NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director 625 Broadway, 12th Floor, Albany, New York 12233-7011 P: (518) 402-9706 | F: (518) 402-9020 www.dec.ny.gov

December 28, 2023

PI Sara LLC Joshua Siegel 70 East 55th Street, 7th Floor New York, NY 10022 j.siegel@dvln.com

Re: Certificate of Completion

Park Lane Senior

Castle Hill, Bronx County

Site No. C203138

Dear Joshua Siegel,

Congratulations on having satisfactorily completed the remedial program at the Park Lane Senior site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (NYSDEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to NYSDEC's project manager. Please return the hard copy of the proof of recording to:

Christopher Allan New York State Department of Environmental Conservation Division of Environmental Remediation 47-40 21st Street Long Islan City, NY 11101



- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement NYSDEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to NYSDEC in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to NYSDEC in April 2025.

If you have any questions, please do not hesitate to contact Christopher Allan, NYSDEC's project manager, at (718) 482-4065.

Sincerely,

Andrew Guglielmi Division Director

Andrew Guglielmi

Division of Environmental Remediation

ec w/ enclosure:

- C. Vooris NYSDOH, christine.vooris@health.ny.gov
- S. McLaughlin NYSDOH, scarlett.mclaughlin@health.ny.gov
- S. Rushford NYSDOH, sally.rushford@health.ny.gov
- M. Gokey, matthew.gokey@tax.ny.gov
- P. Takac, paul.takac@tax.ny.gov
- F. Cherena Roux, fcherena@rouxinc.com
- M. Bogin Sieve, Paget & Riesel, PC mbogin@sprlaw.com

ec w/o enclosure:

C. Allan, C. Maycock, J. O'Connell, A. Levine, K. Lewandowski – NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP) CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name Address

PL Sara LLC 70 EAST 55TH STREET, 7TH FLOOR, New York, NY 10022

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 9/22/20 **Agreement Execution:** 11/16/20

Agreement Index No.:C203138-09-20

Application Amendment Approval: 10/21/22 Agreement Amendment Execution: 10/21/22

SITE INFORMATION:

Site No.: C203138 Site Name: Park Lane Senior

Site Owner: HP Park Lane Senior Housing Development Fund Company, Inc.

PL Sara LLC

Street Address: 1940 Turnbull Avenue

Municipality: Bronx County: Bronx DEC Region: 2

Site Size: 0.293 Acres

Tax Map Identification Number(s): 3672-30 Percentage of site located in an EnZone: 0 - 49 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

For a 0.211-acre (9,206 sf) area – See Exhibits A & B

Allowable Uses under the BCP: Restricted-Residential, Commercial, and Industrial

Cleanup Track 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40%.

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits. Tangible Property Credit is 10%. Comprised of 10% Base.

For a 0.082-acre (3,569 sf) area – See Exhibits A & B

Allowable Uses under the BCP: Restricted-Residential, Commercial, and Industrial

Cleanup Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28%.

Eligibility for Tangible Property Credit is available because the certificate holder submitted documentation to the Department's satisfaction that the project was an Affordable Housing project. If affordable housing is not constructed there is no Tangible Property Credits. Tangible Property Credit is 10%. Comprised of 10% Base.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

The Remedial Program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Bronx County as 2023000300656.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon finding any of the following:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
 - (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

> Basil Seggos Commissioner New York State Department of Environmental Conservation

Andrew Guglislmi Date: 12/28/2023

Andrew O. Guglielmi, Director Division of Environmental Remediation

Exhibit A Site Description

LEGAL DESCRIPTIONS

Easement Area A Track 2 Restricted Residential

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of the Bronx, City and State of New York, bounded and described as follows:

BEGNINNING at a point on the southerly side of Turnbull Avenue distance 106.75 feet easterly from the intersection of the southerly side of Turnbull Avenue and the Easterly side of White Plains Road;

RUNNING THENCE southerly along a line forming an angle on the East with the southerly side of Turnbull Avenue of 90 Degrees 00 Minutes 09 Seconds and parallel with White Plains Road, a distance of 108.50 feet:

THENCE easterly along a line forming an angle on the North with the last described course of 89 Degrees 59 Minutes 51 Seconds and parallel with Turnbull Avenue, a distance of 84.85 feet;

THENCE northerly along a line forming an angle on the West with the last described course of 90 Degrees 00 minutes 09 Seconds and parallel with White Plains Road, a distance of 108.50 feet to the southerly side of Turnbull Avenue;

THENCE westerly along the southerly side of Turnbull Avenue, a distance of 84.85 feet to the point or place of BEGINNING.

CONTAINING WITHIN SAID BOUNDS 3,559 Sq. Feet.

Easement Area B Track 4 Restricted Residential

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of the Bronx, City and State of New York, bounded and described as follows:

BEGNINNING at a point on the southerly side of Turnbull Avenue distance 191.60 feet easterly from the intersection of the southerly side of Turnbull Avenue and the Easterly side of White Plains Road;

RUNNING THENCE southerly along a line forming an angle on the East with the southerly side of Turnbull Avenue of 90 Degrees 00 Minutes 09 Seconds and parallel with White Plains Road, a distance of 108.50 feet;

THENCE easterly along a line forming an angle on the North with the last described course of 89 Degrees 59 Minutes 51 Seconds and parallel with Turnbull Avenue, a distance of 32.90 feet;

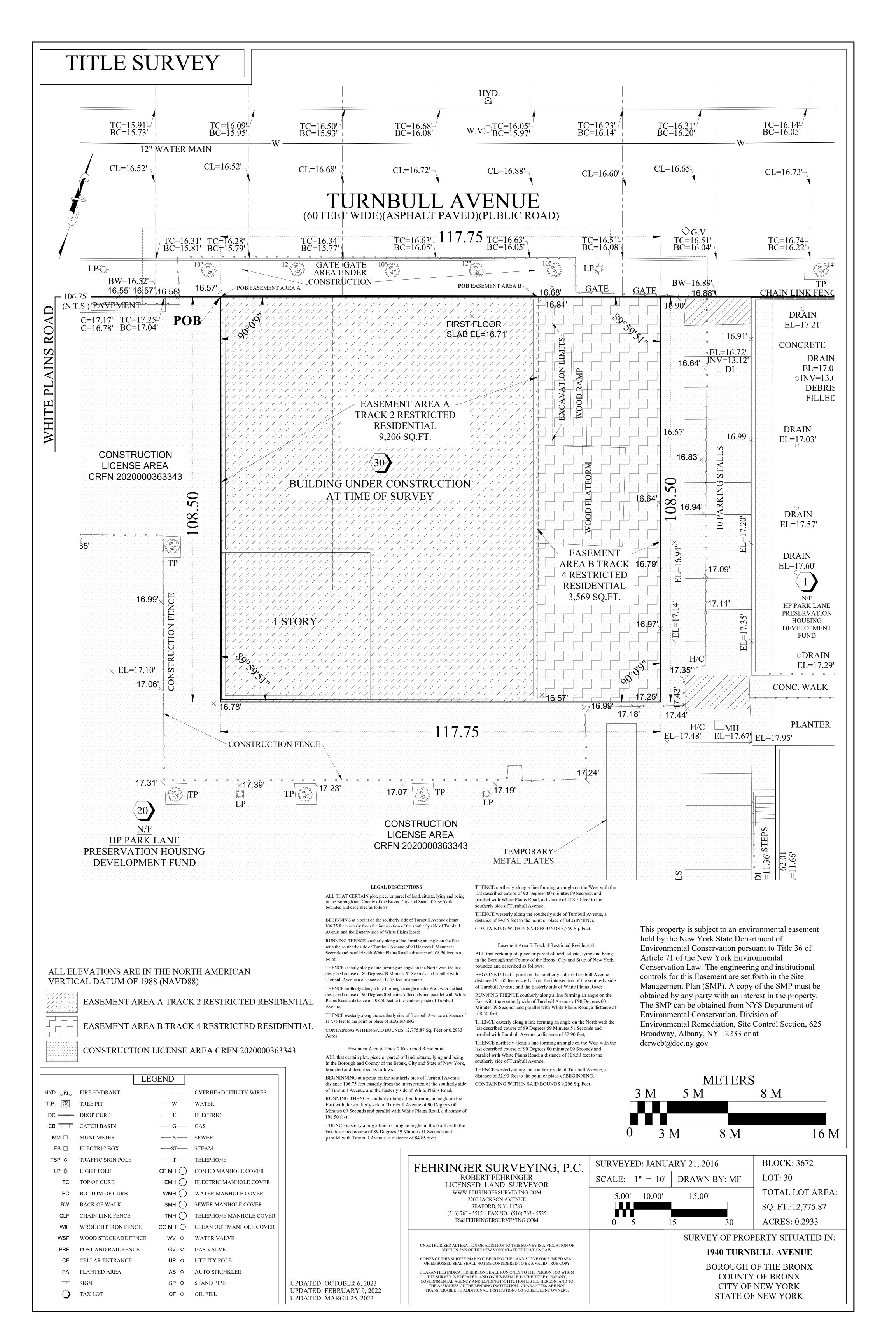
THENCE northerly along a line forming an angle on the West with the last described course of 90 Degrees 00 minutes 09 Seconds and parallel with White Plains Road, a distance of 108.50 feet to the southerly side of Turnbull Avenue;

THENCE westerly along the southerly side of Turnbull Avenue, a distance of 32.90 feet to the point or place of BEGINNING.

CONTAINING WITHIN SAID BOUNDS 9,206 Sq. Feet.

Exhibit B

Site Survey



NOTICE OF CERTIFICATE OF COMPLETION Brownfield Cleanup Program 6 NYCRR Part 375-1.9(d)

Park Lane Senior, Site ID No. C203138 1940 Turnbull Avenue, Bronx, NY, 10473 Castle Hill, Bronx County, Tax Map Identification Number: 2-3672-30

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to PL Sara LLC for a parcel approximately 0.293 acres located at 1940 Turnbull Avenue in Castle Hill, Bronx County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the Remedial Work Plan.

PLEASE TAKE NOTICE, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

	Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
	Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
\boxtimes	Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii
\boxtimes	Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
\boxtimes	Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by NYSDEC as not inconsistent with the remedy.

PLEASE TAKE NOTICE, the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Bronx County as 2023000300656.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved Site Management Plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to NYSDEC's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

Park Lane Senior, BCP Site ID No. C203138 1940 Turnbull Avenue, Bronx, NY, 10473

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to NYSDEC in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

PLEASE TAKE NOTICE, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21st Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at https://www.dec.ny.gov/data/DecDocs/C203138/.

WHEREFORE, the undersigned has signed this Notice of Certificate

	PL Sara LLC
	By:
	Title:
	Date:
satisfactory evidence to be the individual(s) whacknowledged to me that he/she/they executed	, in the year 20, before me, the undersigned, onally known to me or proved to me on the basis of nose name is (are) subscribed to the within instrument and the same in his/her/their capacity(ies), and that by a individual(s), or the person upon behalf of which the
Signature and Office of individual taking acknowledgment	Please record and return to: Joshua Siegel PL Sara LLC 70 East 55 th Street, 7 th Floor

New York, NY 10022

Park Lane Senior, BCP Site ID No. C203138 1940 Turnbull Avenue, Bronx, NY, 10473

WHEREFORE, the undersigned has signed this Notice of Certificate

	HP Park Lane Senior Housing Development Fund, Inc.
	By:
	Title:
	Date:
satisfactory evidence to be the individual(s) whacknowledged to me that he/she/they executed	, in the year 20, before me, the undersigned, onally known to me or proved to me on the basis of nose name is (are) subscribed to the within instrument and the same in his/her/their capacity(ies), and that by individual(s), or the person upon behalf of which the
	Please record and return to:
Signature and Office of individual	Joshua Siegel
taking acknowledgment	PL Sara LLC
	70 East 55 th Street, 7 th Floor
	New York, NY 10022



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Site Management Form

12/20/2023



SITE DESCRIPTION

SITE NO. C203138

SITE NAME Park Lane Senior

SITE ADDRESS: 1940 Turnbull Avenue ZIP CODE: 10473

CITY/TOWN: Bronx

COUNTY: Bronx

ALLOWABLE USE: Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan □

Monitoring Plan

Operation and Maintenance (O&M) Plan □

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2025

Description of Institutional Control

HP Park Lane Senior Housing Development

253 West 35th Street, 3rd Floor 1940 Turnbull Avenue

Environmental Easement Block: 3672

Lot: 3072

Sublot:

Section: 2

Subsection:

S_B_L Image: 2-3672-30

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

HP Park Lane Senior Housing Development

253 West 35th Street, 3rd Floor 1940 Turnbull Avenue Environmental Easement Block: 3672

Lot: 30
Sublot:
Section: 2
Subsection:

S_B_L Image: 2-3672-30 Cover System