

**STATE ENVIRONMENTAL QUALITY REVIEW
NOTICE OF INTENT TO BECOME LEAD AGENCY REGARDING A PROPOSED
GREEN SUSTAINABLE WASTE TO FUEL PROCESSING FACILITY**

This notice is issued pursuant to 6 NYCRR 617.6(b) of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act-“SEQR”) of the Environmental Conservation Law.

The Planning Board of the Town of Stony Point hereby indicates its intent to assume Lead Agency status for the below-referenced project. Please note the Planning Board intends to issue a positive declaration and require the applicants to prepare a generic and site specific Environmental Impact Statement. Information about the public scoping session would be circulated with the issuance of the positive declaration. In addition, before the public scoping session, the Planning Board intends to hold a public informational meeting on January 8, 2015 wherein the applicants will describe the proposed facility and the waste to bio-fuel process. More information about this public meeting will be circulated once the date is confirmed.

All other Involved Agencies must state their interests and concerns regarding selection of the Lead Agency and potential impacts of the overall action. Involved Agencies objecting to the Stony Point Planning Board assuming Lead Agency status for this action must inform the Board in writing within 30 days at the address below:

Contact Person: Tom Gubitosa, Chairman
Town Hall
74 East Main Street
Stony Point, New York 10980
845-786-2716

Title of Action: New Planet Sustainable Fuels Site Plan and Zoning Amendments

Project Sponsor: MBC Holding, LLC and Patrick Magee for Zoning Amendments, MBC Holdings, LLC for Zoning Map Change and NPE Holdings, LLC, MBC Holdings, LLC and Patrick Magee for Site Plan Approval

Date: November 5, 2014

Type of Action: Type 1 (facility over 25,000 square feet adjacent to County Park; the physical alteration of more than 10 acres of a non-residential project, and more than 100,000 gross floor area for a non-residential project).

Description of Action: The application for site plan approval is related to a Green Sustainable waste to fuel processing facility. Consistent with the proposed Zoning Amendments, site plan approval is required to construct and operate a

Green Industrial Facility (the "Project") for the conversion, through chemical processes, of carbon-rich biomass and municipal solid waste "feedstock" into a synthetic gas that would be further refined into transportation fuel. Importation via truck of up to 4,000 tons per date of waste/biomass feedstock is anticipated, which will be converted up to 38 million gallons per year of renewable sulfur-free diesel fuel. All feedstock waste will be shipped to the facility in closed containers and handling will occur within the enclosed building. The process would also generate electricity for the facility's own use, and produce a high-silica ash, which may be used in the production of concrete or for other beneficial uses. The action includes proposed text amendments to the Zoning Ordinance clarifying the Ordinance to specifically authorize such a facility as a permitted use (subject to site plan approval) in the LI-2 zoning district and a conditional use in the LI zoning district. The action also includes the Zoning Map amendment to reclassify lot 20.02-11-8 from the R-1 to LI-2 zoning districts for use as part of the facility. A related, but not integral action is the repair and relocation of a Town-owned sewer trunk line that travels over lot 20.02-11-8. The actions are intended to encourage economic development of the Town's remaining industrial lands, including a former Superfund site. The Town Board referred the proposed zoning amendments to the Planning Board for a report and recommendation pursuant to the Town's Zoning Ordinance. A joint SEQRA review of the zoning actions and the site specific project would be analyzed at the same time by the Planning Board as lead agency with the input of other involved agencies.

Location:

The site plan is located at the terminus of Holt Drive (a/k/a Kay Fries Drive) in the Town of Stony Point, adjacent to the boundary with the Town of Haverstraw and north of the Town of Haverstraw's former landfill and the County Solid Waste Transfer Facility. The subject properties involved with the site plan application have a tax map designation of Section 20-02, Block 11, Lots 25 & 28, as well as Section 20.04, Block 11, Lot 8. As noted above, the zoning classification of tax lot 20-04-11-8 is proposed to be changed from R-1 to LI-2.

The Zoning Text Amendments could also impact other parcels located within the Town's existing industrial districts (LI and LI-2). Thus, there may be some Town-wide implications.

Any agency's failure to respond within thirty (30) days of the date of this letter will be interpreted as having no interest in becoming lead agency and having no comments on the action at this time.

Involved Agency Circulation: This notice is being sent to the following potential Involved Agencies along with an EAF Part I, concept plans and other application materials submitted.

We have also provided the possible basis for the potential involved agency's approval authority.

Stony Point Town Board
Geoff Finn, Supervisor
74 East Main Street
Stony Point, New York 10980
Zoning Text and Map Amendments; Dedication of Road

Stony Point Waterfront Advisory Committee
74 East Main Street
Stony Point, New York 10980
Coastal Zone Consistency

Stony Point Freshwater Wetlands Board of Review
74 East Main Street
Stony Point, New York 10980
Local Freshwater Wetlands Permit

William Sheehan - Local Floodplain Administrator
74 East Main Street
Stony Point, New York 10980
Construction within a Floodway

Stony Point Architectural Review Board
74 East Main Street
Stony Point, New York 10980
Architectural Review

Stony Point Zoning Board of Appeals
74 East Main Street
Stony Point, New York 10980
Zoning Variances (If Necessary)

United States Army Corps of Engineers, New York District
Attn: Regulatory Branch, Room 1937,
26 Federal Plaza
New York, NY 10278-0090
River and Harbors, Section 10 Permit; Clean Water Act Section 404 Permit

New York State Department of Environmental Conservation - Division of Environmental Permits, Region 3 -
John Petronella, Regional Permit Administrator
21 South Putt Corners Rd.
New Paltz, NY 12561-1620
Article 27, Title 7, 6 NYCRR 360 - Solid Waste Management

Article 19, 6 NYCRR 200-317 - Air State Facility Permit; Title V Permit
Article 17, Titles 7, 8, 6 NYCRR Part 750- 1 - SPDES Multi Sector General Permit
Article 15, 6 NYCRR Part 608 - Excavation or Placement of Fill in Navigable Waters and Their Adjacent and Contiguous Wetlands
Article 24, 6 NYCRR Part 663, Part 664, and Part 665 - Freshwater Wetlands Permit
Clean Water Act Section 401 Water Quality Certification
Chemical Bulk Storage Facility Registration-6 NYCRR Pt. 597
Petroleum Bulk Storage Facility Registration-6 NYCRR Pt. 612
Major Petroleum Storage Facility License (petroleum storage > 400,000 gal) - Article 12 of Navigation Law, 6 NYCRR Part 610 and 17 NYCRR Part 30
Kay-Fries State Superfund Site # 344023.

Department of State - Office of Communities and Waterfronts - Division of Coastal Resources, Consistency Review Unit
One Commerce Place,
99 Washington Avenue
Albany, New York 12231-0001
Coastal Zone Consistency

New York State Public Service Commission
c/o Audrey Zibelman
Empire State Plaza Agency
Building 3
Albany, NY 12223-1350
Potential Financing

Rockland County Dept of Health
50 Sanatorium Rd-Bldg D
Pomona, NY 10970
Attn: Scott McKane, P.E.
Potential Sewer Review

Rockland County Industrial Development Agency
Two Blue Hill Plaza
3rd Floor
P.O. Box 1575
Pearl River, NY 10965
Potential Incentives

Rockland County Drainage Agency
Vincent Alteri, P.E.
23 New Hempstead Road
New City, New York 10956.
Rockland County Stream Protection

Rockland County Health Dept
Robert L. Yeager Health Center
Attn: Ebi Elaahi
50 Sanatorium Rd, Bldg D
Pomona, NY 10970
Petroleum Bulk Storage

County of Rockland Planning Department
Douglas Schuetz - Acting Commissioner
Dr. Robert J. Yeager Health Center - Building T
Pomona, New York 10970
GML 239 Review and adjacent parkland and adjacent transfer station

Stony Point Sewer Department
74 East Main Street
Stony Point, New York 10980
Potential Sewer Connection Permit

Joint Regional Sewage Board
c/o Patrick Brady, P.E.
Ecology Lane
West Haverstraw, New York 10993
Potential Sewer Hook-up Permit

Interested Agencies:

The following potential interested agencies are being copied for informational purposes only.

NYS Office Parks, Recreation & Historic Preservation - Palisades Region
Palisades Interstate Parkway
Bear Mountain, NY 10911
Proximity to Stony Point Battlefield (zoning amendments only):

Ms. Ruth Pierpont, Director
State Historic Preservation Office
Peebles Island Resource Center,
Delaware Avenue
Cohoes, NY 12047
Proximity to Town Historic and Archeological Resources (zoning amendments only):

Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12207
Location within Hudson River National Heritage Area:

NYS DOT
157 Ridge Road

New City, NY 10956

Attn: Mary Jo Russo

Potential Impacts to State Highways

Palisades Interstate Park Commission

Administration Building - Bear Mountain State Park

Attn: Karl Roerker

Bear Mountain, New York 10911-0427

Potential Impact to Harriman and Bear Mountain Parks (zoning amendments only)

Region 8 Director, New York State Department of Transportation,

Eleanor Roosevelt State Office Building

Attn: Bonnie Lyons

4 Burnett Boulevard

Poughkeepsie, NY 12603

Potential Impact to State Highways

Rockland County Highway Department

c/o Charles H. Vezzetti, Superintendent

23 New Hempstead Road

New City, NY 10956.

Potential Impact to County Highways - Rail Quiet Zone Program

Rockland County Department of Environmental Resources/Parks

c/o R. Allan Beers, Coordinator

50 Sanatorium Road, Building K

Pomona, NY 10970

Potential Impact to County Parks

Village of West Haverstraw

Hon. John F. Ramundo Jr., Mayor

130 Samsondale Avenue

West Haverstraw, New York 10993

Nearby Community

Town of Haverstraw

Hon. Howard Phillips, Supervisor

One Rosman Road

Garnerville, New York 10923

Nearby Community and Adjacent Landfill Facility

Town of Tuxedo

Mike Rost, Supervisor

1 Temple Drive

Tuxedo NY 10987

Nearby Community

Town of Woodbury
Hon Frank J. Palermo, Deputy Supervisor
511 Route 32
P.O. Box 1004
Highland Mills, NY 10930
Nearby Community

Village of Woodbury
Hon. Michael Queenan, Mayor
Highland Mills Firehouse
455 Route 32
Highland Mills, NY 10930
Nearby Community

Town of Highlands
Bob Livsey, Supervisor
254 Main Street
Highland Falls, NY 10928
Nearby Community

Town of Cortlandt
Linda D. Puglisi, Supervisor
1 Heady Street
Cortlandt Manor, NY 10567
Nearby Community

Village of Buchanan
Theresa Knickerbocker, Mayor
236 Tate Avenue
Buchanan, NY 10511
Nearby Community

Village of Croton-on-Hudson
Leo Weigman, Mayor
1 Van Wyck Street
Croton-on-Hudson, NY 10520
Nearby Community

Town of Stony Point Police Department
79 Route 210
Stony Point, New York 10980
Emergency Service Provider

Board of Fire Commissioners
Stony Point Fire Department
PO Box 221

Stony Point, New York 10980
Emergency Service Provider

Stony Point Fire Inspector
Thomas Larkin
74 East Main Street
Stony Point New York 10980
Emergency Service Provider

Rockland County Solid Waste Management Authority
320-420 Torne Valley Road
Hillburn, New York 10931
County Solid Waste Interests

North Rockland Central School District
65 Chapel Street
Garnerville, New York 10923
School District

Other Parties Receiving Copies for Informational Purposes Only

Geoff Finn, Supervisor
74 East Main Street
Stony Point, New York 10980
Chief Executive - Town of Stony Point

NYPIRG
Attn: Laura Haight
Senior Environmental Associate
107 Washington Avenue
Albany, NY 12210

CSX Transportation, Inc.
Attn: Leslie Scherr, Mailbox J301
500 Water Street
Jacksonville, Florida 32202

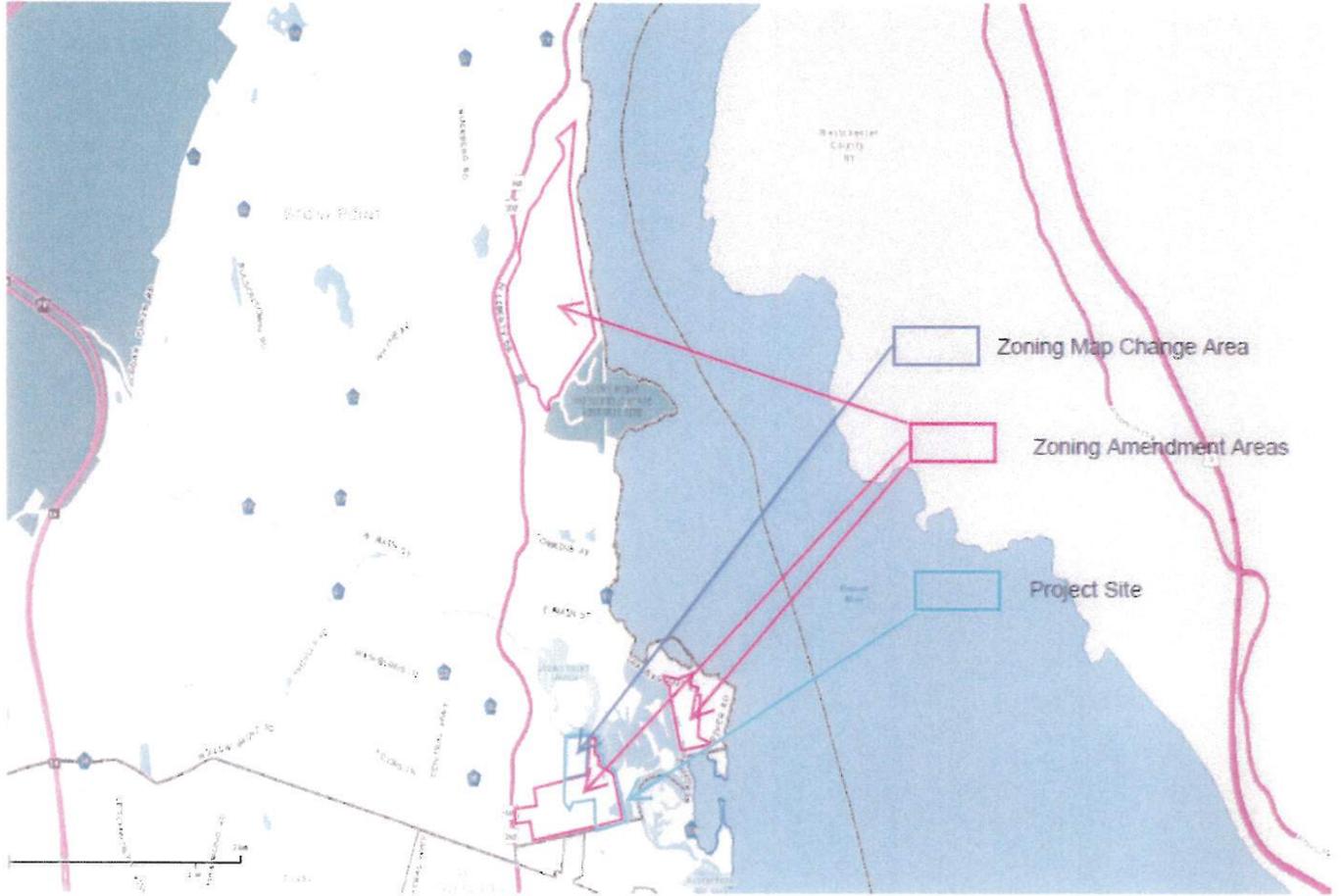
PROPOSED PROJECT
NEW PLANET
SUSTAINABLE FUELS
IN THE
TOWN OF
STONY POINT, NEW YORK

FULL ENVIRONMENTAL
ASSESSMENT FORM

Rockland Base Map

Site Location Map

Map Source: Rockland County Department of Planning - GIS



**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Green Industry Facility Zoning Amendments, Associated Zoning Map Amendment and New Planet Sustainable Fuels Project		
Project Location (describe, and attach a general location map): See EAF Addendum attached and Exhibit A Site Location Map.		
Brief Description of Proposed Action (include purpose or need): See EAF addendum attached.		
Name of Applicant/Sponsor: See EAF Addendum Attached.		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role): See EAF Addendum Attached.		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): See EAF Addendum Attached.		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board approval of Zoning Code Amendments; road dedication	Immediate
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Referral to Planning Board for Report. Site Plan Approval.	Immediate
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals	Zoning variances.	May 2015
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See EAF Addendum	May 2015
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See EAF Addendum	May 2015
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See EAF Addendum	See EAF Addendum
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	US Army Corps of Engineers: River and Harbors, Section 10; Clean Water Act Section 404	October 2015
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? See EAF Addendum C.2 Comment. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): Remediation Sites:344023 _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

The Zoning Amendment is an action to amend the LI and LI-2 zones in the Code. The Project is in a LI-2 zone except for Lot 28, which is the subject of the proposed Zoning Map Change. Lot 28 is current in an R-1 zone and is proposed to be changed to an L-2 zone.

b. Is the use permitted or allowed by a special or conditional use permit? Yes for LI; No for LI-2 as proposed Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,

i. What is the proposed new zoning for the site? Amendment of Code provisions for LI and LI-2; Lot 28 is proposed to change from R-1 to LI-2.

C.4. Existing community services.

a. In what school district is the project site located? North Rockland School District

b. What police or other public protection forces serve the project site?
Stony Point Police

c. Which fire protection and emergency medical services serve the project site?
Stony Point Fire Department and Stony Point Ambulance Corp

d. What parks serve the project site?
No parks serve the sites subject to the Applications. There are Town and County parks adjacent to the Project site.

D. Project Details Note: Only apply to the Project and associated Zoning Map Change-do not apply directly to the Zoning Amendments

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Zoning Amendments to clarify Green Industrial Facilities are permitted use in LI and LI-2 Zones. Site Plan Approvals and Zoning Map Changes are necessary to construct and operate waste to fuel facility at Site in Stony Point.

b. a. Total acreage of the site of the proposed action? EAF Add. D.1.b acres
b. Total acreage to be physically disturbed? EAF Add. D.1.b acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? EAF Add. D.1.b acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) Jan. month 2016 year
- Anticipated completion date of final phase Jan. month 2018 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

The Project will be constructed in phases. _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures approx. 22

ii. Dimensions (in feet) of largest proposed structure: 30 height; 250 width; and 100 length

iii. Approximate extent of building space to be heated or cooled: 400,000 (362,000 existing) square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: See EAF Addendum D.1.h response and Site Plan for stormwater quality detention pond locations

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: See EAF Addendum D.1.h response regarding stormwater detention ponds

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ 4 acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
 Concrete

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): See EAF Addendum D.2.b response. _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
See EAF Addendum D.2.b response and Site Plan.

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____
 See EAF Addendum.

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: 330 (EAF Add. D.2.c response) gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: See EAF Addendum D.2.c response.
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
See EAF Addendum D.2.c response
- Source(s) of supply for the district: Gray water from Stony Point sanitary sewer system.

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: EAF Add D.2.d gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Industrial wastewater including: treated cooling water blowdown, treated air scrubber water blowdown

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: Stony Point. See EAF Addendum D.2.d response.
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

 The Project proposes to utilize gray water from the existing sanitary sewer main that crosses Lot 28. An extension from this main to the facility will be necessary.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
 The Project will treat and recycle the gray water multiple times by utilizing cooling towers and water treatment. Blowdown water will be treated prior to discharge. Future projects associated with the Zoning Amendments will likely have similar processes that will be assessed on a project specific basis.

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ 32 acres (impervious surface)
 _____ Square feet or _____ 44 acres (parcel size)
- ii. Describe types of new point sources. Discharges from storm water quality basins. To the extent feasible, collected storm water will be combined with water collected from the gray water system and used as process water.

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 Stormwater runoff will be directed to storm water quality basins and, to the extent feasible reused as process water.

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 See EAF Addendum D.2.f response
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 See EAF Addendum D.2.f response
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 See EAF Addendum D.2.f response

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ 69,000 Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ 69 Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ 0 Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ 0 Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ 0 Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ 10.5 Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of 6:00 AM to 9:00 PM.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: 151

iii. Parking spaces: Existing 88 Proposed 168 Net increase/decrease +80

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
See EAF Addendum D.2.j response. In addition, new local roads are proposed around the Project site to manage the flow of incoming feedstock and product. Traffic impacts will be avoided during morning and evening rush hours.

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
See EAF Addendum D.2.k response.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
See EAF Addendum D.2.k response.

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7:00 AM to 6:00 PM</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24 hr/day</u> • Saturday: <u>24 hr/day</u> • Sunday: <u>24 hr/day</u> • Holidays: <u>24 hr/day</u>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Construction activities will utilize typical heavy construction equipment and will occur between 7:00 AM and 6:00 PM, Monday through Friday.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Outdoor lighting will be necessary for outdoor process operations and local roads. Low impact lighting will be used consistent with the requirements of the Town Code.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____
The waste feedstock include putrescible waste, which has odors. To mitigate the potential for off-site odors, feedstock will be stored and processed indoors.

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored Diesel fuel, off-spec diesel fuel, sodium hydroxide, potassium hydroxide, amine, hydraulic oil, oxygen, nitrogen, ammonia

ii. Volume(s) 38 million per unit time _____ year (e.g., month, year)

iii. Generally describe proposed storage facilities: _____
Bulk storage of diesel fuel and processing chemicals for biorefinery operations.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ TBD tons per _____ (unit of time)
- Operation : _____ 122 tons per _____ day (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: construction and demolition debris associated with site preparation activities
- Operation: See EAF Addendum D.2.R response

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Recyclable solid waste will be generated and sent to approved C&D recycling facilities for recyclables and concrete or agricultural facilities for ash and/or landfills for ash as cover.
- Operation: High-silica ash may be used in production of concrete or for agricultural fertilizer. Non-reusable solid waste will be disposed in a properly permitted non-hazardous waste landfill.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): Recyclables handling and recovery, solid waste pyrolysis,

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- 167 Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
Spent adsorbents and catalysts, unauthorized hazardous wastes separated from the feedstock during pre-processing

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
Managing suppliers to ensure no unauthorized hazardous waste is included in feed streams. Maintenance programs to manage catalyst and adsorbant life. Using non-hazardous catalysts or adsorbants if possible. Identification of catalyst and adsorbant reprocessors.

iii. Specify amount to be handled or generated TBD tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
see above.

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____
CWM Chemical Services, Model City, New York.

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	13	31	+18
• Forested	8	4	-4
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	7	7	0
• Wetlands (freshwater or tidal)	8	2	-6
• Non-vegetated (bare rock, earth or fill)	8	0	-8
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
West Haverstraw Elementary School; Walnut Hill Senior Apartment

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
The Town of Haverstraw landfill is immediately adjacent to the southern boundary of the Project site; The Town of Stony Point has had a historic landfill on the Tilcon Site in the LI zone.
iii. Describe any development constraints due to the prior solid waste activities: _____
None.

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
Lot 25 of the project site is part of the Kay-Fries State Superfund Site (Site #344023). Contamination associated with chemical production operations and petroleum use occurring from 1930 to 1987 has been getting remediated for approximately 20 years and remediation is close to completion.

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): 344023
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 344023, 546031, 344041, C344068

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
See attached Exhibit B.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: 344023
- Describe the type of institutional control (e.g., deed restriction or easement): Deed restriction
- Describe any use limitations: Industrial
- Describe any engineering controls: Groundwater containment and treatment; O&M plan
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

Filling of the 50 Holt Drive site will occur in a manner to protect the integrity of the groundwater wells. A work plan has already been approved by DEC for this effort.

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 20 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

<u>Haven</u>	<u>10</u> %
<u>Ipswich</u>	<u>40</u> %
<u>Urban Land</u>	<u>40</u> %

Prior to Recent Fill

d. What is the average depth to the water table on the project site? Average: _____ 10+ feet **In Construction Area**

e. Drainage status of project site soils: Well Drained: _____ 20 % of site
 Moderately Well Drained: _____ 60 % of site
 Poorly Drained _____ 20 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 80 % of site
 10-15%: _____ 10 % of site
 15% or greater: _____ 10 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 864-490 Classification SC / C(TS)
- Lakes or Ponds: Name 864-494 Classification C
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) HS-3, HS-4

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
 Name - Pollutants - Uses: Hudson River (Class SB), portion - Priority Organics - Fish Consumption

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 See response to E.2(p) below _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 NYSDEC Environmental resource mapper indicates site is in a zone of "rare plants and rare animals" parallel to west side of the Hudson River through Stony Point. A site review by a qualified biologist will be conducted to determine whether rare plants or animals or their habitat are present.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 NYSDEC Nature Explorer results for Rockland County contain a broad list of rare plants and animals in the County. A site review by a qualified biologist will be conducted to determine whether rare plants or animals or their habitat are present.

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

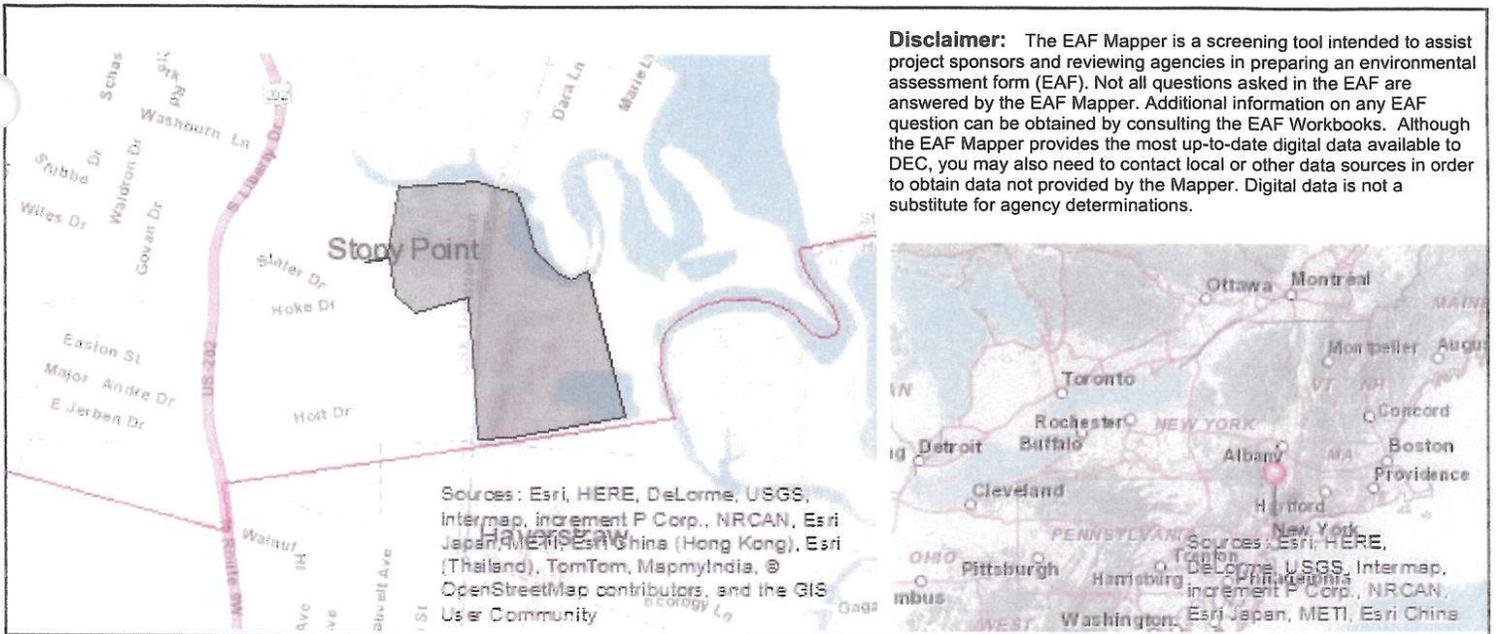
E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:344023
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	344023
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	344023, 546031, 344041, C344068
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	864-490
E.2.h.iv [Surface Water Features - Stream Classification]	SC / C(TS)
E.2.h.iv [Surface Water Features - Lake/Pond Name]	864-494

Lake/Pond Classification]

E.2.h.iv [Surface Water Features - Wetlands Name] Federal Waters, NYS Wetland

E.2.h.iv [Surface Water Features - Wetlands Size] NYS Wetland (in acres):66.3, NYS Wetland (in acres):69.7

E.2.h.iv [Surface Water Features - DEC Wetlands Number] HS-3, HS-4

E.2.h.v [Impaired Water Bodies] Yes

E.2.h.v [Impaired Water Bodies - Name and Basis for Listing] Name - Pollutants - Uses:Hudson River (Class SB), portion – Priority Organics – Fish Consumption

E.2.i. [Floodway] Yes

E.2.j. [100 Year Floodplain] Yes

E.2.k. [500 Year Floodplain] Yes

E.2.l. [Aquifers] No

E.2.n. [Natural Communities] No

E.2.o. [Endangered or Threatened Species] Yes

E.2.p. [Rare Plants or Animals] No

E.3.a. [Agricultural District] No

E.3.c. [National Natural Landmark] No

E.3.d [Critical Environmental Area] No

E.3.e. [National Register of Historic Places] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.3.f. [Archeological Sites] Yes

E.3.i. [Designated River Corridor] No

Addendum to Full Environmental Assessment Form

Green Industry Facility Zoning Amendments, Associated Map Amendment and New Planet Sustainable Fuels Project

A. PROJECT AND SPONSOR INFORMATION

Project Location (Describe and Attach a General Location Map):

The Zoning Amendments associated with the proposed actions are located in the LI and LI-2 zoning districts in the Town of Stony Point. The addresses and associated tax blocks and lots for these affected parcels are as follows:

LI Districts

Parcel ID	Address
15.02-4-58	East of Tilcon
15.02-4-59	1 Elm Ave.
10.04-2-8	46 Elm Ave.
10.04-2-9	42 Elm Ave.
10.04-2-10	44 Elm Ave.
10.04-2-11	48 Elm Ave.
10.04-2-12	52 Elm Ave.
10.04-2-13	50 Elm Ave.
10.04-2-19	10 Elm Ave.
21.09-1-1	70 Grassy Point Rd.
21.09-1-36	2 River Road
21.05-1-1	90 Grassy Point Rd.
21.05-1-2	88 Grassy Point Rd.
21.05-1-3	86 Grassy Point Rd.
21.05-1-4	84 Grassy Point Rd.
21.05-1-5	82 Grassy Point Rd.
21.05-1-6	80 Grassy Point Rd.
21.05-1-7	65 Grassy Point Rd.
21.05-1-29	40 Grassy Point Rd.
21.05-1-30	42 Grassy Point Rd.
21.05-1-31	44 Grassy Point Rd.

Parcel ID	Address
21.05-1-32	46 Grassy Point Rd.
21.05-1-33	48 Grassy Point Rd.
21.05-1-34	54 Grassy Point Rd.

LI-2 District

Parcel ID	Address
20.02-11-25	50 Holt Drive
20.02-11-26	25-41 Holt Drive
20.02-11-27	25&27 Holt Drive
20.04-11-2.1	21 Holt Drive
20.04-11-2.2	22 Holt Drive
20.04-11-2.3	24 Holt Drive
20.04-11-3	45 Holt Drive
20.04-11-5.1	17 Holt Drive
20.04-11-5.2	19 Holt Drive
20.04-11-6	15 Holt Drive
20.04-11-7	11 Holt Drive
20.04-11-8	9 Holt Drive
20.04-11-9	5 Holt Drive
20.04-11-11	2 Holt Drive
20.04-11-12	12 Holt Drive

The proposed Zoning Map Change (see below) impacts parcel 20.02-11-28 with an address of 30 Holt Drive in the Town.

The Project Site Plan Approval (see below) impacts parcels 20.04-11-3, 20.02-11-25, and 20.02-11-28 in the Town with respective addresses of 45, 50, and 30 Holt Drive.

See Site Location Map attached as Exhibit A.

Brief Description of Proposed Action (Include Purpose or Need):

The Town of Stony Point has a number of existing industrially zoned areas where the opportunity exists for redevelopment into modern, state-of-the-art green industrial facilities, however, the Town Code needs to be clarified to more clearly allow such facilities to be constructed. The Town now seeks to attract new industrial facilities with technologies that can transform a variety of organic and recyclable materials otherwise landfilled into energy, fuel and other products (the "Green Industrial Facilities").

The first proposed action will amend Chapter 215 of the Town of Stony Point Zoning Code (the "Zoning Amendment") to clarify that these new Green Industrial Facilities are permissible uses as of right when constructed in the Town's Light Industrial ("LI") LI-2 zoning district, and with a special use permit in the Town's LI zoning district.

Consistent with the proposed Zoning Amendments, site plan approval (the "Site Plan Approval") is requested by a development team consisting of MBC Holdings LLC ("MBC"), New Planet Energy Holdings LLC ("NPE") and ThermoChem Recovery International, Inc. ("TRI"), to construct and operate a Green Industrial Facility (the "Project") for the conversion, through chemical processes, of carbon-rich biomass and municipal solid waste "feedstock" into a synthetic gas that would be further refined into transportation fuel. Importation via truck of up to 4,000 tons per date of waste/biomass feedstock is anticipated, which will be converted up to 38 million gallons per year of renewable sulfur-free diesel fuel. All feedstock waste will be shipped to the facility in closed containers and handling will occur within the enclosed building. The process would also generate electricity for the facility's own use, and produce a high-silica ash, which may be used in the production of concrete or for other beneficial uses.

The Project site (the "Site") subject to the Site Plan Approval is located at the eastern terminus of Holt Drive near or adjacent to a CSX railroad right-of-way within the Hudson River View Industrial Park at 30, 45 and 50 Holt Drive (parcels 20.02-11-28 ("Lot 28"), 20.04-11-3, and 20.02-11-25 (together parcels 20.04-11-3 and 20.02-11-25 are the "Holt Drive Parcel"), respectively). The existing buildings at the Holt Drive Parcel include the Kay-Fries State Superfund site manufacturing buildings. The monitoring and remediation of the Kay-Fries Superfund Site will not be disturbed by the Project. Adjacent or nearby properties include light and heavy industrial uses to the west, a Rockland County park and open space area to the north and east, the Town of Haverstraw Landfill and Rockland County Solid Waste Management Authority's Bowline Transfer Station to the southeast, single- and multi-family residential areas to the northwest, and the West Haverstraw Elementary School and single-family residential areas to the southwest in the Village of West Haverstraw.

Although located adjacent to the Holt Drive Parcel, Lot 28 is currently zoned R-1. In addition to the Site Plan Approval, the applicant has petitioned the Town Board to amend the zoning map (the "Zoning Map Change"). Together the Zoning Amendment, Site Plan Approval, and Zoning Map Change are the "Applications") to change the zoning district for Lot 28 from R-1 to LI-2 to enable the Project to utilize Lot 28 for necessary Project facilities.

Applicant/Sponsor Information

Zoning Amendments

Name of Applicant/Sponsor: MBC Holding, LLC and Patrick Magee
Address: 27 Holt Drive
Stony Point, New York 10980

Project Contact: Stephen P. Mandracchia-Attorney
c/o Hudson Technologies
PO Box 1541, One Blue Hill Plaza, 14th Floor
Pearl River, New York 10965
Tel.: (845) 512-6004
Fax: (845) 512-6070
Email: SMandracchia@hudsontech.com

Property Owners/Addresses: See tables below.

LI-2 District Parcels

Parcel ID	Owner	Address
20.02-11-25	MBC Holding, LLC	50 Holt Drive
20.02-11-26	LLS Holding, LLC	25-41 Holt Drive
20.02-11-27	MBC Holding, LLC	25&27 Holt Drive
20.04-11-2.1	Properties Environmental	21 Holt Drive
20.04-11-2.2	Crossroads-Holt Drive Associates, LLC	22 Holt Drive
20.04-11-2.3	PMBC Holding Co., LLC	24 Holt Drive
20.04-11-3	KBT Properties Ltd.	45 Holt Drive
20.04-11-5.1	Stony Kay Fries Realty	17 Holt Drive
20.04-11-5.2	SPM Tech., Inc.	19 Holt Drive
20.04-11-6	Helmer William et al	15 Holt Drive
20.04-11-7	Vestco, LLC	11 Holt Drive
20.04-11-8	Kay Fries Holding Corp.	9 Holt Drive
20.04-11-9	Gerobe Holding Corp.	5 Holt Drive
20.04-11-11	Lighting Services, Inc.	2 Holt Drive
20.04-11-12	Lighting Services, Inc.	12 Holt Drive

LI District Parcels

Parcel ID	Owner	Address
15.02-4-58	David Kozlow	East of Tilcon
15.02-4-59	Tilcon New York, Inc.	1 Elm Ave.
10.04-2-8	GenOn Lovett, LLC	46 Elm Ave.
10.04-2-9	GenOn Lovett, LLC	42 Elm Ave.
10.04-2-10	GenOn Lovett, LLC	44 Elm Ave.
10.04-2-11	GenOn Lovett, LLC	48 Elm Ave.
10.04-2-12	GenOn Lovett, LLC	52 Elm Ave.
10.04-2-13	GenOn Lovett, LLC	50 Elm Ave.
10.04-2-19	GenOn Lovett, LLC	10 Elm Ave.
21.09-1-1	U.S. Gypsum Co.	70 Grassy Point Rd.
21.09-1-36	U.S. Gypsum Co.	2 River Road
21.05-1-1	U.S. Gypsum Co.	90 Grassy Point Rd.
21.05-1-2	U.S. Gypsum Co.	88 Grassy Point Rd.
21.05-1-3	U.S. Gypsum Co.	86 Grassy Point Rd.
21.05-1-4	U.S. Gypsum Co.	84 Grassy Point Rd.
21.05-1-5	U.S. Gypsum Co.	82 Grassy Point Rd.
21.05-1-6	U.S. Gypsum Co.	80 Grassy Point Rd.

21.05-1-7	Capasso & Sons Carting Inc.	65 Grassy Point Rd.
21.05-1-29	U.S. Gypsum Co.	40 Grassy Point Rd.
21.05-1-30	James Brophy	42 Grassy Point Rd.
21.05-1-31	Edward and Geoffrey Finn	44 Grassy Point Rd.
21.05-1-32	James Brophy	46 Grassy Point Rd.
21.05-1-33	U.S. Gypsum Co.	48 Grassy Point Rd.
21.05-1-34	U.S. Gypsum Co.	54 Grassy Point Rd.

Zoning Map Amendment

Name of Applicant/Sponsor: MBC Holding LLC
Address: 30 Holt Drive
PO Box 54
Stony Point, New York 10980

Project Contacts: Stephen P. Mandracchia-Attorney
c/o Hudson Technologies
PO Box 1541, One Blue Hill Plaza, 14th Floor
Pearl River, New York 10965
Tel.: (845) 512-6004
Fax: (845) 512-6070
Email: SMandracchia@hudsontech.com

Linda Shaw – EIS Consultant
Future Energy Development LLC
1400 Crossroads Building
2 State Street
Rochester, NY 14614
Tel.: (585) 546-8430
Fax: (585) 546-4324
Email: lshaw@futureenergydev.com

Property Owner: Same as applicant.

Site Plan Approval

Name of Applicant/Sponsor: MBC Holdings, LLC, Pat Magee and
John Cruikshank, VP Project Development
NPE Holdings, LLC
Address: 4300 Promenade Way
Suite 117
Marina del Rey, California 90292
Telephone (310) 430-2616

Project Contacts: Stephen P. Mandracchia-Attorney
c/o Hudson Technologies
PO Box 1541, One Blue Hill Plaza, 14th Floor

Pearl River, New York 10965
Tel.: (845) 512-6004
Fax: (845) 512-6070
Email: SMandracchia@hudsonotech.com

Linda Shaw – EIS Consultant
Future Energy Development LLC
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Fax: (585) 546-4324
Email: lshaw@futureenergydev.com

David Zigler-PLS
Atzl Nasher Zigler, PC
234 North Main Street
New City, New York 10965
Tel.: (845) 634-4694
Email: dzigler@anzny.com

Property Owner:
Address:

MBC Holding, LLC (Lot 20.02-11-25)
27 Gate Hill Road,
Stony Point, New York 10980

MBC Holding, LLC (Lot 20.02-11-28)
30 Holt Drive
PO Box 54
Stony Point, New York 10980

KBT Properties, Ltd. (Lot 20.04-11-3)
8 Soluri Lane
Tomkins Cove, New York 10986

LLS Holding, LLC (Lot 20.02-11-26)
25-41 Holt Drive
PO Box 54
Stony Point, New York 10980

MBC Holding LLC (Lot 20.02-11-27)
30 Holt Drive
PO Box 54
Stony Point, New York 10980

SPM Tech, Inc. (Lot 20.04-11-5.2)
PO Box 54
Stony Point, New York 10980

B. GOVERNMENT APPROVALS

c. Other Local Agencies

1. Stony Point Waterfront Advisory Committee: Coastal Zone Consistency:
2. Stony Point Freshwater Wetlands Board of Review: Local Freshwater Wetlands Permit
3. W. Sheehan - Local Floodplain Administrator: Construction within a Floodway
4. Stony Point Architectural Review Board: Architectural Review
5. Stony Point Sewer Department: Potential Sewer Interconnection Permit
6. Joint Regional Sewage Board: Potential Sewer Hook-Up Connection Permit

e. County Agencies

1. Rockland County Health Department: Petroleum Bulk Storage
2. Rockland County Drainage Agency: County Stream Law
3. County of Rockland Planning Commissioner: General Municipal Law §239 review.

g. State Agencies

The following State Agency approvals are required for the Project. The Project Application Date for all of the approvals below is anticipated to be October 2015:

New York State Department of Environmental Conservation:

1. Article 27, Title 7, 6 NYCRR 360 - Solid Waste Management
2. Article 19, 6 NYCRR 200-317 - Air State Facility Permit and potentially a Title V Permit
3. Article 17, Titles 7, 8, 6 NYCRR Part 750- 1 - Coverage under the SPDES Multi Sector General Permit
4. Article 15, 6 NYCRR Part 608 - Excavation or Placement of Fill in Navigable Waters and Their Adjacent and Contiguous Wetlands
5. Article 24, 6 NYCRR Part 663, Part 664, and Part 665 - Freshwater Wetlands Permit
6. Clean Water Act Section 401 Water Quality Certification
7. Chemical Bulk Storage Facility Registration-6 NYCRR Pt. 597
8. Petroleum Bulk Storage Facility Registration-6 NYCRR Pt. 612
9. Major Petroleum Storage Facility License (petroleum storage > 400,000 gal) - Article 12 of Navigation Law, 6 NYCRR Part 610 and 17 NYCRR Part 30

Department of State - Office of Communities and Waterfronts:

1. Coastal Zone Consistency Determination.

C. PLANNING AND ZONING

C.2 Adopted Land Use Plans

The 1995 Plan states, "The Town has very few choices for industrial development....The best opportunity appears to be the Kay Fries Drive [Holt Drive] Area," which is the location of the proposed Project.

D. PROJECT DETAILS

D.1.b Proposed and Potential Development-Acreage

The total acreage impacted by the clarification provided in the Zoning Amendment is approximately 337.83 acres. The applicant MBC Holdings, LLC's Principal, Patrick Magee and/or affiliated companies owns or controls approximately 54.08 of these acres. The Zoning Amendment will not directly result in the physical disturbance of land, but future projects resulting from the Zoning Amendments may do so. Impacts from future physical disturbances of land will be assessed at the project specific level.

The total acreage impacted by the Zoning Map Change is 15.02 acres, all of which is owned or controlled by the applicant.

The total acreage associated with the Site Plan Approval, which also includes the parcel impacted by the Zoning Map Change, is 54.08 acres, all of which are owned or controlled by applicant MBC Holdings, LLC's Principal, Patrick Magee and/or affiliated companies. Approximately 18 acres of land will be physically disturbed as a result of the Project.

D.1.h Liquid Impoundments

The Zoning Amendments will not directly result in any liquid impoundments, but future projects may included surface impoundments such as stormwater detention ponds. Any such impoundments will be assessed at the project specific level.

The Project will include stormwater quality management basins.

D.2.b Impact on Wetlands of Proposal Action

Wetlands and wetland adjacent areas present on LI-2 Project Lot 28 identified as HS-3 and HS-4 will be filled by the Project to provide for necessary facilities with the exception of stormwater quality detention ponds. Approximately 6 acres of wetland will be impacted. The wetland impacts will be mitigated as per NYSDEC policies.

Wetlands, wetlands adjacent areas, and surface waterbodies are present in the LI and LI-2 zoning districts affected by the Zoning Amendments. Any wetland impacts associated with any future projects in LI zones will be assessed on a site specific basis.

D.2.c & D.2.d Water Usage and Discharge

The Project is estimated to have a consumptive water rate of approximately 330 gallons per minute, which is primarily associated with cooling water for the gasification process and biorefinery. It is proposed that the source of consumed process water will be "gray water" from the existing Stony Point municipal sewage system sewer main that crosses Lot 28. The gray water will be prepared for process use through a water treatment process and reused multiple times prior to discharge back to the Stony Point municipal sewage system. No net increase in hydraulic flow to the Stony Point municipal sewer system is anticipated from the Project and any increased demand in municipal potable water supplies will be associated with personnel facilities.

Future Green Industrial Facility projects associated with the Zoning Amendments will likely have a similar significant water demand. The impacts on these future projects will be assessed on a project specific basis.

D.2.f Air Emission Sources and Air Emissions

Project operations will include the following mobile air emission sources during Project operations:

1. Trucks associated with the delivery of 4,000 tons per day of waste;
2. Material handling equipment to manage the feedstock waste at the Project site; and
3. Vehicles or trains to transport approximately 100,000 gallons per day of fuel product.

Stationary air emission sources during the construction phase of the Project include heavy construction equipment for earth moving and building construction.

Stationary air emission sources during Project operations will include:

1. Feedstock pre-processing operations (particulate);
2. Natural gas and syngas fueled combustion heaters to heat the gasification unit (NO_x, CO, VOC, trace SO₂);
3. Syngas desulfurization unit (SO₂, H₂S);
4. Catalytic syngas conversion reactors (VOC);
5. Distillation columns (VOC);
6. Fuel and chemical bulk storage tanks (VOC);
7. Product loading areas (VOC);
8. Emergency diesel generators (NO_x, CO, VOC); and
9. Enclosed flare system (NO_x, CO, VOC). Note: the flare does not operate continuously but is instead used primarily for startup and emergency emission control.

Air emissions associated with these Project operations will be controlled through the use of appropriate air pollution control equipment such as dust collectors, acid gas scrubbers, and volatile organic chemical (VOC) and nitrogen oxides (NO_x) abatement systems.

Future Green Industrial Facility projects associated with the Zoning Amendments would likely have similar air emission sources and controls as the Project and will be assessed on a project specific basis.

D.2.g Air Emissions and Permitting Requirements

The Project will likely require a Federal Clean Air Act Title V permit because the potential to emit of carbon monoxide and VOCs are estimated to exceed 100 tons per year. Future Green Industrial Facility projects associated with the Zoning Amendments may have similar air emissions that will be determined on a project specific basis.

Rockland County is designated as a non-attainment area as part of the New York City Metropolitan Area for the 2008 ozone National Ambient Air Quality Standard (NAAQS). Rockland County was removed from the non-attainment designation for fine particulate (PM2.5) in 2014.

The gross greenhouse gas emissions of the Project are approximately 346,000 tons of CO2e per year when considering that the product fuel will offset approximately 38 million gallons per year of fossil-based petroleum fuels. However, of the CO2e generated, approximately 80% results from the gasification of the MSW, a renewable feedstock. The use of the MSW feedstock to produce a biofuel, ultimately combusted as an energy resource, would essentially have no net effect on total global GHG emissions, because the landfill-generated carbon-based gases (CO2 and CH4 mainly) would enter the atmosphere as CO2 in either case. Therefore, a maximum of a net 69,000 tons CO2e per year of greenhouse gases are emitted as a result of the Project, associated with the use of fossil fuels from the Project operation.

Additionally, the use of the MSW feedstock also would lead to a reduction in methane emissions as compared to the decomposition of organic matter and its emission through landfill covers that are not captured by any control device. Since methane is a powerful greenhouse gas (1 ton of methane has the same global warming potential as 25 tons of CO2) the Project would likely lead to a substantial reduction in GHGs as measured by CO2e as compared with disposal of the MSW in landfills.

D.2.j Increases in Traffic

The Project will result in an increase in truck traffic compared to current conditions to transport 4,000 tons per day of waste to the Project facility and approximately 100,000 gallons of product and 200 tons per day of ash byproducts from the facility. However, the historic industrial facilities that were present created a similar traffic impact. Future Green Industrial Facility projects associated with the Zoning Amendments would likely increase truck traffic and these increases will be determined on a project specific basis. The plan in the future is to phase out the use of trucks and replace the truck traffic with rail use. Therefore, the traffic impact for the Project may be temporary.

D.2.k Energy Demand

The total peak electricity demand of the Project operations is 40 megawatts. This peak demand is a high end estimate because it assumes no internally-generated power. The process will be configured to generate high pressure steam and drive a turbine to provide the electricity demand to

support Project operations. Orange and Rockland Utilities, Inc. is the electric utility supplying electrical power to Stony Point.

The peak natural gas demand of the Project is 350 MM BTU/hr. Natural gas is primarily used to provide heat to the gasification unit during process startup and to supplement syngas to support process heating needs. As with the peak electrical demand, this is high end estimate because, it assumes no syngas is used for process heating. Natural gas is also supplied by Orange and Rockland Utilities, Inc.

D.2.r Solid Waste

Solid waste generated during operation generally consists of by-product ash from the gasifier, sulfur cake from the de-sulfurization process, and waste water treatment solids. The by-product ash is a high-silica ash and may be used in the production of concrete or for other beneficial uses. Recyclables will be removed from the waste feedstock for reuse.

EXHIBIT B

REMEDIAL SITE SUMMARIES



**NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Kay-Fries Inc.
Site Code: 344023
Program: State Superfund Program
Classification: 02
EPA ID Number:

Location

DEC Region: 3
Address: Route 9W
City: Stony Point **Zip:** 10980
County: ROCKLAND
Latitude: 41.217090540
Longitude: -73.977090250
Site Type: STRUCTURE
Estimated Size: 22.000 Acres

Institutional And Engineering Controls

Control Type:
Deed Restriction

Control Elements:
Groundwater Containment
Groundwater Treatment System
O&M Plan

Site Owner(s) and Operator(s)

Current Owner Name: LLS Holding LLC (OU-2 Parcel)
Current Owner(s) Address: 25-41 Holt Drive
Stony Point, NY, 10980
Current Owner Name: INSL-X Products Corporation (OU-1 Parcel)
Current Owner(s) Address: 119 Woodworth Ave

Yonkers, NY, 10701

Hazardous Waste Disposal Period

From: 1930 To: mid 1960s

Site Description

Location: The site is located in the Town of Stony Point in Rockland County, New York. The site occupies approximately 22 acres to the East of Route 9W at the Town's southern limit. The property is bounded on the north by Cedar Pond Brook and on the east by Minisceongo Creek, which are tributaries of the Hudson River estuary. **Site Features:** Operable Unit No. 1 (OU-1) consists of the area east of the railroad tracks (15 acres). OU-2 is west of the railroad tracks (7 acres). The OU-1 portion of the site is divided by a terrace escarpment into upland and lowland areas. The former plant facilities, including underground storage tanks and production areas, were located within the upland area, in the west portion of the site. The lowland areas extend east and northeast from the escarpment to Cedar Pond Brook and Minisceongo Creek. OU-2 is bounded to the north by Cedar Pond Brook, a wetland and commercial buildings. **Current Use:** The OU-1 area is currently vacant. The OU-2 area is surrounded by a private school and commercial establishments. Both areas are zoned for commercial applications. The surrounding area is primarily residential with some large industrial complexes up and down river from the site. Haverstraw Bay and Stony Point State Park are located along this reach of the Hudson and are used for recreational purposes such as fishing and boating. Directly south of the property is a municipal landfill operated by the Town of Haverstraw. The closest residential area is 0.5 miles west of the site. **Past Use of the Site:** The Kay-Fries site was the site of chemical production operations from 1930 to 1987. Treated and untreated wastes were disposed at the site via open burning, permitted incineration, discharges to Minisceongo Creek, leaking tanks and improper chemical handling. Groundwater in the shallow water bearing zone was contaminated by site related compounds. Contaminated groundwater plumes begin on the upper terrace area and flow approximately 300 feet toward the east-southeast. A shallow benzene plume originated from an underground storage tank (UST) removed in 1984. A shallow chlorinated organics plume originated from the southern upper terrace area, east of the railroad tracks. **Operable Units:** This project was divided into two operable units (OUs). The remedy for OU-1 involved the construction and operation of three groundwater collection trenches, and a treatment system (air stripper and activated carbon) to remediate the contaminated groundwater. The remedy for OU-2 involved the construction and operation of a groundwater collection sump for on-site treatment of the contaminated groundwater. **Site Geology and Hydrogeology:** The site is underlain by fill or reworked material ranging to approximately 5-8 feet below ground surface (bgs). A clay layer ranges between 5 and 40 feet bgs. Groundwater is found approximately 10 feet bgs, and flows to the east.

Summary of Project Completion Dates

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
BENZENE	UNKNOWN
BENZENE (F005)	UNKNOWN
MEK	UNKNOWN
METHYL ISOBUTYL KETONE	UNKNOWN
METHYL-ETHYL-KETONE (F005)	UNKNOWN

Site Environmental Assessment

Pre-Remediation: Based on investigations conducted to date, the contaminants of concern at both operable units are BTEX constituents and chlorinated organics (OU-1) and chlorinated organics (OU-2). In OU-1, the groundwater is impacted by BTEX constituents up to 67,000 ppb; and chlorinated organics up to 3,700 ppb. In OU-2, the groundwater is impacted by chlorinated organics up to 130 ppb. **Post-Remediation:** Remediation at the site was completed in 2000. A groundwater treatment system (GWTS) was installed with three collection trenches in OU-1, and a groundwater seep collection structure was installed in OU-2. In late 2010 the GWTS went off-line due to mechanical failure. Due to the age of the system, replacement parts were not available and retro-fitting the system with new controls was not feasible. Based on a site-wide groundwater sampling event, permanent cessation of the GWTS and recovery trenches 1 and 2 was approved. A soil vapor intrusion study was conducted in two buildings along the downgradient side of OU-2. The study demonstrated that soil vapor intrusion was not a concern. A soil vapor study was conducted in OU-1 in the large warehouse. The study showed slightly elevated levels of chlorinated solvents, but the study was conducted without the building in use (no heat). Further sampling will be conducted once the building is renovated and the heating system is operational. In one area of the site in OU-1, known as MW-31, the groundwater concentrations for VOCs remain very high. The remedial party has commenced (November 2012) an in situ Chemical Oxidation program to address these remaining impacts.

Site Health Assessment

Exposure to contaminated groundwater is not expected because the area is served by public water. Surface soil testing in 1995 at the nearby elementary school detected nothing that would prevent use of the playgrounds by students. A 1996 NYSDOH Cancer Case Review concluded that the pattern of cancer seen among staff and students of the nearby West Haverstraw Elementary School did not appear to be unusual or to represent a cluster. The potential for soil vapor intrusion within Operable Unit 1 was investigated, and no further actions were deemed necessary. The potential for soil vapor intrusion within Operable Unit 2 will be investigated.

For more Information: [E-mail Us](#)

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**NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Gabriel Manufacturing Co. Inc.

Site Code: 344041

Program: State Superfund Program

Classification: 02

EPA ID Number:

Location

DEC Region: 3

Address: 125 South Liberty Drive

City: Stony Point Zip: 10980

County: ROCKLAND

Latitude: 41.220292940

Longitude: -73.986787110

Site Type: STRUCTURE

Estimated Size: 3.000 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Gabriel Manufacturing Company, Inc.

Current Owner(s) Address: 125 South Liberty Drive
Stony Point, NY, 10980

Current Owner Name: Gabriel Manufacturing Company, Inc.

Current Owner(s) Address: 125 SOUTH LIBERTY DRIVE
STONY POINT, NY, 10980

Owner(s) during disposal: GABRIEL MANUFACTURING COMPANY, INC.

Current On-Site Operator: Gabriel Manufacturing Company, Inc.

Stated Operator(s) Address: 125 South Liberty Drive
Stony Point, NY 10980

Site Document Repository

Name: Rose Memorial Library

Address: 79 E. Main Street

Stony Point, NY 10980

Hazardous Waste Disposal Period

From: unknown To: unknown

Site Description

Location: The Gabriel Manufacturing site is a 3-acre parcel located on South Liberty Drive (Routes 202 and 9W) in the Town of Stony Point, Rockland County. The adjacent parcels are both residential and commercial. **Site Features:** It is an active manufacturing facility that produces small metal and plastic parts for office furniture. The site is approximately three acres in size and contains a 16,000 square-foot building. The facility uses a deep bedrock well for non-contact cooling water which is treated through an air stripper to remove volatiles prior to discharge to the storm sewer. **Current Zoning:** Industrial Historic **Uses:** The facility historically repackaged CFC 11 and CFC 12. The product was delivered from the suppliers to the facility by truck, then pumped under pressure to two above ground storage tanks near the back of the building. The company alleges that the CFCs were discharged to the ground surface during deliveries. The suppliers deny this claim. The NYSDEC performed a PSA in 1999. CFC 11, CFC 12, TCA, DCE and DCA were detected above NYS groundwater standards in overburden and bedrock wells. DER signed a consent order in August 2007 with the 3 CFC suppliers to conduct a Supplemental Site Assessment. Field activities have been completed and the Final SSA Report was accepted on March 10, 2010. The terms of the SSA Consent Order have been met. Additional RI work is required to investigate the septic tank as a source area and to investigate potential off-site impacts. **Site Geology and Hydrogeology:** The depth to groundwater in the till ranges from 42 to 47 feet bgs. Unconsolidated glacial till deposits overlie bedrock at the site. The till consists of an unsorted, unstratified mixture and clay, silt, sand, and gravel, with occasional lenses of sand/gravel. The till is estimated to be 80 to 100 feet thick. A hard till layer (red-brown clay layer) was encountered just above bedrock in some of the monitoring well borings installed at the site. There are no surface water bodies on the site. The nearest downslope surface water body relative to the site is Cedar Pond Brook, which is north, northeast, and east of the site. The most likely point of runoff entry (POE) to Cedar Pond Brook is approximately 1,800 feet northeast of the site. Cedar Pond Brook is approximately 2 miles long and is a tributary of the Hudson River. A series of downslope, offsite catch basins collect runoff from Route 9W, and may also collect runoff from the site. It is not known if the catch basins discharge to Cedar Pond Brook or the Hudson River (LMS 2000).

Summary of Project Completion Dates

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity

of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
DICHLORODIFLUOROMETHANE (FREON 12)-U075 WASTE	3,000 TO 9,000 GALLONS
TRICHLOROFLUOROMETHANE (FREON 11)-U121 WASTE	UNKNOWN

Site Environmental Assessment

Nature and Extent of contamination: The primary contaminants of concern at the site known to date are Freon 11, Freon 12 and 1,1,1-TCA in groundwater. Soil sampling conducted by the PRPs as part of the Supplemental Site Assessment indicate that the septic tank could be the source for groundwater contamination. Contaminants exceeding NYS groundwater standards have been identified in groundwater near the property boundaries. Off-site groundwater and surface water impacts have not been evaluated. **Special Resources Impacted/Threatened:** A New York State-designated fresh water Aquifer (HS-3) is approximately 1,800 feet northeast of the site (at the POE to Cedar Pond Brook). Two New York State freshwater wetlands (HS-4, HS-5) are downstream of the POE, northeast and east of the site. A series of downslope, offsite catch basins collect runoff from Route 9W, and may also collect runoff from the site. It is not known if the catch basins discharge to Cedar Pond Brook or the Hudson River (LMS 2000). **Significant Threat:** The Gabriel Site was reclassified as a class 2 site in 2001. Historic use of halogenated solvents and lubricants have been documented at this site. It is thought that chemical residue may have been discharged onto the ground from hoses during delivery by truck. PSA identified halogenated compounds across the entire site including in an onsite water supply well that was subsequently abandoned. Further study of the site identified the septic system as the major source of groundwater contamination. SVI issues were determined to be minimal.

Site Health Assessment

The on-site water supply well was found to be contaminated and is no longer used for potable water. The Rockland County Health Department conducted a survey for both public and private water supply wells within 1500 feet of the site and found none. The site is in a remote location; therefore, any potential on-site exposures to contaminated soils would likely be limited to employees. NYSDEC and NYSDOH will evaluate the need to conduct additional investigations to determine the potential for soil vapor intrusion into structures on or near the site.

For more Information: E-mail Us

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Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Hudson River PCB Sediments

Site Code: 546031

Program: State Superfund Program

Classification: 02

EPA ID Number:

Location

DEC Region: 5

Address: Hudson River, Hudson Falls-NYC Battery

City: Zip: 12180

County: SARATOGA

Latitude: 43.286475666

Longitude: -73.595363441

Site Type:

Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Current Owner Name: New York State

Current Owner(s) Address:

,ZZ,

Current Owner Name: STATE OF NEW YORK

Current Owner(s) Address:

,ZZ,

Owner(s) during disposal: STATE OF NEW YORK

Current On-Site Operator: NYS Department of Transportation

Stated Operator(s) Address: State Campus - Building 5
Albany, NY 12233

Hazardous Waste Disposal Period

From: 1946 **To:** present

Site Description

Site Location: This site includes the nearly 200-mile stretch of the Hudson River that extends from Hudson Falls in Washington County to the Battery in New York City. The river is part of the Champlain Canal between Fort Edward and Waterford. **Site Features:** The site includes the main stem of the Hudson River, as well as the associated flood plains, river banks, riverine fringing wetlands, and backwater areas. **Current zoning / uses:** The river is currently used for recreation, transportation, and as a source of water for drinking and other purposes. The river floodplain areas include all types of land uses, from passive / recreational to residential to commercial / industrial. **Historical uses:** The General Electric Company (GE) discharged PCBs into the river from two capacitor manufacturing plants located in Hudson Falls and Fort Edward starting sometime in 1946. Previous investigations identified 40 areas or 'hot spots' in the upper Hudson that had sediments contaminated with greater than 50 ppm of PCBs. Also included in the definition of this site are five Remnant Deposits or river sediment areas that were exposed when the level of the river was lowered when the Fort Edward Dam was removed in 1973. EPA issued a Record of Decision (ROD) for this National Priorities List site on September 25, 1984 which included: in-place containment of the Remnant Deposits; evaluation of downstream domestic water quality at Waterford, New York; and interim No Action as to the PCB-contaminated river sediment. The 1984 ROD indicated that both the No Action decision for the river sediments and the containment remedy for the Remnant Deposits might be reexamined by EPA in the future. The containment remedy for the Remnant Deposits was performed by GE under a 1990 Consent Decree with EPA. In addition, in 1990, NYSDEC completed the evaluation of downstream domestic water quality at Waterford, New York, which concluded that PCB concentrations were below analytical detection limits after treatment and met standards applicable to public water supplies. In December 1989, EPA announced its decision to initiate a detailed Reassessment Remedial Investigation/Feasibility Study (RI/FS) of the September 1984 decision concerning the PCB contaminated Hudson River sediments. The Reassessment culminated with EPA's issuance of a second ROD for the site in February 2002 which included the dredging of an estimated 2.65 million cubic yards of PCB contaminated sediments from the Upper Hudson River (between Fort Edward and Troy), which was estimated in the ROD to contain about 66,300 kilograms of total PCBs (approximately 65% of the total PCB mass estimated to be present within the Upper Hudson River). The ROD also identified further evaluation of PCB contamination in the flood plains concurrent with the design phase of the project. EPA issued a series of Orders to GE for performance of the engineering design for the project. Project design has been completed for Phase 1 (the first year) of the dredging program, and is ongoing for the remainder of the project. Phase 1 dredging commenced in May 2009, and was completed in October 2009. As a result of supplemental investigations during design, the estimates of sediment volume and PCB mass to be removed have been revised to a lower volume of sediment (~1.8 million cubic yards) and a higher PCB mass (~113,000 kilograms) to be removed as a result of the project. After completion of Phase 1, EPA reviewed the environmental monitoring and

operational data to determine the changes to the project standards and to project design specifications Phase 2. The changes to the project for Phase 2 were provided to GE in December 2010. GE, in accordance with the Consent Decree for the site, opted to implement Phase 2 of the remedy on 12/31/10. Phase 2 of the remedial project started in 2011, and is anticipated to take five to seven years.

Summary of Project Completion Dates

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
CADMIUM	UNKNOWN
AD	UNKNOWN
PCB-AROCLOR 1016	UNKNOWN
PCB-AROCLOR 1242	UNKNOWN
PCB-AROCLOR 1254	UNKNOWN
POLYCHLORINATED BIPHENYLS (PCB)	UNKNOWN

Site Environmental Assessment

Nature and extent of contamination: Contaminants: The primary constituent of concern is PCBs, discharged from two GE capacitor plants in Hudson Falls and Fort Edward. The upstream extent of contamination is the portion of the river immediately above the Bakers Falls Dam at the GE Hudson Falls plant site. The downstream extent of contamination is the Atlantic Ocean. The commercial mixtures of PCBs discharged from the two GE plant sites changed over time; initially aroclor 1254, changing to aroclor 1242 and then to aroclor 1016. **Contaminant Concentrations:** PCBs have been found in excess of standards, criteria and guidance concentrations (SCGs) in sediments, surface water, biota, air, and soils at the Hudson River PCBs site. The primary sources at the plant sites have been almost completely abated through remedial work at the plant sites; as a result, the primary source of PCB to the surface water and biota of the river are the contaminated sediments in the river south of the plant sites. PCB concentrations in sediment range from non-detect to greater than one percent PCB (> 10,000 parts per million). In surface water typically concentrations range from 2 nanograms per liter (ng/l or parts per

trillion) to 100 ng/l, except at times of high flow when scour-driven remobilization of contaminated sediments can cause much higher concentrations in excess of 1 microgram per liter (1 ug/l or part per billion). Investigations are underway to determine the extent of floodplain impacts. To date, PCB concentrations in excess of 500 milligrams per kilogram (mg/kg or part per million) have been found in limited areas. The nature and extent of floodplain soil contamination has not yet been established. Significant threat: PCB contamination in the Hudson River sediments pose a significant threat to human health and/or the environment. Concentrations in PCBs in biota directly attributable to the waste disposal at the site have led the Department of Health to recommend that human consumption of biota be limited over a substantial portion of the Hudson River between Hudson Falls and the Battery in New York City. In the upper Hudson, the fishery is catch and release only, and the NYSDOH advisory is to eat none. The disposal of PCB into the Hudson River has also led to significant environmental damage as defined in 6 NYCRR Part 375. This site has been included in the Federal National Priorities List (NPL).

Site Health Assessment

Consumption of fish is the major potential route of human exposure to PCBs from this site. Because of site impacts, most fish from the Hudson River downstream of Hudson Falls have elevated PCB levels, particularly near the GE Fort Edward Plant site and the GE Hudson Falls site. Fishing is restricted to catch and release from Hudson Falls to Troy. In addition, there are advisories ("eat none" or "eat no more than 1 meal per month") on consumption of several fish species caught from the Hudson River below the Troy Dam to New York Harbor. There are two downstream public drinking water supply intakes within the Upper Hudson River located in Halfmoon and in Waterford. Plans to protect these public water supplies during dredging are under development. In addition, GE under USEPA oversight will take actions at several properties along the Hudson River in 2007 to address PCB contaminated floodplain soils. These actions vary from deploying signs to installing various covers and are intended to reduce exposures to PCBs in floodplain soils until a permanent remedy is developed. Additionally, plans for further floodplain soil investigations in the Upper Hudson River Floodplain are under development.

For more Information: [E-mail Us](#)

[Refine This Search](#)



**NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Ciabattoni Property

Site Code: C344068

Program: Brownfield Cleanup Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 153 South Liberty Drive

City: Stony Point Zip: 10980

County: ROCKLAND

Latitude: 41.217671735

Longitude: -73.986791780

Site Type:

Estimated Size: 0.230 Acres

Institutional And Engineering Controls

Control Type:

Environmental Easement

Control Elements:

Cover System

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Site Owner(s) and Operator(s)

Current Owner Name: ARC CPSTPNY001, LLC c/o American Realty Capital

**Current Owner(s) Address: 405 Park Avenue
New York, NY, 10022**

Site Description

Location: The Ciabattoni Property is located at 153 South Liberty Drive in a suburban area of the Town of Stony Point, Rockland County, New York. **Site Features:** The site is an approximately 0.23 acre parcel located on the western side of South Liberty Drive (US Routes 9W and 202). It has recently been developed as a bank and parking lot. The bank building and parking lot extend off of the site onto the adjacent property to the north. **Durrent Zoning/Use:** The surrounding area is used for a combination of commercial and residential purposes. **Past Uses of the Site:** From 1953 until 2003 the site was the location of a gas station and automotive repair shop. The storage and use of petroleum associated with the former gas station has led to contamination of the site. Several remedial actions were conducted at the site prior to the site entering the BCP, which included removal of several petroleum bulk storage tanks and removal of areas of petroleum contaminated soil. Additional soil was removed during the implementation of the remedial program and a site-wide cover system was constructed. As part of the remediation of the site, an environmental easement was placed on the property, limiting future use of the site to commercial and industrial uses. A Site Management Plan was developed for the site which requires monitoring of the cover system; includes details on managing residual contamination at the site; and requires periodic certifications be made that the remedy is in place and effective.

Summary of Project Completion Dates

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
BENZENE	UNKNOWN
APHTHALENE	UNKNOWN
XYLENE (MIXED)	UNKNOWN

Site Environmental Assessment

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern at the site were volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) associated with petroleum. Residual contamination remains in soil and groundwater. VOCs detected at the site include benzene; toluene; ethylbenzene; xylenes; 1,2,4-trimethylbenzene; 1,3,5-trimethylbenzene; and several others. Several SVOCs were detected at the site, with naphthalene being the SVOC detected at the highest concentrations. Groundwater flow is from west to east. Groundwater contamination extends off-site to the east, under South Liberty Drive. Based on the remedial actions implemented, the concentrations of contaminants in groundwater are expected to diminish.

Site Health Assessment

The site is covered by a building and pavement so contact with contaminated soils is not expected. Drinking contaminated groundwater is not likely since the area is supplied by public water.

For more Information: [E-mail Us](#)

[Refine This Search](#)

PROPOSED
AMENDMENTS TO CHAPTER 215

STEPHEN P. MANDRACCHIA
ATTORNEY AT LAW
c/o HUDSON TECHNOLOGIES, INC.
PO BOX 1541, ONE BLUE HILL PLAZA, 14th FL.
PEARL RIVER, NEW YORK 10965
(845) 512-6004 / Fax (845) 512-6070

October 2, 2014

TO: Joan Skinner - Town Clerk
FROM: Stephen Mandracchia
RE: Petition to Amend Chapter 215 of the Town Code

Enclosed please find an original and five (5) copies of the petition of MBC Holding LLC and Patrick Magee to the Town Board to amend Chapter 215 of the Code of the Town of Stony Point. Please deliver the original to the Town Supervisor and one copy to each of the Town Board Members.

Thank you..

Stephen P. Mandracchia

STEPHEN P. MANDRACCHIA
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PEARL RIVER, NEW YORK 10965
(845) 512-6004 / Fax (845) 512-6070

October 2, 2014

Stony Point Town Board
74 East Main Street
Stony Point, New York 10980
Attn: Supervisor Geoffrey Finn

Re: Petition to Amend Chapter 215 of the Town Code

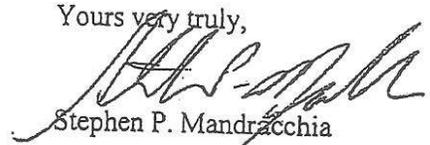
Dear Supervisor Finn:

I am the attorney for MBC Holding LLC ("MBC") and Patrick Magee ("Magee"). MBC is the owner of premises known as 30 Holt Drive (Tax Lot Section 20.02-11-28) and premises known as 50 Holt Drive (Tax Lot Section 20.02-11-25). Magee is currently the contract vendee of premises known as 45 Holt Drive (Tax Lot Section 20.04-11-3), which premises are owned by KBT Properties, Ltd.

By this letter, MBC and Magee (collectively the "Petitioners") hereby petition the Stony Point Town Board (the "Town Board") to amend Chapter 215 of the Code of the Town of Stony Point (the "Code") in accordance with the authority granted to the Town Board by Sections 51, 264 and 265 of the Town Law of the State of New York. Specifically, Petitioners ask that the Town Board adopt the proposed Code amendments as set forth on the accompanying Schedule A.

Please contact the undersigned if you have any questions.

Yours very truly,



Stephen P. Mandracchia

SPM/
Enc.
HAND DELIVERED

Cc: Councilman Jim White
Councilman Karl Javenes
Councilman Jim Monaghan
Councilman Tom Basile
Joseph McKay, Esq., via e-mail (jmckay@cmmrlegal.com)

Proposed Amendments to Town Code:

Set forth below are proposed amendments/modifications to the Town Code to provide clarification as to how new technologies associated with the reuse of Solid Waste for the production of Fuel, Energy or other products through processes such as "Gasification" or "Pyrolysis" will be addressed by the Code. Also proposed are amendments to the code to permit similar or ancillary activities involving the processing, separating and recycling of solid waste. Accordingly, we propose the following amendments to the Code (suggested changes are highlighted):

1. Amend Section 215-13 (Prohibited Uses) as follows:
 - Amend subparagraph A to read: **"With the exception of Primary Production or By Products produced from a Green Industrial Facility, including but not limited to Fuel or energy, manufacturing uses involving primary production of the following products from raw materials:**
 - (1) Asphalt, cement and charcoal (except fuel briquettes).
 - (2) chemicals; aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen, oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash (excluding potash produced as a waste or by-product in connection with an approved or permitted use), plastic materials and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric and sulfuric acids.
 - Amend subparagraph B to remove the prohibition for distillation of wood, and to remove prohibition for "reduction and processing of wood pulp and fiber".
 - Delete subparagraph E.
 - Amend subparagraph F to read: **"Dumps, sanitary landfills and junkyards, except those owned and operated by the Town. Temporary accessory storage of solid waste as feed stock in connection with an approved or permitted use shall not be deemed to constitute a dump, sanitary landfill or junkyard."**
 - Amend subparagraph G to read: **"Incineration of waste materials, except in a plant owned and operated by the Town. Pyrolysis, thermal depolymerization and gasification shall not be considered to be incineration."**
 - Amend subparagraph H to read: **"Disposal of septic or sewage wastes. Use of septic or sewage wastes in manufacturing or chemical processes resulting in no long term deposition of septic or sewage waste on site shall not be considered to be disposal."**
 - Delete Subparagraph (J) which removes the prohibition of free standing water tanks.
2. Add a new Section 215-21A to read as follows:

"215-21A. Special Requirements for a "Green Industrial Facility. In addition to the requirements of Article X, Site Plan review and approval for the use of "Green Industrial Facilities", including any accessory uses for Green Industrial Facilities permitted by right in a LI -2 District, or by Special Use Permit in a LI District, requires the following additional conditions:

- (a) all permitted accessory uses for the are to be carried out within a building except that the following accessory uses shall not be required to be carried out within a building: Wood Chipping Facility, Fuel Storage Facility, Railroad Yard;
- (b) compliance with all applicable federal and state requirements, including but not limited to 6 NYCRR part 360, as amended from time to time;
- (c) no more than seven times the approved daily design capacity of the Green Industrial Facility may be stored on site at any one time;
- (d) Notwithstanding paragraph (a) above, solid waste identified as nonputrescible Recyclable Material or oversized, bulky, or nonprocessable solid waste may be temporarily stored outside for a period not to exceed one week;
- (e) Solid waste must be separated from recyclable materials and processed within ninety (90) days of offloading to the facility;
- (f) vehicles transporting solid waste to the facility (including without limitation rail cars) shall be offloaded to the facility within thirty (30) days of arrival at the facility;
- (g) the existence of the following objectionable elements shall be determined at the lot line of the use creating the same, or at any point beyond said lot line, and shall be limited as follows:

1. Noise. All uses shall conform to all applicable regulations of the New York State Department of Environmental Conservation.

2. Odors. No operations may generate any noxious odor that reaches the odor threshold, measured at the lot line, provided however, that this provision shall not apply to odors emanating from vehicles (including rail cars) transporting solid waste while in transit. For purposes of this clause, the "odor threshold" is defined as the minimum concentration in air of a noxious smelling gas, vapor or particulate matter that can be detected by the olfactory system of a panel of healthy observers selected by the Town at a public meeting.

3. Amend columns B, B-1, E, F and G of the LI and LI-2 Use Table as per the attached to show a Green Industrial Facility as a use as of right in the LI-2 District and as a use by Special Permit in the LI District.

4. Amend Table of Bulk Requirements, Part II (215 Attachment 16) as per the attached.

5. Code Section 215-(Definitions) – add the following additional definitions

- "Biomass" means any organic material other than (A) oil and natural gas (or any product derived thereof) and (B) coal (including lignite) and any product derived thereof.
- " .
- "By-Product" means a final, secondary salable product of a series of manufacturing processes or operations that is incident to the Primary Production.
- "Construction and Demolition (C&D) Debris means uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated solid waste resulting from land clearing. Such waste includes, but is not limited to, bricks, concrete and other masonry materials, soil, rock, wood (including painted, treated and coated wood and wood products), land-clearing debris, wall coverings, plaster,

drywall, plumbing fixtures, non-asbestos insulation, roofing shingles and other roof coverings, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, empty buckets 10 gallons or less in size and having no more than one inch of residue remaining on the bottom, electrical wiring and components containing no hazardous liquids, and pipe and metals that are incidental to any of the above. Solid waste that is not C&D debris (even if resulting from the construction, remodeling, repair and demolition of utilities, structures and roads and land clearing) includes, but is not limited to, asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent lights, ballasts or transformers, carpeting, furniture, appliances, tires, drums, containers greater than 10 gallons in size, any containers having more than one inch of residue remaining on the bottom and fuel tanks. Specifically excluded from the definition of C&D debris is solid waste (including what otherwise would be construction and demolition debris) resulting from any processing technique, other than that employed at a NYSDEC-approved C&D debris processing facility, that renders individual waste components unrecognizable, such as pulverizing or shredding.

- **“C& D Processing Facility”** means a processing facility that receives and processes construction and demolition debris by any means.
- **“Ethanol”** means an industrial alcohol or Fuel produced from a Green Industrial Facility.
- **“Fuel”** means gaseous, liquid, or solid fuel used for the production of energy, including without limitation an approved motor fuel, jet fuel, diesel fuel, gasoline or an approved heating fuel, including ethanol, biodiesel renewable diesel or other approved fuel produced as a product of a Green Industrial Facility.
- **“Fuel Storage Facility”** means a single property or contiguous or adjacent properties used for a common purpose which are owned or operated by the same person on or in which are located: (a) one or more stationary Fuel storage tanks which are used singularly or in combination for the storage of more than 1,100 gallons or (b) any Fuel storage tank whose capacity is greater than 110 gallons where 10% or more of the volume of the tank is underground.
- **“Garbage”** means putrescible solid waste including animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking or serving of foods. Garbage originates primarily in home kitchens, stores, markets, restaurants and other places where food is stored, prepared or served.
- **“Gasification”** means a process to convert solid waste, after separation of recyclable materials, into a synthesis gas through pyrolysis and/or chemical decomposition.
- **“Green Industrial Facility”** means a facility which converts solid waste materials (excluding separated recyclable materials) into useable heat, electricity, Fuel or products through a variety of processes including, but not limited to, combustion, gasification, pyrolysis or pyrolization, anaerobic digestion and fermentation, thermal depolymerization, distillation and landfill gas (LFG) recovery.
- **“Post –Collection Separation Facility”** means a facility which separates recyclable material from solid waste, other than source-separated recyclable materials or construction and demolition debris.
- **“Primary Production”** means the production of one or more final, principal or end products of a manufacturing process or operation or a series of manufacturing processes or operations.
- **“Pyrolysis”** means a process using applied heat in an oxygen-deficient or oxygen-free environment for chemical decomposition of solid waste.

- **“Railroad Yard”** means a complex of two or more railroad tracks used for storing, sorting, or loading/unloading railroad cars and/or locomotives (rolling stock) and/or for keeping rolling stock stored off a main rail line, so that they do not obstruct the flow of rail traffic.
- **“Recyclable Handling and Recovery Facility”** means a solid waste processing facility, other than collection and transfer vehicles, at which non-putrescible recyclable materials are separated from the solid waste stream or at which previously separated non-putrescible recyclables are processed.
- **“Recyclable Materials”** means any non-putrescible solid waste material designated, from time to time, which, under any applicable law or regulation, is not hazardous and which is or has been separated from the solid waste stream and held for its material recycling or reuse value. It shall be limited to the following materials only: glass, aluminum, tin/steel cans, white goods, scrap metal, plastics, used oil, lead acid batteries and dry-cell batteries. All other materials are specifically excluded from this definition.
- **“Renewable Diesel”** means diesel fuel derived from biomass at a Green Industrial Facility as such term is defined by the United States Internal Revenue Service.
- **“Separate, Separated or Separation”** means any act or process by which recyclable materials are separated from the solid waste stream.
- **“Solid Waste”** means any garbage, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded materials including solid, liquid, semi-solid, or contained gaseous material, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 USC 1342, as amended (86 Stat. 880), or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923) except as may be provided by existing agreements between the State of New York and the government of the United States.
- **“Thermal Depolymerization”** means a process for the reduction of complex organic materials through the use of pressure and heat to decompose long-chain polymers of hydrogen, oxygen and carbon into short-chain hydrocarbons
- **“Tires”** means solid waste material consisting of rubber tires (including steel ply or belted, studded, nylon ply or belted), whether intact, shredded or chopped, from cars, trucks, or other motor vehicles, devices or appliances, and their casings.
- **“Truck Terminal”** means a facility where goods are being transported or transferred by truck and where trucks, owned by the terminal or affiliate, are leased, repaired, serviced, maintained and/or temporarily stored.
- **“White Goods”** means common household appliances including refrigerators, freezers, stoves, ovens, washers, dryers, dishwashers, hot water heaters and air conditioners.
- **“Wood-Chipping Facility”** means a facility which produces wood chips or mulch from chipping and/or grinding of the raw material for the express purpose of producing wood by-products for use as landscaping material or for other uses.
- **“Yard Waste”** means solid waste materials consisting of leaves, grass clippings, garden debris, tree branches, limbs and other similar materials, such as aquatic weeds.

TABLE OF GENERAL USE REGULATIONS
PART II: NONRESIDENTIAL DISTRICTS

L.I.-2 District revised July 28, 2014

A	B	B-1 Use Group	C	C-1 Use Group	D	D-1 Use Group	E	F	G
District	Uses permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XIII and XVIII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off street Parking Spaces For	Additional Regulations
LI-2	<p>1. Office Buildings for business and professional use.</p> <p>2. Industrial uses which may include the manufacturing, fabricating, processing, concerting, altering, assembling, testing or other handling or products</p> <p>3. Wholesaling, warehousing and distribution business.</p> <p>5. Commercial recreation establishment, indoor use only</p> <p>6. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a)¹</p> <p>7. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X¹</p> <p>8. Wireless communications facilities on existing utility structures as per A(1)(c)¹</p> <p>9. Green Industrial Facility, subject to 215-21A</p>	<p>I</p> <p>I</p> <p>I</p> <p>I</p> <p>F</p> <p>B</p> <p>B</p> <p>B</p> <p>O</p>	<p>1. Same as RR No. 1 (outdoor facilities) associated with a commercial recreation establishment subject to §215-92.1</p> <p>2. Outdoor recreation facilities/ uses</p> <p>3. Contractor's material and storage yards subject to §215-88.</p> <p>4. Local convenience commercial uses and restaurants accessory to local convenience commercial uses.</p> <p>5. Automobile and boat sales and service including auto body repair subject to §215-87.</p> <p>6. Automobile washing facilities subject to §215-87.</p> <p>7. On site dry cleaning facilities</p> <p>8. Appliance and household equipment repair.</p> <p>9. Automobile rental establishment</p> <p>10. Tire retail stores³</p> <p>11. Power equipment sales and service³, including lawn mowers, snowmobiles, tractors, etc.</p> <p>12. Printing, publishing and copy establishments.</p> <p>13. Nursery and/or landscaping supply (retail and wholesale).</p> <p>14. Building supply (retail and wholesale), lumberyards.</p> <p>15. Accessory retail sales of products assembled, processed, or manufactured on site</p> <p>16. Research laboratories</p> <p>17. Vocational or trade Schools</p> <p>18. Animal boarding facilities (kennels), animal shelters, animal hospitals, veterinarians, animal grooming and sales</p> <p>19. Catering hall, off-site catering, commercial bakeries and food preparation.</p>	<p>F</p> <p>I</p> <p>B</p> <p>F</p> <p>F</p> <p>I</p> <p>B</p> <p>I</p> <p>I</p> <p>B</p> <p>I</p> <p>F</p> <p>I</p>	<p>1. Wireless communications antenna tower and appurtenant structure(s)¹</p> <p>2. Hotels and motels and restaurants accessory to hotels and motels.</p>	<p>B</p> <p>H</p>	<p>1. Same as BU Nos. 1 (parking), 2 (loading), 3 (temporary structures), 4 (storage), and 6 (signs).</p> <p>2. Same as O Nos. 2 (maintenance and ancillary facilities) and 3 (signs)</p> <p>3. The following uses as accessory to Green Industrial Facility:</p> <p>a) Fuel Storage Facility</p> <p>b) General industry</p> <p>c) Public utility building, plant, structure or storage yard</p> <p>d) Laboratory and research</p> <p>e) Railroad yard</p> <p>f) Warehouses with three or more truck docks or bays.</p> <p>g) Waste tire storage processing.</p> <p>h) C&D processing facility.</p> <p>i) Wood chipping facility.</p> <p>j) Yard Waste</p> <p>k) Post-Collection Separation Facility</p> <p>l) Recyclable Handling and Recovery Facility</p>	<p>1. Same as BU</p> <p>2. Column B Nos 2, 3, 4, 5 (Industrial uses, wholesaling, warehousing, distribution, freight and truck transfer terminals)</p> <p>3. Contractor material and storage yards</p> <p>4. Green Industrial Facility, subject to 215-21A</p> <p>150 square feet of office area, plus 1 for each 2 employees</p> <p>300 sq.ft. of office area plus 1.5 for each employee in the maximum working shift.</p>	<p>1. Same as O Nos. 1, 2, 4 and 5.</p> <p>2. No entrances or exits for any parking or loading area shall be located within 300 feet of any lot containing residential use in a residential district. For freight and/or truck transfer terminals, no part of the use and uses accessory thereto, including driveways, shall be closer than 500 feet to a residential use in a residential district.</p> <p>For freight and/or truck transfer terminals the docks shall be no closer than 100 feet to a residential dwelling.</p> <p>3. Any industrial use proposed for this district shall, in addition to any other application requirements, provide a detailed description of mechanical, compressive and chemical processes with the corresponding OSHA 2206 code requirements and the applicant's proposed means of meeting those criteria</p>

Notes:

1 Any appurtenant structure associated with the communication facility is not considered an accessory structure.

2 The maximum height limitations for wireless communication facilities in the BU, O, LI, LI-2, SR and PW Districts shall be regulated by the Wireless Communications Law (LL No 4-2202) set forth in Sec. 215-66 et seq. of the Code of the Town of Stony Point.

3 For this use the Day Night Noise Level as defined by the US EPA shall not exceed 65dBA or existing background levels, whichever is higher

TABLE OF GENERAL USE REGULATIONS
PART II: NONRESIDENTIAL DISTRICTS

A		B		C		D-1		E		F		G	
District	Use Group	Uses permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XIII and XVIII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off street Parking Spaces At least 1 Parking Space for Each	Additional Regulations	Minimum Off street Parking Spaces At least 1 Parking Space for Each	Additional Regulations	Additional Regulations
O	H	1. Office buildings for business and professional use, including administrative, scientific, research and development, training, statistical, financial and similar purposes in connection with such use. 2. Corporate parks. 3. Medical and dental clinics and health service facilities. 4. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a).1 5. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X.1. 6. Wireless communications facilities on existing utility structures as per A(1)(c)	F	Commercial recreation establishment, indoor recreation use only subject to §215-92.1	F	1. Same as RR Nos. 21 (utilities), 2(public utility buildings) and 4 (cemeteries). 2. Hotels and motels. 3. Wireless communications antenna tower an appurtenant structures (s).1 4. Only in a LI District, Green Industrial Facility, subject to 215-21A. 5. The following uses by Special Permit may be accessory to Green Industrial Facility a) Fuel Storage Facility b) General Industry c) Public utility building, plant, structure or storage yard d) Laboratory and research e) Railroad Yard f) Warehouses with three or more truck docks or bays. g) Waste tire storage processing. h) C&D processing facility. i) Wood chipping facility. j) Yard Waste k) Post-Collection Separation Facility l) Recyclable handling and Recovery Facility	-	1. Same as BU Nos. 1 (parking, 3 (loading, 3 (temporary structures), 4 (storage) and 6 (signs)) 2. Maintenance and utility shops for the upkeep and repair of buildings and structures on the site, central heating and airconditioning plants, power substations, water supply and sewage disposal facilities, training schools for employees, communication facilities, company clinics, employee dining and recreation facilities, company stores and guest lodges, all of which are for the exclusive use of employees and visitors to the building but not for the general public. 3. Caretaker's residence 4. Business identification signs. 5. Green Industrial Facility, subject to 215-21A.	1. Same as BU Nos. 1 (public utility buildings), 10 (hotels and motels) and 11 (utilities)	1. Buffer areas equal to the respective required setback shall be provided between the proposed use and any residential district boundary, except that the Planning Board may reduce the buffer at the time of site development plan review to not less than 50 feet where, owing to topographic or other conditions, or characteristics of proposed use, there will be no foreseeable interference with the use and enjoyment of residentially zoned properties. 2. The minimum distance between detached buildings shall be the height of the highest wall, plus 15 feet. Fire access shall be provided on all sides of any proposed structure that is not rated Type One under the State Building Construction Code (C202-2).	1. Same as BU Nos. 1 (public utility buildings), 10 (hotels and motels) and 11 (utilities)	1. Buffer areas equal to the respective required setback shall be provided between the proposed use and any residential district boundary, except that the Planning Board may reduce the buffer at the time of site development plan review to not less than 50 feet where, owing to topographic or other conditions, or characteristics of proposed use, there will be no foreseeable interference with the use and enjoyment of residentially zoned properties. 2. The minimum distance between detached buildings shall be the height of the highest wall, plus 15 feet. Fire access shall be provided on all sides of any proposed structure that is not rated Type One under the State Building Construction Code (C202-2).	1. Buffer areas equal to the respective required setback shall be provided between the proposed use and any residential district boundary, except that the Planning Board may reduce the buffer at the time of site development plan review to not less than 50 feet where, owing to topographic or other conditions, or characteristics of proposed use, there will be no foreseeable interference with the use and enjoyment of residentially zoned properties.
	L		L		L		K		250 square feet, plus 3 per suite.		250 square feet, plus 3 per suite.		
	L		L		L				Not less than the highest design hour as determined by the Planning Board		300 sq. ft. of office area plus 1 for each employee in the maximum working shift.		
	L		L		L								6. No entrances and exists for any parking area or loading area for an industrial building shall be located within 200 feet of any residential district nor of any road classified as a local road on the Official Map without Planning Board Site Plan Approval 7. For freight and/or truck transfer terminals the docks shall be no close than 100 feet to a residential dwelling.

ZONE CHANGE PETITION

BY

MBC HOLDING CO., LLC

FOR

TAX LOT 20.02-11-28

FROM

R-1 TO LI-2

-----X
In the Matter of the petition for a
Change of Zone of Premises in the
Town of Stony Point from R-1
To LI-2.

PETITION OF MBC HOLDING CO., LLC
SEPTEMBER 4, 2014

-----X
**TO THE HONORABLE TOWN BOARD OF THE
TOWN OF STONY POINT:**

The Petition of MBC Holding Co. LLC, respectfully shows this Board the following:

1. That the Petitioner is the owner of Tax Lot 20.02-11-28 a parcel of property located in the Town of Stony Point, bounded on the north by private lands of Frank Campo, on the east by County of Rockland Park lands and CSX Railroad, on the west by multiple residential lots. The said parcel is accessed by a private drive in a LI-2 Zone that connects to Holt Drive.. This said parcel is located as depicted on Exhibit "A", a land Use and Zoning Map.
2. That the subject parcel is designated as Sec. 20.01, Block 11, Lot 28 on the Tax map of the Town of Stony Point.
3. That the subject parcel is zoned R-1. The zoning designation along the site's entire southerly boundary is LI-2 and eastern boundary if LI-2.
4. The parcel does have legal access to Hoke Drive that services a Residential District that will not be used if rezoned, per the Stony Point Code.
5. Although the zoning designation along the site's north and east borders is R-1, the said parcel is immediately adjacent to a parcel zoned and presently developed as "LI-2", and is not readily useable as residential.
6. That Petitioner desires to have its parcel rezoned from R-1 to LI-2 to be consistent with the zoning of existing adjacent lands owned, and developed by the Petitioner.
7. That if Petitioner's request is granted, there would not be the introduction of a "foreign" zone into the area, and the use of said parcel, as rezoned, would not be inconsistent with those uses already existing on the adjacent parcels. The parcel

currently has Industrial improvements in the south east corner.

8. That the purpose of this Petition is for the rezoning of the subject parcel from R-1 to LI-2 as described in Schedule "A", annexed hereto and made a part hereof.
9. That the proposed change in zone will not adversely impact upon community facilities and services, or on the residents of the adjacent lands.
10. The parcel did have buildings, improvements, parking, and access to LI-2 Zone to the south, which was used in conjunction with previous users in the zone.
11. That the parcel proposed to be rezoned is within 500 feet the boundary of County of Rockland Parklands and a dedicated New York State Department of Environmental Conservation Wetland.

WHEREFORE, Petitioner respectfully request that its property depicted in Exhibit "A", be rezoned from R-1 to LI-2.

Dated : New City, New York
September 4, 2014

Respectfully submitted,

*Sworn to before me this
5 day of September 2014
Barbara Davenport*

** Patrick J. Maguire*
MBC holding Co. LLC
Partner
9/5/14

BARBARA DAVENPORT
Notary Public - State of New York
No. 01DA6109244
Qualified in Orange County
My Commission Expires April 26, 2016

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 9th day of February, in the year 2001
BETWEEN

STONE POINT TECHNICAL PARK, INC., a domestic corporation with
offices at 1180 Route 130 South, Robbinsville, New Jersey 08691,

party of the first part, and

MBC HOLDING CO. LLC, with offices at P.O. Box 54, Stony Point,
New York 10980

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying
and being in the See Schedule "A" attached hereto. Subject to easements
and restrictions of record, if any.

ax Map
signation

it

2

..

(5)

FIGURE NO. 5028003
PA CONSTRUCTION EMBL 15/11/03
A NOTARIAL PUBLIC OF NEW JERSEY
STYING C. BURKIN

This deed is given in the ordinary course of business, actually
conducted by the party of the first part and does not constitute all
or substantially all of its assets.
TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and
roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances
and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD
the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of
the second part forever.

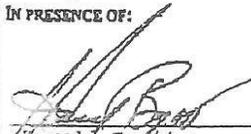
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby
the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the
first part will receive the consideration for this conveyance and will hold the right to receive such consideration
as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same
first to the payment of the cost of the improvement before using any part of the total of the same for any other
purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above
written.

IN PRESENCE OF:



Harold Bogatz

STONE POINT TECHNICAL PARK, INC.

By: 

Ronald Gale, President

USE ACKNOWLEDGMENT FORM BELOW WITHIN NEW YORK STATE ONLY:
New Jersey
State of New York, County of Mercer } ss.:

On the 9 day of February in the year 2001 before me, the undersigned, personally appeared Ronald Gale, s. of Stoney Point Technical Park, Inc personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGMENT FORM FOR USE WITHIN NEW YORK STATE ONLY:
(New York Subscribing Witness Acknowledgment Certificate)
State of New York, County of } ss.:

On the day of in the year before me, the undersigned, personally appeared the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (If the place of residence is in a city, include the street and street number, if any, thereof); that he/she/they know(s) to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

BARGAIN & SALE DEED
WITH COVENANTS AGAINST GRANTOR'S ACTS

TITLE NO. _____

TO

National Granite Title Insurance Agency, Inc.
155 North Main Street
New City, New York 10956
(914) 639-1415 (914) 639-1239 (Fax)
(212) 665-0644 (212) 587-0322 (Fax)

USE ACKNOWLEDGMENT FORM BELOW WITHIN NEW YORK STATE ONLY:
State of New York, County of } ss.

On the day of in the year before me, the undersigned, personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

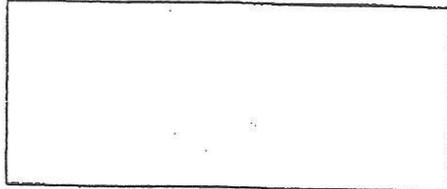
ACKNOWLEDGMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
(Out of State or Foreign General Acknowledgment Certificate)
State of New Jersey, County of Mercer } ss.:
(Complies With State, Country, Province or Municipality)

On the 9th day of February in the year 2001 before me, the undersigned, personally appeared Ronald Gale personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the Township of Robbinsville, County of Mercer and State of New Jersey (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).

Slaine C. Rajzicki
SLAINE C. RAJZICKI
A Notary Public of New Jersey
My Commission Expires 12/11/02
License No. 2038047

DISTRICT
SECTION
BLOCK
LOT
COUNTY OR TOWN

RECORDED AT REQUEST OF
Fidelity National Title Insurance Company of New York
RETURN BY MAIL TO



RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

SCHEDULE A

Deed, 2/9/01, Stoney Point Technical Park, Inc.
to MBC Contractors, Inc.

Beginning at a point on the Westerly right of way line of lands now or formerly Conrail, said point of beginning being the terminus of Course #7 in the description of Tax Lot #22/13-1, running thence the following courses and distances:

- (1) Along other lands now or formerly Kay Fries, Inc. (Tax Lot #22/13-1) South 67 degrees 34' 28" West a distance of 120.42 feet to an angle point; thence
- (2) Continuing along other lands now or formerly of Kay Fries, Inc. (Tax Lot #22/13-1) North 85 degrees 48' 20" West a distance of 410.72 feet to the Southeast corner of land now or formerly Vila (Tax Lot #16/175-26.19); thence
- (3) Along lands now or formerly Vila, North 4 degrees 11' 40" East a distance of 34.50 feet to an angle point; thence
- (4) Continuing along lands now or formerly Vila, North 43 degrees 37' 13" West a distance of 116.73 feet to a point on the right of way line of Hoke Drive; thence
- (5) Along the easterly right of way line of Hoke Drive, on a curve to the left, said curve having a radius of 50.00 feet an arc distance of 68.00 feet to the southeast corner of lands now or formerly Qualitero; thence along lands of Qualitero the following three (3) courses and distances;
- (6) South 85 degrees 48' 20" East a distance of 6.69 feet to the southeast corner of Qualitero; thence
- (7) North 4 degrees 11' 40" East a distance of 282.68 feet to the northeast corner of Qualitero; thence
- (8) North 85 degrees 48' 20" West a distance of 156.43 feet to an angle point; thence
- (9) North 83 degrees 23' 40" East a distance of 161.16 feet to a point marked by a concrete monument; thence
- (10) North 19 degrees 53' 40" East a distance of 550.00 feet to the approximately centerline of Cedar Pond Brook, as it now flows; thence along said approximately centerline of the Cedar Pond Brook the following six (6) courses and distances;
- (11) South 76 degrees 28' 44" East a distance of 93.62 feet to an angle point; thence
- (12) South 89 degrees 50' 55" East a distance of 77.10 feet to an angle point; thence
- (13) South 81 degrees 22' 06" East a distance of 156.11 feet to an angle point; thence
- (14) South 81 degrees 51' 16" East a distance of 131.40 feet to an angle point; thence
- (15) South 86 degrees 35' 27" East a distance of 180.18 feet to an angle point; thence
- (16) South 57 degrees 48' 11" East a distance of 89.85 feet to a point on the westerly right of way line of lands now or formerly of Conrail; thence along said westerly right of way line of Conrail property the following two (2) courses and distances;
- (17) On a curve to the left, said curve having a radius of 1995.00 feet an arc distance of 632.99 feet to a point of tangency; thence
- (18) South 15 degrees 22' 00" West a distance of 307.31 feet to the point or place of Beginning.

Town of Stony Point
Property Owners within 500 Feet of SBL: 20.02-11-28

<u>Tax Lot #</u>	<u>Names & Addresses</u>
20.02-11-3	County of Rockland 11 New Hempstead Road New City, NY 10956
20.02-11-5	Frank Campo 20 Harriman Ave. Sloatsburg, NY 10974
20.02-11-6	County of Rockland 11 New Hempstead Road New City, NY 10956
20.02-11-7.1	Ba Mar Group LLC 31200 Northwestern Hwy Farmington Hills, MI 48334
20.02-11-24	United States Gypsum P.O. Box 6721 Dept. 179 Chicago, FL 60680-6721
✓ 20.02-11-25	MBC Holding LLC 27 Gate Hill Road Stony Point, NY 10980
✓ 20.02-11-26	LLS Holding LLC 25-41 Holt Drive P.O. Box 54 Stony Point, NY 10980
✓ 20.02-11-27	MBC Holding LLC c/o Patrick Magee 27 Holt Dr. Stony Point, NY 10980
✓ 20.02-11-28	MBC Holding, LLC 30 Holt Dr P.O. Box 54 Stony Point, NY 10980

20.02-11-29.2 State of NY
Dept. of Envir. Cons
50 Wolf Road
Albany, NY 12233

20.02-11-31./300 South Liberty Partners
83 Salierno Road
Tuxedo, NY 10987

20.02-11-31./401 Nancy D'eri
401 Battalion Drive
Stony Point, NY 10980

20.02-11-31./402 William & Winnie Gunsalus
402 Battalion Drive
Stony Point, NY 10980

20.02-11-31./403 Mary Porette
43 South Lilburn Drive
Garnerville, NY 10923

20.02-11-31./404 George & Sonia Eliopoulos
404 Battalion Drive
Stony Point, NY 10980

20.02-11-31./405 Fredrick & Barbara Weiss
405 Battalion Drive
Stony Point, NY 10980

20.02-11-31./406 Jerome Gimpel
406 Battalion Drive
Stony Point, NY 10980

20.02-11-31./407 Michael & Suzanne Heaphy
407 Battalion Drive
Stony Point, NY 10980

20.02-11-31./408 Thomas & Ann Conlon
408 Battalion Drive
Stony Point, NY 10980

20.02-11-31./409 Marguerite Rogers
409 Battalion Drive
Stony Point, NY 10980

20.02-11-31./410 Kevin Martin
The Martin Family Trust
410 Battalion Drive
Stony Point, NY 10980

20.02-11-31./501 Anthony & Helen Valente
501 Battalion Drive
Stony Point, NY 10980

20.02-11-31./502 Anthony & Marie Dimino
502 Battalion Drive
Stony Point, NY 10980

20.02-11-31./503 Elsie Nissen
503 Battalion Drive
Stony Point, NY 10980

20.02-11-31./504 Jane Scerri
504 Battalion Drive
Stony Point, NY 10980

20.02-11-31./505 Helga Klion
505 Battalion Drive
Stony Point, NY 10980

20.02-11-31./506 Daniel J. & Patricia E. O'Kane
506 Battalion Drive
Stony Point, NY 10980

20.02-11-31./507 Desmond & Eleanor Flaherty
507 Battalion Drive
Stony Point, NY 10980

20.02-11-31./508 Gloria Gasparo
Louise Ruffino Irrev.
508 Battalion Drive
Stony Point, NY 10980

20.02-11-31./509 Nicholas & Angela Guerra
509 Battalion Drive
Stony Point, NY 10980

20.02-11-31./510 Robert J. & Margaret A. Dowd
510 Battalion Drive
Stony Point, NY 10980

20.02-11-32 Srishiva LLC
57 Robin Hood Road
Clifton, NJ 07013

20.02-11-34 Commerce Bank
TD Bank
Tower B, 12 fl.
380 Wellington St.
London, Ontario, Canada n6A4S4

20.04-11-2.1 Properties Environmental
P.O. Box 563
Stony Point, NY 10980

20.04-11-2.2 Crossroads-Hol Assoc. LLC
20 Ridge Road – Ste 210
Mahwah, NJ 07430

20.04-11-2.3 PMBC Holding Co, LLC
P.O. Box 54
Stony Point, NY 10980

✓ 20.04-11-3 KBT Properties LTD
8 Soluri Lane
Tomkins Cove, NY 10986

✓ 20.04-11-5.1 Stony Kay Fries Realty LLC
100 North Street
Teterboro, NJ 07608

20.04-11-5.2 SPM Tech, Inc.
P.O. Box 54
Stony Point, NY 10980

20.11-3-10 Costanzo Colantonio
17 Slater Drive
Stony Point, NY 10980

20.11-3-11 Carolyn Coyle
19 Slater Drive
Stony Point, NY 10980

20.11-3-12 Phuong Pham
21 Slater Drive
Stony Point, NY 10980

20.11-3-13 Ramos Hector
14 Slater Drive
Stony Point, NY 10980

20.11-3-14 Clemente Sosa
12 Slater Drive
Stony Point, NY 10980

20.11-3-21 Joseph & Katherine Zinna
13 Hoke Drive
Stony Point, NY 10980

20.11-3-22 Christian Collazo
Valerie Sher
15 Hoke Drive
Stony Point, NY 10980

20.11-3-23 Warren & Valerie Norbeck
26 Slater Drive
Stony Point, NY 10980

20.11-3-24 James & Mary Jeanne Holly
23 Slater Drive
Stony Point, NY 10980

20.11-3-25 Diane Green
25 Slater Drive
Stony Point, NY 10980

20.11-3-26 Leonera Zubiaurre
27 Hike Drive
Stony Point, NY 10980

20.11-3-27 Estelle Coffino
29 Hoke Drive
Stony Point, NY 10980

20.11-3-28 Janice Qualitero
34 Hoke Drive
Stony Point, NY 10980

20.11-3-29 Daniel & Lourdes Vila
30 Hoke Drive
Stony Point, NY 10980

20.11-3-30 Theresa Trach
Susan McEwan
28 Hoke Drive
Stony Point, NY 10980

20.11-3-31 Madeline Quiles
26 Hoke Drive
Stony Point, NY 10980

20.11-3-32 John & Cindy Dana
24 Hoke Drive
Stony Point, NY 10980

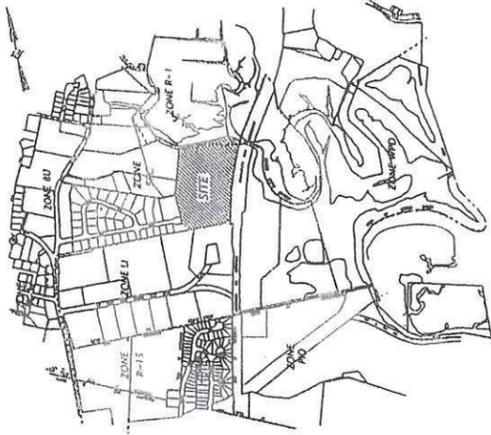
20.11-3-33 Edythe Degroat
Lorraine Jeffs
22 Hoke Drive
Stony Point, NY 10980

20.11-3-34 Cosmo & Valerie Tocci
20 Hoke Drive
Stony Point, NY 10980

20.11-3-35 Mary Leddy
18 Hoke Drive
Stony Point, NY 10980

20.11-3-36 John & Harriet
16 Hoke Drive
Stony Point, NY 10980

CSX Transportation, Inc.
Con-Rail Property Tax Dept.
500 Water St
Jacksonville, FL 32202



VICINITY MAP
1 IN = 1000 FT.

TAX MAP REFERENCE:
TOWN OF STONY POINT MAP
SECTION 20.02, BLOCK 11, LOT 28

EASEMENTS:

- A) SEWER EASEMENT - LIBER #12, PAGE 182
- 1) EASEMENT #1 - NOTED AND SHOWN ON SURVEY.
- 2) EASEMENT #2 - NOTED AND SHOWN ON SURVEY.
- B) DAMAGE EASEMENT - LIBER #54, PAGE 136 NOTED AND SHOWN ON THE SURVEY.
- C) UTILITY EASEMENT - LIBER #68, PAGE 522 NOTED AND SHOWN ON THE SURVEY.

UNDERGROUND UTILITIES OR DEPRESSIONS THIS PROPERTY NOT VISIBLE AND NOT RECORDED ARE NOT SHOWN.

NOTE:

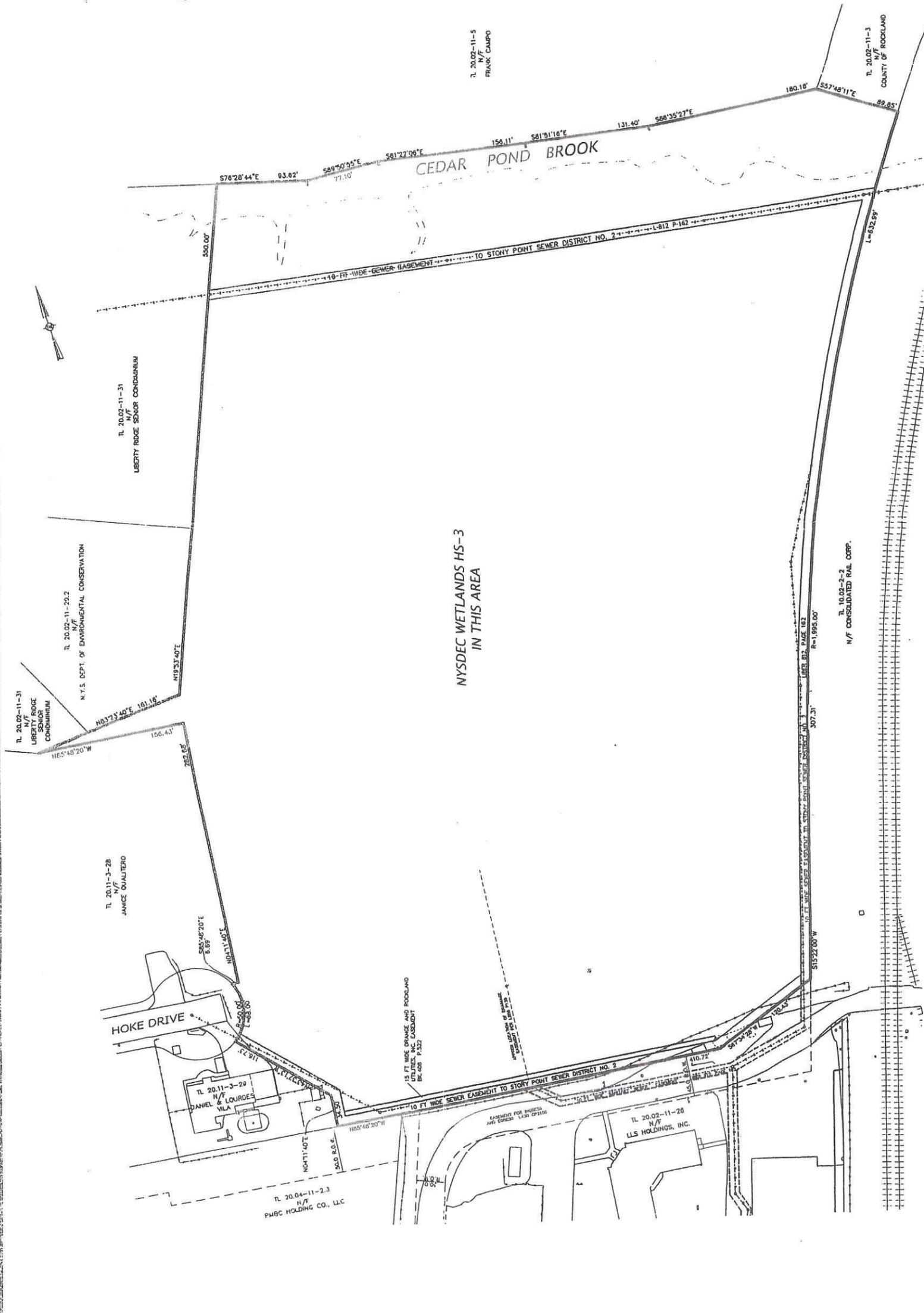
WARRANTY WAS COMPLETED WITH 5 HOURS OF WORK. CORRECTIONS TO THE DRAWING AND IMPROVEMENTS NOT WELLS AT THAT TIME WILL NOT BE SHOWN.

REVISION	DATE	DESCRIPTION
2	02-10-14	REVISE TITLE & CERTIFICATION
1	02-28-14	CERTIFICATION & SEAL REVISIONS

ATZEL, NASHER & ZIGLER P.C.
ENGINEERS-SURVEYORS-PLANNERS
234 North Main Street
New City, New York 10956
Tel: (845) 834-4894
Fax: (845) 834-4545
Web: ATZEL.COM

MBC HOLDING LLC
TOWN OF STONY POINT
ROCKLAND COUNTY, NEW YORK
BOUNDARY SURVEY
AREA = 15.021 ACRES
PROJECT NO: 2731
DRAWING NO: 1

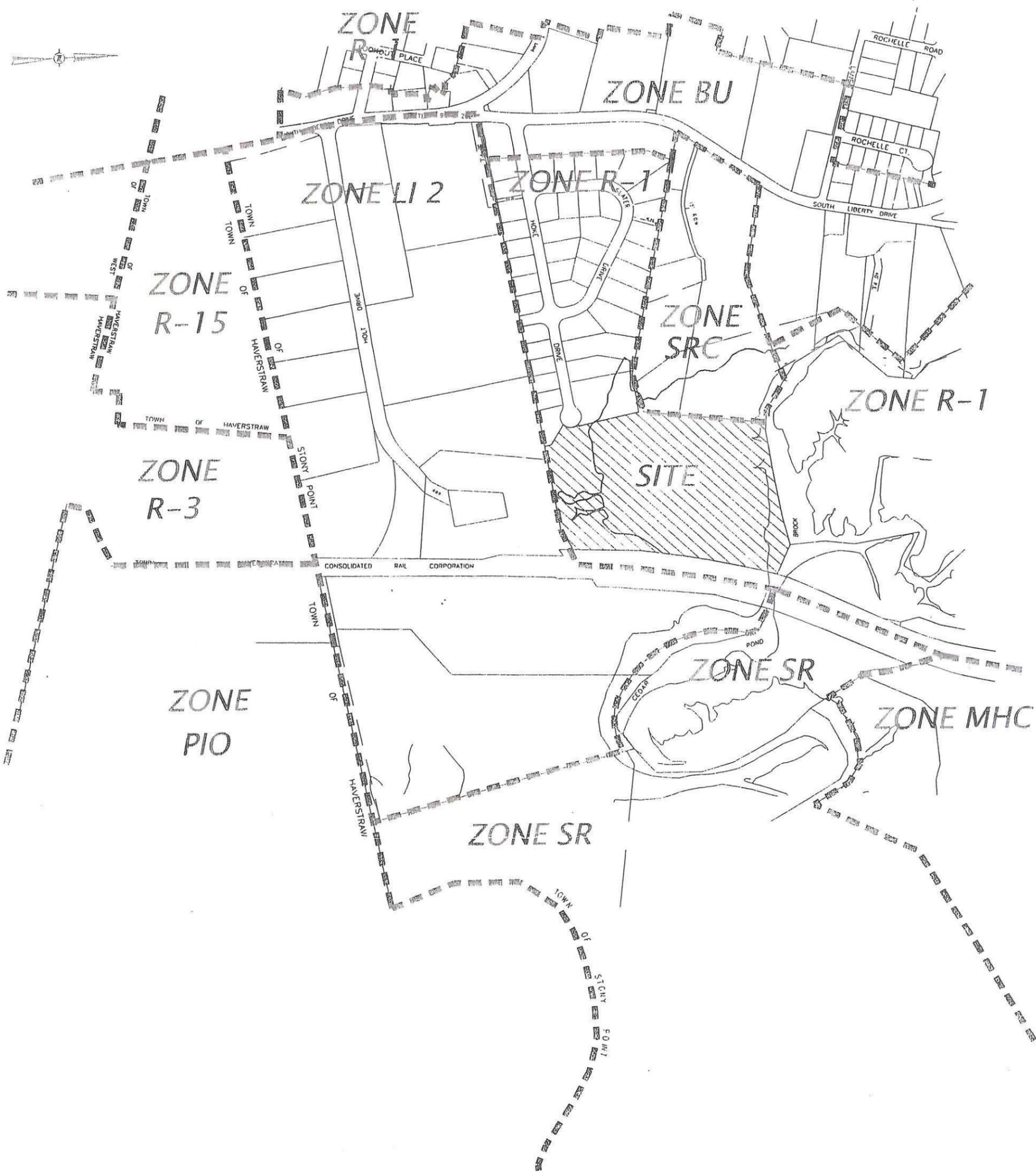
THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING AND MAPPING ACT OF 1980, AS AMENDED, AND THE REGULATIONS OF THE STATE SURVEYING BOARD, ROCKLAND COUNTY, NEW YORK. THE SURVEYOR HAS BEEN LICENSED BY THE STATE SURVEYING BOARD, ROCKLAND COUNTY, NEW YORK, AND IS A MEMBER OF THE SURVEYING SOCIETY OF NEW YORK.



LEGEND

- □ □ □ Existing City Block
- ▬▬▬▬▬▬ Existing State Road Use
- ⊙ Existing State Water
- ⊙ Existing State Use
- --- --- --- Existing Subdivided Area
- --- --- --- Existing Utility Pole
- ⊙ Existing Utility Pole

NOTE:
SITE CONTAINS HS-3 NYSDEC FRESHWATER WETLAND



LAND USE AND ZONING MAP

1 IN. = 500 FT.

ROCKLAND COUNTY, NEW YORK
 SEPTEMBER 03, 2014 SCALE: 1"=500'

"UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S EMBOSSED SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW."
 "ONLY COPIES FROM THE ORIGINAL TRACING OF THIS SURVEY MAP MARKED WITH THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."
 "CERTIFICATION INDICATED HERE ON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE DELAWARE HUDSON LAND SURVEYORS ASSOCIATION. SAID CERTIFICATIONS SHALL RUN ONLY TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WHOM THE SURVEY WAS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS OR SUBSEQUENT OWNERS."

ATZL, NASHER & ZIGLER P.C.
 ENGINEERS-SURVEYORS-PLANNERS
 NEW CITY NEW YORK
 JOHN R. ATZL
 N.Y.S. E.L.S. LIC. NO. 50228

EXHIBIT "A"
 PROJECT NO. 2731

SITE PLAN APPLICATION

APPLICATION REVIEW FORM

PART I

Name of Municipality TOWN OF STONY POINT Date 10-14-14

Please check all that apply:

<input checked="" type="checkbox"/> Planning Board	<input checked="" type="checkbox"/> Municipal Board (TOWN)
<input type="checkbox"/> Zoning Board of Appeals* (Fill out Part II of this form)	<input type="checkbox"/> Historical Board
<input type="checkbox"/> Subdivision # of Lots	<input checked="" type="checkbox"/> Pre-preliminary/Sketch
<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Final
<input type="checkbox"/> Conditional Use	
<input checked="" type="checkbox"/> Zoning Code Amendment	
<input checked="" type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance	

Project Name: NEW PLANET SUSTAINABLE FUELS

Tax Map Designation:

Section 20.02 Block 11 Lot(s) 25, 28
Section 20.04 Block 11 Lot(s) 3

Location: On the EAST END of HOLT DRIVE,
1800 feet EAST of ROUTE 9W in the
town/village of STONY POINT

Street Address: 30, 45 AND 50 HOLT DR

Acreage of Parcel _____ Zoning District L1-2, R-1
School District NRSD Postal District STONY POINT
Fire District WAYNE TOWNE Ambulance District _____
Water District UNITED WATER Sewer District STONY POINT

Project Description: (If additional space required, please attach a narrative summary.)

SEE ATTACHED 1A & 1B

The proposed Stony Point waste-to-biofuels project will be a joint venture involving MBC Holding LLC ("MBC") with NPE Holdings LLC ("New Planet Energy") and Thermochem Recovery International ("TRI"). The facility will use a highly-efficient clean gasification technology (not incineration), developed by TRI, to convert organic matter into sulfur-free renewable diesel fuel ("Renewable Diesel"). The primary feedstock for the process will be municipal solid waste ("MSW"), but the technology can process multiple sources of feedstock/waste including agricultural and wood waste, paper and plastics, C&D waste, used tires and more.

By utilizing MSW and other available waste streams, the proposed development will provide an environmentally safe and efficient Renewable Diesel/energy facility that will also provide significant societal and community benefits by effectively reducing the cost of waste disposal, extending the life of existing landfills, efficiently separating and properly utilizing recyclable materials and waste organics, creating valuable jobs, generating significant tax revenue and additional benefits for the community, and reducing greenhouse gas emissions.

Technology and Process:

The technology at the heart of this Renewable Diesel project is the innovative steam-reformer gasification system developed by our joint venture partner TRI. This proven technology and process has already been recognized by, and received enthusiastic support from, the U.S. Department of Energy ("DOE") as a valuable and efficient process to convert residual waste material into renewable biofuels and electric power. TRI has been awarded a \$75 million grant by DOE toward the construction of a new and similar project in Nevada. The DOE has also extended an invitation to NPE and TRI to participate in the DOE low interest loan guarantee program, and we are eligible for up to \$300 million in loans under that program for this project. We have already completed the initial application process for the DOE loans.

The technology provides a significant improvement over other technologies in commercial use today. The steam-reformer gasifier operates as a completely enclosed system so there are no gasification emissions. By utilizing a chemical decomposition process rather than incineration/combustion, energy can be reclaimed from organic waste materials in a more efficient and environmentally responsible and respectful manner.

The proposed facility will also have the ability to utilize "grey" wastewater from the municipal sewage system to satisfy the facility's water needs, much of which can be cleaned and reused multiple times. The steam reformer's only waste stream is a clean ash, which is clean enough as is to be used as a component in concrete and also as a potential soil enhancement. The facility will initially be capable of processing and converting to Renewable Diesel up to 4,000 tons per day of MSW

that would otherwise be destined for landfills, thereby transforming a liability into a valuable asset

The waste feedstock will be received at a Material Recovery Facility ("MRF") that will sit at the front of the process. At the MRF, trucks (and in the future railcars) will drive onto a fully enclosed tipping floor and unload the various feedstock which will then be sorted and separated to remove recyclables that will then be sold to be converted into new products. The remainder of the waste stream will be fed into the gasifier where heat will decompose the organic matter through a chemical process to create a synthetic gas ("Syngas") that is then cooled, creating steam that will drive a turbine and supply the plant's energy needs. The cooled Syngas continues through the process into a gas clean-up stage using a combination of commercially proven technologies that will convert the Syngas from gas to liquids to produce the sulfur-free drop-in Renewable Diesel fuel. The term drop-in refers to the fact that the Renewable diesel will not require any further blending or refining after production.

Because the waste is not burned (as in incineration), but is heated in a closed unit, the significant air emissions issues resulting from the incineration of waste are completely avoided. The proposed gasification unit is basically a closed vessel that houses a thermo-chemical reaction that is carefully controlled and monitored to achieve the greatest yield of energy while eliminating the emissions that are associated with traditional incineration/combustion.

Donald S. Tracy
Attorney at Law
317 Little Tor Road South
New City, New York 10956
(845) 634-6404
FAX: (845) 634-6538
donaldtracy1018@yahoo.com

October 28, 2014

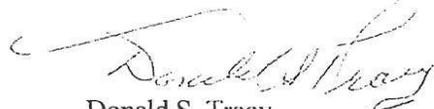
Planning Board of the Town of Stony Point
74 East Main Street
Stony Point, New York 10980

Re: NPE Holdings, LLC
Application-Concept Plan for a Green Industrial Facility

To the Honorable Planning Board of the Town of Stony Point:

Donald S. Tracy, Esq., as attorney for KBT Properties, Ltd. does hereby consent to the filing of this Application.

Very truly yours,


Donald S. Tracy

DST:sc



September 15, 2014

Mr. Patrick Magee
MBC Holding, LLC
24 Holt Drive
Stony Point, New York 10980

Re: 45 and 50 Holt Drive, Stony Point, New York
Site Plan approval for Green Industrial Facility

Dear Mr. Magee,

As per our discussions, this letter will confirm that NPE Holdings, LLC ("NPE", parent of New Planet Energy) consents to the filing by you and/or MBC Holding, LLC of an application to the Planning Board of the Town of Stony Point for the site plan approval for the ultimate development by NPE, and/or its affiliates or assigns, of a proposed Green Industrial Facility for the production of renewable diesel fuel at the site known as 45 and 50 Holt Drive, Stony Point, New York.

Accordingly, we understand and hereby consent, that Patrick Magee and MBC Holding, LLC will be the applicants for the site plan application as the current property owners and will identify NPE (and its affiliates) as the anticipated developer/user of the Green Industrial Facility, and that NPE will provide whatever assistance and cooperation you reasonably require in connection with the application.

Thank you.

Yours very truly,

A handwritten signature in black ink, appearing to read "John C. Cruikshank".

John C. Cruikshank
Vice President – Project Development

SITE PLAN:

<u>TAX LOT DESIGNATION:</u>	<u>OWNERS</u>	<u>AREA</u>
TAX LOT 20.04-11-03 INSTR.#1999-61074	KBT PROPERTIES, LTD 8 SOLURI LAN TOMKINS COVE, NY 10986	17.26 ACS.
TAX LOT 20.02-11-25 INSTR.#2014-9054	MBC HOLDING, LLC 27 GATE HILL ROAD STONY POINT, NY 10980	12.35 ACS.
TAX LOT 20.02-11-28 INSTR.#2009-28110	MBC HOLDING, LLC 30 HOLT DRIVE P.O. BOX 54 STONY POINT, NY 10980	15.02 ACS.

SEQRA:

<u>TAX LOT DESIGNATION:</u>	<u>OWNERS</u>	<u>AREA</u>
TAX LOT 20.02-11-26 INSTR.#2008-22690	LLS HOLDING, LLC 25-41 HOLT DRIVE P.O. BOX 54 STONY POINT, NY 10980	6.09 ACS.
TAX LOT 20.02-11-27 INSTR.#2002-54405	MBC HOLDING, LLC 27 GATE HILL ROAD STONY POINT, NY 10980	0.83 ACS.
TAX LOT 20.04-11-5.2 INSTR.#2005-37249	SPM TECH, INC. P.O. BOX 54 STONY POINT, NY 10980	3.75 ACS.

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? N/A
- 2) Is any open space being offered? If so, what amount?
- 3) Is this a standard or average density subdivision?

If site plan:

- 1) Existing square footage
- 2) ~~PROPOSED~~ Total square footage 47,800 ± (CONCEPT PLAN)
- 3) Number of dwelling units N/A

If special permit, list special permit use and what the property will be used for.

ZONING AMENDMENTS CURRENTLY REQUESTED TO THE TOWN BOARD - THIS PROJECT WILL NOT BE SPECIAL PERMIT

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. 1 ± AC GROSS

Are there streams on the site? If yes, please provide the names. CEDAR POND BROOK

Are there wetlands on the site? If yes, please provide the names and type. YES NYSDEC

Project History: Has this project ever been reviewed before? NO PORTIONS BUT NOT IN TOTAL

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

SEE BELOW

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

APPROVAL LIST

- TOWNLINE PARK, TL 20.04-11-52, SITE PLAN 10-28-08
- FAMILY CHRISTIAN FELLOWSHIP, TL 20.02-11-27 AND
- BAY VIEW PARK, TL 20.02-11-28, SITE PLAN 4-2-09
- GOODLUCK AUTO, TL 20.02-11-25, SITE PLAN 5-15-12
- HUDSON RIVER VIEW WAREHOUSING, TL 20.04-11-3
- SITE PLAN 9-3-13

APPLICATION REVIEW FORM

Contact Information: SEE ATTACHED 3A
 Applicant: NPE HOLDINGS LLC Phone # 310-430-2616
 Address 4300 PROMENADE WAY, SUITE 117, MARINA DEL REY
Street Name & Number (Post Office) State Zip code CALIF.

Property Owner: SEE ATTACHED LIST Phone # _____
 Address _____
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: ATZ NASHER ZIGLER Phone # 634 4694
 Address 234 NORTH MAIN STREET NEW CITY NY
Street Name & Number (Post Office) State Zip code 10956

Attorney: STEVE MANDRACCLIA Phone # 735 6000
 Address PO BOX 1541, PEARL RIVER NY 10965
Street Name & Number (Post Office) State Zip code

Contact Person: DAVID ZIGLER Phone # 634 4694
 Address 234 NORTH MAIN STREET NEW CITY NY
Street Name & Number (Post Office) State Zip code

General Municipal Law Review:

This property is within 500 feet of:
 (Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- | | |
|--|--|
| <input type="checkbox"/> State or County Road | <input checked="" type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path | <input checked="" type="checkbox"/> County Stream |
| <input checked="" type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) of facility checked above. VILLAGE OF WEST HAVERSTRAW
TOWN OF HAVERSTRAW

Referral Agencies: (Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)

- | | |
|---|---|
| <input checked="" type="checkbox"/> RC Highway Department | <input checked="" type="checkbox"/> RC Division of Environmental Resources |
| <input checked="" type="checkbox"/> RC Drainage Agency | <input checked="" type="checkbox"/> RC Dept. of Health |
| <input type="checkbox"/> NYS Dept. of Transportation | <input checked="" type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority | <input type="checkbox"/> Palisades Interstate Park Comm. |

Adjacent Municipality V OF W HAVERSTRAW, T OF HAVERSTRAW
 Other ARMY CORP OF ENGINEERS

APPLICATION REVIEW FORM

Applicant's Combined Affidavit and Certification

State of New York)

County of Rockland) ss.:

Town/Village of STONY POINT)

_____, being duly sworn, deposes and says:

Applicant's Name

I am the applicant in this matter. I make these statements to induce the Town/Village of STONY POINT, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Town/Village will rely upon the statements made herein.

1. Verification of Facts. All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

2. Consent to Enter. I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

3. Affidavit Pursuant to General Municipal Law Section 809. All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New

APPLICATION REVIEW FORM

York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

C. To the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of NONE in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee NONE
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Village of Montebello.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

APPLICATION REVIEW FORM

4. Reimbursement for Professional Consulting Services. I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.

***The following two paragraphs are optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of STONY POINT from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account.

Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature *Patrick J. Magee*
Print Applicant's Name PATRICK MAGEE

SWORN to before me this
13 day of September, 2014
[Signature]
Notary Public

ANDREW S. ATZL
Notary Public - State of New York
No. 01AT6109220
Qualified in Rockland County
My Commission Expires April 26, 2016

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York
County of Rockland, SS.:
Town/Village of STONY POINT

I, PATRICK MACEE being duly sworn, hereby
depose and say that I ^{OFFICE} reside at: 27 HOLT DRIVE
STONY POINT N.Y.

in the county of ROCKLAND in the state of NEW YORK.

I am the (* REPRESENTATIVE AND) owner in fee simple of premises located at:
30, 45 AND 50 HOLT DR
STONY POINT NY

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber _____ of conveyances, page _____ or as Instrument ID # _____.

SEE ATTACHED DEEDS

Said premises have been in my/its possession since _____. Said premises are also
known and designated on the Town of STONY POINT Tax Map as:
section 20.02 block 11 lot(s) 25, 26, 27, 28
20.04 11 3 & 5.2

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

ANDREW S. ATZL
Notary Public - State of New York
No. 01AT6109220
Qualified in Rockland County
My Commission Expires April 26, 2016

Owner Patrick Macee
Mailing Address 27 HOLT DRIVE
STONY POINT NY

10980

SWORN to before this
13 day of September, 20 14

[Signature]
Notary Public

* If owner is a corporation or LLC, fill in the office held by deponent and name of corporation or LLC, and provide a list of all directors, officers, and stockholders owning more than 5% of any class of stock and all members having greater than 5% beneficial interest.

APPLICATION REVIEW FORM

Owners of Nearby Properties:

That the following are all of the owners of property ADJOINERS (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT NAME ADDRESS

SEE ATTACHED

Multiple horizontal lines for listing property owners.

David M Ziger
DAVID M ZIGER

(use additional paper if needed)

SWORN to before this

13 day of September, 20 14

[Signature]
Notary Public

ANDREW S. ATZL
Notary Public - State of New York
No. 01AT6109220
Qualified in Rockland County
My Commission Expires April 26, 2016

Town of Stony Point

<u>Tax Lot #</u>	<u>Names & Addresses</u>
20.02-11-3	County of Rockland 11 New Hempstead Road New City, NY 10956
20.02-11-5	Frank Campo 20 Harriman Ave. Sloatsburg, NY 10974
20.02-11-6	County of Rockland 11 New Hempstead Road New City, NY 10956
20.02-11-7.1	Ba Mar Group LLC 31200 Northwestern Hwy Farmington Hills, MI 48334
20.02-11-24	United States Gypsum P.O. Box 6721 Dept. 179 Chicago, FL 60680-6721
20.02-11-25	MBC Holding LLC 27 Gate Hill Road Stony Point, NY 10980
20.02-11-26	LLS Holding LLC 25-41 Holt Drive P.O. Box 54 Stony Point, NY 10980
20.02-11-27	MBC Holding LLC c/o Patrick Magee 27 Holt Dr. Stony Point, NY 10980
20.02-11-28	MBC Holding, LLC 30 Holt Dr P.O. Box 54 Stony Point, NY 10980

20.02-11-29.2 State of NY
Dept. of Envir. Cons
50 Wolf Road
Albany, NY 12233

20.02-11-31./300 South Liberty Partners
83 Salierno Road
Tuxedo, NY 10987

20.02-11-31./401 Nancy D'eri
401 Battalion Drive
Stony Point, NY 10980

20.02-11-31./402 William & Winnie Gunsalus
402 Battalion Drive
Stony Point, NY 10980

20.02-11-31./403 Mary Porette
43 South Lilburn Drive
Garnerville, NY 10923

20.02-11-31./404 George & Sonia Eliopoulos
404 Battalion Drive
Stony Point, NY 10980

20.02-11-31./405 Fredrick & Barbara Weiss
405 Battalion Drive
Stony Point, NY 10980

20.02-11-31./406 Jerome Gimpel
406 Battalion Drive
Stony Point, NY 10980

20.02-11-31./407 Michael & Suzanne Heaphy
407 Battalion Drive
Stony Point, NY 10980

20.02-11-31./408 Thomas & Ann Conlon
408 Battalion Drive
Stony Point, NY 10980

20.02-11-31./409 Marguerite Rogers
409 Battalion Drive
Stony Point, NY 10980

20.02-11-31./410 Kevin Martin
The Martin Family Trust
410 Battalion Drive
Stony Point, NY 10980

20.02-11-31./501 Anthony & Helen Valente
501 Battalion Drive
Stony Point, NY 10980

20.02-11-31./502 Anthony & Marie Dimino
502 Battalion Drive
Stony Point, NY 10980

20.02-11-31./503 Elsie Nissen
503 Battalion Drive
Stony Point, NY 10980

20.02-11-31./504 Jane Scerri
504 Battalion Drive
Stony Point, NY 10980

20.02-11-31./505 Helga Klion
505 Battalion Drive
Stony Point, NY 10980

20.02-11-31./506 Daniel J. & Patricia E. O'Kane
506 Battalion Drive
Stony Point, NY 10980

20.02-11-31./507 Desmond & Eleanor Flaherty
507 Battalion Drive
Stony Point, NY 10980

20.02-11-31./508 Gloria Gasparo
Louise Ruffino Irrev.
508 Battalion Drive
Stony Point, NY 10980

20.02-11-31./509 Nicholas & Angela Guerra
509 Battalion Drive
Stony Point, NY 10980

20.02-11-31./510 Robert J. & Margaret A. Dowd
510 Battalion Drive
Stony Point, NY 10980

20.02-11-32 Srishiva LLC
57 Robin Hood Road
Clifton, NJ 07013

20.02-11-34 Commerce Bank
TD Bank
Tower B, 12 fl.
380 Wellington St.
London, Ontario, Canada n6A4S4

20.04-11-2.1 Properties Environmental
P.O. Box 563
Stony Point, NY 10980

20.04-11-2.2 Crossroads-Hol Assoc. LLC
20 Ridge Road – Ste 210
Mahwah, NJ 07430

20.04-11-2.3 PMBC Holding Co, LLC
P.O. Box 54
Stony Point, NY 10980

20.04-11-3 KBT Properties LTD
8 Soluri Lane
Tomkins Cove, NY 10986

20.04-11-5.1 Stony Kay Fries Realty LLC
100 North Street
Teterboro, NJ 07608

20.04-11-5.2 SPM Tech, Inc.
P.O. Box 54
Stony Point, NY 10980

20.11-3-10 Costanzo Colantonio
17 Slater Drive
Stony Point, NY 10980

20.11-3-11 Carolyn Coyle
19 Slater Drive
Stony Point, NY 10980

20.11-3-12 Phuong Pham
21 Slater Drive
Stony Point, NY 10980

20.11-3-13 Ramos Hector
14 Slater Drive
Stony Point, NY 10980

20.11-3-14 Clemente Sosa
12 Slater Drive
Stony Point, NY 10980

20.11-3-21 Joseph & Katherine Zinna
13 Hoke Drive
Stony Point, NY 10980

20.11-3-22 Christian Collazo
Valerie Sher
15 Hoke Drive
Stony Point, NY 10980

20.11-3-23 Warren & Valerie Norbeck
26 Slater Drive
Stony Point, NY 10980

20.11-3-24 James & Mary Jeanne Holly
23 Slater Drive
Stony Point, NY 10980

20.11-3-25 Diane Green
25 Slater Drive
Stony Point, NY 10980

20.11-3-26 Leonera Zubiaurre
27 Hike Drive
Stony Point, NY 10980

20.11-3-27 Estelle Coffino
29 Hoke Drive
Stony Point, NY 10980

20.11-3-28 Janice Qualitero
34 Hoke Drive
Stony Point, NY 10980

20.11-3-29 Daniel & Lourdes Vila
30 Hoke Drive
Stony Point, NY 10980

20.11-3-30 Theresa Trach
Susan McEwan
28 Hoke Drive
Stony Point, NY 10980

20.11-3-31 Madeline Quiles
26 Hoke Drive
Stony Point, NY 10980

20.11-3-32 John & Cindy Dana
24 Hoke Drive
Stony Point, NY 10980

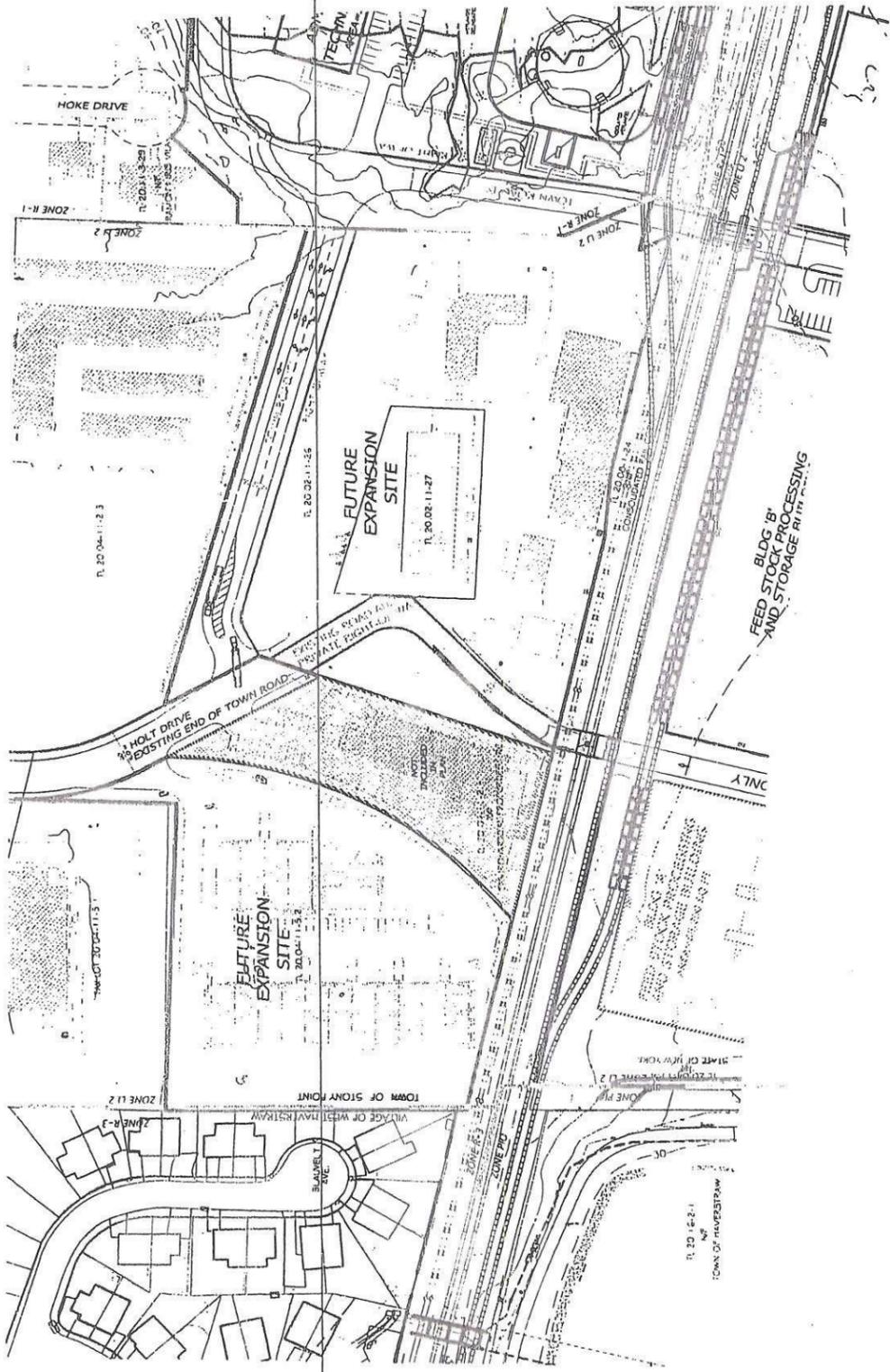
20.11-3-33 Edythe Degroat
Lorraine Jeffs
22 Hoke Drive
Stony Point, NY 10980

20.11-3-34 Cosmo & Valerie Tocci
20 Hoke Drive
Stony Point, NY 10980

20.11-3-35 Mary Leddy
18 Hoke Drive
Stony Point, NY 10980

20.11-3-36 John & Harriet
16 Hoke Drive
Stony Point, NY 10980

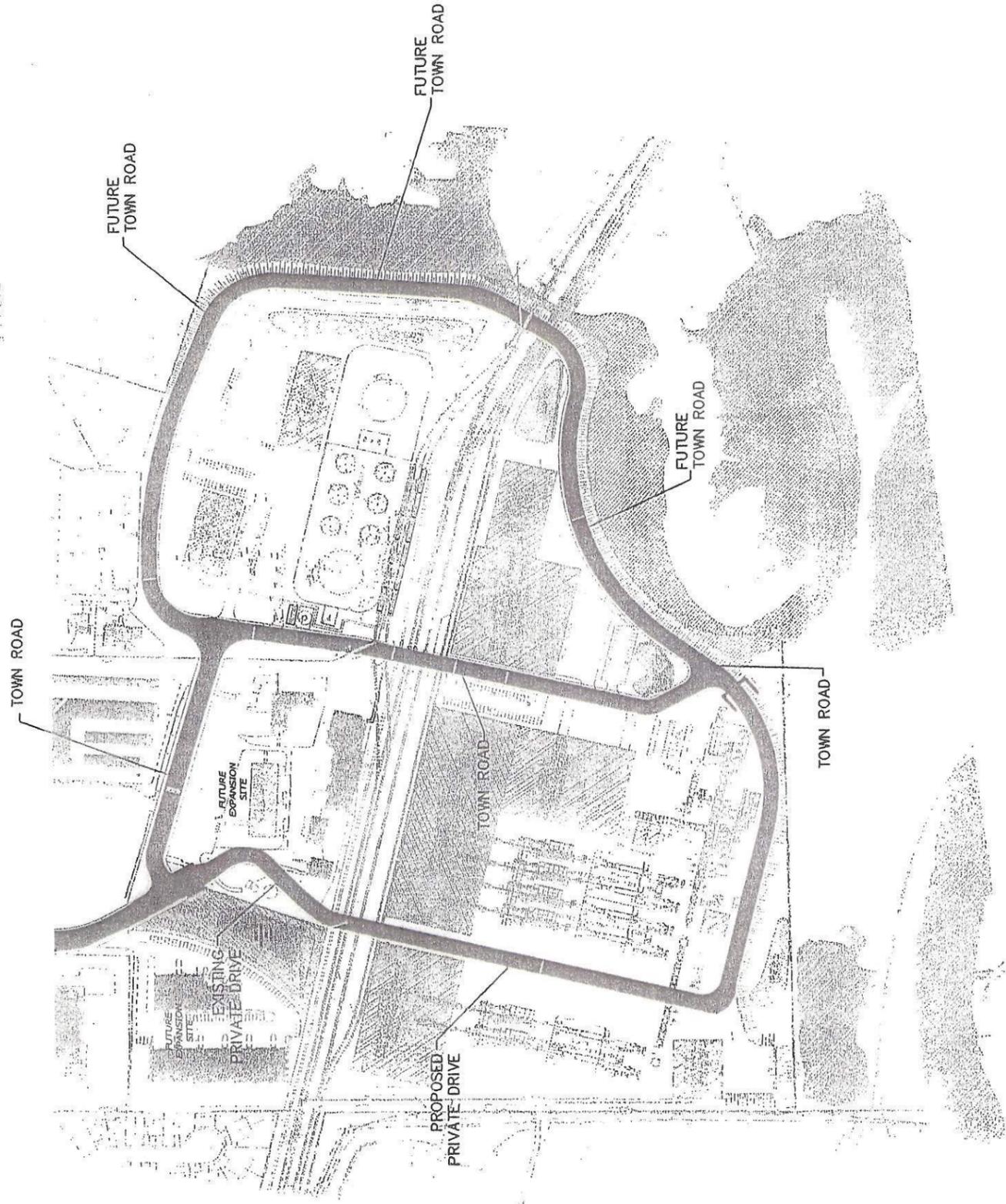
CSX Transportation, Inc.
Con-Rail Property Tax Dept.
500 Water St
Jacksonville, FL 32202



PROJECT	NEW PLANET SUSTAINABLE FUELS
OWNER	TOWN OF STONY POINT ROCKLAND COUNTY, NEW YORK
DESIGNER	ATZEL, NASHER & JOHNSON P.C. SUSANNE JOHNSON, ARCHITECT
DATE	7.9.2011
SCALE	AS SHOWN
PROJECT NO.	101
DATE	7.9.2011
SCALE	AS SHOWN
PROJECT NO.	101

ATZEL, NASHER & JOHNSON P.C.
 SUSANNE JOHNSON, ARCHITECT
 204 Park West Drive
 New York, NY 10014
 Tel: (212) 486-1000
 Fax: (212) 486-1001
 www.atzel.com

TOWN OF STONY POINT
 ROCKLAND COUNTY, NEW YORK
 FUTURE EXPANSION AREA
 GREEN INDUSTRIAL FACILITY



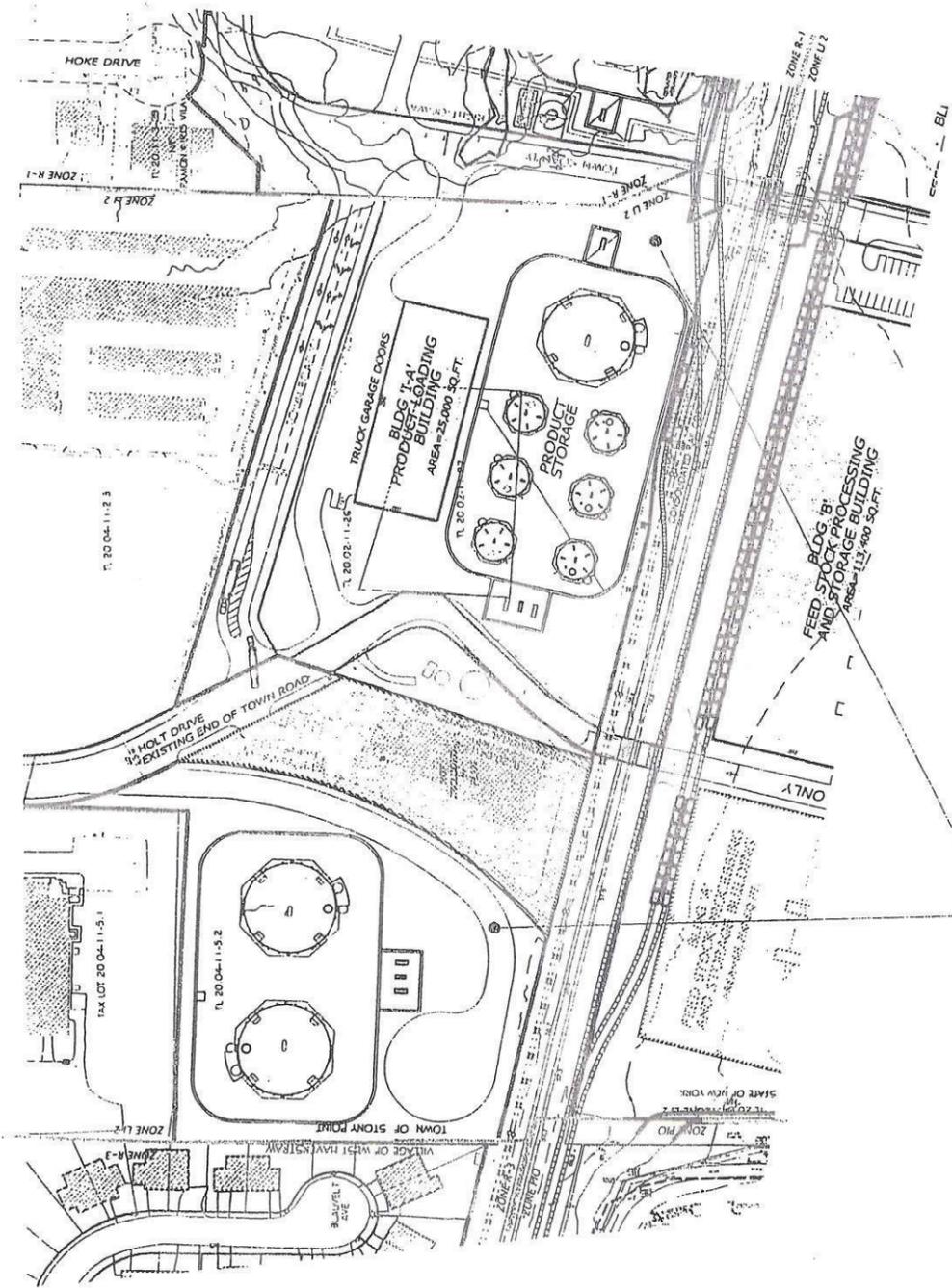
LITZL, NASSER & ZIGLER P.C. ARCHITECTS		P.O. Box 608 New City, New York 12558 Tel: (518) 537-1100 Fax: (518) 537-1101	
DATE: 10/11/11		PROJECT: NEW PLANET SUSTAINABLE FUELS	
DRAWN: J. NASSER		SCALE: AS SHOWN	
CHECKED: J. NASSER		DATE: 10/11/11	
APPROVED: J. NASSER		DATE: 10/11/11	
PROJECT NO: 1101		SHEET NO: 5	

NEW PLANET
SUSTAINABLE FUELS

TOWN OF STUYVESANT
STUYVESANT COUNTY, NEW YORK

ROAD DETAILS

10/11/11



FUTURE EXPANSION SITES

ATZEL MASSEK & SOLOZAR P.C. ARCHITECTS-PLANNERS-ENGINEERS	
224 West 42nd Street New York, N.Y. 10018 Tel: (212) 850-8800 Fax: (212) 850-8803 www.atzelmassek.com	P.O. Box 108 New York, N.Y. 10018 Tel: (212) 850-8800 Fax: (212) 850-8803
NEW PLANET SUSTAINABLE FUELS	
TOWN OF STONY POINT ROCKLAND COUNTY, NEW YORK	
GREEN INDUSTRIAL FACILITY FUTURE EXPANSION SITES	
SHEET NO. 2 DATE: 11/11/11	SCALE: AS SHOWN
DRAWN BY: [Signature] CHECKED BY: [Signature]	PROJECT NO. 11-001

