

New York State Department of Environmental Conservation  
BROWNFIELD CLEANUP PROGRAM

BROWNFIELD CLEANUP PROGRAM APPLICATION  
SUPPLEMENTAL AND SUPPORTING INFORMATION

For

29-45 NORTH MAIN STREET,  
VILLAGE OF PORT CHESTER, NY  
ABENDROTH GREEN LLC

MARCH 2023

## TABLE OF CONTENTS

1. Brownfield Cleanup Program (BCP) Application Form
2. Supplemental and Supporting Information

Exhibit A – Property Maps

Exhibit B – Environmental Reports

Exhibit C – Data Summary Tables

Exhibit D – Data Maps

Exhibit E – Entity Information and Operating Agreement

Exhibit F – Contact List and Repository Information



# BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

**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.  Yes  No  
 If yes, provide existing site number: \_\_\_\_\_

**Is this a revised submission of an incomplete application?**  Yes  No  
 If yes, provide existing site number: C360236

**BCP App Rev 13**

**SECTION I: Property Information**

PROPOSED SITE NAME 29-45 North Main Street

ADDRESS/LOCATION 29-45 North Main Street

CITY/TOWN Port Chester ZIP CODE 10573

MUNICIPALITY (LIST ALL IF MORE THAN ONE) Port Chester

COUNTY Westchester County SITE SIZE (ACRES) 0.91

LATITUDE 41 ° 0 ' 4.377 " LONGITUDE -73 ° 39 ' 44.7294 "

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
See Additional Information				

1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/> Y	<input type="radio"/> N
2. Is the required property map provided in electronic format with the application? (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) If yes, identify census tract: <u>80</u> Percentage of property in En-zone (check one): 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input checked="" type="radio"/>	<input checked="" type="radio"/> Y	<input type="radio"/> N
4. Is the project located within a disadvantaged community? 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



**SECTION II: Project Description**

1. The project will be starting at:  Investigation  Remediation

NOTE: 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

**SECTION III: Land Use Factors**

1. What is the property's current municipal zoning designation? CD-5

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential  Commercial  Industrial

3. Current use (select all that apply):

Residential  Commercial  Industrial  Recreational  Vacant

4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant.  
Is this summary included with the application?

Y	N
<input checked="" type="radio"/>	<input type="radio"/>

5. Reasonably anticipated post-remediation use (check all that apply):

Residential  Commercial  Industrial

If residential, does it qualify as single-family housing?  N/A

<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 and 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 and additional documentation if necessary.

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

**SECTION IV: 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 type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input 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: Chlorinated solvent impacts to indoor air

- 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 type="checkbox"/> Manufacturing	<input type="checkbox"/> Agricultural Co-Op	<input checked="" type="checkbox"/> Dry Cleaner
<input 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: Lumber mill, printing, sign painting, metal works

SECTION V: Requestor Information			
NAME Abendroth Green LLC			
ADDRESS c/o The Hudson Companies Incorporated, 826 Broadway, 11th Floor			
CITY/TOWN New York		ZIP CODE 10003	
PHONE 212-777-9500		EMAIL epadron@hudsoninc.com	
1. Is the requestor authorized to conduct business in New York State (NYS)?			Y <input checked="" 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 that requestor is authorized to conduct business in NYS. Is this attached?			N <input type="radio"/>
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached?			N <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>			N <input type="radio"/>

SECTION VI: 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"/>

**SECTION VI: Requestor Eligibility (CONTINUED)**

	Y	N
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting or 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"/>
12. THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:		
<p><b>PARTICIPANT</b> <input checked="" type="checkbox"/></p> <p>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.</p>	<p><b>VOLUNTEER</b> <input type="checkbox"/></p> <p>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.</p> <p>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.</p> <p><b>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.</b></p>	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		
<p>Yes <input type="radio"/>                      No <input type="radio"/>                      N/A <input checked="" type="radio"/></p>		



**SECTION VI: Requestor Eligibility (CONTINUED)**

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**Note:** A purchase contract or lease agreement does not suffice as proof of site access.**SECTION VII: Requestor Contact Information****REQUESTOR'S REPRESENTATIVE**

Ernseto Padron

**ADDRESS**

826 Broadway, 11th Floor

**CITY**

New York

**ZIP CODE**

10003

**PHONE**

212-777-9500

**EMAIL**

epadron@hudsoninc.com

**REQUESTOR'S CONSULTANT (CONTACT NAME)**

Matthew Carroll

**COMPANY**

Tenen Environmental, LLC

**ADDRESS**

121 West 27th Street, Suite 702

**CITY**

New York

**ZIP CODE**

10001

**PHONE**

646-606-2332

**EMAIL**

mcarroll@tenen-env.com

**REQUESTOR'S ATTORNEY (CONTACT NAME)**

David Yudelson

**COMPANY**

Sive, Paget &amp; Riesel P.C.

**ADDRESS**

560 Lexington Avenue

**CITY**

New York

**ZIP CODE**

10022

**PHONE**

646-378-7219

**EMAIL**

dyudelson@sprlaw.com

SECTION VIII: 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 based on demonstration of financial hardship.		
	<b>Y</b>	<b>N</b>
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.	<input type="radio"/>	<input type="radio"/>
Is the appropriate documentation included with this application?		

SECTION IX: Current Property Owner and Operator Information		
CURRENT OWNER Abendroth Green LLC		
CONTACT NAME Ernesto Padro		
ADDRESS 826 Broadway, 11th Floor		
CITY New York		ZIP CODE 10003
PHONE (212) 777-9500	EMAIL epadron@hudsoninc.com	
OWNERSHIP START DATE 11/04/2022		
CURRENT OPERATOR N/A		
CONTACT NAME		
ADDRESS		
CITY		ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

SECTION X: Property Eligibility Information		
	<b>Y</b>	<b>N</b>
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"/>

**SECTION X: Property Eligibility Information (continued)**

	Y	N
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>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.</p> <p style="text-align: right;">N/A <input checked="" type="radio"/></p>	<input type="radio"/>	<input type="radio"/>
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?                      If yes, please provide additional information.</p>	<input type="radio"/>	<input checked="" type="radio"/>

**SECTION XI: 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.

**SECTION XII: Statement of Certification and Signatures**

(By requestor who is an individual)

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

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title) of Abendroth Green 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: 03/02/23 Signature: \_\_\_\_\_

Print Name: Joseph Riggs

**SUBMITTAL INFORMATION**

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

**FOR DEC USE ONLY**

BCP SITE T&A CODE: \_\_\_\_\_ LEAD OFFICE: \_\_\_\_\_

**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 13**

Please respond to the questions below and provide additional information and/or documentation as required.	Y	N
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"/>
	Underutilized	<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\*  
\*Selecting this option will result in a “pending” status. The regulatory agreement 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.
- 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
- 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 meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

- Yes
- 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.

**THIS PAGE INTENTIONALLY LEFT BLANK**



BCP APPLICATION SUMMARY (FOR DEC USE ONLY)			
SITE NAME 29-45 North Main Street		SITE ADDRESS 29-45 North Main Street	
CITY Port Chester		COUNTY Westchester County	ZIP 10573
REQUESTOR NAME Abendroth Green LLC		REQUESTOR ADDRESS c/o The Hudson Companies Incorporated, 826 Broadway, 11th Floor	
CITY New York		ZIP 10003	EMAIL epadron@hudsoninc.com

PROPERTY ADDRESS	SECTION	BLOCK	LOT
See Additional Information			

REQUESTOR'S REPRESENTATIVE			
NAME Ernseto Padron		ADDRESS 826 Broadway, 11th Floor	
CITY New York		ZIP 10003	EMAIL epadron@hudsoninc.com
REQUESTOR'S ATTORNEY			
NAME David Yudelson		ADDRESS 560 Lexington Avenue	
CITY New York		ZIP 10022	EMAIL dyudelson@sprlaw.com
REQUESTOR'S CONSULTANT			
NAME Matthew Carroll		ADDRESS 121 West 27th Street, Suite 702	
CITY New York		ZIP 10001	EMAIL mcarroll@tenen-env.com

REQUESTOR'S REQUESTED STATUS	PARTICIPANT <input checked="" type="checkbox"/>	VOLUNTEER <input type="checkbox"/>
DEC DETERMINATION	AGREE	DISAGREE

APPLIED FOR FEE WAIVER	YES <input type="radio"/>	NO <input checked="" type="radio"/>
ELIGIBLE FOR FEE WAIVER	YES	NO

PERCENTAGE WITHIN AN EN-ZONE	0% <input type="radio"/>	<50% <input type="radio"/>	50-99% <input type="radio"/>	100% <input checked="" type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

**BCP APPLICATION SUMMARY (FOR DEC USE ONLY) (CONTINUED)**

**FOR SITES IN NEW YORK CITY ONLY**

<b>IS THE REQUESTOR SEEKING TANGIBLE PROPERTY CREDITS?</b>	YES	<input type="radio"/>	NO	<input type="radio"/>
--	-----	-----------------------	----	-----------------------

<b>UPSIDE DOWN</b>	YES	<input type="radio"/>	NO	<input type="radio"/>
<b>DEC DETERMINATION</b>	AGREE		DISAGREE	

<b>UNDERUTILIZED</b>	YES	<input type="radio"/>	NO	<input type="radio"/>
<b>DEC DETERMINATION</b>	AGREE		DISAGREE	

<b>AFFORDABLE HOUSING STATUS</b>	PLANNED	<input type="radio"/>	YES	<input type="radio"/>	NO	<input type="radio"/>
<b>DEC DETERMINATION</b>	AGREE		DISAGREE			

<b>DISADVANTAGED COMMUNITY AND CONFORMING BOA</b>	YES	<input type="radio"/>	NO	<input type="radio"/>
<b>DEC DETERMINATION</b>	AGREE		DISAGREE	

<b>RENEWABLE ENERGY FACILITY SITE</b>	YES	<input type="radio"/>	NO	<input type="radio"/>
<b>DEC DETERMINATION</b>	AGREE		DISAGREE	

**NOTES:**

**Supplemental and Supporting Information**  
**BCP Application for 29-45 North Main Street, Port Chester, NY**

**Section I. Property Information**

The following maps have been attached as Exhibit A.

- Tax map
- USGS 7.5 minute quad map, indicating the site's location
- Property base map

**I – Property Information**

Parcel Address	Section No.	Block No.	Lot No.	Acreage
43-45 North Main Street <sup>1</sup>	142.31	1	11	0.3
41 North Main Street	142.31	1	12	0.04
North Main Street <sup>2</sup>	142.31	1	13	0.05
37-39 North Main Street	142.31	1	14	0.16
33-35 North Main Street	142.31	1	15	0.1
29 North Main Street	142.31	1	16	0.26

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

**Location**

The 29-45 North Main Street Site is located in a suburban area with addresses of 29 through 45 North Main Street, Port Chester, NY.

**Site Features**

The Site features includes several one- to three-story commercial or mixed-use residential and commercial buildings. Exterior portion of the Site outside of the building footprints are largely capped with asphalt. Any uncapped portions of the Site are utilized for landscaping. The Site is currently vacant but was most recently occupied by a realtor, a restaurant, a hardware store, an ice cream shop, a jeweler and non-profit organizations.

The ground level of the building on Lot 11 (43-45 North Main Street) contains an in-service 1,500-gallon underground storage tank (UST) that contains #2 fuel oil, as shown on the data figures. The UST is located in a subterranean vault adjacent to Adee Street. Lot 11 is identified on the Petroleum Bulk Storage (PBS) database as PBS #3-801942. The UST on Lot 11 is associated with an open spill (Spill No. 1708684) which was reported on December 15, 2017 due to equipment failure. The spill record indicates the UST was repaired and retested. No further information was provided and the spill case remains open;

---

<sup>1</sup> Lot 11 is identified as 45 North Main on the Port Chester tax map; however, it appears the business operating at the Site (Feinsod hardware store) used the address 43 North Main Street, in particular for registering a tank and reporting petroleum spills.

<sup>2</sup> Lot 13 is a vacant lot that has been used as a seating area for a restaurant at 35 North Main Street; however, no specific address is associated with this lot.

additional testing was completed in the area of the UST and is discussed in the Environmental Assessment, below. In addition, Spill No. 1308618, was reported on November 25, 2013 related to an equipment failure from the boiler on Lot 11 with a release of oil into a subterranean vault. A 2013 NYSDEC memo noted that 2,000 gallons of oil and water were vacuumed from the vault and the spill case was closed the following day. No remediation of soil or groundwater was completed in association with the open or closed spill record.

Four aboveground storage tanks (ASTs) were removed from Lot 16 (29 North Main Street) in 2016 and a spill (No. 1602940) was reported. The ASTs were located in the crawl space and the estimated location of the ASTs are shown on the data figures. Several SVOCs were detected in one of two samples collected below the ASTs; however, based on a review, NYSDEC closed the spill record. The SVOC concentrations do not exceed the Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs, UUSCOs).

#### Current Zoning and Land Use

The Site is currently zoned CD-5, denoting an Urban Center Character District that consists of higher-density, mixed-use areas. The surrounding parcels are used for a combination of commercial and residential uses. The nearest residential area is directly to the southwest, at 18 North Main Street, Port Chester, NY 10573.

#### Past Use of the Site

Prior to 1890, an inlet of the Byram River extended north through the central portion of the Site. By 1890, a small area of the inlet onsite had been filled, and by 1895 the entire Site was filled. By 1895, the Site area along North Main Street was developed with multiple small buildings and stores. While individual store occupants changed over the years, retail use of these buildings is consistent through 2006, the date of the most recent available Sanborn map. The Site was historically utilized for commercial and residential purposes, with non-residential uses of the Site including dry cleaning, a planing/lumber mill, a roller rink, printers, sign painting, lime and cement storage, plumbing and a metal works. Available records indicate that the dry cleaning waste was disposed in drums off-site at Hebron Solvent Recycling Services in Hebron, OH. Prior uses that appear to have led to site contamination include the filling of the Site with contaminated fill material and the use of chlorinated solvents.

#### Site Geology and Hydrogeology

The subject property is located at an average elevation of approximately twelve feet above mean sea level (ft-msl) and slopes gently to the southeast. The overburden is composed predominantly of a shallow fill layer containing fine- to medium-grained sand and silt, brick and rock fragments, wood chips, and cobbles underlain by native till material consisting of fine- to coarse-grained sand, silt and clay. The fill layer ranges in thickness from two to ten feet. Groundwater was encountered at a depth of approximately nine feet below grade (ft-bg). The groundwater flow direction is to the east-southeast, towards the Byram River.

### Environmental Assessment

Based on investigations conducted to date at the subject property, the primary contaminants of concern for the site are chlorinated volatile organic compounds (cVOCs), semivolatile organic compounds (SVOCs), specifically polycyclic aromatic hydrocarbons (PAHs) and metals (arsenic, lead and mercury). In addition, petroleum odors and elevated PID readings were encountered in the area of the known UST. Three subsurface investigations have been completed at the Site and are described below.

A Tier II Soil Vapor Encroachment Screen (Tier II VE Screen) was conducted at Lots 14 and 16 by Advanced Cleanup Technologies, Inc. (ACT) in August 2016 (report dated August 30, 2016). The Tier II VE Screen consisted of the installation of two sub-slab soil vapor points in the exterior portions of the lots and the collection of two soil vapor samples. The soil vapor samples were collected over a four-hour period and were analyzed for volatile organic compounds (VOCs).

Following the Tier II VE Screen, ACT performed an Indoor Air and Groundwater Survey at Lot 16 to determine if chlorinated VOCs (cVOCs) detected in soil vapor at the property were impacting indoor air or groundwater beneath the property. The survey was performed in September 2016 (report dated October 5, 2016) and consisted of the installation of three temporary groundwater collection points, the collection of three groundwater samples, and the collection of three indoor air samples. The groundwater samples were analyzed for VOCs. The indoor air samples were collected over a 24-hour period and were analyzed for VOCs.

A Limited Due Diligence Environmental Site Investigation (LDDESI) was completed for the entirety of the Site by Tenen Environmental (Tenen) in March 2022 (report dated April 5, 2022). The LDDESI consisted of the installation of six soil borings, the collection of six soil samples, the installation of two temporary groundwater monitoring wells, the collection of two groundwater samples, the installation of four sub-slab soil vapor points, and the collection of four soil vapor samples. All soil and groundwater samples were analyzed for VOCs and SVOCs. In addition, three soil samples were also analyzed for pesticides, polychlorinated biphenyls (PCBs), and target analyte list (TAL) metals. The soil vapor samples were collected over a two-hour period and analyzed for VOCs.

#### *Soil:*

The results of the soil sampling performed as part of Tenen's LDDESI indicated one VOC, acetone, was detected slightly in exceedance of its UUSCO in two soil samples. Acetone is a common laboratory artifact. No other VOCs were detected in exceedance of Unrestricted Use SCOs. VOCs were not detected in exceedance of Restricted-Residential Use SCOs (RRSCOs) in any soil samples.

A variety of SVOCs, specifically PAHs, were detected in exceedance of UUSCOs in two soil samples, including benzo(a)anthracene [max. 3 parts per million (ppm) with a UUSCO of 1 ppm], benzo(a)pyrene (max. 2 ppm with a UUSCO of 1 ppm), benzo(b)fluoranthene (max. 2.1 ppm with a UUSCO of 1 ppm), benzo(k)fluoranthene (max. 2.2 ppm with a UUSCO of 0.8 ppm), chrysene (max. 2.6 ppm with a UUSCO of 1 ppm),

dibenzo(a,h)anthracene (max. 0.56 ppm with a UUSCO of 0.33 ppm), and indeno(1,2,3-cd)pyrene (max. 1.5 ppm with a UUSCO of 0.5 ppm). Of these, the UUSCO is the same as the RRSCO for benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene, and any exceedances of UUSCOs for these analytes also exceeded RRSCOs. The highest concentrations of SVOCs were detected in SB-1, collected from the northern portion of Lot 11, upgradient of the 1,500-gallon UST. No other SVOCs were detected in exceedance of UUSCOs or RRSCOs.

One pesticide, dieldrin, was detected slightly in exceedance of its UUSCO, but below its RRSCO, in one soil sample. Dieldrin was detected at a concentration of 0.01 ppm in SB-6 with a UUSCO of 0.005 ppm. No other pesticides were detected in exceedance of UUSCOs. Pesticides were not detected in exceedance of RRSCOs in any soil samples. PCBs were not detected in exceedance of UUSCOs or RRSCOs in any soil samples.

The metals copper, lead, mercury, and nickel were each detected in one or more soil samples in exceedance of UUSCOs. Copper was detected in one sample at a concentration of 61.1 ppm with a UUSCO of 50 ppm; lead was detected in two samples at a max. concentration of 117 ppm with a UUSCO of 63 ppm; mercury was detected in all three samples at a max. concentration of 2.8 ppm with a UUSCO of 0.18 ppm; and, nickel was detected in one soil sample at a concentration of 34.4 ppm with a UUSCO of 30 ppm. Of these, mercury was also detected in exceedance of its RRSCO of 0.81 ppm in one soil sample collected from SB-6 in the southeastern portion of Lot 16.

*Groundwater:*

The results of the groundwater sampling performed as part of ACT's Indoor Air and Groundwater Survey and Tenen's LDDESI indicated VOCs were not detected in exceedance of the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS) and Guidance Values (Class GA Standards) in any groundwater samples.

The results of the groundwater sampling performed as part of Tenen's LDDESI indicated a variety of SVOCs, specifically PAHs, were detected in one groundwater monitoring well, GW-1 (located upgradient of the 1,500-gallon UST on Lot 11) slightly in exceedance of Class GA Standards. Benzo(a)anthracene was detected at a concentration of 0.04 parts per billion (ppb), benzo(a)pyrene was detected at a concentration of 0.04 ppb, benzo(b)fluoranthene was detected at a concentration of 0.06 ppb, benzo(k)fluoranthene was detected at a concentration of 0.02 ppb, chrysene was detected at a concentration of 0.01 ppb, and, indeno(1,2,3-cd)pyrene was detected at a concentration of 0.03 ppb. The aforementioned analytes all have a Class GA Standard of 0.002 ppb, with the exception of benzo(a)pyrene, which has a Class GA Standard of 0 ppb. No other SVOCs were detected in exceedance of Class GA Standards in any groundwater samples.

*Soil Vapor and Indoor Air:*

The results of the soil vapor sampling performed as part of ACT's Tier II VE Screen indicated elevated concentrations of the chlorinated solvent tetrachloroethene (PCE) in one soil vapor sample collected from the southeastern portion of the exterior of Lot 16. PCE

was detected at a concentration of 250 micrograms per cubic meter (ug/m<sup>3</sup>). As part of Tenen's LDDESI, four soil vapor samples were collected across the Site. The results of the soil vapor sampling indicated concentrations of PCE were detected in all four soil vapor samples at concentrations ranging from 1.8 ug/m<sup>3</sup> to 80.7 ug/m<sup>3</sup>. In addition, trichloroethene (TCE) and cis-1,2-dichloroethene (cis-1,2-DCE), breakdown products of PCE, were both detected in one soil vapor sample. TCE was detected at a concentration of 1.98 ug/m<sup>3</sup> and cis-1,2-DCE was detected at a concentration of 0.22 ug/m<sup>3</sup>. Carbon tetrachloride was detected in three of four soil vapor samples at a maximum concentration of 0.55 ug/m<sup>3</sup>.

The results of the indoor air sampling conducted on Lot 16 as part of ACT's Air and Groundwater Survey indicated concentrations of cVOCs, including PCE, TCE, carbon tetrachloride, and methylene chloride were detected in all three indoor air samples. In addition, the cVOCs cis-1,2-DCE, vinyl chloride, 1,1,1-trichloroethane (1,1,1-TCA), and 1,1-dichloroethene (1,1-DCE) were each detected in one indoor air sample. Of these, TCE was detected in exceedance of its current NYSDOH Air Guideline Value (AGV) of 2 ug/m<sup>3</sup> in one indoor air sample collected from the southeastern portion of Lot 16. No other cVOCs were detected in exceedance of their respective NYSDOH AGVs. PCE was detected at a max. concentration of 12 ug/m<sup>3</sup>; TCE was detected at a max. concentration of 6.9 ug/m<sup>3</sup>; carbon tetrachloride was detected at a max. concentration of 7.5 ug/m<sup>3</sup>; methylene chloride was detected at a max. concentration of 14 ug/m<sup>3</sup>; cis-1,2-DCE was detected at a concentration of 5.9 ug/m<sup>3</sup>; vinyl chloride was detected at a concentration of 4.6 ug/m<sup>3</sup>; 1,1,1-TCA was detected at a concentration of 6.7 ug/m<sup>3</sup>; and, 1,1-DCE was detected at a concentration of 5.4 ug/m<sup>3</sup>.

Low levels of petroleum-related VOCs were detected in soil vapor across the Site, including benzene, toluene, ethylbenzene, xylenes, and 1,2,4-trimethylbenzene.

Additional off-site testing for groundwater and soil vapor is also presented in the supporting documentation.

#### Data Gaps

- Analysis for non-volatile and non-semivolatile compounds in groundwater. While not related to impacts associated with the former usage of the site as a dry cleaner, analysis of pesticides, polychlorinated biphenyls (PCBs), metals and per- and polyfluoroalkyl substances (PFAS) will be performed to meet the requirements of the BCP.
- Groundwater flow direction. Additional monitoring wells will be installed during the BCP-required investigation and surveyed to a common datum in order to determine the shallow groundwater flow direction in the area of the Site. However, it is assumed based on regional hydrology to flow southeast.

## Section II. Project Description

### II. Narrative Description

#### Proposed Redevelopment

The subject property will be redeveloped with a new six-story mixed-use commercial and residential building that will also span two off-site Lots (7 and 17). The entire Site will include residential units. The building will be slab-on-grade and will not contain a cellar. A total of 20 residential units (approximately 9.85%) will be affordable at 57% area median income (AMI). The proposed building will have a total gross square footage of approximately 226,479 square feet (SF). All existing Site buildings and structures will be demolished to facilitate redevelopment. The development of the project will require excavation to a maximum depth of approximately four feet below sidewalk grade (ft-bsg) across the Site to accommodate installation of foundation elements and the elevator pits. The water table was encountered at approximately nine ft-bsg and is not expected to be encountered during redevelopment. The proposed development is consistent with the existing zoning and the recent development in this area of Port Chester.

#### Schedule

As part of the project, the property will be remediated and redeveloped with a new six-story mixed-use commercial and residential building. A Remedial Investigation (RI) will be completed upon entry into the BCP. A Remedial Investigation Work Plan (RIWP) and an Interim Remedial Measures Work Plan (IRMWP) have been submitted concurrent with this BCP application. A draft Remedial Investigation Report (RIR) and a draft Remedial Action Work Plan (RAWP) will be completed within approximately twelve months of entry into the program. Following approval of the RAWP, the remedial action (RA) will be implemented, beginning approximately June 1, 2023. The Certificate of Completion is anticipated by December 31, 2023. Below is a more detailed estimated project schedule:

Estimated Project Schedule  
(Reasonable BCP dates)

Task / Month	Mar 2023	Mar 2023 to Apr 2023	Apr 2023 to Jul 2023	Jul 2023 to Oct 2023	Oct 2023 to Feb 2024	Feb 2024 to Jun 2024
BCP Application, RIWP, and IRMWP Review and Completeness						
BCP App, RIWP, and IRMWP Public Comment and Approval						
Implement Remedial Investigation and IRMWP						



Task / Month	Mar 2023	Mar 2023 to Apr 2023	Apr 2023 to Jul 2023	Jul 2023 to Oct 2023	Oct 2023 to Feb 2024	Feb 2024 to Jun 2024
Prepare RIR and RAWP, Public Comment and Approval						
Implement Remedial Action						
Prepare FER/SMP, Approval, COC						

### Section III – Land Use Factors

#### III.4 – Summary of Business Operations or Uses:

The property is developed with multiple one- to three-story commercial and mixed-use buildings. The exterior portions of the Site are either capped with asphalt or utilized for landscaping. The Site is currently vacant as of the end of 2022 but was most recently occupied by a realtor, a restaurant, a hardware store, an ice cream shop, a jeweler, and non-profit organizations. Historically, a portion of the Site (Lot 16) was utilized for dry cleaning between 1992 and 2014<sup>3</sup>.

#### III.6 – Reasonably Anticipated Use Post-Remediation:

The anticipated post-remedial use is residential and commercial retail.

#### III.9 – Consistency With Applicable Zoning Laws/Map:

The property will be redeveloped with a new six-story mixed-use commercial and residential building without a cellar, consistent with the applicable zoning laws and maps.

#### III.10 – Consistency With Local and Community Plans:

The property use is not inconsistent with any applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans or other adopted land use plans.

### Section IV. Property’s Environmental History

#### IV.1 – Environmental Reports

The environmental reports and/or data deliverables prepared for the Site include the following, which are attached in Exhibit B.

<sup>3</sup> The exact date of cessation of dry cleaning activities is unknown. City directories list the use through 1995, as included in the operator summary. Disposal manifests are recorded through 2015. The EDR Hist Cleaner database shows the operation from 1992 through 2014.

1. Aboveground Tank Removal, 29 North Main Street, Port Chester, NY; prepared by Enviroshield, Inc., dated June 30, 2016.
2. Phase I Environmental Site Assessment, 29-31 and 37-39 North Main Street, Port Chester, NY; prepared by Advanced Cleanup Technologies, Inc., dated July 25, 2016.
3. Tier II: Soil Vapor Encroachment Screen, 29-31 and 37-39 North Main Street, Port Chester, NY; prepared by Advanced Cleanup Technologies, Inc., dated August 30, 2016.
4. Indoor Air and Groundwater Survey, 29-31 North Main Street, Port Chester, NY; prepared by Advanced Cleanup Technologies, Inc., dated October 5, 2016.
5. Phase I Environmental Site Assessment, 33-35 North Main Street, Port Chester, NY; prepared by EBI Consulting, dated May 1, 2019.
6. Phase I Environmental Site Assessment, 41 North Main Street, Port Chester, NY; prepared by EBI Consulting, dated May 2, 2019.
7. Phase I Environmental Site Assessment, 43 North Main Street, Port Chester, NY; prepared by EBI Consulting, dated October 14, 2019.
8. Phase I Environmental Site Assessment, 27-45 North Main Street and 28 Adee Street, Port Chester, NY; prepared by Tenen Environmental, LLC, dated May 2022.
9. Limited Due Diligence Environmental Site Investigation, 27-45 North Main Street and 28 Adee Street, Port Chester, NY; prepared by Tenen Environmental, LLC, dated April 5, 2022.
10. Laboratory Data, 27-45 North Main Street; collected by Tenen Environmental, LLC, locations included on the attached data tables.
11. Off-Site Environmental Investigation, 27-45 North Main Street and 28 Adee Street, Port Chester, NY; prepared by Tenen Environmental, LLC, dated November 8, 2022.

#### IV.2 – Sampling Data

The laboratory reports containing sampling data are contained in the investigation reports referenced above. Data summary tables of all sampling data are attached as Exhibit C.

#### IV.3 – Site Drawings

The site drawings for groundwater and soil vapor are attached as Exhibit D. The data for these drawings are in the reports and laboratory deliverables that are referenced above.

### **Section V. Requestor Information**

Abendroth Green LLC is a NYS business entity. A copy of the New York State Department of State's Corporation & Business Entity Database printout is attached in Exhibit E.

Abendroth Green LLC has a sole member, Abendroth Green Owner LLC.

- Abendroth Green Owner LLC is composed of two members: NYC Hudson Multifamily Green Fund LLC and Ivy Equities II, LLC. Ivy Equities II, LLC is a seller-related entity that will be a 3.5% member of Abendroth Green Owner LLC.

Organizational charts for NYC Hudson Multifamily Green Fund LLC and Ivy Equities II, LLC are included in Exhibit E.

**Section IX – Property Owner and Operator Information**

Information on current owners, previous owners and previous operators of the Site is provided below. Currently, the entirety of the Site is vacant and there are no current operators.

*Current Owner*

<b>Current Owner</b>				
<b>Lot(s)</b>	<b>Name of Owner</b>	<b>Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership Start Date</b>
11	Abendroth Green LLC	c/o The Hudson Companies Incorporated 826 Broadway, 11 <sup>th</sup> Floor, New York, NY 10003	Applicant	11/4/2022
12				
13				
14				
15				
16				

*Previous Owners*

<b>Previous Owners – Lot 11</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Connecticut Mutual Life Insurance Company	140 Garden Street, Hartford, CT 06105	None	Unknown – 1976
Jay & Esta Feinsod	51 Carriage Drive, Stamford, CT 06902	None	1976 – 2012
43 North Main St LLC	51 Carriage Drive, Stamford, CT 06902	None	2012 – 2020
PC 43 Main Property, LLC	c/o Ivy Equities 102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2020-2022
Port Chester Holdings I, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2022

<b>Previous Owners – Lot 12</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Morris Snyder	100 Hoyt Street, Stamford, CT 06905	None	Unknown – 1967

<b>Previous Owners – Lot 12</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Hilda S. Sosnowitz, Philip N. Snyder, & Ruth S. Mendelson	22 Old Orchard Road, Port Chester, NY 10573	None	1967 – 1968
Philip N. Snyder	45 East Putnam Avenue, Greenwich, CT 16830	None	1968 – 1979
Joseph A. Occhipinti	83 Valley Terrace, Port Chester, NY 10573	None	1979 – 1981
Mary Pagano	1 Betsy Brown Road, Port Chester, NY 10573	None	1981 – 2000
Robert Pagano & Neil Pagano	8D Putnam Green, Greenwich, CT 16830	None	2000
41 North Main St LLC	c/o Diversified Resources 430 Westchester Avenue, Port Chester, NY 10573	None	2000 – 2020
PC 33 Main Property, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2020 – 2022
Port Chester Holdings I, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2022

<b>Previous Owners – Lot 13</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
175 Wolf's Lane Realty Corporation	125 North Main Street, Port Chester, NY 10573	None	Unknown – 1982 (portion)
R.D.C. Realty, Inc.	58 Woodland Drive, Port Chester, NY 10573	None	1982 – 2018
PC 29-39 Main Property LLC	35 Field Point Road, Greenwich, CT 06830	None	2018 – 2022
Port Chester Holdings I, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2022

<b>Previous Owners – Lot 14</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Jacob Goldberg, Milton Lowy, & Minnie Lowy	26 Webster Place, Port Chester, NY 10573	None	Unknown – 1977
RDC Realty Inc.	58 Woodland Drive, Port Chester, NY 10573	None	1977 – 2018
PC 29-39 Main Property LLC	35 Field Point Road, Greenwich, CT 06830	None	2018 – 2022
Port Chester Holdings I, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2022

<b>Previous Owners – Lot 15</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
John Haviland Smith	Hillandale Road, Port Chester, NY 10573	None	Unknown – 1974
Carl Magnotta	21 Avondale Road, White Plains, NY 10605	None	1974 – 1979
Robert D. Albrecht	Hillandale Road, Port Chester, NY 10573	None	1979 – 1980
Camillo J. Pagano & Mary S. Pagano	1 Betsy Brown Road, Port Chester, NY 10573	None	1980 – 1993
Robert Pagano, Neil Pagano, & Mary S. Pagano	8D Putnam Green, Greenwich, CT 16830	None	1993 – 2000
33-35 North Main St LLC	c/o Diversified Resources 430 Westchester Avenue, Port Chester, NY 10573	None	2000 – 2020
PC 33 Main Property, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2020 – 2022
Port Chester Holdings I, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2022

<b>Previous Owners – Lot 16</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Jacob Goldberg, Milton Lowy, & Minnie Lowy	26 Webster Place, Port Chester, NY 10573	None	Unknown – 1977
RDC Realty Inc.	58 Woodland Drive, Port Chester, NY 10573	None	1977 – 2018
PC 29-39 Main Property LLC	35 Field Point Road, Greenwich, CT 06830	None	2018 – 2022
Port Chester Holdings I, LLC	102 Chestnut Ridge Road, Suite 204, Montvale, NJ 07645	None; however a different seller-related entity has a 3.5% interest in the sole member of the Applicant.	2022

*Previous Operators*

<b>Previous Operators – Lot 11</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
Neisner Bros Inc Department Store	43 North Main Street, Port Chester, NY 10573	None	1962 – 1972
Feinsod's/Hardware Store(s)	43 North Main Street, Port Chester, NY 10573	None	1982 – 1995; 2010 – 2017
Feinsod's Grand Rental Station	43 North Main Street, Port Chester, NY 10573	None	2000 – 2005
Ace Hardware	43 North Main Street, Port Chester, NY 10573	None	Unknown – 2022

<b>Previous Operators – Lot 12</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
Kaye Shoes	41 North Main Street, Port Chester, NY 10573	None	1962
Sam's Army & Navy Store	41 North Main Street, Port Chester, NY 10573	None	1972 – 1977
Café Brazil	41 North Main Street, Port Chester, NY 10573	None	2010 – 2017
El Palacio De Maria Restaurant	35 North Main Street, Port Chester, NY 10573	None	Unknown – 2022

<b>Previous Operators – Lot 13</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
El Palacio De Maria Restaurant	35 North Main Street, Port Chester, NY 10573	None	Unknown – 2022

<b>Previous Operators – Lot 14</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
Cambridge Men's Shop	37 North Main Street, Port Chester, NY 10573	None	1962
Colony Curtain Shop	37 North Main Street, Port Chester, NY 10573	None	1962
Thom McAn Shoes	39 North Main Street, Port Chester, NY 10573	None	1962 – 1977
Sterling Color Studio	37 North Main Street, Port Chester, NY 10573	None	1972
Cambridge Shop	37 North Main Street, Port Chester, NY 10573	None	1972
Real Estate	37 North Main Street, Port Chester, NY 10573	None	1972 – 1977
Focus Mens Wear	37 North Main Street, Port Chester, NY 10573	None	1977
Half Note Music	37 North Main Street, Port Chester, NY 10573	None	1977
Big L Discount	37 North Main Street, Port Chester, NY 10573	None	1977
Shield Health Care	39 North Main Street, Port Chester, NY 10573	None	1987
H&R Block	37 North Main Street, Port Chester, NY 10573	None	1987 – 2000
Studio 141	39 North Main Street, Port Chester, NY 10573	None	1992
Panacea Books	39 North Main Street, Port Chester, NY 10573	None	1995 – 2000
Café Brazil USA	37 North Main Street, Port Chester, NY 10573	None	1995 – 2017
Costa Properties & Management Inc.	39 North Main Street, Port Chester, NY 10573	None	2010 – 2022
JJ Realty Corporation	39 North Main Street, Port Chester, NY 10573	None	2014
Locksmith	37 North Main Street, Port Chester, NY 10573	None	2014 – 2017
Village Laundromat of Port Chester LLC	37 North Main Street, Port Chester, NY 10573	None	Unknown – 2022
El Palacio De Maria Restaurant	35 North Main Street, Port Chester, NY 10573	None	Unknown – 2022

<b>Previous Operators – Lot 15</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
IN Rudolph Inc/Rudolph Jewelers	33 North Main Street, Port Chester, NY 10573	None	1962 – 1972

<b>Previous Operators – Lot 15</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
Shirley Woman Wear/Sportswear	33 North Main Street, Port Chester, NY 10573	None	1972 – 1977
Jewel Box	33 North Main Street, Port Chester, NY 10573	None	1977
Half Note Music Store	33 North Main Street, Port Chester, NY 10573	None	1982
Slax n Jax	35 North Main Street, Port Chester, NY 10573	None	1962 – 1972
Fiscella’s Pharmacy	33 North Main Street, Port Chester, NY 10573	None	1987
Sound Temporaries	33 North Main Street, Port Chester, NY 10573	None	1987
Gambrill & Associates	33 North Main Street, Port Chester, NY 10573	None	1987
Citrone Building Corp	35 North Main Street, Port Chester, NY 10573	None	1987
Teresa’s Original Designs	35 North Main Street, Port Chester, NY 10573	None	1992 – 1995
The Vinyl Solution	33 North Main Street, Port Chester, NY 10573	None	1992 – 1995
ABCD Compact Discs	33 North Main Street, Port Chester, NY 10573	None	1992 – 1995
Bakery Confectionary & Tobacco Workers International Union	35 North Main Street, Port Chester, NY 10573	None	1992 – 2017
Paris Express Cafe	33 North Main Street, Port Chester, NY 10573	None	1995
The Pampered Palate/Catering	35 North Main Street, Port Chester, NY 10573	None	1995
Margot’s Signature	35 North Main Street, Port Chester, NY 10573	None	2000
Electrolysisist	35 North Main Street, Port Chester, NY 10573	None	2000
BCTGM	35 North Main Street, Port Chester, NY 10573	None	2010
Coqui Taxi	33 North Main Street, Port Chester, NY 10573	None	2010 – 2014
Patrias Restaurant Inc	35 North Main Street, Port Chester, NY 10573	None	2010 – 2017
Kevin Nails Spa	19 North Main Street, Port Chester, NY 10573	None	2010 – 2021
Coal Coals	35 North Main Street, Port Chester, NY 10573	None	2014 – 2017
ADT Security Services	35 North Main Street, Port Chester, NY 10573	None	2017



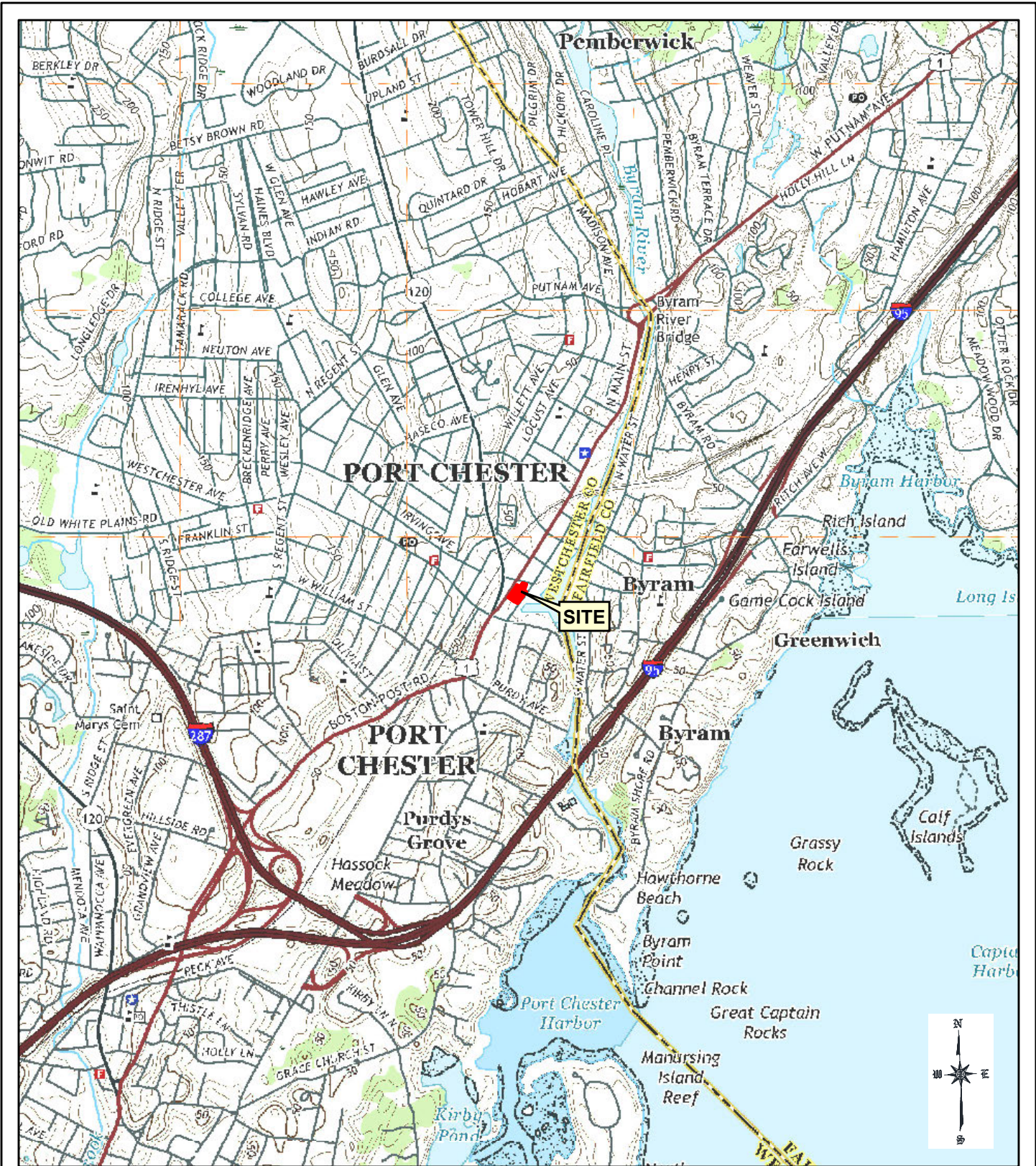
<b>Previous Operators – Lot 15</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Known Dates of Operation</b>
Paeteria Fernandez Ice Cream Shop	119 North Main Street, Port Chester, NY 10573	None	Unknown – 2022
El Palacio De Maria Restaurant	35 North Main Street, Port Chester, NY 10573	None	Unknown – 2022

<b>Previous Operators – Lot 16</b>			
<b>Name</b>	<b>Last Known Contact Information</b>	<b>Relationship to Applicant</b>	<b>Ownership</b>
Jessie’s Beauty Shop	29 North Main Street, Port Chester, NY 10573	None	1962
Martin Paints	29 North Main Street, Port Chester, NY 10573	None	1962
Goldberg Associates	29 North Main Street, Port Chester, NY 10573	None	1962 – 1977
Sherwin Williams	29 North Main Street, Port Chester, NY 10573	None	1972 – 1977
Monarch Cosmetics	29 North Main Street, Port Chester, NY 10573	None	1982 – 1987
Commuter Cleaners	29 North Main Street, Port Chester, NY 10573	None	1992 – 1995
Pantanel Restaurant	29 North Main Street, Port Chester, NY 10573	None	1995 – 2005
Bambu Restaurant & Steakhouse	29 North Main Street, Port Chester, NY 10573	None	2010 – 2022
North Main Plumbing & Heating	29 North Main Street, Port Chester, NY 10573	None	2014 – 2017
24 Hour	29 North Main Street, Port Chester, NY 10573	None	2014 – 2017
Vida Divina Tea Store	29 North Main Street, Port Chester, NY 10573	None	Unknown – 2022

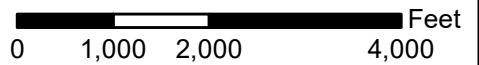
**Section XI – Contact List Information**

See contact list and repository confirmation in Exhibit F.

**Exhibit A**  
*Property Maps*



Basemap: USGS Topographic Map, 7.5 Minute Quadrangles: Glenville, CT & Mamaroneck, NY



Drawing No. <h3>Figure 1</h3>	Drawn By LM		<b>27-45 North Main Street &amp; 28 Adee Street Port Chester, New York Section 142.31, Block 1, Lots 11-16</b>
	Checked By MC		
Drawing Title <h3>Site Location Map</h3>	Date March 2023	Tenen Environmental, LLC 121 West 27th Street, Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379	
	Scale As Noted		

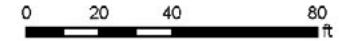




January 19, 2022

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

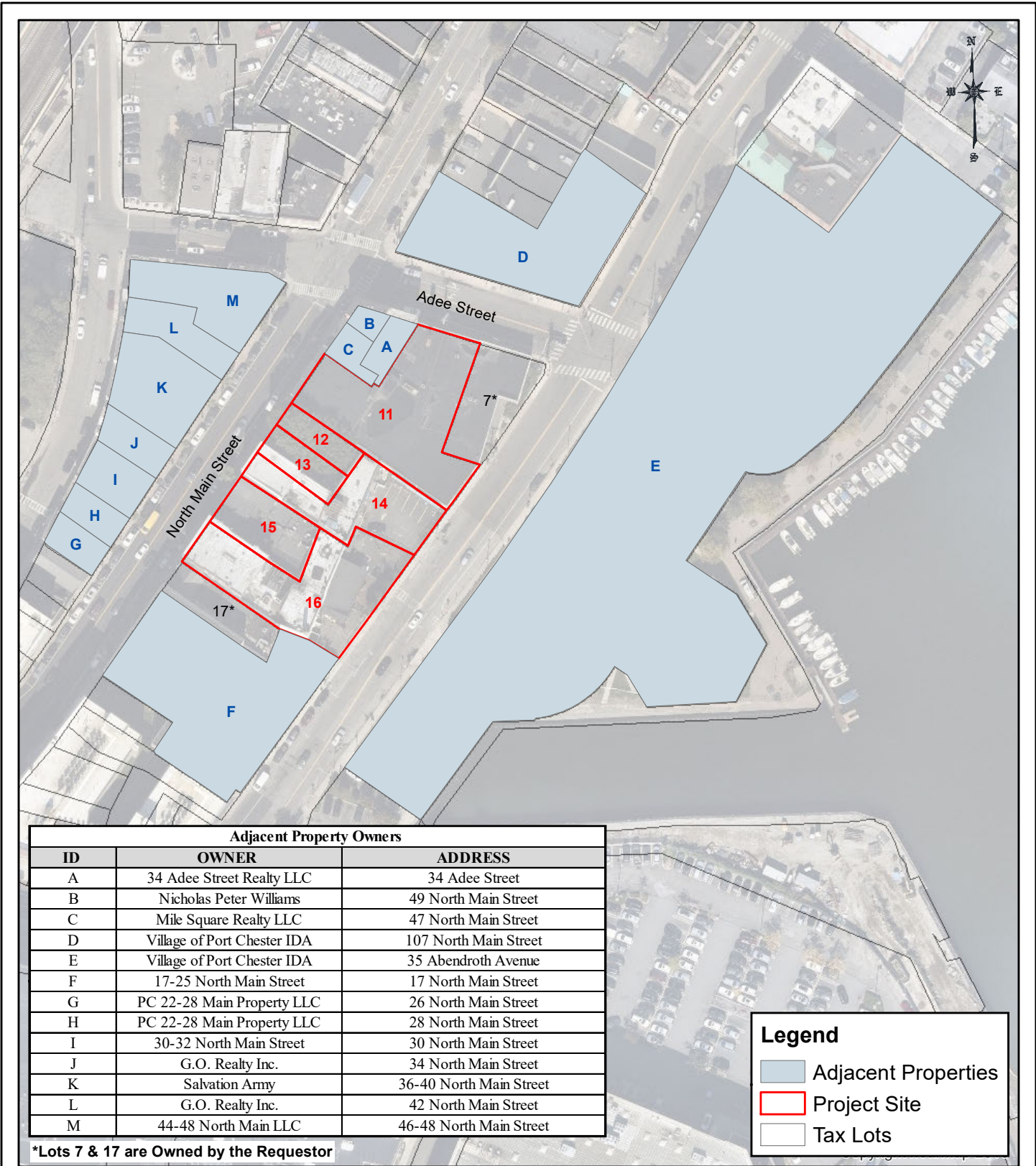
1:500



Westchester County GIS

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

<b>27-45 North Main Street &amp;          28 Adee Street</b> <b>Port Chester, New York</b> <b>Section 142.31, Block 1,          Lots 11-16</b>		<b>TENEN ENVIRONMENTAL</b> Tenen Environmental, LLC 121 West 27th Street, Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379	
		Drawing No.	<b>Figure 2</b>
Drawn By	LM	Checked By	MC
Date	March 2023	Scale	As Noted
Drawing Title	<b>Tax Map</b>		



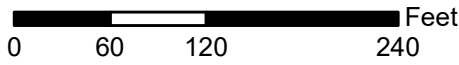
Adjacent Property Owners		
ID	OWNER	ADDRESS
A	34 Adee Street Realty LLC	34 Adee Street
B	Nicholas Peter Williams	49 North Main Street
C	Mile Square Realty LLC	47 North Main Street
D	Village of Port Chester IDA	107 North Main Street
E	Village of Port Chester IDA	35 Abendroth Avenue
F	17-25 North Main Street	17 North Main Street
G	PC 22-28 Main Property LLC	26 North Main Street
H	PC 22-28 Main Property LLC	28 North Main Street
I	30-32 North Main Street	30 North Main Street
J	G.O. Realty Inc.	34 North Main Street
K	Salvation Army	36-40 North Main Street
L	G.O. Realty Inc.	42 North Main Street
M	44-48 North Main LLC	46-48 North Main Street

\*Lots 7 & 17 are Owned by the Requestor

**Legend**

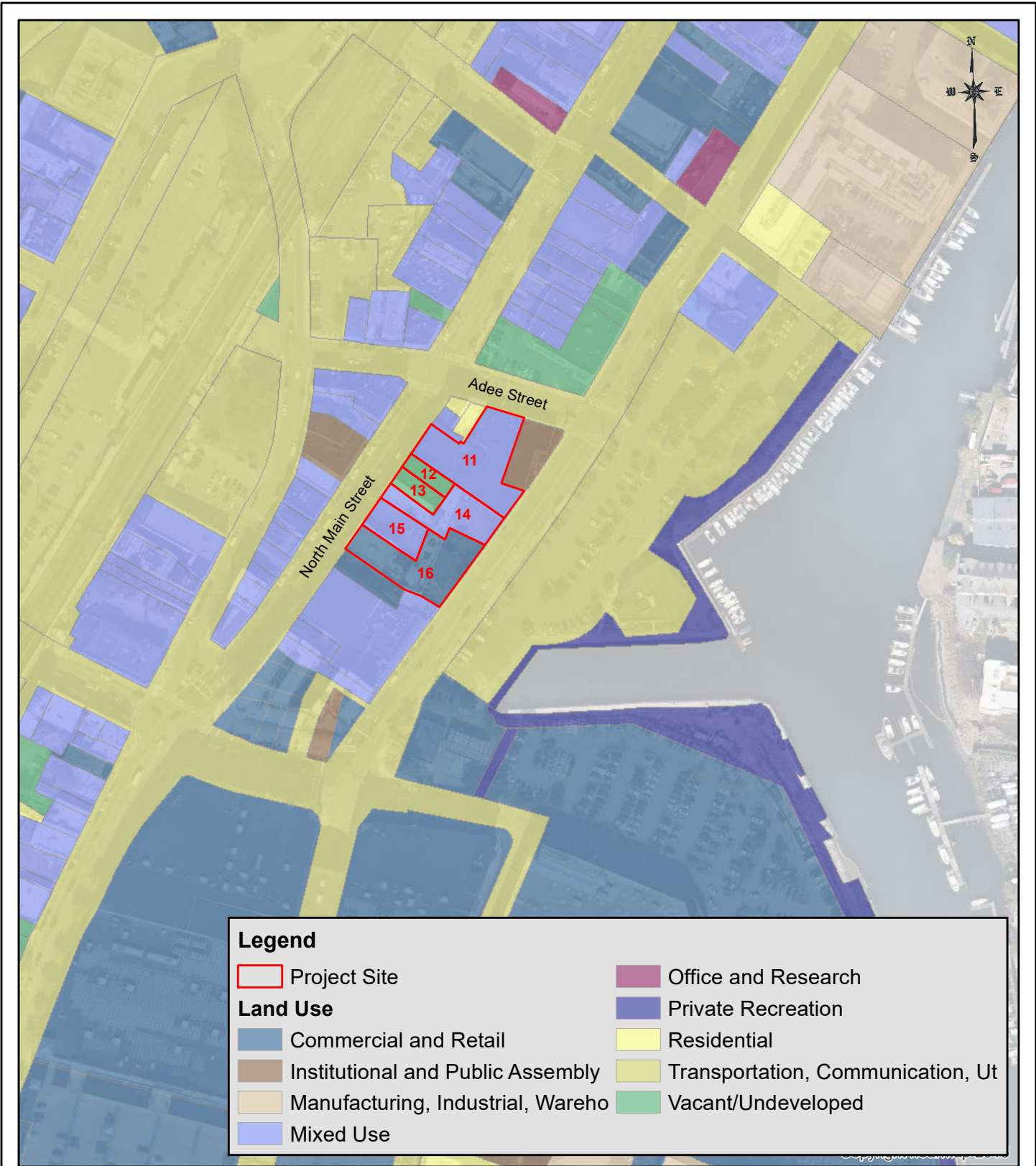
- Adjacent Properties
- Project Site
- Tax Lots

Basemap: Nearmap 9/28/2022 Aerial  
Westchester County Dept. of Planning Parcels




Drawing No. <b>Figure 3</b>	Drawn By <b>LM</b>		<b>27-45 North Main Street &amp; 28 Adee Street</b> <b>Port Chester, New York</b> <b>Section 142.31, Block 1,</b> <b>Lots 11-16</b>
	Checked By <b>MC</b>		
Drawing Title <b>Adjacent Property Owners</b>	Date <b>March 2023</b>	Tenen Environmental, LLC 121 West 27th Street, Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379	
	Scale <b>As Noted</b>		





Basemap: Nearmap 9/28/2022 Aerial  
 Westchester County Dept. of Planning Parcel Based Land Use

0 100 200 400 Feet

Drawing No. <b>Figure 4</b>	Drawn By LM	 Tenen Environmental, LLC 121 West 27th Street, Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379	<b>27-45 North Main Street &amp;          28 Adee Street          Port Chester, New York          Section 142.31, Block 1,          Lots 11-16</b>
	Checked By MC		
Drawing Title <b>Land Use Map</b>	Date March 2023		
	Scale As Noted		

# **Exhibit B**

*Environmental Reports (cd only)*

# **Exhibit C**

## *Data Summary Tables*



Soil Analytical Summary Table  
 27-45 North Main Street - Port Chester, NY  
 Brownfield Cleanup Program Application

Analytes in Exceedance of RRSCOs	Number of Detections in Exceedance of RRSCOs	Maximum Detection (ppm)	RRSCO (ppm)	Depth (ft-bg)*
Benzo(a)anthracene	1	3	1	6-8
Benzo(a)pyrene	2	2	1	0-2, 6-8
Benzo(b)fluoranthene	2	2.1	1	0-2, 6-8
Dibenzo(a,h)anthracene	1	0.56	0.5	6-8
Indeno(1,2,3-cd)pyrene	2	1.5	0.33	0-2, 3-5, 6-8
Arsenic	2	29.3	16	0-2
Lead	2	1,570	400	0-2
Mercury	3	5.2	0.81	0-2, 5-7

**Notes:**

RRSCOs = 6 NYCRR Part 375 Restricted-Residential Use Soil Cleanup Objectives

\* = All depths with exceedances of RRSCOs for the specified analyte are listed

Groundwater Analytical Summary Table  
 27-45 North Main Street - Port Chester, NY  
 Brownfield Cleanup Program Application

Analytes in Exceedance of AWQS	Number of Detections in Exceedance of AWQS	Maximum Detection (ppb)	AWQS (ppb)
Benzo(a)anthracene	1	0.04	0.002
Benzo(a)pyrene	1	0.04	0
Benzo(b)fluoranthene	1	0.06	0.002
Benzo(k)fluoranthene	1	0.02	0.002
Chrysene	1	0.01	0.002
Indeno(1,2,3-cd)pyrene	1	0.03	0.002

**Notes:**

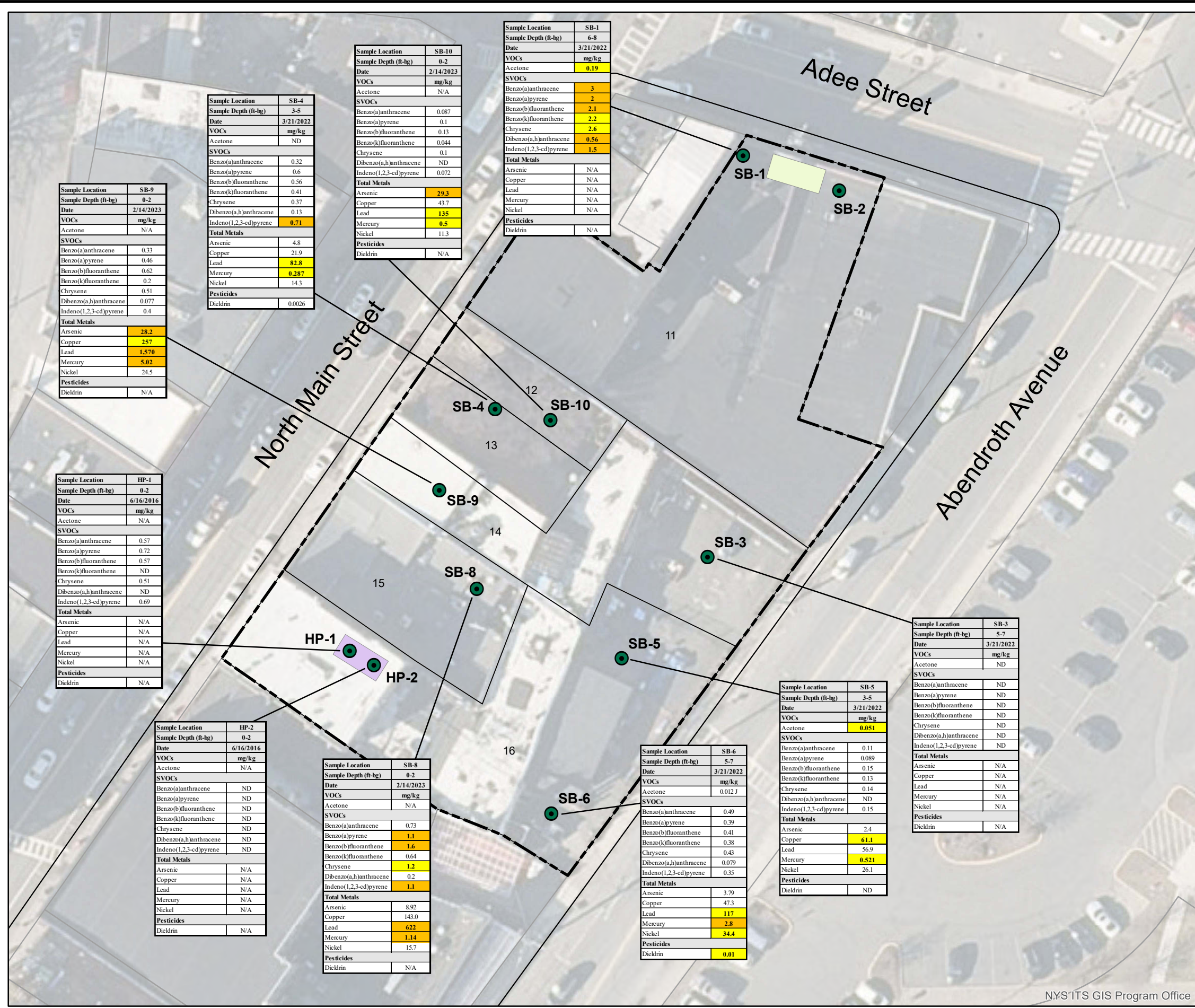
AWQS = NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Class GA Ambient Water Quality Standards

Soil Vapor Analytical Summary Table  
 27-45 North Main Street - Port Chester, NY  
 Brownfield Cleanup Program Application

<b>Analytes</b>	<b>Number of Detections</b>	<b>Maximum Detection (ug/m<sup>3</sup>)</b>	<b>Sample Type</b>
Tetrachloroethene	5	250	Sub-Slab Soil Vapor
Tetrachloroethene	3	12	Indoor Air
Trichloroethene	1	1.98	Sub-Slab Soil Vapor
Trichloroethene	3	6.9	Indoor Air
cis-1,2-Dichloroethene	1	0.22	Sub-Slab Soil Vapor
cis-1,2-Dichloroethene	1	5.9	Indoor Air
Carbon Tetrachloride	3	0.55	Sub-Slab Soil Vapor
Carbon Tetrachloride	3	7.5	Indoor Air
1,1-Dichloroethene	1	5.4	Indoor Air
Vinyl Chloride	1	4.6	Indoor Air
1,1,1-Trichloroethane	1	6.7	Indoor Air
Methylene Chloride	3	14	Indoor Air

# **Exhibit D**

## *Data Maps*



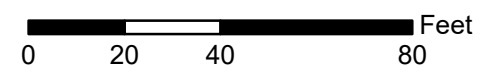
Analyte	NY-UNRES	NY-RESRR
mg/kg		
<b>VOCs</b>		
Acetone	0.05	100
<b>SVOCs</b>		
Benzo(a)anthracene	1	1
Benzo(a)pyrene	1	1
Benzo(b)fluoranthene	1	1
Benzo(k)fluoranthene	0.8	3.9
Chrysene	1	3.9
Dibenzo(a,h)anthracene	0.33	0.33
Indeno(1,2,3-cd)pyrene	0.5	0.5
<b>Total Metals</b>		
Arsenic	13	16
Copper	50	270
Lead	63	400
Mercury	0.18	0.81
Nickel	30	310
<b>Pesticides</b>		
Dieldrin	0.005	0.2

- Notes:**
- 1. Bold and shaded yellow value indicates concentration exceeds NY-UNRES SCOs**
  - 2. Bold and shaded orange value indicates concentration exceeds NY-RESRR SCOs**
  3. NY-UNRES = 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives
  4. NY-RESRR = 6 NYCRR Part 375 Restricted-Residential Use Soil Cleanup Objectives
  5. J = Estimated value
  6. ND = Not detected
  7. Only SB-4, SB-5, and SB-6 were analyzed for total metals and pesticides
  8. mg/kg = milligrams per kilogram
  9. N/A = not analyzed

**Legend**

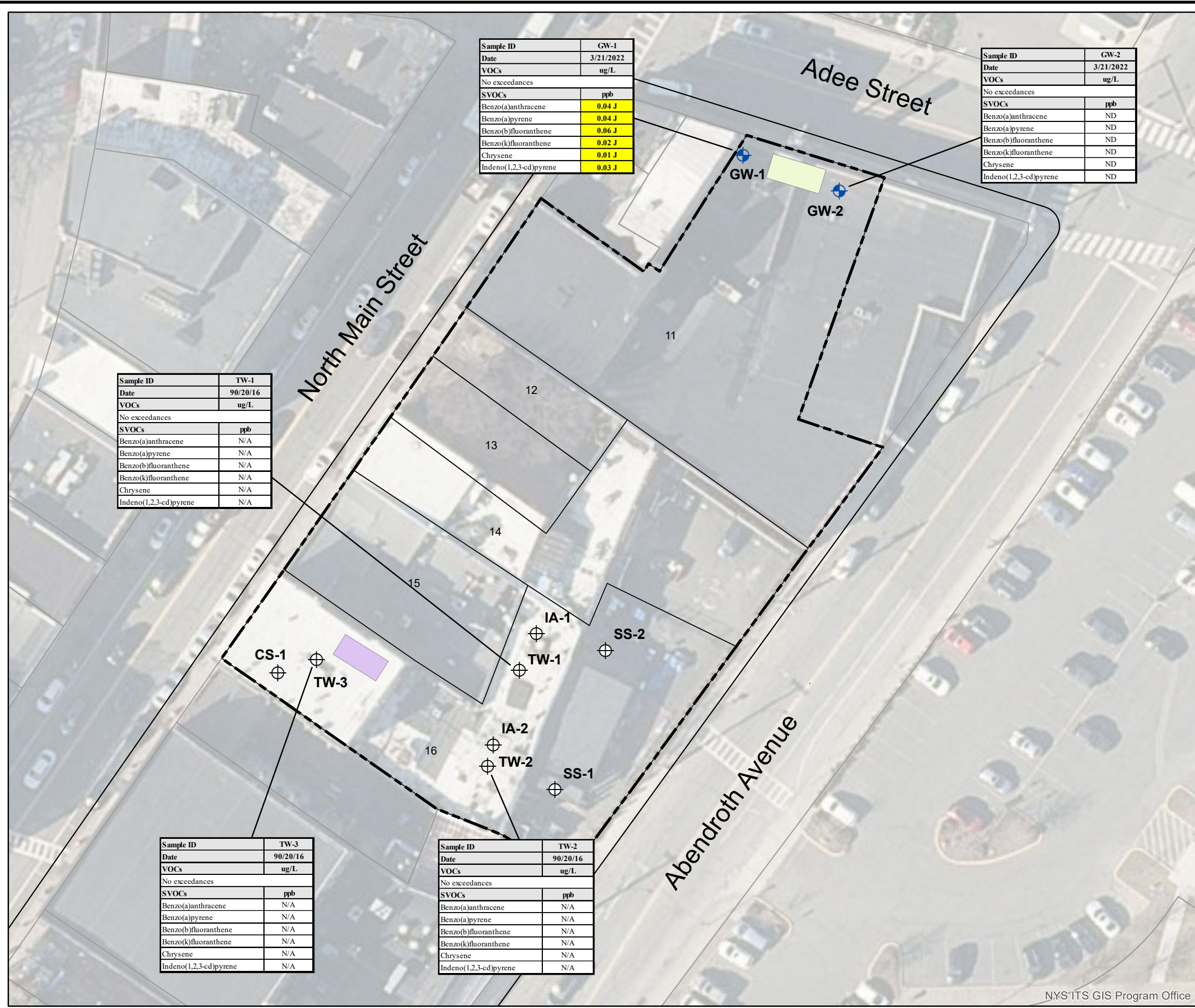
- LDDESI Soil Sample Location, Tenen 2022\*
- Approximate Location of Existing 1,500 gallon UST
- Approximate Location of Four Removed 275-gallon ASTs
- Site Boundary

\*LDDESI=Limited Due Diligence Environmental Site Investigation



<p><b>27-45 North Main Street and 28 Adee Street</b></p> <p><b>Port Chester, New York Section 142.31, Block 1, Lots 11-16</b></p>	
<p><b>TENEN ENVIRONMENTAL</b></p> <p>Tenen Environmental, LLC 121 West 27th Street Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379</p>	<p>Site</p>
<p>Drawn By <b>LM</b></p> <p>Checked By <b>MC</b></p>	<p>Date <b>March 2023</b></p> <p>Scale <b>As Noted</b></p>
<p><b>Soil Analytical Results</b></p> <p><b>Figure 5</b></p>	
<p>Drawing Title</p>	<p>Drawing No</p>





Sample ID	GW-1
Date	3/21/2022
VOCs	ug/L
No exceedances	
SVOCs	ppb
Benzo(a)anthracene	<b>0.04 J</b>
Benzo(a)pyrene	<b>0.04 J</b>
Benzo(b)fluoranthene	<b>0.06 J</b>
Benzo(k)fluoranthene	<b>0.02 J</b>
Chrysene	<b>0.01 J</b>
Indeno(1,2,3-cd)pyrene	<b>0.03 J</b>

Sample ID	GW-2
Date	3/21/2022
VOCs	ug/L
No exceedances	
SVOCs	ppb
Benzo(a)anthracene	ND
Benzo(a)pyrene	ND
Benzo(b)fluoranthene	ND
Benzo(k)fluoranthene	ND
Chrysene	ND
Indeno(1,2,3-cd)pyrene	ND

Sample ID	TW-1
Date	9/0/20/16
VOCs	ug/L
No exceedances	
SVOCs	ppb
Benzo(a)anthracene	N/A
Benzo(a)pyrene	N/A
Benzo(b)fluoranthene	N/A
Benzo(k)fluoranthene	N/A
Chrysene	N/A
Indeno(1,2,3-cd)pyrene	N/A

Sample ID	TW-3
Date	9/0/20/16
VOCs	ug/L
No exceedances	
SVOCs	ppb
Benzo(a)anthracene	N/A
Benzo(a)pyrene	N/A
Benzo(b)fluoranthene	N/A
Benzo(k)fluoranthene	N/A
Chrysene	N/A
Indeno(1,2,3-cd)pyrene	N/A

Sample ID	TW-2
Date	9/0/20/16
VOCs	ug/L
No exceedances	
SVOCs	ppb
Benzo(a)anthracene	N/A
Benzo(a)pyrene	N/A
Benzo(b)fluoranthene	N/A
Benzo(k)fluoranthene	N/A
Chrysene	N/A
Indeno(1,2,3-cd)pyrene	N/A

Analyte	NY-AWQS
VOCs	ug/L
No exceedances	
SVOCs	ppb
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Chrysene	0.002
Indeno(1,2,3-cd)pyrene	0.002

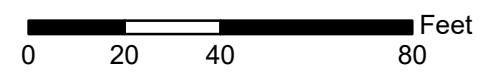
- Notes:
1. Bold and shaded yellow value indicates concentration exceeds NY-AWQS
  2. NY-AWQS = NYSDEC Division of Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS)
  3. J = Estimated value
  4. ND = Not detected
  5. ug/L = micrograms per liter
  6. N/A = Not analyzed

**Legend**

- ⊕ Air and Groundwater Survey Groundwater Sample Location, ACT 2016\*\*
- ⊕ LDDESI Groundwater Sample Location, Tenen 2022\* (Temporary Wells)
- Approximate Location of Existing 1,500 gallon UST
- Approximate Location of Four Removed 275-gallon ASTs
- ⬭ Site Boundary

\*LDDESI=Limited Due Diligence Environmental Site Investigation

\*\*ACT=Advanced Cleanup Technologies, Inc.



**27-45 North Main Street and  
28 Adee Street  
Port Chester, New York  
Section 142.31, Block 1,  
Lots 11-16**

---

**TENEN ENVIRONMENTAL**  
Tenen Environmental, LLC  
121 West 27th Street  
Suite 702  
New York, NY 10001  
O: (646) 606-2332  
F: (646) 606-2379

---

Drawn By	LM	Checked By	MC
Date	March 2023	Scale	As Noted

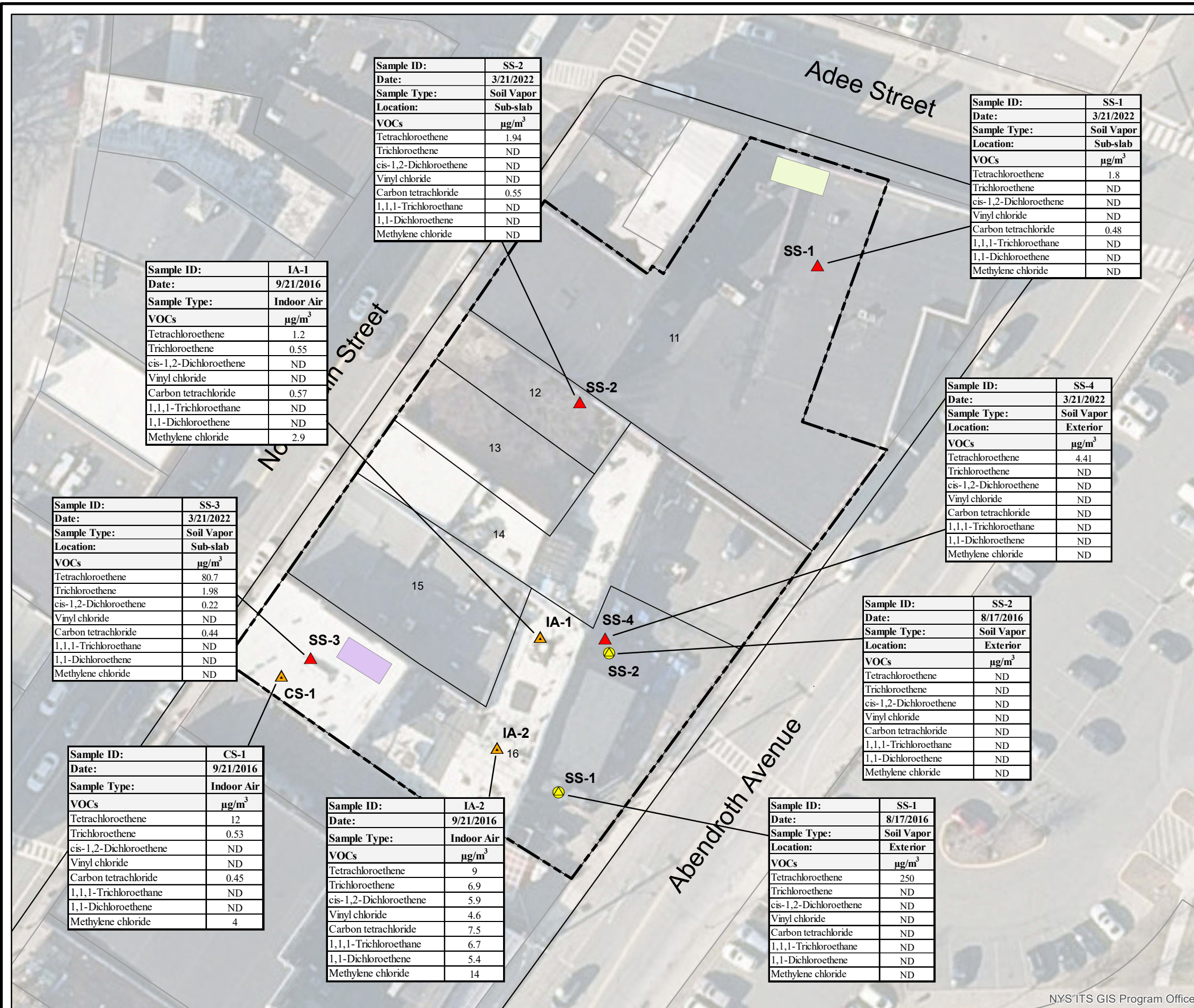
---

**Groundwater Analytical Results**

---

**Figure 6**



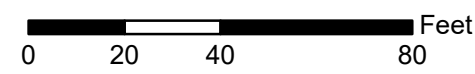


Notes:	
1.	ND = Not Detected
2.	$\mu\text{g}/\text{m}^3$ = micrograms per cubic meter

**Legend**

- ▲ LDDESI Groundwater Sample Location, Tenen 2022\*
- ▲ Air and Groundwater Survey Indoor Air Sample Location, ACT 2016
- Tier II Soil Vapor Encroachment Screen Sub-Slab Soil Vapor Sample Location, ACT 2016
- Approximate Location of Existing 1,500 gallon UST
- Approximate Location of Four Removed 275-gallon ASTs
- Site Boundary

\*LDDESI=Limited Due Diligence Environmental Site Investigation  
 \*\*ACT=Advanced Cleanup Technologies, Inc.



**27-45 North Main Street and  
 28 Adee Street  
 Port Chester, New York  
 Section 142.31, Block 1,  
 Lots 11-16**

**TENEN ENVIRONMENTAL**

Tenen Environmental, LLC  
 121 West 27th Street  
 Suite 702  
 New York, NY 10001  
 O: (646) 606-2332  
 F: (646) 606-2379

Drawn By	LM
Checked By	MC
Date	March 2023
Scale	As Noted

**Sub-Slab Soil Vapor and  
 Indoor Air Analytical Results**

**Figure 7**

## **Exhibit E**

### *Entity Information, Operating Agreement and Organizational Charts*



# part nt of State Division of Corporations

## Entity Information

[Return to Results](#)[Return to Search](#)

### Entity Details

**ENTITY NAME:** ABENDROTH GREEN LLC

**FOREIGN LEGAL NAME:**

**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY

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

**DATE OF INITIAL DOS FILING:** 04/27/2022

**EFFECTIVE DATE INITIAL FILING:** 04/27/2022

**FOREIGN FORMATION DATE:**

**COUNTY:** NEW YORK

**JURISDICTION:** NEW YORK, UNITED STATES

**DOS ID:** 6468442

**FICTITIOUS NAME:**

**DURATION DATE/LATEST DATE OF DISSOLUTION:**

**ENTITY STATUS:** ACTIVE

**REASON FOR STATUS:**

**INACTIVE DATE:**

**STATEMENT STATUS:** CURRENT

**NEXT STATEMENT DUE DATE:** 04/30/2024

**NFP CATEGORY:**

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

### Service of Process Name and Address

**Name:** THE HUDSON COMPANIES, INC., JOSEPH K L RI

**Address:** 826 BROADWAY, 11TH FLOOR, NEW YORK, NY, UNITED STATES, 10003

### 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

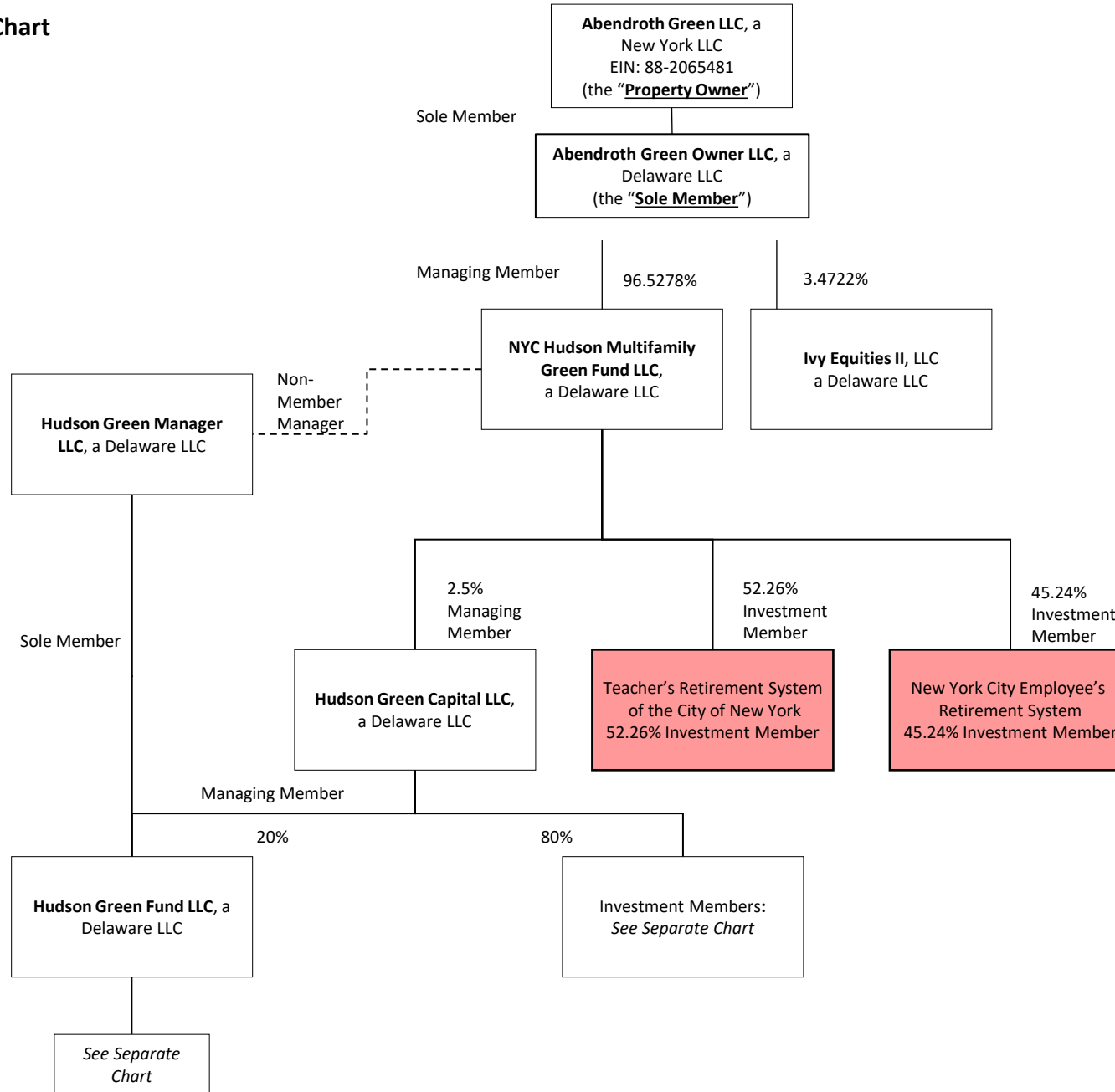
Stock Information

Share Value

Number Of Shares

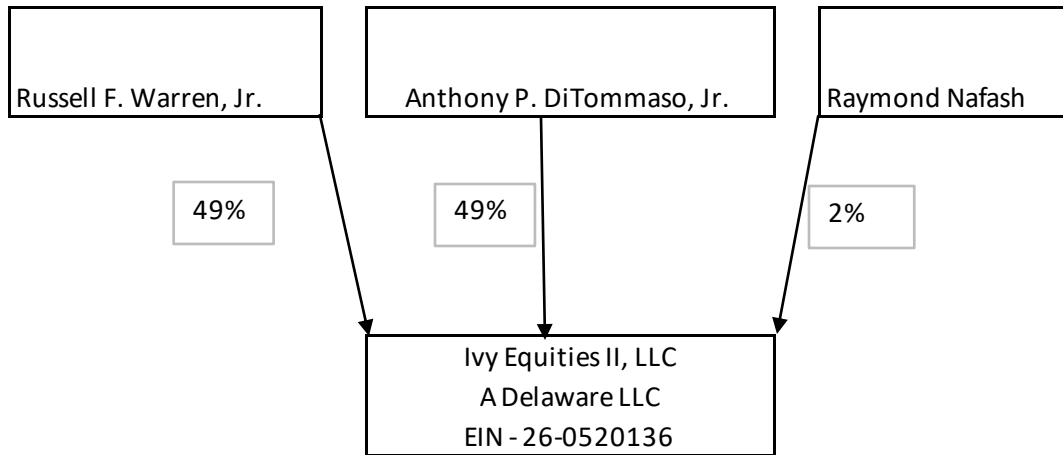
Value Per Share

**Port Chester  
Proposed Owner Organizational Chart**



# Ivy Equities II, LLC

## Organization Chart



Except as expressly shown hereon, no person or entity owns, directly or indirectly, 25% or more of or controls, directly or indirectly, Borrower/Guarantor”

## ABENDROTH GREEN LLC OPERATING AGREEMENT

This Operating Agreement (this “**Agreement**”) of ABENDROTH GREEN LLC (the “**Company**”) is adopted, executed, and agreed to as of October 28, 2022, by Abendroth Green Owner LLC, a Delaware limited liability company, having an address at c/o The Hudson Companies Inc., 826 Broadway, New York, NY 10003, as sole member (the “**Member**”).

### ARTICLE I

#### Formation and Name; Office; Purpose; Term

1.1 *Organization.* The Member is governed by that certain Limited Liability Company Agreement of the Member, dated as of October 28, 2022. Member has caused the Articles of Organization of the Company to be prepared, executed, and filed with the New York Department of State on April 27, 2022.

1.2 *Name of the Company.* The name of the limited liability company shall be Abendroth Green LLC. The Company may do business under that name and under any other name or names upon which the Member decides. If the Company does business under a name other than that set forth in its Articles of Organization, then the Company shall file a certificate as required by General Business Law § 130.

1.3 *Purpose.* The single purpose of the Company shall be to engage in the business of acquiring, owning, operating, developing, renovating, repositioning, managing, leasing, selling, financing and refinancing the property described in Schedule A (the “**Property**”) and/or to act as managing member or general partner of, an entity formed for the purpose of acquiring, owning, operating, developing, renovating, repositioning, managing, leasing, selling, financing and refinancing the Property (or portions thereof), and to do any and all things necessary, convenient, or incidental to that purpose.

1.4 *Term.* The term of the Company shall begin upon the filing of Articles of Organization with the New York Department of State and shall continue for 99 years, unless its existence is sooner terminated pursuant to Article VII of this Agreement.

1.5 *Members.* The name, present mailing address of the Member is as follows:

c/o The Hudson Companies Inc.  
826 Broadway  
New York, NY 10003

### ARTICLE II

#### Member; Capital

2.1 *Initial Capital Contribution.* The Member shall contribute to the Company cash in the amount of \$100.00.

2.2 *No Additional Capital Contributions Required.* The Member shall not be required to contribute any additional capital to the Company. The Member shall not have any personal liability for any debt, obligation or liability of the Company.

### ARTICLE III Distributions

3.1 *Distributions.* Cash, notes, property, or a combination thereof shall be distributed to the Member at such times and in such amounts as determined by the Member.

### ARTICLE IV Management: Rights, Powers, and Duties; Authorized Signatory; Ratification

#### 4.1 *Management.*

4.1.1 The Company shall be managed by the Member. The Member shall have the full and exclusive right and power to act for and bind the Company.

4.1.2 The Member may cause the Company to employ and retain such other persons as may be necessary or appropriate for the conduct of the Company's business, on such terms as the Member shall determine, including persons who may be designated as officers. The officers of the Company shall have the titles, powers and duties delegated to them by the Member. Any number of titles may be held by the same officer.

4.1.3 The Member shall have the power and authority to delegate its right and power to manage and control the business and affairs of the Company to one or more other persons (including one or more committees, managers and agents, employees and/or affiliates of a manager), including delegation by management agreement or other arrangement.

4.2 *Authorized Signatory.* Joseph Riggs shall be the "Authorized Signatory" of the Company. The Authorized Signatory is authorized and empowered for and on behalf of, and in the name of the Company, to (a) sign, execute, certify to, verify, acknowledge, deliver, accept, file and record any and all instruments, including, but not limited to, the Transaction Documents, the Loan Documents and the IDA Documents, as the Authorized Signatory may deem proper and advisable, and (b) take, or cause to be taken, any and all action, in the name of and on behalf of the Company, as shall be necessary, desirable or appropriate in order to effect the purposes of the Transaction Documents, the Loan Documents, and the IDA Documents.

4.3 *Ratification.* All action taken and all instruments executed by the Authorized Signatory prior to the execution of this Agreement, with respect to the Transaction Documents, the Loan Documents, the IDA Documents, and all matters related thereto, are hereby ratified, confirmed, and approved in all respects.

### ARTICLE V Transfers of Interest

5.1 *Transfers.* The Member may not transfer in whole or in part its interest in the Company. Notwithstanding the foregoing, in order to take advantage of Brownfields Tax Credits,

Member may elect for the Company to qualify as real estate investment trust (a “REIT”) or transfer all or part of its interest in the Company to a REIT that is owned by the Member together with preferred members to the extent required in order to qualify such REIT as a real estate investment trust. In connection with the rules and regulations associated therewith, Member may also elect, at any time, to cause the Company to elect REIT status and enter into such other amendments and agreements as may be reasonably necessary in connection with the Brownfields Tax Credits and such REIT status, including, without limitation, the admission of preferred members to the Company.

## ARTICLE VI Admission of Additional Members

6.1 *Admission of Additional Members.* The Member may not admit additional members to the Company, other than in connection with qualification as a REIT.

## ARTICLE VII Dissolution, Liquidation, and Termination of the Company

7.1 *Events of Dissolution.* The Company shall be dissolved upon the happening of any of the following events:

7.1.1 when the period fixed for its duration in Section 1.4 has expired;

7.1.2 upon the consent of the Member;

7.1.3 upon the entry of a decree of judicial dissolution under Section 702 of the Law.

## ARTICLE VIII General Provisions

8.1 *Applicable Law.* All questions concerning the construction, validity, and interpretation of this Agreement and the performance of obligations imposed by this Agreement shall be governed by the internal law, not the law of conflicts, of the State of New York.

8.2 *Article and Section Titles.* The headings herein are inserted as a matter of convenience only and do not define, limit, or describe the scope of this Agreement or the intent of the provisions hereof.

8.3 *Separability of Provisions.* Each provision of this Agreement shall be considered separable; and if, for any reason, any provision or provisions herein are determined to be invalid and contrary to any existing or future law, such invalidity shall not impair the operation of or affect those portions of this Agreement which are valid.

8.4 *Single Purpose Entity Provisions.* For so long as the Loan is outstanding, notwithstanding anything to the contrary in this Agreement and any provision of law that otherwise so empowers the Company, the Company shall:

8.4.1 be organized solely for the purpose of acquiring, development, owning, holding, selling, leasing, transferring, exchanging, managing and operating the Property, entering into the Loan Agreement, refinancing the Property in connection with a permitted repayment of the Loan, and transacting any and all lawful business that is incident, necessary and appropriate to accomplish the foregoing;

8.4.2 not engage in any business unrelated to the acquisition, development, ownership, management or operation of the Property;

8.4.3 not have any assets other than those related to the Property and not partition the Property or cause them to be partitioned;

8.4.4 not engage in, seek or consent to any dissolution, winding up, liquidation, consolidation, merger, sale of all or substantially all of its assets, or amendment of its articles of incorporation, by-laws, limited partnership certificate, limited partnership agreement, articles of organization, certificate of formation or operating agreement (as applicable) with respect to the matters set forth in this Section 8.4;

8.4.5 (i) not dissolve, merge, liquidate or consolidate; (ii) not sell all or substantially all of its assets or the assets of any other entity in which it has a direct or indirect legal or beneficial ownership interest; (iii) not engage in any other business activity, other than as permitted under Section 8.4.1 hereof, or amend its organizational documents with respect to the matters set forth in this Section 8.4 without the consent of Lender; and (iv) not file a bankruptcy or insolvency petition or otherwise institute insolvency proceedings with respect to itself or to any other entity in which it has a direct or indirect legal or beneficial ownership interest or is the direct or indirect general partner or manager without the affirmative vote of all of the directors of the entity;

8.4.6 to the extent there is sufficient cash flow from the Property, is and will remain solvent to pay its debts and liabilities (including, as applicable, shared personnel and overhead expenses) from its assets as the same shall become due, and is maintaining and will maintain adequate capital for the normal obligations reasonably foreseeable in a business of its size and character and in light of its contemplated business operations (provided that the foregoing shall not be deemed to obligate the direct or indirect members or partners of the Company to make any capital contributions);

8.4.7 not fail to correct any known misunderstanding regarding the separate identity of such entity;

8.4.8 maintain its accounts, books and records separate from any other Property and file its own tax returns, except to the extent that it is permitted to file consolidated tax returns by law;

8.4.9 not commingle its funds or assets with those of any other Person;

8.4.10 hold its assets in its own name;



8.4.11 maintain financial statements that properly and accurately show its separate assets and liabilities and do not show the assets or liabilities of any other Person, and not permit its assets to be listed as assets on the financial statements of any other entity;

8.4.12 to the extent there is sufficient cash flow from the Property, pay its own liabilities and expenses, including, but not limited to, the salaries of its own employees (if any), out of its own funds and assets, and maintain a sufficient number of employees in light of its contemplated business operations (provided that the foregoing shall not be deemed to obligate direct or indirect members or partners of the Company to make any capital contributions);

8.4.13 observe all corporate, partnership or limited liability company formalities, as applicable;

8.4.14 not incur any indebtedness other than (i) the Loan and (ii) trade and operational debt which is (a) incurred in the ordinary course of business during construction or operation of the Property, (b) not more than one hundred twenty (120) days past due, (c) with trade creditors, and (d) non-interest bearing and not evidenced by a note; no indebtedness may be secured (subordinate or pari passu) by the Property other than the Loan and indebtedness owing under any hedge agreement comprised as a swap provided by Lender (provided that the foregoing shall not be deemed to obligate the direct or indirect members or partners of the Company to make any capital contributions);

8.4.15 not assume or guarantee or become obligated for the debts of any other Person or hold out its credit as being available to satisfy the obligations of any other Person;

8.4.16 not acquire obligations or securities of its members or shareholders or any other Affiliate;

8.4.17 allocate fairly and reasonably any overhead expenses that are shared with its Affiliate, including, but not limited to, paying for shared office space and services performed by any officer or employee of its Affiliate;

8.4.18 maintain and use separate invoices and checks bearing its name; the invoices and checks used by the Company or utilized to collect its funds or pay its expenses shall bear its own name and shall not bear the name of any other entity unless such entity is clearly designated as being the Company's agent;

8.4.19 except in connection with the Loan, not pledge its assets for the benefit of any other Person;

8.4.20 conduct business, hold itself out and identify itself as a separate and distinct entity under its own name or in a name franchised or licensed to it by a Person other than an Affiliate of the Company and not as a division or part of any other Person;

8.4.21 not identify its partners, members or shareholders, or any Affiliate of any of them, as a division or part of it, and not identify itself as a division of any other Person;

8.4.22 not have any obligation to indemnify its partners, officers, directors or members, as the case may be, unless such obligation is fully subordinated to the Obligations;

8.4.23 not have any of its obligations guaranteed by any of its Affiliates, other than pursuant to the Loan Documents; and

8.4.24 not permit to exist or enter into any transaction (including the purchase, sale, lease or exchange of any property or the rendering of any service) with any of its Affiliates, except transactions in the ordinary course of and pursuant to the reasonable requirements of the business of the Company and upon fair and reasonable terms which are no less favorable to the Company than would be obtained in a comparable arm's length transaction with a Person that is not an Affiliate of the Company.

For purposes of this provision, the following terms have the following meanings:

“Affiliate” means, with respect to any Person, (a) in the case of any such Person which is a partnership or limited liability company, any partner or member in such partnership or limited liability company, respectively, (b) any other Person which is directly or indirectly controlled by, controls or is under common control with such Person or one or more of the Persons referred to in the preceding clause (a), (c) any other Person who is an officer, director, trustee or employee of, or partner in, such Person or any Person referred to in the preceding clauses (a) and (b), (d) any other Person who is a member of the immediate family of such Person or of any Person referred to in the preceding clauses (a) through (c), and (e) any other Person that is a trust solely for the benefit of one or more Persons referred to in clause (d) and of which such Person is sole trustee; provided, however, in no event shall Lender or any of its Affiliates be an Affiliate of Borrower. For purposes of this definition, “control” (including with correlative meanings, the terms “controlling”, “controlled by” and “under common control with”) means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a Person, whether through the ownership of voting securities or by contract or otherwise. The Affiliates of a Person shall include any officer or director of such Person.

“IDA Documents” shall mean that certain Assignment and Assumption Agreement by and among Port Chester Holdings I, LLC, the Company, and the Village of Port Chester Industrial Development Agency (the “AAA”), and any other documents, as hereafter amended, supplemented, replaced, extended, modified or restated, properly executed and in recordable form, if necessary, executed from time to time, as may be required for the Company to undertake and complete the Project (as such term is defined in the AAA).

“Lender” means Provident Bank, a New Jersey banking corporation.

“Loan” means the principal sum that Lender agrees to lend and Company agrees to borrow pursuant to the terms and conditions of the Loan Agreement in the aggregate amount of up to \$11,400,000.00.

“Loan Agreement” means that certain agreement evidencing the Loan, by and between Lender and the Company, dated as of November 1, 2022.

“Loan Documents” means those documents, as hereafter amended, supplemented, replaced, extended, modified or restated, properly executed and in recordable form, if necessary, executed from time to time evidencing or securing the Loan or the Company’s performance of its obligations to Lender under the Loan Agreement.

“Obligations” means all liabilities, obligations, covenants and duties of, the Company arising under or otherwise with respect to any Loan Document, whether direct or indirect (including those acquired by assumption), absolute or contingent, due or to become due, now existing or hereafter arising and including interest and fees that accrue after the commencement by or against the Company of any proceeding under any bankruptcy laws naming the Company as the debtor in such proceeding, regardless of whether such interest and fees are allowed claims in such proceedings.

“Person” means any natural person, corporation, limited partnership, general partnership, joint stock company, limited liability company, limited liability partnership, joint venture, association, company, trust, bank, trust company, land trust, business trust or other organization, whether or not a legal entity, or any other nongovernmental entity, or any Governmental Authority (as defined in the Loan Agreement).

“Transaction Documents” means that certain Purchase and Sale Agreement by and between Port Chester Holdings I, LLC, as “Seller”, and The Hudson Companies Incorporated, as “Purchaser”, dated as of April 29, 2022, as assigned to the Company (the “PSA”), and any other documents, as hereafter amended, supplemented, replaced, extended, modified or restated from time to time, as may be necessary or proper to effectuate the Company’s performance pursuant to the PSA.

*[Remainder of page intentionally left blank]*

**IN WITNESS WHEREOF**, the Member has executed, or caused this Agreement to be executed as of the date set forth herein-above.

**MEMBER:**

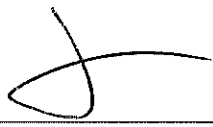
**ABENDROTH GREEN LLC**

By: **ABENDROTH GREEN OWNER LLC**, a Delaware limited liability company, its sole member

By: **NYC HUDSON MULTIFAMILY GREEN FUND LLC**, a Delaware limited liability company, its managing member

By: **HUDSON GREEN MANAGER LLC**, a Delaware limited liability company, its non-member manager

By: **HUDSON GREEN FUND LLC**, a Delaware limited liability company, its sole member

By:   
Name: Joseph Riggs  
Title: Authorized Signatory

## **SCHEDULE A**

### **Property**

#### **LOT 11 (45 North Main Street)**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester Town of Rye, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point on the southwesterly side of Adee Street distant 54.90 feet southeasterly from the southeasterly side of North Main Street as measured along said side of Adee Street, said point being at the division line between the land now or formerly of James Christakos and the premises hereby described;

**THENCE** along said side of Adee Street, South 61 degrees 47 minutes 20 seconds East 57.20 feet to land now or formerly of Adee Street Realty Corp.;

**THENCE** along said land, South 31 degrees 26 minutes 20 seconds West 98.59 feet and South 58 degrees 21 minutes 20 seconds East 35.61 feet to the northwesterly side of proposed Abendroth Avenue, being land now or formerly of Sarah S. Holzworth;

**THENCE** along same, South 47 degrees 55 minutes 50 seconds West 47.80 feet to other land of said Holzworth;

**THENCE** along said land and along land now or formerly of 175 Wolfs Lane Corp. and land now or formerly of Lena Ganz, North 44 degrees 03 minutes West 164.10 feet to the aforesaid southeasterly side of North Main Street;

**THENCE** along same, North 45 degrees 57 minutes East 52 feet to land now or formerly of Abraham Goldman;

**THENCE** along said land now or formerly of James Christakos, South 44 degrees 03 minutes East 48.60 feet, North 45 degrees 57 minutes East 1.33 feet, South 43 degrees 26 minutes East 4.30 feet, North 45 degrees 37 minutes East 6.0 feet and North 45 degrees 10 minutes 50 seconds East 57.61 feet to the point or place of BEGINNING.

**LOT 12 (41 North Main Street)**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point in the southeasterly side of North Main Street distant 100.36 feet southwesterly as measured along said southeasterly side of North Main Street from the corner formed by the intersection of the southwesterly side of Adee Street, said point of beginning being at the division line between the premises herein described and land now or formerly of 43 North Main Street LLC;

**THENCE** from said point or place of beginning along said last mentioned division line, South 44 degrees 03 minutes East 76.07 feet to a point;

**THENCE** from said point South 45 degrees 57 minutes West 22.46 feet (22.40 feet deed) to land now or formerly of RDC Realty Inc., and PC 29-39 Main Property LLC;

**THENCE** along said land North 44 degrees 03 minutes West 76.07 feet to the southeasterly side of North Main Street;

**THENCE** along the same, North 45 degrees 57 minutes East 22.46 feet (22.40 feet deed) to the point or place of BEGINNING.

**LOTS 13, 14 and 16 (29-31 North Main Street and 37-39 North Main Street)**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point on the southeasterly side of North Main Street distant southwesterly 122.67 feet from the intersection of the southeasterly side of North Main Street with the south side of Adee Street;

**RUNNING THENCE** along land now or formerly of Hirschon, South 44 degrees 16 minutes 00 seconds East a distance of 76.07 feet

**RUNNING THENCE** North 45 degrees 44 minutes 20 seconds East a distance of 22.46 feet to a point;

**RUNNING THENCE** South 44 degrees 16 minutes 00 seconds East a distance of 88.36 feet to a point on the northwesterly side of Abendroth Avenue;

**RUNNING THENCE** along the northwesterly side of Abendroth Avenue, South 47 degrees 27 minutes 40 seconds West 160.18 feet to a point;

**RUNNING THENCE** North 57 degrees 51 minutes 20 seconds West 23.14 feet to a point;

**RUNNING THENCE** North 61 degrees 03 minutes 00 seconds East 6.60 feet to a point;

**RUNNING THENCE** North 57 degrees 51 minutes 20 seconds West 26.34 feet to a point;

**RUNNING THENCE** North 44 degrees 16 minutes 00 seconds West along the northerly line of lands now or formerly of Rogowsky 104.50 feet to the southeasterly side of North Main Street;

**RUNNING THENCE** along the southeasterly side of North Main Street, North 45 degrees 44 minutes 20 seconds East 47.24 feet to a point;

**RUNNING THENCE** South 44 degrees 16 minutes 00 seconds East 93.60 feet to a point;

**RUNNING THENCE** North 31 degrees 44 minutes 00 seconds East 48.77 feet to a point;

**RUNNING THENCE** North 44 degrees 16 minutes 00 seconds West 81.79 feet to the southeasterly side of North Main Street;

**RUNNING THENCE** along the southeasterly side of North Main Street, North 45 degrees 44 minutes 20 seconds East 55.10 feet to the point or place of BEGINNING.



**LOT 15 (33-35 North Main Street)**

**ALL** that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point on the southeasterly side of North Main Street, said point being distant 177.77 feet as measured along the same from the intersection of the southwesterly side of Adee Street with the southeasterly side of North Main Street, said point also being the intersection of the southeasterly side of North Main Street with the division line between the premises herein described and lands now or formerly of RDC Realty Inc. and PC 29-39 Main Property LLC;

**THENCE** along said division line, South 42 degrees 45 minutes 12 seconds East 81.79 feet (80.38 feet deed);

**THENCE** South 33 degrees 44 minutes 58 seconds West 48.77 feet (South 34 degrees 28 minutes 37 seconds West 48.70 feet deed) to other lands now or formerly of RDC Realty Inc. and PC 29-39 Main Property LLC;

**THENCE** along the same, North 42 degrees 34 minutes 02 seconds West 93.60 feet (42 degrees 38 minutes 37 seconds West 91.24 feet deed) to the southeasterly side of North Main Street;

**THENCE** along the same, North 47 degrees 45 minutes 56 seconds East 47.12 feet (47 degrees 21 minutes 23 seconds East 47.33 feet deed) to the point or place of BEGINNING.



**LOT 17 (25-27 North Main Street)**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point on the easterly side of North Main Street adjoining the southwest corner of land now or formerly 29 North Main Street, R.D.C Realty Inc., 142.31-1-16, which said point of beginning is also distant 268.30 feet south as measured along said easterly side of North Main Street from the southerly side of Adce Street;

**THENCE RUNNING** along said easterly side of North Main Street South 45 degrees 44 minutes 00 seconds West a distance of 30.2 feet to a point on the easterly side of North Main Street that is the intersection with land now or formerly 17 North Main Street, 17-25 North Main Street LLC, 142.31-1-18;

**THENCE RUNNING** along the division line of said land now or formerly 17 North Main Street, 17-25 North Main Street LLC, 142.31-1-18, on a line at right angles to said easterly side of North Main Street, South 44 degrees 16 minutes 00 seconds East a distance of 112 feet to a point;

**THENCE RUNNING** North 31 degrees 44 minutes 00 seconds East a distance of 31.13 feet to land now or formerly 29 North Main Street, R.D.C Realty Inc., 142.31-1-16;

**THENCE RUNNING** along the division line of said land now or formerly 29 North Main Street, R.D.C Realty Inc., 142.31-1-16, on a line at right angles to said easterly side of North Main Street, North 44 degrees 16 minutes 00 seconds West a distance of 104.47 feet to the point and place of BEGINNING.

# **Exhibit F**

## *Contact List and Repository Info*

---

## 27-45 North Main Street - Document Repository Request

---

**Port Chester Rye Brook Library** <pcrbpl@wlsmail.org>  
To: Ashley Platt <aplatt@tenen-env.co>  
Cc: Claire Zaccheo <czaccheo@tenen-env.co>

on Nov 14, 2022 at 1:38 PM

Dear Ms. Platt:

The Port Chester-Rye Brook public library will act as the document repository as noted in the email to which I am responding.

On Thu, Nov 10, 2022 at 2:12 PM Ashley Platt <aplatt@tenen-env.com> wrote:

Good Afternoon,

I am reaching out to request permission to use the Port Chester-Rye Brook public library as a document repository for a property entering the NYS Brownfield Cleanup Program (BCP). The property is located at 27-45 North Main Street and [28 Adeo Street](#) in the Village of Port Chester. The BCP application requires the designation of a document repository for reports so they can be reviewed by the public.

We will require space for the reports for approximately 12-18 months. The total shelf space would likely be less than twelve inches. The documents will be reports on 8-1/2" high paper. An electronic copy will also be provided on CD.

Please respond in writing that the Port Chester-Rye Brook public library will act as the document repository, as noted above, or contact me if you need any additional information.

Thank you, and stay safe!

Sincerely,  
Ashley Platt

Ashley Platt  
Tenen Environmental LLC  
[121 West 27th Street, Suite 702](#)  
New York, NY 10001  
[aplatt@tenen-env.com](mailto:aplatt@tenen-env.com)  
O: 646.606.2332 x110  
C: 908.892.1354

## **Contact List Information**

### **XI-1. The Chief Executive Officer And Planning Board Chairperson Of Each County, City, Town And Village In Which The Property Is Located.**

Mayor Luis A. Marino  
222 Grace Church Street  
Port Chester, NY 10573

Curt Lavalla, Director  
Planning Commission  
222 Grace Church Street, Suite 202  
Port Chester, NY 10573

Planning Department  
Westchester County  
148 Martine Avenue  
White Plains, NY 10601

George Latimer, County Executive  
Westchester County  
148 Martine Avenue  
White Plains, NY 10601

Steven Otis  
Assembly Member, District 91  
222 Grace Church Street  
Port Chester, NY 10573

Shelley Mayer  
State Senator, District 37  
222 Grace Church Street, Suite 300  
Port Chester, NY 10573

### **XI-2. Residents, Owners And Occupants Of The Property And Properties Adjacent To The Property.**

#### Site Owner

Port Chester Holdings I LLC  
122 East 42<sup>nd</sup> Street, 18<sup>th</sup> Floor  
New York, NY 10168

#### Site Occupants

Occupied by: El Palacio De Maria  
Occupant Address: 35 North Main Street, Port Chester, NY 10573  
Occupied by: PCTGM  
Occupant Address: 35 North Main Street, Port Chester, NY 10573  
Occupied by: Costa Properties & Management Inc  
Occupant Address: 39 North Main Street, Port Chester, NY 10573  
Occupied by: Council of Community Services – Port Chester, Town of Rye, Rye Brook  
Occupant Address: 28 Adee Street, Port Chester, NY 10573

Occupied by: HOPE House  
Occupant Address: 100 Abendroth Avenue, Port Chester, NY 10573  
Occupied by: Human Development Services  
Occupant Address: 100 Abendroth Avenue, Port Chester, NY 10573

34 Adee Street

Commercial building owned by: 34 Adee Street Realty, LLC  
Owner Address: 34 Adee Street, Port Chester, NY 10573  
Occupied by: Ronai & Ronai LLP  
Occupant Address: 34 Adee Street, Port Chester, NY 10573

49 North Main Street

Commercial building owned by: Nicholas Peter Williams  
Owner Address: 49 North Main Street, Port Chester, NY 10573  
Occupied by: Mid-Town Cafe  
Occupant Address: 49 North Main Street, Port Chester, NY 10573

47 North Main Street

Commercial building owned by: Mile Square Realty, LLC  
Owner Address: 634 North Broadway, Yonkers, NY 10701  
Occupied by: Sense Esthetics Medical Spa  
Occupant Address: 47 North Main Street, Suite 2, Port Chester, NY 10701  
Occupied by: Arcely's Hair Salon  
Occupant Address: 47 North Main Street, Suite 1, Port Chester, NY 10701

107 North Main Street

Commercial building owned by: Village of Port Chester IDA  
Owner Address: 222 Grace Church Street, Port Chester, NY 10573  
Occupied by: Walgreens  
Occupant Address: 107 North Main Street, Port Chester, NY 10573

35 Abendroth Avenue

Commercial building owned by: Village of Port Chester IDA  
Owner Address: 222 Grace Church Street, Port Chester, NY 10573  
Occupied by: Colony Grill  
Occupant Address: 35 Abendroth Avenue, Port Chester, NY 10573

17 North Main Street

Commercial building owned by: 17-25 North Main Street, LLC  
Owner Address: 420 Westchester Avenue, Port Chester, NY 10573  
Occupied by: Metro by T-Mobile  
Occupant Address: 17 North Main Street, Port Chester, NY 10573  
Occupied by: Mary Ann's Mexican  
Occupant Address: 23 ½ North Main Street, Port Chester, NY 10573  
Occupied by: Svetlana Bridal Couture  
Occupant Address: 21 North Main Street, Suite 211, Port Chester, NY 10573  
Occupied by: Kevin Nails Spa  
Occupant Address: 19 North Main Street, Port Chester, NY 10573  
Occupied by: Wingstop  
Occupant Address: 110 Abendroth Avenue, Port Chester, NY 10573  
Occupied by: Lash 4u

Occupant Address: 112 Abendroth Avenue, Port Chester, NY 10573  
Occupied by: Telly's Taverna  
Occupant Address: 108 Abendroth Avenue, Port Chester, NY 10573

26 North Main Street

Commercial building owned by: PC 22-28 Main Property, LLC  
Owner Address: 909 Third Avenue, New York, NY 10022  
Occupied by: Reflex Salon  
Occupant Address: 26 North Main Street, Port Chester, NY 10573

28 North Main Street

Commercial building owned by: PC 22-28 Main Property, LLC  
Owner Address: 909 Third Avenue, New York, NY 10022  
Occupied by: Noble Zule's Beauty Salon & Spa  
Occupant Address: 28 North Main Street, Port Chester, NY 10573

30 North Main Street

Commercial building owned by: 30-32 North Main Street, LLC  
Owner Address: 420 Westchester Avenue, Port Chester, NY 10573  
Occupied by: Waterfront Dental Care PC  
Occupant Address: 30 North Main Street, Port Chester, NY 10573  
Occupied by: Zoraida's Salon Spa  
Occupant Address: 32 North Main Street, Port Chester, NY 10573

34 North Main Street

Commercial building owned by: G.O. Realty Inc.  
Owner Address: 515 Madison Avenue, New York, NY 10022  
Occupied by: El Patron Barbershop Spa  
Occupant Address: 34 North Main Street, Port Chester, NY 10573  
Occupied by: Di-Paty Jewelry  
Occupant Address: 34 North Main Street, Port Chester, NY 10573  
Occupied by: Pizol Brazilian Jiu Jitsu  
Occupant Address: 33 King Street, Port Chester, NY 10573

36-40 North Main Street

Commercial building owned by: Salvation Army  
Owner Address: 36 North Main Street, Port Chester, NY 10573  
Occupied by: The Salvation Army Thrift Store  
Occupant Address: 36 North Main Street, Port Chester, NY 10573

42 North Main Street

Commercial building owned by: G.O. Realty Inc.  
Owner Address: 515 Madison Avenue, New York, NY 10022  
Occupied by: Occhicone Fine Leather Goods  
Occupant Address: 42 North Main Street, Port Chester, NY 10573  
Occupied by: Liberty Tax  
Occupant Address: 42 North Main Street, Suite 1, Port Chester, NY 10573

46-48 North Main Street

Commercial building owned by: 44-48 North Main LLC  
Owner Address: 498 Bergen Boulevard, Ridgefield, NJ 07657

Occupied by: Master Cuts 2 Barber Shop  
Occupant Address: 44 ½ North Main Street, Port Chester, NY 10573  
Occupied by: Cricket Wireless Authorized Retailer  
Occupant Address: 48 North Main Street, Port Chester, NY 10573  
Occupied by: Roddy's Pizza  
Occupant Address: 46 North Main Street, Port Chester, NY 10573  
Occupied by: Anyosa Photo Studio, Portrait, Scanning, Restoration  
Occupant Address: 106 Adee Street, Port Chester, NY 10573  
Occupied by: Salsa Picante  
Occupant Address: 110 Adee Street, Port Chester, NY 10573

**XI-3. Local News Media From Which The Community Typically Obtains Information.**

The Journal News  
1133 Westchester Avenue, Suite N110  
White Plains, NY 10604

Port Chester Westmore News  
327 Irving Avenue  
Port Chester, NY 10573

New York Daily News  
4 New York Plaza  
New York, NY 10004

New York Post  
1211 Avenue of the Americas  
New York, NY 10036

**XI-4. The Public Water Supplier Which Services The Area In Which The Property Is Located**

Liberty Utilities (New York Water) Corp.  
60 Brooklyn Avenue  
Merrick, NY 11566

The Village of Port Chester receives its water supply from reservoirs operated by the Liberty Utilities (New York Water) Corp.

**XI-5. Any Person Who Has Requested To Be Placed On The Contact List.**

We are unaware of any requests for inclusion on the contact list.

**XI-6. The Administrator Of Any School Or Day Care Facility Located On Or Near The Property.**

There are no day care facilities or schools within 1,000 feet of the site.

**XI-7. Locations of the Document Repositories**

Port Chester-Rye Brook Public Library (see attached repository confirmation)  
Attn: Robin Lettieri, Library Director  
1 Haseco Avenue  
Port Chester, NY 10573

**XI-8. In Cities With A Population of One Million or More, The Local Community Board,  
if The Proposed Site is Located Within Such Community Board's Boundaries**

The Village of Port Chester has a population of less than one million.