin{array}{c} \begin{array}{c} \begin{array}{c} \end{array}\\ \end{array}\right]$ Witness my hand and official seal				
	John O Tambia Fa	_		
SEAL TurtyChini		John S Tomlin, Esq		
-		34 South Broadway		
Timothy C.Idoni Westchester County Clerk		Suite 716		
	White Plains, NY 1	U6U1		

71172807

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made as of the 31st day of August, 2021

BETWEEN 108 GATEWAY DEVELOPMENT LLC

c/o DeLaurentis Management Corp. 384 Mamaroneck Avenue White Plains, NY 10605.

party of the first part, and

108 GATEWAY, LLC

92 North Avenue, Suite 204 New Rochelle, NY 10801

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars paid by the party of the second 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 and improvements thereon erected, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, and being more particularly bounded and described on Schedule A attached hereto.

SAID premises being now (or formerly) known as or located at 108 South Main Street, 194 1/2 South Main Street and 112 E. William Street, Port Chester, New York

BEING the same premises conveyed to the parties of the first part herein by (i) Deed made by T.A.L.A. Limited Partnership, Joseph F. Dedona Jr. Irrevocable Trust and Raniero Dore Irrevocable Trust dated 08/06/2018 and recorded on 08/14/2018 as Control No. 581993102 in the Office of the Clerk of Westchester County and (ii) Deed made by Jonathan Poler dated 08/22/2019 and recorded on 09/03/2019 as Control No. 592313552 in the Office of the Clerk of Westchester County.

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 successors and assigns of the party of the second part forever.

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.

IN PRESENCE OF:

108 GATEWAY DEVELOPMENT LLC

₹. Bv

Edmond DeLaurentis, Jr. Managing Member

On the

State of New York, County of Westchester ss:

State of New York, County of day of

before me, the undersigned, personally appeared

in the year

SS;

On the 2l day of August in the year 2021, before me, the undersigned, personally appeared Edmond DeLaurentis, Jr.

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(sigña	Aure and office of individual	taking acknowledgment)	(signature and office of individual taking acknowledgment)	
		MENOHIMEYACKNOWLEDGM	U & West chester Lownts END 615190022 ENT IS MADE OUTSIDE NEW YORK STATE	
State (or District of Columbia, Territory, or Foreign Country) of ss:				
On the	day of	in the year	before me, the undersigned, personally appeared	

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

(and insert the State or Country or other place the acknowledgment was taken) (insert the City or other political subdivision)

(signature and office of individual taking acknowledgment)

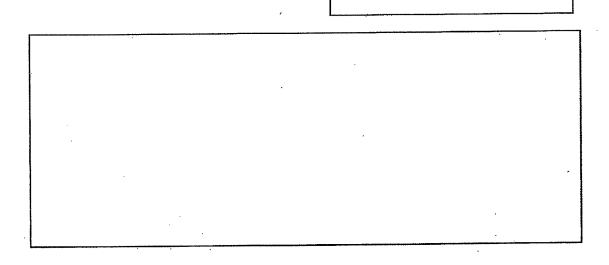
BARGAIN AND SALE DEED WITHOUT COVENANT AGAINST GRANTOR'S ACTS

71172807 Title No.

SECTION 142.38 BLOCK 1 LOTS 35 & 37 **COUNTY Westchester** STREET ADDRESSES 108 S. Main St., f/k/a 194 1/2 S. Main St., and 112 E. William St. Port Chester, NY

RECORD AND RETURN TO:

John S. Tomlin, Esq. Tomlin Law PLLC 34 South Broadway, Suite 716 White Plains, NY 10601





Title Number: 71172807

SCHEDULE A - DESCRIPTION REVISED 8/31/2021

AS TO TAX LOT 37:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the southwesterly side of William Street, a distance northwesterly 108.5 feet from the corner formed by the intersection of said southwesterly side of William Street, with the northwesterly side of South Main Street; and

RUNNING THENCE South 46 degrees 21 minutes West 73.60 feet to land formerly of the Union Free School District No. 4;

THENCE North 51 degrees 03 minutes West along said last mentioned land, 50 feet to land now or formerly of McNames;

THENCE North 46 degrees 04 minutes East along last mentioned land, 78.55 feet to the aforesaid southwesterly side of William Street; and

THENCE South 45 degrees 22 minutes East along the said southwesterly side of William Street, 50 feet to the point or place of BEGINNING.

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FOR CONVEYANCING ONLY: TOGETHER with all right, title and interest of the party of the first part, of, in and to any streets and roads abutting the above described premises to the center lines thereof.

- Schedule A Description (Page 1 of 4) -

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AS TO TAX LOT 35:

. . .

ALL that certain plot, piece or parcel of land situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester, known and designated on the Official Tax Maps of the Town of Rye, Village of Port Chester as Section 2, Block 108, Lots 5,6,7,8 and 9 being more particularly bounded and described as follows:

BEGINNING at a point in the intersection of the southerly sideline of William Street with the westerly sideline of South Main Street and running the following course and distances: Along South Main Street, South 00 degrees 37 minutes 05 seconds West, 104.22 feet to a point of curvature;

THENCE southwesterly along South Main Street upon a curve to the right, having a radius of 34.50 feet, an arc distance of 34.99 feet (Central Angle of 58 degrees 06 minutes 53 seconds, Cord Bearing South 29 degrees 40 minutes 32 seconds West, a Cord Length of 33.51 feet) to a point of tangency;

THENCE continuing along South Main Street, South 58 degrees 43 minutes 58 seconds West, 40.10 feet to a point;

THENCE leaving South Main Street, North 50 degrees 37 minutes 05 seconds West 108.68 feet to a point on Myneta Place;

THENCE along Myneta Place, North 56 degrees 28 minutes 55 seconds East, 42.00 feet to a point;

THENCE along the terminus of Myneta Place, North 22 degrees 04 minutes 05 seconds West, 15.30 feet to a point;

THENCE North 81 degrees 35 minutes 05 seconds West, 18.50 feet;

THENCE North 15 degrees 28 minutes 55 seconds East, 78.60 feet to a point on William Street;

THENCE along William Street, South 76 degrees 14 minutes 05 seconds East, 108.50 feet to a point on South Main Street, the Place of BEGINNING.

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FOR CONVEYANCING ONLY: TOGETHER with all right, title and interest of the party of the first part, of, in and to any streets and roads abutting the above described premises to the center lines thereof.

- Schedule A Description (Page 2 of 4) -

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Title Number: 71172807

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FORMEN AS TO PART OF TAX LOT 28:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point in the intersection of the southerly sideline of William Street with the westerly sideline of South Main Street and running the following courses and distances:

Along southerly side of William Street, North 76 degrees 14 minutes 05 seconds West, 108.50 feet;

RUNNING THENCE South 15 degrees 38 minutes 55 seconds West, 73.60 feet to a TRUE POINT OF BEGINNING;

THENCE South 37 degrees 28 minutes 26 seconds West, 37.96 feet;

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THENCE along westerly side of Minetta Place, North 56 degrees 28 minutes 55 seconds East, 49.65 feet;

THENCE North 81 degrees 35 minutes 05 seconds West, 18.50 feet to the TRUE POINT OF BEGINNING.

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FOR CONVEYANCING ONLY: TOGETHER with all right, title and interest of the party of the first part, of, in and to any streets and roads abuitting the above described premises to the center lines thereof.

- Schedule A Description (Page 3 of 4) -

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AS TO PERIMETER DESCRIPTION FOR TAX LOT 35 AND PART OF FORMER TAX LOT 28:

ALL that certain plot, piece or parcel of land; situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, known and designated on the Official Tax Map of the Town of Rye, Village of Port Chester as Section 2. Block 108, Lots 5, 6, 7, 8 and 9, being more particularly bounded and described as follows:

BEGINNING at a point in the intersection of the southerly sideline of William Street with the westerly sideline of South Main Street and running the following courses and distances:

Along South Main Street, South 00 degrees 37 minutes 05 seconds West, 104.22 feet to a point of curvature:

THENCE southwesterly along South Main Street, upon a curve to the right, having a radius of 34.50 feet, an arc distance of 34.99 feet (forming a central angle of 58 degrees 06 minutes 53 seconds, Cord Bearing South 29 degrees 40 minutes 32 seconds West, a cord length of 33.51 feet) to a point of tangency;

THENCE continuing along South Main Street, South 58 degrees 43 minutes 58 seconds West, 40.10 feet to a point;

THENCE leaving South Main Street, North 50 degrees 37 minutes 05 seconds West, 108.66 feet to a point on Myneta Place (aka Minetta Place);

THENCE along Myneta Place(aka Minetta Place), North 56 degrees 28 minutes 55 seconds East, 42.00 feet to a point;

THENCE along the terminus of Myneta Place (aka Minetta Place), North 22 degrees 04 minutes 05 seconds West, 15.30 feet to a point;

THENCE along westerly side of Minetta Place, North 56 degrees 28 minutes 55 seconds East, 49.65 feet

THENCE South 37 degrees 28 minutes 26 seconds West, 37.96 feet;

THENCE North 15 degrees 28 minutes 55 seconds East. 73.60 feet to a point on William Street;

THENCE along William Street, South 76 degrees 14 minutes 05 seconds East. 108.50 feet to a point on South Main Street, the point or place of BEGINNING.

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FOR CONVEYANCING ONLY: TOGETHER with all right, title and interest of the party of the first part, of, in and to any streets and roads abutting the above described premises to the center lines thereof.

- Schedule A Description (Page 4 of 4) -

فيستحدهم والمراجع والمراجع والمنافعاتها والمنافعة والمتعارين والمتعالية والمتعالية والمتحر والمتحر والمحادي والمحادية والمحادية والمحادية

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.



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: 1369406/71172807 Confirm deed/108 S			
Docume	nt Details			
Control Number: 613123961 Documen	: Type: Deed (DED)			
Package ID: 2021110800442001001 Documen	Page Count: 3 Total Page Count: 5			
	ties Additional Parties on Continuation page			
1st PARTY	2nd PARTY			
1: 108 GATEWAY LLC - Other	1: 108 GATEWAY LLC - Other			
2:	2:			
Pro Street Address: 108 S. MAIN ST	Additional Properties on Continuation page Tax Designation: 142.38-1-35			
City/Town: RYE TOWN	Village: PORT CHESTER			
Cross- R	eferences Additional Cross-Refs on Continuation page			
1: 2:	3: 4:			
Supporting	Documents			
1: RP-5217 2: TP-584				
Recording Fees	Mortgage Taxes			
Statutory Recording Fee: \$40.00	Document Date:			
Page Fee: \$20.00	Mortgage Amount:			
Cross-Reference Fee: \$0.00				
Mortgage Affidavit Filing Fee: \$0.00	Basic: \$0.00			
RP-5217 Filing Fee: \$250.00	Westchester: \$0.00			
TP-584 Filing Fee: \$5.00	Additional: \$0.00			
RPL 291 Notice Fee: \$0.00	MTA: \$0.00			
Total Recording Fees Paid: \$315.00	Special: \$0.00			
Transfer Taxes	Yonkers: \$0.00			
Consideration: \$0.00	Total Mortgage Tax: \$0.00			
Transfer Tax: \$0.00				
Mansion Tax: \$0.00	Dwelling Type: Exempt:			
Transfer Tax Number: 5543	Serial #:			
	Record and Return To			
RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERI	Pick-up at County Clerk's office			
Recorded: 11/10/2021 at 03:02 PM				
Control Number: 613123961				
\mathbb{E} Witness my hand and official seal				
	DI DI DES			
SEN THINK Chini	John S Tomlin, Esq Kalph 12655)			
1 Maria	34 South Broadway 97 Narth Aul, Suite 234			
Timothy C.Idoni Westchester County Clerk	Suite 716			
	John S Tomlin, Esq 34 South Broadway Suite 716 White Plains, NY 10601 White Blains, NY 10601 DSOL			
	10801			

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.	

613123961DED001W

Westchester County Recording & Endorsement Page

Document Details

Control Number: 613123961

Document Type: Deed (DED)

Package ID: 2021110800442001001

Document Page Count: 3

Total Page Count: 5

Properties Addendum

112 WILLIAM ST 10573

RYE TOWN

PORT CHESTER 142.38-1-37

Bargain and Sale Deed, without Covenants against Grantor's Acts - Individual or Corporation. WHITE PLAINS, NY 10604 CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the ______ day of November 2021

BETWEEN: 108 Gateway, LLC 92 North Avenue, Suite 204, New Rochelle, NY 10801 party of the first part, and

108 Gateway, LLC

92 North Avenue, Suite 204, New Rochelle, NY 10801 party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second 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 and improvements thereon erected. situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, and being more particularly bounded and described on Schedule A attached hereto.

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, in compliance with Section 13 of the Lien Law, covenants that the party 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.

IN PRESENCE OF

Grantor 108 Gateway, LLC, by Ralph Rossi, Managing Member

STEWART TITLE INSURANCE **711 WESTCHESTER AVENUE SUITE 302**

*The parties of the first part have title to the premises abutting the portion of Myneta Place including all right, title and interest to the center line of Myneta Place. This deed is being recorded to confirm the metes and bounds partian of said portion of Myneta Place.

description

Acknowledgment Taken Within New York State (RPL 309(a))

State of New York : County of WistMest : ss.: On the <u>Alph</u> day of <u>NDLMbx</u> in the year <u>2014</u> before me, the undersigned, personally appeared <u>Ralph</u> <u>Rossi</u> in the year <u>2014</u> before me, the undersigned, personally basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

sur y Public

HOLLY A HASBROUCK Notary Public, State of New York Registration #01HA6062181 Qualified In Westchester County Commission Expires Oct, 21, 2022

BARGAIN AND SALE DEED WITHOUT COVENANTS Title # 71172807

Grantor: 108 Gateway, LLC

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Grantee: 108 Gateway, LLC

Address: 108 S. Main Street f/k/a 194 ½ S. Main St. and 112 E. William St. Port Chester, NY

SECTION: 142.38 BLOCK: 1 LOT: 35 & 37 COUNTY: Westchester

Record and Return to: Ralph Rossi 92 North Avenue, Suite 204 New Rochelle, NY 10801 ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

STARTING at a point at the intersection of the southerly sideline of William Street with the westerly sideline of South Main Street and running the following courses and distances:

Along South Main Street, South 00 degrees 37 minutes 05 seconds West, 104.22 feet to a point of curvature;

THENCE southwesterly along South Main Street, upon a curve to the right, having a radius of 34.50 feet, an arc distance of 34.99 feet (forming a central angle of 58 degrees 06 minutes 53 seconds, Cord Bearing South 29 degrees 40 minutes 32 seconds West, a cord length of 33.51 feet) to a point of tangency;

THENCE continuing along South Main Street, South 58-degrees 43 minutes 58 seconds West, 40.10 feet to a point;

THENCE leaving South Main Street, North 50 degrees 37 minutes 05 seconds West, 108.68 feet to a point on Myneta Place (aka Minetta Place) and the TRUE POINT OF BEGINNING;

THENCE along Myneta Place (aka Minetta Place), North 56 degrees 28 minutes 55 seconds East, 42.00 feet to a point;

THENCE along the terminus of Myneta Place (aka Minetta Place), North 22 degrees 04 minutes 05 seconds West, 15.30 feet to a point;

THENCE along westerly side of Myneta Place (aka Minetta Place), North 56 degrees 28 minutes 55 seconds East, 49.65 feet to a point;

THENCE South 50 degrees 37 minutes 05 seconds East, 15.69 feet to the point or place of BEGINNING.

EXHIBIT D

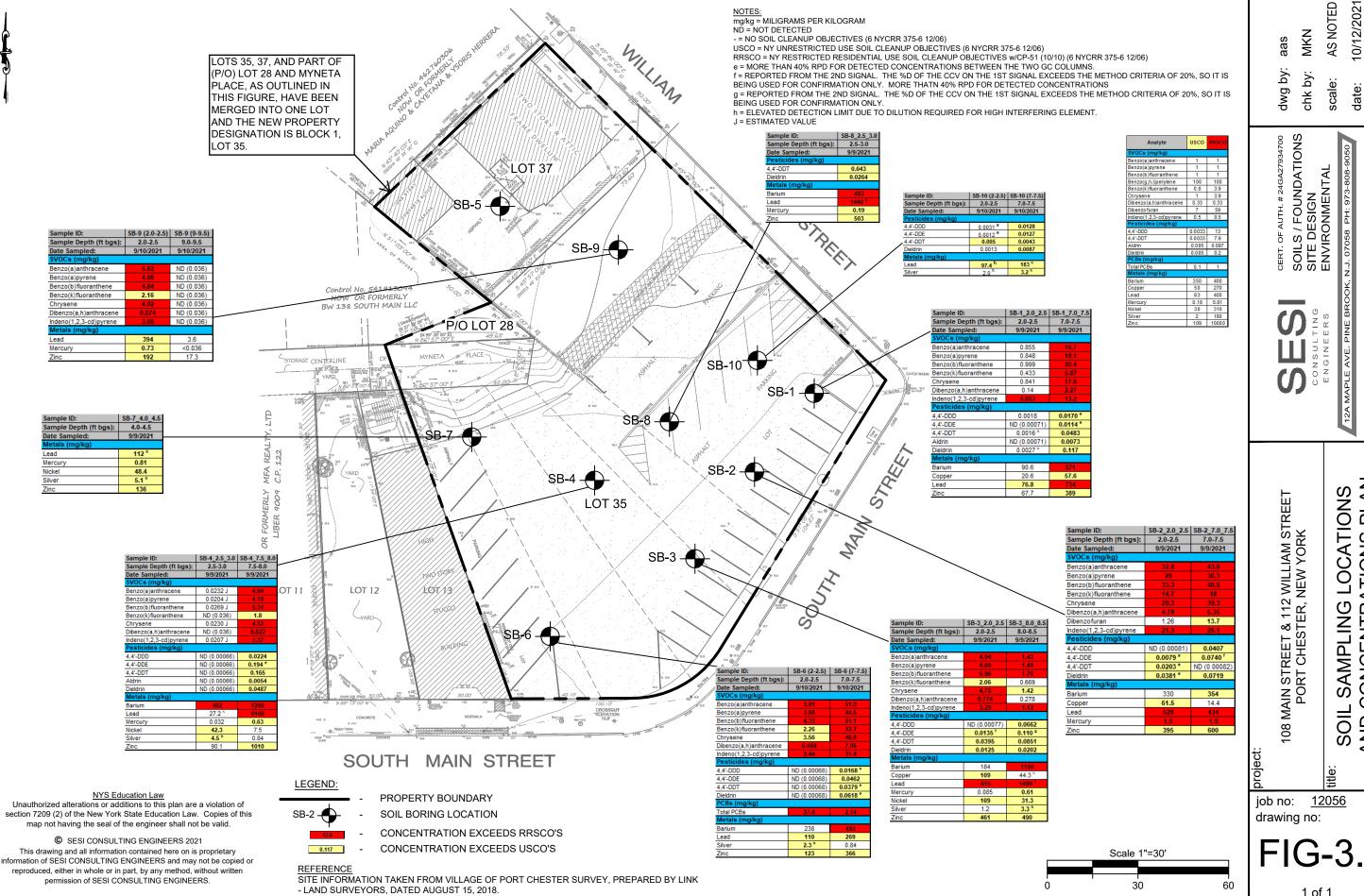
Year	Former Lot 35 Owners	Status	Relation to Requestor
Unknown –	Raban Realty Corp.	TT 1	None
2005	Address: Unknown Phone: Unknown	Unknown	
2005 - 2016	Village of Port Chester Industrial Development Agency Address: 222 Grace Church Street Phone: (914) 939 – 5200 Port Chester, New York 10573	Active	None
2016 -	One Gateway Plaza, LLC	Active	
August	Address: 2500 Halsey StreetPhone: Unknown		None
2018	Bronx, New York 10461		
	T.A.L.A. Limited Partnership (50%) Address: 33 The Crossing Purchase, New York 10577 Phone: Unknown	Active	None
August	Joseph Dedona III, as Trustee of The Joseph F. Dedona Jr. Irrevocable Trust (37.5%)	Unknown	None
2018	Address: 2500 Halsey StreetPhone: UnknownBronx, New York 10461Phone: Unknown		
	Eneo Dore, as Trustee of The Taniero Dore Irrevocable Trust (12.5%) Address: 2500 Halsey Street Phone: Unknown Bronx, New York 10461	Unknown	None
December 2018 – Augst 2021	108 Gateway Development, LLC Address: c/o DeLaurentis Management Corp. Phone: (914) 946 - 1321 384 Mamaroneck Avenue White Plains, New York 10605	Active	None
August 2021 – present	108 Gateway, LLCPhone: (914) 459 - 1416Address: 92 North AvenuePhone: (914) 459 - 1416New Rochelle, New York 10801Phone: (914) 459 - 1416	Active	Requestor
	Operators		
1885	Shirt and iron novelties shop, store, saloon, shed, and several dwellings		
1890	"Chinese Laundry", shoe shop, dwelling		
1895	"Port Chester Steam Laundry"		
1902	Sheds, private dwelling, saloon, cobbler, meat store		
1908	Clothing store, barber shop, liquor wholesaler, drug store, motion picture playhouse, and saloon		
1915	Drug store, liquor store, barber, furniture business, cobbler, butcher, pool room, printing shop, printing shop, and restaurant		
1934	Multistory building with storefronts		

1935	Unidentified stores and printing operations	
1990	Vacant	
2011 - 2017	Parking Lot	
Present	Vacant	

Year	Former Lot 37 Owners		Status	Relation to Requestor
Unknown - 1988	William Street Associates Address: Unknown	Phone: Unknown	Unknown	None
1988 – 1991	Jose Pellissa and Nan Ayala Address: Unknown	Phone: Unknown	Unknown	None
1991 – May 1992	Emigrant Savings Bank Address: 5 East 42 nd Street New York, New York 10017	Phone: (212) 850 - 4000	Active	None
May 1992 - May 2014	Susana Cacsire and Antonio Cacsire Address: 15-17 Parker Street Port Chester, New York 10573	Phone: Unknown	Unknown	None
May 2014 – April 2017	Huyhua Cluny Address: 53 Ashton Road Stamford, Connecticut 06905	Phone: Unknown	Unknown	None
April 2017 – Oct. 2018	Johnathan Poler Address: 5612 Sylvan Avenue Riverdale, New York 10471	Phone: Unknown	Unknown	None
Oct. 2018 – August 2021	108 Gateway Development LLC Address: c/o DeLaurentis Management Corp. 384 Mamaroneck Avenue White Plains, New York 10605	Phone: (914) 946 - 1321	Active	None
August 2021 – present	108 Gateway, LLC Address: 92 North Avenue New Rochelle, New York 10801	Phone: (914) 459 - 1416	Active	Requestor
	Operators			
1885	Dwelling			
1902	Dwelling			
1919	Detached garage			
1934	Dwelling			
Present	Vacant			

Year	Former p/o Lot 28 Owners	Status	Relation to Requestor
Unknown – April 1997	Joseph A. Santaro Address: 15 Austin Place Phone: Unknown Port Chester, New York 10573	Unknown	None
April 1997 – August 1997	Joseph A. and Laura F. Santaro Address: 15 Austin Place Phone: Unknown Port Chester, New York 10573	Unknown	None
August 1997 – August 2016	Torosan Realty LLCPhone: UnknownAddress: 11 Quintard Drive Port Chester, New York 10573Phone: Unknown	Active	None
August 2016 – August 2018	One Gateway Plaza, LLC Address: 2500 Halsey Street Bronx, New York 10461 Phone: Unknown	Active	None
	T.A.L.A. Limited Partnership (50%)Phone: UnknownAddress: 33 The Crossing Purchase, New York 10577Phone: Unknown	Active	None
August 2018 –	Joseph Dedona III, as Trustee of The Joseph F. Dedona Jr. Irrevocable Trust (37.5%)	Unknown	None
December 2018	Address: 2500 Halsey Street Bronx, New York 10461Phone: UnknownEneo Dore, as Trustee of The Taniero Dore Irrevocable Trust (12.5%)Address: 2500 Halsey Street Bronx, New York 10461	Unknown	None
December 2018 – August 2021	108 Gateway Development, LLCAddress: c/o DeLaurentis Management Corp.384 Mamaroneck AvenueWhite Plains, New York 10605	Active	None
August 2021 – Present	108 Gateway, LLCPhone: (914) 459 - 1416Address: 92 North Avenue New Rochelle, New York 10801Phone: (914) 459 - 1416	Active	Requestor
	Operators		
1990	Parking		
Present	Vacant		

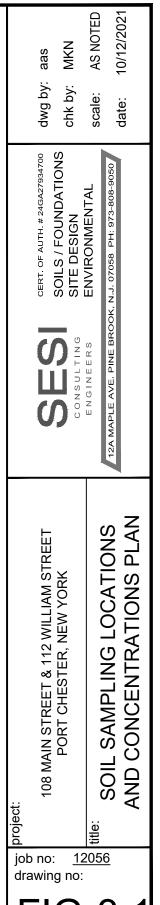
EXHIBIT E



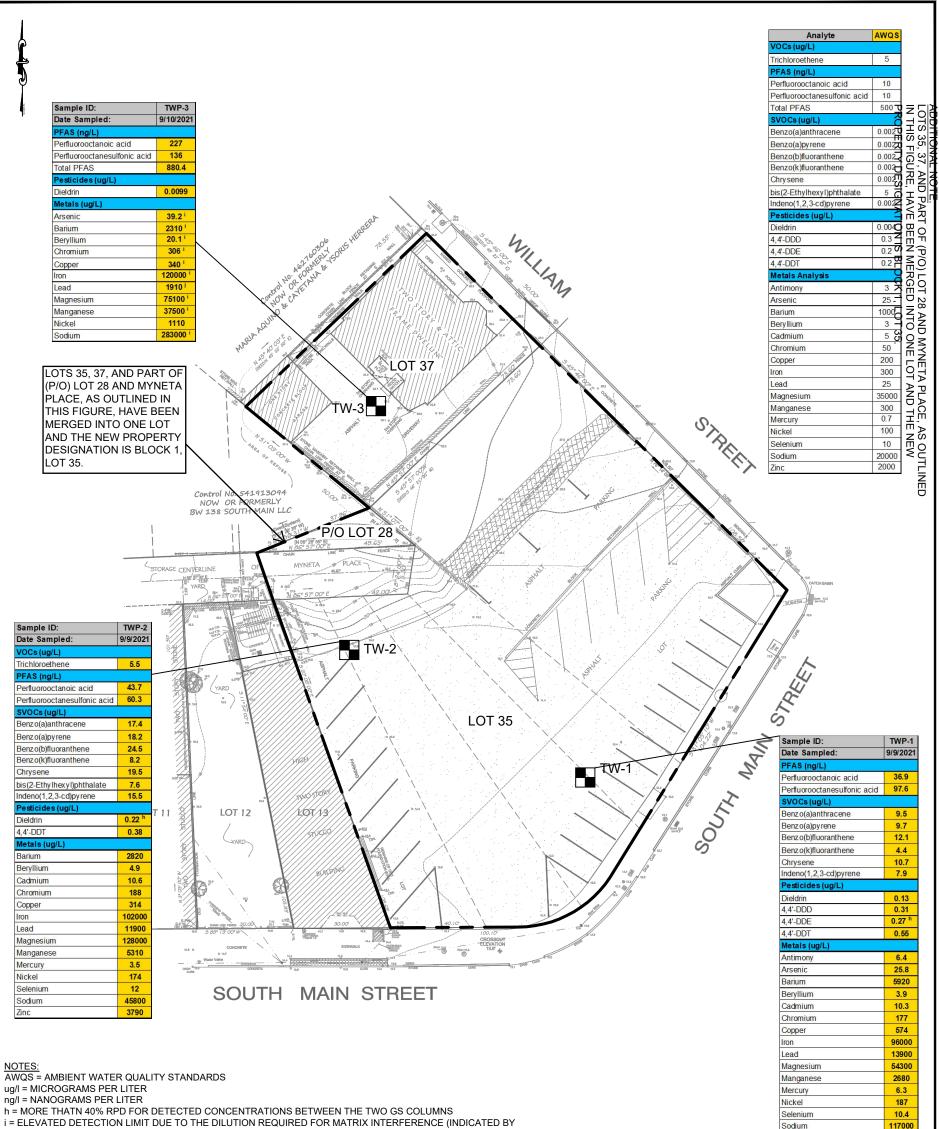
Analyte	USCO	RRSC
SVOCs (mg/kg)		
Benzo(a)anthracene	1	1
Benzo(a)pyrene	1	1
Benzo(b)fluoranthene	1	1
Benzo(g,h,i)perylene	100	100
Benzo(k)fluoranthene	0.8	3.9
Chrysene	1	3.9
Dibenzo (a,h) anthra cene	0.33	0.33
Dibenzo furan	7	59
Indeno(1,2,3-cd)pyrene	0.5	0.5
Pesticides (mg/kg)		
4,4'-DDD	0.0033	13
4,4'-DDT	0.0033	7.9
Aldrin	0.005	0.09
Dieldrin	0.005	0.2
PCBs (mg/kg)		
Total PCBs	0.1	1
Metals (mg/kg)		
Barium	350	400
Copper	50	270
Lead	63	400
Mercury	0.18	0.81
Nickel	30	310
Silver	2	180
Zinc	109	1000

_2.0_2.5	SB-1_7.0_7.5
.0-2.5	7.0-7.5
9/2021	9/9/2021
.855	19.7
.848	18.1
.999	20.4
.433	5.87
).841	17.8
0.14	2.27
).653	13.2
.0018	0.0170 °
0.00071)	0.0114 °
0016 °	0.0483
0.00071)	0.0483 0.0073
0.00071)	0.0073
0.00071) 0027 ° 90.6	0.0073
0.00071) 0027 °	0.0073 0.117

Sample ID:	SB-2_2.0_2.5	
Sample Depth (ft bgs):	2.0-2.5	7.0-7.5
Date Sampled:	9/9/2021	9/9/2021
SVOCs (mg/kg)		
Benzo(a)anthracene	32.8	43.6
Benzo(a)pyrene	29	36.3
Benzo(b)fluoranthene	33.3	40.5
Benzo(k)fluoranthene	14.7	18
Chrysene	29.3	39.3
Dibenzo(a,h)anthracene	4.78	5.35
Dibenzofuran	1.26	13.7
Indeno(1,2,3-cd)pyrene	21.3	25.1
Pesticides (mg/kg)		
4,4'-DDD	ND (0.00081)	0.0407
4,4'-DDE	0.0079°	0.0740 '
4,4'-DDT	0.0203 °	ND (0.00082)
Dieldrin	0.0381 °	0.0719
Metals (mg/kg)		
Barium	330	354
Copper	61.5	14.4
Lead	528	434
Mercury	1.5	1.9
Zinc	395	600

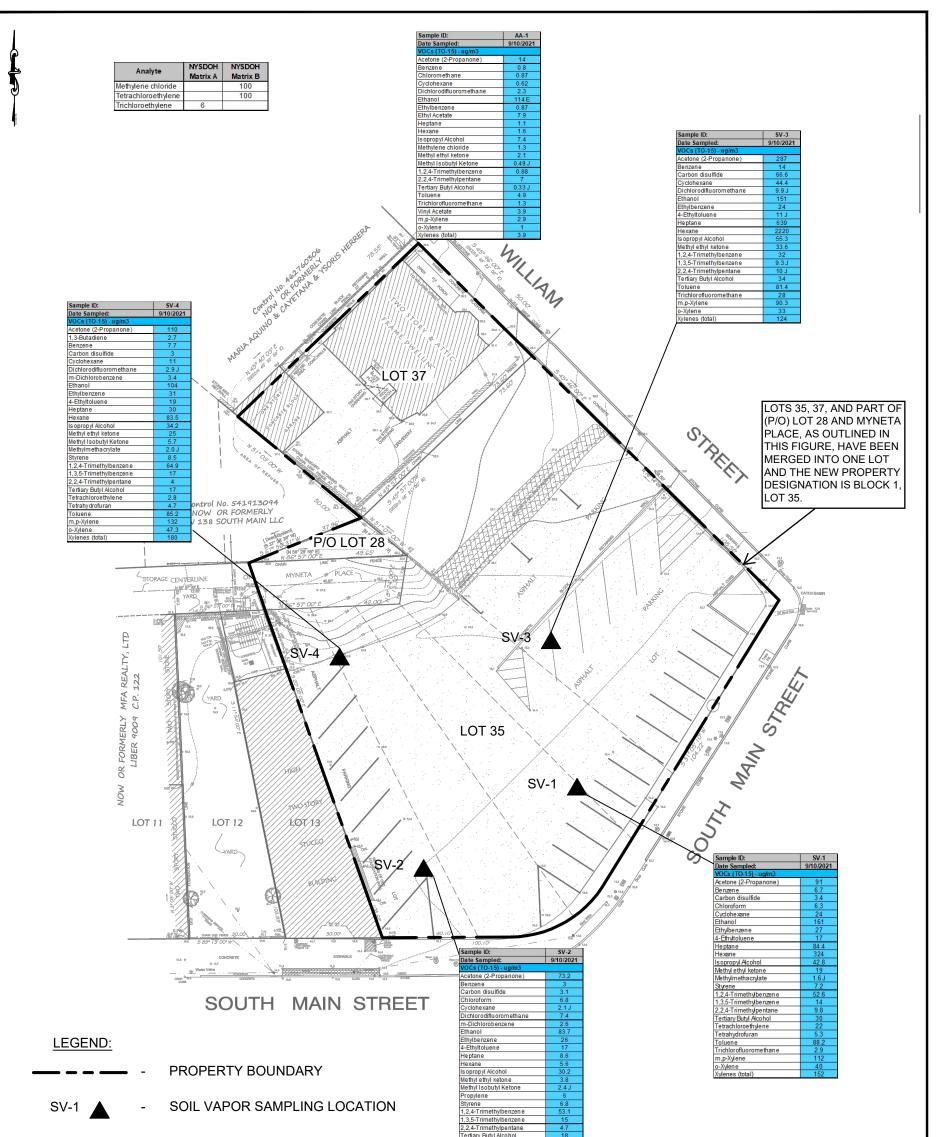


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ng/I = NANOGRAMS PER LITER

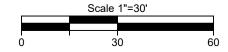
04:16:4	i = ELEVATED DETECTION LIMIT DUE TO THE DILUTION REQUIRE FAILING INTERNAL STANDARD ON ORIGINAL ANALYSIS)		,	CATED BY	Sodium Zinc		10.4 117000 3790
CAD\12056 - SAMPLE LOCATIONS.DWG 10/12/21		EGEND: - - W-1 1910 ¹ -	PROPERT TEMPORA CONCENT EXCEEDS	Y BOUNDARY RY WELL POINT RATION OF COMPOUND THE AWQS	Scal	e 1"=30' 30	60
12056	without written permission of SESI CONSULTING ENGINEERS D.P.C.		PREPAR	ED BY LINK - LAND SURVEYORS	, DATED AUGUST 15, 2018.	FIG-	3.2
ACAD	108 MAIN STREET & 112 WILLIA	M STREET		ОГОІ	SOILS / FOUNDATIONS	DRAWN BY:	aas
/	PORT CHESTER, NEW Y	ORK		SESI	SITE DESIGN	CHECKED B	Y: MKN
3\DATA				CONSULTING ENGINEERS D.P.C.	ENVIRONMENTAL	SCALE: AS	NOTED
SESI201	GROUNDWATER SAMPLIN		UNS	12A MAPLE AVE. PINE BROOM	K, N.J. 07058 PH: 973-808-9050	DATE: 10/	'12/2021
//si	AND CONCENTRATIO	NS PLAN				JOB NO.: 120	056





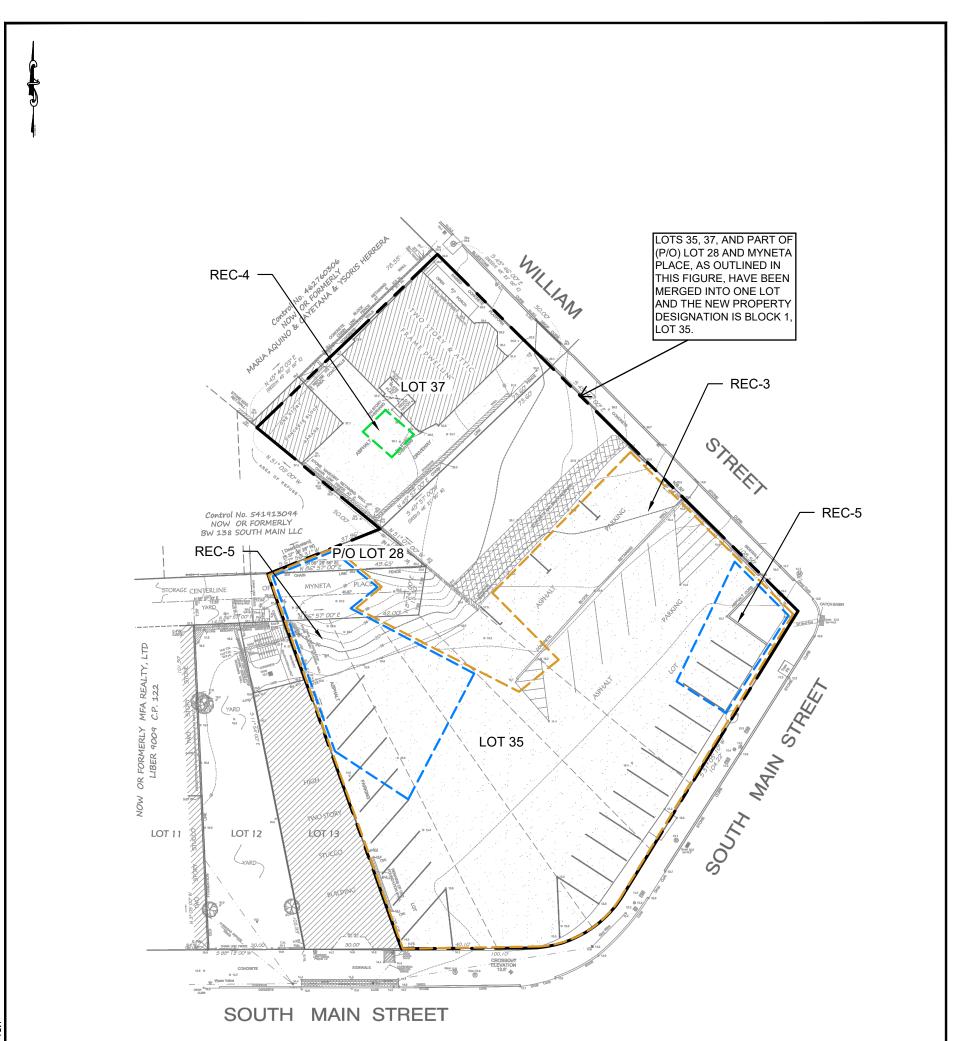
- COMPOUND WAS DETECTED

Tetrachloroethylene	17
reuaunoroeunyiene	
Toluene	75
Trichloroethylene	5.2
Trichlorofluoromethan e	2.9
m,p-Xylene	112
o-Xylene	41
Xylenes (total)	152



NOTES:

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. © SESI CONSULTING ENGINEERS D.P.C. 2021 This drawing and all information contained here on is proprietary information of SESI CONSULTING ENGINEERS D.P.C. and may not be copied or reproduced, either in whole or in part, by any method,	NYSDOH J - ESTIM/ E - EXCEE ND - COM ug/m3 - MI	MATRIX A - NYSDOH MATRIX A SUB-S MATRIX B - NYSDOH MATRIX B SUB-S ATED VALUE EDS CALIBRATION RANGE IPOUND NOT DETECTED ICROGRAMS PER CUBIC METER <u>ICE</u> ORMATION TAKEN FROM VILLAGE OF		
without written permission of SESI CONSULTING ENGINEERS D.P.C.		ED BY LINK - LAND SURVEYORS, DATE	FIG-3.3	
108 MAIN STREET & 112 WILLIAM STREET			SOILS / FOUNDATIONS	DRAWN BY: aas
PORT CHESTER, NEW YORK		SESI SOILS / FOUNDATIONS		CHECKED BY: JRN
		CONSULTING ENGINEERS D.P.C.	ENVIRONMENTAL	SCALE: AS NOTED
SOIL VAPOR SAMPLING LOCATIONS		12A MAPLE AVE. PINE BROOM	K, N.J. 07058 PH: 973-808-9050	DATE: 10/12/2021
AND CONCENTRATIONS PLAN				JOB NO.: 12056



1AM, aas, LAYOUT:FIG-10.1

	Scale 1 0 30	
<u>NYS Education Law</u> 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. © SESI CONSULTING ENGINEERS D.P.C. 2021 This drawing and all information contained here on is proprietary information of SESI CONSULTING ENGINEERS D.P.C. and may not be copied or reproduced, either in whole or in part, by any method, without written permission of SESI CONSULTING ENGINEERS D.P.C.	REC LEGEND REC-1 = HISTORIC FILL (NOT SHOWN ON MAP) REC-2 = POTENTIAL PFAS CONTAMINATION (NOT SHOWN ON REC-3 = APPROXIMATE LOCATION OF FORMER COMMERCIAL REC-4 = APPROXIMATE LOCATION OF FORMERLY REMOVED REC-5 = APPROXIMATE LOCATIONS OF FORMER DRY CLEAN REFERENCE SITE INFORMATION TAKEN FROM VILLAGE OF PORT CHESTER SURVEY,	L OPERATIONS UST ERS
without written permission of SEST CONSOL THIS ENGINEERS D.F.C.	PREPARED BY LINK - LAND SURVEYORS, DATED AUGUST 15, 2018.	FIG-10.1
		DRAWN BY: aas
PORT CHESTER, NEW YORK	SITE DESIGN	CHECKED BY: JRN
	ENGINEERS D.P.C. ENVIRONMENTAL	SCALE: AS NOTED
REC LOCATION PLAN	12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050	DATE: 10/06/2021
> z		JOB NO.: 12056

EXHIBIT F



Town of Rye Office of the Assessor 222 Grace Church Street, Suite 303 Port Chester, NY 10573



February 16, 2021

To whom it may concern:

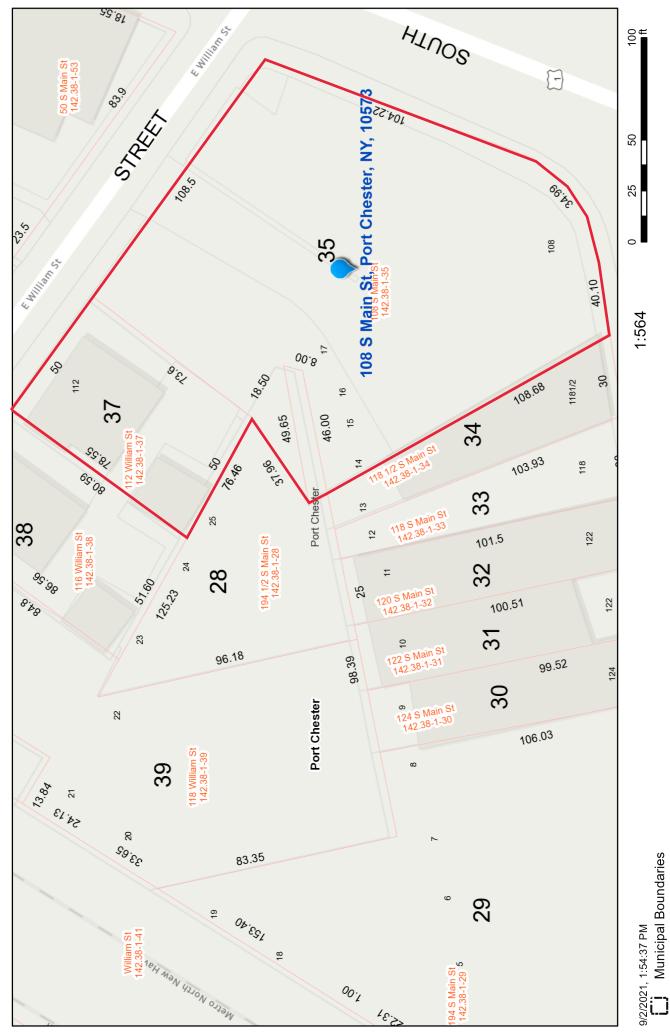
My office has reviewed the tax lot merger documents submitted by 108 Gateway, LLC to the Town of Rye in November 2021. Based on the lot merge form, we will be able to merge lots 35 and 37. However, we will not be assigning the new lot a parcel ID of 142.38-1-35. The next available parcel ID will be **142.38-1-57** and that is what will be assigned to the new lot.

Please be reminded that the merge will not be official until the June 1, 2022 tentative roll is published.

The NYSDEC can rely on this email that the lots 35 and 37 are now effectively merged as Lot 57 until the map is finalized.

Sincerely,

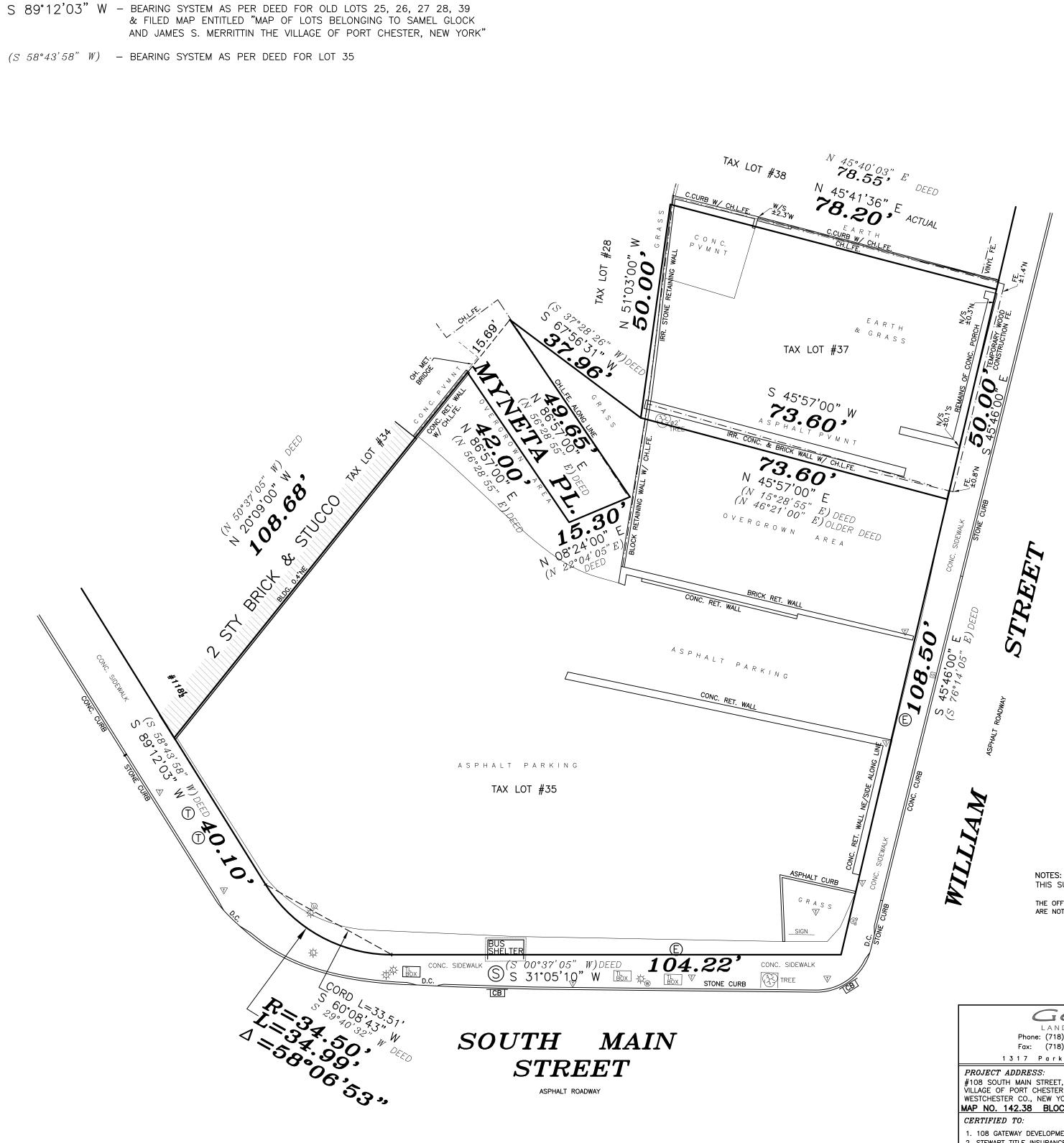
Denise S. Knauer, IAO Town of Rye Assessor

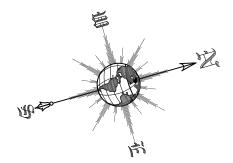


z 🗲

Municipal Boundaries

Mapping Westchester County





LEGEND					
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	CATCH BASIN		W	PARKING METER	
B	EXISTING TREE		MB	MAIL	BOX
ð	TELEPHONE B	оотн	•	GUAF	D POLE
F	FIRE ALARM BOX			DRAII	N INLET
CHM - CHIMNEY RO - RO		RO - RO	OF 0	VER	STY - STORY
DC - DROP CURB BSM'T - BA			BASE	MENT	CONC CONCRETE
AW - AREAWAY L.G LEGAL GRADE					
CE - CELLAR ENTRANCE			C.STEPS - CONCRETE STEPS		
RET.WALL - RETAINING WALL			B.STEPS - BRICK STEPS		
C.WALL - CONCRETE WALL			M.STEPS - METAL STEPS		
FND.WALL - FOUNDATION WALL IR.FE IRON FENCE					
CH.L.FE CHAIN LINK FENCE					
RET.WALL - RETAINING WALL					
NE - NORTHEAST					

THIS SURVEY IS TO BE USED FOR TITLE PURPOSES ONLY.

THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE STRUCTURES ARE FOR A SPECIFIC PURPOSE AND USE. THEREFORE THEY ARE NOT INTENDED TO MONUMENT PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR ANY OTHER IMPROVEMENTS.

Geoland		REVISIONS DESCRIPTION	DATE	JOB NO.
LAND SURVEYING P.C.	A CAR	1. TITLE SURVEY	09-07-2021	GLS21446
Phone: (718) 701–5030 www.GeoLandCorp.c	om	2. ADDITIONAL INFORMATION	09-22-2021	GLS21446
Fax: (718) 701—2265 Email: info@geolan	dcorp.com			
1317 Park Ave., New Hyde Par	k, NY 11040	Certification indicated hereon signify that this survey was prepared in accordance		
PROJECT ADDRESS:	DRAWN BY: J.P.	with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the		
#108 SOUTH MAIN STREET, 112 WILLIAM STREET	<i>SCALE:</i> $1'' = 16'$	person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of		
VILLAGE OF PORT CHESTER, TOWN OF RYE WESTCHESTER CO., NEW YORK	SURVEYED FOR:	the lending institution. Certifications are not transferable to additional institutions or subsequent owner.		
MAP NO. 142.38 BLOCK 1 LOTS 35 & 37	RMA DEVELOPMENT	Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State		
CERTIFIED TO:		Education Law. Only copies from the original of this survey marked with an original of the land		
1. 108 GATEWAY DEVELOPMENT LLC		surveyor's embossed seal shall be considered to be valid true copies.		
2. STEWART TITLE INSURANCE COMPANY				
	TITLE NO.: 71172807			

PAWEL KOPCINSKI, N.Y.S. L.L.S. 050881

Stown C			OWNER:	OWN OF F 108 Ga	iteway, UC
NES Est	1660	ow	NER ADDRESS:		orth Avenue, suite 204
CHASTER	counto				Rochelle, NY 10301
	IT: The Ass	sessment	Office MUST ha	ve an APPROVE	D Offering Plan from the NYS Attorney General'
Station of the second second		a, a cha phant a th	a dinatada na Carata Mantana ata an Ara	alanda seri dalam tati alba	ım project will be made. 🦳 —
PLEASE SPE	CIFY THE A	SSESSME	NT INFORMATIC	N ON THE PARC	ELS TO BE MERGED or SPLIT:
SECTION	BLOCK	LOT	ASSESSMENT	ASSESSMENT	PARCEL PROPERTY LOCATION (STREET ADDRESS)
142.38		35		. 41	103 S. Main street how includes part of 10t 28
142.38	ł	37		. 09	112 William street
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CERTIFICATE OF RESOLUTION FOR AUTHORIZATION

The undersigned, Ralph E. Rossi, Managing Member of 108 Gateway, LLC, a corporation duly organized and validly existing under the laws of the State of New York.

Hereby certifies that the following resolution was duly adopted by the Board of Directors, of said Corporation at a meeting duly called and held on the 29th day of October 2021.

Be it resolved that 108 Gateway, LLC with Offices at 92 North Avenue, Suite 204, New Rochelle, NY 10801, hereby authorized Ralph E. Rossi.

To execute and deliver to the Town of Rye / Village of Port Chester, for and on behalf of said Corporation, an application to merge Tax Map Section 142.38, Block 1, Lots 35, 37 and the Myneta PI. parcel into one (1) consolidated lot.

To execute and deliver all additional documents which may be appropriate or desirable in connection therewith.

The undersigned further certifies that said resolution has not been revoked, rescinded, or modified and remains in full force and effect on the date hereof.

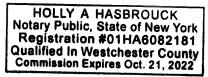
IN WITNESS WHEROF, the undersigned has duly executed this certificate on this 15th day of November 2021.

OFFICER'S SIGNATURE: TITLE: Managing Member

STATE OF NEW YORK COUNTY OF WESTCHESTER: ss:

On this 15th day of November 2021, before me personally came Ralph E. Rossi to me known and known to be the Managing Member of 108 Gateway, LLC the Corporation referred to in the within Certificate of Resolution, who being duly sworn did depose and say that he/she is Managing Member of said Corporation and that he/she signed his/her name thereto.

County



TAX MAP

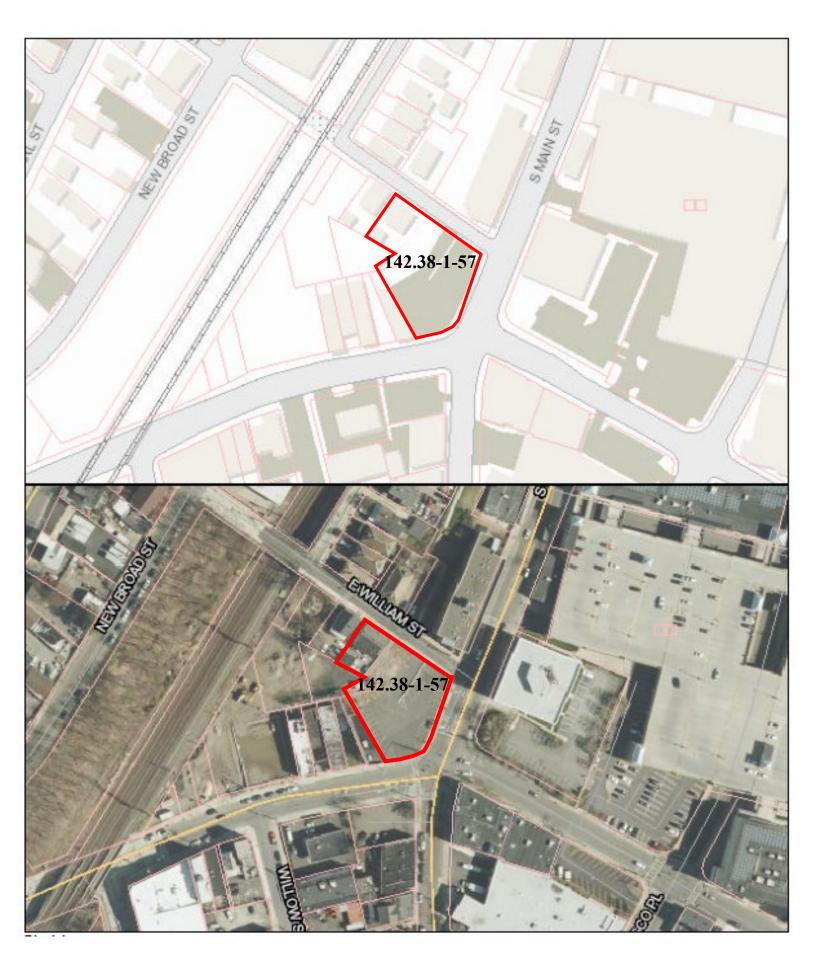


EXHIBIT G

BASE MAP

108 Main Port Chester SteamLaundry Site108 S. Main StreetPort Chester, New York 10573

Legend:

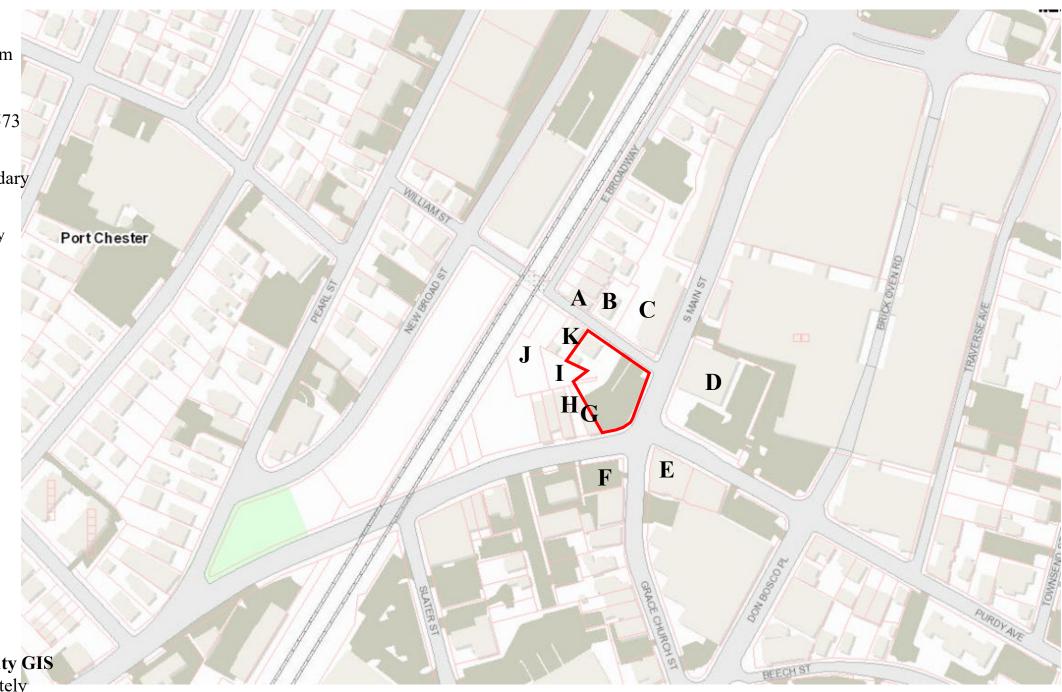
Site Property Boundary

Corresponding page lists adjacent property owners by letter A – K



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.

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



Letter	Adjacent Property Owner(s) Name(s)	Property Address	Section-Block-Lot
Α	Segundo Lara	65 E Broadway	142.38-1-50
B	Elkin Salazar	113-115 William Street	142.38-1-51
С	South Port Mew Preservation LP	50 S Main Street	142.38-1-53
D	Port Chester Gateway LLC	55 S Main Street	142.38-2-12
E	Open Door Family Medical Ctr	5 Grace Church Street	142.38-2-35
F	Open Door Family Medical Ctr.	1-2 Grace Church Street	142.38-2-45
G	Iglesia Pentecostal El Olivar	118 ¹ / ₂ S Main Street	142.38-1-34
Н	Iglesia Pentecostal El Olivar	118 S Main Street	142.38-1-33
Ι	BW 138 South Main LLC	194 ¹ / ₂ S Main Street	142.38-1-28
J	BW 138 South Main LLC	118 William Street	142.38-1-39
K	Maria Herrera and Cayetana Herrera	116 William Street	142.38-1-38

BOA Map

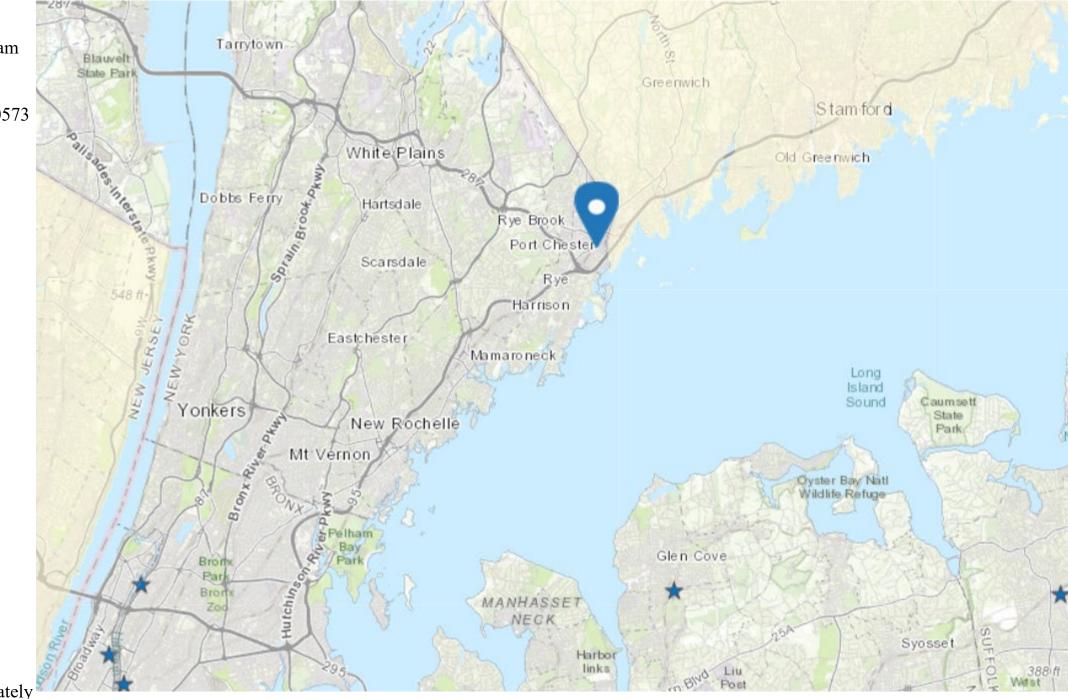
108 Main Port Chester SteamLaundry Site108 S. Main StreetPort Chester, New York 10573



Site Location

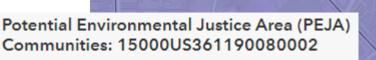
BOA Designations

December 2021 Source: NYS Geographic Information Gateway Scale: 1" = 100' approximately



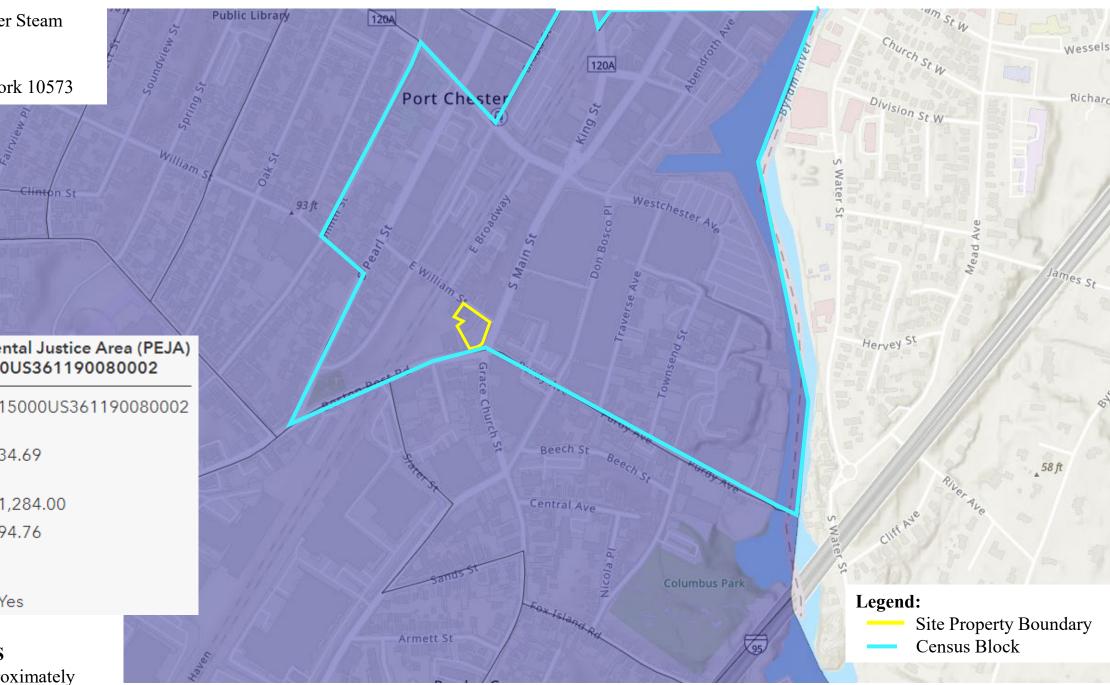


108 Main Port Chester Steam Laundry Site 108 S. Main Street Port Chester, New York 10573

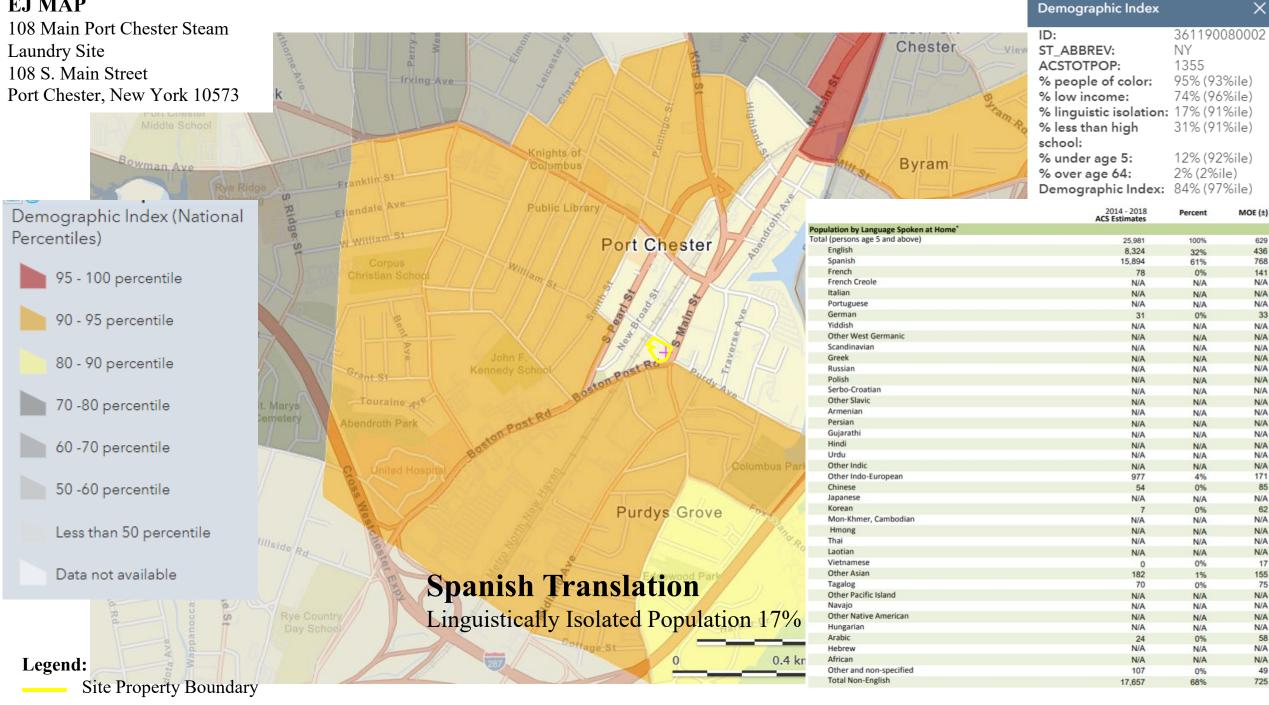


Census Block 15000US361190080002 Group Percentage Below 34.69 Poverty Level **Total Population** 1,284.00 94.76 Percentage Minority Population PEJA Yes December 2021

Source: NYS ACRIS Scale: 1" = 100' approximately



EJ MAP



En-Zone Map

108 Main Port Chester SteamLaundry Site108 S. Main StreetPort Chester, New York 10573

Legend:

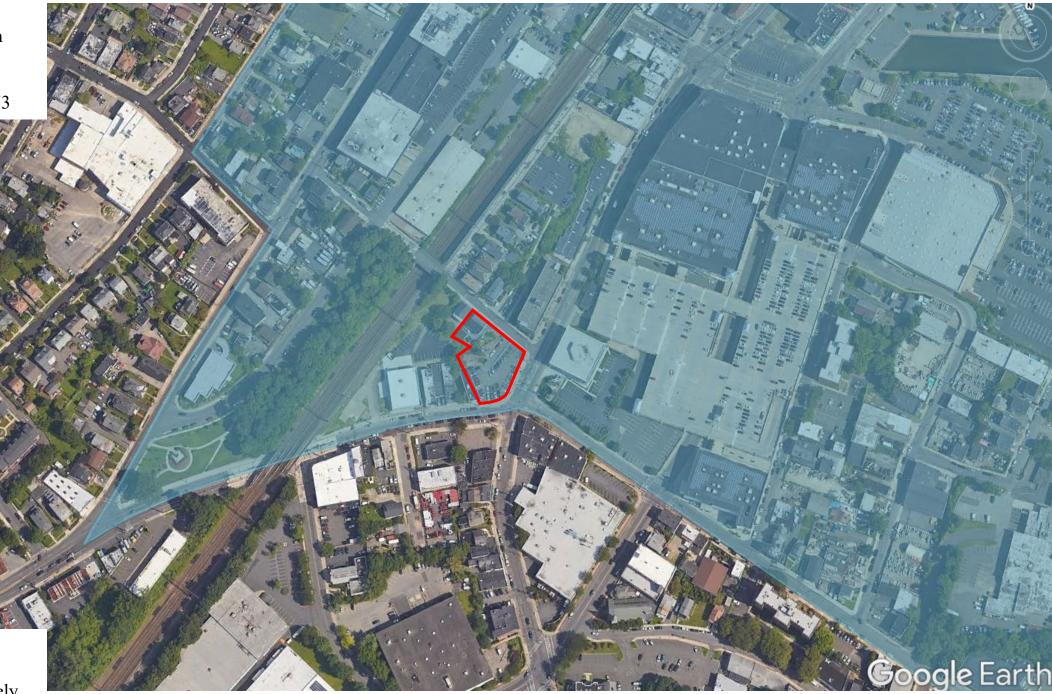
Site Property Boundary

Census Tract 80

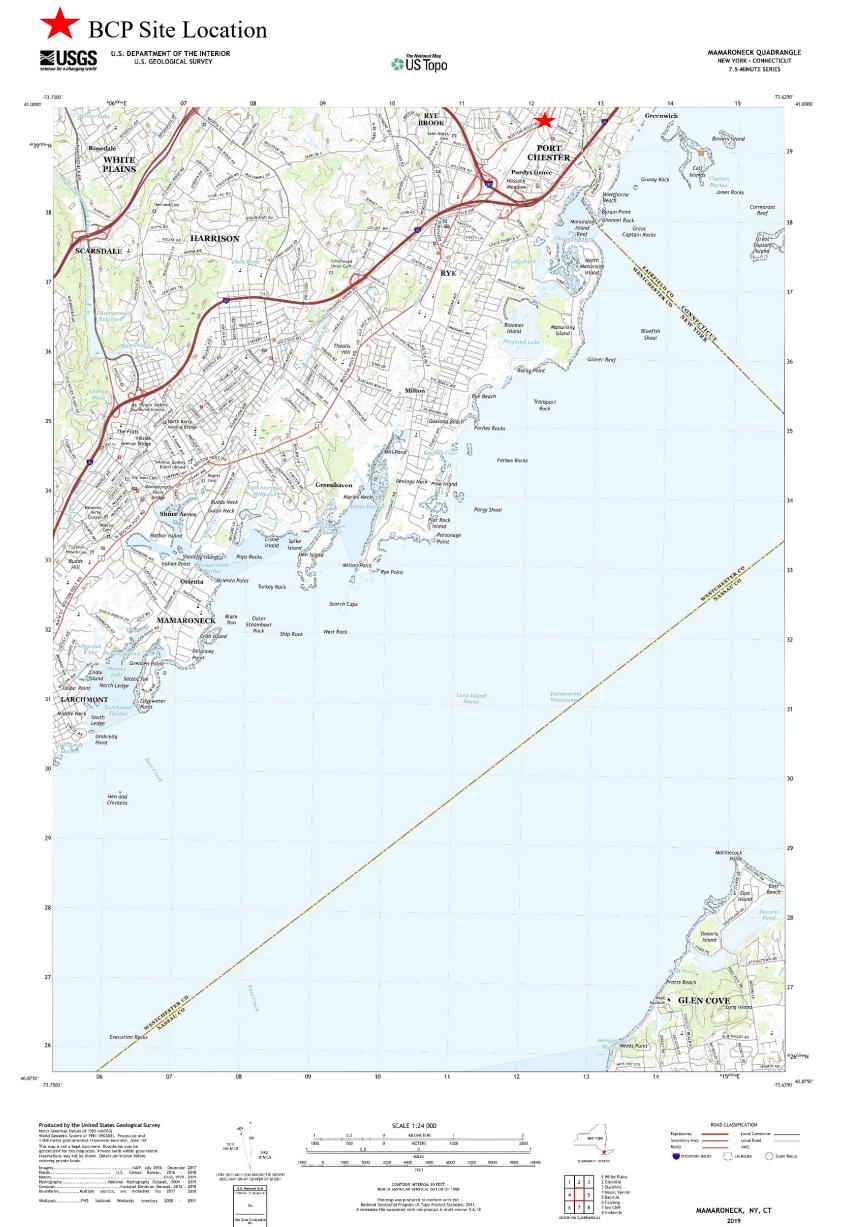
Census Tract 80

EnZoneType	B
FIPS	36119008000
County_FIP	36119
Geography	Census Tract 80
County	Westchester County
UnempRate	9
NYS_UR	11.5
Pov_Rate	27.3
CountyPR	9.5
CountyRate	19
Criteria_B	Y
Both_AB	
Criteria_A	
Туре	AY

December 2021 Source: Google Earth Scale: 1" = 100' approximately

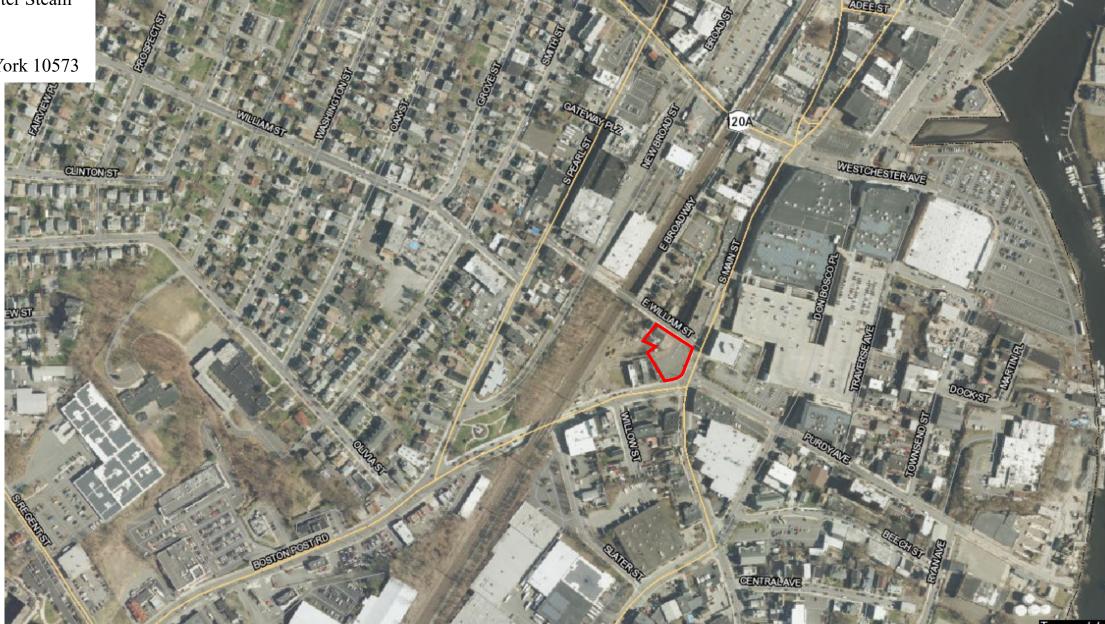


SITE LOCATION MAP



Street Map

108 Main Port Chester SteamLaundry Site108 S. Main StreetPort Chester, New York 10573



Legend: _____ Site Property Boundary

EXHIBIT H

SITE PLAN APPROVAL RESOLUTION OF THE VILLAGE OF PORT CHESTER PLANNING COMMISSION

OCTOBER 28, 2019

108 South Main Street Section 142.38, Block 1, Lot 35, 37 Case #2018-0186

NOV 5 2019 Village Clerk VILLAGE OF PORT CHESTER

WHEREAS, the Village of Port Chester Planning Commission is in receipt of a Site Plan application (the "Application") for 108 South Main Street, submitted on behalf of 108 Gateway Development LLC (the "Applicant") by Cuddy & Feder specifically known and designated as Section 142.30, Block 1, Lot 75 on the Town of Rye Tax Map (the "Site"); and

WHEREAS, the Site is located in the C2 Main Street Business Zoning District; and

WHEREAS, the Application includes the demolition of an existing surface parking lot, demolition of an existing single-family residential structure, construction of a nine (9)-story mixed-use building consisting of 3,190 sq. ft. of ground floor retail, 2,600 sq. ft. of office space, 115 residential units, 103 parking spaces, and residential amenity spaces (the "Project"); and

WHEREAS, the Project is proposed to consist of sixty-five (65) studio apartment units and fifty (50) one-bedroom apartment units; and

WHEREAS, in the C2 Main Street Business Zoning District, a multifamily dwelling units (floors above first floor) is permitted by Special Exception, office use is permitted by-right, retail store is permitted by-right in accordance with Village Code Section 345(C)(2) *Schedule of Nonresidential Regulations*; and

WHEREAS, in the C2 Main Street Business Zoning district does not have any minimum parking requirements; and

WHEREAS, the Application includes the following plans and drawings prepared by Papp Architects, P.C./Catizone Engineering, P.C., Provident Design Engineering, PLLC, Link Land Surveyors P.C.:

Papp Architects, P.C./Catizone Engineering, P.C.

SD-001	Site Development Data, dated 2/4/2019, last revised 3/5/2019
SD-100	Site Demolition Plan, dated 2/4/2019, last revised 3/5/2019
SD-101	Site Layout Plan, dated 2/4/2019, last revised 3/5/2019
SD-102	Landscaping Plan, dated 2/4/2019, last revised 3/5/2019
SD-103	Site Lighting Plan, dated 2/4/2019, last revised 3/5/2019
SD-104	Grading and Utilities, dated 2/4/2019, last revised 3/5/2019
SD-105	Erosion and Sediment Control Plan, dated 2/4/2019, last revised 3/5/2019
SD-106	Foundation & Slope Stabilization Plan & Details, dated 2/4/2019, last revised 3/5/2019

SITE PLAN APPROVAL RESOLUTION OF THE VILLAGE OF PORT CHESTER PLANNING COMMISSION

OCTOBER 28, 2019

108 South Main Street Section 142.38, Block 1, Lot 35, 37 Case #2018-0186

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Papp Architects, P.C./Catizone Engineering, P.C.

SD-001	Site Development Data, dated 2/4/2019, last revised 3/5/2019	
~~~	$a_{1}$ $b_{2}$ $b_{1}$ $b_{2}$ $b_{1}$ $b_{2}$ $b_{3}$ $b_{4}$ $b_{2}$ $b_{3}$ $b_{4}$ $b_{4}$ $b_{3}$ $b_{4}$ $b_{4$	

- SD-100 Site Demolition Plan, dated 2/4/2019, last revised 3/5/2019
- SD-101 Site Layout Plan, dated 2/4/2019, last revised 3/5/2019
- SD-102 Landscaping Plan, dated 2/4/2019, last revised 3/5/2019
- SD-103 Site Lighting Plan, dated 2/4/2019, last revised 3/5/2019
- SD-104 Grading and Utilities, dated 2/4/2019, last revised 3/5/2019
- SD-105 Erosion and Sediment Control Plan, dated 2/4/2019, last revised 3/5/2019
- SD-106 Foundation & Slope Stabilization Plan & Details, dated 2/4/2019, last revised 3/5/2019

SD-301	Building Sections & Fire Access Plan, dated 2/4/2019, last revised 3/5/2019
SD-401	Floor Plans, dated 2/4/2019, last revised 3/5/2019
SD-402	Floor Plans, dated 2/4/2019, last revised 3/5/2019
SD-403	Elevations, dated 2/4/2019, last revised 3/5/2019
SD-407	Notes, dated 2/4/2019, last revised 3/5/2019
SD-408	Steep Slopes Map, dated 2/4/2019, last revised 3/5/2019
SD-501	Site Details, dated 2/4/2019, last revised 3/5/2019
SD-502	Site Details, dated 2/4/2019, last revised 3/5/2019
SD-503	Site Details, dated 2/4/2019, last revised 3/5/2019
SD-504	Site Details, dated 2/4/2019, last revised 3/5/2019
SD-505	MUTCD Details, dated 2/4/2019, last revised 3/5/2019
SK-	Parking Signage, dated 9/11/2019
20190911-01	
Provident Des	ign Engineering, PLLC
DWG-01	Vehicle Turning Analysis, dated 9/12/2019
Link Land Sur	veyors P.C.
SV-001	Topographic Survey, dated 9/11/2018

WHEREAS, the Village referred the Application to the Westchester County Planning Board as required under the provisions of Sections 239-I, m, and n of New York General Municipal Law and Section 277.61 of the County Administrative Code; and

WHEREAS, the Project (also referred to as the "Proposed Action") is designated as an Unlisted Action under Part 617 of the regulations implementing the State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law; and

**WHEREAS**, the Application requires variances for an 0.4 increase in Floor Area Ratio ("FAR"), 188 sq. ft. of Lot Area Per Dwelling Unit, twenty-eight feet and nine inches (28'-9") in building height, four (4) additional stories, and a rear-yard setback of twenty (20) feet; and

WHEREAS, application for such variances was made to the Zoning Board of Appeals ("ZBA"); and

WHEREAS, on March 22, 2019, the Westchester County Planning Board provided comments stating the Project is generally consistent with the County's *Westchester 2025* plan, but commented on the lack of affordable housing, long-term sewer impacts, the adjacent bus stop, recycling, green building technology, and bicycle parking; and

WHEREAS, on May 2, 2019, the Applicant appeared before the Architectural Board of Review ("ABR") for approval of the façade design and architectural features; and

WHEREAS, on May 2, 2019, the ABR approved the façade design and architectural features of the Application; and

WHEREAS, at the May 16, 2019 ZBA hearing, the ZBA approved variances for FAR, Lot Area Per Dwelling Unit, building height, stories, and rear-yard setback; and

**WHEREAS**, the Applicant's traffic engineer, Provident Design Engineering, submitted a Traffic Impact Study originally dated January 31, 2019, revised on March 5, 2019, which was reviewed and commented on by AKRF, the Village's traffic consultant; and

WHEREAS, the Applicant's traffic engineer, Provident Design Engineering, submitted a separate technical memorandum Parking Generation and Operations dated July 18, 2019, which was commented on by AKRF; and

**WHEREAS**, the Village Engineer issued several comment memoranda in response to each of the Applicant's submissions; and

**WHEREAS**, on September 30, 2019 and October 28, 2019 the Planning Commission held a public hearing on the matter, as required by Village Law concerning the Application, and all persons wishing to speak on the application at the public hearing and at meetings of the Planning Commission held subsequent to said hearing were given an opportunity to be heard; and

WHEREAS, on October 28, 2019, the Planning Commission determined that the Proposed Action will not have a significant adverse impact on the environment,

WHEREAS, on October 28, 2019, the Port Chester Planning Commission granted Special Exception Use approval for the Project; and

**WHEREAS**, the Planning Commission has reviewed the Application against the review criteria listed below, as promulgated in § 345-23D(2) of the Village of Port Chester Zoning Code:

- (a) The proposed development should conform to the Zoning Code, the Master Plan, the Urban Renewal Plan and Coastal Zone Management Plan, if applicable.
- (b) The development should be harmonious with the surrounding neighborhood, functional and aesthetically pleasing. The components of the site should complement each other.
- (c) The plan should provide for safe and convenient vehicular and pedestrian traffic circulation both within and without the site, should not negatively impact the traffic conditions of the surrounding roadway system, and should organize vehicular and pedestrian ingress and egress in a well-defined system in order to avoid conflicts.
- (d) The proposed development should provide for adequate off-street parking and loading for the uses proposed.
- (e) The proposed development should provide adequate facilities for the physically handicapped such as ramps, depressed curbs and reserved parking spaces.
- (f) The proposed development should attempt to preserve the natural features of the site, such as wetlands, unique wildlife habitats, historic structures, major trees and scenic views both from and into the site.
- (g) Adequate storm- and surface water drainage facilities which will properly drain the site while minimizing downstream flooding shall be provided for.
- (h) All utility systems, including electric, telephone, cable television, etc., should be placed underground (where possible).

- (i) All connections to collector and regional sewage systems must be designed in accordance with local and Westchester County Treatment Standards.
- (j) Landscape techniques, such as the use of various plantings, water features, earth berms, textures in paving materials and other site amenities, should be used to improve the appearance of the site, and in defining pedestrian areas, provide screening from surrounding uses and ensure harmony with adjacent areas. All accessways, streets and parking areas should be adequately lighted.
- (k) The proposed development should reflect adequate fire safety measures; and

WHEREAS, the Planning Commission has considered the site plan, all other materials submitted by the Applicant in support of this proposal, the comments of Village staff and consultants made via memoranda to the Planning Commission (which memoranda are incorporated herein by reference), the verbal commentary made during the entire course of the Planning Commission's meetings pertaining to the review for site plan approval, the Zoning Board of Appeals' determination, and the comments of the public; and

**WHEREAS**, the requirements for Site Plan approval contained in §345-23 of the Village of Port Chester Zoning Ordinance have been met by said Application.

# NOW, THEREFORE, be it

**RESOLVED**, that the Application for Site Plan approval submitted by Cuddy & Feder on behalf of 108 Gateway Development LLC, as depicted on the plans identified above, is hereby granted site plan approval subject to the following conditions:

- 1. The Applicant shall pay to the Village of Port Chester any outstanding professional review escrow fees in accordance with Article XIX, Reimbursement of Professional Fees, of the Village of Port Chester Zoning Ordinance.
- 2. The Applicant shall furnish the Planning Commission with four (4) print sets of the Site Plan as described above for the endorsement by the Planning Commission Chairman and Director of Planning & Economic Development, subject to the satisfaction of all approval conditions, which shall then be recorded as the approved Site Plan.
- 3. The Applicant shall obtain all other applicable permits and approvals and shall pay all other fees as a part of the execution of the Site Plan.
- 4. There shall be no blasting at the Site.
- 5. The Applicant shall submit a drawing for review and acceptance by the Village Engineer showing the details of the proposed connection to the Municipal Sewer Main.
- 6. An available lot nearby and under the control of the Applicant shall be utilized as a staging area during construction for temporary storage, staging of construction material and for parking of construction workers. A more detailed plan for maintenance and protection of traffic, which shall include address further and facilitate safety for pedestrians, construction

workers, and motorists, shall be submitted to the Building Department concurrently with a Building Permit application by the Applicant and shall be subject to review and sign-off by the Village of Port Chester Village Manager or his/her designee.

- 7. The Applicant shall relocate existing overhead utility wires underground along the Boston Post Road frontage.
- 8. The Applicant shall coordinate with the Westchester County Department of Public Works and Transportation to relocate, replace, and/or enhance the existing County bus shelter at the frontage of the Site.
- 9. The details of the proposed 'Bicycle Room' shown on Plan Set SD-401 shall be finalized and implemented to the satisfaction of the Village Department of Planning & Economic Development. Such details may also include the relocation of proposed bicycle facilities to the exterior of the building.
- 10. The Applicant shall utilize the *Village of Port Chester Green Infrastructure Manual* in finalizing the details of the dedicated 3,488 square foot. roof area shown on Sheet SD-402 as proposed for establishment and maintenance of a Green Roof, in consultation with Village staff.
- 11. The Applicant shall complete a post-implementation Parking Analysis once the Project is completed and is at or beyond 50% occupancy. The study will compare the actual project trip generation to the amount estimated in the Traffic Impact Study dated January 31, 2019, revised on March 5, 2019. Additional analysis may be required if the actual trip generation exceeds the Traffic Impact Study projections. The parameters of the post-implementation Parking Analysis is as follows:

### Data Collection - to be conducted at >50% occupancy

1. Turning movement counts at site driveways - during the AM and PM peak hours identified in the study

2. Pedestrian counts (directional) at the site entrances/exits - during the AM and PM peak hours identified in the study

3. Parking utilization counts for resident parking spaces - overnight (note - instead of field data, this can be based on resident parking permits)

## **Study Parameters**

1. Project data collection items 1, 2, and 3 to 100% occupancy

2. Conduct an initial analysis to compare projected driveway counts and pedestrian counts to the TIS trip generation

3. Contingent on the projected driveway and pedestrian count comparison results, additional data collection, analysis, and mitigation may be necessary at the TIS study intersections. Instead of establishing a threshold for additional analysis, this will be discussed upon completion of the initial analysis.

### Deliverables

1. Memo and counts to be submitted to Port Chester Planning Commission

**RESOLVED**, that this Site Plan approval shall have an effective date of October 28, 2019 and an expiration date of October 28, 2020; and be it finally

**RESOLVED**, that this Site Plan approval, including all conditions imposed, authorizes the Applicant to undertake only the activities specifically set forth herein, in accordance with this resolution of approval and as delineated on the Site Plan as endorsed by the Planning Commission Chairman and Director of Planning & Economic Development. Any material change in use, alteration, or modification to the Site Plan or to the existing or approved facilities and site shall require review and may be subject to an enforcement action by the Village, which may result in termination and revocation of this resolution or approval. Any such change would then require a new review and approval by the Planning Commission of the Village of Port Chester.

On a motion of Commissioner SciAROLA , Seconded by Commissioner SciMMA , this resolution was approved by the following vote:

AYES: NAYES: ABSTAINED: ABSENT:

Anthony Baxter, Chairman

### ASSIGNMENT OF APPROVALS

**THIS ASSIGNMENT OF APPROVALS** (this "Assignment") is entered into as of the 31st day of August, 2021 ("Effective Date"), from 108 GATEWAY DEVELOPMENT LLC, having an address at c/o DeLaurentis Management Corp., 384 Mamaroneck Avenue, White Plains, New York 10601 ("Assignor") to 108 GATEWAY, LLC, having an address at 92 North Avenue, Suite 204, New Rochelle, New York 10801 ("Assignee").

## **Background**

This Assignment is being executed and delivered pursuant to that certain Contract of Sale Agreement, dated as of August 31, 2021, by and between Assignor, as seller, and Ralph E. Rossi and Andre Manuel Fernandes and/or Assignee, as purchaser (the "Agreement"). All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Agreement.

## Assignment and Assumption

In consideration of Ten (\$10.00) Dollars in hand paid by Assignee, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, transfer and set over unto Assignee, WITHOUT REPRESENTATION OR RECOURSE WHATSOEVER TO ASSIGNOR, all of Assignor's right, title and interest in and to (i) to the extent assignable, any governmental permits and approvals (the "Approvals") related to the land (the "Land") being conveyed by Assignor to Assignee by deed, dated the date hereof, and (ii) to the extent assignable, all plans and specifications, surveys, soils reports, and all other rights, privileges or entitlements related to the Land.

TO HAVE AND TO HOLD, the same unto Assignee, its successors and assigns, from and after the Effective Date, subject to the terms, covenants, conditions and provisions contained in the Permits and Approvals.

1. Assignee does hereby accept the foregoing assignment subject to the terms and conditions herein and in the Approvals, and does hereby assume, as of the date hereof, and become responsible for and agree to perform, discharge, fulfill and observe all of the obligations, terms, covenants, provisions and conditions under the Approvals arising from and after the Closing Date, and Assignee agrees to be liable, from and after the Closing Date, for the observance and performance thereof with the same force and effect as though Assignee were the original party to the Approvals.

2. This Assignment shall inure to the benefit of and be binding upon the parties hereto and, to the extent applicable, their respective legal or personal representatives, heirs, executors, administrators, successors, and assigns. No third party shall have the benefit of any of the provisions of this Assignment nor is this Assignment made with the intent that any person or entity other than Assignor or Assignee rely hereon. If Assignor or Assignee resorts to a court of law or equity in order to enforce the provisions of this Assignment as against the other, the non-prevailing party shall pay the reasonable attorneys' fees and expenses of the prevailing party.

3. In the event that any provision of this Assignment is deemed to be invalid

or unenforceable for any reason, this Assignment shall be construed as not containing such provision, and the invalidity or unenforceability thereof shall not render any other provision of this Assignment invalid or unenforceable.

4. No modification, waiver, amendment, discharge or change of this Assignment shall be valid unless the same is in writing and signed by the party against which the enforcement of such modification, waiver, amendment, discharge or change is or may be sought.

5. This Assignment shall be construed, interpreted and enforced according to the laws of the State of New York.

6. This Assignment may be executed in any number of counterparts, each of which so executed shall be deemed original; such counterparts shall together constitute but one agreement. The electronic email or facsimile transmittal of a copy hereof bearing any person's signature shall have the same force and effect as the physical delivery to the same recipient of a copy hereof bearing such person's original signature.

[Signature Page Follows]

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment the day and year first above written.

Assignor:

# **108 GATEWAY DEVELOPMENT LLC**

C By:_

Edmond DeLaurentis, Jr. Managing Member

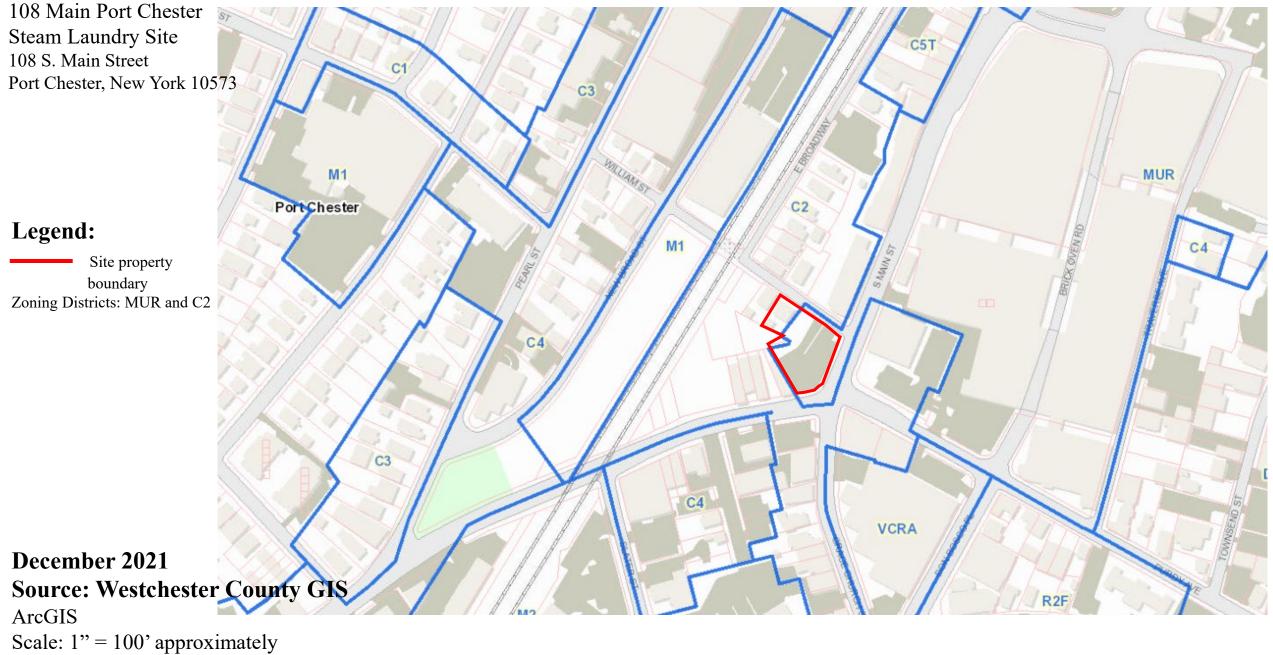
Assignee:

**108 GATEWAY, LLC** 

By:

Ralph Rossi Managing Member

# **ZONING MAP**



# Zoning District: MUR (Marina Urban Redevelopment)

Area covered. An Urban Renewal Plan for the Village Center Urban Renewal Plan Area was adopted by the Board of Trustees of the Village of Port Chester, New York, on November 1, 1977. An Urban Renewal Plan for the Marina Redevelopment Urban Renewal Plan Area was adopted by the Board of Trustees of the Village of Port Chester, New York, on June 23, 1982. Each of these Urban Renewal Plans has been amended from time to time, the most recent of such amendments having been approved by the Village Board of Trustees on July 14, 1999, on the recommendation of the Planning Commission. The Urban Renewal Plans, as so amended, are sometimes collectively referred to below as the "Urban Renewal Plans." The Urban Renewal Plan Amendment adopted on July 14, 1999, delineates an area referred to in such amendment as the "Modified Marina Redevelopment Project," consisting of contiguous portions of the Village Center Urban Renewal Plan Area and the Marina Redevelopment Urban Renewal Plan Area. The boundaries of the Modified Marina Redevelopment Project correspond to the boundaries of the zoning district designated on the Zoning Map as the "MUR Marina Redevelopment Project Urban Renewal District."

Zoning objectives. The objectives of the MUR Marina Redevelopment Project Urban Renewal District are to provide for comprehensive planning of redevelopment within the MUR Marina Redevelopment Project Urban Renewal District and to encourage and permit the development of uses which will result in or accomplish the following:

- a. Eliminate substandard, blighted, deteriorated and deteriorating conditions within the MUR Marina Redevelopment Project Urban Renewal District.
- b. Attract new businesses, create employment opportunities, generate additional tax revenues and further private investment.
- c. Develop new commercial uses, including but not limited to retail, wholesale membership warehouse club, multiscreen cinema theater and supermarket uses, within and in the vicinity of the MUR Marina Redevelopment Project Urban Renewal District.
- d. Preserve and enhance property values within and in the vicinity of the MUR Marina Redevelopment Project Urban Renewal District and provide for protection of neighboring areas from any adverse impacts of redevelopment within such district
- e. Provide parking facilities necessary to serve new uses either through the creation of new facilities, the reconfiguration or upgrading of existing facilities or the sharing of facilities.
- f. Enhance public access to the waterfront and retain public boating opportunities along the Byram River
- g. Upgrade and provide all utilities necessary to support redevelopment.
- h. Improve vehicular access in the area through the realignment and reconstruction of certain streets so that both cars and pedestrians can travel safely.

# Zoning District: C2 (Central Business aka Main Street Business)

Type of Use	C2 Main Street Business §345-48
Residential Uses	3040 40
1 Family Dwelling	X
2 Family Dwelling	x
Multifamily Dwelling	SE
Multifamily Dwelling (floors above first floor)	SE
Residential Community Facilities	
Church or other Place of Worship, Parish House, Rectory,	
Sunday School, Convent, Seminary	SE
General Community Facilities	
Assembly Hall	SE
Convalescent home or nursing home	×
Hospital	SE
Medical and dental offices, not including operating room or	65
community X-ray or therapy room	SE
Membership club, fraternal organization or similar social	Р
institution not operated for a profit	P
Nursery school, day camp or day care center	SE
Public utility facility	SE
School, elementary or high, public, private, or parochial,	
having a curriculum equivalent to that ordinarily given in	SE
public schools.	
Medical and dental offices including X-ray and therapy room	SE
Business Uses	
Automobile repair garage	X
Bank, excluding drive-in	P
Bar or Tavern	P
Bowling Alley	SE
Cabaret	P
Catering and Events Establishment	P
Commercial Indoor Athletic Training Facility	SE
Drive-in establishments other than restaurant, or circus,	x
carnival, or other outdoor amusements	^
Drive-in and fast-food restaurant	x
Food processing shop	х
Funeral Home	SE
Gasoline Station	x
Health Club, including racquetball facilities and indoor swimming pools	Ρ
Heating, air conditioning, plumbing, electrical, and similar construction businesses, excluding open storage of materials	x

Protection         P           Hotel, Motel (floors above first floor)         P           Hotel, Motel (floors above first floor)         P           Marina or yacht club         X           Theater         P           Motor Vehicle Sales lot, motor vehicle salesroom and accessory         X           Office, Office Building         SE           Office, Office Building (floors above first floor)         P           Off-street parking lot or garage for motor vehicles, but not includin torage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.         P           Pawnshops         X         Radio or television station studio, excluding transmission tower         Rel           Radio or television station studio excluding transmission tower         P         P           Shooting ranges with accessory sales of guns and equipment         X           Table-service restaurant, no drive-in, open front, fast food, or curb service types         P           Tax Preparation Office         P         P           Rodio store personal service shop, services clearly incidental to retail sales on the premises or to personal services type         X           Industrial uses         Cold storage plant, ice plant, bottling central distribution station, light or power plant, or garbage or sewage disposal facility         X           Nonnuisance industry, provided	Type of Use	C2 Main Street Business §345-48	
Hotel, Motel (floors above first floor)     P       Hotel, limited service     P       Marina or yacht club     X       Theater     P       Motor Vehicle Sales lot, motor vehicle salesroom and accessory repair shop     SE       Office, Office Building     SE       Office, Office Building (floors above first floor)     P       Off-street parking lot or garage for motor vehicles, but not includin torage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.     P       Pawnshops     X       Radio or television station studio, excluding transmission tower (floors above first floor)     SE       Shooting ranges with accessory sales of guns and equipment     X       Table-service restaurant, no drive-in, open front, fast food, or curb retrail sales on the premises or to personal services     P       Veterinary hospital or board and care of small animals     SE       Molestale business, storage building or warehouse     X       Industrial uses     Cold storage plant, ice plant, botting central distribution station, ight or power plant, or garbage or sewage disposal facility     X       Creamery, ice cream plant     X     X       Nonnulsance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than S horsepower     X       Open storage of equipment or materials     X     X       Printing plant     X     X </th <th>-</th> <th></th> <th>F</th>	-		F
Hotel, limited service     P       Marina or yacht club     X       Theater     P       Motor Vehicle Sales lot, motor vehicle salesroom and accessory     P       Motor Vehicle Sales lot, motor vehicles salesroom and accessory     X       Diffice, Office Building     SE       Office, Office Building (floors above first floor)     P       Off-street parking lot or garage for motor vehicles, but not includin storage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.     P       Pawnshops     X       Radio or television station studio, excluding transmission tower     SE       Shooting ranges with accessory sales of guns and equipment stable-service restaurant, no drive-in, open front, fast food, or curb service types     P       Tax Preparation Office     P       Retail store or personal services shop, services clearly incidental to retail sales on the premises or to personal services     X       Odd storage plant, ice plant, bottling central distribution station, light or power plant, or garbage or sewage disposal facility     X       Creamery, ice cream plant     X     X       Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower     X       Open storage of equipment or materials     X     X       Printing plant     X     X       Nonnuisance industry, provided that is shall not be obnoxious by			F.
Marina or yacht club     X       Theater     P       Motor Vehicle Sales lot, motor vehicle salesroom and accessory     X       Office, Office Building     SE       Office, Office Building (floors above first floor)     P       Off-street parking lot or garage for motor vehicles, but not includin torage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.     P       Pawnshops     X       Radio or television station studio, excluding transmission tower (floors above first floor)     P       Shooting ranges with accessory sales of guns and equipment rable-service restaurant, no drive-in, open front, fast food, or curb service types     P       Tar Preparation Office     P       Retail store or personal services shop, services clearly incidental to retail alors on the premises or to personal services     X       Veterinary hospital or board and care of small animals     SE       Wholesale business, storage building or warehouse     X       Off storage plant, ce plant, bottling central distribution station, ight or power plant, or garbage or sewage disposal facility     X       Creamery, ice cream plant or bakery plant     X       Research laboratory, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower     X       Open storage of equipment or materials     X       CD Accessory Uses     X       CD Accessory ustructure or use, including cultural,			F.
Theater     P       Motor Vehicle Sales lot, motor vehicle salesroom and accessory     X       Office, Office Building     SE       Office, Office Building (floors above first floor)     P       Off-street parking lot or garage for motor vehicles, but not includin storage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.     P       Pawnshops     X       Radio or television station studio, excluding transmission tower     SE       Radio or television station studio excluding transmission tower     P       Sbooting ranges with accessory sales of guns and equipment     X       rable-service restaurant, no drive-in, open front, fast food, or curb service types.     P       rax Preparation Office     P       Retail store opersonal service shop, services clearly incidental to retail sales on the premises or to personal services.     P       Motorial uses     X       Industrial uses     X       Industrial uses     X       Open storage plant, ice plant, bottling central distribution station, ight or power plant, or garbage or sewage disposal facility     X       Creamery, ice cream plant or bakery plant     X       Laundry or dry-cleaning plant     X       Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower     X       Open storage of equipment or materials     X			r.
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9 345-14 P	Ground-floor office as accessory use to multifamily development	SE	Ī
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	Sign, in accordance with § 345-15	P	Ľ

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Type of Use	C2 Main Street Business § 345-48
Maximum Floor Area Ratio (See definition, § 345-2)	3.2 ¹
Maximum Floor Area Ratio For 1 Story	NR
Minimum Size of Lot:	
Area, nonresidential (square feet)	NR
Area per dwelling unit (square feet)	750 ²
Width (feet) (e)	40
Depth (feet)	NR
Minimum Yard Dimensions:	
Front (feet)	NR
Side	
One (feet)	NR(a)
Total of 2 on interior lot (feet)	NR(a)
Rear (feet)	20
Maximum Height of Building:	
In stories	5
In feet	60
Minimum Usable Open Space on Lot:	
For each dwelling unit (square feet)	50 ⁸

Notes:

P = permitted use

SE = special exception use

X = prohibited use

# **Exhibit I**

# **FLOOD MAP**

108 Main Port Chester Steam Laundry Site 108 S. Main Street Port Chester, New York 10573



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

December 2021 **Source: FEMA Flood Map** Scale: 1" = 100" approximately

# NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It oces not necessarily identity all areas subject to flooding, periodiarly from loce oranage sources of small size. The community map repository should be consulted for possible updated in additional flood hezard information.

Contains to parameter social and a social order record facilitati intermetion. The softem increm defined information is made where Bases Priedd Ellivertons the Flood Floride and Softem Softem and Softem Softem Softem Softem Softem and a contrained with the Flood Instances (Softem) (Softem) and the accompanies and a contrained with the Flood Instances (Softem) (Softem) and the accompanies and a contrained with the Flood Instances (Softem) (Softe

Coastal Base Flood Elevations show on this map apply only backward of 0.07 lioth Arconcer Venice Deturn of 1989 INAVD 89, Ucors of this FIRM enough be avare that coastal flood elevators are also provided in the Summary of Stillwards Elevators table in the Hood Inu-smoo Shady report to this pradictor. Elevators shown in the Summary of Stillward: Devations tables report to be used for Elevators shown in the Summary of Stillward: Devations tables report to be used for the other states and the state of th nd/or flootplain management pur; shown on this FIRM.

Bordrains of the floodways were compired at ones sections and interpole between cross sections. The floodways were ossed on hydraulic considers with regard to requirements of the National Flood Insurance Program. Flood widths and other pertinent floodway data are provided in the Flood Insura

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Hele' to Section 2.4 "Hood Protection Measures" of the Flood Insurance Store recent for information on flood control structures for this iurisdiction

The projection used in the propriation of this map was Johnersd Transverse Mercard (Life) cone 15. The hort/contail defaum was NAU 23. (MSU optimics) FAMs for adjoint junctions may result in sign contained informations in map features across undiction boundaries. These differences to not affect the socuracy of the FAM

Plood a evaluors on this map are referenced to the Noth American Vertical Datum of 1988. These flood elexabors must be compared to silucture and ground elevations referenced to the same evaluated adtum. The information register conversion between the National Geodetic Vertical Datum of 1909 and the Not. A American Vertical Datum of the Ry, which the National Geodetic Survey all the fibbility addresses:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3. #9202
1315 East Vees: Highzay
Silver Spring, Maryland 20910 3282
(301) 713-3242

potern current elevation, description, and/or location information for bend marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey of (301) 713-3242, or visit its website of http://www.nos.noaa.gov.

Base map nformation shown on this FIRM was derived from digital orthopholography provided by the New York State Office of Cyber Security & Critical Infraelucture Coordination, This information was produced as 20 resolution ratural octor of baimagery from photography dated April 200-

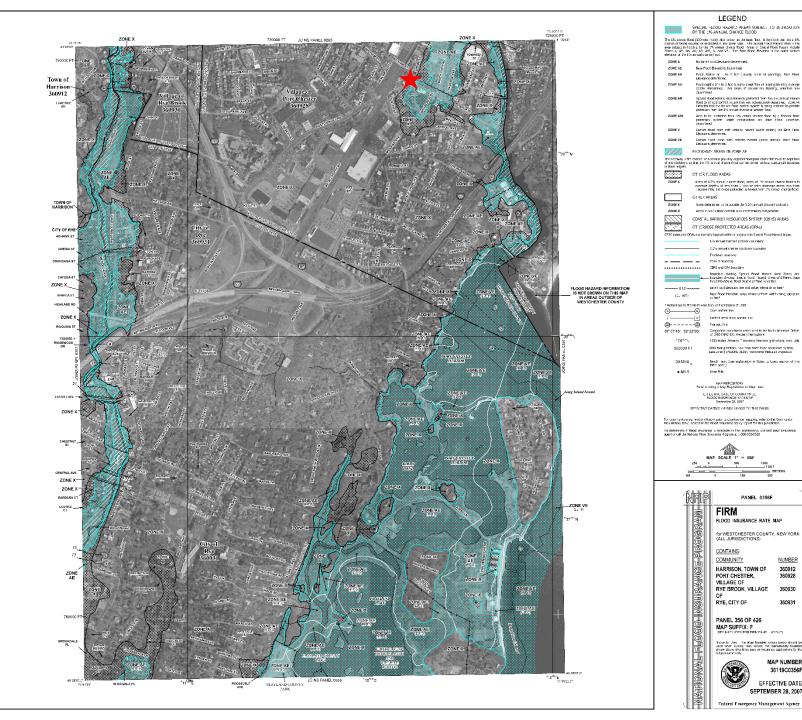
Reserving undeted topographic information, this map reflects more detailed an s and floodpisin o up-to-date storeem channel configurations and floodplain delineations that hose shown on the provides FRM for this updisicilian. As a result, the Flood Prafiles and Flandway Duda tables in the Flood Insureme Study Repair (which contais a stindnize/br change data) may reflect stream channel data toos the differ from what is shown on this may. Also the coat is floodplain relationships for unevented there also a flood the matter at shows on provide matter also shows for

Comporate limits shown on this map are based on the best data available at th fore of publication. Recause changes due to unreactions to do amendo an ma have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please rater to the separately printed **Map** index for an overview map of the county showing the layout of map paretis, community map recessions accreases, and a using of communities table containing hubiting from the content of tables for each community as well as a using of the pands on which each more market is evaluated.

Contact free FENA Map Service Center at 1.800.359.9016 for information on available products associated with the TRML Available products may include proviously secure Letters of Mac Chango a Theor Evance of Service 1.800 for the range The F2VA Map Service Center may also be reached by Fava 41–300.300.2002 and its weekeel and filter/map free free tends of the range the favore of the range the favore for the range the favore for the range to the service of the range the favore for the range to the service of the range the favore for the range to the range of the range to the range to the range of the range to the range of the range of

If you have questions about this map or questions concerning the National Floco Insurance Program in general please cal **1-877-FEMA MAP** (1-077-336-2627) or viol the FEMA worked at http://www.foma.gov.



NUMBER

360912

360928

360931

MAP NUMBER

36119C0356F

EFFECTIVE DATE

360930

# **Exhibit J**

# Site Contact List

108 Main Port Chester Steam Laundary Site 108 South Main Street, Port Chester, New York 10573 Title Address Name Citv State Zip Charles Schumer U.S. Senator 780 Third Avenue, Suite 2031 New York NY 10017 Kirsten Gillibrand 780 Third Avenue, Suite 2601 10017 U.S. Senator New York NY NYS Sentate, NYS Sentate District 37 222 Grace Church Street, Suite 300 NY 10573 Shellev B. Maver Port Chester Mondaire Jones U.S. House of Representative, District 17 222 Mamaroneck Avenue, Suite 312 White Plains NY 10605 George Latimer Westchester County Executive 148 Martine Avenue White Plains NY 10601 148 Martine Avenue Richard Hyman Westchester County Planning Board, Chair White Plains NY 10601 222 Grace Church Street Norm Rosenblum Town of Rye, Mayor Port Chester NY 10573 222 Grace Church Street NY 10573 Gary Zuckerman Supervisor for the Town of Rye Port Chester Luis A. Marino Village of Port Chester, Mayor 222 Grace Church Street NY 10573 Port Chester Michael Scarola Village of Port Chester Planning Commission, Chair 222 Grace Church Street, Suite 202 Port Chester NY 10573 The Journal News Media Outlet White Plains NY 10604 1133 Westchester Avenue, Suite N110 United Water Westchester Rate 2 District Town of Rye Public Water Supplier 148 Martine Avenue White Plains NY 10601 Robin Lettieri Port Chester - Rye Brook Public Library - Document Repository 1 Haseco Avenue Port Chester NY 10573 John F. Kennedy Elementary Schoool, Principal 40 Olivia Street Judv Diaz Port Chester NY 10573 Deirdre McDermott Corpus Chrisit-Holy Rosary School, Principal 135 S Regent Street NY 10573 Port Chester Blanca Arismendi Lady Bug Family Daycare 95 Grace Church Street Port Chester NY 10573 Gonzalo M. Arismendi Lady Bug Family Preschool 141 William Street Port Chester NY 10573 Maria Caballero Sunny Side Daycare Center Port Chester NY 10573 27 Smith Street Rosa Delgado Rossy's little Angels Family Day Care 43 Soundview Street Port Chester NY 10573 Tetvana Palmisano Tots Place 8 Bent Avenue Port Chester NY 10573 Zoila M. Bravo Garzon Happy Corner Day Care Center Inc NY 80 S Regent Street Port Chester 10573 Carolvn Kellv Port Chester Children's Place NY 400 Westchester Avenue Port Chester 10573 Segundo Lara Adjacent Property Owner of 65 E Broadway Port Chester NY 10573 65 E Broadwav Elkin Salazar Adjacent Property Owner of 113-115 William Street 113-115 William Street Port Chester NY 10573 South Port Mew Preservation LP Adjacent Property Owner of 50 S Main Street 80 State Street NY 12207 Albany Adjacent Property Owner of 55 S Main Street Port Chester Gateway LLC 384 Mamaroneck Avenue White Plains NY 10605 Adjacent Property Owner and operator of 5 and 1-2 Grace Church Street Open Door Family Medical Ctr 5 Grace Church Street Port Chester NY 10573 Iglesia Pentecostal El Olivar Adjacent Property Owner of 118 and 118 1/2 South Main Street 118 South Main St Port Chester NY 10573 BW 138 South Main LLC Adjacent Property Owner of 118 William Street and 194 1/2 s Main St Rego Park NY 11374 97-77 Queens Boulevard, Suite 620 Maria Herrera and Cayetana Herrera Adjacent Property Owner of 116 William Street NY 116 William Street Port Chester 10573 Related Management Inc Adjacent Property Operator of 50 S Main Street 50 S Main Street Port Chester NY 10573 Unlimited 1 Adjustments, LLC Adjacent Property Operator of 55 S Main Street 1 Gateway Plaza, #2a Port Chester NY 10573 Adjacent Property Operator of 55 S Main Street Robison Oil 1 Gateway Plaza, 4th Floor Port Chester NY 10573 Anitha Xavier, FNP 10573 Adjacent Property Operator of 5 Grace Church Street 5 Grace Church Street Port Chester NY

# **Exhibit K**



LINDA R. SHAW ATTORNEY AT LAW

1400 Crossroads Building 2 State Street Rochester, New York 14614 nyenvlaw.com

December 13, 2021

T 585.546.8430 C 585.414.31222 Ishaw@nyenvlaw.com

### VIA ELECTRONIC MAIL

Robin Lettieri, Director Port Chester – Rye Brook Public Library 1 Haseco Avenue Port Chester, New York 10573

> RE: Brownfield Cleanup Program Application Applicant: 108 Gateway, LLC Site Name: 108 Main Port Chester Steam Laundry Site Site Address: 108 South Main Street Port Chester, New York 10573

Dear Ms. Lettieri:

We represent 108 Gateway, LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 108 South Main Street, Port Chester, 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 as an attachment to an email 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 Port Chester – Rye Brook Public Library is willing and able to act as a public repository for documents related to the abovementioned cleanup under the NYS Brownfield Cleanup Program.

Robin Lettieri, Director

12/13/2

Date