



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan

for

Proposed 227 Westchester Avenue Development

March 2025

BCP Site #C360253
223-225, 227 Westchester Avenue & 204, 206-208, 214-220 Irving Avenue
Port Chester
Westchester County, New York

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site's investigation and cleanup process.

Applicant: **Yorkland Partners, LLC, 227 Westchester LLC and 204 Irving Two LLC (“Applicants”)**

Site Name: **Proposed 227 Westchester Avenue Development (“Site”)**

Site Address: **223-225, 227 Westchester Avenue & 204, 206-208, and 214-220 Irving Avenue**

Site County: **Westchester County**

Site Number: **C360253**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at:

<http://www.dec.ny.gov/chemical/8450.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities

for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment;
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process;
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process;
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community; and
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some

documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;
- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility; and
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being

or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html> .

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page.

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list. • Establish document repository(ies). 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period. • Publish above ENB content in local newspaper. • Mail above ENB content to site contact list. • Conduct 30-day public comment period. 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan. 	Before start of Remedial Investigation. Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan. • Conduct 30-day public comment period. 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results. 	Before NYSDEC approves RI Report.
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period. • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager). • Conduct 45-day public comment period. 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action. 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report. • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC). 	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

Based on the analytical results of the Limited Phase II Environmental Site Investigation (ESI) conducted in February 2024, the primary contaminants of concern for the Site include heavy metals and petroleum-related hydrocarbons in soil; petroleum-related hydrocarbons in groundwater; and chlorinated solvents and petroleum-related contaminants in soil vapor. Additional investigation would be necessary to determine if an on-site/off-site source of contamination exists.

The planned project will consist of demolition of existing structures and development of a new twelve-story mixed commercial/residential use building that will encompass the entire Site. At grade and subgrade parking will also be included within the development. The new development is anticipated to extend to approximately 25 feet below sidewalk grade (ft bgs). During future ground intrusive activities, the community will be protected from contaminant migration using air monitoring protocols as detailed in the Remedial Action Work Plan to be approved by NYSDEC. Additional details provided in Section 4.

The Site is in an Environmental Justice Area (Census Block Group #361190080003). Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and politics. Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities.

Future fact sheets will be translated into Spanish and/or other languages as necessary.

For additional information, visit: <https://statisticalatlas.com/school-district/New-York/Port-Chester-Rye-Union-Free-School-District/Race-and-Ethnicity> .

4. Site Information

Appendix C contains a map identifying the location of the site.

Site Description

The Site is located at 223-225 and 227 Westchester Avenue, and 204, 206-208, and 214-220 Irving Avenue, Port Chester, NY 10573, in Westchester County. The Site is approximately 38,768 square-feet (sf) or 0.89 acres and is identified as Section 142.22 Block 1, Lots 24, 25, 30, 31, 32, and 33 on the Rye tax map.

The Site is currently composed of six lots, four of which are developed and two undeveloped. Site features include a one-story commercial building occupied by a restaurant and a three-story residential building with a partial basement and an adjoining paved alleyway (Lot 24); a three- to four-story mixed-use building with a full basement and rear yard occupied by office/retail spaces on the upper floors and a restaurant and tap room on the first floor (Lot 25); a one-story commercial building occupied by offices and a woodshop/warehouse (Lot 30); and a three-story mixed-use building occupied by an auto parts retail shop and auto-maintenance garage on the first floor and residential spaces on upper floors (Lot 31).

The table below identifies each Parcel Address and its associated Section, Block, Lot, and Acreage.

Parcel Address	Section	Block	Lot	Acreage
227 Westchester Avenue	142.22	1	24	0.16
223-225 Westchester Avenue	142.22	1	25	0.243
204 Irving Avenue	142.22	1	30	0.11
206-208 Irving Avenue	142.22	1	31	0.11
214 Irving Avenue	142.22	1	32	0.21
220 Irving Avenue	142.22	1	33	0.06

The Site is located between Westchester Avenue and Irving Avenue within a mixed-use area near downtown Port Chester characterized by commercial, residential, and office buildings. Properties next to the Site include the following:

Direction	Adjoining Property	Surrounding Properties
North	Irving Avenue	Mixed-use residential and commercial buildings
South	Westchester Avenue	Mixed-use residential and commercial buildings
East	Mixed-use residential and commercial buildings	Mixed-use residential and commercial buildings and a fire station
West	Parking lot and mixed use commercial buildings	Mixed-use residential and commercial buildings

History of Site Use, Investigation, and Cleanup

227 Westchester Avenue

Based on the Phase I Environmental Site Assessment (ESA) performed by Haley & Aldrich of NY Geology and Engineering LLP for the Proposed 227 Westchester Avenue Development (Lot 24 on the Rye tax map) in March 2024 and readily available resources, 227 Westchester Avenue was developed as early as 1890 and utilized for residential purposes. By 1950, the lot contained a dwelling, garage, and three storefronts. Historic commercial uses at 227 Westchester Avenue include a laundromat and dry cleaners (early 1970's to early 1990's) and restaurant (2000 to present).

223-225 Westchester Avenue

223-225 Westchester Avenue (Lot 25 on the Rye tax map) was developed as early as 1890 and utilized as a church until 1934 when the property was developed into a commercial building, utilized as a bowling alley, storefronts, and office space. Historic commercial uses at 227 Westchester Avenue include a bowling alley (1934 to 1950), dry cleaners (1962 to 1977), dance hall (1990 to 200), cleaners (early 1970's to early 1990's) and restaurant (2000 to present).

204 Irving Avenue

204 Irving Avenue (Lot 30 on the Rye tax map) was undeveloped until 1934 when it was developed to a garage with a reported 38 car capacity and associated office. Historic commercial uses at 204 Irving include Empire Fuel Oil Service (1962 to 1972), a warehouse (1990 to 2012), and a furniture store (2012 to present).

206-208 Irving Avenue

206-208 Irving Avenue (Lot 31 on the Rye tax map) was undeveloped until the early 1900's when the property was developed with two-story residential dwellings. By 1934 the structures were razed and replaced with three-story mixed-use residential and commercial structures. Historic commercial uses at 204 Irving include laundry services

(1934 to 1962), a plumbing company (1934 to 1950), a grocery store (1962 to 1994), and an auto parts and repair shop (2000 to present).

214-220 Irving Avenue

214-220 Irving Avenue (Lots 32 and 33 on the Rye tax map) was undeveloped until 1895 when it was improved with a two-story dwelling. By 1908 two additional three- to four-story mixed-use commercial and residential structures were established on the site. By 1934 an additional one-story commercial structure utilized as a plumbing shop was constructed at 220 Irving Avenue and was later razed by 1990 for the development of a parking lot. In the early 1990's the structures listed between 212-220 Irving Avenue had been razed and the parcel has remained undeveloped. Historic commercial uses at 214-220 Irving Avenue include a grocery store (1890-1915), National Biscuit Co. (1890-1915), a general store (1890-1950), a candy store (1915-1950), laundry services (1934 to 1962), a plumbing company (1934 to 1950), grocery store (1962 to 1994), a plumbing shop (1950-1962), and a parking lot (1990-present).

Yorkland Partners, LLC and its subsidiaries, 227 Westchester Ave LLC and 204 Irving Two LLC purchased the 227 Westchester Avenue lot in January 2022 from JSN of NY LLC; the 223-225 Westchester Avenue lot in November 2018 from 225 Westchester Corp; and the 204 Irving Avenue lot in December 2023 from 204 Irving Avenue Corp. The purchase of the 206-208 Irving Avenue, 214 Irving Avenue, and 220 Irving Avenue lots from Mario L De Marco are pending.

Based on the analytical results of the Limited Phase II ESI conducted in February 2024, the primary contaminants of concern for the Site include heavy metals and petroleum-related hydrocarbons in soil; petroleum-related hydrocarbons in groundwater; and chlorinated solvents and petroleum-related contaminants in soil vapor. The source of contamination in soil is likely a result of previous operations, including dry cleaning, bowling alley, oil service station, and auto repair. An aboveground storage tank (AST) present at 206-208 Irving Avenue and associated staining and odor surrounding the AST are indications that a potential former release of petroleum product exists.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Participant. This means that the Applicant was the owner of the site at the time of the disposal or discharge of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination on-site, as well as the nature and extent of contamination that has migrated from the site. The Participant also must conduct a

“qualitative exposure assessment,” a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for restricted-residential purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

Investigation

The Applicant has completed a partial site investigation before it entered into the BCP. NYSDEC will determine if the data are useable.

The Applicant will conduct an investigation of the site officially called a “remedial investigation” (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment.

The site investigation has several goals:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and the environment; and
- 4) provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant submitted a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC made the draft plan available for public review during a 30-day public comment period.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health and/or the environment. If the site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an

analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

Remedy Selection

When the investigation of the site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a "Certificate of Completion" (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a "Remedial Work Plan". The Remedial Work Plan describes the Applicant's proposed remedy for addressing contamination related to the site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan, if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH will oversee the cleanup activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

Appendix A - Project Contacts and Locations of Reports and Information

Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Daniel Lanners
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway, Albany, NY 12233-7014
(518) 402-9652
daniel.lanners@dec.ny.gov

Stephanie Mossey
Public Participation Specialist
NYSDEC Region 3
21 South Putt Corners Rd
New Paltz, NY 12561
(845) 256-3154
stephanie.mossey@dec.ny.gov

New York State Department of Health (NYSDOH):

Michael Izdebski
Public Health Specialist
NYSDOH – Bureau of Environmental
Exposure Investigation
Corning Tower, 17th Flr., Albany, NY 12237
(518) 402-7860
BEEI@health.ny.gov

Locations of Reports and Information

DECInfo Locator Link: <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>

The facilities identified below are being used to provide the public with convenient access to important project documents:

<u>Port Chester-Rye Brook Public Library</u> 1 Haseco Avenue, Port Chester, NY 10573 Attn: Robin Lettieri Phone: (914) 939-6710 Email: pcrbref@pcrblibrary.org	<u>Rye Free Reading Room</u> 1061 Boston Post Road, Rye, NY 10580 Attn: Chris Shoemaker Phone: (914) 967-0480 Email: cshoemaker@ryelibrary.org
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Appendix B - Site Contact List

Executive

Role	Name	Phone	Mailing Address	Email / Contact
Port Chester Mayor	Mayor Luis A. Marino	914-939-5201	222 Grace Church Street Port Chester, NY 10573	https://www.portchesterny.gov/formcenter/Contact-Staff-4/Contact-Mayor-Luis-A-Marino-49
Port Chester Department of Planning & Economic Development Director	Gregory Cutler	914-937-6780	222 Grace Church Street Suite 202 Port Chester, NY 10573	planning@portchesterny.gov
Westchester County Board of Legislators District 6	Nancy E. Barr	914-995-2834	148 Martine Avenue, 8 th Floor White Plains, NY 10601	https://westchesterlegislators.com/e-mail-district-6
NY Senate District 37 Senator	Shelley B. Mayer	914-934-5250	222 Grace Church Street Suite 300 Port Chester, NY 10573	smayer@nysenate.gov
NY State Assembly District 091 Member	Steven Otis	914-939-7028	222 Grace Church Street Port Chester, NY 10573	OtisS@nyassembly.gov

Owners, Residents, Occupants

Owner	Contact Name	Phone	Mailing Address	Email
Yorkland Partners, LLC (Lot 25)	Richard Ortiz	(212) 336-5265	570 Lexington Avenue, 22 nd Floor New York, NY 10022	rortiz@hudsoncap.com
227 Westchester Ave LLC (Lot 24)	Richard Ortiz	(212) 336-5265	570 Lexington Avenue, 22 nd Floor New York, NY 10022	rortiz@hudsoncap.com
204 Irving Two LLC (Lot 30)	Richard Ortiz	(212) 336-5265	570 Lexington Avenue, 22 nd Floor New York, NY 10022	rortiz@hudsoncap.com
Mario L De Marco (Lots 31, 32, 33)	Mario L De Marco	(914) 937-2213	1 Gateway Plaza, 2nd Floor, Port Chester, NY 10573	N/A

Operator	Contact Name	Phone	Mailing Address	Email
Ruchiras Corp. (Lot 24)	Not Available	(914) 305-3990	227 Westchester Avenue Port Chester, NY 10573	N/A
Residential (Lot 24)	Not Available	N/A	227 Westchester Avenue Port Chester, NY 10573	N/A
Run N Hide Tap Room (Lot 25)	Not Available	(914) 305-1352	223 Westchester Avenue Port Chester, NY 10573	T_a@rhbrewing.com
Tandoori Restaurant (Lot 25)	Not Available	(914) 937-2727	223 Westchester Avenue Port Chester, NY 10573	N/A
Offices (Lot 25)	Not Available	N/A	223-225 Westchester Avenue Port Chester, NY 10573	N/A
Carpentry Workshop/Warehouse (Lot 30)	Not Available	N/A	204 Irving Avenue Port Chester, NY 10573	N/A
Carquest Auto Parts (Lot 31)	Not Available	(914) 935-3272	206 Irving Avenue Port Chester, NY 10573	N/A
Residential (Lot 31)	Not Available	N/A	206-208 Irving Avenue Port Chester, NY 10573	N/A
N/A – Vacant (Lots 32, 33)	Not Available	N/A	214-220 Irving Avenue Port Chester, NY 10573	N/A

Adjacent Properties

Below is a list of the adjoining properties.

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
Village of Port Chester	Not Available	Parking Lot	N/A Irving Avenue	222 Grace Church Street, Suite 220 Port Chester, NY 10573
Branca Realty LLC	Not Available	Multi-Family Residential	223 Irving Avenue	78 S Regent St, Port Chester, NY 10573
H & H Property Corp	Not Available	Commercial, Parking Lot	211 Irving Avenue	33 New Broad Street Port Chester, NY 10573
Irving Building LLC	Not Available	Commercial	199 Irving Avenue	P.O. Box 225 Thornwood, NY 10594
200 Irving Avenue Holdings LLC	Not Available	Commercial	200 Irving Avenue	29 Grandview Avenue Rye, NY 10580
Village of Port Chester	Not Available	Commercial	209 Irving Avenue	222 Grace Church Street, Suite 220 Port Chester, NY 10573
211-217 Westchester Ave Corp	Not Available	Commercial	211-217 Westchester Avenue	213 Westchester Avenue Port Chester, NY 10573
219 Westchester Avenue LLC	Not Available	Commercial, Offices	219 Westchester Avenue	44 South Broadway, Suite 100 White Plains, NY 10601
Charles Maselli, Anna R Killeen	Not Available	Commercial	216 Westchester Avenue	1936 Narragansett Avenue Bronx, NY 10461
220 Westchester Corp	Not Available	Commercial	220 Westchester Avenue	220 Westchester Avenue Port Chester, NY 10573
R & D Realty Management Co LLC	Not Available	Commercial	232 Westchester Avenue	235 Elm Place Mineola, NY 11501

Local News and Media:

Owner/Entity Name	Type	Address	Phone	Website
Westmore News	Print Newspaper, Online Media	327 Irving Avenue, Port Chester, NY 10573	914-939-6864	https://westmorenews.com/
news12 Westchester	Television, Online Media	6 Executive Plaza, Yonkers, NY 10701	914-378-4855	https://westchester.news12.com
The Journal News	Print Newspaper, Online Media	2 Westchester Park Drive #B, White Plains, NY 10604	888-426-6388	https://www.lohud.com/
The Examiner News	Print Newspaper, Online Media	PO Box 611, Mount Kisco, NY 10549	914-864-0878	https://www.theexaminernews.com/category/news/examiner/

Public Water Supply:

Public water supply is the shared responsibility of the Village of Port Chester Department of Public Works and the New York-American Water Company.

Owner/Entity Name	Contact	Address	Phone	Email
Village of Port Chester Department of Public Works	Rocco Cambareri – General Foreman	82 Fox Island Road Port Chester, NY 10573	914-939-5207	Not Available
New York-American Water Company	Not Available	131 Purchase Street Rye, NY 10580	914-967-7144	Not Available

School or Day Care Located on or Proximal to the Site

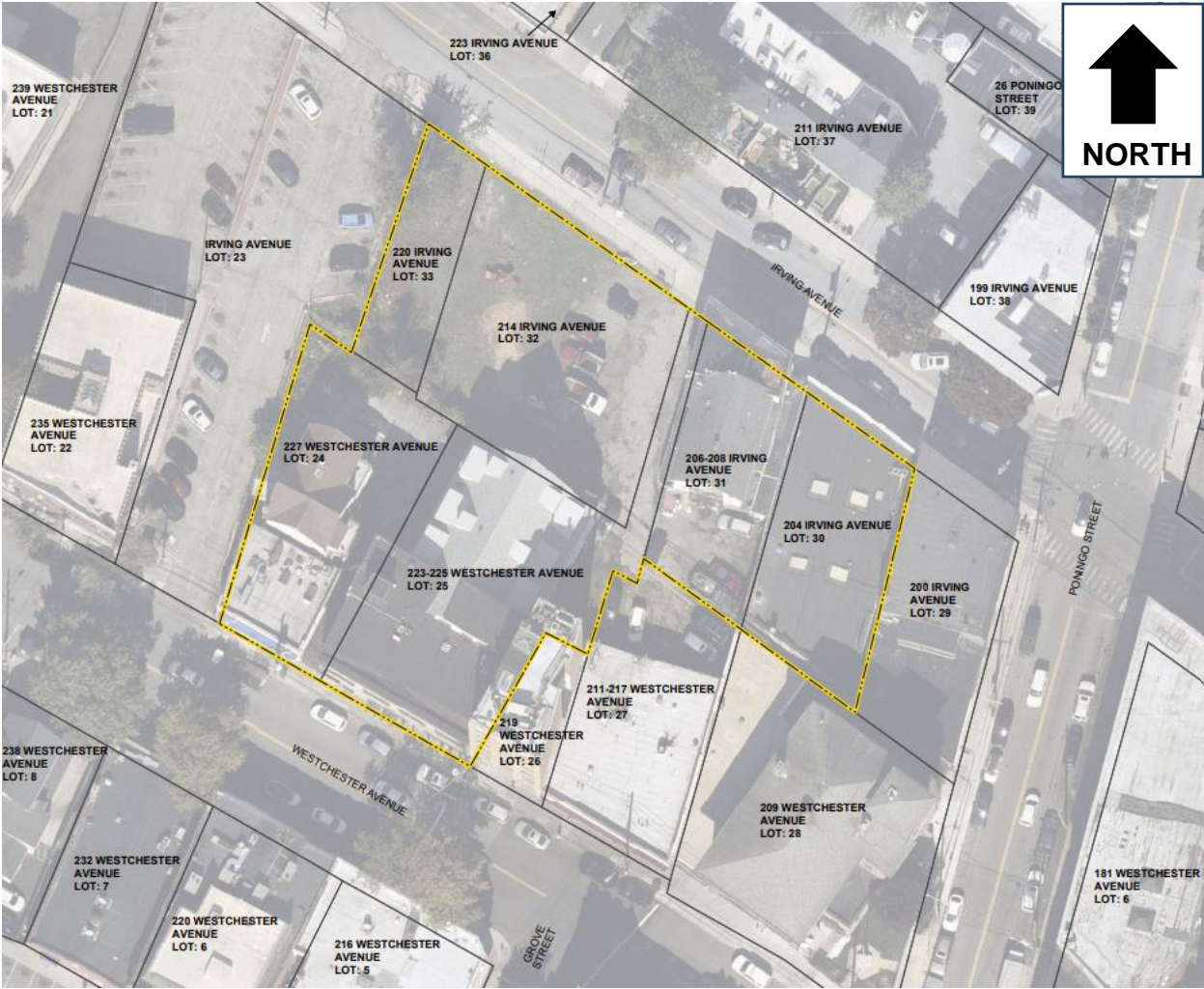
The following schools or day care facilities are located within a ½-mile radius of the Site:

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Port Chester Head Start	500' (West)	Not Available	914-937-5863	17 Spring Street, Port Chester, NY 10573
Corpus Christi-Holy Rosary School – Father Rinaldi Campus	2,150' (Southwest)	Mrs. Dierdre McDermott - Principal	914-937-4407	135 S Regent Street, Port Chester, NY 10573
John F. Kennedy Elementary School	1,980' (Southwest)	Judy Diaz - Principal	914-934-7990	40 Olivia Street, Port Chester, NY 10573
Latinos School	1,375' (Northwest)	Not Available	914-305-5405	388 Westchester Avenue #1K, Port Chester, NY 10573
My Garden Family Day Care	1,875' (Northwest)	Not Available	914-565-6942	394 Irving Avenue, Port Chester, NY 10573
Polska Szkoła w Port Chester	1,330' (Northeast)	Dorota Muga - Principal	347-512-9536	239 Willett Avenue, Port Chester, NY 10573
Thomas A Edison School	2,500' (Northeast)	Paul Roncagliolo - Principal	914-934-7980	132 Rectory Street, Port Chester, NY 10573
Zoni Language Centers	1,450' (Southeast)	Not Available	914-515-2045	125 North Main Street, Port Chester, NY 10573
Rossy's Little Angels Family Day Care	917' (Southwest)	Not Available	914-565-6054	43 Soundview Street, Port Chester, NY 10573
Happy Corner Day Care Center Inc	1,953' (Southwest)	Not Available	914-937-5250	80 South Regent Street, Port Chester, NY 10573
Port Chester Children's Place	1,523' (Northwest)	Not Available	914-690-0860	400 Westchester Avenue, Port Chester, NY 10573
Ladybug Family Preschool	1,225' (South)	Not Available	914-305-4687	141 William Street, Port Chester, NY 10573
Sunny Side Daycare Center	502' (South)	Not Available	914-380-9149	27 Smith Street, Port Chester, NY 10573
Magic Clouds Day Care	1,000' (North)	Not Available	914-908-0366	18 Parker Street, Port Chester, NY 10573

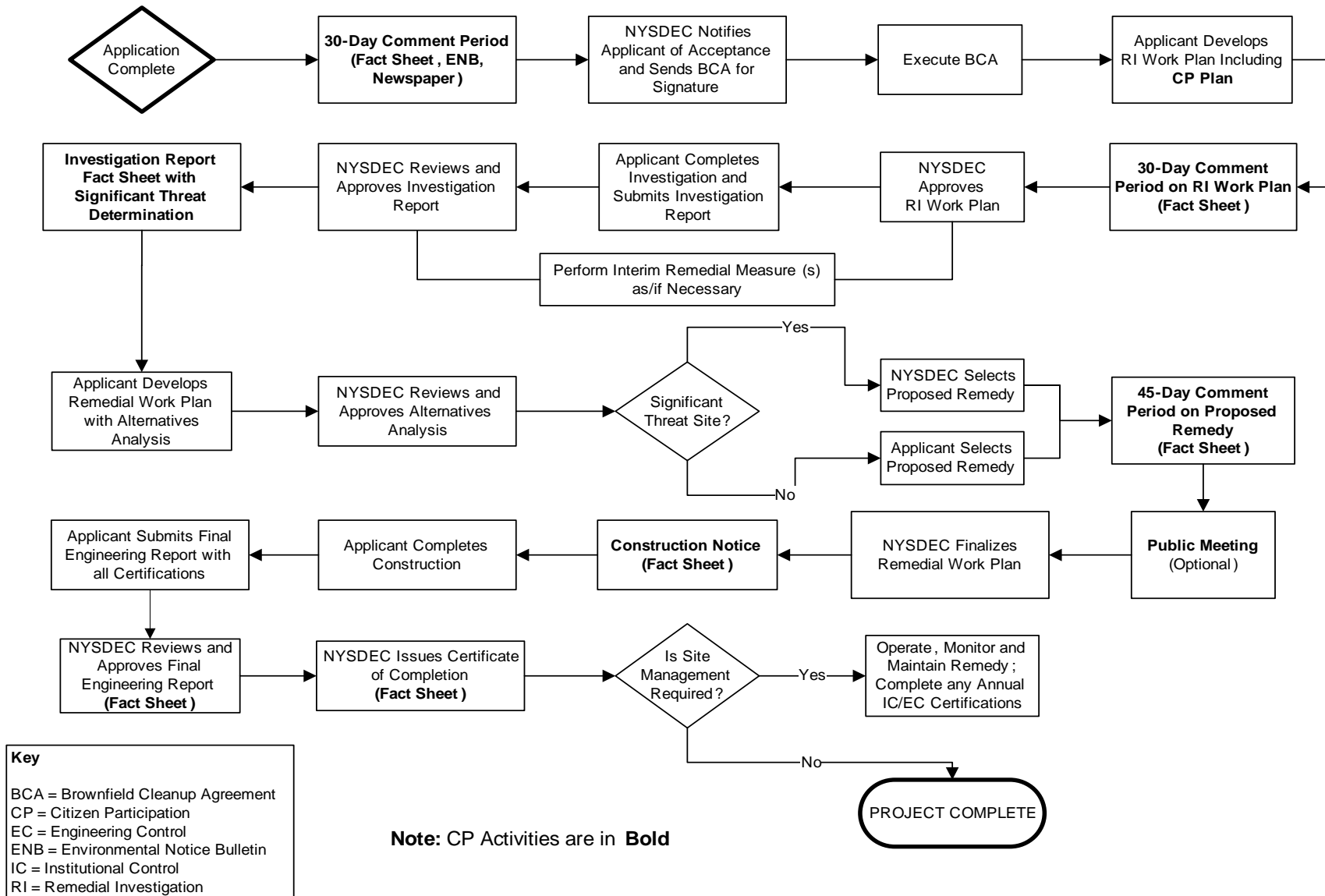
Community, Civic, Religious and Other Environmental Organizations:

Owner/Entity Name	Contact	Address	Phone	Email
Saint John Bosco Catholic Church	Rev. Franco Pinto, SDB - Administrator	260 Westchester Avenue, Port Chester, NY 10573	914-881-1400	francosdb@donboscopc.org
St George Orthodox Church	Not Available	360 Irving Avenue, Port Chester, NY 10573	914-937-9000	Not Available
El Shaddai Church of God	Not Available	38 Bulkley Avenue, 1 st Floor, Port Chester, NY 10573	914-937-8104	Not Available
The Salvation Army Port Chester Corps Community Center	Not Available	36 Bush Avenue, Port Chester, NY 10573	914-939-2725	Not Available
Segunda Iglesia Pentecostal Juan 3:16	Not Available	54 Poningo Street, Port Chester, NY 10573	914-305-1391	2daiglesiajuan316@gmail.com
North Baptist Church	Not Available	284 King Street, Port Chester, NY 10573	914-937-8401	Not Available
Assembly of God World Vision	Pr. Nilson and Marcia Teixeira	201 King Street, Port Chester, NY 10573	914-690-0000	contact@agwvchurch.com
Iglesia Evangelica Apostles Y Profetas Efesios 2:20 Port Chester – Templo Puerta al Cielo	Not Available	146 Irving Avenue, Port Chester, NY 10573	Not Available	Not Available
Redemption Community Church	Not Available	181 Westchester Avenue, Port Chester, NY 10573	914-698-0456	Not Available
St Peter's Episcopal Church / Community Action Program	Not Available	19 Smith Street, Port Chester, NY 10573	914-939-1244	Not Available
St. Frances A.M.E. Zion Church / Carro Parquedo	Not Available	18 Smith Street, Port Chester, NY 10573	914-939-1056	Not Available
Girtman Memorial Church of the Living God	Not Available	5 New Broad Street, Port Chester, NY 10573	914-937-7181	Not Available
Bethesda Baptist Church	Not Available	136 E William Street, Port Chester, NY 10573	914-939-6541	bethesdabaptistpc@outlook.com
El Olivar Pentecostal Church	Not Available	118 S Main Street, Port Chester, NY 10573	914-937-4693	Not Available
Corpus Christi Church	Ms. Silvia Inocente	136 S Reagent Street, Port Chester, NY 10573	914-881-1400	sinocente@donboscopc.org
Chinese Alliance Church of Westchester	Not Available	59 Glen Avenue, Port Chester, NY 10573	914-937-8931	Not Available
Our Lady the Rosary Church / Parish of Saint John Bosco	Not Available	22 Don Bosco Place, Port Chester, NY 10573	914-939-1860	Not Available
Don Bosco Community Center	Not Available	22 Don Bosco Place, Port Chester, NY 10573	914-939-0323	info@donboscocenter.org
Mt Zion Baptist Church	Not Available	23 Slayter Street, Port Chester, NY 10573	914-939-1653	info@mountzionbc.org
Knights of Columbus	Not Available	327 Westchester Avenue, Port Chester, NY 10573	914-939-4343	Council@KofC503.org
Carver Center	Not Available	400 Westchester Avenue, Port Chester, NY 10573	914-305-6009	fdesk@carvercenter.org
The Sharing Shelf	Not Available	47 Purdy Avenue, Port Chester, NY 10573	914-305-5950	info@sharingsshelf.org
Port Chester Fire Department	Nicholas Melillo - Chief	209 Westchester Avenue, Port Chester, NY 10573	914-939-1661	PCFDchiefs@portchesterny.gov
Port Chester Police Department	Christopher Rosabella - Chief	350 N Main Street #1, Port Chester, NY 10573	914-939-1000	Not Available

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process





Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.

General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

Part 1. List Major Issues of Public Concern and Information the Community Wants

- Is our health being impacted? (e.g., Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g., Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g., who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

Part 2. List Important Information Needed From the Community, if Applicable

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

Part 3. List Major Issues and Information That Need to be Communicated to the Community

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

Part 4. Community Characteristics

a. - e. Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

f. Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

g. In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

h. Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

Part 5. Affected/Interested Public

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

Remedial Programs
Scoping Sheet for Major Issues of Public Concern (see instructions)

Site Name: Proposed 227 Westchester Avenue Development

Site Number: C360253

Site Address and County: 223-225, 227 Westchester Avenue & 204, 206-208, 214-220 Irving Avenue in Westchester County

Remedial Party(ies): Yorkland Partners, LLC, 227 Westchester Ave LLC, and 204 Irving Two LLC

Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.

Part 1. List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

The Site is located in a Potential Environmental Justice Area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Based on the analytical results of the Limited Phase II ESI conducted in February 2024, the primary contaminants of concern for the Site include heavy metals and petroleum-related hydrocarbons in soil; petroleum-related hydrocarbons in groundwater; and chlorinated solvents and petroleum-related contaminants in soil vapor. Additional investigation would be necessary to determine if an on-site/off-site source of contamination exists. During ground intrusive activities, the community will be protected from contaminant migration using air monitoring protocols and proper management of impacted soil and water.

How were these issues and/or information needs identified?

These issues were identified through the previous subsurface investigation results, correspondence with NYSDEC, and from resources available through the NYSDEC Office of Environmental Justice.

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

The source of the contaminants of concern detailed in Part 1 likely has to do with former Site operations, but was not fully identified during the previous investigations completed at the Site. If the community can provide any knowledge regarding previous site use or previous nearby property use it may assist in determining the source(s) of any on-site or off-site impacts.

How were these information needs identified?

This information was identified through review of the results of the previous site assessments and investigations.

Part 3. List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

Following acceptance into the BCP and approval of the RIWP, the Remedial Investigation will commence.

Following implementation of the RIWP, a Remedial Investigation Report will be prepared and will describe the nature and extent of contamination at the site. A Remedial Action Work Plan (RAWP) will then be developed to describe the preferred remedy and alternatives analysis. The RAWP will be subject to a 45-day public comment period prior to NYSDEC approval. Following NYSDEC approval of the RAWP, the remedial contractor will mobilize to the site to begin implementation of the NYSDEC-approved remedy.

How were these issues and/or information needs identified?

These issues were identified through the previous subsurface investigations results and correspondence with NYSDEC

Part 4. Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

a. Land use/zoning at and around site:

☒ **Residential** ☐ **Agricultural** ☐ **Recreational** ☒ **Commercial** ☐ **Industrial**

b. Residential type around site:

☒ **Urban** ☒ **Suburban** ☐ **Rural**

c. Population density around site:

☐ **High** ☒ **Medium** ☐ **Low**

d. Water supply of nearby residences:

☒ **Public** ☐ **Private Wells** ☐ **Mixed**

e. Is part or all of the water supply of the affected/interested community currently impacted by the site?

☐ **Yes** ☒ **No**

Provide details if appropriate:

NA

f. Other environmental issues significantly impacted/impacting the affected community?

☐ **Yes** ☒ **No**

Provide details if appropriate:

NA

g. Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

☒ **Yes** ☐ **No**

h. Special considerations:

☐ **Language** ☐ **Age** ☐ **Transportation** ☐ **Other**

Explain any marked categories in **h**:

[Click here to enter text.](#)

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

☐ **Non-Adjacent Residents/Property Owners:** [Click here to enter text.](#)

☒ **Local Officials:** Port Chester Mayor Luis A. Marino, Port Chester Department of Planning & Economic Development Director Gregory Cutler, Westchester County Board of Legislators District 6 Nancy E. Barr, NY Senate District 37 Senator Shelley B. Mayer, and NY State Assembly District 091 Member Steven Otis

☒ **Media:** Westmore News, News12 Westchester, The Journal News, and The Examiner News
☒ **Business/Commercial Interests:** Yorkland Partners, LLC, 227 Westchester Ave LLC, and 204 Irving Two LLC

☐ **Labor Group(s)/Employees:** Click here to enter text.

☐ **Indian Nation:** Click here to enter text.

☒ **Citizens/Community Group(s):** Click here to enter text.

☐ **Environmental Justice Group(s):** Potential Environmental Justice Area: Census Block Group #361190080003

☐ **Environmental Group(s):** Click here to enter text.

☒ **Civic Group(s):** Port Chester-Rye Brook Public Library

☐ **Recreational Group(s):** Click here to enter text.

☐ **Other(s):** Click here to enter text.

Prepared / Updated By: Charlotte Lorthioir

Date: 09/06/2024

Reviewed / Approved By: Elizabeth Scheuerman

Date: 04/10/2025