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Yonkers homeowners ask state to investigate their property for illegal hazardous waste dumping

BY ERNIE GARCIA • ELGARCIA@LOHUD.COM • JANUARY 26, 2011

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YONKERS — [Homeowners](#) in a new Ashburton Avenue development have asked state environmental officials to investigate whether hazardous debris was illegally dumped on their property.

Residents at the 62-unit Father Pat Carroll Green affordable housing complex allege that the ground surrounding their homes is riddled with demolition material, glass, tires, [automobile](#) batteries, pipes and other pollutants.

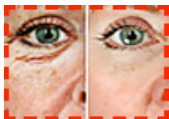
The debris has been unearthed since [the complex](#) opened in the summer of 2009.

The homeowners also accuse Yonkers of dumping several hundred cubic yards of dirt laden with debris on their property that was to be used as topsoil. The homeowners' attorney sent a letter to the state Department of Environmental Conservation on Jan. 21 asking agency representatives to visit the site.

"One of the reasons we filed with the DEC is to look at environment hazards, if there are any," said attorney Randolph M. McLaughlin about his Jan. 21 letter.

Lori Severino, a DEC spokeswoman, said Monday that her agency had not yet received McLaughlin's letter, but she added that the agency's enforcement personnel would contact McLaughlin to determine if they should investigate.

"We're hopeful the DEC will conduct an investigation, conduct soil samples and issue an



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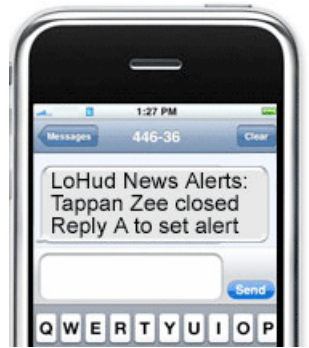
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order," said McLaughlin, who on Dec. 1 filed a federal lawsuit against the developer, Jobco Inc., Yonkers and Housing Action Council.

The lawsuit accused the developer of shoddy [construction](#) and accused Yonkers of failing to properly supervise the construction.

City spokesman David Simpson said the houses were built to code and are covered by a warranty for which the developer is responsible.

The developer and Yonkers have until Wednesday to file their responses to the federal lawsuit.

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