



18 July 2008
File No. 28590-017

Haley & Aldrich of New York
200 Town Centre Drive
Suite 2
Rochester, NY 14623-4264

Tel: 585.359.9000
Fax: 585.359.4650
HaleyAldrich.com

Lech M. Dolata
Bureau of Construction Services
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway, 12th Floor
Albany, NY 12233-7013

Subject: Periodic Review Report
Tarrytown Former MGP Site
Brownfield Cleanup Agreement No. C3600064

Dear Mr. Dolata:

We have completed the subject Periodic Review Report. A copy is attached for your use. Supporting documents are found on the attached CD.

Please contact us if you require additional information.

Sincerely yours,
HALEY & ALDRICH OF NEW YORK

Jonathan D. Babcock, P.E.
Project Manager

Vincent B. Dick
Vice President

c Carl Monheit, Ferry Landings, LLC
G. Heitzman, NYSDEC



Enclosure 1
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Site Management Periodic Review Report Notice
 Institutional and Engineering Controls Certification Form



Site Details	Box 1
Site No. C360064	
Site Name CE - Tarrytown MGP	
Site Address: 129 West Main Street	Zip Code: 10591
City/Town: Tarrytown	
County: Westchester	
Current Use:	
Intended Use: Restricted Residential	

Verification of Site Details	Box 2	
	YES	NO
1. Are the Site Details above, correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If NO, are changes handwritten above or included on a separate sheet?	<input type="checkbox"/>	
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment since the initial/last certification? <i>Subdivided in conformance with Village Site plan approval.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, is documentation or evidence that documentation has been previously submitted included with this certification? <i>See # 3.</i>	<input type="checkbox"/>	
3. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property since the initial/last certification?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, is documentation or evidence that documentation has been previously submitted included with this certification? <i>Copies are being forwarded. List of permits is attached. under separate cover.</i>	<input type="checkbox"/>	
4. Has a change-of-use occurred since the initial/last certification?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, is documentation or evidence that documentation has been previously submitted included with this certification? <i>Documentation previously submitted. See attached correspondence list.</i>	<input checked="" type="checkbox"/>	
5. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), has any new information revealed that assumptions made in the Qualitative Exposure Assessment for offsite contamination are no longer valid?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If YES, is the new information or evidence that new information has been previously submitted included with this Certification?	<input type="checkbox"/>	
6. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), are the assumptions in the Qualitative Exposure Assessment still valid (must be certified every five years)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SITE NO. C360064

Description of Institutional Control

	YES	NO
Ferry Investments, LLC		
129 West Main Street		
Environmental Easement		
S_B_L Image: 1-P15		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S_B_L Image: 1-P-20		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ferry Landings, LLC		
129 West Main Street		
Environmental Easement		
S_B_L Image: 1-P-24		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S_B_L Image: 1-P24A		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Westchester Industries		
129 West Main Street		
Environmental Easement		
S_B_L Image: 1-P21		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S_B_L Image: 1-P-23		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Westchester Industries, Inc.		
129 West Main Street		
Environmental Easement		
S_B_L Image: 1-P-22		
Ground Water Use Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landuse Restriction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soil Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Description of Engineering Control

YES NO

2/6

Ferry Investments, LLC

129 West Main Street

Environmental Easement

S_B_L Image: 1-P15

Cover System

Vapor Mitigation

S_B_L Image: 1-P-20

Cover System

Vapor Mitigation

Ferry Landings, LLC

129 West Main Street

Environmental Easement

S_B_L Image: 1-P-24

Cover System

Leachate Collection

Subsurface Barriers

Vapor Mitigation

S_B_L Image: 1-P24A

Cover System

Vapor Mitigation

Westchester Industries

129 West Main Street

Environmental Easement

S_B_L Image: 1-P21

Cover System

Leachate Collection

Vapor Mitigation

S_B_L Image: 1-P-23

Cover System

Leachate Collection

Vapor Mitigation

Westchester Industries, Inc.

129 West Main Street

Environmental Easement

S_B_L Image: 1-P-22

Cover System

Leachate Collection

Subsurface Barriers

Vapor Mitigation

Attach documentation if IC/ECs cannot be certified or why IC/ECs are no longer applicable.
(Also see instructions)

Control Description for Site No. C360064

The institutional and engineering controls being certified are as indicated in the easement created on April 4, 2007. The text of this easement can be located at the following link:

www.dec.ny.gov/chemical/36045.html

Control Certification Statement

For each Institutional or Engineering control listed in the above referenced easement, I certify by checking "Yes" that all of the following statements are true:

- (a) the Institutional Control and/or Engineering Control employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) ** See statement below.* nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (d) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control.
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

Regarding Item (c) above, in its letters to Ferry Landings, LLC and Con Edison dated 3/21/08, 4/25/08, and 6/18/08, NYSDEC has alleged certain violations relative to the implementation of the Site Management Plan. Responses were provided in letters dated 4/8/08, 5/15/08 and 7/8/08 from Haley & Aldrich. Ferry Landings, LLC and Haley & Aldrich are continuing to cooperate with NYSDEC on these matters.

IC/EC CERTIFICATIONS
SITE NO. C360064

Box 5

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 2 and/or 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

CARL MONHEIT at 485 West Putnam Ave
print name print business address
GREENWICH, CT 06830
am certifying as OWNER (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Carl Monheit 7/18/08
Signature of Owner or Remedial Party Rendering Certification Date

Box 6

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) SIGNATURE

I certify that all information and statements in Box 4 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

Jonathan D. Babcock at 200 Town Centre Dr. Ste. 2, Rochester, NY 14623
print name print business address
Haley & Aldrich of New York

am certifying as a Qualified Environmental Professional for the Owner

(Owner or Remedial Party) for the Site named in the Site Details Section of this form.

Jonathan D. Babcock
Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering
Certification



Stamp (if Required)

7/18/08
Date

Site No. C360064
CE- Tarrytown MGP

Attachment to Institutional and Engineering Controls Certification Form

RE: Verification of Site Details

Item 3. List of Permits Issued for the Property

- a. 10/18/06 NYSDEC Region 3 SWPPP Approval
- b. 2/15/07 Village of Tarrytown Site Plan Approval
- c. 3/12/07 Subdivision Plat Maps SP1 And SP2 Filed
- d. 5/25/07 Village of Tarrytown Site Work Building Permit
- e. 12/28/07 thru 6/2/08 Six Village of Tarrytown Building Permits
- f. 5/21/08 NYSDEC Region 3 Excavation & Fill in Navigable Waters and Water Quality Certification

Item 4. List of Documents Submitted to NSYDEC Relative to Change of Use

- a. Letter dated 07/13/07 to L. Dolata from Haley & Aldrich
- b. Letter dated 08/31/07 to L. Dolata from Haley & Aldrich
- c. Letter dated 04/08/08 to L. Dolata from Haley & Aldrich
- d. Letter dated 04/14/08 to L. Dolata from Haley & Aldrich
- e. Letter dated 05/15/08 to L. Dolata from Haley & Aldrich
- f. Letter dated 07/08/08 to D. Desnoyers from Haley & Aldrich

10/18/06 NYSDEC Region 3 SWPPP Approval

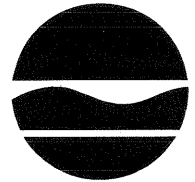
New York State Department of Environmental Conservation

Division of Water, Region 3

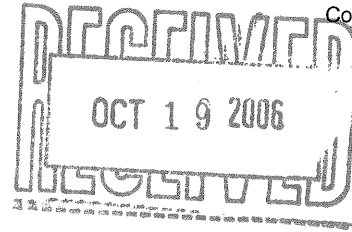
100 Hillside Avenue Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.us



Denise M. Sheehan
Commissioner



October 18, 2006

Mr. Mike Bodendorf
The Chazen Companies
Engineering and Land Surveying Co. P.C.
21 Fox Street
Poughkeepsie
NY 12601

**Re: Ferry Landing -SWPPP
(V) Tarrytown, NYSDEC Permit # NYR10L207**

Dear Mr. Bodendorf:

The Department has received and reviewed the June 2006 Stormwater Plan (SWPPP) for the referenced project. This Plan satisfies the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity. Please submit the SWPPP in a "read only" digital format.

Should you have any questions, please contact me at the above number , ext.356.

Sincerely,

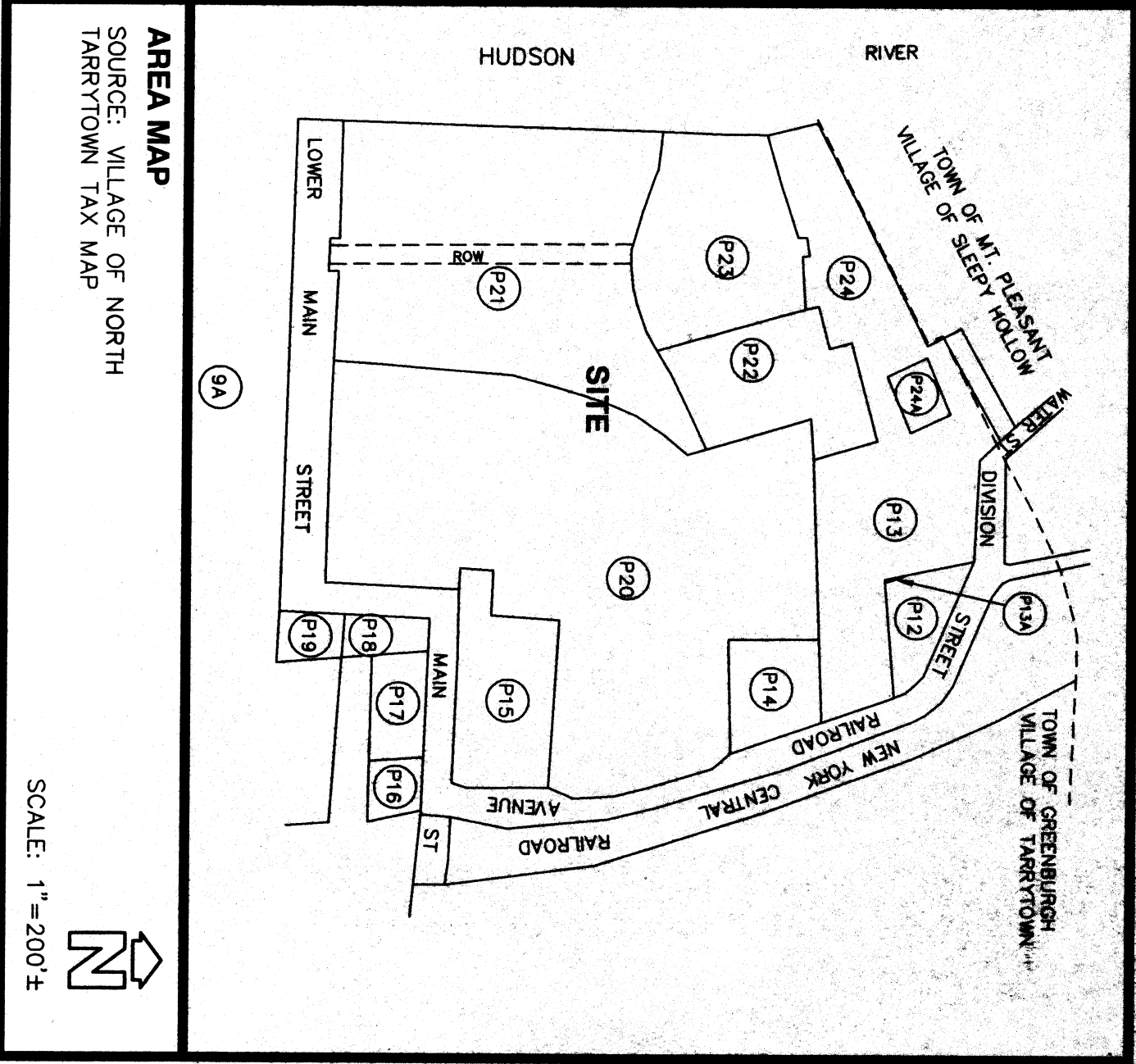
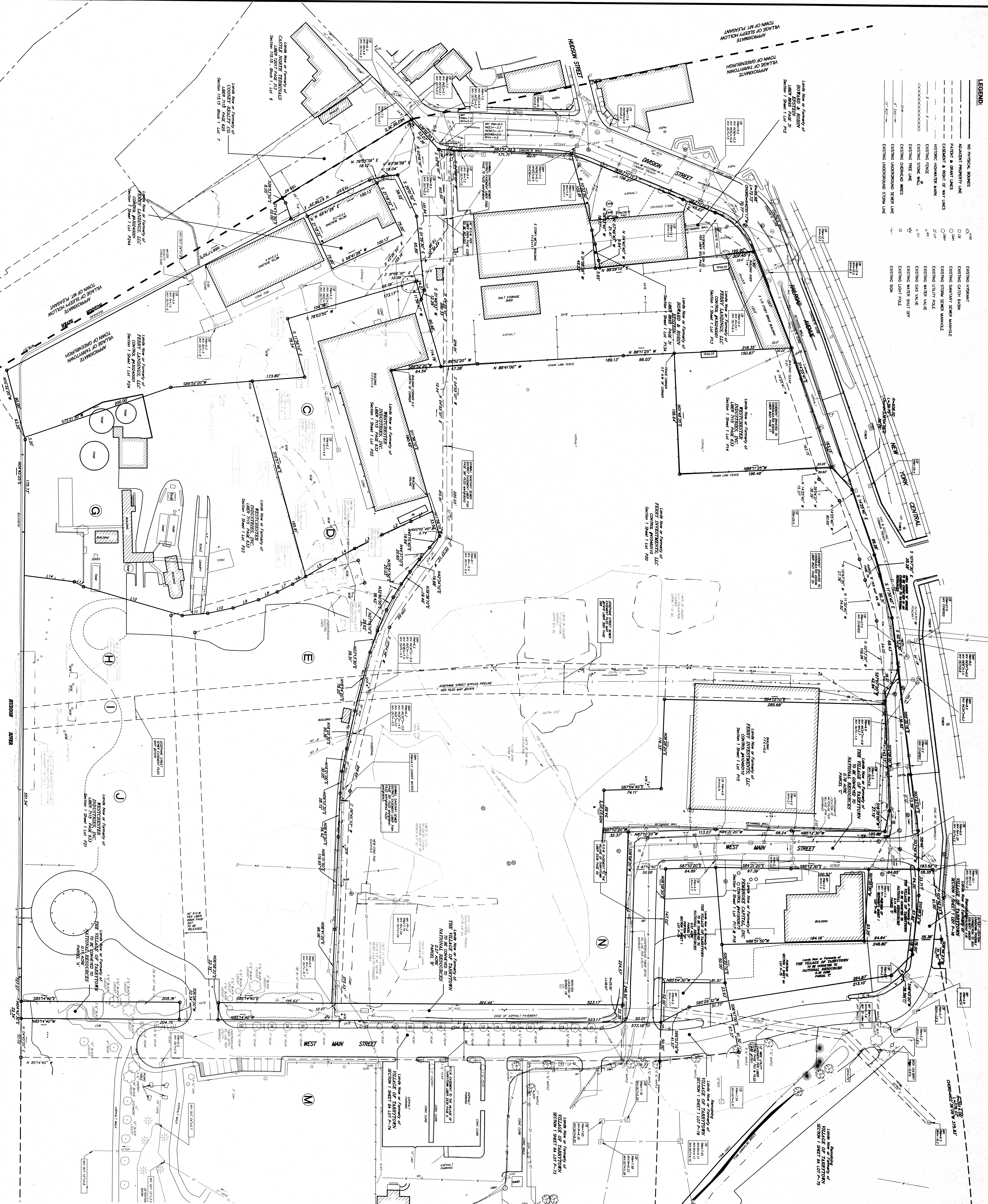
Meena George, P.E.
Environmental Engineer 2

cc: P. Ferracane

2/15/07 Village of Tarrytown Site Plan Approval

3/12/07 Subdivision Plat Maps SP1 and SP2 Filed

- LEGEND**
- NO PHYSICAL BOUNDARIES
 - ADJACENT PROPERTY LINE
 - PATENT & GRANT LINES
 - EXISTING & RIGHT OF WAY LINES
 - EXISTING HIGHWAY MARK
 - EXISTING FENCE
 - EXISTING STONE WALL
 - EXISTING OVERHEAD WIRES
 - EXISTING UNDERGROUND WIRING
 - EXISTING UNDERGROUND STORM LINE
 - EXISTING HIGHWAY
 - EXISTING CATCH BASIN
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING STORM SEWER MANHOLE
 - EXISTING UTILITY POLE
 - EXISTING WATER VALVE
 - EXISTING GAS VALVE
 - EXISTING WATER SHUT OFF
 - EXISTING LIGHT POLE
 - EXISTING SIGN



NOTES:

UNAPPROVED ALTERATION TO ADJACENT TO A SERVICE LAW BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2025, SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.

THE EXISTING SANITARY SEWER MAINS AND STORM SEWERS ARE SHOWN ON THE EXISTING SANITARY SEWER AND STORM SEWER MAPS. THE EXISTING SANITARY SEWER MAINS AND STORM SEWERS ARE SHOWN ON THE EXISTING SANITARY SEWER AND STORM SEWER MAPS. THE EXISTING SANITARY SEWER MAINS AND STORM SEWERS ARE SHOWN ON THE EXISTING SANITARY SEWER AND STORM SEWER MAPS.

FLOOD ZONE NOTE:

THE PROPERTY IS SUBJECT TO AN UNDESIGNED FLOOD HAZARD. THE FLOOD HAZARD IS SHOWN ON THE FLOOD HAZARD MAP. THE FLOOD HAZARD IS SHOWN ON THE FLOOD HAZARD MAP. THE FLOOD HAZARD IS SHOWN ON THE FLOOD HAZARD MAP.

MAP REFERENCE

1. WEST TOWN OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

2. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

3. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

4. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

5. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

6. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

7. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

8. MAP OF TARRYTOWN, NEW YORK, MAP NO. 100, DATED 1978.

PATENT REFERENCES:

1. CHANGES MADE, MAY 2, 1881, UNDER 888 PAGE 202

2. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

3. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

4. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

5. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

6. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

7. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

8. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

9. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

10. WILLIAM WOOD, NOVEMBER 14, 1881, UNDER 888 PAGE 202

TAX PARCEL NUMBER	DEED REFERENCE
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P24	FRANK D. COOPER, JR. AND JOHN T. FERRY, JAMES S. FERRY, DEWANEY LIMITED COMPANY, INCORPORATED, RECORDED MARCH 17, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P23	TARRYTOWN BELL & WELLS TERMINAL, INC. WESTERSON, INC. DATED 11/13/2003 RECORDED MARCH 27, 1973
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P22 & LOT P23	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P21	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P20	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P19	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P18	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P17	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P16	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P15	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P14	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P13	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P12	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P11	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P10	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P9	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P8	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P7	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P6	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P5	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P4	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P3	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P2	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003
TOWN OF TARRYTOWN, SECTION 1, SHEET 1, LOT P1	FRANK R. KENNEDY, LLC RECORDED MARCH 22, 2003

WESTICHE SITE CANNOT SHEET #196

Block 178E & 178E9

FILED MAR 12 2004

NUMBER 27911

RECORDED

ISSUED FOR SITE PLAN APPROVAL - NOT FOR CONSTRUCTION

FERRY LANDINGS

EXISTING CONDITIONS

THE CHAZEN COMPANIES

CHAZEN ENGINEERING LAND SURVEYING CO., P.C.

Rig Safety

Environmental Sciences

Scale: 1" = 200'

DATE: 03/11/04

PROJECT NO: 10393/04

SP1

1 OF 2

5/25/07 Village of Tarrytown Site Work Building Permit



BUILDING PERMIT

21 Wildey Street, Tarrytown, New York 10591-3199

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

This is to certify that the permission is hereby granted for:

SITE WORK - SEWER, STORM, WATER, ROADS, SIDEWALKS AND GRADING

Parcel: 01/01/0000/0/P15

Owner: FERRY LANDINGS, LLC

Located At: WEST MAIN ST

Building Permit #: 2007-5316

Applicant Information

FERRY LANDINGS, LLC

485 W PUTNAM AVE

GREE

Permit Type: SITE IMPROVEMENT

All work shall be executed in strict compliance with the permit application, the provisions of the Tarrytown Building Code and Zoning Ordinance, any and all Ordinances of the Board of Trustees of the Village of Tarrytown, approved plans, the NYS Uniform Fire Prevention and Building Codes, and all other laws, rules and regulations which apply. The building permit does not constitute authority to build in violation of any federal, state, or local law other rule or regulation.

Special Condition

- ALL WORK SHALL CONFORM WITH ALL VILLAGE, COUNTY AND STATE APPROVALS
- NYS LICENSED PROFESSIONAL ENGINEER REQUIRED TO SIGN-OFF ON INSTALLATION AND TESTING OF ALL UNDERGROUND UTILITIES
- AMPLE NOTIFICATION TO NYSDEC AND VILLAGE ENVIRONMENTAL CONSULTANTS ARE REQUIRED BEFORE EXCAVATION BEGINS
- EROSION CONTROL AND SILT FENCING MUST BE INSTALLED AND MAINTAINED AT ALL TIMES DURING CONSTRUCTION
- WEST. CO. DOH MUST APPROVE INSTALLATION AND TESTING OF WATER AND SEWER UTILITIES PRIOR TO OPERATIONS
- BACKFILL OF UTILITIES IS NOT PERMITTED UNLESS AUTHORIZED BY VILLAGE INSPECTOR
- CONTRACTOR TO CALL FOR ALL INSPECTIONS
- ALL CONDITIONS OF APPROVALS WILL BE STRICTLY ENFORCED
- AS-BUILT SURVEY OF UNDERGROUND UTILITIES IS REQUIRED UPON COMPLETION OF WORK

Fees:

Site Work

Check #: 5005

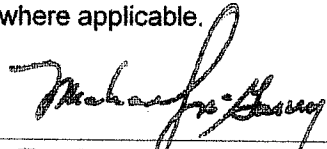
\$90,000.00

Total: \$90,000.00

Permission is hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in this Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be scheduled until final plumbing and final electrical inspections are completed where applicable.

Cost of Construction: \$3,000,000.00

Permit Expires: 5/25/2008


Village Engineer / Building Inspector
Michael J. McGarvey, P.E.



TARRYTOWN-ON-HUDSON

21 Wildey Street, Tarrytown, New York 10591-3199

Receipt

Reference:

01/01/0000/0/P15
FERRY LANDINGS, LLC
WEST MAIN ST

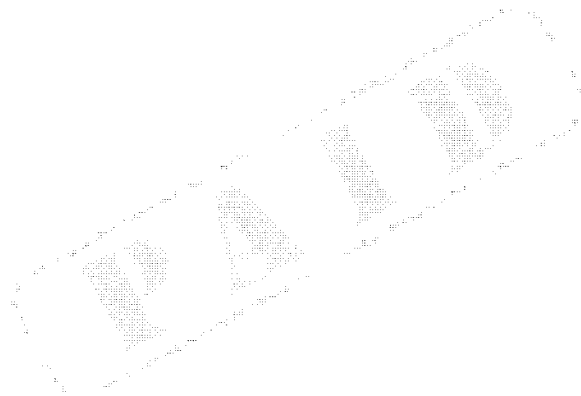
Payor

TW WAQTERFRONT HOLDINGS LLC
485 WEST PUTNAM A

Date	Fee	Check Number	Amount
5/25/2007	Site Work	5005	\$90,000.00

BUILDING PERMIT #2007-5316

Total: \$90,000.00



This is a receipt for payment of fees. This is not a building permit.

Date Printed: 5/25/2007

12/28/07 thru 6/2/08 Six Village of Tarrytown Building Permits



VILLAGE OF TARRYTOWN
21 Wildey Street
Tarrytown, New York

BUILDING PERMIT

Fee: \$80,988.75

Permit #: 7

Check #: 5088

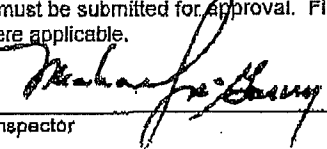
Work Location: West Main Street - Stone House

Owner: Tarrytown Waterfront LLC (Ferry Landings)

Property Description: SHEET: 1 BLOCK: _____ LOT(S): P35

Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in the Building Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be done until final plumbing and final electrical inspections are done where applicable.

Date Issued: 6/2/2008


Building Inspector

Expiration Date: 6/2/2009

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

Special Conditions

- 1 All work shall conform with NYSBC, local law and NFPA whether or not specifically stated on plans.
- 2 All work shall conform with Planning Board, Zoning Board and/or ARB approvals.
- 3 Separate plumbing, electrical, HVAC, and sprinkler permits to be obtained.
- 4 Erosion control must be installed and inspected prior to start of construction.
- 5 Smoke/carbon monoxide detectors shall be installed hardwired/interconnected per NYSRBC section R-313.
- 6 Contractor to remove and dispose of all debris in accordance with NYS Law.
- 7 Contractor shall submit certification letter that work was completed per NYSBC.
- 8 All installation and testing of suppression system must be certified by designer
- 9 Contractor to call for all inspections.
- 10 There will be a \$75 re-inspection fee charged should an inspection fail or owner/contractor is not present when an inspection is scheduled.
- 11 Horn/Strobes and emergency lighting to meet applicable codes.
- 12 ARB approval is required prior to start of framing.
- 13 Foundation "as-builts" are required prior to start of framing.
- 14 Engineer to certify soil bearing capacity prior to footing pour.
- 15 Certification of building height to be submitted after framing.
- 16 Energy compliance report to be submitted and approved prior to framing.
- 17 Climate chart to be submitted for building.



VILLAGE OF TARRYTOWN
21 Wildey Street
Tarrytown, New York

BUILDING PERMIT

Fee: \$9,688.25

Permit #: 1

Check #: P/T 1338

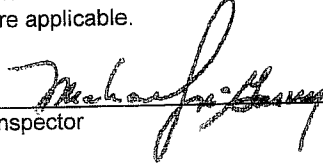
Work Location: West Main Street - Building #1

Owner: Tarrytown Waterfront LLC (Ferry Landings)

Property Description: SHEET: 1 BLOCK: _____ LOT(S): P-36

Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in the Building Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be done until final plumbing and final electrical inspections are done where applicable.

Date Issued: 12/28/07


Building Inspector

Expiration Date: 12/28/2008

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

Special Conditions

- 1 All work shall conform with NYSRBC, local law and NFPA whether or not specifically stated on plans
- 2 All work shall conform with Planning Board, Zoning Board, and ARB approvals.
- 3 Separate plumbing, electrical, HVAC, and sprinkler permits to be obtained
- 4 Erosion control must be installed and inspected prior to start of construction.
- 5 Smoke/carbon monoxide detectors shall be installed hardwired/interconnected per NYSRBC section R-317
- 6 Contractor to submit "As-Built" foundation plans to Building Department for approval prior to framing
- 7 Contractor to remove and dispose of all debris in accordance with NYS Law.
- 8 Design Engineer shall submit certification letter that work was completed per NYSRBC.
- 9 All installation and testing of sprinkler system must be certified by designer.
- 10 Contractor to supply copy of Westchester County license to Building Department prior to start of work
- 11 Contractor to install vapor venting below concrete slabs in all buildings (mechanical vent).
- 12 Maximum height of buildings shall not exceed that of Planning Board approval.
- 13 "As-Built" building construction drawings shall be submitted by design professional.
- 14 All work shall conform to all NYSDEC approvals
- 15 Contractor to call for all inspections.
- 16 Design Engineer shall certify soil loading prior to placement of footings and foundation wall.
- 17 There will be a \$75 re-inspection fee charged should an inspection fail or owner/contractor is not present when an inspection is scheduled.



VILLAGE OF TARRYTOWN
21 Wildey Street
Tarrytown, New York

BUILDING PERMIT

Fee: \$33,325.00

Permit #: 2

Check #: P/T 1338

Work Location: West Main Street - Building #2

Owner: Tarrytown Waterfront LLC (Ferry Landings)

Property Description: SHEET: 1 BLOCK: _____ LOT(S): P-36

Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in the Building Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be done until final plumbing and final electrical inspections are done where applicable.

Date Issued: 12/28/07

[Signature]
Building Inspector

Expiration Date: 12/28/2008

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

Special Conditions

- 1 All work shall conform with NYSRBC, local law and NFPA whether or not specifically stated on plans
- 2 All work shall conform with Planning Board, Zoning Board, and ARB approvals.
- 3 Separate plumbing, electrical, HVAC, and sprinkler permits to be obtained.
- 4 Erosion control must be installed and inspected prior to start of construction.
- 5 Smoke/carbon monoxide detectors shall be installed hardwired/interconnected per NYSRBC section R-317
- 6 Contractor to submit "As-Built" foundation plans to Building Department for approval prior to framing
- 7 Contractor to remove and dispose of all debris in accordance with NYS Law.
- 8 Design Engineer shall submit certification letter that work was completed per NYSRBC.
- 9 All installation and testing of sprinkler system must be certified by designer
- 10 Contractor to supply copy of Westchester County license to Building Department prior to start of work.
- 11 Contractor to install vapor venting below concrete slabs in all buildings (mechanical vent).
- 12 Maximum height of buildings shall not exceed that of Planning Board approval.
- 13 "As-Built" building construction drawings shall be submitted by design professional.
- 14 All work shall conform to all NYSDEC approvals
- 15 Contractor to call for all inspections.
- 16 Design Engineer shall certify soil loading prior to placement of footings and foundation wall.
- 17 There will be a \$75 re-inspection fee charged should an inspection fail or owner/contractor is not present when an inspection is scheduled.



VILLAGE OF TARRYTOWN
21 Wildey Street
Tarrytown, New York

BUILDING PERMIT

Fee: \$21,268.25 Permit #: 3

Check #: P/T 1338

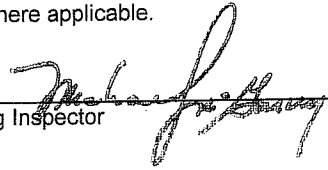
Work Location: West Main Street - Building #3

Owner: Tarrytown Waterfront LLC (Ferry Landings)

Property Description: SHEET: 1 BLOCK: _____ LOT(S): P-36

Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in the Building Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be done until final plumbing and final electrical inspections are done where applicable.

Date Issued: 12/28/07


Building Inspector

Expiration Date: 12/28/2008

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

Special Conditions

- 1 All work shall conform with NYSRBC, local law and NFPA whether or not specifically stated on plans.
- 2 All work shall conform with Planning Board, Zoning Board, and ARB approvals.
- 3 Separate plumbing, electrical, HVAC, and sprinkler permits to be obtained.
- 4 Erosion control must be installed and inspected prior to start of construction.
- 5 Smoke/carbon monoxide detectors shall be installed hardwired/interconnected per NYSRBC section R-317.
- 6 Contractor to submit "As-Built" foundation plans to Building Department for approval prior to framing.
- 7 Contractor to remove and dispose of all debris in accordance with NYS Law.
- 8 Design Engineer shall submit certification letter that work was completed per NYSRBC.
- 9 All installation and testing of sprinkler system must be certified by designer.
- 10 Contractor to supply copy of Westchester County license to Building Department prior to start of work.
- 11 Contractor to install vapor venting below concrete slabs in all buildings (mechanical vent).
- 12 Maximum height of buildings shall not exceed that of Planning Board approval.
- 13 "As-Built" building construction drawings shall be submitted by design professional.
- 14 All work shall conform to all NYSDEC approvals.
- 15 Contractor to call for all inspections.
- 16 Design Engineer shall certify soil loading prior to placement of footings and foundation wall.
- 17 There will be a \$75 re-inspection fee charged should an inspection fail or owner/contractor is not present when an inspection is scheduled.



VILLAGE OF TARRYTOWN
21 Wildey Street
Tarrytown, New York

BUILDING PERMIT

Fee: \$59,820.50

Permit #: 4

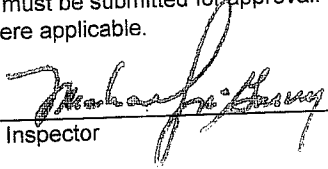
Check #: P/T 1338

Work Location: West Main Street - Building #4

Owner: Tarrytown Waterfront LLC (Ferry Landings)

Property Description: SHEET: 1 BLOCK: _____ LOT(S): P-37
Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in the Building Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be done until final plumbing and final electrical inspections are done where applicable.

Date Issued: 12/28/07


Building Inspector

Expiration Date: 12/28/2008

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

Special Conditions

- 1 All work shall conform with NYSRBC, local law and NFPA whether or not specifically stated on plans
- 2 All work shall conform with Planning Board, Zoning Board, and ARB approvals.
- 3 Separate plumbing, electrical, HVAC, and sprinkler permits to be obtained
- 4 Erosion control must be installed and inspected prior to start of construction.
- 5 Smoke/carbon monoxide detectors shall be installed hardwired/interconnected per NYSRBC section R-317.
- 6 Contractor to submit "As-Built" foundation plans to Building Department for approval prior to framing.
- 7 Contractor to remove and dispose of all debris in accordance with NYS Law.
- 8 Design Engineer shall submit certification letter that work was completed per NYSRBC.
- 9 All installation and testing of sprinkler system must be certified by designer.
- 10 Contractor to supply copy of Westchester County license to Building Department prior to start of work.
- 11 Contractor to install vapor venting below concrete slabs in all buildings (mechanical vent)
- 12 Maximum height of buildings shall not exceed that of Planning Board approval.
- 13 "As-Built" building construction drawings shall be submitted by design professional.
- 14 All work shall conform to all NYSDEC approvals.
- 15 Contractor to call for all inspections.
- 16 Design Engineer shall certify soil loading prior to placement of footings and foundation wall
- 17 There will be a \$75 re-inspection fee charged should an inspection fail or owner/contractor is not present when an inspection is scheduled.



VILLAGE OF TARRYTOWN

21 Wildey Street
Tarrytown, New York

BUILDING PERMIT

Fee: \$33,403.00

Permit #: 5

Check #: P/T 1338

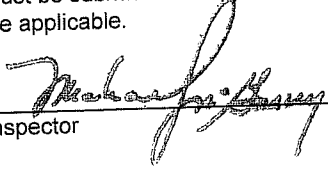
Work Location: West Main Street - Building #5

Owner: Tarrytown Waterfront LLC (Ferry Landings)

Property Description: SHEET: 1 BLOCK: _____ LOT(S): P-37

Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in the Building Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be done until final plumbing and final electrical inspections are done where applicable.

Date Issued: 12/28/07


Building Inspector

Expiration Date: 12/28/2008

THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

Special Conditions

- 1 All work shall conform with NYSRBC, local law and NFPA whether or not specifically stated on plans
- 2 All work shall conform with Planning Board, Zoning Board, and ARB approvals
- 3 Separate plumbing, electrical, HVAC, and sprinkler permits to be obtained
- 4 Erosion control must be installed and inspected prior to start of construction
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- 11 Contractor to install vapor venting below concrete slabs in all buildings (mechanical vent).
- 12 Maximum height of buildings shall not exceed that of Planning Board approval
- 13 "As-Built" building construction drawings shall be submitted by design professional.
- 14 All work shall conform to all NYSDEC approvals.
- 15 Contractor to call for all inspections
- 16 Design Engineer shall certify soil loading prior to placement of footings and foundation wall
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**5/21/08 NYSDEC Region 3 Excavation & Fill in Navigable
Waters and Water Quality Certification**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 3-5526-00379



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
FERRY INVESTMENTS LLC
485 WEST PUTNAM AVE
GREENWICH, CT 06830
(203) 661-0055

Facility:
FERRY LANDINGS
LOWER MAIN ST | W MAIN ST
TARRYTOWN, NY

Facility Location: in GREENBURGH in WESTCHESTER COUNTY Village: Tarrytown on Hudson

Facility Principal Reference Point: NYTM-E: 594.98 NYTM-N: 4548.08
Latitude: 41°04'42.3" Longitude: 73°52'09.5"

Project Location: Village of Tarrytown on Hudson, Westchester County

Authorized Activity: Construction on the banks of the Hudson River, 4 stormwater outfalls (3 new and one replacement) and associated shoreline protection in conjunction with construction of the Ferry Landings LLC development, West Main Street, Village of Tarrytown on Hudson, in accordance with plans filed in support of the permit application.

Permit Authorizations

Excavation & Fill in Navigable Waters - Under Article 15, Title 5
Permit ID 3-5526-00379/00001

New Permit Effective Date: 5/21/2008 Expiration Date: 12/31/2011

Water Quality Certification - Under Section 401 - Clean Water Act
Permit ID 3-5526-00379/00003

New Permit Effective Date: 5/21/2008 Expiration Date: 12/31/2011

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: BARBARA RINALDI, Deputy Chief Permit Administrator
Address: NYSDEC HEADQUARTERS
625 BROADWAY
ALBANY, NY 12233

Authorized Signature: Barbara Rinaldi **Date** 5/21/2008

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 3-5526-00379



Distribution List

Village of Tarrytown on Hudson Planning Board
Chazen Group, ATTN: Barbara Beall
NYS Office of General Services
US Army Corps of Engineers, New York District
NYS Department of State, Coastal Resources
Jack Isaacs, NYSDEC, Region 3

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: EXCAVATION & FILL IN NAVIGABLE WATERS; WATER QUALITY CERTIFICATION

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Chazen Engineering & Surveying Co; PC titled "FERRY LANDINGS: OUTFALL LOCATIONS; OUTFALL 400; OUTFALL 100 + 200; AND OUTFALL 500 date printed Dec 06, 2007..
- 2. No Interference With Navigation** There shall be no unreasonable interference with navigation by the work herein authorized.
- 3. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 4. Notice of Intent to Commence Work** The permittee shall submit a Notice of Intent to Commence Work to Jack Isaacs at least 48 hours in advance of the time of commencement.
- 5. Install Erosion Controls** Before any soil is disturbed on the subject site, the permittee shall install erosion and sedimentation controls which are adequate to prevent erosion and sedimentation off-site. Such controls shall be maintained until the unpaved portions of subject site, if any, are stabilized by a self-sustaining cover of vegetation that is adequate to prevent erosion and sedimentation on and off such site. Before such controls are removed, the permittee shall remove all sediment that has accumulated at such controls.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 3-5526-00379



6. Clean Fill Only All fill shall consist of clean soil, sand and/or gravel that is free of the following substances: asphalt, slag, flyash, broken concrete, demolition debris, garbage, household refuse, tires, woody materials including tree or landscape debris, and metal objects. The introduction of materials toxic to aquatic life is expressly prohibited.

7. Installation of Riprap All disturbed bank below the new outfall shall be covered with stabilization fabric and riprapped with rock immediately following installation of the outfall pipe. The riprap shall be keyed into the bank and shall extend to the mean high water level.

8. Replace Destroyed Bank Vegetation Destroyed bank vegetation shall be replaced with appropriate native plants. Disturbed banks must be seeded and mulched with 2 days of completion of work.

9. Temporary Mulch, Final Seeding All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass, and mulched with straw immediately upon completion of the project, within two days of final grading, or by the expiration of the permit, whichever is first. Mulch shall be maintained until suitable vegetative cover is established to the department's satisfaction.

If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

10. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

11. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

12. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Facility DEC ID 3-5526-00379



13. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. Water Quality Certification The NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Deputy Chief Permit Administrator
 NYSDEC HEADQUARTERS
 625 BROADWAY
 ALBANY, NY 12233

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 3-5526-00379



4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 3-5526-00379



Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.