



**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 (excluding the previous environmental reports and work plans, if applicable);
  - b. one individual file (PDF) of each previous environmental report; and,
  - c. one file (PDF) of each work plan being submitted with the application, if applicable.
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. Please do not send a separate email to confirm receipt.
- Application packages submitted through third-party file transfer services will not be accepted.

b. 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, 12<sup>th</sup> Floor  
Albany, NY 12233-7020

**SITE NAME:** 41 North 2nd Street

**Is this an application to amend an existing BCA with a major modification?** Please refer to the application instructions for further guidance related to BCA amendments.

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

☐

Yes

☒

No

**Is this a revised submission of an incomplete application?**

If yes, provide existing site number: C411022

☒

Yes

☐

No



**BROWNFIELD CLEANUP PROGRAM (BCP)  
APPLICATION FORM**

BCP App Rev 16 – January 2025

**SECTION I: Property Information**

PROPOSED SITE NAME **41 North 2nd Street**

ADDRESS/LOCATION **41 North 2nd Street**

CITY/TOWN **City of Hudson**

ZIP CODE **12534**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **City of Hudson**

COUNTY **Columbia County**

SITE SIZE (ACRES) **2.16**

LATITUDE

LONGITUDE

42°	15'	23.43"	73°	47'	32.81"
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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
p/o 41 North 2nd Street	109.35	2	19	2.16

- |  |                                    |                                    |
|--|------------------------------------|------------------------------------|
| 1. Do the proposed site boundaries correspond to tax map metes and bounds?<br>If no, please attach an accurate map of the proposed site including a metes and bounds description.  | <input type="radio"/> Y            | <input checked="" type="radio"/> N |
| 2. Is the required property map, provided in electronic format, included with the application?<br>(Application will not be processed without a map)  | <input checked="" type="radio"/> Y | <input type="radio"/> N            |
| 3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information)<br>If yes, identify census tract: _____<br>Percentage of property in En-zone (check one): <input checked="" type="radio"/> 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% | <input type="radio"/> Y            | <input checked="" type="radio"/> N |
| 4. Is the project located within a disadvantaged community?<br>See application instructions for additional information.  | <input checked="" type="radio"/> Y | <input type="radio"/> N            |
| 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"/> Y            | <input checked="" type="radio"/> N |
| 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)?<br>If yes, identify names of properties and site numbers, if available, in related BCP applications:  | <input type="radio"/> Y            | <input checked="" type="radio"/> N |

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.		<input type="radio"/>	<input checked="" 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.  <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):  <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
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"/>
<b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b>			
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.		<input type="radio"/>	<input type="radio"/>
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"/>
<b>NOTE:</b> 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.			
<b>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.</b>			
<b>Initials of each Requestor:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

## 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

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

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 ½-mile radius of the site?  | <input checked="" type="radio"/> | <input 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, must be submitted with the application as a separate report. Please see the instructions for additional guidance. |                                  |                                  |
| 4. Is a Fish and Wildlife Resources Impact Analysis Part I included with this application?  | <input type="radio"/>            | <input checked="" type="radio"/> |








N/A ☐



**SECTION IV: Land Use Factors**

1. What is the property's current municipal zoning designation? <u>GC - General Commercial/Three-Story Multiple Residence</u>		
2. What uses are allowed by the property's current zoning (select all that apply)? Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/>		
3. Current use (select all that apply): Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Vacant <input 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 <input checked="" type="radio"/>	N <input type="radio"/>
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> If residential, does it qualify as single-family housing? N/A <input type="radio"/>	<input type="radio"/>	<input checked="" 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"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation. Include additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>
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.	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION V: Current and Historical Property Owner and Operator Information**

CURRENT OWNER41 North Second Housing Development Fund Company, Inc.		
CONTACT NAME Hudson Housing Authority - Jeffrey E. Dodson		
ADDRESS41 North 2nd Street		
CITY Hudson	STATE NY	ZIP CODE 12534
PHONE 518-828-5415	EMAIL Jdodson@hudsonhousingauthority.com	
OWNERSHIP START DATE 4/1/2020		
CURRENT OPERATOR Hudson Housing Authority		
CONTACT NAME Jeffrey E. Dodson		
ADDRESS41 North 2nd Street		
CITY Hudson	STATE NY	ZIP CODE 12534
PHONE 518-828-5415	EMAIL Jdodson@hudsonhousingauthority.com	
OPERATION START DATE 1/1/1972		

## 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input 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 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:

3. 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

4. Indicate Past Land Uses (check all that apply):

<input type="checkbox"/> Coal Gas Manufacturing	<input checked="" type="checkbox"/> Manufacturing	<input type="checkbox"/> Agricultural Co-Op	<input 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: See Section VI.4 of the Supplemental Information document.

SECTION VII: Requestor Information					
NAME 41 North 2nd I LLC					
ADDRESS 700 White Plains Road					
CITY/TOWN Scarsdale		STATE NY	ZIP CODE 10583		
PHONE (914) 723-1200		EMAIL jbmounty@mountco.com			
				Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?				<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 <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a> . 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?				<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"/>				<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 <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? <b>Documents that are not properly certified will not be approved under the BCP.</b>				<input checked="" type="radio"/>	<input type="radio"/>

SECTION VIII: Requestor Contact Information				
REQUESTOR'S REPRESENTATIVE Joel Mounty				
ADDRESS 700 White Plains Road				
CITY Scarsdale		STATE NY	ZIP CODE 10583	
PHONE (914) 723-1200		EMAIL jbmounty@mountco.com		
REQUESTOR'S CONSULTANT (CONTACT NAME) Conor Tarbell				
COMPANY PVEDI Engineering, Architecture and Geology, D.P.C.				
ADDRESS 48 Springside Avenue				
CITY Poughkeepsie		STATE NY	ZIP CODE 12603	
PHONE (845) 454-2544		EMAIL ctarbell@pvedi-ae.com		
REQUESTOR'S ATTORNEY (CONTACT NAME) Dean Sommer				
COMPANY Young/Sommer LLC				
ADDRESS Executive Woods, Five Palisades Drive				
CITY Albany		STATE NY	ZIP CODE 12205	
PHONE (518) 438-9907		EMAIL dsommer@youngsommer.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"/>

**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

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

- 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 **Member** (title) of **41 North 2nd I 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: 5/29/2025 Signature: 

Print Name: JOEL MOUNTY, MEMBER

**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 16**

<b>Please respond to the questions below and provide additional information and/or documentation as required. Please refer to the application instructions.</b>	<b>Y</b>	<b>N</b>
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input 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.

---

# **NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION – SUPPLEMENTAL INFORMATION**

**41 NORTH 2<sup>ND</sup> STREET  
CITY OF HUDSON  
COLUMBIA COUNTY, NEW YORK 12534**

---

**PREPARED FOR:**

41 North 2<sup>nd</sup> I LLC  
700 White Plains Road, Suite 363  
Scarsdale, New York 10583

**PREPARED BY:**



PVEDI Engineering, Architecture and Geology, D.P.C.  
48 Springside Avenue  
Poughkeepsie, New York 12603  
Phone: 845-454-2544 – Fax: 845-454-2655

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April 18, 2025  
*Revised May 29, 2025*  
PVE File #20240218

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## SEPARATE ATTACHMENTS

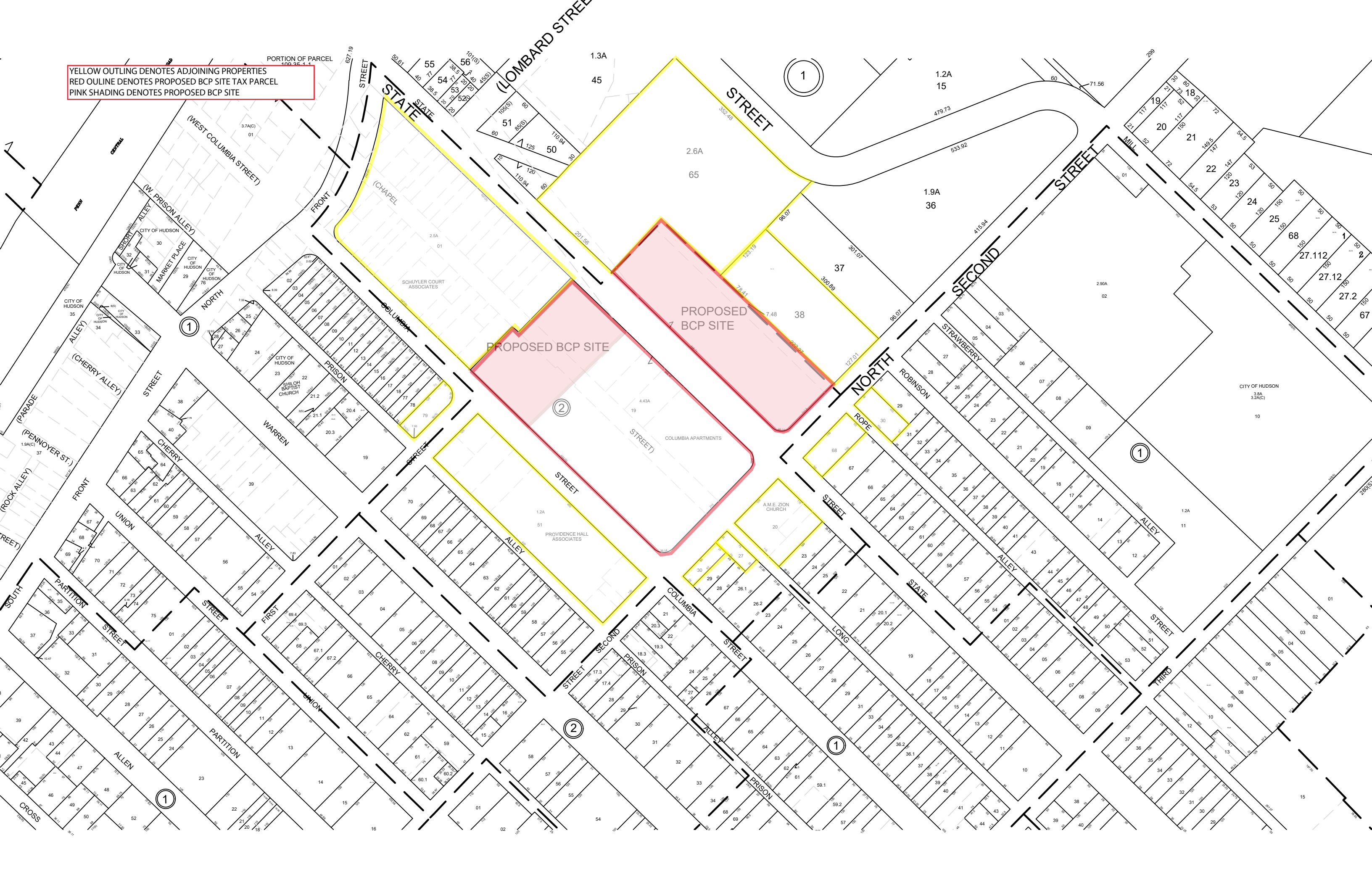
Attachment III.4	Fish and Wildlife Resources Impact Analysis Part I Report, by PVE, dated March 24, 2025
Attachment VI-1A	Phase I Environmental Site Assessment – Parcel A, by SESI Consulting Engineers, dated August 2023
Attachment VI-1B	Phase I Environmental Site Assessment – Parcel B, by SESI Consulting Engineers, dated August 2023
Attachment VI-1C	Phase II Environmental Site Assessment, by PVE, dated July 2, 2024
Attachment VI-1D	Supplemental Phase II Environmental Site Assessment, by PVE, dated August 13, 2024
Attachment VI-1E	Supplemental Soil Investigation Report, by PVE, dated November 5, 2024

## **SECTION I – PROPERTY INFORMATION**

### **I.1 – Tax Maps and Metes and Bounds Description**

This BCP application applies to part of Tax ID #109.35-2-19 which is located on both sides of State Street. The metes and bounds description of the proposed BCP Site boundary has been prepared by a New York State Professional Licensed Surveyor and is provided as Attachment I.1B.

YELLOW OUTLINE DENOTES ADJOINING PROPERTIES  
RED OUTLINE DENOTES PROPOSED BCP SITE TAX PARCEL  
PINK SHADING DENOTES PROPOSED BCP SITE





NOTES:

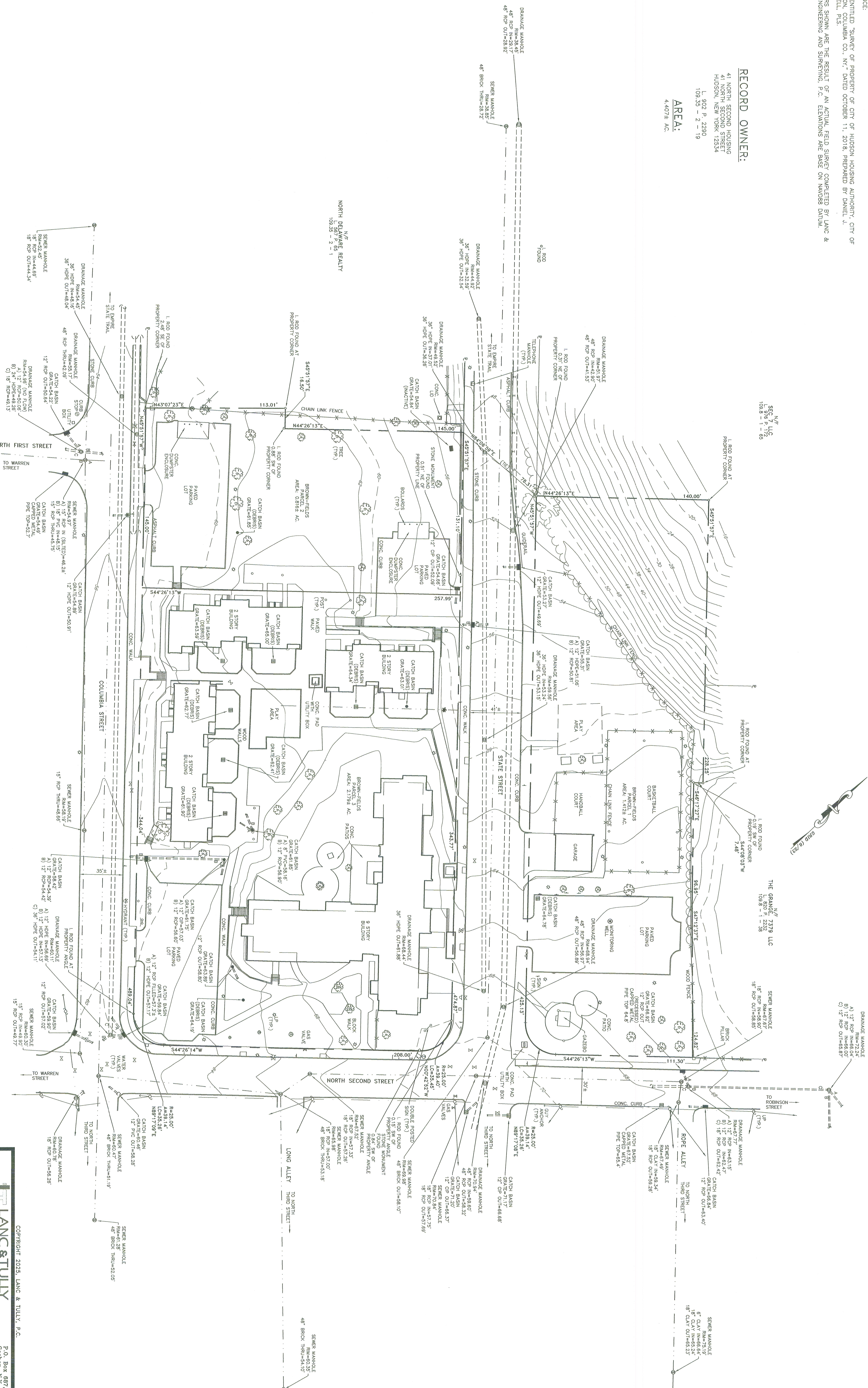
1. THIS SURVEY IS SUBJECT TO ANY FINDINGS OF A TITLE SEARCH.
2. SUBSURFACE STRUCTURES AND UTILITIES NOT VISIBLE AT THE TIME OF SURVEY HAVE NOT BEEN SHOWN.
3. REFERENCE:  
MAP ENTITLED "SURVEY OF PROPERTY OF CITY OF HUDSON HOUSING AUTHORITY, CITY OF HUDSON, COLUMBIA CO., NY," DATED OCTOBER 11, 2018, PREPARED BY DANIEL J. RUSSELL, PLS.  
CONTIGUOUS AREAS ARE THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED BY LANC & TULLY ENGINEERING AND SURVEYING, P.C. ELEVATIONS ARE BASED ON NAVD83 DATUM.
- 4.

RECORD OWNER:

41 NORTH SECOND HOUSING  
41 NORTH SECOND HOUSING  
HUDSON, NEW YORK 12534

L. 902 P. 2230  
109.38 - 2 - 19

AREA:  
4.407± AC.



CERTIFICATION:

I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED  
BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL  
FIELD SURVEY COMPLETED ON AUGUST 21, 2023.

HUDSON HOUSING AUTHORITY  
41 NORTH SECOND HOUSING  
HUDSON, NEW YORK 12534  
BY: [Signature]  
NEW YORK STATE LICENSE NO. 30585

SURVEY PREPARED FOR

HUDSON HOUSING  
AUTHORITY

LANC & TULLY  
Engineering and Surveying, P.C.

P.O. Box 697 Rt. 207  
Goshen, N.Y. 10924  
(845) 284-3700

COPYRIGHT 2023, LANC & TULLY, P.C.

CITY OF HUDSON  
COLUMBIA COUNTY, NEW YORK

Drawn By	Checked By	Scale	File No.	Sheet No.
EX		1" = 30'	109.38 - 2 - 19	1 of 1

DATE: JANUARY 25, 2025

PROJECT:

CD: 1015-S07200

REVISION: 1 OF 1

DATE: 01-23-2025

BY: [Signature]

DATE: 01-23-2025

BY: [Signature]





**DESCRIPTION**

**FEBRUARY 18, 2025**

**BROWN-FIELDS PARCEL 1  
HUDSON HOUSING AUTHORITY  
CITY OF HUDSON  
COLUMBIA COUNTY, NEW YORK**

ALL that certain plot, piece, or parcel of land situate in the City of Hudson, County of Columbia, State of New York, said lands being more particularly bounded and described as follows:

BEGINNING at a point lying on the northeasterly line of State Street, said point being the westerly corner of lands herein described and the southerly corner of lands now or formerly SEC7 LLC;

THENCE running along a southeasterly line of lands of said SEC7 LLC being the northwesterly line of lands herein described,

(1) North 44 degrees, 26' 13" East, as per Grid North (August 2023), a distance of 140.00 feet, to an iron rod being the northerly corner of lands herein described;

THENCE running along a southwesterly line of said SEC7 LLC and continuing along a southwesterly line of lands now or formerly The Grange, 7379 LLC being the northeasterly line of lands herein described,

(2) South 45 degrees, 51' 57" East, a distance of 228.25 feet, to an iron rod being an easterly corner of lands herein described;

THENCE running along a northwesterly line of lands of said The Grange 7379 LLC being a southeasterly line of lands herein described,

(3) South 44 degrees, 08' 03" West, a distance of 7.48 feet, to a point being a westerly corner of lands of said The Grange 7379 LLC;

THENCE running along the southwesterly line of lands of said The Grange 7379 LLC being a northeasterly line of lands herein described on the following two (2) courses and distances:

(4) South 46 degrees, 17' 27" East, a distance of 96.95 feet; and

(5) South 47 degrees, 12' 37" East, a distance of 124.82 feet, to a point being the southerly corner of lands of said The Grange 7379 LLC, the easterly corner of lands herein described and lying on the northwesterly line of North Second Street;

THENCE running along the northwesterly line of North Second Street being the southeasterly line of lands herein described,

**DESCRIPTION  
BROWN-FIELDS PARCEL 1  
HUDSON HOUSING AUTHORITY  
CITY OF HUDSON  
COLUMBIA COUNTY, NEW YORK**

**FEBRUARY 18, 2025**

- (6) South 44 degrees, 26' 13" West, a distance of 111.30 feet, to a point of curvature being the easterly corner of State Street;

THENCE running along northerly and northeasterly lines of said State Street being the southerly and southwesterly lines of lands herein described on the following two (2) courses and distances:

- (7) On a curve to the right, having a radius of 25.00 feet, an arc length of 39.14 feet, as defined by the chord South 89 degrees, 17' 08" West, 35.26 feet to a point of tangency; and
- (8) North 45 degrees, 51' 57" West, a distance of 425.13 feet, to the point or place of BEGINNING.

All as shown as Brown-Fields Parcel 1 on a map entitled "Survey Prepared For Hudson Housing Authority, City of Hudson, Columbia County, New York", dated January 25, 2025, prepared by Lanc & Tully Engineering and Surveying, P.C.

Containing 1.412± acres

Premises herein described being a portion of Tax Map Lot No. 19, in Block 2, within Section 109.35 as shown on the Tax Maps of the City of Hudson, Columbia County, New York, dated 2024.

Premises herein described being a portion of the same premises as described in Liber 902 of Deeds at Page 2290, as filed in the Columbia County Clerk's Office.

Premises herein described being subject to any easements, rights-of-way, covenants or restrictions of record.





**DESCRIPTION**

**FEBRUARY 18, 2025**

**BROWN-FIELDS PARCEL 2**

**HUDSON HOUSING AUTHORITY**

**CITY OF HUDSON**

**COLUMBIA COUNTY, NEW YORK**

ALL that certain plot, piece, or parcel of land situate in the City of Hudson, County of Columbia, State of New York, said lands being more particularly bounded and described as follows:

BEGINNING at a point lying on the southwesterly line of State Street, being the northerly corner of lands herein described and the easterly corner of lands now or formerly North Delaware Realty;

THENCE running along the southwesterly line of said State Street being the northeasterly line of lands herein described,

- (1) South 45 degrees, 51' 57" East, as per Grid North (August 2023), a distance of 131.10 feet, to a point being the easterly corner of lands herein described;

THENCE running through lands now or formerly 41 North Second Housing being the southeasterly line of lands herein described,

- (2) South 44 degrees, 26' 13" West, a distance of 257.99 feet, to a point being the southerly corner of lands herein described and lying on the northeasterly line of Columbia Street;

THENCE running along the northeasterly line of said Columbia Street being the southwesterly line of lands herein described,

- (3) North 45 degrees, 51' 57" West, a distance of 145.00 feet, to a point being the westerly corner of lands herein described and the southerly corner of lands now or formerly North Delaware Realty;

THENCE running along a southeasterly line of lands of said North Delaware Realty being the northwesterly line of lands herein described,

- (4) North 43 degrees, 07' 23" East, a distance of 113.01 feet, to an iron rod being a northerly corner of lands herein described;

THENCE running along a southwesterly line of lands of said North Delaware Realty being a northeasterly line of lands herein described,

- (5) South 45 degrees, 51' 57" East, a distance of 16.50 feet to a point being a southerly corner of lands of said North Delaware Realty;

DESCRIPTION  
BROWN-FIELDS PARCEL 2  
HUDSON HOUSING AUTHORITY  
CITY OF HUDSON  
COLUMBIA COUNTY, NEW YORK

FEBRUARY 18, 2025

THENCE running along the southeasterly line of lands of said North Delaware Realty being a northwesterly line of lands herein described,

(6) North 44 degrees, 26' 13" East, a distance of 145.00 feet, to the point or place of BEGINNING.

All as shown as Brown-Fields Parcel 2 on a map entitled "Survey Prepared For Hudson Housing Authority, City of Hudson, Columbia County, New York", dated January 25, 2025, prepared by Lanc & Tully Engineering and Surveying, P.C.

Containing 0.816± acres

Premises herein described being a portion of Tax Map Lot No. 19, in Block 2, within Section 109.35, as shown on the Tax Maps of the City of Hudson, Columbia County, New York, dated 2024.

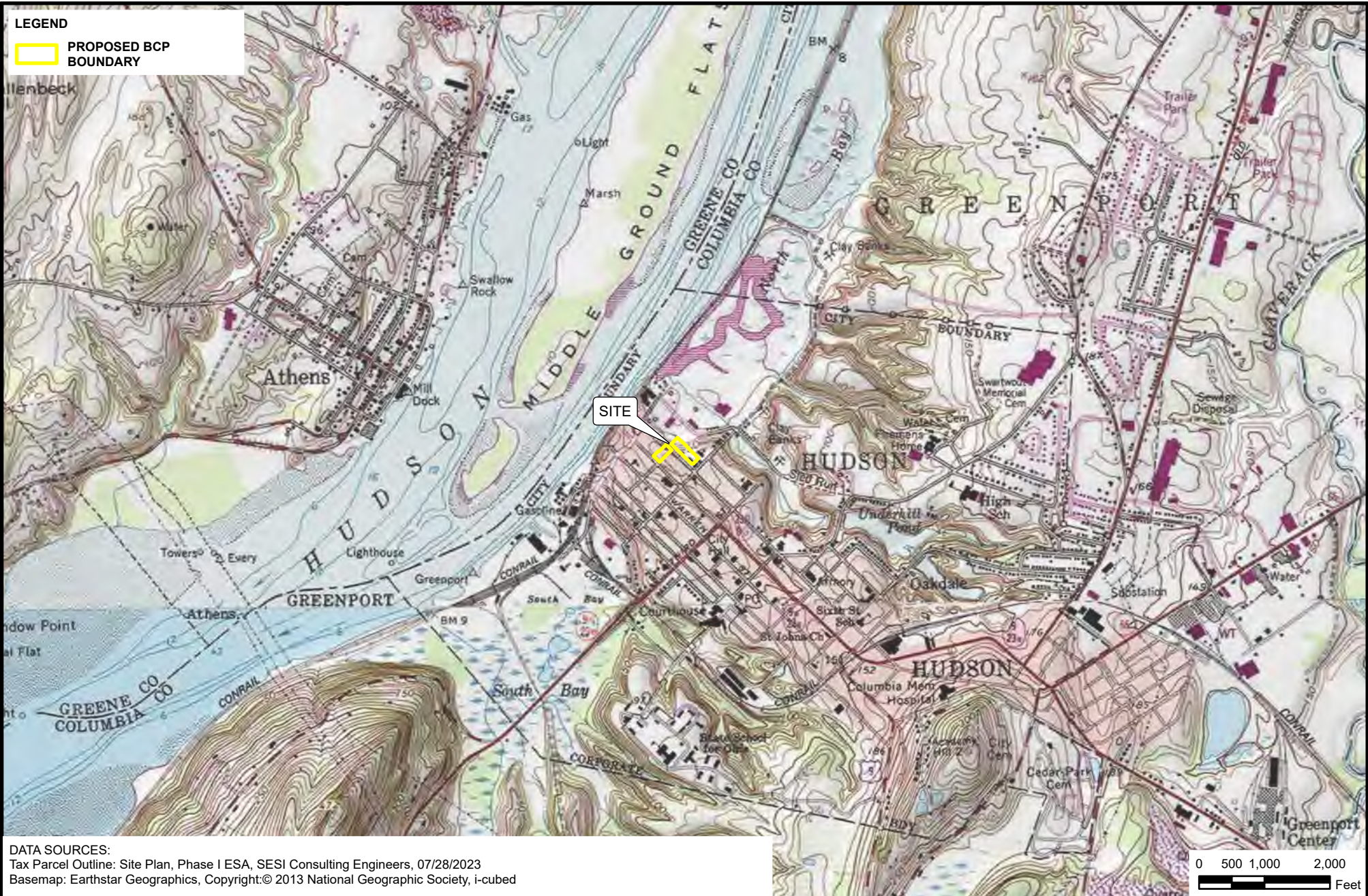
Premises herein described being a portion of the same premises as described in Liber 902 of Deeds at Page 2290, as filed in the Columbia County Clerk's Office.

Premises herein described being subject to any easements, rights-of-way, covenants or restrictions of record.

## **I.2 – Property Maps**

As stated in Section I.1 above, this BCP application applies to a portion of the tax parcel #109.35-2-19 which is known as “Phase I” of the site’s development. The intention is to construct new affordable housing units in Phase I and relocate the existing tenants of “Bliss Towers”, located on the remaining portion of the tax parcel, into said new units post-Certificate of Completion. Subsequently, the remainder of the tax parcel, including the aging Bliss Towers structures, will be demolished, and the property will be investigated with the intention of also applying for inclusion in the NYSDEC BCP for proper remediation and redevelopment. This portion of the site’s development (again, not included in, nor for consideration in this application) is known as “Phase II”.





DATA SOURCES:  
Tax Parcel Outline: Site Plan, Phase I ESA, SESI Consulting Engineers, 07/28/2023  
Basemap: Earthstar Geographics, Copyright© 2013 National Geographic Society, i-cubed

**PVEDi**  
48 Springside Avenue  
Poughkeepsie, NY 12603  
Office: 845.454.2544  
Fax: 845.454.2655

**PROPERTY MAP (USGS 7.5 QUADRANGLE)**  
41 NORTH 2ND STREET  
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

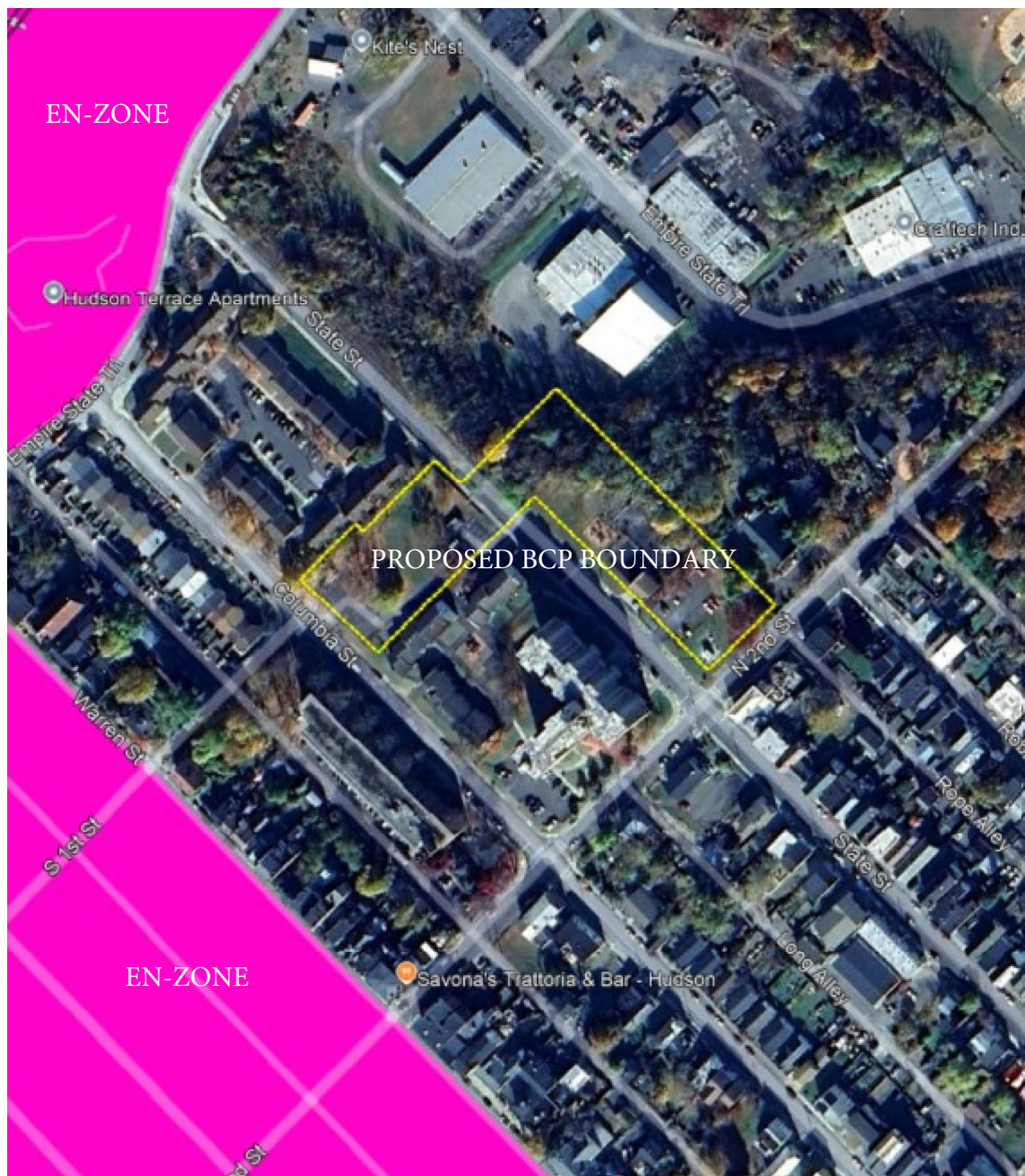
<b>PROJECT NO.</b> 20240218  N ▲	<b>ATTACHMENT 1.2A</b>
	DATE: 05/09/2025
	SCALE: AS INDICATED
	PROJECTION: STATE PLANE NAD83 NY EAST
	ALL LOCATIONS APPROXIMATE





### I.3 – En-Zone





## **I.4 – Disadvantaged Communities**

## Disadvantaged Communities

New York State is undertaking the most ambitious effort in the U.S. to meet the challenge of climate change. New York's Climate Act recognizes that climate change doesn't affect all communities equally. The Climate Act charged the Climate Justice Working Group (CJWG) with the development of criteria to identify disadvantaged communities to ensure that frontline and otherwise underserved communities benefit from the state's historic transition to cleaner, greener sources of energy, reduced pollution and cleaner air, and economic opportunities.

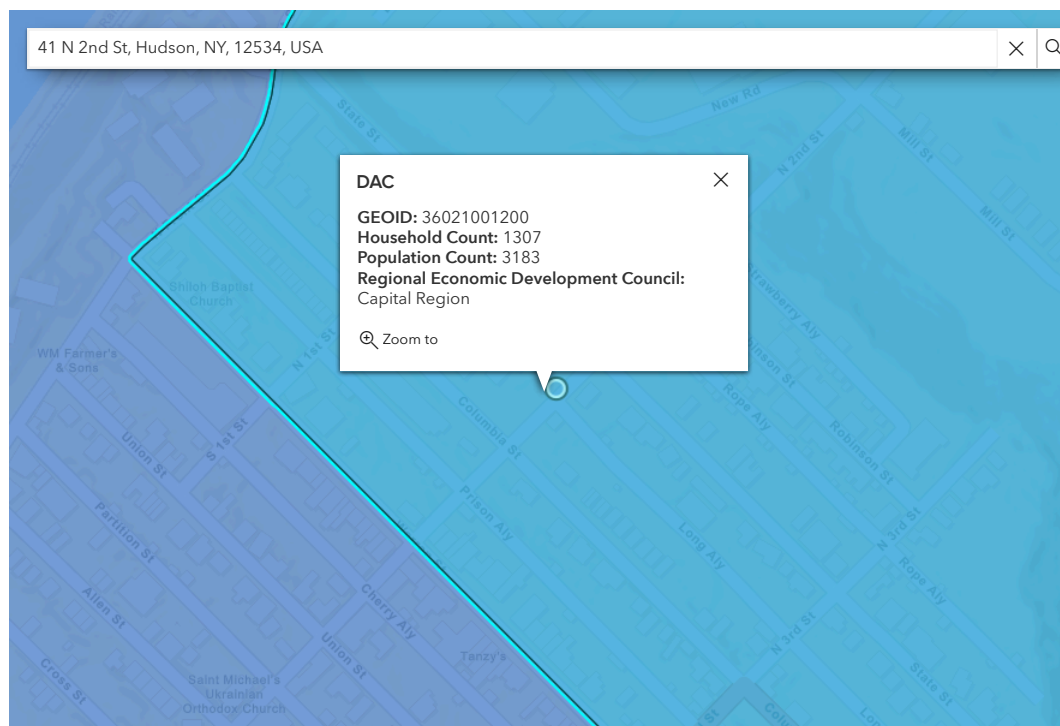
The CJWG finalized the disadvantaged communities criteria on March 27, 2023. Communities meeting the criteria can be identified with the map below and a list of census tracts that meet the disadvantaged community criteria can be found [here](#) <sup>(PDF)</sup> <sup>(🔗)</sup>. Additional detail on the disadvantaged communities criteria can be found on the [Climate Act Website](#) <sup>(🔗)</sup> under the "Disadvantaged Communities Criteria Documents" section.

The interactive map below identifies areas throughout the State that meet the disadvantaged community Criteria as defined by the Climate Justice Working Group. Use the map to determine if an address is located in a disadvantaged community. You can either:

1. Enter an address in the search address box
2. Zoom in/out to identify portions of counties, cities, town and neighborhoods

**41 N 2nd St, Hudson, New York, 12534**

**This address meets the criteria identified for a disadvantaged community.**



For more information on the criteria, please visit the [Climate Act website](#) <sup>(🔗)</sup>

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## **I.14 – Property Description and Environmental Assessment**

### *Location*

The proposed BCP Site is comprised of (portion of) one (1) tax parcel located in the City of Hudson, Columbia County, New York in a residential, religious/institutional and commercial area:

The proposed BCP Site is bordered to the north by 73-79 North 2<sup>nd</sup> Street (commercial) and 7 Dock Street (whole food market), to the east by 201-205 State Street (religious), 36-38 North 2<sup>nd</sup> Street (residential) and 202 Columbia Street (vacant residential land), to the south by 22-24 North 2<sup>nd</sup> Street (apartments) and 119 Columbia Street (apartments), and to the west 39 Columbia Street (residential) and 46-48 North Front Street (apartments).

### *Site Features*

The Site is improved with one (1) playground, one (1) basketball court, one (1) handball court, one (1) shed, and paved parking areas. Remaining portions of the property are maintained grassy/vegetated areas.

### *Current Zoning and Land Use*

The Site is currently zoned by the City of Hudson as “GC - General Commercial” in the northern and eastern portions of the site and “Three-Story Multiple Residence” in the western portion of the site. The proposed project area is adjacent to commercial and other residential properties.

The Site is currently used for active recreational purposes and parking for residential apartments located on the remaining portion of the tax parcel (known as Bliss Towers).

### *Past Uses of the Site*

Portion of the tax parcel subject to this application:

Parcel A: Furniture manufacturer circa 1923.

Parcel B: Junkyard (prior to 1965); malt House with kiln (1884-1903); and a slaughterhouse (1949-1961).

Remaining portion of the parcel not subject to this application: Brewery with kiln, icehouse, ammonia tanks, cooperage (1884-1911); junk yard (1949-1961), and a filling station (1961).

Possible sources of contamination are from chemicals used in operations from the furniture manufacture, junk yard, and kiln.

### *Site Geology and Hydrogeology*

According to the New York State Museum (<https://www.nysm.nysed.gov/research-collections/geology/geologic-mapping>).

Surficial: Lacustrine silt and clay – generally laminated silt and clay, deposited in proglacial lakes, generally calcareous, potentially land instability, thickness variable (up to 100 meters).

Bedrock: Q – glacial and alluvial deposits, generally Cenozoic and Ordovician shale and slate.

Additional details generated during subsurface investigations at the address are presented below.

Soil borings completed by PVE during a Phase II Environmental Site Assessment (ESA), Supplemental Phase II ESA, and Supplemental Soil Investigation (See Section IV.1) encountered groundwater in overburden soils at a depth approximately 12-feet below ground surface (bgs), according to the only one (1) occurrence of groundwater in SB-11. Refusal on presumed bedrock was not encountered in any of the soil borings.

The direction of groundwater flow in unconsolidated sediments is inferred to be to the west, based on local topography and proximity to the Hudson River.

### *Environmental Assessment*

Based upon investigations conducted to date, the primary contaminants of concern for the Site include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals. Below is a summary of analytical results from soil, groundwater, and soil vapor samples with contaminants at concentrations exceeding applicable rules, regulations and standards, criteria, and guidance (ARARs and SCGs).

#### Soil:

- Four (4) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-c,d)pyrene) and four (4) metals (arsenic, barium, lead, and mercury) were detected in soil samples at concentrations exceeding their respective Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375 (See Section VI). The maximum concentration of each analyte exceeding RRSCOs are listed below:
  - Benzo(A)Anthracene: 1.3 ppm (RRSCO: 1 ppm)
  - Benzo(A)Pyrene: 1.1 ppm (RRSCO: 1 ppm)
  - Benzo(B)Fluoranthene: 1.4 ppm (RRSCO: 1 ppm)
  - Indeno(1,2,3-C,D)Pyrene: 0.83 ppm (RRSCO: 0.5 ppm)
  - Arsenic: 40.1 ppm (RRSCO: 16 ppm)
  - Barium: 550 ppm (RRSCO: 400 ppm)
  - Lead: 1,060 ppm (RRSCO: 400 ppm)



- Mercury: 1.35 ppm (RRSCO: 0.81 ppm)

#### Groundwater:

- The two (2) groundwater samples were collected from a temporary monitoring well, installed via direct push methods, and pre-existing permanent monitoring well. The pre-existing monitoring well was presumed installed during previous geotechnical investigation(s). The temporary monitoring well was constructed of 1-inch schedule 40 PVC slotted and solid sections. Borehole annulus surrounding slotted portion of the monitoring well was backfilled with filter sand. Metals in groundwater samples were field filtered during the Phase II ESA. One (1) metal (selenium) was detected in one (1) of the two (2) groundwater samples exceeding Class GA Groundwater Standards in accordance with 6 NYCRR Part 700-705. The sample was collected from one (1) temporary monitoring well (TMW-1) located along the northern side of North 2<sup>nd</sup> Street, south of the handball court (See Section VI). The maximum concentration of the analyte exceeding Class GA is listed below:
  - Selenium: 0.0115 mg/l (Class GA:0.01 mg/l)

#### Soil Vapor:

- Sub-Slab Vapor Samples: One (1) VOC (ethylbenzene) was detected in the one (1) sub-slab soil vapor sample. Ethylbenzene was detected at a concentration of 60  $\mu\text{g}/\text{m}^3$  (See Section VI).
- Exterior Soil Vapor Samples: One (1) VOC (ethylbenzene) was detected in all five (5) exterior soil vapor samples. Ethylbenzene was detected at concentrations ranging from 75 to 110  $\mu\text{g}/\text{m}^3$  (See Section VI).

## SECTION II – PROJECT DESCRIPTION

### II.4 – Short description of the overall project development.

This project proposes the new construction of approximately 159 units of affordable housing on two (2) sites: Site B with 100 units of affordable housing with a building totaling approximately 101,214 square feet plus 68 surface parking spaces and Site A1 with 59 units of affordable housing, totaling about 51,468 square feet, plus 45 surface parking spaces. Both buildings are 4-stories and will include a community room, laundry rooms, computer room, indoor bicycle storage, and office space.

### Anticipated Project Schedule

<b>TASK</b>	<b>DATE COMPLETED</b>
<b>APPLICATION and CITIZEN PARTICIPATION PLAN (CPP)</b>	
BCP Application	April 2025
Application Accepted – Released for Public Comment	May 2025
30-Day Public Comment Period Ends	June 2025
Brownfield Cleanup Agreement (BCA) Fully Executed	June 2025
CPP Submitted	June 2025
<b>REMEDIAL INVESTIGATION</b>	
Draft Remedial Investigation Work Plan (RIWP) Submitted	June 2025
RIWP - Released for Public Comment	July 2025
RIWP – Approval	July 2025
RI Field Activities	July - July 2025
Draft RI Report Submittal	September 2025
Final RI Report Submittal	October 2025
<b>REMEDIAL ACTION WORK PLAN (RAWP)</b>	
Proposed RAWP with Alternative Analysis Submitted	October 2025
45-Day Comment Period Ends	December 2025
Final RAWP Submitted	January 2026
RAWP Implemented During Construction (If approved by NYSDEC)	January 2026 – July 2028
<b>PROJECT COMPLETION</b>	
Submit Environmental Easement Package	August 2027
Submit Draft Site Management Plan	September 2027
Construction Completed	October 2027
Submit Final Engineering Report	December 2027
Certificate of Completion	January 2028



## **II.5 – Green and Sustainable Remediation**

As part of all applicable remedial actions undertaken as part of this program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint will be completed throughout remedial phases of the project.

During Remedial Investigation (RI), PVEDI will employ sustainable measures such as carpooling and/or limiting excessive trips to the subject property by organizing sampling events to take place in as few days/events as possible. If multiple consecutive days of investigation are warranted, field members will seek local lodging in lieu of excessive travel back to office/homes. Reusable sampling equipment will be utilized when possible. Batteries will be used to power sampling pumps in lieu of combustion generators. Decontamination water and ice for samples will be locally sourced to reduce weight of traveling vehicles to the subject property.

The environmental footprint analysis will be completed using SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise™ (available in the Sustainable Remediation Forum [SURF] library) or similar Department accepted tool. 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 all applicable remedial actions undertaken as part of this 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.

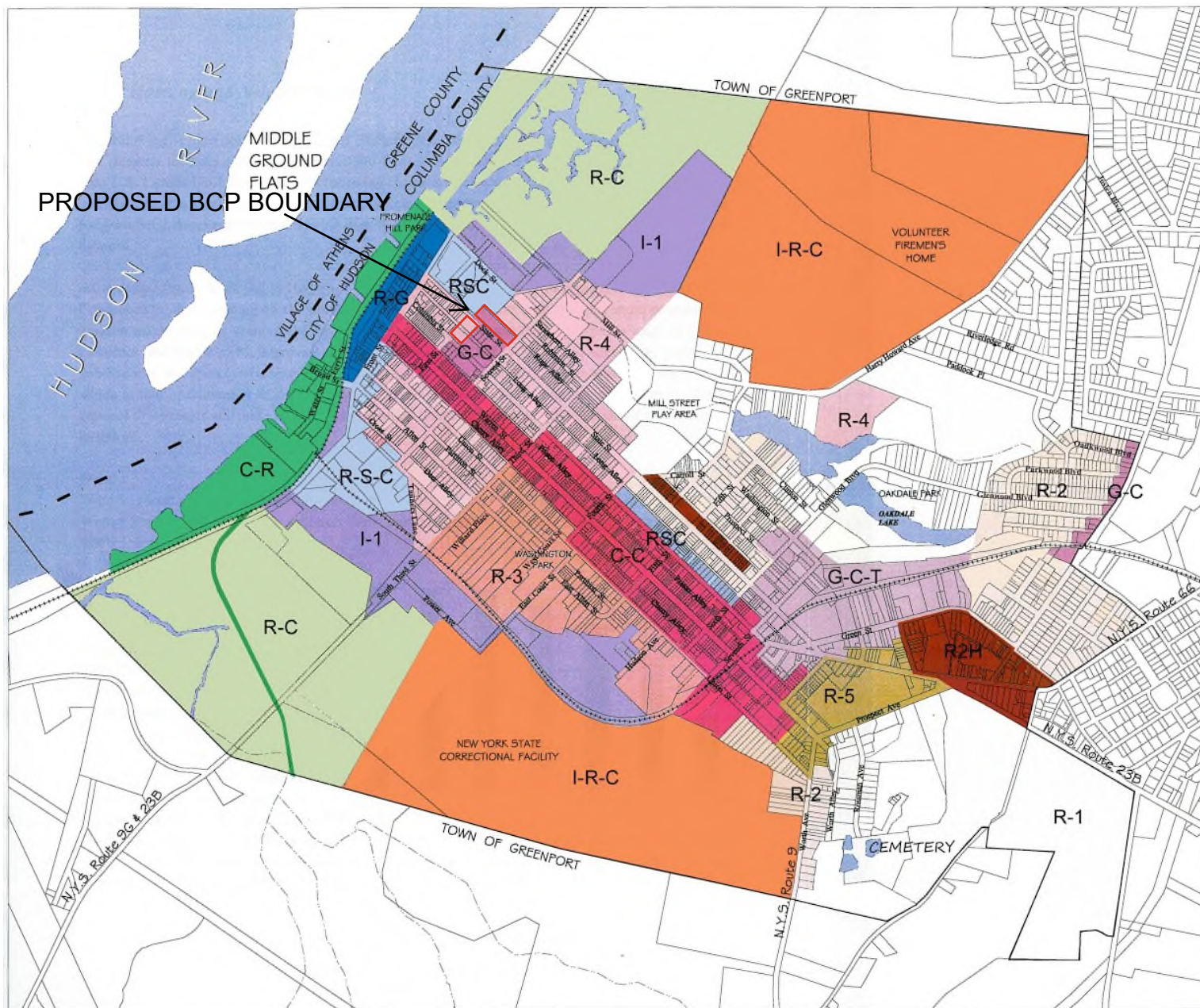
Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), 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.

### **SECTION III – ECOLOGICAL CONCERNS**

Fish, wildlife, or ecological resources are identified within ½-mile of the site. A Fish and Wildlife Resources Impact Analysis Part I is included in this application. The FWRIA Part I concluded that the site's use as habitat for wildlife is substantially restricted due to the impervious nature and current uses of the site. These past uses have resulted in the discharge of contaminants into the soil. Contaminants within the shallow soil (0-3 ft below ground surface) may affect fauna through direct contact (i.e., earth worms, insects, or small mammals burrowing in contaminated soil onsite) and/or sediment transport in surface water runoff. However, no clear aquatic receptors were identified since the nearest water body is approximately 0.4 miles away. Although groundwater at the site was impacted, faunal exposure to groundwater is considered negligible due to depth of groundwater and distance to nearest groundwater discharge point. No aquatic resources are located on site. Redevelopment of the property may be able to provide some future wildlife habitat by utilizing softscape areas with plant selections that will provide food, habitat and shelter.

## **SECTION IV – LAND USE FACTORS**

### **IV.1A – City of Hudson Zoning Map – City Extent**



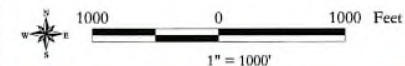
## COMPREHENSIVE PLAN 2000 UPDATE

### CITY OF HUDSON, NEW YORK

#### Existing Zoning

- R-1 One-Family Residence
- R-2 One and Two-Family Residence
- R-3 Multiple-Residence
- R-4 Three Story Multiple Residence
- R-5 Residential Transitional Service
- RSC Residential Special Commercial
- R2H One and Two-Family and Conditional Off
- C-C Central Commercial
- G-C General Commercial
- G-C-T General Commercial Transitional
- I-1 Industrial
- I-R-C Institutional-Residential Conservation District
- R-C Recreational Conservation District
- R-G Riverfront Gateway District
- C-R Core Riverfront District

- County Boundary
- Railroad
- Rivers, Streams
- Lakes, Ponds



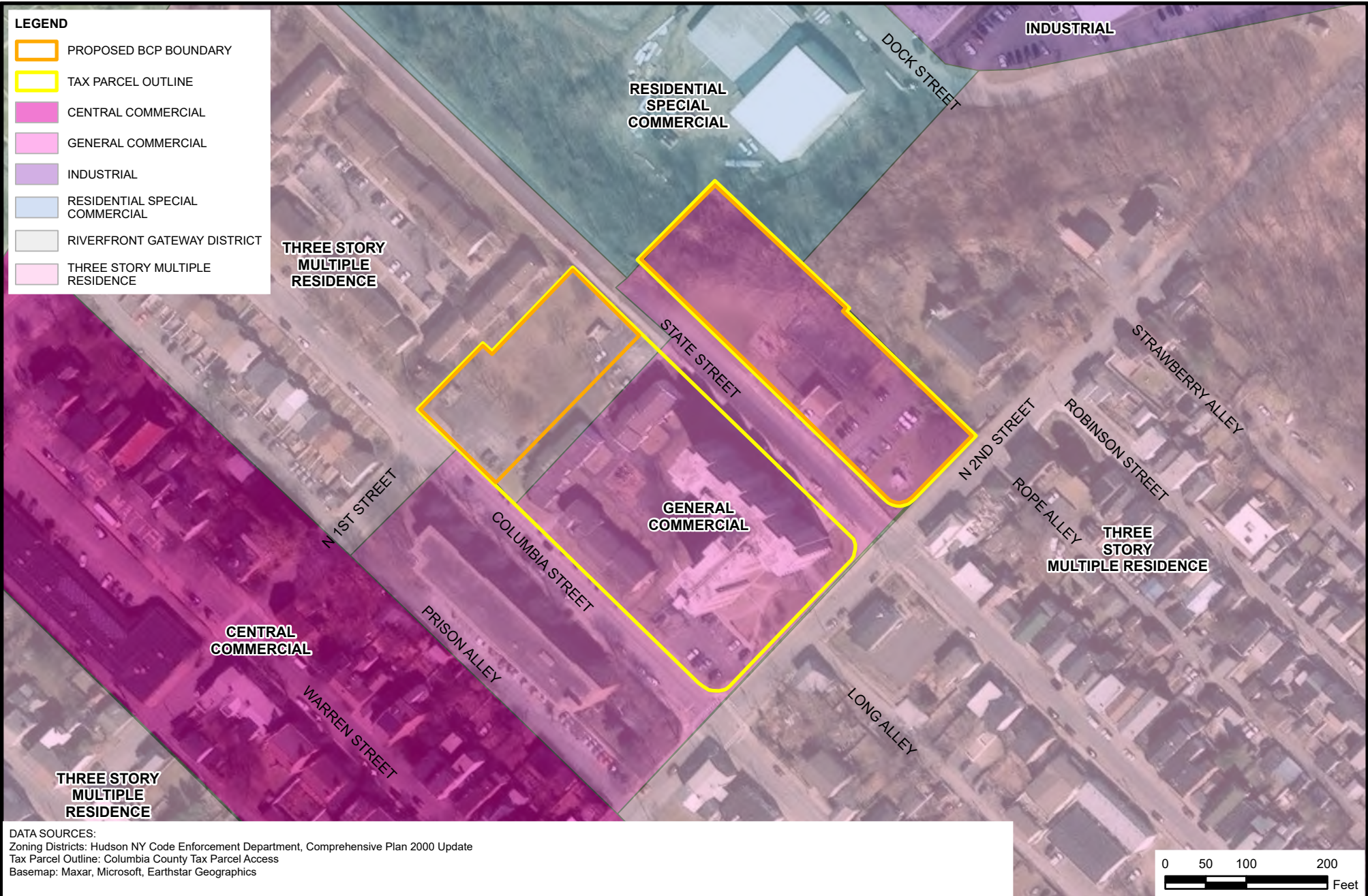
OCTOBER 2001  
**THE SARATOGA ASSOCIATES**

LANDSCAPE ARCHITECTS, ARCHITECTS, ENGINEERS AND PLANNERS, P.C.  
SARATOGA SPRINGS NEW YORK CITY BUFFALO BOSTON

UPDATED FEBRUARY 2013  
**BFJ Planning**

#### **IV.1B – City of Hudson Zoning Map – Project/Neighborhood Extent**





<div></div> <div>48 Springside Avenue Poughkeepsie, NY 12603 Office: 845.454.2544 Fax: 845.454.2655</div>	CITY OF HUDSON ZONING – PROJECT/NEIGHBORHOOD EXTENT	PROJECT NO.	ATTACHMENT IV.1B
		20240218	DATE: 05/14/2025
		<div>N</div> 	SCALE: AS INDICATED
			PROJECTION: STATE PLANE NAD83 NY EAST
			ALL LOCATIONS APPROXIMATE

**IV.4 – Summary of current business operations or uses, with an emphasis on identifying possible contamination source areas. If operations have ceased, provide the date by which the site became vacant.**

Residential parking, trash disposal, and playground. Current operations are unlikely to present any possible contamination routes/source areas.

**IV.6 – Statement detailing the specific proposed post-remediation use.**

This project proposes the new construction of approximately 159 units of affordable housing on two (2) sites: Site B with 100 units of affordable housing with a building totaling approximately 101,214 square feet plus 68 surface parking spaces and Site A1 with 59 units of affordable housing, totaling about 51,468 square feet, plus 45 surface parking spaces. Both buildings are 4-stories and will include a community room, laundry rooms, computer room, indoor bicycle storage, and office space.

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

Yes, the proposed development is consistent with both the use and bulk regulations that apply to the subject property. Most of the Site is currently zoned G-C (General Commercial) with a small portion zone R-4 (Three-Story Multiple Residence). Both zones specifically permit multi-family dwelling uses that are owned and operated by a municipal housing authority providing housing for low-income families, such as the case here. Since most of the development will take place in the GC zone, the City's Zoning Code will allow the G-C bulk requirements to apply to the entire development. As the G-C zone does not contain any bulk requirements, no variances are anticipated.

**IV.10 – Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plan?**

Yes, the proposed use is consistent with the City of Hudson Strategic Housing Action Plan, dated 2018. This Plan is a policy document which outlines a vision for the future of the City of Hudson. It focuses on the current and long-range protection, enhancement and development/redevelopment of the City of Hudson and consists of four goals: Preservation of Housing, Create a Comprehensive and Complimentary Housing Policy and Zoning, Production of New Housing Options, and Create Housing and Community Development Programs and partnerships.

The objectives of these goals include the promoting the preservation and affordability of the existing housing stock by improving the housing conditions and upgrading neighborhood infrastructure and local amenities, revision of zoning and adopt local ordinances, plans and policies to expand and promote balanced housing opportunities and support economic diversity, facilitate and support the development of new mixed-income housing activities carried out by private and non-profit developers, community groups and individuals, and establish and enhance the delivery system and capacity to implement housing service



programs to benefit existing homeowners and renters and invite innovative partnerships between government and the private sector. Proposed construction and renovation will be reviewed by the local planning and zoning authorities and are subject to the normal review process of the City of Hudson. Therefore, any redevelopment activities will be consistent with the City of Hudson Strategic Housing Action Plan.

## SECTION V – CURRENT AND HISTORICAL PROPERTY OWNER AND OPERATOR INFORMATION

### PREVIOUS OWNER(S) FOR BOTH PARCELS A & B

Section: 109.35		Block:2		Lot: 19
Previous Owner Name	Approximate Dates	Last Known Address	Phone Number	Requestor's Relationship to Owner
City of Hudson Urban Renewal Agency	Unknown – 07/30/1971	419 Warren Street, Hudson, NY 12534	518-828-1030	None
Raddock Organization, LTD.	07/30/1971 – Unknown	250 West Merrick Street, Freeport, NY 11520	516-877-7070	None
Columbia Apartments	Unknown – 4/01/2020	41 North 2 <sup>nd</sup> Street, Hudson, NY 12534	Unknown	None
41 North Second Housing Development Fund Company, Inc.	04/01/2020 - Unknown	41 North 2 <sup>nd</sup> Street, Hudson, NY 12534	518-828-5415	Seller

### PREVIOUS OPERATOR(S) FOR BOTH PARCELS A & B

Section: 109.35		Block:2	Lot: 19	
Previous Operator Name	Approximate Dates	Last Known Address	Phone Number	Requestor's Relationship to Owner
North Bay Mission School	1884 – 1911	100 E. Diamond Street, Hudson, NY	Unknown	None
CH Evans Malt House	1884 – 1923	76 State Street, Hudson, NY	Unknown	None
Furniture Manufacturer	Cira 1923	100 E. Diamond Street, Hudson, NY	Unknown	None
Junkyard	Prior to 1965	41 North 2 <sup>nd</sup> Street, Hudson, NY	Unknown	None
Crisafulli Builders Incorporated	2000 – 2004	5525 North Courtenay Parkway, Merritt Island, FL	321-453-7031	None
Head Start at Bliss Towers	2000 – 2004	41 North 2 <sup>nd</sup> Street, Hudson, NY	518-822-0554	None
Residential Association of Columbia County	2000 – 2004	713 Union Street, Hudson, NY	518-828-4619	None
Purple Heart Unisex Salon	2004 – 2009	238 Warren Street, Hudson, NY	518-671-6037	None
Hudson City OFC	2010 – 2013	520 Warren Street, Hudson, NY	518-828-1030	None
Red Door Community Residence	2010 - 2013	473 Columbia Street, Hudson, NY	518-822-0090	None
City of Hudson Section Eight Program	2014 – 2019	41 North 2 <sup>nd</sup> Street, Hudson, NY	518-822-9743	None
Hudson Housing Authority	1972 – Current	41 North 2 <sup>nd</sup> Street, Hudson, NY	518-828-5415	Operating entity of Seller.

## SECTION VI – PROPERTY’S ENVIRONMENTAL HISTORY

### VI.1 – Relevant Reports

Relevant reports are summarized below in chronological order. These reports are attached as electronic copies to the submittal, only.

#### **Phase I ESA, SESI Consulting Engineers, August 2023**

SESI completed a Phase I ESA, dated August 2023, of the Site located at 41 North 2<sup>nd</sup> Street – “Parcel A”, Hudson, Columbia County, New York (see Attachment IV-1A) in accordance with the ASTM Standard Practice E1527-21. It should be noted; this Phase I ESA includes a portion of the tax parcel that is not inclusive of the proposed BCP Site/application. Findings from this assessment include the following:

#### RECs:

- The subject property historically operated as a furniture manufacturer, as depicted in the 1923 map.
- The subject property historically operated as a junk yard, as documented between 1949 – 1961 for the site.
  - **Note: This use and portion of the site is not inclusive of the proposed BCP Site.**
- The subject property historically operated as a filling station, as depicted on the 1961 map.
  - **Note: This use and portion of the site is not inclusive of the proposed BCP Site.**

#### BERs:

- Asbestos Containing Materials (ACM): ACM screening was not performed as a part of the Phase I ESA. Based on the age of the structures, ACM cannot be ruled out.
- Lead Based Paint (LBP): LBP screening was not performed as a part of the Phase I ESA. Based on the age of structures, LBP cannot be ruled out.

#### HREC:

- Transformer Spill: NYSDEC Spill #1510294, occurred on January 14, 2016, due to equipment failure with a transformer. The spill was contained on cement and cleaned-up to the satisfaction of the NYSDEC. No further action is warranted regarding this matter.

The Phase I ESA describes ownership of the subject property as belonging to 41 North Second Housing Development Fund Company, Inc. and the operator of the subject property being Hudson Housing Authority.

#### **Phase I ESA, SESI Consulting Engineers, August 2023**

SESI completed a Phase I ESA, dated August 2023, of the Site located at 41 North 2<sup>nd</sup> Street – “Parcel B”, Hudson, Columbia County, New York (see Attachment IV-1B) in



accordance with the ASTM Standard Practice E1527-21. It should be noted, this Phase I ESA is inclusive of the portion of the proposed BCP Site north of State Street. Findings from this assessment include the following:

**RECs:**

- According to interviews with the User of the ESA (current operator Hudson Housing Authority), the subject property at Parcel B may have historically operated as a junk yard prior to 1965.

The Phase I ESA describes ownership of the subject property as belonging to “41 North Second Housing”. PVEDi understands this to be a clerical error, the ownership of the subject property at the time of this ESA was, and is, 41 North Second Housing Development Fund Company, Inc.

**Phase II ESA**, PVE Engineering, *July 2, 2024*

PVE completed a Phase II ESA, dated July 2, 2024, of the Site located at 41 North 2<sup>nd</sup> Street, City of Hudson, Columbia County, New York (see Attachment IV-1C) to assess potential impacts to the Site from the RECs detailed in a Phase I ESA, by SESI Consulting Engineers, dated August 2023. Findings from this assessment include the following:

**SOILS:** A total of fourteen (14) soil borings were installed to 8 to 24-feet below grade surface (bgs). Fill material consisting of brick, glass, coal fragments, slag, and ash was encountered at depths from 0.3 to 22-feet bgs in eleven (11) of the fourteen (14) soil borings installed. Native soils consisted of brown sand, silt, and clay. One (1) soil sample was collected from each of the fourteen (14) soil borings. Soil samples were submitted to a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) approved laboratory for analysis of Target Compound List (TCL) VOCs, Commissioners Policy (CP-51) SVOCs, Resource Conservation and Recovery Act (RCRA) Metals, Part 375 Pesticides, and Polychlorinated Bisphenols (PCBs). Soil analytical results were compared to Restricted Residential Soil Cleanup Objectives (RRSCOs) as defined in 6 NYCRR Part 375. Exceedances were detected in thirteen (13) of the fourteen (14) soil samples, these samples are located on the western and northern portion of the Site. Four (4) metals (arsenic, barium, lead, and mercury) were detected in seven (7) soil samples collected from SB-1, SB-6, SB-7, SB-10, SB-11, SB-12, SB-13 at concentrations exceeding RRSCOs.

**GROUNDWATER:** A total of two (2) groundwater samples were collected from the Site. One (1) from a PVE installed temporary monitoring well and one (1) from a pre-existing monitoring well. Groundwater samples were submitted to a NYSDOH ELAP approved laboratory for analysis of TCL VOCs, CP-51 SVOCs, RCRA Metals (field filtered), Part 375 Pesticides, and PCBs. Groundwater analytical results were compared to NYSDEC AWQS for Class GA water. One (1) metal (selenium) was detected in the temporary monitoring well (TMW-1) at a concentration exceeding Class GA groundwater quality standards (GQS).

**SOIL VAPOR:** A total of one (1) sub-slab soil vapor sample and five (5) soil vapor samples were collected from the Site. Vapor samples were submitted to a NYSDOH ELAP approved laboratory for analysis of VOCs via EPA Method TO-15. Ethylbenzene was detected in all six (6) vapor samples at elevated concentrations ranging from 60 to 110 ug/m<sup>3</sup>. It should be noted, no enclosed structures are located on the subject property for proper comparison using the decision matrices.

**Supplemental Phase II ESA, PVE Engineering, August 13, 2024**

PVE completed a Supplemental Phase II ESA, dated August 13, 2024, of the Site located at 41 North 2<sup>nd</sup> Street, City of Hudson, Columbia County, New York (see Attachment IV-1D) to further assess soil impacts to the Site. Findings from this assessment include the following:

**SOILS:** A total of eight (8) soil borings were installed to 4 to 16-feet bgs. Fill material consisting of coal fragments, brick, ash, glass, and concrete was encountered at depths from 0.2 to 16-feet bgs in four (4) of the eight (8) soil borings. Native soils consisted of brown sand, silt, and clay. One (1) soil sample was collected from each of the eight (8) soil borings. Soil samples were submitted to a NYSDOH ELAP approved laboratory for analysis of TCL VOCs (one sample based on PID observations), CP-51 SVOCs, RCRA Metals, Diesel Range Organics (DRO), and New York 21 List Per- and Polyfluoroalkyl Substances (PFAS). Soil analytical results were compared to RRSCOs as defined in 6 NYCRR Part 375. Exceedances were detected in six (6) of the eight (8) soil samples, these samples are located on the western and northern portion of the Site. Five (5) SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene, and indeno(1,2,3-c,d)pyrene) were detected in two (2) samples collected from soil borings SB-18 and SB-20 exceeding its RRSCOs. Two (2) metals (lead and mercury) were detected in two (2) soil samples collected from soil borings SB-17 and SB-20 exceeding its RRSCOs.

**Supplemental Soil Investigation Report, PVE Engineering, November 5, 2024**

PVE completed a Supplemental Soil Investigation Report, dated November 5, 2024, of the Site located at 41 North 2<sup>nd</sup> Street, City of Hudson, Columbia County, New York (see Attachment IV-1E) to further assess soil impacts to the Site. Findings from this assessment include the following:

**SOILS:** A total of fifteen (15) soil borings were installed to 4 to 8-feet bgs. Fill material consisting of brick, wood, ash, glass, and coal fragments were encountered at depths from 0.3 to 4-feet bgs in three (3) of the fifteen (15) soil borings. Native soils consisted of brown sand, silt, and clay. One (1) soil sample was collected from nine (9) of the fifteen (15) soil borings biased to olfactory observations. Soil samples were submitted to a laboratory for analysis of CP-51 SVOCs and RCRA Metals. Soil analytical results were compared to RRSCOs as defined in 6 NYCRR Part 375. Exceedances were detected in six (6) of the nine (9) soil samples, these samples are located on the western portion of the Site. One (1) SVOC (indeno(1,2,3-c,d)pyrene) was detected in two (2) soil samples collected from soil borings SB-25 and SB-27 exceeding its RRSCO.

## **VI.2 – Impacted Site Media**

Soil Result Summary Table:

Phase II ESA, by PVE, dated July 2, 2024				
Analytes > RRSCOs	Detections > RRSCOs	Max. Detection (ppm)	RRSCOs (ppm)	Depth (ft bgs)
Benzo(A)Anthracene	1	1.3	1	11-12
Benzo(A)Pyrene	1	1.1	1	10-12
Benzo(B)fluoranthene	2	1.4	1	5-6, 10-12
Indeno(1,2,3-C,D)Pyrene	3	0.83	0.5	5-6, 10-12
Arsenic	5	40.1	16	0.5-2, 5-6, 10-12, 8-9, 11-12
Barium	3	550	400	0.5-2, 10-12, 11-12
Lead	4	1,060	400	3-4, 0.5-2, 10-12, 11-12
Mercury	5	1.35	0.81	3-4, 0.5-2, 12-16, 5-6, 10-12

Supplemental Phase II ESA, by PVE, dated August 13, 2024				
Analytes > RRSCOs	Detections > RRSCOs	Max. Detection (ppm)	RRSCOs (ppm)	Depth (ft bgs)
Benzo(A)Anthracene	2	2.8	1	2-4, 7-8
Benzo(A)Pyrene	2	2.8	1	2-4, 7-8
Benzo(B)fluoranthene	2	2.6	1	2-4, 7-8
Benzo(B)fluoranthene	1	0.54	0.33	7-8
Indeno(1,2,3-C,D)Pyrene	2	2.5	0.5	2-4, 7-8
Lead	1	951	400	7-8
Mercury	2	1.21	0.81	2-4, 7-8

Supplemental Soil Investigation, by PVE, dated November 5, 2024				
Analytes > RRSCOs	Detections > RRSCOs	Max. Detection (ppm)	RRSCOs (ppm)	Depth (ft bgs)
Indeno(1,2,3-C,D)Pyrene	2	0.63	0.5	0.5-3, 0.5-2

Selenium Compared to Protection of Groundwater SCO				
Analytes > PGWSCO	Detections > RRSCOs	Max. Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Selenium	1	7.41	4	11-12



Groundwater Result Summary Table:

Phase II ESA, by PVE, dated July 2, 2024			
Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Selenium	1	0.0115	0.01

Notes:

Groundwater samples were collected from a temporary monitoring well installed via direct push methods and a pre-existing permanent monitoring well installed via hollow stem auger; &  
Metals in groundwater samples were field filtered.

Soil Vapor Result Summary Table:

Phase II ESA, by PVE, dated July 2, 2024			
Analytes	Total Detections	Max. Detection (ug/m3)	Type
1,2,4-Trimethylbenzene	6	30	Soil Vapor
1,3,5-Trimethylbenzene (Mesitylene)	6	8.6	Soil Vapor
1,3-Butadiene	4	8.9	Soil Vapor
2,2,4-Trimethylpentane	6	5.48	Soil Vapor
2-Hexanone	4	29	Soil Vapor
4-Ethyltoluene	6	42	Soil Vapor
Acetone	6	390	Soil Vapor
Acrylonitrile	1	13	Soil Vapor
Benzene	6	19	Soil Vapor
Bromodichloromethane	3	71	Soil Vapor
Carbon Disulfide	5	43	Soil Vapor
Carbon Tetrachloride	1	0.6	Soil Vapor
Chloroform	5	460	Soil Vapor
Chloromethane	2	1.7	Soil Vapor
Cyclohexane	5	39	Soil Vapor
Dibromochloromethane	2	7.2	Soil Vapor
Dichlorodifluoromethane	5	3400	Soil Vapor
Ethylbenzene	6	110	Soil Vapor
Isopropanol	5	7.2	Soil Vapor
m,p-Xylene	6	100	Soil Vapor
Methyl Ethyl Ketone (2-Butanone)	6	23	Soil Vapor
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	5	210	Soil Vapor
Naphthalene	4	5.5	Soil Vapor
N-Heptane	6	53	Soil Vapor
N-Hexane	6	96	Soil Vapor
O-Xylene (1,2-Dimethylbenzene)	6	35	Soil Vapor
Propylene	6	200	Soil Vapor
Styrene	4	13	Soil Vapor
Toluene	6	100	Soil Vapor
Trichloroethylene (TCE)	2	0.64	Soil Vapor
Trichlorofluoromethane	3	12	Soil Vapor
Vinyl Chloride	2	0.56	Soil Vapor

# LEGEND

- PROPOSED BCP BOUNDARY
- MONITORING WELL
- SOIL BORING
- SOIL BORING / TEMPORARY MONITORING WELL
- SOIL VAPOR

## SB-27 0.5-2' 20241022

Indeno(1,2,3-C,D)Pyrene: 0.58 mg/kg

## SB-18 2-4' 20240726

Benzo(A)Anthracene: 1.9 mg/kg  
Benzo(A)Pyrene: 2.1 mg/kg  
Benzo(B)Flouranthene: 2.6 mg/kg  
Indeno(1,2,3-C,D)Pyrene: 1.6 mg/kg

## SB-13 11-12' 20240613

Arsenic: 38.5 mg/kg  
Barium: 550 mg/kg  
Lead: 412 mg/kg  
Benzo(A)Anthracene: 1.3 mg/kg  
Indeno(1,2,3-C,D)Pyrene: 0.65 mg/kg

## SB-25 0.5-3' 20241022

Indeno(1,2,3-C,D)Pyrene: 0.63 mg/kg

## SB-12 8-9' 20240613

Arsenic: 28.6 mg/kg

## SB-10 5-6' 20240612

Arsenic: 17.9 mg/kg  
Mercury: 0.944 mg/kg  
Benzo(B)Flouranthene: 1.2 mg/kg  
Indeno(1,2,3-C,D)Pyrene: 0.66 mg/kg

## SB-17 2-4' 20240726

Mercury: 1.16 mg/kg

## SB-1 3-4' 20240611

Lead: 440 mg/kg  
Mercury: 0.844 mg/kg

## SB-11 10-12' 20240612

Arsenic: 40.1 mg/kg  
Barium: 535 mg/kg  
Lead: 735 mg/kg  
Mercury: 1.35 mg/kg  
Benzo(A)Pyrene: 1.1 mg/kg  
Benzo(B)Flouranthene: 1.4 mg/kg  
Indeno(1,2,3-C,D)Pyrene: 0.83 mg/kg

## SB-6 0.5-2' 20240612

Arsenic: 21.6 mg/kg  
Barium: 508 mg/kg  
Lead: 1060 mg/kg  
Mercury: 1.01 mg/kg

## SB-7 12-16' 20240612

Mercury: 0.880 mg/kg

## SB-20 7-8' 20240726

Lead: 951 mg/kg  
Mercury: 1.21 mg/kg  
Benzo(A)Anthracene: 2.8 mg/kg  
Benzo(A)Pyrene: 2.8 mg/kg  
Benzo(B)Flouranthene: 2.3 mg/kg  
Dibenze(A,H)Anthracene: 0.54 mg/kg  
Indeno(1,2,3-C,D)Pyrene: 2.5 mg/kg

NYSDEC Part 375 Residential SCOs (RRSCOs)	
Parameter	RRSCOs
SVOCs (mg/kg)	
Benzo(A)Anthracene	1
Benzo(A)Pyrene	1
Benzo(B)Flouranthene	1
Dibenz(A,H)Anthracene	0.33
Indeno(1,2,3-C,D)Pyrene	0.5
METALS (mg/kg)	
Arsenic	16
Barium	400
Lead	400
Mercury	0.81

0 25 50 100  
Feet

### DATA SOURCES:

Tax Parcel Outline: Columbia County Tax Parcel Access  
Sample Data: PVE, Phase II ESA, 06/2024; PVE, Supplemental Phase II ESA, 07/2024; & PVE, Supplemental Soil Investigation, 11/05/2024  
Basemap: Maxar, Microsoft, Earthstar Geographics, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

**PVEDi**

48 Springside Avenue  
Poughkeepsie, NY 12603  
Office: 845.454.2544  
Fax: 845.454.2655

### SOIL SAMPLES EXCEEDING RRSCOs

41 NORTH 2ND STREET  
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

PROJECT NO.

20240218

N



### ATTACHMENT VI.3A

DATE: 05/09/2025

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE



- LEGEND**
- PROPOSED BCP BOUNDARY
  - MONITORING WELL
  - SOIL BORING / TEMPORARY MONITORING WELL

NYSDEC Class GA Groundwater Quality Standards (Class GA)	
Parameter	Class GA (mg/L)
Selenium	0.01

**TMW-1 20240613**  
=====

Selenium: 0.0115 mg/l

SB-11/TMW-1

MW-1

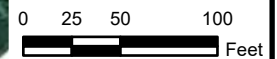
Sacred Heart  
Roman  
Catholic  
Church

**DATA SOURCES:**

Tax Parcel Outline: Columbia County Tax Parcel Access

Sample Data: PVE, Phase II ESA, 06/2024; PVE, Supplemental Phase II ESA, 07/2024

Basemap: Maxar, Microsoft, Earthstar Geographics, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



**PVEDi**

48 Springside Avenue  
Poughkeepsie, NY 12603  
Office: 845.454.2544  
Fax: 845.454.2655

**GROUNDWATER SAMPLES EXCEEDING CLASS GA STANDARDS**

41 NORTH 2ND STREET  
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

PROJECT NO.

20240218

N



**ATTACHMENT VI.3B**

DATE: 05/09/2025






SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE



# LEGEND

-  PROPOSED BCP BOUNDARY
-  MONITORING WELL
-  SOIL BORING
-  SOIL BORING / TEMPORARY MONITORING WELL
-  SOIL VAPOR

## SV-3 20240611

1,2,4-Trimethylbenzene 26 ug/m3  
1,3,5-Trimethylbenzene (Mesitylene) 6.5 ug/m3  
2,2,4-Trimethylpentane 4.79 ug/m3  
Benzene 8.7 ug/m3  
Cyclohexane 13 ug/m3  
Ethylbenzene 75 ug/m3  
m,p-Xylene 77 ug/m3  
Naphthalene 3.5 ug/m3  
N-Heptane 12 ug/m3  
N-Hexane 10 ug/m3  
O-Xylene (1,2-Dimethylbenzene) 26 ug/m3  
Toluene 77 ug/m3

## SV-2 20240611

1,2,4-Trimethylbenzene 25 ug/m3  
1,3,5-Trimethylbenzene (Mesitylene) 6.5 ug/m3  
2,2,4-Trimethylpentane 5.18 ug/m3  
Benzene 12 ug/m3  
Cyclohexane 4.5 ug/m3  
Ethylbenzene 88 ug/m3  
m,p-Xylene 81 ug/m3  
Naphthalene 3.6 ug/m3  
N-Heptane 9.2 ug/m3  
N-Hexane 11 ug/m3  
O-Xylene (1,2-Dimethylbenzene) 28 ug/m3  
Toluene 79 ug/m3  
Trichloroethylene (TCE) 0.64 ug/m3  
Vinyl Chloride 0.54 ug/m3

## SV-4 20240611

1,2,4-Trimethylbenzene 28 ug/m3  
1,3,5-Trimethylbenzene (Mesitylene) 6.7 ug/m3  
2,2,4-Trimethylpentane 4.17 ug/m3  
Benzene 19 ug/m3  
Carbon Tetrachloride 0.60 ug/m3  
Cyclohexane 39 ug/m3  
Ethylbenzene 110 ug/m3  
m,p-Xylene 63 ug/m3  
Naphthalene 5.2 ug/m3  
N-Heptane 53 ug/m3  
N-Hexane 96 ug/m3  
O-Xylene (1,2-Dimethylbenzene) 27 ug/m3  
Toluene 78 ug/m3

## SV-1 20240611

1,2,4-Trimethylbenzene 29 ug/m3  
1,3,5-Trimethylbenzene (Mesitylene) 7.4 ug/m3  
2,2,4-Trimethylpentane 2.82 ug/m3  
Benzene 7.3 ug/m3  
Cyclohexane 2.8 ug/m3  
Ethylbenzene 76 ug/m3  
m,p-Xylene 72 ug/m3  
Naphthalene 5.5 ug/m3  
N-Heptane 8.5 ug/m3  
N-Hexane 12 ug/m3  
O-Xylene (1,2-Dimethylbenzene) 25 ug/m3  
Toluene 60 ug/m3  
Trichloroethylene (TCE) 0.29 ug/m3  
Vinyl Chloride 0.56 ug/m3

## SV-5 20240611

1,2,4-Trimethylbenzene 30 ug/m3  
1,3,5-Trimethylbenzene (Mesitylene) 7.9 ug/m3  
2,2,4-Trimethylpentane 5.48 ug/m3  
Benzene 7.0 ug/m3  
Ethylbenzene 100 ug/m3  
m,p-Xylene 100 ug/m3  
N-Heptane 11 ug/m3  
N-Hexane 11 ug/m3  
O-Xylene (1,2-Dimethylbenzene) 34 ug/m3  
Toluene 100 ug/m3

## SSV-1 20240611

1,2,4-Trimethylbenzene 29 ug/m3  
1,3,5-Trimethylbenzene (Mesitylene) 8.6 ug/m3  
2,2,4-Trimethylpentane 3.41 ug/m3  
Benzene 19 ug/m3  
Cyclohexane 12 ug/m3  
Ethylbenzene 60 ug/m3  
m,p-Xylene 85 ug/m3  
N-Heptane 14 ug/m3  
N-Hexane 29 ug/m3  
O-Xylene (1,2-Dimethylbenzene) 35 ug/m3  
Toluene 100 ug/m3

## DATA SOURCES:

Tax Parcel Outline: Columbia County Tax Parcel Access  
Basemap: Maxar, Microsoft, Earthstar Geographics, Esri Community Maps Contributors,  
© OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc,  
METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

**PVEDi**

48 Springside Avenue  
Poughkeepsie, NY 12603  
Office: 845.454.2544  
Fax: 845.454.2655

## NYSDOH REGULATED COMPOUND DETECTIONS IN VAPOR SAMPLES

41 NORTH 2ND STREET  
CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK

PROJECT NO.

20240218

N



ATTACHMENT VI.3C

DATE: 05/09/2025

SCALE: AS INDICATED

PROJECTION: STATE PLANE NAD83 NY EAST

ALL LOCATIONS APPROXIMATE

0 30 60 120  
Feet



## VI.4 – Past Land Uses

Portion of the parcel subject to this application:

- “Parcel A” (western portion of the site southwest of State Street):
  - 1884: Multiple dwellings, North Bay Misson School and Grocer.
  - 1889: Multiple dwellings, North Bay Misson School and Grocer.
  - 1895: Multiple dwellings, North Bay Misson School and Grocer.
  - 1903: Multiple dwellings, North Bay Misson School, Green House, and Saloon & Grocer.
  - 1911: Multiple dwellings, North Bay Misson School, and Saloon & Grocer.
  - 1923: Multiple dwellings, Furniture Manufacturer, and Unlabeled Store.
  - 1949: Multiple dwellings, and Unlabeled Store.
  - 1961: Multiple dwellings, and Unlabeled Store.
- “Parcel B” (eastern portion of the site east of State Street):
  - 1884: CH Evans Malt House, Multiple Dwellings, and Grocer.
  - 1889: CH Evans Malt House with Kiln, and Multiple Dwellings.
  - 1895: CH Evans Malt House with Kiln, and Multiple Dwellings.
  - 1903: CH Evans Malt House with Kiln, and Multiple Dwellings.
  - 1911: CH Evans Commercial Ale and Storage and Multiple Dwellings.
  - 1923: CH Evans Storage and Multiple Dwellings.
  - 1949: Slaughterhouse, Storage, Multiple Dwellings and Unlabeled Store.
  - 1961: Slaughterhouse, and Dwelling

Remaining portion of the Tax Parcel (portion of “Parcel A”) not subject to this application:

- 1884: Multiple dwellings, Granger and Gregg Brewery, E. Waterbury Malt House, Union Knitting Mill, Barber, Meat Grocer, Kiln, Cooper and Saloon.
- 1889: Multiple dwellings, Granger and Gregg Brewery Company, Union Knitting Mill, Cobbler, Cooperage, Ice House and Saloon.
- 1895: Multiple dwellings, Granger and Gregg Brewery Company, Union Knitting Mill, Cobbler, Cooperage, Ice House and Saloon.
- 1903: Multiple dwellings, Granger Brewery, Union Knitting Mill, Grocer, Cooperage, Saloon & Grocer, and Ice House
- 1911: Multiple dwellings, Globe Distributing Beer Bottling, Union Knitting Mill, Grocer, and Ice House.
- 1923: Multiple dwellings, Union Knitting Mill, Plumber, and Storage.
- 1949: Multiple dwellings, Open Air Sports Arena, Junkyard, and Storage.
- 1961: Multiple dwellings, Open Air Sports Arena, Filling Station, Junkyard, and Storage

## **SECTION VII – REQUESTOR INFORMATION**

### **VII.2 – NYS DOS Entity Information**

An official website of New York State.  
[Here's how you know](#) ▾



# Department of State

## Division of Corporations

### Entity Information

Return to Results

Return to Search

#### Entity Details



**ENTITY NAME:** 41 NORTH 2ND I LLC  
**DOS ID:** 7429196  
**FOREIGN LEGAL NAME:**  
**FICTITIOUS NAME:**  
**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY  
**DURATION DATE/LATEST DATE OF DISSOLUTION:**  
**SECTIONOF 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:** WESTCHESTER  
**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:** C/O MOUNTCO CONSTRUCTION AND DEVELOPMENT CORP.  
**Address:** 700 WHITE PLAINS ROAD, SUITE 363, SCARSDALE, NY, UNITED STATES, 10583

Electronic Service of Process on the Secretary of State as agent: 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

### **VII.3 – LLC Members/Owners**

The members/ownership structure of the applicant entity, 41 North 2<sup>nd</sup> I LLC, are as follows:

- 41 North 2nd I Managers LLC
  - 41 North 2<sup>nd</sup> I Managers LLC
    - M41 N2 Associates LLC
      - Joel Mounty



#### **V11.4 – QEP/PE Qualifications**

The requestor has contracted PVEDI Engineering, Architecture and Geology, D.P.C. (PVEDI) to prepare and certify the documents associated with the BCP. Professionals meeting the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation employed by PVEDI directly involved with this project include:

- **Conor Tarbell, QEP:** Mr. Tarbell obtained his Qualified Environmental Professional (QEP) certificate from the Board for Global EHS Credentialing. Subsequent pages include a copy of Mr. Tarbell's QEP certificate.
- **Erik Draijer, P.E.:** Mr. Draijer is a Professional Engineer (P.E.), registered with the New York State Board of Education as licensed individual #110938. Subsequent pages include proof of Mr. Draijer's P.E. licensure.



# Qualified Environmental Professional (QEP)

ISSUED TO

Conor Tarbell



Issued on: 08 JUL 2022 | Expires on: 01 DEC 2027 | Issued by: Board for Global EHS Credentialing  
Verify: <https://www.credly.com/go/UOBwla6z>

DRAIJER ERIK



LICENSEE INFO

Address	NUTLEY NJ
Profession	Professional Engineering (016)
License Number	110938
Date of Licensure	December 19, 2024
Status	Registered
Registered through Date	November 30, 2027
Additional Qualifications	<ul style="list-style-type: none"><li>None</li></ul>



May 5, 2025 02:18 PM (ET)

[https://eservices.nysed.gov/professions/verification-search?  
licenseNumber=110938&professionCode=016](https://eservices.nysed.gov/professions/verification-search?licenseNumber=110938&professionCode=016)

## **SECTION IX – PROGRAM FEE**

As this project consists of the development of 100% affordable housing units, the requestor is applying for a fee waiver. Please see the attached request and rationale and subsequent pages.

41 North 2<sup>nd</sup> I LLC  
700 White Plains Road  
Scarsdale, New York 10583

May 29, 2025

Site Control Section  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-7020

**Re: 41 North 2<sup>nd</sup> I LLC  
Site No. C411022  
41 North 2<sup>nd</sup> Street, City of Hudson, Columbia County, New York 12534  
BCP Program Fee Waiver Request**

Dear Site Control:

This is a revised letter submitted by 41 North 2<sup>nd</sup> I LLC (the "Applicant") in connection with its Brownfield Cleanup Program ("BCP") application for the above-referenced site ("Site") to request a waiver of the \$50,000 BCP program fee based on 100% of its residential units being developed as affordable housing. The applicant submitted a BCP application with its status as a volunteer and has resubmitted the Application to address comments from the Department.

This letter is to specifically advise the Department that the project, in accordance with its coordination with the Hudson Housing Authority, is 100% affordable and that, at present, consists of a planned 159 Units. In the event, based upon engineering or architectural considerations, the number of Units is modified, we will provide notice of any such modification to the Department. The fee waiver is a factor in our consideration to undertake this project, and our understanding is that such waivers are typically issued in 100% affordable housing projects such as this one. The Access Agreement with the Hudson Housing Authority provides us with the necessary access to proceed with the project once it is accepted into the BC Program.

The following facts support the Applicant's request for the fee waiver:

- The Applicant proposes to construct a one-hundred and fifty-nine (159) unit development of 100% affordable, work- force rental housing on the subject property in Hudson.
- The proposed use of the site is consistent with the City of Hudson Strategic Housing Action Plan, dated 2018. This Plan is a policy document which outlines a vision for the future of the City of Hudson.
- The project is being coordinated with the Hudson Housing Authority.

This 100% affordable housing development focuses on the current and long-range protection, enhancement and development/redevelopment of the City of Hudson and consists of four goals:

- Preservation of Housing,
- Creation of a Comprehensive and Complimentary Housing Policy and Zoning,
- Production of New Housing Options, and
- Enhance Housing and Community Development Programs and partnerships.



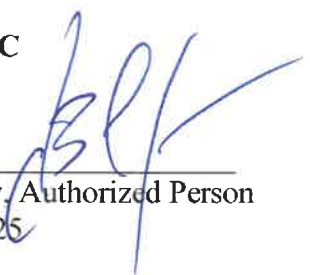
The 100% affordable housing currently consists of one-hundred and fifty-nine (159) units on two (2) sites: Site B with one-hundred (100) units of affordable housing with a building totaling approximately 101,214 square feet plus 68 surface parking spaces and Site A1 with fifty-nine (59) units of affordable housing, totaling about 51,468 square feet, plus 45 surface parking spaces. Both buildings are 4-stories and will include a community room, laundry rooms, computer room, indoor bicycle storage, and office space.

This submission is made as an attachment to a BCP Application. The Applicant understands and agrees that this submission is becoming part of the BCP Application, and so the Applicant hereby affirms that the information provided in this submission is true and correct to the best of its knowledge and belief, and the Applicant is aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

We respectfully ask that the Department authorize the waiver of the BCP program fee based on the foregoing facts. There is strong community and municipal government support for this exciting redevelopment initiative.

Very truly yours,

**41 North 2<sup>nd</sup> I LLC**

By:  Authorized Person  
Date: May 29, 2025

## SECTION X – REQUESTOR ELIGIBILITY

### X.12 – The requestor must certify that he/she is either a participant or volunteer.

#### ***Statement describing why the Requestor should be considered a Volunteer:***

In accordance with the definitions outlined in ECL § 27-1405(1), the each Requestors is considered a Volunteer, as its liability arises solely as a result of its ownership of the Site subsequent to the disposal of contaminants, and it exercises and will exercise appropriate care with respect to contamination found at the facility by taking reasonable steps to stop any continuing release; prevent any threatened future release; and prevent or limited human environmental, or natural resource exposure to any previously released contamination. The Requestor has performed Phase I and Phase II diligence before buying the Site and has promptly applied to the Brownfield Cleanup Program. Human, environmental and natural resource exposure to Site contamination that was released prior to taking title is prevented or limited by the following:

- Groundwater is not being used at the Site for potable purposes.
- The Site is covered by structures, sidewalks, grass, and pavement. None of the structures are enclosed (dumpster/trash receptacles enclosures).

The requestor is not affiliated with the past Site owners, operators or the release of contaminants impacting the Site. As such, the applicant is considered a Volunteer since their liability arises solely based on Site ownership **subsequent** to subsurface impacts and the applicant has and continues to take reasonable steps to investigate site conditions and limit human, environmental and natural resource exposure to previously release contamination.

### X.14 – Requestor relationship to the property.

The requestor does not currently own the property. An access agreement between property ownership and the applicant's entity is attached.

## **ACCESS AGREEMENT**

**THIS ACCESS AGREEMENT** (this “Agreement”) is made and shall be effective this 18<sup>th</sup> day of April 2025, by and between 41 North 2nd I LLC, having a mailing address of 700 White Plains Road, Scarsdale, New York 10583 (the “Purchaser”), and Hudson Housing Authority, having a mailing address of 41 North 2<sup>nd</sup> Street, Hudson, New York 12534 (the “Owner”).

### **WITNESSETH:**

**WHEREAS**, Owner, by itself or through certain affiliates, is the owner of certain real property located in the City of Hudson, State of New York, as more particularly described on Exhibit A annexed hereto and made a part hereof (collectively, the “Property”); and

**WHEREAS**, Purchaser desires to apply for entry to the Brownfield Cleanup Program (“BCP”) pursuant to New York State Environmental Conservation Law §27-1401 to §27-1437; New York State Department of Environmental Conservation (“DEC”) rules located at 6 NYCRR Part 375-3, and applicable DEC guidance; and

**WHEREAS**, Owner desires to permit the Purchaser the access and authority required in connection with the BCP application, including the ability to conduct the investigation required to enter the BCP (the “Investigation”), along with the remedial action and site management activities required by the DEC in connection with the BCP, including the potential placement of an Environmental Easement on the Proposed BCP Site (the “Remediation”) under the terms and conditions of this Agreement; and

**WHEREAS**, Owner and the Purchaser entered into that certain Memorandum of Agreement, dated August 2023 (the “MOA”), pursuant to which the parties memorialized their agreement concerning the redevelopment of the Property (the “Project”); and

**WHEREAS**, the MOA contemplates Purchaser and Owner entering into an access agreement; and

**WHEREAS**, Purchaser requests that Owner permit Purchaser, and its employees, agents, representatives and contractors (the “Purchaser Parties”) to enter upon the Property for the purpose of conducting certain tests or work to be performed by Purchaser from time to time as part of its due diligence, including, but not limited to, any and all studies, examinations, surveys, inspections and investigations of, or concerning, the Property, including, without limitation, soil borings and tests, air and water studies, engineering and geotechnical studies, asbestos studies, evaluation of drainage and flood plains and wetlands, if any, evaluation of the integrity of underground storage facilities, if any, and inspection and testing for the presence of any and all hazardous substances (the “Diligence” and together with the Investigation and the Remediation, the “Work”);

**WHEREAS**, Owner and Purchaser desire to allow the Purchaser Parties access to the Property in order to perform the Work on the terms and conditions set forth hereinbelow.

**NOW, THEREFORE**, the parties agree as follows:

1. Owner shall grant Purchaser Parties a revocable, non-exclusive license for access, ingress and egress to and over the Property, consistent with the terms and conditions of this Agreement, to conduct the Work, with all necessary material and equipment (the “License”). This License is not coupled with an interest and is not intended to convey any ownership or other interest in the Property. Notwithstanding the foregoing, at least three (3) business days prior to submitting any work plan to DEC “Work Plan” or commencing any Work at the Property, Purchaser shall provide the Owner with a scope of work for the activities to be conducted for the Owner’s review and approval, which approval shall not be unreasonably conditioned, delayed or withheld.

2. This Agreement shall run from the date of full execution of this Agreement and terminate upon the earlier of (a) the transfer of the Property from Owner to Purchaser or its assigns, (b) the failure by the Purchaser to cure any breach under this Agreement within thirty (30) days of written notice by the Owner of such breach, or (c) the delivery of a termination notice by any one party to the other electing to terminate this Agreement due to a failure to close on the construction financing.

3. The Owner and its designated representatives shall have the right to be present at all times during the Work, to view all testing and other procedures connected therewith, and to the extent applicable and desired by the Owner, to obtain copies of any and all reports. Purchaser shall make available to Owner all reports and submissions made to DEC in connection with the BCP application promptly upon submission. The cost for copying and delivering said materials shall be borne entirely by the Purchaser. The Purchaser shall keep the Owner advised of the progress of such Work and shall provide the Owner with reasonable notice of the dates and times when the Purchaser or its employees, agents, representatives, and contractors propose to conduct the Work.

4. Prior to each entry upon the Property, the Purchaser shall notify the Owner’s designated representative, Jeffrey E. Dodson, by telephone at (518) 810 - 7040 or by e-mail at [jdodson@judsonhousingauthority.com](mailto:jdodson@judsonhousingauthority.com) to coordinate the planned entry on the Proposed BCP Site.

5. All Work performed by the Purchaser shall be done in a good and workmanlike manner so not to cause any damage to the Property or unreasonably interfere with the use and occupancy of the Property. Upon completion of the Work, the Purchaser shall promptly restore the Property to substantially the same condition that existed prior to the commencement of such Work, as follows: (i) repair or replace any and all damage caused by the Purchaser’s activities on the Property, other than any damage through reasonable wear and tear; (ii) in accordance with applicable laws and good industry practices, properly plug wells and remove any sampling devices and related materials that the Purchaser or its employees, agents, representatives or contractors have placed on the Property; (iii) properly manage and dispose of investigation derived waste and other materials from the Work; and (iv) leave the Property in substantially the same condition as it was prior to the commencement of the Work. Any repairs or replacements related to the Work or damage caused by the Purchaser’s activities on the Property shall be made within sixty (60) days of the date the Purchaser has received notice of such damage from the Owner, unless such

repair or replacement cannot be achieved within such sixty (60) day period, in which case the Owner and Purchaser shall mutually agree on a schedule. The Owner shall have the right, but not the obligation, to undertake any such repair work on behalf and at the expense of the Purchaser should the Purchaser fail to undertake or, once undertaken, to pursue such work in sufficient time to complete such work in the manner and by the time required pursuant to written notice from the Owner to the Purchaser.

6. Except to the extent required by DEC, Purchaser shall not conduct or allow any on-site disposal of any wastes, soils, wastewater, "investigation-derived wastes" or the like on the Property related to its Work on the Property.

7. To the extent that any governmental permits and/or governmental fees are required with respect to the Work on the Property, the Purchaser shall obtain such permits and pay such fees in accordance with applicable law. The Owner shall reasonably cooperate with the Purchaser in obtaining any such permits and, if reasonably necessary, to join in and execute any applications which may reasonably be required to obtain such permits.

8. The Purchaser shall require all contractors and/or subcontractors performing activities on the Property to maintain the following insurance:

- a. Comprehensive General Liability ("CGL") Insurance in an amount not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate combined single limit bodily injury and property damage.
- b. Professional errors and omission insurance for liability arising out of any negligent act or omission related to its "professional services" with limits of \$1,000,000 per claim and \$1,000,000 annual aggregate.
- c. Automobile liability insurance covering all owned, hired, or otherwise operated non-owned vehicles with a minimum combined single limit of \$1,000,000 each occurrence for bodily injury or property damage.
- d. Workers' Compensation in statutory amounts.
- e. Contractor's Pollution Legal Liability insurance in an amount not less than \$2,000,000 (or such lesser reasonable amount for low-risk vendors as is industry standard).
- f. Policy Umbrella Excess Coverage of \$5,000,000 to be in excess of General Liability and Automobile Liability (or such lesser reasonable amount for low-risk vendors as is industry standard).

The Owner shall each be named as additional named insured on the CGL and Pollution Legal Liability Policy. Purchaser shall provide the Owner with certificates of such insurance two (2) business days prior to Purchaser's commencing the Work, which certificates shall be endorsed to provide that the Owner shall thereafter receive at least ten (10) days' written notice prior to the



cancellation or expiration of any such policies. Such policies shall be maintained in companies having a "General Policyholders Rating" of at least "A Minus, VII" as set forth in the most current issue of "Best's Insurance Guide," and will be written as primary policy coverage and not contributing with, or in excess of, any coverage which the Owner may carry.

9. Owner, upon request, shall provide Purchaser with all documents and information known to or readily accessible by Owner regarding conditions on the Property which may be relevant to Purchaser's performance of the Work, including (without limitation) the location of utility or railroad or other lines and subsurface structures on the Property.

10. Owner grants DEC the ability to place an environmental easement on the property should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved

11. Purchaser shall defend, indemnify and hold harmless the Owner from and against any and all claims, damages, losses and expenses including, but not limited to, reasonable attorney's fees arising in connection with the claim of any person as a result of death, bodily injury or damage to property arising out of the Work conducted by the Purchaser, its employees, agents, representatives or contractors pursuant to this Agreement on the Property including, without limitation, any exacerbation of any existing condition on the Property; except to the extent caused by the Owner's or Owner's employees', agents', representatives', or contractors' negligence or willful misconduct. Purchaser will direct, control and pay for the defense of any claim it is required to defend under this Paragraph. The Owner shall provide Purchaser prompt notice of any claim against the Owner and cooperate in Purchaser's handling of the claim.

12. The Purchaser will remove (or bond over to the reasonable satisfaction of the Owner) any mechanic's liens filed against the Property with respect to any Work performed by or on behalf of the Purchaser at the Property pursuant to this Agreement within thirty (30) days of the filing of such mechanic's liens and indemnify the Owner for any damages/losses incurred as a result of the mechanic's liens.

13. If any violations are issued against the Purchaser or Owner by any governmental, public or quasi-public authorities having jurisdiction over the Property or the Work due to the Work, the Purchaser will indemnify the Owner for any and all losses incurred as a result of said violations, the costs associated with curing such violations, and any fines or penalties imposed as a result thereof (except to the extent such violations are caused by the Owner's negligence or willful misconduct), and will attempt to resolve such violations in within thirty (30) days of the issuance of such violation at the Purchaser's sole cost and expense (except to the extent such violations are caused by Owner's negligence or willful misconduct).

14. This Agreement shall be binding upon and inure to the benefit of the parties, and their respective successors and permitted assigns.

15. This Agreement constitutes the entire agreement between the parties, may not be modified or amended except in writing and the rights of obligations hereunder may not be transferred or assigned without the prior written consent of the parties hereto.

16. This Agreement may be executed in multiple parts in which case it shall become effective when the last party has executed the Agreement and delivered a copy to the other party.

17. This Agreement shall be construed in accordance with the laws of the State of New York without regard to conflicts of laws rules or principles.

18. Except for the notice provisions contain in Section 1 above, which may be made pursuant to the notification provisions contained in Section 4 above, all notices and other communications required or permitted to be given shall be (a) in writing, (b) be deemed to be given on the earliest to occur of (i) actual receipt, (ii) the third (3<sup>rd</sup>) business day after deposit in a regularly maintained receptacle for the United States mail, by registered or certified mail, return receipt requested, postage prepaid, (iii) upon confirmed facsimile or electronic mail, or (iv) the first (1<sup>st</sup>) business day after delivery to a recognized overnight courier service, and (c) addressed to the parties at the addresses first set forth above, and if to Purchaser, with a copy to: Cannon Heyman & Weiss, LLP, 54 State Street, 5th Floor, Albany, New York 12207, Attn: Christopher J. Babcock.

19. The provisions of Paragraphs 5, 6, 7, 10, 11 and 12 shall survive the termination or expiration of this Agreement.


*[Signature Page Follows]*

IN WITNESS HEREOF, the Purchaser and the Owner have caused this Agreement to be executed the day and year first above written.

**HUDSON HOUSING AUTHORITY**

By:   
Name: Jeffrey E. Dobson  
Its: Executive Director

**41 North 2nd I LLC**

By:   
Name: Joel Mounty  
Its: Member

## SECTION XII – SITE CONTACT LIST

### XII.1 – The Chief Executive Officer and Planning Board Chairperson of each County, City, Town and Village in which the property is located.

City of Hudson:

City of Hudson City Mayor	Planning Board Chairman
Justin Weaver 520 Warren Street Hudson, New York 12534 518-828-7217	Tom DePietro 520 Warren Street Hudson, New York 12534 518-828-1030

Columbia County:

Columbia County Executive	Planning Board Chairman
Matt B. Murell 401 State Street Hudson, New York 12534 518-828-1527	Patrice Perry 401 State Street Hudson, New York 12534 518-828-3375

New York State Legislature:

NYS Assembly	NYS Senate
106 <sup>th</sup> District: Didi Barrett 420 Warren Street Hudson, New York 12534 Phone: 518-828-1961	41st District: Michelle Hinchey 198 State Street Albany, New York 12247 Phone: 518-455-2350

### XII.2 – Residents, Owners, and Occupants of the Property and adjacent properties

See table, below. Adjoining parcels were obtained from the Columbia County Parcel Mapper <https://sdgnys.maps.arcgis.com/apps/webappviewer/index.html?id=da3c6800168b4deca14dc7e8dcb580&find=100600-109.35-2-19>.

North	46-48 North Front Street	North Delaware Realty	4 Denny Road Wilmington, DE 19809	Apartment
North	7 Dock Street	Amiel Didier	11 Enterprise Avenue North Secaucus, NJ 07094	Other Storage – Whole Foods
East	73-79 North 2 <sup>nd</sup> Street	The Grange, 7379 LLC	Hudson, NY 12534	Commercial

East	62-64 North 2 <sup>nd</sup> Street	Hudson Homesteads, LP	252 Columbia Street, 2 <sup>nd</sup> Floor Hudson, NY 12534	Residential
East	202-204 State Street	Salman U Khan	Hudson, NY 12534	Residential
East	201-205 State Street	State Street A.M.E. Zion Church	Hudson, NY 12534	Religious
East	36-38 North 2 <sup>nd</sup> Street	Tur Vine LLC	Hudson, NY 12534	Residential
East	202 Columbia Street	Hudson Comm Dev & Planning	1 North Front Street Hudson, NY 12534	Vacant Residential Land
South	22-24 North 2 <sup>nd</sup> Street	Goat Island LLC	Freehold, NY 12431	Apartments
South	119 Columbia Street	Providence Hall Associates	4 Denny Road Wilmington, DE 19809	Apartments
West	39 Columbia Street	Michael Young	39 Columbia Street Hudson, NY 12534	Residential

### XII.3 – Local news media from which the community typically obtains information.

City of Hudson

City of Hudson Daily Voice
<a href="https://dailyvoice.com/ny/hudson/hudson-ny@dailyvoice.com">https://dailyvoice.com/ny/hudson/hudson-ny@dailyvoice.com</a>
Additional News Contacts
News 10: <a href="mailto:news@news10.com">news@news10.com</a> WRGB CBS 6: <a href="mailto:news@wrgb.com">news@wrgb.com</a> WNYT News Channel 13: <a href="mailto:newsstips@wynt.com">newsstips@wynt.com</a> Times Union: <a href="mailto:tucitydesk@timesunion.com">tucitydesk@timesunion.com</a> Spectrum News: <a href="mailto:albanynews@charter.com">albanynews@charter.com</a> WAMC Northeast Public Radio: <a href="mailto:news@wamc.com">news@wamc.com</a> Register-Star: <a href="mailto:editorial@registerstar.com">editorial@registerstar.com</a> Columbia Paper: <a href="mailto:news@columbiapaper.com">news@columbiapaper.com</a>

### XII.4 – The public water supplier which services the area in which the property is located.

Water/Sewer Supply
City of Hudson 520 Warren Street



Hudson, New York 12534 <a href="mailto:waterclerk@cityofhudson.org">waterclerk@cityofhudson.org</a> 518-828-9458
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**XII.5 – Any person who has been asked to be placed on the contact list and interested parties.**

There are no additional interested parties known at this time.

**XII.6 – The administrator of any school or day care facility located on or near the property.**

<b>Montgomery C. Smith Elementary School (1.3-miles)</b>
102 Harry Howard Avenue Hudson, New York 12534 Superintendent Dr. Juliette Pennyman 518-828-4360
<b>Hudson Sr. High School (1.4-miles)</b>
215 Harry Howard Avenue Hudson, New York 12534 Principal Mark Brenneman <a href="mailto:brennemanm@hudsoncsd.org">brennemanm@hudsoncsd.org</a> 518-828-4360
<b>Columbia Childcare Center (2.0-miles)</b>
142 Union Turnpike Hudson, New York 12534 <a href="mailto:cchildrenscenter@gmail.com">cchildrenscenter@gmail.com</a> 518-828-2465

**XII.7 – The location of a document repository**

The document repository for this project is:

<b>Hudson Senior Center – Hudson Area Library</b>
Hudson Area Library 51 North 5 <sup>th</sup> Street Hudson, New York 12534 518-828-3200

The document repository letter acknowledging their facility use is attached on the subsequent page.



December 2, 2024

Hudson Area Library  
51 North 5<sup>th</sup> Street  
Hudson, New York 12534

Re: Document Repository Letter: 41 North 2<sup>nd</sup> Street, City of Hudson, Columbia County, New York 12534  
Tax ID: 109.35-2-19  
PVE File: 20240218

To Whom It May Concern:

On behalf of our client, a perspective New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) applicant, we are requesting that the Hudson Area Library serve as the document repository for the proposed 41 North 2<sup>nd</sup> Street site. The BCP application process requires designation of a document repository for documents and reports that can be reviewed by the public. These documents (application, work plans and investigation reports) will be contained in standard sized 3-ring binders.

At your earliest convenience, please sign the acknowledgement below thus authorizing the applicant's use of your facility as the document repository for this BCP site. The signed copy of this letter can be submitted to us via email at [ctarbell@pve-llc.com](mailto:ctarbell@pve-llc.com), fax 845-454-2655, or mail to 48 Springside Avenue, Poughkeepsie, NY 12603.

Feel free to contact us with any questions.

Sincerely,

PVE ENGINEERING

Conor B. Tarbell, QEP  
Principal/Regional Director

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Document Repository Acknowledgment

Name: Emily Chameides

Title: Library Director

Signature: