

Jeffrey C. Stravino
Partner
Direct Dial: 716.848.1394
jstravino@hodgsonruss.com



November 5, 2024

Via Certified Mail, Return Receipt Requested

Brian Napoli, Supervisor
Town of Ridgeway
410 West Avenue
Medina, New York 14103

Hannah Hill, Town Clerk
Town of Ridgeway
410 West Avenue
Medina, New York 14103

Jason Raduns
Code Enforcement
Town of Ridgeway
410 West Avenue
Medina, New York 14103

Katherine Bogan, Esq.
Town Attorney
517 Main Street
Medina, New York 14103

Re: Environmental Easement
NYSDEC Site No. C837018
One Bernzomatic Drive
Medina, New York 14103
Section-Block-Lot No. 80.10-1-20.211 (Ridgeway)
Section-Block-Lot No. 80.10-2-1.211 (Shelby)

To Whom It May Concern:

I am writing concerning an environmental easement granted to the New York State Department of Environmental Conservation ("Department") on October 30, 2024, by Andrew Guglielmi, Director, Division of Environmental Remediation, for property located at One Benzomatic Drive, Medina, New York 14103, County of Orleans, State of New York, known and designated on the tax map for the Town of Ridgeway as Section 80.10, Block 1, Lot 20.211 and on the tap map for the Town of Shelby as Section 80.10, Block 2, Lot 1.211 and assigned NYSDEC BCP Site number C837018. The enclosed environmental easement was recorded in

the Orleans County Clerk's Office on November 4, 2024, Receipt No. 24-0901, Instrument No. 2024-126195 as evidenced by the documents attached.

This Environmental Easement restricts future use of the above-referenced property to the following uses: Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement. Department approval is also required prior to any use of groundwater underlying the property.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

1. Whenever the department is granted an environmental easement, it shall provide each affected local government with a copy of such easement and shall also provide a copy of any documents modifying or terminating such environmental easement.
2. Whenever an affected local government receives an application for a building permit or any other application affecting land use or development of land that is subject to an environmental easement and that may relate to or impact such easement, the affected local government shall notify the department and refer such application to the department. The department shall evaluate whether the application is consistent with the environmental easement and shall notify the affected local government of its determination in a timely fashion, considering the time frame for the local government's review of the application. The affected local government shall not approve the application until it receives approval from the department.

An electronic version of every environmental easement that has been accepted by the Department is available to *the* public at: <http://www.dec.ny.gov/chemical/36045.html>. Please forward this notice to your building and/or planning departments, as applicable, to ensure your compliance with these provisions of New York State Environmental Conservation Law. If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



Jeffrey C. Stravino

Enclosure

cc: *Via email Only*

Kristin Jones, Esq., Newell Operating Company
Kyle Brent, B-360
Thomas F. Walsh, Esq., Attorney for B-360
Adam Zebrowski, Environmental Consultant for B-360
James Kaczor, P.G., Environmental Consultant for Newell Operating Company
Joshuah Klier, G.I.T., M.S., NYSDEC Region 8
Brian Rashkow, Esq., NYSDEC Attorney, Office of General Counsel
Lisa Schwartz, Esq., NYSDEC Assistant Regional Attorney

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Via Certified Mail, Return Receipt Requested

Scott Wengewicz, Supervisor
Town of Shelby
4062 Salt Works Road
Medina, New York 14103

Darlene Rich, Town Clerk
Town of Shelby
4062 Salt Works Road
Medina, New York 14103

Dan Wolfe, Code Enforcement Officer &
Zoning Officer
Town of Shelby
4062 Salt Works Road
Medina, New York 14103

Kathleen M. Bennett, Esq.
Town Attorney
Town of Shelby
4062 Salt Works Road
Medina, New York 14103

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NYSDEC BCP Site number C837018. The enclosed environmental easement was recorded in the Orleans County Clerk's Office on November 4, 2024, Receipt No. 24-0901, Instrument No. 2024-126195 as evidenced by the documents attached.

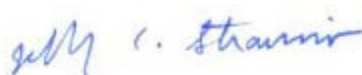
This Environmental Easement restricts future use of the above-referenced property to the following uses: Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement. Department approval is also required prior to any use of groundwater underlying the property.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

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Partner
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November 5, 2024

Via Certified Mail, Return Receipt Requested

Marguerite Sherman
Mayor
Village of Medina
119 Park Avenue
Medina Common, New York 14103

Jada A. Burgess
Village Clerk and Treasurer
Village of Medina
119 Park Avenue
Medina Common, New York 14103

Daniel M. Gardner
Building & Code Enforcement
Village of Medina
119 Park Avenue
Medina Common, New York 14103

Matthew Brooks, Esq.
Village Attorney
76 West Avenue
Lockport, NY 14094

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This Environmental Easement restricts future use of the above-referenced property to the following uses: Restricted-Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii), and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). Any on-site activity must be done in accordance with the Environmental Easement and the Site Management Plan which is incorporated into the Environmental Easement. Department approval is also required prior to any use of groundwater underlying the property.

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