

Presentation on the Consent Decree

January 7th, 2016



Agenda

- Overview
- Background
- How the shoreline will be treated
- What happens on land
- Dedicated Parkland
- Future of the water tower
- Building 52
- Quarry park and other amenities
- Other clauses

Background

- 2003 Consent Decree settled lawsuit brought by Riverkeeper and joined by the Village
- Built on DEC's remedy for the land portion of the site issued shortly thereafter in 2004.
- Subsequent investigations by Atlantic Richfield made it clear that the on-shore and off-shore remediation would need to be integrated.
- In 2012, DEC issued an updated description of what needed to be remediated in the Hudson.
- That integrated remedy required a reworking of the 2003 Consent Decree.
- Today's Consent Decree updates that original document.

How the shoreline will be treated

- Northwest corner will be bulkheaded at the river edge and engineered so it can support a ramp to a floating dock.
- Rest of shoreline likely to be an armored, vegetated slope.
- Small cafes, kiosks, & ticket booths are allowed along shoreline.
- A thirty-foot-wide esplanade will run the length of the waterfront.
- A kayak/canoe boat ramp will provide access to the river.
- A public design effort for the shoreline will start in several months.



What will happen on land

- Developable portion of site will be at least 11 feet above low mean sea level.
- Will be engineered to allow developers to add another three feet.
- Fill must allow for future pilings.
- Buildings cannot exceed 65 feet in height.
- All new buildings must be built at least 100 feet from water's edge (or 60 feet from the coves).
- Wells or pools cannot be installed.
- No single-family detached homes.

Dedicated Parkland

Of the site's 28 acres:

- Northwest Corner (A) will be dedicated to Hastings as public land (2 acres).
- An esplanade the length of the site (B) will be dedicated as public land (2.5 acres)
- Another 1.75 acres of open space will be identified when it is ultimately turned over for development.
- Up to 8 more acres may be dedicated based on future development.



Future of the Water Tower



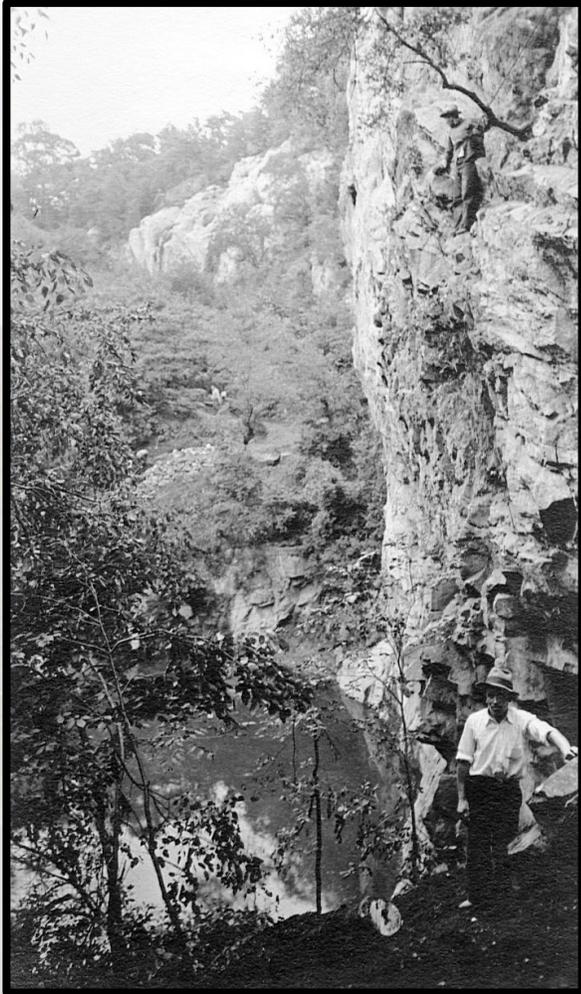
- Water tower sits atop pollution pocket: it was always slated to come down.
- Village will determine if it can be salvaged.
- AR will provide the cost of demolition to the Village if we choose to salvage the tower.
- AR will match up to \$1.35 million to either replace or refurbish the tower.
- Village will run a public vote that will determine whether the tower is saved, replaced or removed, and whether the village should pay for this.

Building 52

- Building 52 was the source of PCB pollution and sits on top of PCBs, adjacent to PCBs and is polluted internally with PCBs.
- The parties agree that the demolition of Building 52 would effectuate remediation of soils contaminated with PCBs and other hazardous substances underneath and in the immediate vicinity of the building with minimum delay.
- AR has submitted an application for a permit to demolish the structure.



Quarry Park and other Amenities



- The Decree sets aside \$1.3 million dollars to restore and reopen Quarry Park and restore the trail to the waterfront. This will create the last significant available park in Hastings (until the waterfront is developed).
- New Consent Decree maintains a Trust Fund of \$1.4 million, moving the requirement to spend it after the remediation.
- It also sets aside \$50 thousand for the Historical Society to preserve and present the history of the waterfront.

Other Clauses

- Provides \$300,000 for costs associated with monitoring remediation and \$40,000 for our legal costs on negotiating this remediation.
- AR will maximize use of barges and rail to transport materials from the site and bring equipment and material to the site.
- Trenches for utilities will be overexcavated so they be maintained in the future without requiring more excavation.
- AR is responsible for maintaining the bulkheads, sloped shoreline and cap for 100 years. The Village is responsible for planting and maintaining open spaces.