

418 North Division Street LLC Brownfield Cleanup Program Application Highland Light Steam Laundry Site

**418 North Division Street, 407, 425, and 427 Highland Avenue
Peekskill, New York 10566**



**Legal & Consulting Team:
Knauf Shaw LLP & SESI Consulting Engineers.
April 2026**

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ATTORNEY AT LAW

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April 8, 2026

VIA ELECTRONIC MAIL
Jennifer.Hathaway@dec.ny.gov

Site Control Section
Attn: Jenn Hathaway
NYS Department of Environmental Conservation
Remedial Bureau A
625 Broadway, 12th Floor
Albany, NY 12233-7015

**RE: Brownfield Cleanup Program – Second Submission
418 North Division Street LLC
Highland Light Steam Laundry Site
C360271**

Dear Jenn:

Pursuant to the Letter of Incompleteness received March 24, 2026, a revised Brownfield Cleanup Program (“BCP”) Application and support documentation for Requestor, 418 North Division Street LLC, in relation to the aforementioned Site has been uploaded to your Dropbox. In response to the comments, please see below:

Section I: Property Information

- Item 8 – please briefly address the spills incidents that occurred on the site

RESPONSE: Section I – Property Information > Question 8. The Spills section now includes a clear summary of the Site’s associated spills. There are five (5) spills that have been associated with an address that may be associated with the Site, but only two (2) minor spills (Spill Nos. 0206243 and 0410072) appear to have actually occurred within the Site boundary but the locations could not be identified from spill file information and were not associated with any site excavation or tank removal. The location of the remaining three (3) spills appear to have occurred in the street/sidewalk, adjacent to the Site, or down a catch basin. All five (5) spills have been reported closed. Please see the Spill Records included with the Environmental Reports.

- Item 14 – Site Description – Past Use of Site – please revise the narrative so that it is in agreeance with the past uses indicated in Section VI – Item 3. Also, please note the date when the site became vacant/operations ceased.

RESPONSE: Section I – Property Information > Question 14 > Subsection D. The Past Use of the Site section has been updated to reflect the same information provided in Section VI > Item 4 (Item 3 is the Contamination Charts/Environmental Assessment). White Plains Linen ceased



on-Site operations in 2018. The last tenant was the City of Peekskill Fire Department, which vacated the Site in December 2018 when the new Central Fire Station was opened. The Previous & Current Owners & Operators Lists included as Exhibit F has been updated to reflect that the Site became vacant in 2018.

Please do not hesitate to contact me if you have any questions. Thank you.

Sincerely,

KNAUF SHAW LLP

A handwritten signature in black ink that reads "Linda R. Shaw".

LINDA R. SHAW, ESQ.

Enclosure

cc: Emily Barry, NYS DEC (Emily.Barry@dec.ny.gov), Project Manager
Robert O'Connor, NYS DEC (Robert.OConnor2@dec.ny.gov), Project Attorney
Sarah Saucier, NYS DEC (Sarah.Saucier@dec.ny.gov)
Steven McCague, NYS DEC (steven.mccague@dec.ny.gov)
Michael Murphy, NYS DEC (michael.murphy1@dec.ny.gov)
Ashley Johnson, NYS DEC (Ashley.Johnson@dec.ny.gov)
Kelly Lewandowski, NYS DEC (kelly.lewandowski@dec.ny.gov)
Mark Stagg, 418 North Division Street LLC (mstagg@stagggroup.com)
Kathleen Bradshaw, 418 North Division Street LLC (kbradshaw@stagggroup.com)
Fuad Dahan, SESI (fd@sesi.org)



SUBMITTAL INSTRUCTIONS:

- 1. Compile the application package in the following manner:
a. one file in non-fillable PDF which includes a Table of Contents, the application form, and supplemental information...
2. *OPTIONAL: Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via NYSDEC dropbox or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both via dropbox and ground mail.

a. VIA SITE CONTROL DROPBOX:

- Request an invitation to upload files to the Site Control submittal dropbox.
In the "Title" field, please include the following: "New BCP Application - Proposed Site Name".
After uploading files, an automated email will be sent to the submitter's email address with a link to verify the status of the submission.
Application packages submitted through third-party file transfer services will not be accepted.

a. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
Mail the external storage device to the following address:
Chief, Site Control Section
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233-7015

Form with fields for SITE NAME: Highland Light Steam Laundry Site, and two questions regarding BCA amendments and revised submissions with radio button options for Yes/No.



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

BCP App Rev 17 – October 2025

SECTION I: Property Information						
PROPOSED SITE NAME Highland Light Steam Laundry Site						
ADDRESS/LOCATION 418 North Division Street, 407, 425, and 427 Highland Avenue						
CITY/TOWN Peekskill, New York				ZIP CODE 10566		
MUNICIPALITY (LIST ALL IF MORE THAN ONE) City of Peekskill, County of Westchester						
COUNTY Westchester County				SITE SIZE (ACRES) 1.068		
LATITUDE			LONGITUDE			
41	°	17	'	44	"	
				73	°	
				55	'	
					09	
Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, please indicate as such by inserting "p/o" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding acreage column.						
ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.						
Parcel Address		Section	Block	Lot	Acreage	
418 North Division Street		23.78	1	9	0.223	
407 Highland Avenue		23.78	1	10	0.587	
427 Highland Avenue;425 Highland Avenue		23.78	1	11;12	0.169;0.089	
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.					Y	N
					<input checked="" type="radio"/>	<input type="radio"/>
2. Is the required property map, provided in electronic format, included with the application? (Application will not be processed without a map)					<input checked="" type="radio"/>	<input type="radio"/>
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) If yes, identify census tract: <u>142</u> Percentage of property in En-zone (check one): <input type="radio"/> 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input checked="" type="radio"/> 100%					<input checked="" type="radio"/>	<input type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.					<input checked="" type="radio"/>	<input type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.					<input type="radio"/>	<input checked="" type="radio"/>
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____					<input type="radio"/>	<input checked="" type="radio"/>

SECTION I: Property Information (continued)		Y	N						
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>						
8. 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. PLEASE SEE SUPPORT NARRATIVE DOCUMENT		<input checked="" type="radio"/>	<input type="radio"/>						
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>						
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>						
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>						
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><u>Easement/Right-of-Way Holder</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		<u>Easement/Right-of-Way Holder</u>	<u>Description</u>			<input type="radio"/>	<input checked="" type="radio"/>		
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>								
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><u>Type</u></td> <td style="width: 30%;"><u>Issuing Agency</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>				<input type="radio"/>	<input checked="" type="radio"/>
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>							
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>						
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.									
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		Y	N						
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input type="radio"/>						
17. If you have answered YES to Question 16 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?		<input type="radio"/>	<input type="radio"/>						
NOTE: If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.									
If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.									
Initials of each Requestor: _____									

SECTION II: Project Description

1. The project will be starting at: Investigation Remediation

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

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?
 Yes No N/A

3. Have any draft work plans been submitted with the application (select all that apply)?
 RIWP RAWP IRM No

4a. Please provide a short description of the overall project development, including a complete project schedule with all key BCP program milestones through issuance of the Certificate of Completion. Include DEC/DOH review times in the schedule (best efforts to review documents within 45 days pursuant to 6 NYCRR Part 375-3.6(b)).
 Is this information attached? Yes No

4b. Please include in the project schedule the dates of any outside public or private funding source deadlines with the associated BCP milestones, e.g., NYC HPD or NYS HCR funding deadlines, or private funding interim milestones from loan documents, that depend on a particular BCP milestone such as a work plan or report approval, decision document issuance, etc.
 Is this information clearly identified in the BCP project schedule? Yes No N/A

Beginning January 1, 2024, all work plans and reports submitted for the BCP shall address Green and Sustainable Remediation (GSR) and DER-31 (see [DER-31, Green Remediation](#)). Work plans, reports and design documents will need to be certified in accordance with DER-31.

5. Please provide a description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project including Remedial Investigation, Remedial Design/Remedial Action, and Site Management and reporting efforts.
 Is this information attached? Yes No

6. If the project is proposed to start at the remediation stage (Section 2, Item 1, above), a climate change screening or vulnerability assessment must have been completed. Is this attached?
 Yes No

SECTION III: Ecological Concerns

	Y	N
1. Are there fish, wildlife, or ecological resources within a 1/2-mile radius of the site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is there a potential path for contamination to potentially impact fish, wildlife or ecological resources?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is/are there a/any Contaminant(s) of Ecological Concern?	<input type="radio"/>	<input checked="" type="radio"/>

If any of the conditions above exist, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I, as outlined in DER-10 Section 3.10.1, is required. The applicant may submit the FWRIA with the application or as part of the Remedial Investigation Report.

4. Is a Fish and Wildlife Resources Impact Analysis Part I included with this application?
 N/A

SECTION IV: Land Use Factors		
1. What is the property's current municipal zoning designation? <u>General Commercial (C-3)</u>		
2. What uses are allowed by the property's current zoning (select all that apply)? Residential <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/>		
3. Current use (select all that apply): Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Vacant <input checked="" type="checkbox"/>		
4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant. Is this summary included with the application?	Y	N
	<input checked="" type="radio"/>	<input type="radio"/>
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> If residential, does it qualify as single-family housing? N/A <input type="radio"/>		
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?	<input checked="" type="radio"/>	<input type="radio"/>
	<input type="radio"/>	<input checked="" type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.		
8. Do current and/or recent development patterns support the proposed use?		
9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation. Include additional documentation if necessary.		
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation. Include additional documentation if necessary.		

SECTION V: Current and Historical Property Owner and Operator Information		
CURRENT OWNER 418 North Division Street LLC		
CONTACT NAME Mark Stagg and Kathleen Bradshaw, Esq.		
ADDRESS 1763 Pitman Avenue		
CITY Bronx	STATE NY	ZIP CODE 10466
PHONE (914) 879-5750	EMAIL mstagg@stagggroup.com; KBradshaw@stagggroup.com	
OWNERSHIP START DATE 11/14/2024		
CURRENT OPERATOR Same as above but the site is vacant		
CONTACT NAME		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OPERATION START DATE Vacant since 2018-2019		

SECTION VI: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit information requested in this section in electronic format ONLY**):

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do NOT submit paper copies of ANY supporting documents.**
- 2. SAMPLING DATA:** Indicate (by selecting the options below) known contaminants and the media which are known to have been affected. Data summary tables should be included as an attachment, with laboratory reports referenced and included.

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected:

- For each impacted medium above, include a site drawing indicating:
 - Sample location
 - Date of sampling event
 - Key contaminants and concentration detected
 - For soil, highlight exceedances of reasonably anticipated use
 - For groundwater, highlight exceedances of 6 NYCRR part 703.5
 - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application? YES NO

- Indicate Past Land Uses (check all that apply):

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

Other: Steam Laundry; Fire Department; Coal Storage; Ice Cream Manufacturing

SECTION VII: Requestor Information							
NAME 418 North Division Street LLC							
ADDRESS 1763 Pitman Avenue							
CITY/TOWN Bronx		STATE NY	ZIP CODE 10466				
PHONE (914) 879-5750	EMAIL mstagg@stagggroup.com; KBradshaw@stagggroup.com						
1. Is the requestor authorized to conduct business in New York State (NYS)?			<table border="1"> <thead> <tr> <th>Y</th> <th>N</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="radio"/></td> <td><input type="radio"/></td> </tr> </tbody> </table>	Y	N	<input checked="" type="radio"/>	<input type="radio"/>
Y	N						
<input checked="" type="radio"/>	<input type="radio"/>						
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?			<table border="1"> <thead> <tr> <th>Y</th> <th>N</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="radio"/></td> <td><input type="radio"/></td> </tr> </tbody> </table>	Y	N	<input checked="" type="radio"/>	<input type="radio"/>
Y	N						
<input checked="" type="radio"/>	<input type="radio"/>						
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>			<table border="1"> <thead> <tr> <th>Y</th> <th>N</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="radio"/></td> <td><input type="radio"/></td> </tr> </tbody> </table>	Y	N	<input checked="" type="radio"/>	<input type="radio"/>
Y	N						
<input checked="" type="radio"/>	<input type="radio"/>						
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.			<table border="1"> <thead> <tr> <th>Y</th> <th>N</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="radio"/></td> <td><input type="radio"/></td> </tr> </tbody> </table>	Y	N	<input checked="" type="radio"/>	<input type="radio"/>
Y	N						
<input checked="" type="radio"/>	<input type="radio"/>						

SECTION VIII: Requestor Contact Information			
REQUESTOR'S REPRESENTATIVE Mark Stagg and Kathleen Bradshaw, Esq.			
ADDRESS 1763 Pitman Avenue			
CITY Bronx		STATE NY	ZIP CODE 10466
PHONE (914) 879-5750	EMAIL mstagg@stagggroup.com; KBradshaw@stagggroup.com		
REQUESTOR'S CONSULTANT (CONTACT NAME) Fuad Dahan, P.E, LSRP			
COMPANY SESI Consulting Engineers			
ADDRESS 959 Route 46E, Floor 3, Suite 300			
CITY Parsippany		STATE NJ	ZIP CODE 07054
PHONE (862) 702-5724	EMAIL fd@sesi.org		
REQUESTOR'S ATTORNEY (CONTACT NAME) Linda R. Shaw, Esq.			
COMPANY Knauf Shaw LLP			
ADDRESS 2600 Innovation Square, 100 S. Clinton Avenue			
CITY Rochester		STATE NY	ZIP CODE 14604
PHONE (585) 546-8430	EMAIL lshaw@nyenvlaw.com		

SECTION IX: Program Fee		
Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver with supporting documentation.		
	Y	N
1. Is the requestor applying for a fee waiver?	<input checked="" type="radio"/>	<input type="radio"/>
2. If yes, appropriate documentation must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application?	N/A <input type="radio"/>	<input checked="" type="radio"/> <input type="radio"/>

SECTION X: Requestor Eligibility		
If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.		
	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the ECL Article 27; (ii) any order or determination; (iii) any regulation implementing Title 14; or (iv) any similar statute or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants?	<input type="radio"/>	<input checked="" type="radio"/>
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involved a violent felony, fraud, bribery, perjury, theft or offense against public administration (as that term is used in Article 195 of the Penal Law) under Federal law or the laws of any state?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?	<input type="radio"/>	<input checked="" type="radio"/>
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION X: Requestor Eligibility (continued)

12. The requestor must certify that he/she/they is/are either a participant or volunteer in accordance with ECL 27-1405(1) by checking one of the boxes below:

PARTICIPANT

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

VOLUNTEER

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

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

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



13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

Yes

No

N/A

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

Previous Owner

Current Owner

Potential/Future Purchaser

Other: _____

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?

Yes

No

N/A

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION XI: Property Eligibility Information		
	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____ Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/>	<input checked="" type="radio"/>
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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XII: Site Contact List
<p>To be considered complete, the application must include the Brownfield Site Contact List in accordance with <i>DER-23: Citizen Participation Handbook for Remedial Programs</i>. Please attach, at a minimum, the names and mailing addresses of the following:</p> <ul style="list-style-type: none"> • The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located. • Residents, owners, and occupants of the property and adjacent properties. • 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 indicating that it agrees to act as the document repository for the site. • For sites located in the five counties comprising New York City, the Director of the Mayor's Office of Environmental Remediation.

SECTION XIII: Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am authorized signatory (title) of 418 North Division Street LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: 10/17/2015 Signature: 

Print Name: Mark Stagg

PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

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 17

Please respond to the questions below and provide additional information and/or documentation as required. <i>Please refer to the application instructions.</i>	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

From ECL 27-1405(31):

“Upside down” shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (I) “Underutilized” means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or
 - (c) there are no structures.

“Substantial government assistance” shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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
- 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

Yes – planned renewable energy facility site with documentation

Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation 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.

No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) “renewable energy systems” means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

No

From ECL 75-0111 as of April 9, 2022:

(5) “Disadvantaged communities” means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

**BCP APPLICATION
SUPPORT
DOCUMENT**

Exhibit List

- Exhibit A** Site Location Map, Base Map, and Street Map
- Exhibit B** Tax Boundary Map and Survey Map
- Exhibit C** Brownfield Opportunity Area (“BOA”) Map, Disadvantage Communities Map (“DCM”), Environmental Justice (“EJ”) Map and En-Zone Map
- Exhibit D** Flood Map
- Exhibit E** Zoning Map and Peekskill Zoning Code Section 575-34
- Exhibit F** Previous & Current Owners & Operators List
- Exhibit G** Deed
- Exhibit H** Site Drawing Spider Maps
- Exhibit I** NYS DOS Entity Information and Organizational Chart
- Exhibit J** Corporate Consent
- Exhibit K** Site Contact List
- Exhibit L** Repository Letter
- Exhibit M** Affidavit in Support of Application Fee Waiver

ENVIRONMENTAL REPORTS:

1. November 2024 Asbestos Inspection Report prepared by DVD Environmental Inc. prepared by DVD Environmental Inc. for STAGG Group
2. March 2025 Preliminary Geotechnical Investigation Report prepared by SESI Consulting Engineers (“SESI”) for STAGG Group
3. July 2025 Phase I Environmental Site Assessment Report prepared by SESI for 418 North Division Street LLC
4. March 2026 Phase II Environmental Site Assessment Report prepared by SESI for 418 North Division Street LLC
5. March 2026 Remedial Investigation Work Plan prepared by SESI for 418 North Division Street LLC
6. Spill No. 0206243 – NYS DEC Spill Record
7. Spill No. 0302563 – NYS DEC Spill Record
8. Spill No. 0410072 – NYS DEC Spill Record
9. Spill No. 0809615 – NYS DEC Spill Record
10. Spill No. 1408577 – NYS DEC Spill Record

SECTION I – PROPERTY INFORMATION

The Site is located at the following addresses:

Parcel Address	Tax Parcel Identification No.	Acreage ¹
418 North Division Street	23.78-1-9	0.223
407 Highland Avenue	23.78-1-10	0.587
427 Highland Avenue	23.78-1-11	0.169
425 Highland Avenue	23.78-1-12	0.089

The Site located in City of Peekskill, New York 10528 (“Site” or “BCP Site”). The Site Location Map, Base Map and Street Map are attached as Exhibit A.

1. Site Boundary and Tax Parcel Information

The Site boundary does correspond to the tax lot boundaries. The Tax Boundary Map and a Survey Map are provided as Exhibit B.

2. Property Map

The Site Location Map, Base Map and Street Map are attached as Exhibit A. The Tax Boundary Map and Survey Map are attached as Exhibit B.

3-5. BOA, Disadvantaged Communities, EJ and En-Zone Designations

The Site BOA, Disadvantaged Communities, Environmental Justice, and En-Zone Maps are attached as Exhibit C. The Site is located in an EnZone Type AB, Census Tract 142. The Site is not located in a BOA. The Site is located in a Potential Environmental Justice Area. The EPA ArcGIS map indicates that approximately 77.84% of the population surrounding this Site is a minority population. The Site is located in a disadvantaged community area. According to the New York State Disadvantaged Communities Map, the Site is located on Census Tract 142, which has an environmental burden higher than 97% of Census Tracts statewide and a population vulnerability higher than 85% of Census Tracts statewide.

6-7. Please refer to the BCP Application Form.

8. Spills

There are five (5) spills that have been associated with an address that may be associated with the Site, but only two (2) minor spills (Spill Nos. 0206243 and 0410072) appear to have occurred within the Site boundary. The location of these spills could not be identified and were not associated with any site excavation or tank removal. The three (3) remaining spills appear to have occurred in the street/sidewalk, adjacent to the Site, or down a catch basin. All five (5) spills have been reported closed. Please see the Spill Records included with the Environmental Reports. Please also see a summary of each of the eight spills below:

¹ Acreages were determined using the Survey Map in Exhibit B.

Spill No. 0206243 was reported on September 17, 2002, in relation to 411 Highland Avenue. Ten (10) gallons of No. 2 fuel oil were reported spilled at the White Linen/Highland facility. The minor spill was closed on September 19, 2002. It is not possible to identify where this minor spill occurred based on the spill file information.

Spill No. 0410072 was reported on December 10, 2004, when the Coat & Apron Co. at 411 Highland Avenue spilled two gallons of No. 2 fuel oil caused by human error. The location of where this spill occurred, which was less than the five-gallon spill reporting requirement, cannot be determined based on the spill file's lack of details specifying where this occurred.

Spill No. 0302563 was reported on June 10, 2003, in relation to 429 Highland Avenue and was noted as "equipment failure". However, the facts uncovered by the consultant in the environmental reports revealed that when a backhoe was excavating to find a gas leak, the backhoe hit a sewer connection, causing a spill of unknown material into a catch basin. The spill was closed the following day on June 11, 2003. This spill also appears to have occurred beyond the Site boundary based on the facts related to a gas line in the street and a discharge into a street catch basin.

Spill No. 0809615 was reported in relation to the 411 Highland Avenue White Linen/Highland facility on November 25, 2008, when a 75 gallon overfill of No. 2 fuel oil occurred during a fuel delivery, which was discharged into a sanitary sewer. The overfill of No. 2 fuel oil was not recoverable and dissipated with laundry detergents into the sanitary sewer. Based on the inability to remediate this spill, the spill was closed. It is unclear from the spill file where this spill occurred but given that the spill material traveled into a sanitary sewer, it appears that this spill also occurred in the street beyond the property boundary.

Spill No. 1408577 was reported when soil contamination was identified during the closure of this 1,000-gallon UST. Additional information in the narrative indicates that a 1,000-gallon UST was removed from the sidewalk, and an additional tank was suspected to be in the nearby area due to a "magnetic survey". According to the NY UST database, a 1000-gallon #2 fuel oil tank was removed on October 20, 2014. Based on available information provided in the spill file, the impacted soils were remediated, and the spill was closed. The only detail about the location of this spill is that the UST was in the sidewalk adjacent to the Site.

9-11. Please refer to the BCP Application Form.

12. Easements and Existing Right of Ways

There is an ingress/egress easement located on the Site; however, this will not preclude remediation because only one side of the easement area will be remediated at a time, so access will always be available.

13. Please refer to BCP Application Form.

14. Property Description and Environmental Assessment

A. Site Location

The Site is located at the following addresses:

Parcel Address	Tax Parcel Identification No.
418 North Division Street	23.78-1-9
407 Highland Avenue	23.78-1-10
427 Highland Avenue	23.78-1-11
425 Highland Avenue	23.78-1-12

The Site located in an urban area of the City of Peekskill, New York 10528. The closest body of water to the Site is Griffin's Ice Pond, which is approximately 0.419 miles from the Site. The Site is not located in a flood zone. See Exhibit D – Flood Map.

B. Site Features

The Site encompasses four contiguous parcels, identified on local tax maps as Section 23.78, Block 1, Lots 9, 10, 11 and 12, with a combined area of approximately 1.068 acres (approx. 46,522.08 square feet). Lot 9 is currently developed with a one-story commercial building and associated loading area. Lot 10 contains a two-story stone commercial building, a one-story concrete commercial building, a two-story concrete commercial building, a driveway, and parking/loading area. Lot 11 contains a one-story concrete commercial building. Lot 12 contains a two-story concrete and stone commercial building.

C. Current Zoning and Land Use

The Site is currently located in the General Commercial, C-3 District. See Exhibit E - Zoning Map. This District mainly allows for business, office and commercial uses. However, pursuant to the City of Peekskill Code § 575-34(B)(n) (see this Code provision in Exhibit E), a building located along North Division Street, which is on a lot with a minimum of 40,000 square feet, can be utilized as mixed-use residential upon the issuance of a special permit. The Site is currently developed with one one-story brick and concrete building, two one-story concrete commercial buildings and three two-story commercial buildings comprised of stone, concrete or stone and concrete. The property has a commercial use and is currently unoccupied. The plan is to demolish the current on-Site buildings and merge the four (4) lots into one (1) lot. After the planned lot merger, the lot will be over 40,000 square feet, at which point the Requestor will apply for a special permit for the planned mixed-use residential development. The surrounding properties are residential to the North, commercial (a grocery store) and residential to the South, commercial (an auto shop and a restaurant) and residential to the East, and residential to the West. The nearest residential area is immediately adjacent to the property in all directions.

D. Past Use of the Site

Various operations at the Site have likely involved the use of hazardous materials and petroleum products, including steam laundry, carpentry, and mechanical activities. A & N Cleaners & Launderers and Croton Cleaners & Launderers operated on the Site between 1971 and 1976 and

were listed as dry-cleaning plants in the EDR Hist Cleaner database. Additionally, White Plains Linen/Highland Laundry, which operated on the Site from 1978 to 2001, was listed in the NY Drycleaner database. These dry-cleaning operations appeared to have used chlorinated solvents given the high level of SVOCs in soil vapor. Underground storage tanks (UST) and above ground storage tanks (AST) have been registered on the Site. One 1,000-gallon UST was listed as closed and/or removed on or around October 20, 2014. This tank relates to Spill No. 1408577. There were four (4) ASTs identified on the Site, having been installed on August 1, 1989. Two (2) of these ASTs were listed as administratively closed on an unknown date. A sign and vent pipes were identified sticking out of the side of an on-Site building, which were associated with an 8,000-gallon AST, but the AST is no longer present. There is a 550-gallon AST located on the Site, which is still reported as being in service; however, it has not been used since the on-Site facilities known as White Plains Linen ceased on-Site operation in 2018. The AST was used for sodium hypochlorite.

The last tenant to vacate the Site was the City of Peekskill Fire Department in December 2018, when the Department opened their new Central Fire Station. The Site has been vacant since 2018. The historical owners and operators associated with the Site are further described below and in Exhibit F – Previous & Current Owners & Operators List.

E. Site Geology and Hydrogeology

The surface condition of the Site generally consists of six (6) inches of surficial materials (asphalt and concrete), underlain by approximately five (5) feet of granular fill (coarse to fine sand, traces of silt, and clay, coarse to fine gravel and concrete debris), underlain by till at depths ranging from 1.5 feet to twelve (12) feet and underlain further by Gneiss bedrock. Weathered/decomposed rock material was encountered in all boring locations in depths ranging from approximately four (4) to fifteen (15) feet below ground surface. Bedrock was encountered in all borings at depths ranging from approximately five (5) to sixteen (16) feet below the existing ground surface. Groundwater was encountered in the overburden zone at approximately five (5) feet below ground surface (bgs) in the western portion of the Site. However, groundwater was not observed in the overburden zone in the eastern portion of the Site.

F. Environmental Assessment

In soil, SVOCs were detected in exceedance of the Restricted Residential Soil Cleanup Objective (RRSCOs) including Indeno(1,2,3-cd)pyrene (max of 4.3 mg/kg), Benzo(a)anthracene (max of 14 mg/kg), Benzo(a)pyrene (max of 9.4 mg/kg), Benzo(b)fluoranthene (max of 9.6 mg/kg), Dibenzo(a,h)anthracene (max of 1.7 mg/kg), Chrysene (max of 13 mg/kg), 4,4'-DDT (max of 4.02 mg/kg), and Phenanthrene (max of 12 mg/kg). Metals were also detected in exceedance of the RRSCOs, including Barium (max of 564 mg/kg), Manganese (max of 2540 mg/kg), Lead (max of 420 mg/kg), Arsenic (max of 19.8 mg/kg), Mercury (max of 3.9 mg/kg), and Chromium (max of 238 mg/kg). Specifically noteworthy was that Mercury had six boring locations throughout the Site that significantly exceeded the RRSCOs. The VOCs that were detected in soil above the Protection of Groundwater SCOs (POGWSCOs) include Benzene (max of 0.99 mg/kg), Trichloroethene (max of 0.68 mg/kg), Xylenes, Total (max of 2.4 mg/kg), Acetone (max of 0.43 mg/kg), and Chloroform (max of 0.88 mg/kg).

In groundwater, SVOCs were detected in exceedance of the Ambient Water Quality Standards (AWQS), including Benzo(a)anthracene (max of 0.14 µg/L), Benzo(a)pyrene (max of 0.07 µg/L), Benzo(b)fluoranthene (max of 0.13 µg/L), Benzo(k)fluoranthene (max of 0.08 µg/L), Chrysene (max of 0.18 µg/L) and Indeno(1,2,3-cd)pyrene (max of 0.1 µg/L). There were also detections of Perfluorooctanoic Acid (PFOA) (max of 0.0369 µg/L) and Perfluorooctanesulfonic Acid (PFOS) (max of 0.0941 µg/L) in exceedance of the AWQS. The VOC, 1,2,4,5-Tetramethylbenzene (max of 6.9 µg/L) was also detected in exceedance of the AWQS. The following metals were detected in the groundwater in exceedance of the AWQS; Chromium (max of 103.3 µg/L), Copper (max of 540.7 µg/L), Iron (max of 74,200 µg/L), Lead (max of 221.1 µg/L), Manganese (max of 2188 µg/L), Mercury (max of 3.3 µg/L), Selenium (max of 39.8 µg/L), Sodium (max of 174,000 µg/L) and Thallium (max of 1.82 µg/L).

In subslab soil vapor, chlorinated VOCs were detected within one of the samples collected from the Site including Tetrachloroethene (max of 1,150 µg/m³) and Trichloroethene (max of 9.67 µg/m³).

15-17. Regarding Questions 15-17 on the BCP Application Form:

There are no responses to question 15-17 on the BCP Application Form since this Site is not located in New York City.

SECTION II: PROJECT DESCRIPTION

1-3. Please refer to the BCP Application Form.

4. Short Project Description

The proposed project for this Site is a 100% Affordable Housing and 4% Low-Income Housing Tax Credit (LIHTC) project. The project will consist of a mix-use building with approximately 160 residential units. It is proposed that 20% of the residential units will be at 50% Area Median Income (AMI) and 80% of the residential units will be at 60% AMI. There will be approximately 5,700 square feet of retail/commercial space and some of the space will be used as a community facility. Parking for the building will be available on the lowest floor/basement.

Schedule – Commencement through COC

A Remedial Investigation (RI) Work Plan (RIWP) was submitted with the application. The Remedial Investigation is expected to commence on the Site by mid-2026 or within thirty (30) days after the Brownfield Cleanup Agreement is executed. Site preparation activities, including the demolition of the buildings, is expected to commence by late summer 2026. The Remedial Investigation Report (RIR) and Remedial Action Work Plan (RAWP) will also be completed in late summer / early fall 2026. The RAWP will be subject to a 45-day comment period and then finalized. Any required remediation may commence in the late winter of 2026. The Certificate of Completion is anticipated to be issued before the end of 2027. The affordable housing funding is tentatively scheduled for December 2026.

5. Green and Sustainable Remediation (GSR)

Remedial Investigation/Alternatives Analysis: GSR will be incorporated into RI project planning, including the application of the proposed environmental footprint analysis tool, and how climate resiliency will be included. A discussion about the plan to implement GSR will be included in the RIWP and implemented during the RI. Specifically during the RI implementation, the consultant will:

- Evaluate sensitive, local human and ecological receptors which require protection from contaminants of concern, traffic, noise, dust and odors during the implementation. An enhanced Community Air Monitoring Plan will be implemented.
- Identify vendors with operation centers local to the Site to minimize fuel consumption associated with travel to and from the Site and encourage use of public transportation, as the Subway is located adjacent to the Site.
- Salvage organic debris that is uncontaminated and free of pests or disease, for use as supplemental infill, mulch or compost.
- Salvage uncontaminated objects with potential recycle, resale, donation or onsite infrastructure value, such as steel, concrete and granite.
- Designate collection points for recycling single-use items such as metal, plastic and glass containers; paper and cardboard; and other consumable items.
- Advise contractors to avoid idling vehicles while on the BCP Site.

Remedial Design and Remedial Action: Green remediation principles and techniques will be implemented to the extent feasible in the design and implementation of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term and specify chemicals or agents, where applicable, that are not harmful or hazardous to aquatic environments and the subsurface, are readily biodegradable, and/or can help to improve site geochemical conditions;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, including that any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction. (see below)

An environmental footprint analysis will be completed, which will use an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise™ (available in the Sustainable Remediation Forum [SURF] library) or similar Department accepted tool and construction considerations should reference NYSDEC standard specification 01 89 29-Green Remediation Practice and the associated Form A – Summary of Green Remediation Metrics will be used to track actual metrics for the footprint analysis. Contractors will also pay attention to the carbon emissions used in the material generation and transportation to reduce the carbon footprint and recycling applicability where possible. This extends to the use of drilling fluids that are biodegradable and chemicals that are not harmful or hazardous during site operations.

Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Site Management: GSR will be incorporated into Site Management, including use of DEC's SMP template, resource and energy consumption reduction, waste minimization, and climate resiliency evaluation within Periodic Review Reports (PRRs). Further, progress with respect to green and sustainable remediation metrics will be tracked, and reported in PRRs, as part of the Site Management program, and opportunities to further reduce the environmental footprint of the project will be identified as appropriate.

Redevelopment: Green stormwater practices will be implemented for the entire project. Since there will be an affordable component to the project, the buildings will also meet one or more of the following criteria:

1. 2020 Enterprise Green Communities Certification or 2020 Enterprise Green Communities Certification Plus
2. Energy Star Multifamily New Construction Program
3. ICC/ASHRAE 700 – 2020 National Green Building Standard Silver or higher

6. Climate Change Screening or Vulnerability Assessment

The Site is entering the program at the investigation Stage. Therefore, a Climate Change Screening or Vulnerability Assessment is not required at this time. The remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the Site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities. The closest body of water to the Site is Griffin's Ice Pond which is approximately 0.419 miles from the Site. Peekskill Bay is the nearest large water body

located roughly 0.65 miles away. The Site is not located in a flood zone. See Exhibit D – Floodplain Map. The nearest train station is at 300 Railroad Avenue in Peekskill, located 1.1 miles away. There is a bus route that runs along N. Division Street.

SECTION III: ECOLOGICAL CONCERNS

1-3. Please refer to the BCP Application Form

4. Fish and Wildlife Resources Impact Analysis Part I (FWRIA Part I).

This Site is located in an highly urbanized area, which is not located near an active fish or wildlife habitat. The nearest water body is an ice pond a little under 0.5 miles away from the site, (see Section II, Question 6), therefore a FWRIA Part I, pursuant to DER-10 Section 3.10.1, is not required to be submitted with this application as further described below.

The DEC Environmental Resource Mapper, located at the link below, does not identify any significant natural communities or rare plants or animals in the vicinity of the Site.

https://gisservices.dec.ny.gov/gis/erm/?_gl=1*faquhx*_ga*MTA0MDU5ODAxMi4xNjk2NTEwOTc0*_ga_QEDRGF4PYB*MTc0MTEwNDEwMy4xNTkuMS4xNzQxMTE1MzUxLjAuMC4w

SECTION IV: LAND USE FACTORS

1. Current Zoning

The Site is within the C-3 District. See Exhibit E - Zoning Map.

2. Allowed Uses

The General Commercial, C-3 zoning district allows for business, office and commercial uses. However, as noted above, the City of Peekskill Code § 575-34(B)(n), allows for a mixed-use residential building, upon the issuance of a special permit, along North Division Street, on lots with a minimum of 40,000 square feet. See this Code provision in Exhibit E. After the planned lot merger, the lot will be over 40,000 square feet, at which point the Requestor will apply for a special permit for the planned mixed-use residential development.

3-4. Current Use

This Site is currently unoccupied. The most recent tenants were the Fire Department on Lot 12, but the Site has been vacant since 2018.

5. Intended Use Post Remediation

After the remediation, the Site will be used for 100% affordable housing mixed use building with below grade parking.

6. Post Remediation Use

Post remediation the Site will be used for 100% affordable housing mixed use building with below grade parking.

7. Renewable Energy Facility

The proposed post-remediation use is not a renewable energy facility.

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

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

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

Yes, the project is consistent with the City of Peekskill zoning code law and map. Although the Site is in a commercial zone, because it is along a major transportation routes in close proximity to the Downtown Business District the City adopted City of Peekskill Code § 575-34(B)(n), which allows for a mixed-use residential building, upon the issuance of a special permit, along North Division Street, on lots with a minimum of 40,000 square feet. See Peekskill Code § 575-34(B)(n) in Exhibit E. After the planned lot merger, the lot will be over 40,000 square feet, at which point the Requestor will apply for a special permit for the planned mixed-use residential development. The Zoning Code also encourages mixed-use residential downtown area buildings intended to introduce a diverse twenty-four-hour-a-day residential population to the City's downtown area to support downtown businesses and to increase the range of housing available near the City's Downtown Business District.

10. Consistent with the Master Plan?

Yes, the City of Peekskill is currently working on an updated Comprehensive Plan, but this project is consistent with the existing City of Peekskill Comprehensive Plan, which intends to promote safe, healthy, good, orderly and appropriate development throughout the City of Peekskill, promote the City as a wholesome place to live and work, and improve its physical appearance, healthfulness and safety. In addition, the City is in need for more affordable housing.

SECTION V: CURRENT AND HISTORICAL PROPERTY OWNER AND OPERATOR INFORMATION

The owners of the Site are listed in the table below:

Parcel Address	Owner	Ownership Start Date
418 North Division Street	418 North Division Street LLC	11/14/2024
407 Highland Avenue	418 North Division Street LLC	11/14/2024
425 Highland Avenue	418 North Division Street LLC	11/14/2024
427 Highland Avenue	418 North Division Street LLC	11/14/2024

See Exhibit G - Deed for additional information.

Requestor 418 North Division Street LLC is the current owner of the Site. See Exhibit G - Deed.

The Previous & Current Owners & Operators list is attached as Exhibit F. 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 F also includes the prior operators' use of the Site.

SECTION VI: PROPERTY'S ENVIRONMENTAL HISTORY

1. List of Environmental Reports

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

- a. November 2024 Asbestos Inspection Report prepared by DVD Environmental Inc. prepared by DVD Environmental Inc. for STAGG Group
- b. March 2025 Preliminary Geotechnical Investigation Report prepared by SESI Consulting Engineers ("SESI") for STAGG Group
- c. July 2025 Phase I Environmental Site Assessment Report prepared by SESI for 418 North Division Street LLC
- d. March 2026 Phase II Environmental Site Assessment Report prepared by SESI for 418 North Division Street LLC
- e. March 2026 Remedial Investigation Work Plan prepared by SESI for 418 North Division Street LLC
- f. Spill No. 0206243 – NYS DEC Spill Record
- g. Spill No. 0302563 – NYS DEC Spill Record
- h. Spill No. 0410072 – NYS DEC Spill Record
- i. Spill No. 0809615 – NYS DEC Spill Record
- j. Spill No. 1408577 – NYS DEC Spill Record

2. Sampling Data

See Exhibit H - Spider Maps which include sampling data summaries.

3. Environmental Assessment

Based on the investigations conducted at the Site, the contaminants of concern per each tax lot are as follows:

- Lot 9
 - Soil - SVOCs detected in exceedance of the RRSCOs
- Lot 10
 - Soil - SVOCs and Metals detected in exceedance of the RRSCOs
 - Groundwater – PFOA, PFOS, SVOCs and Metals detected in exceedance of the AWQS
 - Soil Vapor – VOCs detected in exceedance of the DOH sub surface soil vapor screening levels

- Lot 11
 - Soil-SVOCs and Metals detected in exceedance of the RRSCOs on the border of this lot and lot 12
 - Groundwater – SVOCs and Metals detected in exceedance of the AWQS
- Lot 12
 - Soil – SVOCs and Metals detected in exceedance of the RRSCOs
 - Groundwater – PFOA, PFOS, VOC, SVOCs and Metals detected in exceedance of the AWQS

Soil:

Analytes> RRSCOs or POGW SCOs	Detections > RRSCOs	Detections > POGW	Maximum Detection (mg/kg)	RRSCO (mg/kg)	POGW (mg/kg)	Depth (ft-bgs)	Sample ID	Max Detection Date
SVOCs								
Indeno(1,2,3-cd)pyrene	1	0	4.3	1.4	6.6	0.5-1.0	SB-111	1/28/2025
Benzo(a)anthracene	2	3	14	1.4	1	0.5-1.0	SB-111	1/28/2025
Benzo(a)pyrene	3	0	9.4	1	22	0.5-1.0	SB-111	1/28/2025
Benzo(b)fluoranthene	2	2	9.6	1.7	2.1	0.5-1.0	SB-111	1/28/2025
Benzo(k)fluoranthene	0	1	2.2	4.9	2.1	0.5-1.0	SB-111	1/28/2025
Dibenzo(a,h)anthracene	1	0	1.7	0.33	1000	0.5-1.0	SB-111	1/28/2025
Chrysene	1	3	13	4.9	1	0.5-1.0	SB-111	1/28/2025
4,4'-DDT	1	0	4.02	3.8	135	0.5-1.0	SB-102	1/29/2025
Phenanthrene	1	0	12	4.9	1000	0.5-1.0	SB-111	1/28/2025
VOCs								
Chloroform	0	1	0.88	24	0.37	0.5-1.0	SB-9	12/19/2024
1,1,1-Trichloroethane	0	NS	0.72	100	NS	3.5-4.0	SB-118	1/28/2025
Benzene	0	2	0.99	3.7	0.06	0.5-1.0	SB-9	12/19/2024
Toluene	0	NS	2.5	100	NS	0.5-1.0	SB-9	12/19/2024
Trichloroethene	0	1	0.68	6.4	0.47	3.5-4.0	SB-118	1/28/2025
Xylenes, Total	0	2	2.4	100	1.2	0.5-1.0	SB-9	12/19/2024
Acetone	0	1	0.43	100	0.49	0.5-1.0	SB-9	12/19/2024
Metals								
Lead, Total	1	0	420	400	450	3.5-4.0	SB-118	1/28/2025
Arsenic, Total	1	1	19.8	16	16	0.5-1.0	SB-111	1/28/2025
Mercury, Total	6	2	3.9	0.3	0.73	0.5-1.0	SB-109	1/31/2025
Barium, Total	1	0	564	410	820	0.5-1.0	SB-12	12/19/2024
Manganese, Total	1	1	2540	2000	2000	0.5-1.0	SB-12	12/19/2024
Chromium, Total	1	7	238	110	19	3.5-4.0	SB-118	1/28/2025

Groundwater:

Analyte > AWQS	Detections > AWQS	Max Detection (µg/L)	AWQS (µg/L)	Sample ID	Max Detection Date
SVOCs					
Benzo(a)anthracene	2	0.14	0.002	TW-2	12/20/2024
Perfluorooctanoic Acid (PFOA)	2	0.0369	0.0067	TW-3	12/20/2024
Perfluorooctanesulfonic Acid (PFOS)	3	0.0941	0.0027	TW-3	12/20/2024
Benzo(a)pyrene	2	0.07	0.002	TW-1	12/19/2024
Benzo(b)fluoranthene	3	0.13	0.002	TW-1	12/19/2024
Benzo(k)fluoranthene	3	0.08	0.002	TW-3	12/20/2024
Chrysene	2	0.18	0.002	TW-2	12/20/2024
Indeno(1,2,3-cd)pyrene	3	0.1	0.002	TW-3	12/20/2024
VOCs					
1,2,4,5-Tetramethylbenzene	1	6.9	5	TW-2	12/20/2024
Metals					
Chromium, Total	1	103.3	50	TW-2	12/20/2024
Copper, Total	1	540.7	200	TW-2	12/20/2024
Iron, Total	3	74,200	300	TW-2	12/20/2024
Lead, Total	2	221.1	25	TW-2	12/20/2024
Magnesium, Total	1	42500	35000	TW-1	12/19/2024
Manganese, Total	1	2188	300	TW-2	12/20/2024
Mercury, Total	1	3.3	0.7	TW-2	12/20/2024
Selenium, Total	2	39.8	10	TW-1	12/19/2024
Sodium, Total	3	174,000	20000	TW-1	12/19/2024
Thallium, Total	2	1.82	0.5	TW-2	12/20/2024

Soil Vapor:

Analytes	Total Detections	Max Detection (µg/m ³)	NY-SSC-A	NY-SSC-B	Max Boring Sample ID	Max Collection Date	Type
VOCs							
Tetrachloroethene	1	1,150	-	100	SV-2	12/20/2024	Subslab SV
Trichloroethene	1	9.67	6	-	SV-2	12/20/2024	Subslab SV

4. Past Land Use

1. Past Use of the Site

Various historic operations at the Site, most notably dry-cleaning operations, have likely involved the use of hazardous materials and petroleum products, including steam laundry, carpentry, and scrap metal activities. The Site was developed prior to 1887 with a carpentry shop in the southern on-Site building. The Site appeared mostly in its current form by approximately 1974. There were several different former uses, including a dairy and ice cream manufacturer, bus depot, fire department, dry cleaning/commercial laundry operations, metal shop, and automobile warehouse.

A & N Cleaners & Launderers and Croton Cleaners & Launderers operated on the Site between 1971 and 1976 and were listed as dry-cleaning plants in the EDR Hist Cleaner database. The Site is identified as Highland Light Steam Laundry/White Plains Linen on the UST database, with Site ID No. 3-800121. A 1,000-gallon UST was listed as closed or removed as of October 20, 2014, related to Spill No. 1408577. There were four AST database listings for the property under Site ID No. 3-800121, two of them listed as administratively closed at an unknown date, although it is known that those tanks were installed on August 1, 1989. A sign and vent pipes associated with an 8,000-gallon AST were identified sticking out of the side of the building (not in the ground), but the AST is no longer present.

The Site was also identified in the Chemical Bulk Storage (CBS) AST database with CBS No. 3-000007 for a 550-gallon AST that contained sodium hypochlorite, which is still reported as in service but is not in actual use since the on-Site facilities have long since closed.

As noted above there have been a number of spills associated with the Site, but most appear to have occurred adjacent to the Site in the street, sidewalk or in catch basins. Five spills have been reported on the Site based on the NY Spills database, predominantly related to the release of fuel oil and MTBE. All five spills are reported as closed.

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

The November 2024 Asbestos Inspection Report prepared by DVD Environmental Inc. identified asbestos throughout on-Site buildings requiring abatement prior to demolition. Prior to demolition the new EPDM roofs should be removed, and the underlying roofs should be inspected.

In July 2025, SESI Consulting Engineers created a Phase I Environmental Site Assessment Report for the Site. The following recognized environmental conditions (“REC”) were identified on the Site by SESI:

1. The Site is listed on the Underground Storage Tank (UST) database and Above-Ground Storage Tank (AST) database. A 1,000-gallon UST was closed and/or removed from the Site in 2014; however, the UST is related to Spill No. 1408577. There were eight (8) AST identified to have been located on the Site at some point, the largest being listed as 8,000-gallons, and is reported as being in-service; however, SESI observed that it had been removed. A 550-gallon AST containing sodium hypochlorite and another 550-gallon AST containing No. 2 Fuel Oil are reported as still in-service on the Site. SESI recommends further investigation of the current and former tank systems, an evaluation for potential additional USTs, and an evaluation for potential discharge from the tanks.
2. Lot 9, 10 and 11 of the Site were operated by industrial laundry facilities beginning in at least 1942. These laundry operations utilized a variety of cleaning solvents and detergents and utilized large-scale drainage features under the equipment. The laundry operations were also coal-powered, and a large coal storage area was located in the central portion of the Site. The Site was identified on the US Environmental Protection Agency Envirofacts website indicating that tetrachloroethene (PCE) was used on Site when it was occupied by White Plains Linen, Highland Steam Laundry, C&C Cleaners, and/or White Plains Coat & Apron Co.

3. Multiple past uses/buildings on the Site were powered by coal; therefore, multiple areas of the Site were utilized for coal storage. Coal storage and handling may have resulted in Site contamination consisting of polynuclear aromatic hydrocarbons (PAHs), coal tar and creosote.
4. The former building on Lot 10 was occupied by a carpentry shop from 1887 to 1911. In 1911, it is indicated that the building was then occupied by an automobile warehouse. Another building was occupied by C.A. Lamos Sons Sash and Blind Factory until at least 1942, when the building was listed as being occupied by a steam laundry operation. Moreover, metal fabrication is reported to have occurred on the Site sometime between 1972 and 1977.
5. The Peekskill Motor Bus Corp. occupied a building on Lot 11 as a garage in 1923. The building was continually listed as a garage until 1972. Another structure was occupied by a trucking company in 1900. These historic operations could have contributed to soil and groundwater contamination identified, in the area of these former operations, during the March 2025 Phase II investigation.
6. The 1987 City Directory identified Wayne Desalvo Inc./Wayne Printing & Lith at 418 Noth Division Street (Lot 9). It is unclear if the building on Lot 9 was used for printing operations, office space or both. Printing operations would have utilized solvents, mentals and PFAS. Pesticides and polynuclear aromatic hydrocarbons (PAHs) were detected on Lot 9 during the March 2025 Phase II Investigation.
7. A Fire House was located on Lot 10 from approximately 1911 until at least 2020. This use may have impacted the subsurface with petroleum and PFAS contamination.
8. Historic fill was identified on the Site during the March Phase II investigation. Granular fill extended up to 5 feet below existing grades. PAHs and metals were detected in concentrations which appear to be in part due to contaminated historic fill.
9. Analytical results from the Phase II ESA identified onsite contamination in soil, groundwater, and soil vapor above the applicable clean up objectives, quality standards, and criteria, respectively. On-site contamination appears to be attributable to both historic on-site operations and contaminated historic fill.

The March 2025, updated March 2026 Phase II investigation determined the Site's historical uses caused contamination, including Polyaromatic Hydrocarbons (PAHs) and heavy metals likely originating from coal storage and handling, a carpenter business, a mechanic shop and historic fill, chlorinated solvents from dry cleaning, carpentry and a mechanic shop, non-halogenated solvents from the carpentry and mechanic shop, coal tar and creosote from coal storage and handling business, fuel oil from a former USTs and ASTs used for heating and generating steam, waste oil for carpentry and metal processing), PFAS compounds from firefighting foam stored and possibly used by the fire dept.), and pesticides from historic fill.

Soil, groundwater and soil vapor sampling were conducted as a part of the Phase II investigation. Additionally, a geotechnical investigation was conducted. While PAHs are commonly associated with historic fill, the elevated levels on this Site are likely due to releases occurring during transportation, staging, and handling of PAH-containing materials such as petroleum products and coal during past operations such as the coal yard, steam laundry, carpenter shop, and mechanic shop, and were found in both soil and groundwater. The BTEX compounds found in soil (Benzene, xylenes, and toluene) and 1,2,4,5-Tetramethylbenzene in groundwater are associated with petroleum releases. 1,1,1-Trichloroethane and Trichloroethylene (TCE) found in soil were

common industrial degreasers and may have been used as solvent in dry cleaning activities. TCE is also a degradation byproduct of perchloroethylene (PCE), which was found in soil vapor, and is the most commonly used solvent in dry cleaning. Chloroform is a typical disinfection byproduct. PFOS and PFOA were also found in groundwater. Metals have also impacted the groundwater including lead and mercury, which could have originated from coal. PCE was detected at concentrations slightly over 10x of NYSDOH soil vapor screening levels.

A March 2026 Remedial Investigation Work Plan had been submitted with the application. The proposed remedial investigation subject to Department approval includes:

- First, a comprehensive Site survey will be completed prior to the start of RI activities to field locate the proposed sample locations and to confirm no tanks are present using Ground Penetrating Radar (GPR).
- Thirteen (13) additional soil borings are proposed at an approximate frequency of one per 3,600 ft for site-wide coverage down to a depth of 20 ft bgs.
- Four (4) permanent overburden and up to two (2) permanent bedrock groundwater monitoring wells are proposed to be installed. Overburden monitoring wells are proposed to be advanced to practical refusal at the bedrock surface and have up to 10 feet of screens. Bedrock wells are proposed to be installed 15 feet into the bedrock and have 10 feet of screens sealed in bedrock.
- Seven (7) soil vapor probes are proposed to be installed.

SECTION VII: REQUESTOR INFORMATION

The Requestor is 418 North Division Street LLC, a New York limited liability company, located at 1763 Pitman Avenue, Bronx, NY 10466. 418 North Division Street LLC is authorized to do business in the State of New York. See Exhibit I - NYSDOS Entity Information. The members are as follows as listed in the organization Chart also in Exhibit I:

1. Titanium 2020 Trust – Revocable Trust (70%)
2. Superior Property Members Holding LLC (30%)

The Written Consent provides Mark Stagg with authority to sign all Brownfield Cleanup Program documents on behalf of the Requestor 418 North Division Street LLC. See Exhibit J – Corporate Consent.

SECTION VIII: REQUESTOR CONTACT INFORMATION

Please refer to the BCP Application Form.

SECTION IX: PROGRAM FEE

Please see Affidavit in Support of Application Fee Waiver, executed by Mark Stagg, included as Exhibit M.

SECTION X: REQUESTOR ELIGIBILITY

1-10. Please refer to BCP Application Form.

11. Unregistered bulk storage tanks

The response on the application is “No” because all tanks on the Site appear to have been registered. Several ASTs are still listed as active but were not present on the Site as of the time of acquisition. The Requestor performed due diligence to confirm no remaining USTs remained on-Site by performing the Phase II initial GPR survey did not locate any USTs. The Requestor performed an additional GPR survey to confirm if any USTs were present and none were identified. The Facility Information Report and Petroleum Bulk Storage Registration Certificate for Highland Light Steam Laundry/White Plains Linen (PBS No. 3-800121) identified the following tank information:

Tank ID	Type	Size (gal)	Contents	Status	Date
002	AST	275	No. 2 Fuel Oil	Administratively Closed	1/1/1900*
003	AST	275	No. 2 Fuel Oil	Administratively Closed	1/1/1900*
004	AST	550	No. 2 Fuel Oil	In-service	2/1/1978
005	UST	1,000	No. 2 Fuel Oil	In-service	4/1/1981
006	AST	8,000	No. 2 Fuel Oil	In-service	10/1/1968

* These ASTs were not closed on 1/1/1900, this date is used as a placeholder when the actual date is not provided. As noted above, all ASTs were removed from the Site before acquisition despite the active listings above as shown in photos in the Phase I.

REQUESTOR CERTIFICATION

The Requestor certifies it is a Volunteer, since it does not have nor has ever had a relationship with any of the past owners or operators of the Site that caused the contamination other than it purchased the Site. Requestor did not have involvement with the Site at the time of disposal. Since this Site was acquired at an obscure type of sale, where a broker auctioned off the property to multiple prospective purchasers through a deal with the seller and lender to avoid bankruptcy/foreclosure, the Requestor did not have the opportunity to perform a Phase I prior to acquiring the Site. However, the Requestor performed due diligence environmental investigations as soon as it owned the property and has implemented due care of the Site since ownership. The Site is secured with a fence. Any drums or containers at the Site were removed by the prior owner before the acquisition and the Requestor investigated that all tanks had been removed. Therefore, the Requestor has maintained due care of the Site.

SECTION XI: 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 attached as Exhibit H, 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 XII: SITE CONTACT LIST

See Exhibit K - Site Contact List. See Exhibit L - Repository Letter.

EXHIBIT A

BASE MAP

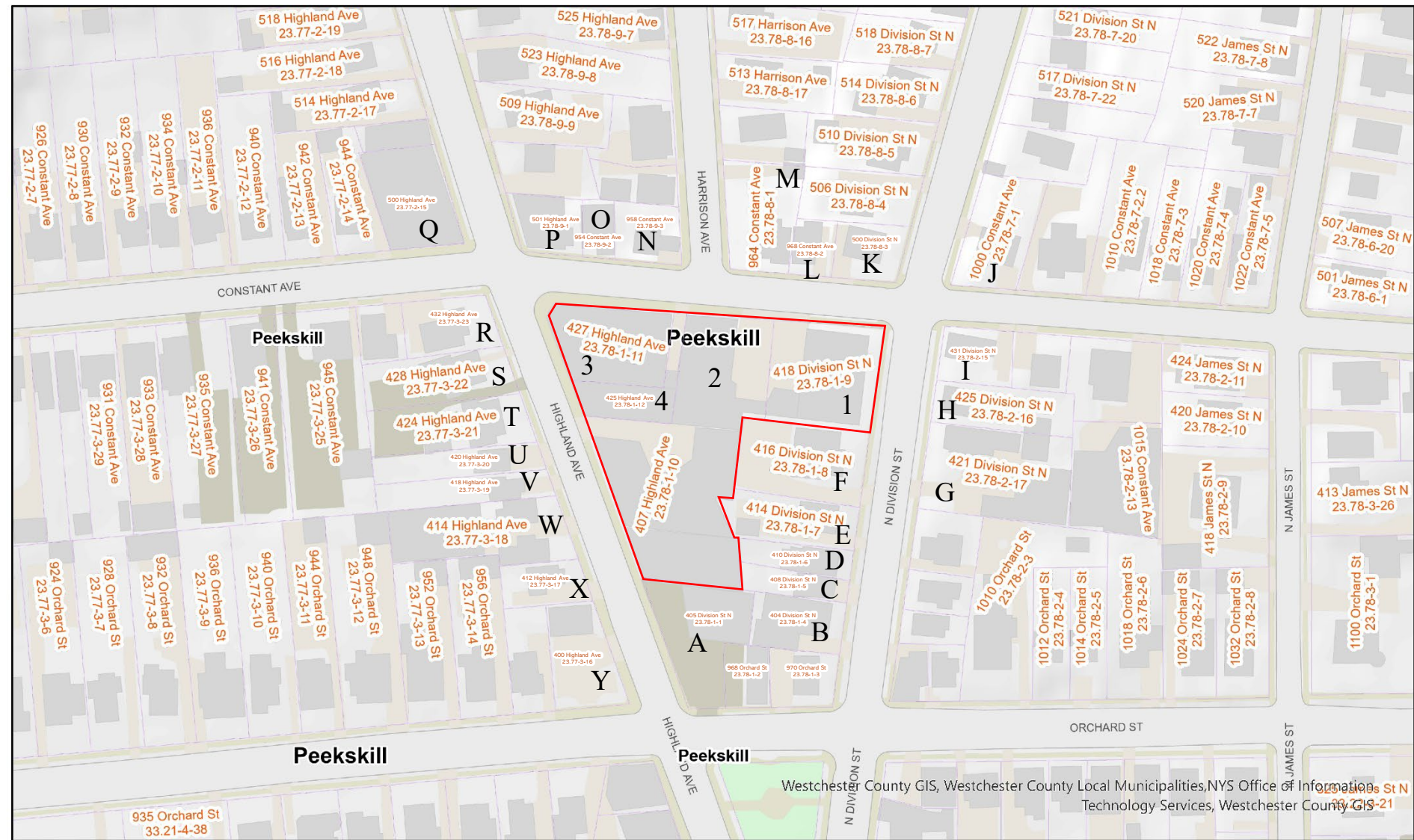
Highland Light Steam Laundry Site
418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566

Legend:
 Site Property Boundary

Corresponding page lists adjacent property owners by letter A – Y

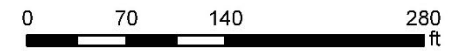


All feature locations are approximate. This map is intended as a schematic to be used in conjunction with associated Application and Support Information, and should not be relied upon as a survey for planning and other activities.



September 15, 2025

1:1,500



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

Westchester County GIS

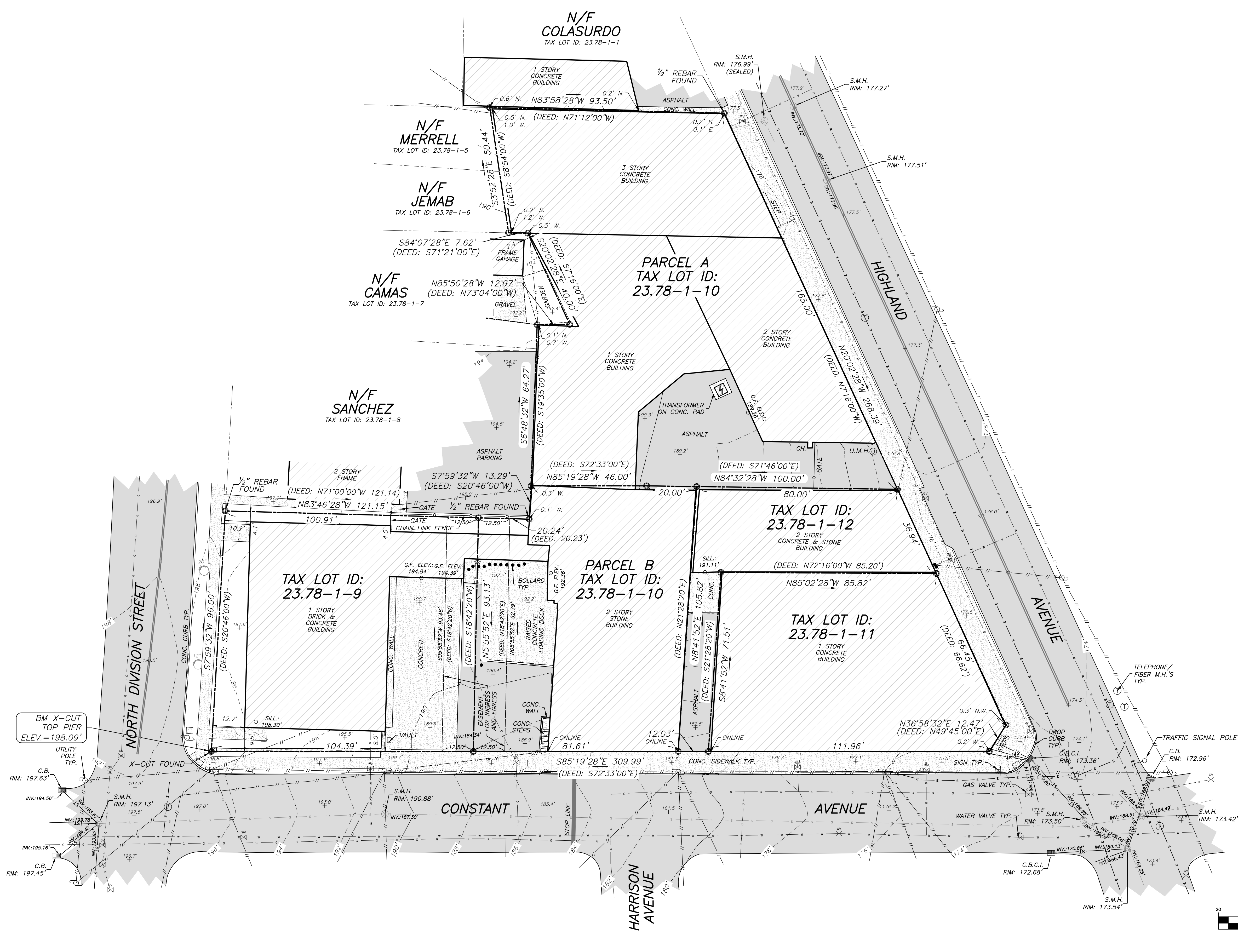

<http://giswww.westchestergov.com>
Michaelian Office Building
148 Marine Avenue Rm 214
White Plains, New York 10601

Number	Property Owner(s) Name(s)	Property Address	Section-Block-Lot
1	418 North Division Street LLC	418 Division Street N	23.78-1-9
2	418 North Division Street LLC	407 Highland Avenue	23.78-1-10
3	418 North Division Street LLC	427 Highland Avenue	23.78-1-11
4	418 North Division Street LLC	425 Highland Avenue	23.78-1-12

Letter	Adjacent Property Owner(s) Name(s)	Property Address	Section-Block-Lot
A	Jonathan and Margaret Colasurdo	405 Highland Avenue	23.78-1-1
B	Bessie Johnson and Lacresha Getter	404 Division Street N	23.78-1-4
C	Prince and Jolene Murrell	408 Division Street N	23.78-1-5
D	Jemab Family Limited Partnership	410 Division Street N	23.78-1-6
E	Angel M. Camas Muyulema	414 Division Street N	23.78-1-7
F	Jose and Esperanza Sanchez	416 Division Street N	23.78-1-8
G	Jonathan J. Colasurdo	421 Division Street N	23.78-2-17
H	Joel Weiss	425 Division Street N	23.78-2-16
I	Jorge Willa-Maita	431 Division Street N	23.78-2-15
J	Mario J. Tucci, III and Diane Tucci	1000 Constant Avenue	23.78-7-1
K	Brendon and Lindsey Fitzgerald	500 Division Street N	23.78-8-3
L	Lucinao R. Patino	968 Constant Avenue	23.78-8-2
M	Leslie Phillip	964 Constant Avenue	23.78-8-1
N	Frederick and Darlene Vanca	958 Constant Avenue	23.78-9-3
O	Rosa Ramirez	954 Constant Avenue	23.78-9-2
P	Abu Halal LLC	501 Highland Avenue	23.78-9-1
Q	Henry Seger	500 Highland Avenue	23.77-2-15

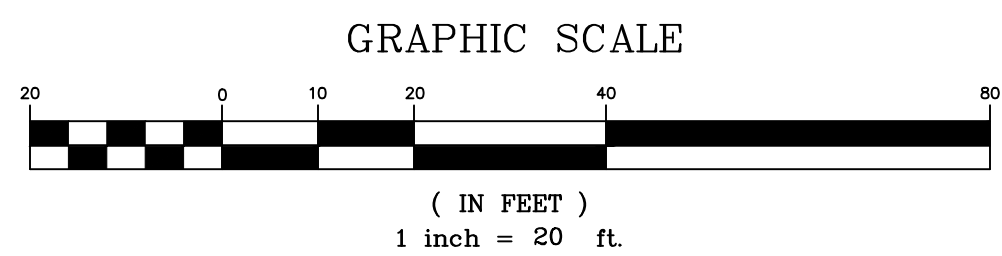
Letter	Adjacent Property Owner(s) Name(s)	Property Address	Section-Block-Lot
R	Fabian Vele	432 Highland Avenue	23.77-3-23
S	Highland Ave Properties LLC	428 Highland Avenue	23.77-3-22
T	Stacy Phox	424 Highland Avenue	23.77-3-21
U	Wazhinton E. Gomez Godoy and Eve Pazato	420 Highland Avenue	23.77-3-20
V	820 McKinley Corp.	418 Highland Avenue	23.77-3-19
W	Mary Ann Eng and Emily Burke	414 Highland Avenue	23.77-3-18
X	Jose and Digna Velesaca	412 Highland Avenue	23.77-3-17
Y	Gran Cabana Restaurant Corp.	400 Highland Avenue	23.77-3-16

EXHIBIT B



SURVEY NOTES:
 1. HORIZONTAL DATUM: NAD83 NAD83-E (RTK DERIVED)
 2. VERTICAL DATUM: NAVD83 GEOID18B (RTK DERIVED)
 3. UNDERGROUND UTILITIES SHOWN OR NOT SHOWN
 HEREON TAKE FROM FIELD EVIDENCE, RECORD
 MAPPING AND DIG SAFELY MARKED. GEOLOGIC LAND
 SURVEYING IS NOT LIABLE FOR THE ACCURACIES OR
 INACCURACIES OF THESE LINES. ALWAYS CALL DIG
 SAFELY BEFORE EXCAVATING

AREAS:
 TAX LOT 23.78-1-9: 0.223 AC., 9701 S.F.
 TAX LOT 23.78-1-10A: 0.369 AC., 16450 S.F.
 TAX LOT 23.78-1-10B: 0.198 AC., 8640 S.F.
 TAX LOT 23.78-1-11: 0.169 AC., 7378 S.F.
 TAX LOT 23.78-1-12: 0.089 AC., 3864 S.F.



SURVEYORS CERTIFICATION

CERTIFICATIONS INDICATED HEREON SIGNIFY THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THIS SURVEY WAS PREPARED AND ON HIS BEHALF TO THE TITLE CO. AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

CERTIFIED TO:
 1. 418 NORTH DIVISION STREET LLC
 2. ATLANTIC TITLE AGENCY II LLC
 3. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
 4. TITLE NO. ALORT-26118W
 5. TOMPKINS COMMUNITY BANK

EVAN J. FOGLE, P.L.S.
 N.Y.S. LICENSE NO. 50873

GEOLOGIC LAND SURVEYING, PLLC
 418 NORTH DIVISION STREET, NEW FAIRFIELD, CT 06424
 P.O. BOX 484, NEW FAIRFIELD, CT 06424-0484
 WWW.GEOLOGICLANDSURVEYING.COM
 GEOLOGICLANDSURVEYING.COM

TOPOGRAPHIC SURVEY OF PROPERTY
 PREPARED FOR
418 NORTH DIVISION STREET LLC
 BEING
TAX LOT NoS. 9,10,11,&12
 ALSO KNOWN AS
418 N. DIVISION STREET
407 HIGHLAND AVE
425 HIGHLAND AVE
427 HIGHLAND AVE
 SITUATE IN
CITY OF PEEKSKILL WESTCHESTER CO., N.Y.
SCALE: 1" = 20'
NOVEMBER 18, 2024
 COPYRIGHT © 2024 GEOLOGIC LAND SURVEYING, PLLC ALL RIGHTS RESERVED

REVISIONS / ADDITIONS		GENERAL NOTES
DATE	DESCRIPTION	
		<ul style="list-style-type: none"> THE ALTERATION OF SURVEY MAPS BY ANYONE OTHER THAN THE ORIGINAL PREPARER IS MISLEADING, CONFUSING AND NOT IN THE GENERAL WELFARE AND BENEFIT OF THE PUBLIC. LICENSED LAND SURVEYORS SHALL NOT ALTER SURVEY MAPS, SURVEY PLANS OR SURVEY PLATS PREPARED BY OTHERS. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION § 7209 OF THE NEW YORK STATE EDUCATION LAW. THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY EXIST OR ARE SHOWN HEREON ARE NOT CERTIFIED. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP OR COPIES BEAR THE IMPRESSED SEAL OF THE SURVEYOR WHOSE SIGNATURE APPEARS HEREON. THIS MAP MAY NOT BE USED IN CONNECTION WITH A "SURVEY AFFIDAVIT" OR SIMILAR DOCUMENT, INSURANCE FOR ANY SUBSEQUENT OR FUTURE GRANTEE.

FIELD PARTY: SE
CHECKED BY: EF
DRAWN BY: EF

2:\JD05\WESTCHESTER COUNTY\PEEKSKILL\23.78-1-9 418 N. DIVISION STREET 2024.dwg



CITY OF PEEKSKILL

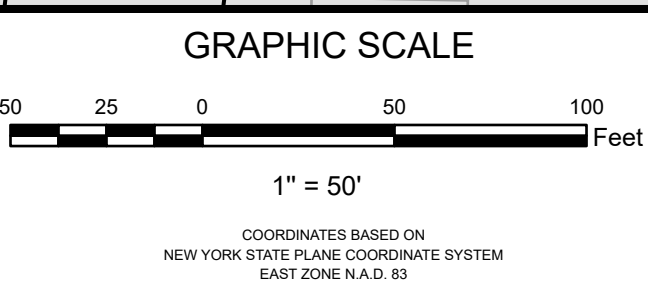
NOTE: THIS MAP IS COMPILED FOR TAX ASSESSMENT PURPOSES ONLY.

CAI Technologies

PRINCIPAL DATA COMPILED IN 1987 BY STONE & WEBSTER ENGINEERING CORPORATION NEW YORK, N.Y.

PLANIMETRIC DATA COMPILED IN 1987 BY SECKS CORPORATION OAK RIDGE, N.J.

COORDINATES BASED ON NEW YORK STATE PLANE COORDINATE SYSTEM EAST ZONE N.A.D. 83



REVISION TABLE		
DATE	MADE BY	REVISIONS

SPECIAL DISTRICTS

PEEKSKILL SCHOOL DISTRICT

Legend

- PROPERTY LINE
- ROAD
- RAILROAD
- RIGHT-OF-WAY
- CITY LINE
- COUNTY LINE
- SHEET OUTLINE
- BLOCK LIMIT LINE
- MATCH LINE
- SPECIAL DISTRICT LINE
- WATER OUTLINE
- ORIGINAL LOT LINE
- COMMON OWNER
- TICS
- TAX MAP PARCEL NUMBER
- COORD. LOCATOR POSITION
- SUBLOT NUMBER

BLOCK NUMBER	23.88	23.70	23.18
CALCULATED ACREAGE	23.77	23.78	23.16
DEED ACREAGE	23.21	23.23	23.06
SCALED DIMENSION			
DEED DIMENSION			

TAX MAP

CITY OF PEEKSKILL

WESTCHESTER COUNTY, NEW YORK

MAP DATE: MAY 1, 2025

23.78

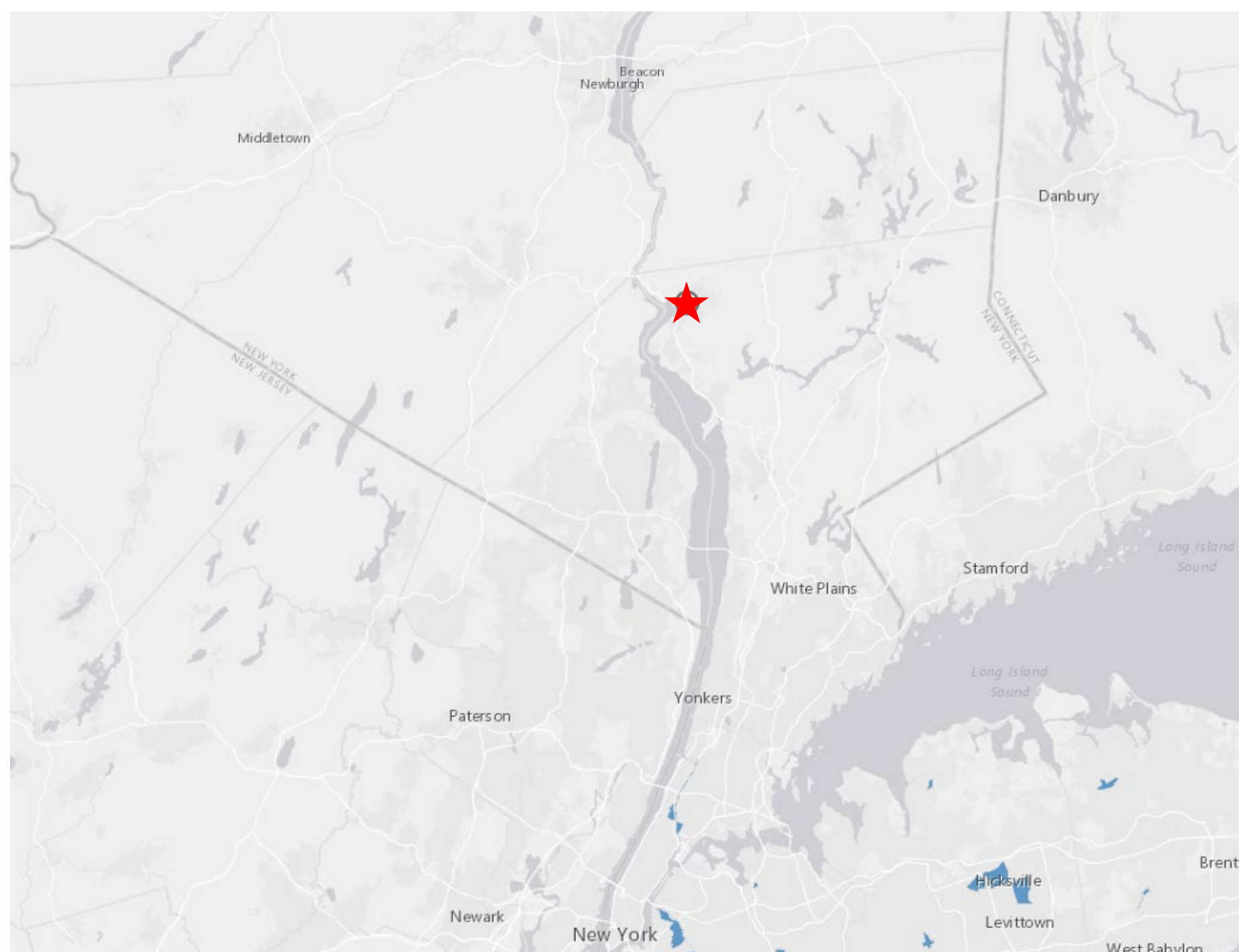
EXHIBIT C

BOA Map

Highland Light Steam Laundry Site
418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566

Legend:

-  Site Location
-  BOA



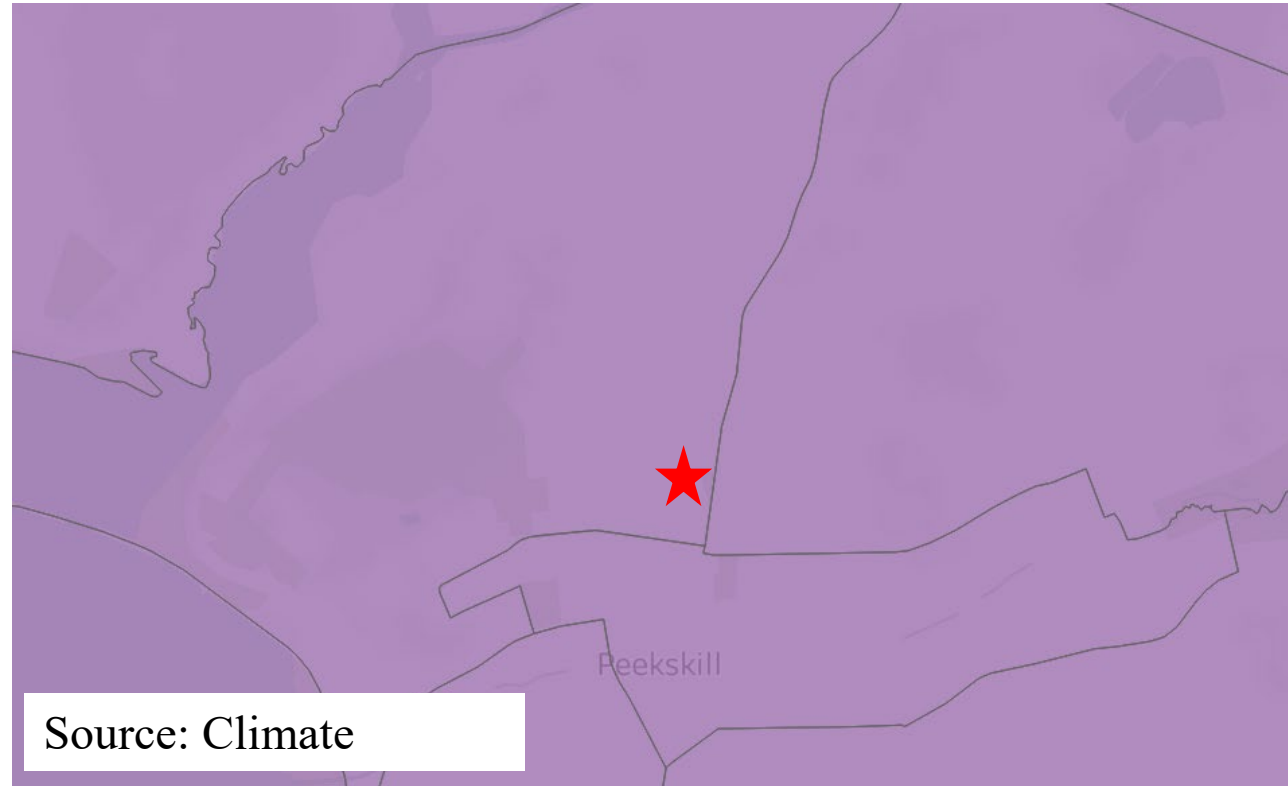
September 2025
Source: NYS GIS DATA

Disadvantaged Communities Map

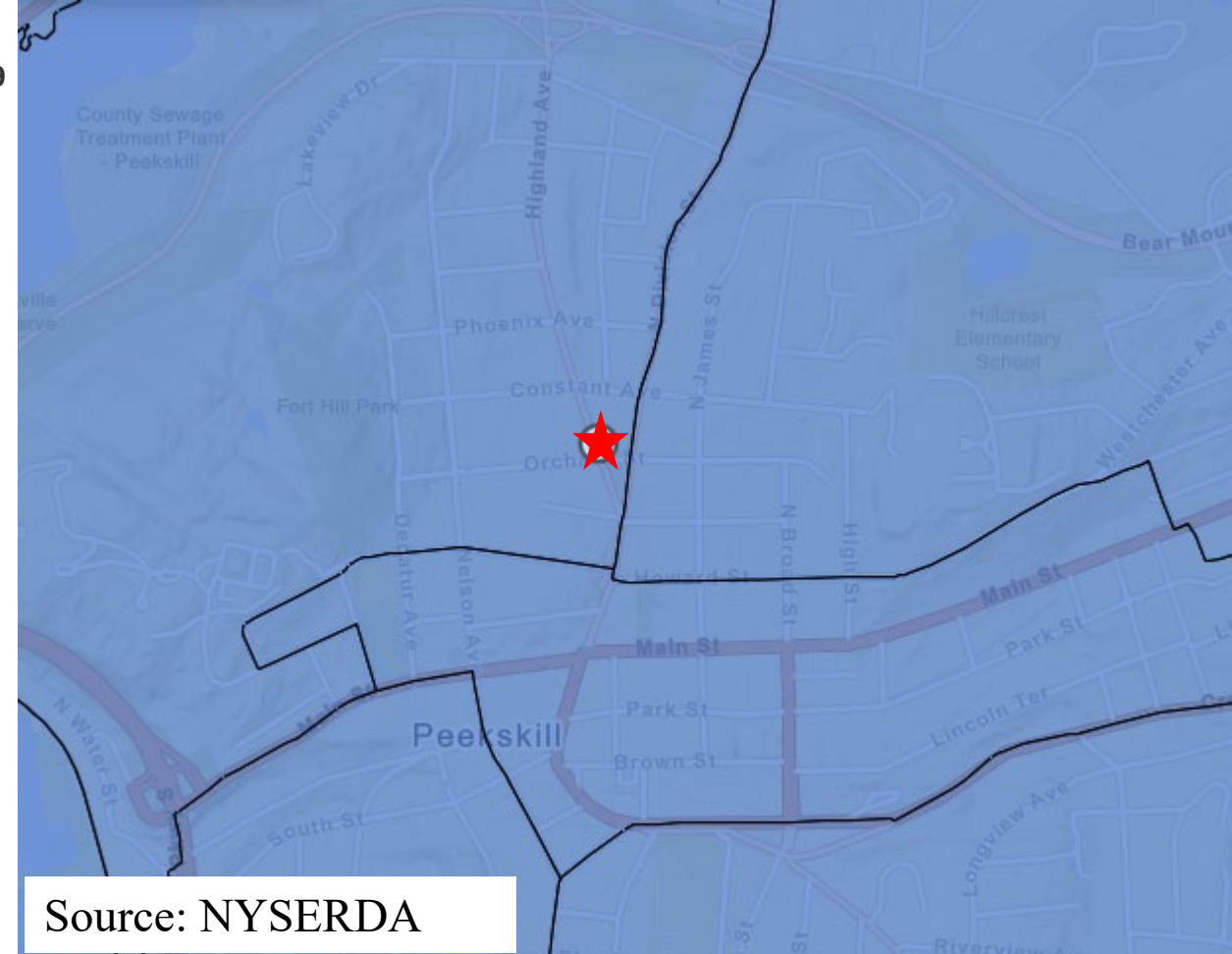
Highland Light Steam Laundry Site
 418 North Division St., 407
 Highland Ave., 425 Highland Ave.,
 and 427 Highland Ave.
 Peekskill, New York 10566

Census Tract 36119014200 is **Designated a DAC**
 This Tract covering **Peekskill city** has a population of **3,539**

Environmental Burden is higher than **97%** of Census Tracts statewide
Population Vulnerability is higher than **85%** of Census Tracts statewide



Source: Climate



Source: NYSERDA

Population Characteristics & Vulnerability --

Health Impacts & Burdens	Metric	Value
Health Impacts & Burdens	Asthma ED visits	67%
	COPD ED visits	72%
	Heart attack (MI) Hospitalization	93%
	Low Birthweight	74%
	Pct Adults Age 65+	6%
	Pct w/ Disabilities	45%
	Pct w/o Health Insurance	90%
	Premature Deaths	33%
Housing, Mobility, Communications	Energy Poverty / Cost Burden	83%
	Homes Built Before 1960	46%
	Housing Cost Burden (Rental C...)	81%
	Manufactured Homes	0%
	Pct Renter-Occupied Homes	70%
	Pct w/o Internet (home or cellul...)	68%
Income	Pct <100% of Federal Poverty ...	78%
	Pct <80% Area Median Income	93%
	Pct Single-Parent Households	84%
	Pct w/o Bachelor/Es Degree	64%
	Unemployment Rate	59%
Race/Ethnicity	Limited English Proficiency	61%
	Pct Asian	3%
	Pct Black or African American	75%
	Pct Latino/a or Hispanic	90%
	Pct Native American or Indigen...	86%

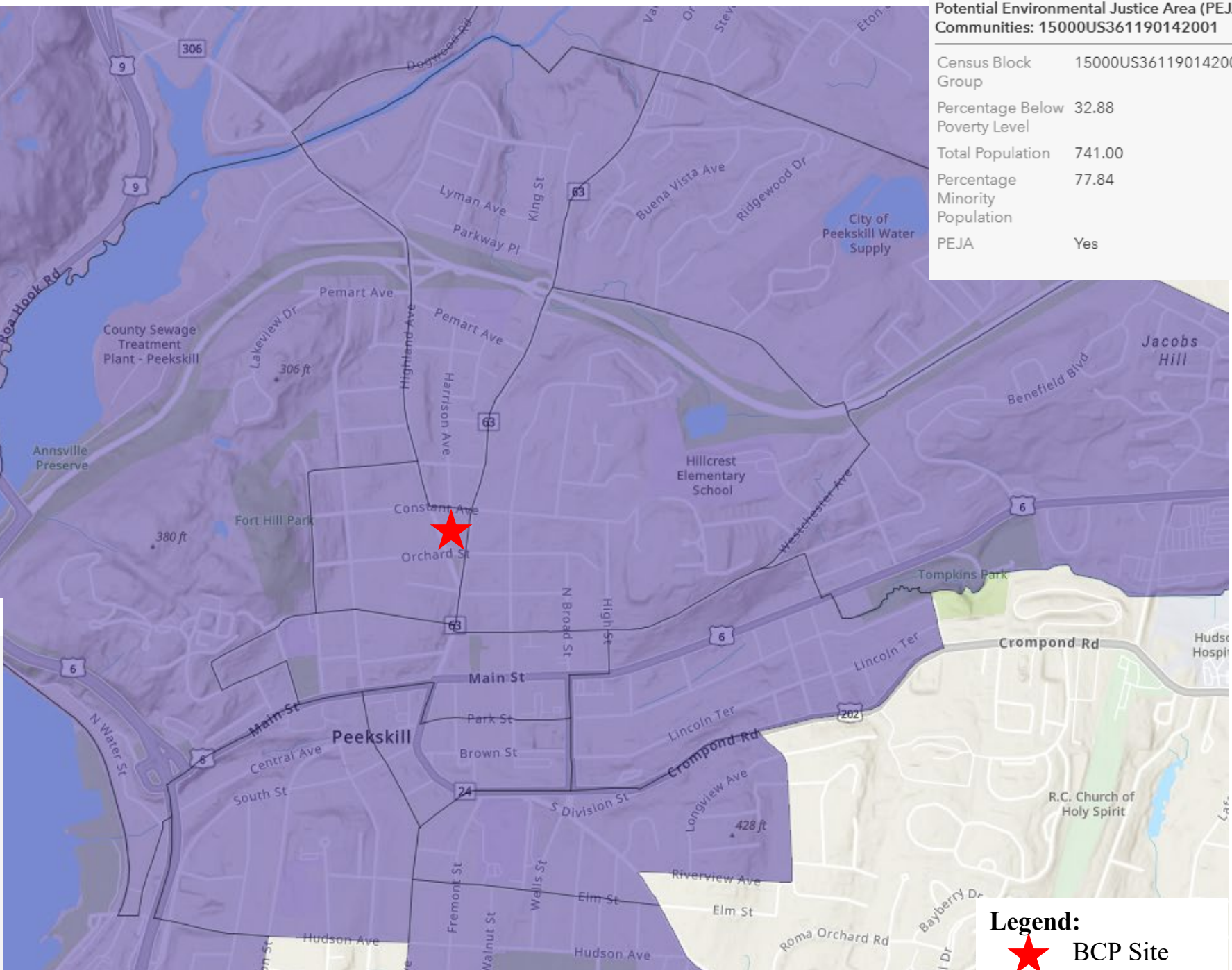
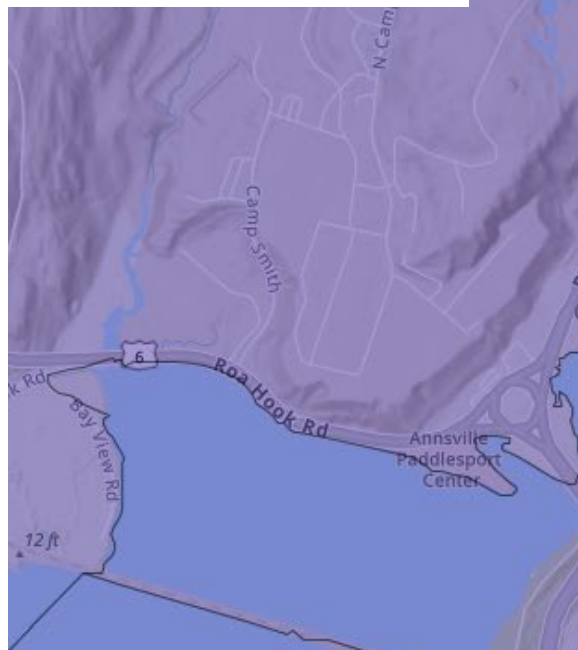
Environmental Burden & Climate Change Risk --

Land Use & Historic Discrimination	Metric	Value
Land Use & Historic Discrimination	Active Landfills	0%
	Housing Vacancy Rate	57%
	Industrial/Manufacturing/Mining La...	70%
	Major Oil Storage Facilities	50%
	Municipal Waste Combustors	0%
	Power Generation Facilities	0%
	Regulated Management Plan (Ch...	95%
	Remediation Sites	79%
	Scrap Metal Processing	0%
	Potential Climate Change Risk	Agricultural Land Use
Potential Climate Change Risk	Coastal Flooding and Storm Risk ...	45%
	Driving Time to Urgent/Critical Care	75%
	Extreme Heat Projections (>90° d...	79%
	Inland Flooding Risk Areas	93%
	Low Vegetative Land Cover	43%
Potential Pollution Exposure	Benzene Concentration (Modeled)	30%
	Particulate Matter (PM2.5)	39%
	Traffic: Diesel Trucks	57%
	Traffic: Number of Vehicles	54%
Wastewater Discharge	75%	

Legend:
 BCP Site

EJ MAP

Highland Light Steam Laundry Site
 418 North Division St., 407 Highland Ave.,
 425 Highland Ave., and 427 Highland Ave.
 Peekskill, New York 10566



Potential Environmental Justice Area (PEJA)
 Communities: 15000US361190142001

Census Block Group	15000US361190142001
Percentage Below Poverty Level	32.88
Total Population	741.00
Percentage Minority Population	77.84
PEJA	Yes

<https://statisticalatlas.com/zip/10566/Race-and-Ethnicity>

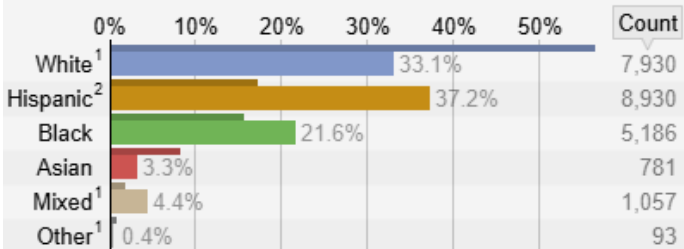
Race and Ethnicity

#1

Percentage of the total population.

Scope: population of New York and ZIP Code 10566

■ 10566 — New York



Count: number of members in ethno-racial group

¹ non-Hispanic ² excluding black and Asian Hispanics

Legend:

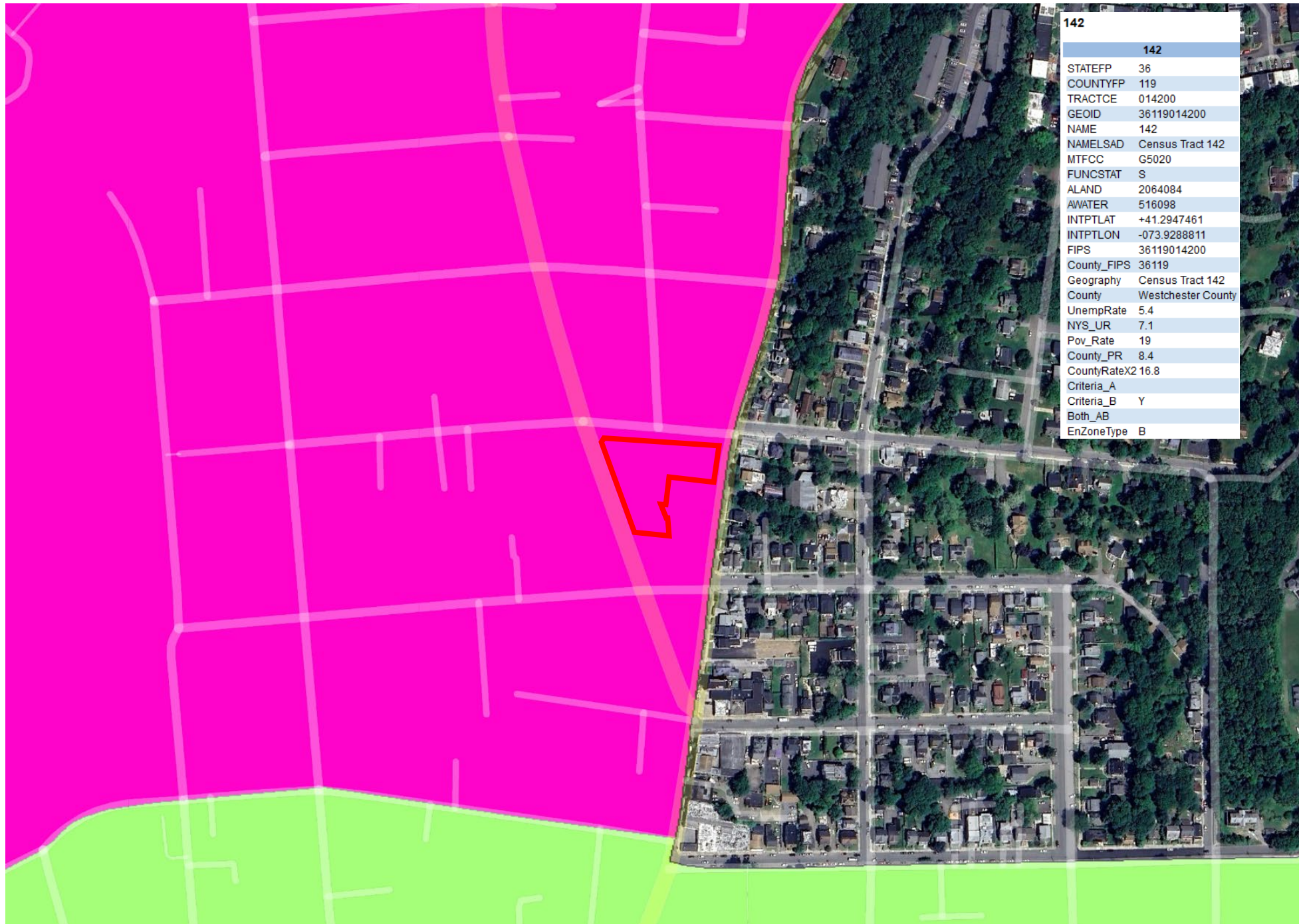
★ BCP Site

En-Zone Map

Highland Light Steam Laundry Site
418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566

Legend:

-  Site Property
-  Boundary



September 2025
Source: Google Earth

EXHIBIT D

EXHIBIT E

Commission shall make every effort to achieve continuity of retail frontage and the highest achievable quality of design of any open spaces.

§ 575-34. C-3 General Commercial District.⁵ [Amended 7-14-1986; 7-26-1993; 11-29-1994; 9-26-1995]

- A. Permitted uses. No building or premises shall be used, and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following:
- (1) Retail stores, including photocopying services.
 - (2) Banks, including drive-in windows.
 - (3) Restaurants; restaurants, fast-food, drive-through. **[Amended 9-10-2012 by L.L. No. 12-2012]**
 - (4) Beauty parlors, barbershops, tailors, nail shops.
 - (5) Taxi service headquarters or dispatch office, provided that no vehicle repair maintenance or servicing is performed on site.
 - (6) Business, professional or governmental offices and schools.
 - (7) Funeral parlors.
 - (8) Dance studios, martial arts studios.
 - (9) Household appliance repair for appliances normal and incidental to residential uses.
 - (10) Dry-cleaning store solely for pickup and delivery and provided that no dry cleaning may be performed on the property.
 - (11) Museums.
 - (12) Libraries.
 - (13) Business schools.
 - (14) Up to two artist lofts in one building subject to the development standards for artist lofts outlined in § 575-34B(2)(j). **[Added 5-26-2015 by L.L. No. 4-2015]**
 - (15) Art galleries. **[Added 2-22-2021 by L.L. No. 1-2021]**
 - (16) Entertainment venue. Defined as a business enterprise which provides or permits any musical entertainment, singing, dancing, or other forms of amusement in connection with the service of food or beverages, but not including a restaurant, bar or cafe. See standards set forth in Chapter § 278, Fire Safety and Property Maintenance, for operating permits. **[Added 10-15-2024 by L.L. No. 2-2024]**
- B. Special permit uses and performance standards.

5. Editor's Note: See also Art. III, Supplementary District Regulations.

- (1) Uses subject to issuance of a special permit. The following uses are permitted pursuant to performance standards enumerated in § 575-34B(2), and subject to the issuance of a special permit by the Director of Planning upon authorization of the Common Council or, where indicated, by the Planning Commission, in accordance with the provisions of § 575-57 herein and subsequent approval by the Planning Commission of a site plan in accordance with § 575-56 herein: **[Amended 5-8-2000; 7-19-2010 by L.L. No. 7-2010]**
 - (a) Car wash.
 - (b) Day-care centers and school-age child care as a principal use, subject to the following conditions:
 - [1] Buffering five feet in width and a six-foot-high opaque fence with the finished side facing out shall be required between all play areas and all lot lines, subject to Planning Commission full or partial waiver of this requirement.
 - (c) Warehouse and distribution activities, but excluding secondhand lumber and junkyards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.
 - (d) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing or storage of products or materials, regardless of where offered for sale, provided that only oil, gas or electricity is used as fuel.
 - (e) Printing businesses, regardless of where product is offered for sale.
 - (f) Auto repair facilities for minor repairs in conformance with § 575-10, but excluding auto sales, auto repair facilities for major repairs and auto body and paint shops.
 - (g) Health clubs.
 - (h) Theaters subject to submission of a management plan detailing hours of operation, staffing and security for review and approval by the Commissioner of Public Safety.
 - (i) Construction businesses which require the storage of heavy equipment such as backhoes, front-end loaders or outdoor storage of heavy motor vehicles as defined in these regulations.
 - (j) Laundromats, both coin-operated and drop-off laundry services, provided that an attendant is present during the hours of operation, excluding dry-cleaning services or any process utilizing chemical treatment of clothing.
 - (k) Restaurants with a designed seating capacity of more than 200 patrons are permitted pursuant to performance standards enumerated in § 575-34B(2), and subject to the issuance of a special permit by the Director of Planning upon authorization of the Planning Commission.
 - (l) An amusement center and/or children's amusement centers, subject to submission of a management plan detailing hours of operation, staffing and security for review

and approval in addition to the performance standards set forth below in Subsection B(2)(h). **[Amended 5-29-2012]**

- (m) When an action will result in one building containing three or more artist lofts, pursuant to the performance standards enumerated in § 575-34B(2)(j) and subject to the issuance of a special permit by the Director of Planning upon authorization of the Planning Commission. **[Added 10-14-2014 by L.L. No. 6-2014; amended 5-26-2015 by L.L. No. 4-2015]**
 - (n) Mixed-use residential buildings, so as to enhance investment and create redevelopment opportunities on larger lots with a minimum of 40,000 square feet located along North Division Street, pursuant to performance standards enumerated at § 575-34B(2)(i). **[Added 3-23-2023 by L.L. No. 2-2023; amended 9-11-2023 by L.L. No. 6-2023]**
 - (o) Mixed-use residential buildings, so as to increase the range of housing available in and near the City's Downtown Business District and to support downtown businesses, on lots comprising a minimum of 10,000 square feet and fronting on South James Street, Brown Street, Park Street and South Broad Street, and within 150 feet of the C-2 District and 200 feet of the R-6 District (as measured from the center of the tax lot), pursuant to performance standards enumerated in § 575-34B(2)(i). **[Added 3-23-2023 by L.L. No. 2-2023; amended 9-11-2023 by L.L. No. 6-2023]**
- (2) Performance standards. In addition to bulk and area requirements provided in § 575-34F hereof, the following criteria shall apply to special permit uses. Wherever any provision of this section shall be inconsistent with § 575-34F, the following provisions of this § 575-34B(2) shall be controlling: **[Amended 5-8-2000; 4-22-2002; 5-13-2002 by L.L. No. 1-2002; 9-14-2009 by L.L. No. 15-2009; 7-11-2011 by L.L. No. 8-2011; 5-29-2012; 9-10-2012 by L.L. No. 12-2012; 10-14-2014 by L.L. No. 6-2014; 10-14-2014 by L.L. No. 7-2014; 5-26-2015 by L.L. No. 4-2015; 6-24-2019 by L.L. No. 3-2019; 9-27-2021 by L.L. No. 7-2021; 3-23-2023 by L.L. No. 2-2023; 9-11-2023 by L.L. No. 6-2023]**
- (a) A minimum lot size of 20,000 square feet shall be required for each special permit use, excluding laundromats regulated by Subsection B(2)(d) and (e) below; restaurants as described in § 575-34B(1)(k) and regulated by Subsection B(2)(f) below; day-care centers and school-age child-care facilities as principal uses and as regulated by § 575-34B(1)(b) above; amusement centers as regulated by Subsection B(2)(h) below; mixed-use residential buildings as regulated by Subsection B(2)(i) below; and artist lofts as regulated by § 575-34B(2)(j) below.
 - (b) For all special permit uses abutting any property containing a residential use, a minimum of twenty-five-foot rear yard and fifteen-foot side yards from each abutting residential property line shall be provided. The rear and side yards shall be kept free of structures other than fencing that may be used in screening the business from adjacent properties. Landscaping and screening shall be provided in accordance with § 575-13 of this chapter.

- (c) Special permit uses requiring the use of tractor trailers for delivery of materials or equipment shall be limited to lots located on arterial streets as defined in § 278-3 of the City Code.
- (d) Special permits for laundromats upon compliance with the following requirements:
 - [1] Minimum lot size of 7,000 square feet.
 - [2] The laundromat shall not exceed 1,000 square feet in aggregate floor area.
 - [3] No more than 20 washing machines and 10 dryers will be permitted as part of the operation.
 - [4] Laundromats shall not open before 7:00 a.m. nor close later than 10:00 p.m.
 - [5] On-site parking shall be provided at a ratio of not less than one space per 300 square feet of floor area.
 - [6] Provision shall be made for storage of recyclables within the principal building.
 - [7] Exhaust vents shall be directed away from residential properties and be architecturally treated to screen vents from residential properties and from the street.
- (e) Special permits for laundromats, which are supervised by an attendant and provide both wash and fold service and self-service machines, upon compliance with the following requirements:
 - [1] Minimum lot size of 7,000 square feet.
 - [2] The laundromat shall not exceed 2,500 square feet in aggregate floor area.
 - [3] No more than 60 machines in any combination of washers or dryers shall be permitted as part of the operation.
 - [4] Laundromats shall not open before 7:00 a.m. nor close later than 10:00 p.m.
 - [5] On-site parking shall be provided at a ratio of not less than one space per 300 square feet of floor area.
 - [6] Provision shall be made for storage of recyclables within the principal building.
 - [7] Exhaust vents shall be directed away from residential properties and shall be architecturally treated to screen vents from residential properties and from the street.
- (f) Special permits for restaurants with accessory outdoor dining may be granted for a period of one year upon compliance with the following conditions:
 - [1] All accessory outdoor dining shall be accessory to and used in conjunction with an enclosed restaurant located on the same parcel.

- [2] Separation of adjacent properties and the public right-of-way, including sidewalks, from customers by landscaping, low walls or fencing.
 - [3] All tables, chairs or other seating and activities shall take place entirely on the subject parcel. The City right-of-way shall at all times remain clear of the accessory outdoor dining.
 - [4] Evening closing time shall be no later than 10:00 p.m. for the accessory outdoor dining service.
 - [5] The accessory outdoor dining area shall be kept free of debris and litter.
 - [6] No outdoor entertainment shall be allowed.
 - [7] Liquor may only be sold and consumed in conjunction with the sale of food.
- (g) A special permit for a construction business requiring storage of heavy equipment shall provide a landscape treatment which adequately screens the subject equipment from adjoining properties and the City right-of-way and shall post a maintenance cash guarantee, letter of credit, or other form of liquid asset to the satisfaction of the Corporation Counsel and City Comptroller guaranteeing the upkeep of the site and landscaping in an amount as determined by the Director of Planning.
- (h) Special permits for amusement centers may be granted for a period of two years upon compliance with the following conditions:
- [1] Evening closing time shall be no later than 9:00 p.m. on weekday evenings, including Sunday, and 10:00 p.m. for Friday and Saturday nights.
 - [2] No outdoor music or entertainment shall be allowed.
 - [3] Maximum site-generated lighting shall not exceed 0.5 footcandle at any property line abutting a residential district, and the source of all outdoor lighting shall not be visible beyond the property line. All selected lighting fixtures shall direct light toward the ground. All lighting plans, interior and exterior, are subject to the approval of the Director of Planning or designee.
 - [4] On-site parking shall be provided as a sum total of all uses on the property as regulated by Subsection H(1) and (2) below.
 - [5] No liquor or cigarettes are to be sold or consumed within the facility.
 - [6] In areas adjacent to residential districts, a visual and noise buffering shall be provided to the satisfaction of the Planning Commission. Such buffering shall include a minimum of twenty-foot-wide perimeter vegetative buffering, fencing, earthen berm, other materials or some combination thereof, as determined necessary by the Planning Commission to mitigate off-site impacts associated with the subject use.
 - [7] The applicant shall prepare a traffic impact study, which shall include

proposals for any necessary mitigation measures to be undertaken by the applicant to the satisfaction of the Planning Commission.

- [8] As a minimum, the applicant shall provide two security personnel at all times during the hours of operation. If the applicant proposes more than one primary access to the facility, an additional security officer will be required to monitor each access point. In addition, the applicant shall prepare and submit for review a security analysis, which shall include proposals for any mitigation measures to be undertaken by the applicant to the satisfaction of the Common Council.
- (i) Special permits for mixed-use residential buildings, upon compliance with the following conditions:
- [1] All mixed-use residential building development projects must provide certain amenities to the City of Peekskill, as outlined in § 575-34B(2)(i)[11].
- [2] For all mixed-use residential buildings, the portion of the building used for residential purposes shall have an entrance that does not require access through the portion of the building used for nonresidential purposes, other than by means of a common lobby.
- [3] Accessory uses for all mixed-use residential buildings. In addition to the accessory uses currently allowed in the C-3 District, accessory uses may also include laundromats and guest suites for the sole use of the residents of the mixed-use residential building.
- [4] For all mixed-use residential buildings, only the following nonresidential uses are permitted:
- [a] Retail stores (limited to the first and second floors);
- [b] Computer, electronics, shoe and appliance repair shops (limited to the first and second floors);
- [c] Restaurants, with or without accessory outdoor facilities (limited to first, second and rooftop floors);
- [d] Tailors and dry-cleaning stores solely for pickup and delivery and provided that no dry cleaning may be performed on the property (limited to the first and second floors);
- [e] Health clubs (limited to first, second and rooftop floors);
- [f] Artist galleries, martial arts or dance studios used solely for commercial purposes (limited to the first and second floors);
- [g] Museum, library or exhibit space (limited to the first and second floors);
- [h] Day-care centers and school-age child care as a principal use (limited to the first and second floors) by special permit of the Common Council;

- [i] A community center or public amenity as per § 575-34B(2)(i)[14][c][iii][D] herein.
- [5] View preservation/design review. In considering the site plan for all mixed-use residential buildings, the Planning Commission must find that the proposed mixed-use residential building does not adversely affect the views from surrounding residential development, and is compatible with surrounding development on issues such as, but not limited to, architecture {see § 575-34B(2)(i)[11]}, facade treatment, wall openings, and landscaping. The Planning Commission must issue a finding that the development is compatible with these design guidelines for mixed-use developments in the C-3 District.
- [6] Off-street loading. Provisions for off-street loading shall be provided as required by the Zoning Code. All loading berths shall be screened from streets and surrounding residential uses. Due to the potential for significant adverse effects on residential and other uses sharing the same lot, provisions for loading shall be given particular attention during the site plan review process. The Common Council will have the authority to waive any portion of the off-street loading requirement for developments applying for a mixed-use residential building special permit.
- [7] Approval standards. All mixed-use development must be found consistent with the approval standards and objectives for site plans and special permits as outlined in §§ 575-56 and 575-57 of the City of Peekskill Zoning Code.
- [a] Homeowners' association required, if applicable:
- [i] Covenant and restriction. The applicant shall deliver to the City of Peekskill for its approval a covenant and restriction, in a form suitable for filing in the office of the Westchester County Clerk, prohibiting, in perpetuity, any land which is designated for common usable open space from being used for any other purpose. The applicant will pay the filing fee and present proof of the filing. Upon approval of the covenant and restriction the developer shall, forthwith, record same in the office of the Westchester County Clerk and, in any event, before the issuance of the first certificate of occupancy in the development.
 - [ii] Organization for common ownership required. The applicant shall establish a legally constituted condominium or homeowners' association for the ownership and maintenance of all common space and any streets not accepted for dedication by the City of Peekskill. This organization shall not be dissolved nor shall it dispose of any common usable open space, by sale or otherwise, except to another organization conceived and established to own and maintain the common usable open space and nondedicated streets.
 - [iii] Rules of organizations. Any homeowners' association established

shall:

- [A] Be established before a certificate of occupancy or temporary certificate of occupancy has been issued for any dwelling unit in the development.
 - [B] Make membership automatic and mandatory for each owner of a dwelling unit and any succeeding owner thereto, being accomplished by the purchase of a dwelling unit in the development.
 - [C] Guarantee access to all the common usable open space to all persons legally residing in the development and limit that access to the legal residents and their tenants and guests only. Every member of the association shall have a right and easement of enjoyment in and to the common usable open space.
 - [D] Be responsible for liability insurance, taxes and the maintenance of the common usable open space and undedicated streets. The certificate of incorporation shall contain provisions so that adequate funds will be available for maintenance.
 - [E] Require owners of dwelling units to pay their pro rata share of the costs listed above and provide that an assessment levied by the organization shall have the same force and effect as a debt or ground rent or lien against the real property.
 - [F] Be able to adjust the assessment to meet changing needs.
- [iv] Common usable open space maintenance. The documents establishing or creating such organization shall provide a plan for the maintenance of all common usable open space and undedicated streets in the development. The City of Peekskill shall not be responsible for maintenance or enforcement of the site plan or association rules.
 - [v] The developer shall convey title to the common usable open space area to the aforesaid homeowners' association at such time as the aforesaid association is able to maintain the area or at such time as may be designated by the Planning Commission, which date shall be consonant with the policy expressed herein.
- [8] Traffic and circulation. Provision must be made for vehicle entrances and exits to be laid out so as to minimize traffic hazards. The potential generation of traffic from the combined uses must be found to be within the capacity of the existing or planned streets providing access to the mixed-use residential building. Appropriate mitigation shall be required if a traffic study (done to the satisfaction of the City's Traffic Engineer) indicates that the project will

result in a degradation in levels of service at nearby intersections or through streets. Furthermore, on sites larger than 20,000 square feet, a loading/unloading zone must be provided for a jitney vehicle. The Common Council has the authority to waive this requirement if it deems such a loading/unloading area to be infeasible for the site.

- [9] Utilities. Sufficient capacity must exist to serve the proposed mixed-use facility for all water, sewer and other utility services. Appropriate mitigation and/or infrastructure upgrades shall be required if it is determined by the applicant's professional engineer (and confirmed by the City Engineer) that insufficient utility capacity exists for the project or if the condition of infrastructure adjacent to the site is not of a quality satisfactory to the City Engineer and the Department of Public Works. Additionally, CFC-based refrigerants are prohibited.
- [10] Common spaces. Provision must be made to adequately heat and cool common spaces, including but not limited to lobbies, hallways and elevators.
- [11] Provision of amenities.
- [a] The Common Council has determined that the promotion of exceptional architecture, facade revitalization and arts-related activity has historically resulted in positive benefits for downtown Peekskill. Therefore, any entity seeking a special permit under this chapter must contribute to the City's efforts to promote these activities. Ultimately, these contributions will promote the health, safety and welfare of the City of Peekskill and improve the value of the specific development and the downtown area as a whole.
- [b] The Common Council must find that the following have been provided before issuing a special permit:
- [i] Exceptional architecture is to be provided to the satisfaction of the Common Council pursuant to the design guidelines as specified in § 575-34B(2)(i)[5] for mixed-use development in the C-3 District.
- [ii] At least three points must be earned under the bonus height provisions, as outlined in § 575-34B(2)(i)[14] below, in order to qualify for this special permit.
- [iii] Recycling areas: Coordinate the size and functionality of the recycling areas with the anticipated collection services for glass, plastic, office paper, newspaper, cardboard and organic wastes to maximize the effectiveness of the dedicated areas.
- [12] For lots with a minimum of 40,000 square feet that are located along North Division Street:
- [a] Maximum building coverage: 70%. If green space on the exterior of the building (roof, terraces, etc.) is provided to the satisfaction of the

Common Council, then the maximum building coverage is 85%.

- [b] Lot depth: No lot shall have an average depth of less than 150 feet.
- [c] Setbacks:
 - [i] At street level: ten-foot maximum setback from the property line.
 - [ii] At 45 feet above street level (if bonus height is granted): five-foot minimum setback from the street-level setback line.
 - [iii] At 60 feet above street level (if bonus height is granted): ten-foot minimum setback from the street-level setback line.
- [d] Maximum height: four stories or 45 feet, whichever is less. See § 575-34B(2)(i)[14][c] for bonus height provisions.
- [e] Maximum floor area ratio: 5.0.
- [f] The land area provided for each dwelling unit shall not be less than 350 square feet, and suitably improved and usable recreation area and/or open space shall be provided at the rate of 150 square feet per bedroom. Usable recreation area and open space may be provided in the following ways, including:
 - [i] Outdoor landscaped area;
 - [ii] Outdoor passive/active recreation area;
 - [iii] Rooftop passive/active recreation area;
 - [iv] Indoor community center with appropriate facilities;
 - [v] Combination of the above.
- [g] Off-street parking. Except for residential units, for which 1.25 off-street parking spaces are required for each unit, off-street parking shall be provided as outlined in the City of Peekskill Zoning Code.
- [h] Minimum residential dwelling unit floor area. Minimum floor area shall be 600 square feet for a studio, 750 square feet for a one-bedroom unit, 850 square feet for a two-bedroom unit, and 1,000 square feet for a three-bedroom unit. No more than 50% of the dwelling units in a mixed-use residential building are permitted to have a floor area less than 800 square feet.
 - [i] The special permit application must include an analysis of the project's compatibility with the surrounding neighborhood character, including density, height, and types of uses in the surrounding neighborhood, the project's distance from the downtown C-2 Zoning District, visual impacts and design characteristics of the project, and traffic and parking impacts.

Issuance of a special permit and bonus height will be based upon a finding that the project is generally compatible with the surrounding neighborhood.

- [13] For lots fronting on South James Street, Brown Street, Park Street and South Broad Street within 150 feet of the C-2 District and 200 feet of the R-6 District:
- [a] The land area provided for each dwelling unit shall not be less than 525 square feet.
 - [b] For each dwelling unit, there shall be provided suitably improved and usable recreation area and/or open space in the following amounts: 200 square feet for each bedroom. Usable recreation area and open space may be provided in the following ways, including:
 - [i] Outdoor landscaped area;
 - [ii] Outdoor passive/active recreation area;
 - [iii] Rooftop passive/active recreation area;
 - [iv] Indoor community center with appropriate facilities;
 - [v] Combination of the above.
 - [c] For lots with a minimum of 20,000 square feet:
 - [i] Lot depth: No lot shall have an average depth of less than 100 feet.
 - [ii] Maximum building coverage: 90%.
 - [iii] Maximum height: five stories or 55 feet, whichever is less. Please see § 575-34B(2)(i)[14][a][1] for bonus height provisions for an increase in height of up to a maximum of nine stories or 103 feet.
 - [iv] Setbacks:
 - [A] At street level: ten-foot maximum setback from the property line, except for property lines facing Brown Street, where a minimum setback of 25 feet is required.
 - [B] At 35 feet above street level: sixty-foot minimum setback from property line.
 - [C] At 79 feet above street level: seventy-five-foot minimum setback from property line.
 - [v] Minimum residential dwelling unit floor area. Minimum floor area shall be 600 square feet for a studio, 750 square feet for a one-bedroom unit, 850 square feet for a two-bedroom unit, and 1,000 square feet for a three-bedroom unit. No more than 50% of the

dwelling units in a mixed-use residential building are permitted to have a floor area less than 800 square feet.

- [d] For lots between 10,000 square feet and 20,000 square feet in size:
 - [i] Maximum building coverage: 90%.
 - [ii] Maximum height: three stories or 35 feet, whichever is less. Please see § 575-34B(2)(i)[14][a][ii] for bonus height provisions for an increase of up to a maximum of five stories or 55 feet.
 - [iii] Setbacks:
 - [A] At street level: ten-foot maximum setback from the property line, except for property lines facing Brown Street, where a minimum setback of 25 feet is required.
 - [B] At 35 feet above street level: sixty-foot minimum setback from property line.
 - [iv] Minimum residential dwelling unit floor area. At least 80% of the dwelling units in a project must have a minimum floor area of 900 square feet for a one-bedroom unit, 1,200 square feet for a two-bedroom unit and 1,500 square feet for a three-bedroom unit. Up to 20% of the dwelling units in a project are permitted to be either studio or one-bedroom units with a minimum floor area of 700 square feet.
- [e] Off-street parking. Except for residential units, for which 1.25 off-street parking spaces are required for each unit, off-street parking shall be provided as outlined in the City of Peekskill Zoning Code. In considering site plans, the Planning Commission may approve the joint use of spaces, as outlined in § 575-12B of the Zoning Code.

[14] Bonus height provisions.

- [a] The Common Council has the authority to grant the following height bonuses for lots fronting on South James Street, Brown Street, Park Street and South Broad Street within 150 feet of the C-2 District and 200 feet of the R-6 District, up to the maximums outlined in § 575-34B(2)(i)[13][c][iii] and [d][ii] above:
 - [i] For lots greater than 20,000 square feet in size, bonuses are granted according to the following points-based {system please refer to the points menu in § 575-34B(2)(i)[14][b] for a list of qualifying items and their associated point values}:
 - [A] A mixed-use residential building must qualify for at least six points (two required points plus four bonus points) for a bonus of 12 feet in height.

- [B] A mixed-use residential building must qualify for at least eight points (two required points plus six bonus points) for a bonus of 24 feet in height.
- [C] A mixed-use residential building must qualify for at least 12 points (two required points plus 10 bonus points) for a bonus of 48 feet in height.
- [ii] For lots between 10,000 square feet and 20,000 square feet, bonuses are granted according to the following points-based system {please refer to the points menu in § 575-34B(2)(i)[14][b] for a list of qualifying items and their associated point values}:
 - [A] A mixed-use residential building must qualify for at least six points (two required points plus four bonus points) for a bonus of 10 feet in height.
 - [B] A mixed-use residential building must qualify for at least eight points (two required points plus six bonus points) for a bonus of 20 feet in height.
- [b] Bonus items and their associated point value, i.e., "points menu" for lots fronting on South James Street, Brown Street, Park Street and South Broad Street within 150 feet of the C-2 District and 200 feet of the R-6 District. Selected bonuses must be applied, installed or otherwise associated with the subject property. Bonuses are nontransferable.
 - [i] For a majority of the landscaping, use native vegetation that requires no irrigation: one point.
 - [ii] Build covered and secure bicycle storage facilities commensurate with anticipated demand, but for not less than 15% of projected building occupants: one point.
 - [iii] Provide parking located within 50 feet of the main building entrance for low-emitting and fuel-efficient vehicles for 5% of the total vehicle parking capacity of the site: one point.
 - [iv] Incorporate an amenity in your plans which is not listed here that is satisfactory to the Common Council: one point.
 - [v] Construct the majority of the parking required for the mixed-use residential building underground: two points.
 - [vi] Commission the building for energy efficiency under the NYSERDA New Construction Program: two points.
 - [vii] Commit to purchase 100% renewable energy for nontenant electricity needs (through vendors such as Accent Energy, Con Ed Solutions or NYSERDA, for example) for at least 30 years by including such language as a deed restriction: two points.

- [viii] Contract with a business or businesses that have their primary location in the City of Peekskill for an amount of labor equivalent to 5% of the value of the entire project. Must be verifiable to the satisfaction of the Common Council: three points.
- [ix] Install a high-efficiency combined heat and power generation system, a fuel cell, a geothermal heating and cooling system and/or any advanced HVAC system to the satisfaction of the City Engineer: three points.
- [x] Daylight a buried stream to create a public plaza with a water feature to the satisfaction of the Common Council: three points.
- [xi] Contract with a business or businesses that have their primary location in the City of Peekskill for an amount of labor equivalent to 10% of the value of the entire project (must be verifiable to the satisfaction of the Common Council): four points.
- [xii] Install on-site renewable energy systems that provide for at least 10% of the building's projected year-round baseline electrical energy demand and are consistent with the design guidelines and height limitations described above: four points.
- [xiii] Daylight 75% of interior spaces by following LEED Credit 8.1 as described in Version 2.2 of the LEED New Construction and Major Renovation Guide (text available in the City Planning Department): four points.
- [xiv] Install on-site renewable energy systems that provide for at least 50% of the building's year-round baseline electrical energy demand and are consistent with the design guidelines and height limitations described above: six points.
- [xv] Install on-site renewable energy systems that provide for at least 90% of the building's baseline HVAC demand and are consistent with the design guidelines and height limitations described above: six points.
- [xvi] Contract with a business or businesses that have their primary location in the City of Peekskill for an amount of labor equivalent to 30% of the value of the entire project. Must be verifiable to the satisfaction of the Common Council: six points.
- [xvii] Install a vegetated roof for at least 50% of the roof area: six points.
- [xviii] Install on-site renewable energy systems that provide for at least 90% of the building's year-round baseline HVAC demand and 50% of the building's peak-load electrical energy demand and are consistent with the design guidelines and height limitations described above: 10 points.

- [xix] Propose a groundbreaking development design that results in positive national news coverage for Peekskill and prove, to the satisfaction of the Common Council, that it will permanently increase tourism and/or business-related visits to Peekskill: 10 points.
- [c] The Common Council has the authority to grant the following height bonuses for lots over 40,000 square feet that are located along North Division Street, if the Common Council finds that the special permit objectives in § 575-57 and the special permit condition in § 575-34B(2)(i) have been accomplished:
- [i] A mixed-use residential building must qualify for at least six points (three required points plus three bonus points) to receive a bonus of 15 feet or one story in height. An additional 15 feet or one story in height can be granted by qualifying for an additional six bonus points.
- [ii] Bonus items in § 575-34B(2)(i)[14][b] are not applicable for lots located along North Division Street.
- [iii] Bonus items and points for lots over 40,000 square feet that are located along North Division Street:
- [A] Six points: payment into a public/City infrastructure fund as specified in § 275-21 to be managed by the City Manager or his designee, to be used for municipal infrastructure improvements including but not limited to parking facilities, water and sewer, stormwater management, and flood control; or in the alternative, provision of public/City infrastructure for municipal purposes including but not limited to public parking facilities, water and sewer, stormwater management, and flood control, the cost of which to be commensurate in amount with the payment which would have been paid into the infrastructure fund as identified above; or in the alternative, the Common Council may accept any combination of payment or infrastructure commensurate in amount with the total infrastructure payment as specified in § 275-21, in exchange for granting bonus height.
- [B] Six points: designate 15% of the units as affordable/workforce housing.
- [C] Six points: provide and manage a publicly accessible community center or an innovative public amenity that is satisfactory to the Common Council.
- [D] Three points: provide exceptional vegetation and landscaping on the property and vegetate 25% of the total roof area, while

maintaining maximum building coverage at 70%.

[E] Three points: equipping 5% of the required number of parking spaces with electric vehicle charging stations, located within 50 feet of the main building entrance.

(j) Artist lofts.

- [1] No artist loft may exist on the first floor of the structure in which it is located. This provision may be waived by the Planning Commission only if all of the following conditions are satisfied:
- [a] The portion of the loft space primarily intended for residential use does not directly face the street.
 - [b] The appearance of the loft from the street shall be consistent with the character of the surrounding area.
 - [c] The entrance to the artist loft, including retail, studio and residential areas, is exclusive and shall not be shared with any other use in the building.
- [2] Each artist loft shall be separated from other artist lofts or other uses within a particular building. Access to artist lofts may be provided from common access areas, halls or corridors.
- [3] Each artist loft must be individually equipped with an enclosed bathroom containing a bathroom sink, water closet, shower and appropriate venting.
- [4] Each artist loft must be individually equipped with a kitchen that contains a four-burner stove and oven, with a range hood vented to the exterior of the unit. Each unit must provide a minimum of five feet of countertop, a kitchen sink, and a minimum of 10 linear feet of storage cabinetry. Each unit must contain a garbage compactor and garbage disposal unit.
- [5] Each artist loft must contain a livable floor area of no less than 800 square feet.
- [6] No more than 49% of the livable floor area of the artist loft may be devoted to residential space. In no event may said residential area exceed 980 square feet.
- [a] Direct access between living and working areas must be provided, and no separate access/egress to the residential area is permitted except for emergency access/egress.
- [7] Sprinkler systems must be provided in all common hallways and areas of any building containing an artist loft if the loft contains only one legal means of egress. Hardwired smoke detectors with battery backups must be provided for all units.
- [8] In order to ensure that the use is compatible with the other nearby uses, artist

lofts shall not be used for storage of flammable liquids or hazardous materials; welding; or any open-flame work. Further, the creation of art shall be so conducted as not to cause noise, vibration, smoke, odors, humidity, heat, cold, glare, dust, dirt or electrical disturbance which is perceptible by the average person located within the first-floor space or any other commercial or residential unit within the structure or beyond any lot line.

- [9] The artist loft must be occupied by at least one person who is certified as an artist by the City's Artist Certification Committee.
 - [10] The artwork that is to be created within the artist loft must be compatible with other uses which occur or are to occur within the building in which the artist loft is to be located.
 - [11] No more than two persons per bedroom may reside within an artist loft.
 - [12] Up to three nonresident employees may be employed within an artist loft. This requirement may be waived for artist lofts that occur on the first floor of a structure that provide retail space on that first floor.
 - [13] Other than in a first-floor retail-oriented area, articles offered for sale within an artist loft must include those produced by the artist occupying said artist loft and may be offered with other like items.
 - [14] Air conditioners, clotheslines and other objects or equipment shall be prohibited from projecting from any window that is visible from a public street.
 - [15] One flush-mounted, nonilluminated sign attached adjacent to or near the street entrance door to the artist loft may be used to identify the artist. This sign may list only the name of the artist with a one- or two-word description of the type of artwork or craft that is to be conducted within the artist loft. Where two or more artist lofts occur within the same building, the signs must be placed in an orderly fashion in relation to each other and must be part of a coherent directory in which signs are ordered in a horizontal fashion.
 - [16] Work space and accessory residential space shall not be rented separately or used by persons other than those people legally residing within the artist loft.
- C. Accessory uses shall be the same as permitted and regulated in the C-1 District, § 575-32C. **[Amended 3-23-2023 by L.L. No. 2-2023]**
 - D. All uses, whether principal uses, accessory uses or special permit uses, other than off-street parking and accessory outdoor dining facilities, shall be carried on in roofed buildings fully enclosed on all sides. **[Amended 5-8-2000; 3-23-2023 by L.L. No. 2-2023]**
 - E. Uses prohibited. Any use which is noxious or offensive by reason of emission of odor, dust, noise, smoke, gas, fumes, radiation or which presents a hazard to public health or safety is prohibited. **[Amended 3-23-2023 by L.L. No. 2-2023]**
 - F. Lot and building requirements shall be as follows, as specified in § 575-34B(2): **[Amended**

3-23-2023 by L.L. No. 2-2023]

- (1) Minimum lot area: 10,000 square feet.
- (2) Minimum frontage: 100 feet.
- (3) Minimum depth: 100 feet.
- (4) Minimum yards.
 - (a) Front: 10 feet.
 - (b) No side or rear yard is required, but, if provided, such yard shall have a minimum dimension of not less than six feet, or 10 feet where the yard abuts a street. Where a rear or side yard abuts a residence district boundary, no building shall be erected within 30 feet of such boundary.
- (5) Maximum coverage: 70%.
- (6) Maximum floor area ratio: 1.4.

G. Location of accessory buildings on lot. Accessory buildings may be erected not closer than 10 feet to a rear property line, except that where such property line adjoins a residential district, such accessory buildings may be no closer than 30 feet. **[Amended 3-23-2023 by L.L. No. 2-2023]**

H. Off-street parking. **[Amended 10-14-2014 by L.L. No. 6-2014; 3-23-2023 by L.L. No. 2-2023]**

- (1) Off-street parking requirements are the same as for the Shopping Center C-1 District plus:

Use	Parking Requirement
Wholesale and warehouse use	1 space per 500 square feet of gross floor area
Manufacturing	1 space per 300 square feet of gross floor area or 1 space per employee on the largest shift, whichever is larger
Automobile repair facilities for light vehicles, minor repairs	1 for each employee on the maximum shift, plus 3 for each service bay, plus 1 for each vehicle used in operation of the facility
Day-care center or school-age child care	As a principal use, 1 parking space per 10 children on the maximum shift plus 1 parking space per employee on the maximum shift; as an accessory use, 1 parking space per employee on the maximum shift

Use	Parking Requirement
Museum	1 for each 1,000 square feet of gross floor area plus 1 per employee on the maximum shift
Libraries	1 for each 500 square feet of gross floor area plus 1 per employee on the maximum shift
School, business	1 for each 2 classroom seats plus 1 for each staff member on the maximum shift
Artist lofts	1.25 per artist loft

(2) Notes relating to waiver of part or all of the parking requirement and joint use of parking area (§ 575-33G) shall apply to the C-3 District.

- I. Off-street loading. All loading and unloading shall take place on the lot, but not nearer than 50 feet to any residence district boundary. The requirements are the same as for the Shopping Center C-1 District. **[Amended 3-23-2023 by L.L. No. 2-2023]**

§ 575-35. C-4 Neighborhood Commercial District.⁶ [Amended 12-14-1987; 11-29-1994; 9-26-1995]


- A. Permitted uses. No building or premises shall be used, and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following:
- (1) Retail stores with a maximum of 8,000 square feet of selling area.
 - (2) Banks, including drive-in windows.
 - (3) Restaurants; restaurants, carry-out. **[Amended 9-10-2012 by L.L. No. 12-2012]**
 - (4) Beauty parlors, barbershops, tailors and nail shops.
 - (5) Business, professional or governmental offices.
 - (6) Appliance repair and job printing.
 - (7) Residential development in accordance with the provisions of the R-3 Residence District.
 - (8) Dance studios, martial arts studios.
 - (9) Dry-cleaning stores, except that no dry cleaning may be performed on the property.
 - (10) Museums.
 - (11) Libraries.

6. Editor's Note: See also Art. III, Supplementary District Regulations.

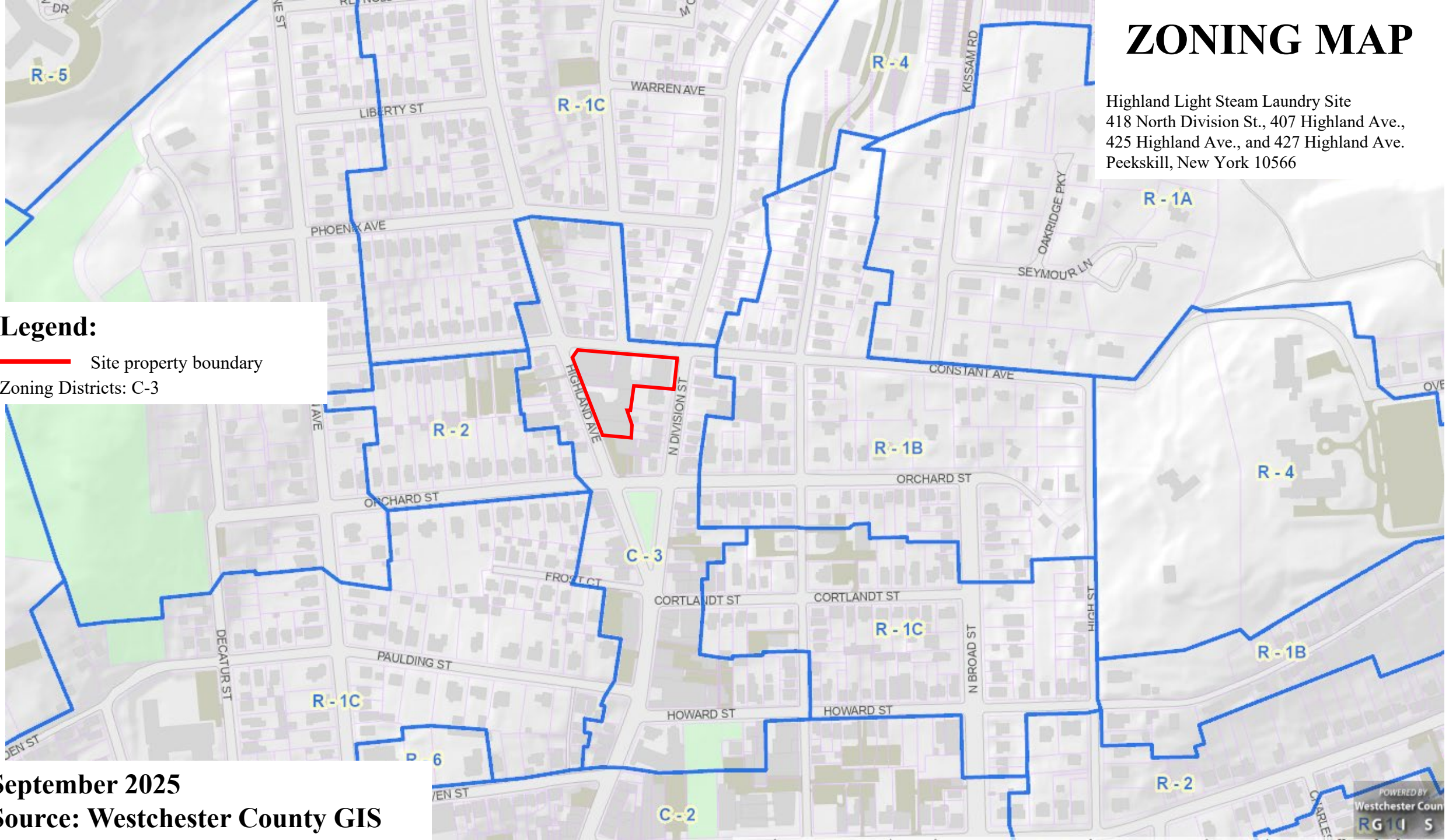
ZONING MAP

Highland Light Steam Laundry Site
418 North Division St., 407 Highland Ave.,
425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566

Legend:

 Site property boundary

Zoning Districts: C-3



September 2025

Source: Westchester County GIS

Zoning District: C-3 (General Commercial District)

§ 575-34. C-3 General Commercial District

A. Permitted uses. No building or premises shall be used, and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following:

- 1) Retail stores, including photocopying services.
- 2) Banks, including drive-in windows.
- 3) Restaurants; restaurants, fast-food, drive-through.
- 4) Beauty parlors, barbershops, tailors, nail shops.
- 5) Taxi service headquarters or dispatch office, provided that no vehicle repair maintenance or servicing is performed on site.
- 6) Business, professional or governmental offices and schools.
- 7) Funeral parlors.
- 8) Dance studios, martial arts studios.
- 9) Household appliance repair for appliances normal and incidental to residential uses.
- 10) Dry-cleaning store solely for pickup and delivery and provided that no dry cleaning may be performed on the property.
- 11) Museums.
- 12) Libraries.
- 13) Business schools.
- 14) Up to two artist lofts in one building subject to the development standards for artist lofts outlined in § 575-34B(2)(j).
- 15) Art galleries.
- 16) Entertainment venue. Defined as a business enterprise which provides or permits any musical entertainment, singing, dancing, or other forms of amusement in connection with the service of food or beverages, but not including a restaurant, bar or cafe. See standards set forth in Chapter § 278, Fire Safety and Property Maintenance, for operating permits.

B. Special permit uses and performance standards.

1) Uses subject to issuance of a special permit. The following uses are permitted pursuant to performance standards enumerated in § 575-34B(2), and subject to the issuance of a special permit by the Director of Planning upon authorization of the Common Council or, where indicated, by the Planning Commission, in accordance with the provisions of § 575-57 herein and subsequent approval by the Planning Commission of a site plan in accordance with § 575-56 herein:

- a) Car wash.
- b) Day-care centers and school-age child care as a principal use, subject to the following conditions:
 - i. Buffering five feet in width and a six-foot-high opaque fence with the finished side facing out shall be required between all play areas and all lot lines, subject to Planning Commission full or partial waiver of this requirement

- a) Warehouse and distribution activities, but excluding secondhand lumber and junkyards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.
- b) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing or storage of products or materials, regardless of where offered for sale, provided that only oil, gas or electricity is used as fuel.
- c) Printing businesses, regardless of where product is offered for sale.
- d) Auto repair facilities for minor repairs in conformance with § 575-10, but excluding auto sales, auto repair facilities for major repairs and auto body and paint shops.
- e) Health clubs.
- f) Theaters subject to submission of a management plan detailing hours of operation, staffing and security for review and approval by the Commissioner of Public Safety.
- g) Construction businesses which require the storage of heavy equipment such as backhoes, front-end loaders or outdoor storage of heavy motor vehicles as defined City of Peekskill, NY § 575-34 § 575-34 Downloaded from <https://ecode360.com/PE0161> on 2025-09-16 in these regulations.
- h) Laundromats, both coin-operated and drop-off laundry services, provided that an attendant is present during the hours of operation, excluding dry-cleaning services or any process utilizing chemical treatment of clothing.
- i) Restaurants with a designed seating capacity of more than 200 patrons are permitted pursuant to performance standards enumerated in § 575-34B(2), and subject to the issuance of a special permit by the Director of Planning upon authorization of the Planning Commission.
- j) An amusement center and/or children's amusement centers, subject to submission of a management plan detailing hours of operation, staffing and security for review and approval in addition to the performance standards set forth below in Subsection B(2)(h).
- k) When an action will result in one building containing three or more artist lofts, pursuant to the performance standards enumerated in § 575-34B(2)(j) and subject to the issuance of a special permit by the Director of Planning upon authorization of the Planning Commission. [Added 10-14-2014 by L.L. No. 6-2014;
- l) Mixed-use residential buildings, so as to enhance investment and create redevelopment opportunities on larger lots with a minimum of 40,000 square feet located along North Division Street, pursuant to performance standards enumerated at § 575-34B(2)(i).
- m) Mixed-use residential buildings, so as to increase the range of housing available in and near the City's Downtown Business District and to support downtown businesses, on lots comprising a minimum of 10,000 square feet and fronting on South James Street, Brown Street, Park Street and South Broad Street, and within 150 feet of the C-2 District and 200 feet of the R-6 District (as measured from the center of the tax lot), pursuant to performance standards enumerated in § 575-34B(2)(i).

EXHIBIT F

PREVIOUS AND CURRENT OWNERS & OPERATORS LIST

Highland Light Steam Laundry Site

**418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566**

Year	Contact Information 418 N. Division Street (23.78-1-9) Owners	Status	Relation to Requestor
Unknown – 1962	DeLair Enterprises, Inc. (f/k/a Hi Health Food Product Company) Last Known Address: 575 Lexington Avenue New York, New York 10022 Phone: Unknown	Inactive	None
1962 - 1965	Prospect Enterprises, Inc. Address: Unknown Phone: Unknown	Unknown	None
1965 - 1972	Michael J. DiBart Address: N/A Phone: N/A	Deceased	None
1972 - 1981	DiBart Realty Corp. Address: 1006 Brown Street Peekskill, New York 10566 Phone: Unknown	Inactive	None
1981 - 1982	Ronald S. Herman and Joan Sherman Address: Unknown Phone: Unknown	Unknown	None
5/24/1982 – 10/19/1982	DiBart Realty Corp. Address: 1006 Brown Street Peekskill, New York 10566 Phone: Unknown	Inactive	None
10/19/1982 – 10/19/1982	Michael J. DiBart Address: N/A Phone: N/A	Deceased	None
1982 - 1985	Anthony J. Granuzzo (d/b/a Gamma Realty) Address: N/A Phone: N/A	Deceased	None
1985 - 1988	Dan Wayne and Hannah R. Wayne Last Known Address: 5 Lomond Avenue Spring Valley, New York 10977 Phone: Unknown	Unknown	None
1988 – 2018	Bruce Botchman (CEO of White Plains Linen), Keith Botchman and Gary Botchman (d/b/a North Division Associates) Address: c/o White Plains Linen 4 John Walsh Boulevard Peekskill, New York 10566 Phone: 1 (800) 825-4646	Active	None
2018 – 2024	Peekskill White Plains LLC Address: 320 Roebling Street, Suite 304 Brooklyn, New York 11211 Phone: Unknown	Active	None
11/14/2024 – Present	418 North Division Street LLC Address: 1763 Pitman Avenue Bronx, New York 10466 Phone: (914) 879-5750	Active	Requestor
Operators			
1887-1964	Vacant	N/A	None
1972-1982	State Employment Office No. 80 (NYS Department of Labor & Unemployment) Address: 201 South James Street Peekskill, New York 10566 Phone: (914) 737-3490	Active	None
1985-1988	Wayne Printing & Lithography/Wayne Desalvo Inc. (Dan Wayne and Hannah Wayne) Address: c/o Wayne Printing, Inc. 120 White Plains Road, Suite 420 Terrytown, New York 10591 Phone: (914) 761-2400	Active	None
1988-2018	White Plains Linen Address: 4 John Walsh Boulevard Phone: (914) 737-2532	Active	None

PREVIOUS AND CURRENT OWNERS & OPERATORS LIST

Highland Light Steam Laundry Site

418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.

Peekskill, New York 10566

	Peekskill, New York 10566		
2018-Present	Vacant	NA	None

PREVIOUS AND CURRENT OWNERS & OPERATORS LIST

Highland Light Steam Laundry Site

**418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566**

Year	Contact Information 407 Highland Avenue (23.78-1-10) Owners	Status	Relation to Requestor
FORMER LOT 9			
Unknown – 1962	DeLair Enterprises, Inc. (f/k/a Hi Health Food Product Company) Last Known Address: 575 Lexington Avenue New York, New York 10022 Phone: Unknown	Inactive	None
1962 – 1965	Prospect Enterprises, Inc. Address: Unknown Phone: Unknown	Unknown	None
1965 - 1972	Micheal J. DiBart Address: N/A Phone: N/A	Deceased	None
1972 - 1981	DiBart Realty Crop. Address: 1006 Brown Street Peekskill, New York 10566 Phone: Unknown	Inactive	None
1981 - 1984	Anthony Granuzzo Address: N/A Phone: N/A	Deceased	None
11/15/1984	Highcon Realty, Inc. c/o Jay Botchman Address: Unknown Phone: Unknown	Inactive/ Deceased	None
FORMER LOT 12			
At least 1941 – 1967	Highland Realty, Inc. Address: Unknown Phone: Unknown	Unknown	None
1967 – 1981	411 Highland Avenue Corp. (f/k/a Light Steam Laundry, Inc.) – Now possibly d/b/a White Plains Linen Address: c/o White Plains Linen 4 John Walsh Boulevard Peekskill, New York 10566 Phone: 1 (800) 825-4646	Inactive	None
12/4/1981	Highjay Realty, Inc. c/o Jay Botchman Address: Unknown Phone: Unknown	Inactive/ Deceased	None
COMBINED			
1981/1984 - 1989	Jay Botchman c/o J.L.B. Equities, Inc. (Former Lot 9 and 12) Address: N/A Phone: N/A	Inactive/ Deceased	None
1989 – 2018	Bruce Botchman (CEO of White Plains Linen), Keith Botchman, and Gary Botchman c/o White Plains Coat & Apron Co., Inc. (d/b/a North Division Associates) Address: c/o White Plains Linen 4 John Walsh Boulevard Peekskill, New York 10566 Phone: 1 (800) 825-4646	Active	None
2018 – 2024	Peekskill White Plains LLC Address: 320 Roebling Street, Suite 304 Brooklyn, New York 11211 Phone: Unknown	Active	None
11/14/2024 – Present	418 North Division Street LLC Address: 1763 Pitman Avenue Bronx, New York 10466 Phone: (914) 879-5750	Active	Requestor
Operators			
1887 - 1911	C.A. Lamos Carpentry, Sash & Blind Facility Address: Unknown Phone: Unknown	Inactive	None

PREVIOUS AND CURRENT OWNERS & OPERATORS LIST

Highland Light Steam Laundry Site

**418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566**

1911-1964	Van Cortlandt Dairy Company Address: Unknown Phone: Unknown	Inactive	None
1941 - 1982	Highland Laundry Service Co., Inc/ Highland Light Steam Laundry Address: c/o White Plains Linen 4 John Walsh Boulevard Peekskill, NY 10566 Phone: (914) 737-2532	Inactive	None
1971 – 1976	A & N Cleaners & Launderers Address Unknown Phone: Unknown	Unknown	None
1974 - 1976	Croton Cleaners & Launderers Address Unknown Phone: Unknown	Unknown	None
1987 – 1995	White Plains Coat & Apron Co. Address: c/o White Plains Linen 4 John Walsh Boulevard Peekskill, New York 10566 Phone: (914) 737-2532	Active	None
1988-2018	White Plains Linen Address: 4 John Walsh Boulevard Peekskill, New York 10566 Phone: (914) 737-2532	Active	None
2018- Present	Vacant	N/A	None

PREVIOUS AND CURRENT OWNERS & OPERATORS LIST

Highland Light Steam Laundry Site

**418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566**

Year	Contact Information 427 Highland Avenue (23.78-1-11) Owners	Status	Relation to Requestor
Unknown – 1962	DeLair Enterprises, Inc. (f/k/a Hi Health Food Product Company) Last Known Address: 575 Lexington Avenue Phone: Unknown New York, New York 10022	Inactive	None
1962 - 1965	Prospect Enterprises, Inc. Address: Unknown Phone: Unknown	Unknown	None
1965 – 1972/1981	Michael J. DiBart Address: N/A Phone: N/A	Deceased	None
1971 – 1981	DiBart Realty Corp. (Part of) Address: 1006 Brown Street Phone: Unknown Peekskill, New York 10566	Inactive	None
1981 - 1984	Anthony Granuzzo and Anthony Granuzzo d/b/a Gamma Realty Address: N/A Phone: N/A	Deceased	None
11/15/1984	Highcon Realty, Inc. Address: Unknown Phone: Unknown	Inactive	None
1984 – 1989	Jay Botchman Address: N/A Phone: N/A	Deceased	None
1989 – 2018	Bruce Botchman (CEO of White Plains Linen), Keith Botchman, and Gary Botchman c/o White Plains Coat & Apron Co., Inc. (d/b/a North Division Associates) Address: c/o White Plains Linen Phone: 1 (800) 825-4646 4 John Walsh Boulevard Peekskill, New York 10566	Active	None
2018 – 2024	Peekskill White Plains LLC Address: 320 Roebling Street, Suite 304 Phone: Unknown Brooklyn, New York 11211	Active	None
11/14/2024 – Present	418 North Division Street LLC Address: 1763 Pitman Avenue Phone: (914) 879-5750 Bronx, New York 10466	Active	Requestor
Operators			
1887-1911	Vacant	N/A	None
1926-1935	Peekskill Motor Bus Company Address: Unknown Phone: Unknown	Inactive	None
1950-1971	Car Garages	Unknown	None
1972	Martin Heating & Air Conditioning Address: Unknown Phone: Unknown	Inactive	None
1977	Highland Industrial Supplies/Machinery and Metal Shop Address: Unknown Phone: Unknown	Inactive	None
1989-2018	White Plains Linen Address: 4 John Walsh Boulevard Phone: (914) 737-2532 Peekskill, New York 10566	Active	None
2018-Present	Vacant	NA	None

PREVIOUS AND CURRENT OWNERS & OPERATORS LIST

Highland Light Steam Laundry Site

**418 North Division St., 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave.
Peekskill, New York 10566**

Year	Contact Information 425 Highland Avenue (23.78-1-12) Owners	Status	Relation to Requestor
Unknown – 1948	Marvin S. Perry Address: Unknown Phone: Unknown	Unknown	None
1948	Comptroller of the City of Peekskill Address: 840 Main Street Peekskill, New York 10566 Phone: (914) 737-4118	Active	None
1948 – 2019	The City of Peekskill Address: 840 Main Street Peekskill, New York 10566 Phone: (914) 737-3400	Active	None
2019 – 2022	Fabjola Mezini-Gogo Address: 17 Sun Valley Drive North Salem, New York 10560 Phone: Unknown	Active	None
2022 – 2024	Peekskill White Plains LLC Address: 320 Roebling Street, Suite 304 Brooklyn, New York 11211 Phone: Unknown	Active	None
11/14/2024 – Present	418 North Division Street LLC Address: 1763 Pitman Avenue Bronx, New York 10466 Phone: (914) 879-5750	Active	Requestor
Operators			
1987-Unknown	Vacant	N/A	None
1900-1905	HH Muxlow Trucking Address: Unknown Phone: Unknown	Inactive	None
1905-1911	Vacant	N/A	None
1923	Garage	Unknown	None
1950-2018	City of Peekskill Fire Department-Fire Patrol Address: 1141 Main Street Peekskill, NY 10566 Phone: (914) 737-2760	Active	None
2018-Present	Vacant	NA	None

EXHIBIT G

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.



643173734DED0012

Westchester County Recording & Endorsement Page

Submitter Information

Name:	ATLANTIC TITLE	Phone:	516-358-0505 X 194
Address 1:	31 STEWART STREET	Fax:	516-358-0394
Address 2:		Email:	atlantictitleagency@gmail.com
City/State/Zip:	FLORAL PARK NY 11001	Reference for Submitter:	ALORT-26118W

Document Details

Control Number:	643173734	Document Type:	Deed (DED)
Package ID:	2024111200395001004	Document Page Count:	9
		Total Page Count:	11

Parties

Additional Parties on Continuation page

1st PARTY		2nd PARTY	
1:	PEEKSKILL WHITE PLAINS LLC	1:	418 NORTH DIVISION ST LLC
2:	- Other	2:	- Other

Property

Additional Properties on Continuation page

Street Address:	418 NO DIVISION ST	Tax Designation:	23.78-1-9
City/Town:	PEEKSKILL	Village:	

Cross-References

Additional Cross-Refs on Continuation page

1:	2:	3:	4:
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Supporting Documents

1: RP-5217	2: TP-584
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Recording Fees

Statutory Recording Fee:	\$40.00
Page Fee:	\$50.00
Cross-Reference Fee:	\$0.00
Mortgage Affidavit Filing Fee:	\$0.00
RP-5217 Filing Fee:	\$250.00
TP-584 Filing Fee:	\$5.00
RPL 291 Notice Fee:	\$0.00
Total Recording Fees Paid:	\$345.00

Mortgage Taxes

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

Transfer Taxes

Consideration:	\$3,650,000.00
Transfer Tax:	\$14,600.00
Mansion Tax:	\$0.00
Transfer Tax Number:	6781

Dwelling Type:	Exempt: <input type="checkbox"/>
Serial #:	

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 01/14/2025 at 01:06 PM
 Control Number: **643173734**
 Witness my hand and official seal

Timothy C. Idoni
Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Kathleen Bradshaw, Esq.
1763 PITMAN AVENUE
Bronx, NY 10463

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.

643173734DED0012

Westchester County Recording & Endorsement Page

Document Details

Control Number: **643173734**

Document Type: **Deed (DED)**

Package ID: 2024111200395001004

Document Page Count: 9

Total Page Count: 11

Properties Addendum

407 HIGHLAND AVE 10566	PEEKSKILL	23.78-1-10
427 HIGHLAND AVE 10566	PEEKSKILL	23.78-1-11
425 HIGHLAND AVE 10566	PEEKSKILL	23.78-1-12

WARRANTY DEED

D
as of
 THIS INDENTURE, made the 14 day of November in the year 2024.

BETWEEN Peekskill White Plains LLC, a New York limited liability company, with offices at 16 Waverly Ave., Brooklyn, NY 11211, 1, party of the first part, and

418 North Division Street LLC, a New York limited liability company, with offices at PO Box 9, Purchase, NY 10577, 2 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 part, the heirs or successors and assigns of the party of the second part forever,

All that certain plot, piece or parcel of land being more particularly describe on **Schedule "A"**, attached hereto and made a part hereof.

Being same premises acquired by **Peekskill White Plains LLC, a New York limited liability company**, by Deed made by Bruce Botchman, and Keith Botchman, by Pauline Galvin, as guardian of the property of Keith Botchman, dated as of April 16, 2018 and recorded April 26, 2018 as Control No. 580943007 And by Deed made by Fabjola Mezini-Gogo, dated January 10, 2022 and recorded January 20, 2022 as Control No. 620103482.

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 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.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same, that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

Old Republic National Title Insurance Company

Title Number: **ALORT-26118W**

Page 1

**SCHEDULE A DESCRIPTION
AMENDED 11/13/24**

LOT 9

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

BEGINNING at a point on the southerly side of Constant Avenue, being North 72 degrees 33 minutes West, a distance of 104.39 as measured along the southerly side of Constant Avenue from the corner formed by the intersection of the southerly side of Constant Avenue with the westerly side of North Division Street;

RUNNING THENCE south 18 degrees 42 minutes 20 seconds west, 93.13 feet;

THENCE south 71 degrees 00 minutes east 100.91 feet to a point on the westerly side of North Division Street;

THENCE north 20 degrees 46 minutes 00 seconds east 96 feet to the corner formed by the intersection of the southerly side of Constant Avenue with the westerly side of North Division Street;

THENCE north 72 degrees 33 minutes west 104.39 feet to the point or place of BEGINNING.

FOR CONVEYANCE ONLY:

TOGETHER with an easement for ingress to and egress from the above property over that portion of the property formerly owned by Michael J. DiBart, contiguous to the westerly boundary line of subject property. Said easement being bounded and described as follows:

ALL that certain plot piece or parcel of land, situate, lying and being in the City of Peekskill, County of Westchester and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Constant Avenue, distant north 72 degrees 33 minutes west 104.39 feet as measured along said southerly side of Constant Avenue from the point of intersection of said southerly side of Constant Avenue with the westerly side of North Division Street:

RUNNING THENCE through lands now or formerly of Michael J. DiBart, south 18 degrees 42 minutes 20 seconds west 93.13 feet to a point on lands now or formerly of Clara M. Shea;

THENCE along said lands now or formerly of Clara M. Shea, north 71 degrees 00 minutes west 12.50 feet to a point on lands now or formerly of Michael J. DiBart;

Old Republic National Title Insurance Company

Title Number: **ALORT-26118W**

Page 2

THENCE through lands now or formerly of Michael J. DiBart, north 18 degrees 42 minutes 20 seconds east 92.79 feet to a point on the southerly side of Constant Avenue;

THENCE along said southerly side of Constant Avenue south 72 degrees 33 minutes east 12.50 feet to the point or place of BEGINNING.

SUBJECT to an easement for ingress to and egress from the property to the west formerly owned by Michael J. DiBart, said easement being bounded and described as follows:

ALL that certain plot piece or parcel of land, situate, lying and being in, the City of Peekskill, County of Westchester and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Constant Avenue, distant north 72 degrees 33 minutes west 104.39 feet as measured along said southerly side of Constant Avenue from the point of intersection of said southerly side of Constant Avenue with the westerly side of North Division Street;

RUNNING THENCE through lands now or formerly of Michael J. DiBart, south 18 degrees 42 minutes 20 seconds west 93.13 feet to a point on lands now or formerly of Clara H. Shea;

THENCE along said lands now or formerly of Clara M. Shea south 71 degrees 00 minutes east 12.50 feet to a point on lands now or formerly of Michael J. DiBart;

THENCE along said lands now or formerly of Michael J. DiBart, north 18 degrees 42 minutes 20 seconds east 93.46 feet to a point on the southerly side of Constant Avenue;

THENCE along said southerly side of Constant Avenue, north 72 degrees 33 minutes west 12.50 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Premises known as 418 North Division Street, Peekskill, NY 10566;

Old Republic National Title Insurance Company

Title Number: **ALORT-26118W**

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LOT 10

PARCEL A

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

BEGINNING at a point on the easterly side of Highland Avenue by land now or late belonging to Melissa P. Parry;

RUNNING THENCE along said Parry's land and along land of Van Cortlandt Dairy Company, south 71 degrees 46 minutes east 1 00 feet; and

THENCE south 72 degrees 33 minutes east 46 feet to land now or late belonging to Hattie K. Lockwood;

THENCE along said Lockwood's land and along land now or late belonging to one Briggs, south 19 degrees 35 minutes west, 64.27 feet;

THENCE still along said Briggs's land the following (4) courses and distances:

1. North 73 degrees 04 minutes west, 12.97 feet;
2. South 7 degrees 16 minutes east, 40 feet;
3. South 71 degrees 21 minutes east, 7.62 feet; and
4. South 8 degrees 54 minutes West 50.44 feet to land formerly belong to Andrew Ukers, now or late belonging to one Lockwood;

THENCE along said Lockwood's land north 71 degrees 12 minutes west, 93.50 feet to the easterly side of Highland Avenue;

THENCE along said easterly side of Highland Avenue, north 7 degrees 16 minutes west 165 feet to the point or place of BEGINNING.

PARCEL B

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

BEGINNING at a point on the southerly side of Constant Avenue, being north 72 degrees 33 minutes west a distance of 104.39 feet, as measured along the southerly side of Constant Avenue, from the corner formed by the intersection of the southerly side of Constant Avenue with the westerly side of North Division Street;

RUNNING THENCE through lands now or formerly of Michael J. DiBart, south 18 degrees 42 minutes 20 seconds west, 93.13 feet to the point on lands now or formerly of Clara M. Shea:

Old Republic National Title Insurance Company

Title Number: **ALORT-26118W**

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THENCE along said lands now or formerly of Clara M. Shea the following (3) courses and distances:

1. North 71 degrees 00 minutes west, 20.23 feet;
2. South 20 degrees 46 minutes west, 13.29 feet; and
3. North 72 degrees 33 minutes west, 46.00 feet to a point on land now or formerly of Alberta Lamos;

THENCE along said lands now of formerly of Alberta Lamos, north 71 degrees 46 minutes west 20.00 feet to a point on lands now or formerly of the City of Peekskill;

THENCE along the lands now or formerly of the City of Peekskill, north 21 degrees 28 minutes 20 seconds east 105.82 feet to a point on the southerly side of Constant Avenue;

THENCE along said southerly side of Constant Avenue, south 72 degrees 33 minutes east, 81.61 feet to the point or place of BEGINNING.

FOR CONVEYANCE ONLY:

SUBJECT to an easement for ingress to and egress from the above property over that portion of the property formerly owned by Michael J. DiBart, contiguous to the easterly boundary line of subject property. Said easement being, bounded and described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being In the City of Peekskill, County of Westchester and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Constant Avenue, distant north 72 degrees 33 minutes west 104.39 feet as measured along said southerly side of Constant Avenue from the point of intersection of said southerly side of Constant Avenue with the westerly side of North Division Street;

RUNNING THENCE through lands now or formerly of Michael J. DiBart south 18 degrees 42 minutes 20 seconds west 93. 13 feet to a point on lands now or formerly of Clara M. Shea;

THENCE along said lands now or formerly of Clara M. Shea, north 71 degrees 00 minutes west 12.50 feet to a point on lands now or formerly of Michael J. DiBart;

THENCE through lands now or formerly of Michael J. DiBart, north 18 degrees 42 minutes 20 seconds east 92.71 feet to a point on the southerly side of Constant Avenue;

THENCE along said southerly side of Constant Avenue south 72 degrees 33 minutes east 12.50 feet to the point or place of BEGINNING.

Old Republic National Title Insurance Company

Title Number: **ALORT-26118W**

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TOGETHER with an easement for ingress to and egress from the property to the west formerly owned by Michael J. DiBart, said easement being bounded and described as follows:

ALL that certain plot, place or parcel of land, situate, lying and being in the City of Peekskill, County of Westchester and State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Constant Avenue, distant north 72 degrees 33 minutes west 104.39 feet as measured along said southerly side of Constant Avenue from the point of intersection of said southerly side of Constant Avenue with the westerly side of North Division Street;

RUNNING THENCE through lands now or formerly of Michael J. DiBart, south 18 degrees 42 minutes 20 seconds west 93.13 feet to a point on lands now or formerly of Clara M. Shea;

THENCE along said lands now or formerly of Clara M. Shea south 71 degrees 00 minutes east 12.50 feet to a point as lands now or formerly of Michael J. DiBart;

THENCE along said lands now or formerly of Michael J. DiBart, north 18 degrees 42 minutes 20 seconds east 93.46 feet to a point on the southerly side of Constant Avenue;

THENCE along said southerly side of Constant Avenue, north 72 degrees 33 minutes west 12.50 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Premises known as 407 Highland Avenue, Peekskill, NY 10566

Old Republic National Title Insurance Company

Title Number: **ALORT-26118W**

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LOT 11

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

BEGINNING at a point on the southerly side of Constant Avenue, said point being 12.03 feet westerly from the northwesterly corner of lands now of formerly of Van Cortlandt Dairy;

RUNNING THENCE south 21 degrees 28 minutes 20 seconds west 71.51 feet to other lands of the City of Peekskill;

THENCE north 72 degrees 16 minutes west along said lands of the City of Peekskill and along the north face of the building situate thereon 85.80 feet to the easterly side of Highland Avenue;

THENCE north 07 degrees 16 minutes west along Highland Avenue 66.62 feet to point;

THENCE north 49 degrees 45 minutes east along the new street line connecting Highland Avenue to Constant Avenue 12.47 feet to point on the southerly side of Constant Avenue;

THENCE south 72 degrees 33 minutes east along the southerly side of Constant Avenue 111.96 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Premises known as 427 Highland Avenue, Peekskill, NY 10566

LOT 12

ALL that certain plot, piece or parcel of land, situate, lying and being in the State of New York, County of Westchester and City of Peekskill, known as 425 Highland Avenue in the City of Peekskill and more accurately described as Section 23.78, Block 1, Lot 12, on the Official Tax Map of the City of Peekskill, which parcel was referenced on the prior tax map of the City of Peekskill as:

ALL those certain lots, pieces and parcels of land, situate, lying and being in the City of Peekskill, County of Westchester, State of New York, more particularly designated on the map entitled "Tax Map, City of Peekskill", which said map was duly filed in the Office of the Clerk of the County of Westchester on February 20, 1946, and assigned #6016, as Serial Number 259 (Section 31, Block 15, Lot 8A).

FOR INFORMATION ONLY: Premises known as 425 Highland Avenue, Peekskill, NY 10566.

COMPOSITE DESCRIPTION LOTS 9,10,11 & 12 COMBINED

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

BEGINNING AT A POINT at the corner formed by the intersection of the westerly side of North Division Street and the southerly side of Constant Avenue;

RUNNING THENCE along the westerly side of North Division Street South 7 degrees 59 minutes 32 seconds West (deed South 20 degrees 46 minutes 00 seconds West), 96 feet to the lands now or formerly of Sanchez;

THENCE along said land now or formerly of Sanchez, North 83 degrees 46 minutes 28 seconds West, 121.15 feet (deed North 71 degrees 00 minutes 00 seconds West, 121.14 feet) to a point:

THENCE continuing along said lands now or formerly of Sanches and partially along the lands now or formerly of Camas, South 7 degrees 59 minutes 32 seconds West (deed South 20 degrees 46 minutes 00 seconds West), 13.29 feet and thence continuing South 6 degrees 48 minutes 32 seconds West (deed South 19 degrees 35 minutes 00 seconds West), 64.27 feet;

THENCE along the lands now or formerly of Camas, North 85 degrees 50 minutes 28 seconds West (deed North 73 degrees 04 minutes 00 seconds West), 12.97 feet to a point, thence South 20 degrees 02 minutes 28 seconds East (Deed South 7 degrees 16 minutes 00 seconds East), 40 feet to a point, thence South 84 degrees 07 minutes 28 seconds East (deed South 71 degrees 21 minutes 00 seconds East), 7.62 feet to the lands now or formerly of Jemab;

THENCE along the lands now or formerly of Jemab and lands now or formerly of Merrell South 3 degrees 52 minutes 28 seconds East (deed South 8 degrees 54 minutes 00 seconds West). 50.44 feet;

THENCE North 83 degree 58 minutes 28 seconds West (deed North 71 degrees 12 minutes 00 seconds west), 93.50 feet to the northeasterly side of Highland Avenue;

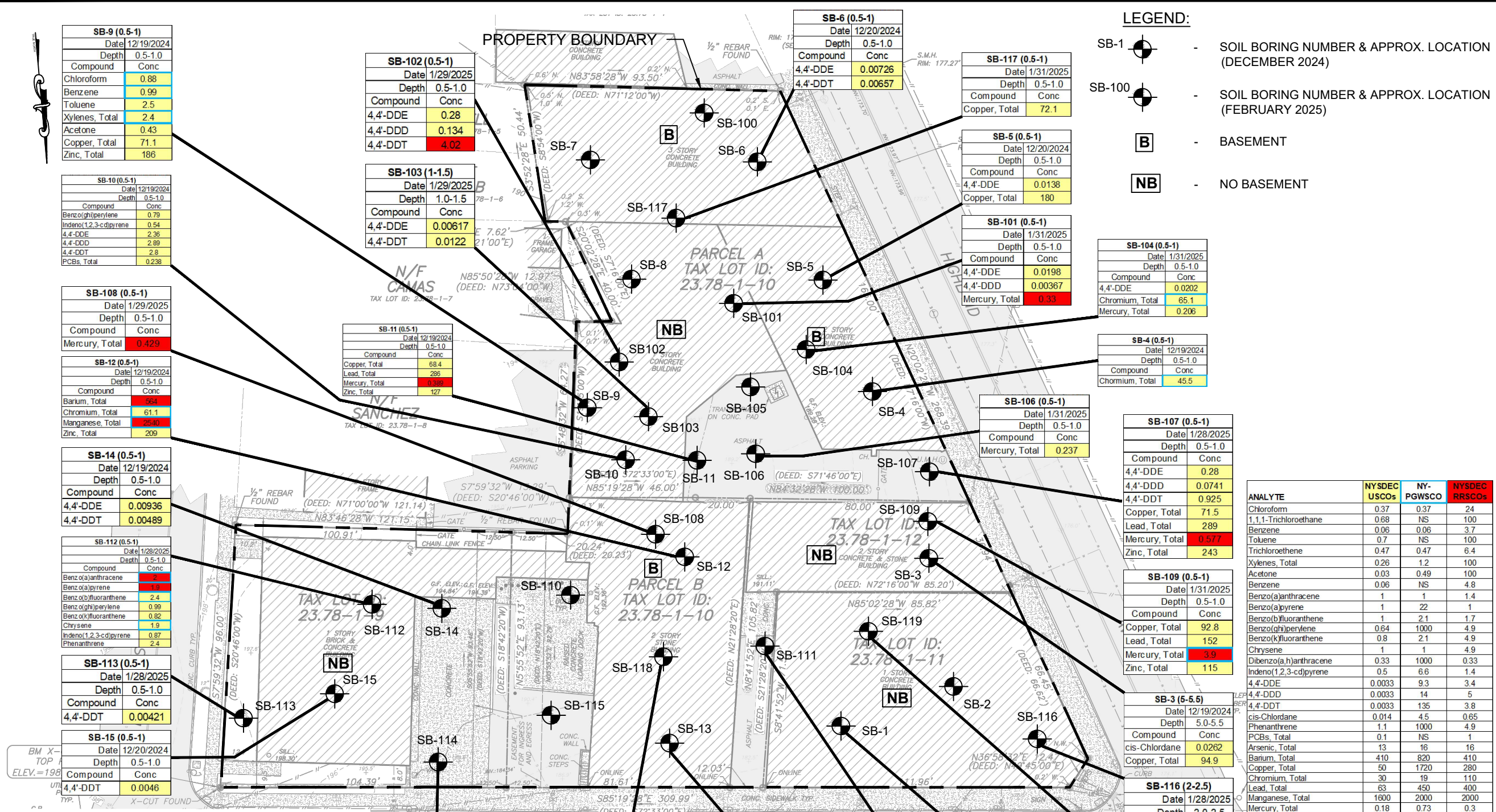
THENCE along the northeasterly side of Highland Avenue North 20 degrees 02 minutes 28 seconds West (deed North 7 degrees 16 minutes 00 seconds West), 268.39 feet to a point;

Thence North 36 degrees 58 minutes 32 seconds East (deed north 49 degrees 45 minutes 00 seconds East), 12.47 feet to the southerly side of Constant Avenue:

THENCE along the southerly side of Constant Avenue South 85 degrees 19 minutes 28 seconds East (Deed: South 72 degrees 33 minutes 00 seconds East), 309.99 feet to the westerly side of North Division Street and the POINT OR PLACE OF BEGINNING

EXHIBIT H

N:\ACAD\13904\ENVIRONMENTAL\13904.DWG_SITE_LOCATION_PLAN - V3.DWG 02/06/26 06:36:49PM, krm.vanderklein, LA YOUT:SOIL



LEGEND:

- SB-1 - SOIL BORING NUMBER & APPROX. LOCATION (DECEMBER 2024)
- SB-100 - SOIL BORING NUMBER & APPROX. LOCATION (FEBRUARY 2025)
- B - BASEMENT
- NB - NO BASEMENT

SB-9 (0.5-1)	
Date	12/19/2024
Depth	0.5-1.0
Compound	Conc
Chloroform	0.88
Benzene	0.99
Toluene	2.5
Xylenes, Total	2.4
Acetone	0.43
Copper, Total	71.1
Zinc, Total	186

SB-102 (0.5-1)	
Date	1/29/2025
Depth	0.5-1.0
Compound	Conc
4,4'-DDE	0.28
4,4'-DDD	0.134
4,4'-DDT	4.02

SB-6 (0.5-1)	
Date	12/20/2024
Depth	0.5-1.0
Compound	Conc
4,4'-DDE	0.00726
4,4'-DDT	0.00657

SB-117 (0.5-1)	
Date	1/31/2025
Depth	0.5-1.0
Compound	Conc
Copper, Total	72.1

SB-5 (0.5-1)	
Date	12/20/2024
Depth	0.5-1.0
Compound	Conc
4,4'-DDE	0.0138
Copper, Total	180

SB-101 (0.5-1)	
Date	1/31/2025
Depth	0.5-1.0
Compound	Conc
4,4'-DDE	0.0198
4,4'-DDD	0.00367
Mercury, Total	0.33

SB-104 (0.5-1)	
Date	1/31/2025
Depth	0.5-1.0
Compound	Conc
4,4'-DDE	0.0202
Chromium, Total	65.1
Mercury, Total	0.206

SB-4 (0.5-1)	
Date	12/19/2024
Depth	0.5-1.0
Compound	Conc
Chromium, Total	45.5

SB-106 (0.5-1)	
Date	1/31/2025
Depth	0.5-1.0
Compound	Conc
Mercury, Total	0.237

SB-107 (0.5-1)	
Date	1/28/2025
Depth	0.5-1.0
Compound	Conc
4,4'-DDE	0.28
4,4'-DDD	0.0741
4,4'-DDT	0.925
Copper, Total	71.5
Lead, Total	289
Mercury, Total	0.577
Zinc, Total	243

SB-109 (0.5-1)	
Date	1/31/2025
Depth	0.5-1.0
Compound	Conc
Copper, Total	92.8
Lead, Total	152
Mercury, Total	3.9
Zinc, Total	115

SB-3 (5-5.5)	
Date	12/19/2024
Depth	5.0-5.5
Compound	Conc
cis-Chlordane	0.0262
Copper, Total	94.9

SB-116 (2-2.5)	
Date	1/28/2025
Depth	2.0-2.5
Compound	Conc
Lead, Total	74.3

SB-119 (8-8.5)	
Date	1/28/2025
Depth	8.0-8.5
Compound	Conc
Copper, Total	64.6

ANALYTE	NYSDEC USCOs	NY-PGWSCO	NYSDEC RRSCOs
Chloroform	0.37	0.37	24
1,1,1-Trichloroethane	0.68	NS	100
Benzene	0.06	0.06	3.7
Toluene	0.7	NS	100
Trichloroethene	0.47	0.47	6.4
Xylenes, Total	0.26	1.2	100
Acetone	0.03	0.49	100
Benzene	0.06	NS	4.8
Benzo(a)anthracene	1	1	1.4
Benzo(a)pyrene	1	22	1
Benzo(b)fluoranthene	1	2.1	1.7
Benzo(g,h)perylene	0.64	1000	4.9
Benzo(k)fluoranthene	0.8	2.1	4.9
Chrysene	1	1	4.9
Dibenzo(a,h)anthracene	0.33	1000	0.33
Indeno(1,2,3-cd)pyrene	0.5	6.6	1.4
4,4'-DDD	0.0033	9.3	3.4
4,4'-DDT	0.0033	14	5
4,4'-DDT	0.0033	135	3.8
cis-Chlordane	0.014	4.5	0.85
Phenanthrene	1.1	1000	4.9
PCBs, Total	0.1	NS	1
Arsenic, Total	13	16	16
Barium, Total	410	820	410
Copper, Total	50	1720	280
Chromium, Total	30	19	110
Lead, Total	63	450	400
Manganese, Total	1600	2000	2000
Mercury, Total	0.18	0.73	0.3
Zinc, Total	109	2480	6600

NOTES:
 1. Results are measured in mg/kg.
 2. Results are compared to NYSDECUSCOs, NY-PGWSCO, and NYSDECRRSCOs.

ABBREVIATIONS:
 NYSDEC = New York State Department of Environmental Conservation.
 USCO = NYSDEC Unrestricted Use Soil Cleanup Objectives (6 NYCRR 375-6.12(2)).
 PGWSCO = Protection of Groundwater Soil Cleanup Objectives (6 NYCRR Part 375.12(2)(2)).
 RRSCO = NYSDEC Restricted Use Soil Cleanup Objectives w/CP-51 (1/10) (6 NYCRR 375-6.12(2)).
 mg/kg = Milligrams per kilogram.
 Sample Depth is reported in feet below ground surface.

NOTE:
 THIS PLAN IS FOR LOCATING BORINGS, TEST PITS & SOIL VAPOR POINTS ONLY. OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.

REFERENCE
 1. EXISTING CONDITIONS & BOUNDARY ARE TAKEN FROM "TOPOGRAPHIC SURVEY OF PROPERTY" PREPARED BY GEOLOGIC LAND SURVEYING, PLLC, DATED NOVEMBER 18, 2024.

NYS Education Law
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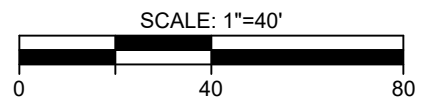
SB-114 (0.5-1)	
Date	1/28/2025
Depth	0.5-1.0
Compound	Conc
Chromium, Total	37

SB-118 (3.5-4)	
Date	1/28/2025
Depth	3.5-4.0
Compound	Conc
1,1,1-Trichloroethane	0.72
Toluene	1.5
Trichloroethene	0.68
Benzene	0.39
Xylenes, Total	1.5
Benzo(a)anthracene	1.1
Benzo(a)pyrene	1.4
Benzo(b)fluoranthene	2.1
Benzo(g,h)perylene	1.2
Chrysene	0.227
Indeno(1,2,3-cd)pyrene	1.4
Copper, Total	60.2
Chromium, Total	238
Lead, Total	491
Mercury, Total	0.21
Zinc, Total	26.4

SB-13 (1-1.5)	
Date	12/19/2024
Depth	1.0-1.5
Compound	Conc
Arsenic, Total	13.1
Chromium, Total	27.4
Lead, Total	108

SB-111 (0.5-1)	
Date	1/28/2025
Depth	0.5-1.0
Compound	Conc
Benzo(a)anthracene	1.4
Benzo(a)pyrene	9.4
Benzo(b)fluoranthene	9.6
Benzo(g,h)perylene	5.9
Benzo(k)fluoranthene	2.2
Chrysene	1.4
Dibenzo(a,h)anthracene	1.7
Indeno(1,2,3-cd)pyrene	4.3
Phenanthrene	1.2
PCBs, Total	0.227
Arsenic, Total	13.1
Copper, Total	69.8
Chromium, Total	28.9
Lead, Total	353
Mercury, Total	0.26
Zinc, Total	35.4

SB-1 (3.5-4.0)	
Date	12/19/2024
Depth	3.5-4.0
Compound	Conc
Acetone	0.037
4,4'-DDE	0.0234
4,4'-DDT	0.0958
Arsenic, Total	14.8
Lead, Total	281
Zinc, Total	349



dwg by: KBV
 chk by: SL
 scale: AS NOTED
 date: 02/06/2026

project:
 418 NORTH DIVISION STREET
 CITY OF PEESKILL
 WESTCHESTER COUNTY, NEW YORK

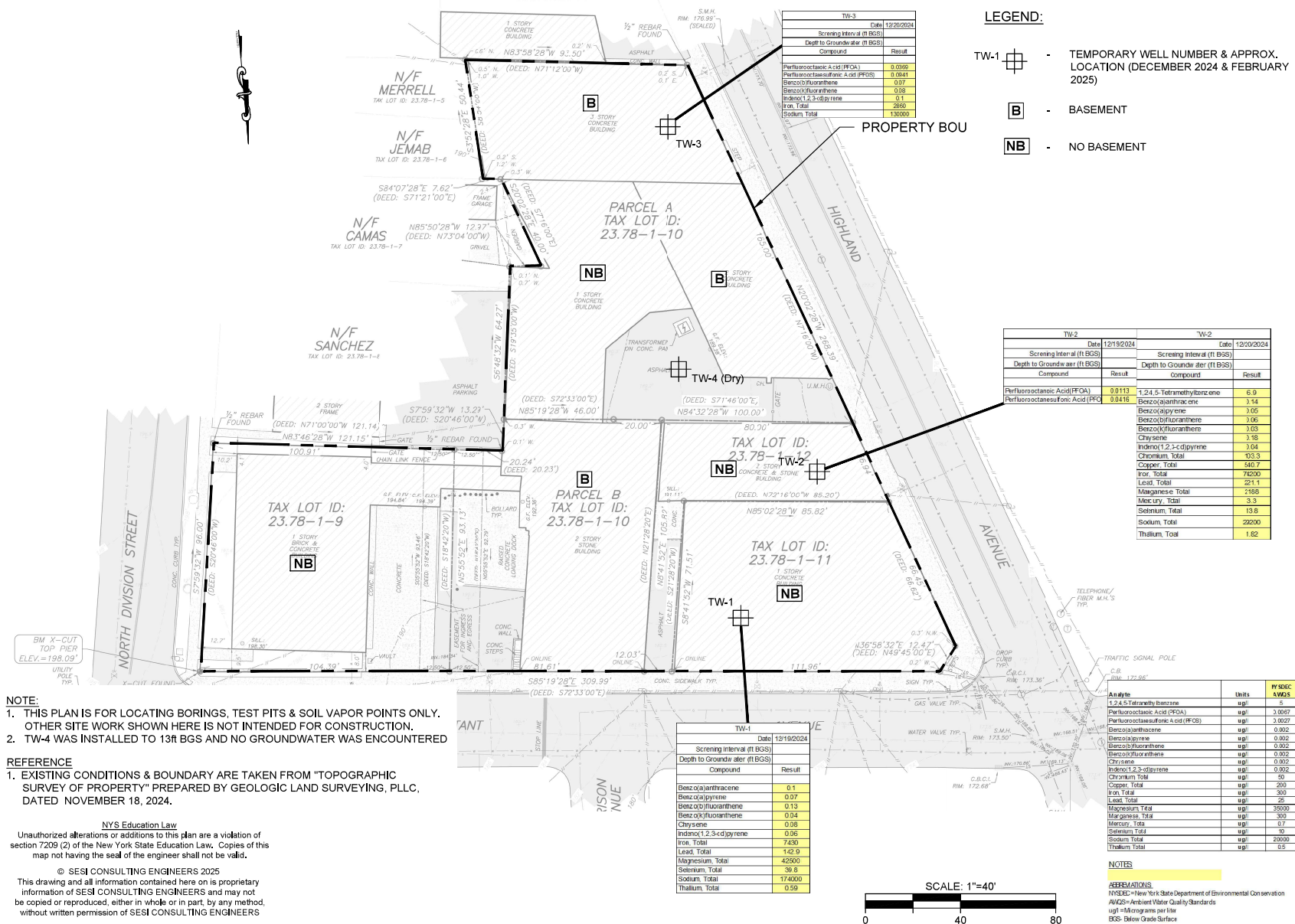
title:
 SOIL SAMPLE LOCATIONS AND
 CONCENTRATION PLAN

job no: 13904
 drawing no:

FIG 3.1
 4 of 6

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N:\CAD\13904_GAD\ENVIRONMENTAL\13904-DWG-SITE-LOCATION-PLAN.DWG 03/14/25 03:49:59PM, adam.ward, LAYOUT:GW



LEGEND:

- TW-1 - TEMPORARY WELL NUMBER & APPROX. LOCATION (DECEMBER 2024 & FEBRUARY 2025)
- B** - BASEMENT
- NB** - NO BASEMENT

TW-3	
Screening Interval (ft BGS)	Date
Depth to Groundwater (ft BGS)	12/26/2024
Compound	Result
Perfluorooctane Acid (PFCA)	0.0090
Perfluorooctanesulfonic Acid (PFOS)	0.0041
Benzobifuranthene	0.07
Benzodifuranthene	0.08
Indeno(1,2,3-cd)pyrene	0.1
Iron, Total	286
Sodium, Total	13000

TW-2		TW-2	
Screening Interval (ft BGS)	Date	Screening Interval (ft BGS)	Date
Depth to Groundwater (ft BGS)	12/19/2024	Depth to Groundwater (ft BGS)	12/20/2024
Compound	Result	Compound	Result
Perfluorooctane Acid (PFCA)	0.0113	1,2,4,5-Tetrahydrobenzene	6.9
Perfluorooctanesulfonic Acid (PFOS)	0.0416	Benzobifuranthene	1.14
		Benzodifuranthene	1.05
		Benzodifuranthene	1.06
		Benzodifuranthene	1.03
		Chrysene	1.15
		Indeno(1,2,3-cd)pyrene	3.04
		Chromium, Total	103.3
		Copper, Total	540.7
		Iron, Total	7420
		Lead, Total	221.1
		Manganese, Total	2188
		Mercury, Total	3.3
		Selenium, Total	15.8
		Sodium, Total	2200
		Thallium, Total	1.82

TW-1	
Screening Interval (ft BGS)	Date
Depth to Groundwater (ft BGS)	12/19/2024
Compound	Result
Benz(a)anthracene	0.1
Benz(a)pyrene	0.07
Benz(b)fluoranthene	0.13
Benzofluoranthene	0.04
Chrysene	0.08
Indeno(1,2,3-cd)pyrene	0.06
Iron, Total	7430
Lead, Total	142.9
Magnesium, Total	42600
Selenium, Total	39.6
Sodium, Total	174000
Thallium, Total	0.59

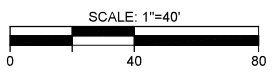
Analyte	Units	PSDEC AVEQS
1,2,4,5-Tetrahydrobenzene	ug/l	6
Perfluorooctane Acid (PFCA)	ug/l	3.0067
Perfluorooctanesulfonic Acid (PFOS)	ug/l	3.0057
Benzobifuranthene	ug/l	0.002
Benzodifuranthene	ug/l	0.002
Benzodifuranthene	ug/l	0.002
Chrysene	ug/l	0.002
Indeno(1,2,3-cd)pyrene	ug/l	0.002
Chromium, Total	ug/l	0.002
Copper, Total	ug/l	200
Iron, Total	ug/l	300
Lead, Total	ug/l	25
Magnesium, Total	ug/l	35000
Manganese, Total	ug/l	350
Mercury, Total	ug/l	0.7
Selenium, Total	ug/l	15
Sodium, Total	ug/l	20000
Thallium, Total	ug/l	0.5

NOTE:
 1. THIS PLAN IS FOR LOCATING BORINGS, TEST PITS & SOIL VAPOR POINTS ONLY. OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.
 2. TW-4 WAS INSTALLED TO 13ft BGS AND NO GROUNDWATER WAS ENCOUNTERED

REFERENCE
 1. EXISTING CONDITIONS & BOUNDARY ARE TAKEN FROM "TOPOGRAPHIC SURVEY OF PROPERTY" PREPARED BY GEOLOGIC LAND SURVEYING, PLLC, DATED NOVEMBER 18, 2024.

NYS Education Law
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 chk by: SL
 scale: AS NOTED
 date: 02/11/2025

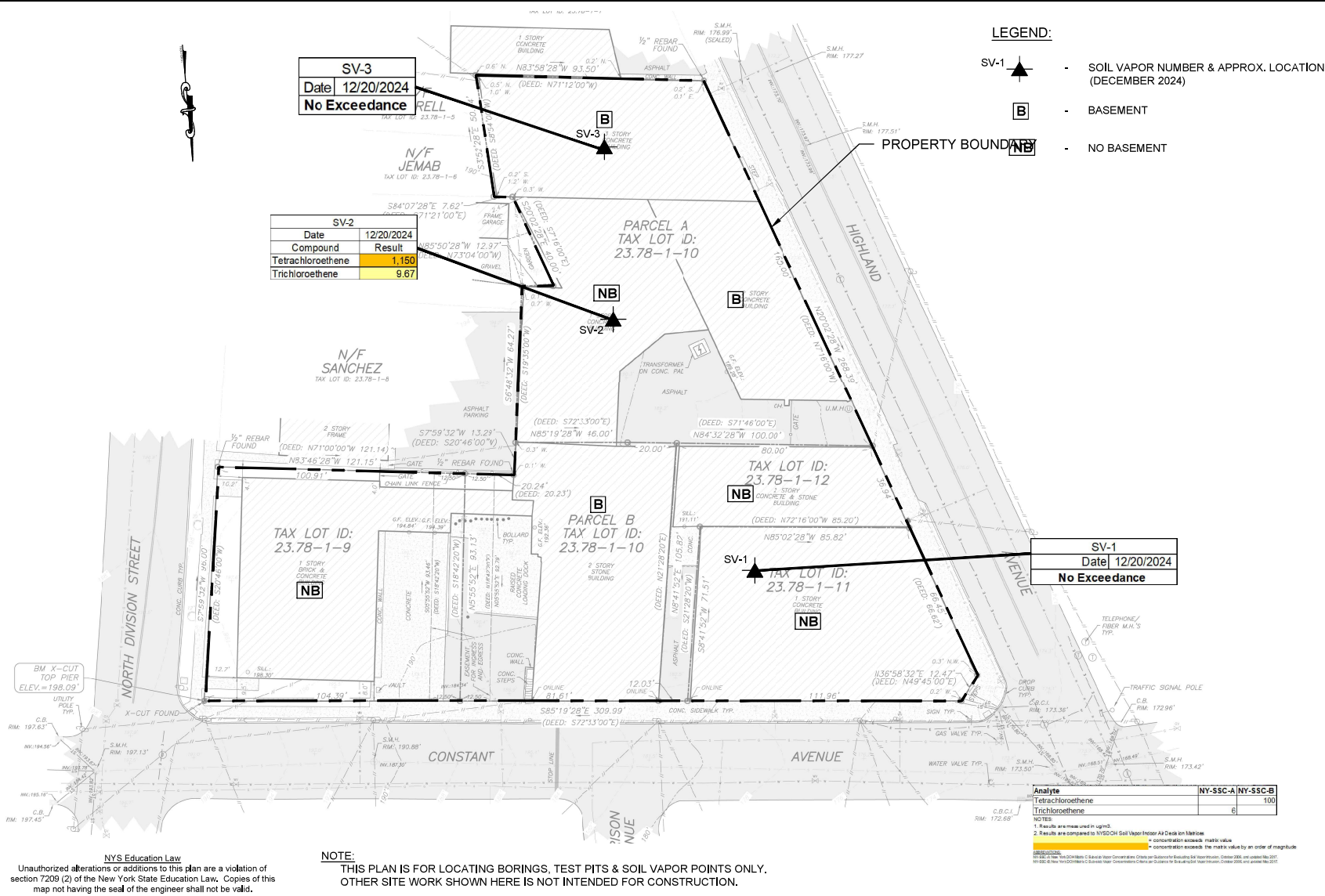
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project: 418 NORTH DIVISION STREET
 CITY OF PECKSKILL
 WESTCHESTER COUNTY, NEW YORK
 title: GROUNDWATER SAMPLE LOCATIONS AND CONCENTRATION PLAN

job no: 13904
 drawing no:

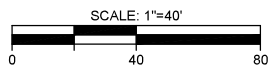
FIG 3.2

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 scale: AS NOTED
 date: 02/11/2025

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project: 418 NORTH DIVISION STREET
 CITY OF PEESKILL
 WESTCHESTER COUNTY, NEW YORK

title: SOIL VAPOR SAMPLE LOCATIONS AND CONCENTRATION PLAN

job no: 13904
 drawing no:

FIG 3.3

Exhibit I



Department of State

Division of Corporations

Entity Information

[Return to Results](#)

[Return to Search](#)

Entity Details ^

ENTITY NAME: 418 NORTH DIVISION STREET LLC

DOS ID: 7428887

FOREIGN LEGAL NAME:

FICTITIOUS NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 09/26/2024

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 09/26/2024

INACTIVE DATE:

FOREIGN FORMATION DATE:

STATEMENT STATUS: CURRENT

COUNTY: BRONX

NEXT STATEMENT DUE DATE: 09/30/2026

JURISDICTION: NEW YORK, UNITED STATES

NFP CATEGORY:

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: 418 NORTH DIVISION STREET LLC

Address: 1763 PITMAN AVENUE, BRONX, NY, UNITED STATES, 10466

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

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

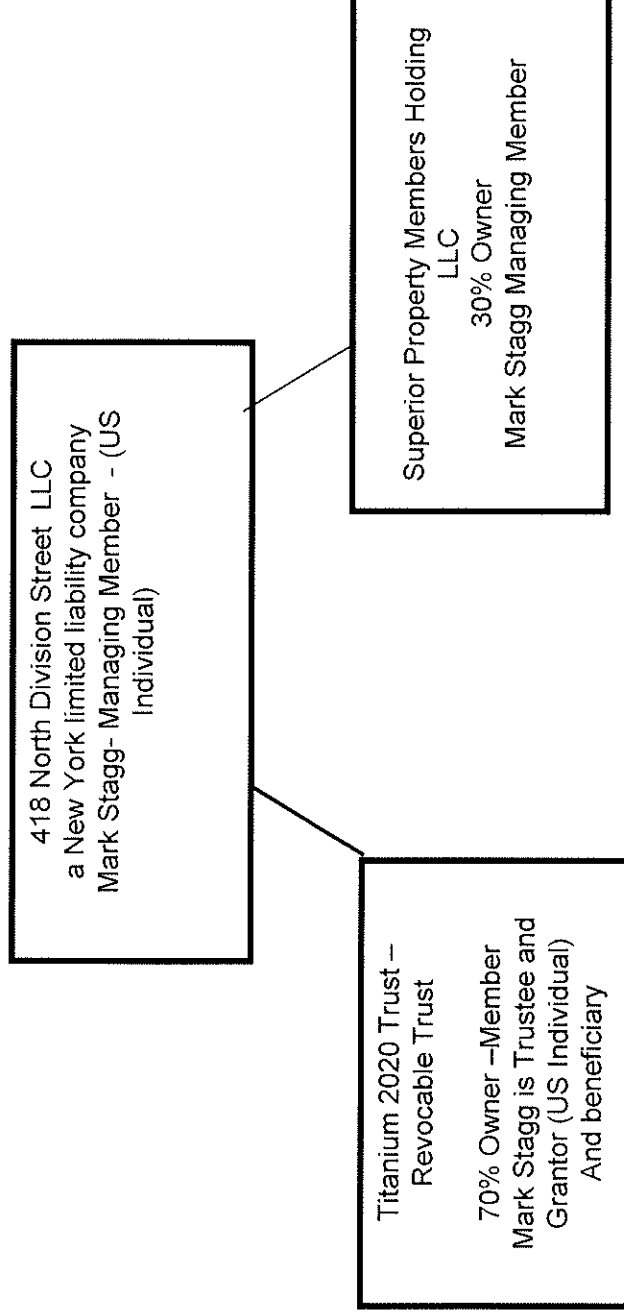
Share Value

Number Of Shares

Value Per Share

418 North Division Street LLC

Owner of 418 North Division Street Peekskill NY



No foreign investors owns, directly or indirectly, the aggregate, 10% or more of an ownership interest in the borrower and no U.S. investor owns, directly or indirectly, in the aggregate, 25% or more of an ownership interest in the Borrower, except as shown on the organizational chart.



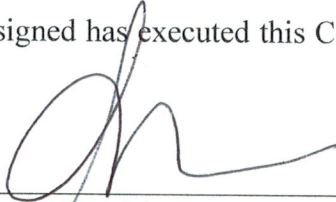
Exhibit J

CORPORATE CONSENT

The undersigned, being an attorney duly admitted to practice law before the Courts of the State of New York, does hereby certify as follows:

1. I am fully familiar with the entities 418 North Division Street LLC and its members Superior Property Members Holding LLC and the revocable trust of Mark Stagg as Grantor and Trustee named Titanium 2000.
2. 418 North Division Street LLC is the title owner of the Brownfield Cleanup Program (BCP) Site located at 418 North Division Street (23.78-1-9), 407 Highland Avenue (23.78-1-10), 427 Highland Avenue (23.78-1-11) and 425 Highland Avenue (23.78-1-12), Peekskill, New York (collectively the "BCP Site").
3. The following person, Mark Stagg, the manager of 418 North Division Street LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Owner 418 North Division Street LLC in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this ____ day of 7/30, 2025.



Kathleen R. Bradshaw, Esq.
Legal Counsel for 418 North Division Street LLC

:

Exhibit K

Site Contact List

Highland Light Steam Laundry Site

418 Division St. N, 407 Highland Ave., 425 Highland Ave., and 427 Highland Ave., Peekskill, NY 10566

Name	Title	Address	City	State	Zip
Charles Schumer	U.S. Senator	Leo O'Brien Building, Room 827	Albany	NY	12207
Kirsten Gillibrand	U.S. Senator	Leo O'Brien Building, Room 821	Albany	NY	12207
Mike Lawler	U.S. House of Representatives	324 Cannon House Office Building	Washington	DC	20515
Pete Harckham	New York State Senator	1 Park Place, Suite 302	Peekskill	NY	10566
Ken W. Jenkins	Westchester County Executive	148 Martine Avenue	White Plains	NY	10601
Bernard Thombs	Westchester County Planning Board	148 Martine Avenue	White Plains	NY	10601
Vivian C. McKenzie	Mayor of the City of Peekskill	840 Main Street	Peekskill	NY	10566
Carol Samol	City of Peekskill, Director of Planning	840 Main Street	Peekskill	NY	10566
The Journal News	Media Outlet	1133 Westchester Avenue, Suite N110	White Plains	NY	10604
David Rambo	City of Peekskill, Water Department	840 Main Street	Peekskill	NY	10566
Dana Hysell	The Field Library	4 Nelson Avenue	Peekskill	NY	10566
Melissa Russo	Uriah Hill Elementary School	980 Pemart Avenue	Peekskill	NY	10566
Crystal Hernandez	Hillcrest Elementary School	4 Horton Drive	Peekskill	NY	10566
Ana Budds	Oakside Elementary School	200 Decatur Avenue	Peekskill	NY	10566
Shabrea B. Menefield	Under My Wings Daycare	517 Harrison Avenue	Peekskill	NY	10566
Temetra S. Todd	Tee's Little Bees Daycare	613 Belden Street	Peekskill	NY	10566
Jonathan and Margaret Colasurdo	Adjacent Property Owner/Operator of 405 Highland Ave	405 Highland Avenue	Peekskill	NY	10566
Bessie Johnson and Lacresha Getter	Adjacent Property Owner/Operator of 404 Division Street N	404 N. Division Street	Peekskill	NY	10566
Prince and Jolene Murrell	Adjacent Property Owner of 408 Division Street N	826 South Street, Apartment 2B	Peekskill	NY	10566
Jemab Family Limited Partnership	Adjacent Property Owner of 410 Division Street N	PO Box 641	Putnam Valley	NY	10579
Angel M. Camas Muyulema	Adjacent Property Owner/Operator of 414 Division Street N	414 N. Division Street	Peekskill	NY	10566
Jose and Esperanza Sanchez	Adjacent Property Owner of 416 Division Street N	965 Garfield Street	Peekskill	NY	10566
Hudson View Constractor LLC	Adjacent Property Operator of 416 Division Street N	416 N. Division Street	Peekskill	NY	10566
Jonathan J. Colasurdo, Peekskill Beer and Sodias	Adjacent Property Owner of 421 Division Street N	405 Highland Avenue	Peekskill	NY	10566
Joel Weiss	Adjacent Property Owner of 425 Division Street N	4 Drubich Way	Monroe	NY	10950
Jorge Villa-Maita	Adjacent Property Owner/Operator of 431 Division Street N	431 N. Division Street	Peekskill	NY	10566
Mario and Diane Tucci	Adjacent Property Owner/Operator of 1000 Constant Avenue	1000 Constant Avenue	Peekskill	NY	10566
Brendon and Lindsey Fitzgerald	Adjacent Property Owner of 500 Division Street N	PO Box 2278	Peekskill	NY	10566
Luciano R. Patino	Adjacent Property Owner/Operator of 968 Constant Avenue	968 Constant Avenue	Peekskill	NY	10566
Leslie Phillip	Adjacent Property Owner/Operator of 964 Constant Avenue	964 Constant Avenue	Peekskill	NY	10566
Frederick and Darlene Vanca	Adjacent Property Owner/Operator of 958 Constant Avenue	958 Constant Avenue	Peekskill	NY	10566
Rosa Ramirez	Adjacent Property Owner/Operator of 954 Constant Avenue	954 Constant Avenue	Peekskill	NY	10566
Abu Halal LLC	Adjacent Property Owner/Operator of 501 Highland Avenue	501 Highland Avenue	Peekskill	NY	10566
Henry Seger	Adjacent Property Owner of 500 Highland Avenue	1430 Riverview Avenue	Peekskill	NY	10566
Dream Vacations by Stacy Murphy	Adjacent Property Operator of 500 Highland Avenue	500 Highland Avenue	Peekskill	NY	10566
Fabian Vele	Adjacent Property Owner/Operator of 432 Highland Avenue	432 Highland Avenue	Peekskill	NY	10566
Highland Ave Properties LLC	Adjacent Property Owner of 428 Highland Avenue	628 Nelson Avenue	Peekskill	NY	10566
Stacy Phox	Adjacent Property Owner/Operator of 424 Highland Avenue	422-424 Highland Avenue	Peekskill	NY	10566
Washington Gomez Godoy and Eve Pazato	Adjacent Property Owner of 420 Highland Avenue	15 Park Avenue	West Harrison	NY	10604

820 McKinley Corp.	Adjacent Property Owner of 418 Highland Avenue	16 Ruth Road	Cortlandt Manor	NY	10567
Mary Ann Eng and Emily Burke	Adjacent Property Owner of 414 Highland Avenue	4 White Lion Drive	Montrose	NY	10548
Jose and Digna Velesaca	Adjacent Property Owner of 412 Highland Avenue	122 South Street	Peekskill	NY	10566
Gran Cabana Restaurant Corp	Adjacent Property Owner/Operator of 400 Highland Avenue	400 Highland Avenue	Peekskill	NY	10566

Exhibit L



2600 Innovation Square
100 South Clinton Avenue
Rochester, New York 14604
nyenvlaw.com

LINDA R. SHAW
ATTORNEY AT LAW

T 585.546.8430
C 585.414.3122
lshaw@nyenvlaw.com

Dana Hysell, Library Director
The Field Library
4 Nelson Avenue
Peekskill, NY 10566

RE: Brownfield Cleanup Program Application
Applicant: 418 North Division Street, LLC
Site Address: 418 North Division Street and 407, 425, 427 Highland Avenue

Dear Ms. Hysell:

We represent 418 North Division Street, LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 418 North Division Street and 407, 425, 427 Highland Avenue in the City of Peekskill, Westchester County, New York. We respectfully request that the Field Library serve as a document 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 document repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent in CD format.

Please sign below and return the executed letter as an attachment to an email to my paralegal, Abigale Patrick, at apatrick@nyenvlaw.com, if you are able to certify that the Field Library is willing and able to act as a temporary public repository for this Brownfield Cleanup Program Project.

Sincerely,

KNAUF SHAW LLP

LINDA R. SHAW, ESQ.

The Field Library is willing and able to act as a document repository for the Brownfield Cleanup Program Project located at 418 North Division Street and 407, 425, 427 Highland Avenue.



Dana Hysell, Library Director



Date

Exhibit M

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

**AFFIDAVIT IN SUPPORT OF APPLICATION FEE WAIVER FOR
418 NORTH DIVISION STREET PEEKSKILL NY BCP APPLICATION
HIGHLAND LIGHT STEAM LAUNDRY SITE**

MARK STAGG, being duly sworn, deposes and says:

1. I am the sole member of 418 North Division Street LLC (“Volunteer”), which has offices located at 1763 Pitman Avenue, Bronx, NY 10466, and which is the current volunteer entity for prospective 418 North Division Street Peekskill, NY Highland Light Steam Laundry prospective Brownfield Cleanup Program (“BCP”) Site

2. I submit this affidavit to request a waiver of the \$50,000 application fee because this will be a 100% affordable housing project within the definition of 6 NYCRR Section 375-3.2(a).

3. The Volunteer has limited upfront financial resources to fund the pre-development costs for a 100% affordable project such as this, which poses significant financial risk.

4. The Volunteer LLC was just recently created for the purpose of creating 100% affordable housing therefore it does not have any financial records to demonstrate hardship. However, as a newly formed LLC, this also means it does not have any financial resources yet to fund such a high entry fee.

5. As a result, the application fee is a financial hardship to pay for a project with unknown future costs, which will be paid directly by Volunteer.

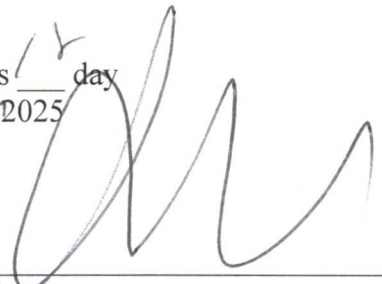
6. I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 12, 2025



MARK STAGG

Sworn to this 12 day
of October, 2025



Notary Public

KATHLEEN R BRADSHAW
NOTARY PUBLIC-STATE OF NEW YORK
No. 016R6419928
Qualified in Westchester County
My Commission Expires 01-18-2026