



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes

☒ No

If yes, provide existing site number:

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 5*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME CRP-CSH Greenburgh, L.L.C.

ADDRESS 1275 Pennsylvania Avenue, NW

CITY/TOWN Washington DC

ZIP CODE 20004

PHONE 202-469-8400

FAX

E-MAIL joe.mcelwee@cshjv.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

☐ Investigation

☒ Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☒ Yes ☐ No

4. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum	X	X	
Chlorinated Solvents			
Other VOCs	X	X	
SVOCs	X	X	
Metals	X	X	
Pesticides	X		
PCBs	X		
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Garden and Nursery Retail

Section IV. Property Information - See Instructions for Further Guidance																			
PROPOSED SITE NAME CRP-CSH Greenburgh																			
ADDRESS/LOCATION 715 Dobbs Ferry Road																			
CITY/TOWN Greenburgh		ZIP CODE 10607																	
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Greenburgh																			
COUNTY Westchester		SITE SIZE (ACRES) 5.54																	
LATITUDE (degrees/minutes/seconds) 41 ° 02 ' 2.8 "		LONGITUDE (degrees/minutes/seconds) 73 ° 49 ' 21.9 "																	
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.																			
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 55%;">Parcel Address</th> <th style="text-align: center; width: 10%;">Section No.</th> <th style="text-align: center; width: 10%;">Block No.</th> <th style="text-align: center; width: 10%;">Lot No.</th> <th style="text-align: center; width: 15%;">Acreage</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">715 Dobbs Ferry Road</td> <td style="text-align: center;">8.50</td> <td style="text-align: center;">28</td> <td style="text-align: center;">9</td> <td style="text-align: center;">6.89</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Parcel Address	Section No.	Block No.	Lot No.	Acreage	715 Dobbs Ferry Road	8.50	28	9	6.89					
Parcel Address	Section No.	Block No.	Lot No.	Acreage															
715 Dobbs Ferry Road	8.50	28	9	6.89															
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, please attach a metes and bounds description of the property.																			
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)																			
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (See DEC's website for more information) If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%																			
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____																			
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																			
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.																			
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.																			

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

N/A

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

N/A

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?
If yes, requestor must answer questions on the supplement at the end of this form. ☐ Yes ☐ No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Joe McElwee, CRP-CSH Greenburgh, L.L.C.			
ADDRESS 1275 Pennsylvania Avenue, NW			
CITY/TOWN Washington DC		ZIP CODE 20004	
PHONE 202-469-8400	FAX	E-MAIL joe.mcelwee@cshjv.com	
NAME OF REQUESTOR'S CONSULTANT Paul Hayden, Geo-Technology Associates, Inc.			
ADDRESS 14 Worlds Fair Drive, Suite B			
CITY/TOWN Somerset, NJ		ZIP CODE 08873	
PHONE 732-271-9301	FAX 732-271-9306	E-MAIL phayden@gtaeng.com	
NAME OF REQUESTOR'S ATTORNEY Suzanne Avena, Garfunkel Wild P.C.			
ADDRESS 111 Great Neck Road			
CITY/TOWN Great Neck, NY		ZIP CODE 11021	
PHONE 516-393-2229	FAX 516-918-5629	E-MAIL savena@garfunkelwild.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME Town of Greenburgh		OWNERSHIP START DATE: 2011	
ADDRESS 117 Hillside Avenue			
CITY/TOWN Greenburgh		ZIP CODE 10607	
PHONE 914-989-1500	FAX 914-989-1627	E-MAIL pfeiner@greenburghny.com	
CURRENT OPERATOR'S NAME N/A (Vacant Property)			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site? ☐ Yes ☒ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☐ Current Owner ☒ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☒ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?

☒ Residential ☐ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☒ Vacant ☐ Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☒ Residential ☐ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☒ No

4. Do current historical and/or recent development patterns support the proposed use?

☒ Yes ☐ No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachment is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Vice President (title) of Capitol Seniors Housing (CRP) JV V, LLC, the authorized member of CRP/CSH Greenburgh, L.L.C. (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 8/12/16

Signature: 

Print Name: Joseph F. McElwee

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

BCP Application Summary (for DEC use only)**Site Name:** CRP-CSH Greenburgh**City:** Greenburgh**Site Address:** 715 Dobbs Ferry Road**County:** Westchester**Zip:** 10607**Tax Block & Lot****Section (if applicable):** 8.50**Block:** 28**Lot:** 9**Requestor Name:** CRP-CSH Greenburgh, L.L.C.**City:** Washington DC**Requestor Address:** 1275 Pennsylvania Avenue, NW**Zip:** 20004**Email:** joe.mcelwee@cshjv.com**Requestor's Representative (for billing purposes)****Name:** Joe McElwee, CRP-CSH Greenburgh, L.L.C. **Address:** 1275 Pennsylvania Avenue, NW**City:** Washington DC**Zip:** 20004**Email:** joe.mcelwee@cshjv.com**Requestor's Attorney****Name:** Suzanne Avena, Garfunkel Wild P.C. **Address:** 111 Great Neck Road**City:** Great Neck, NY**Zip:** 11021**Email:** savena@garfunkelwild.com**Requestor's Consultant****Name:** Paul Hayden, Geo-Technology Associates, Inc. **Address:** 14 Worlds Fair Drive, Suite B**City:** Somerset, NJ**Zip:** 08873**Email:** phayden@gtaeng.com**Percentage of site within an En-Zone:** ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%**Requestor's Requested Status:** ☒ Volunteer ☐ Participant

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

Section I: Requestor Information

Evidence that CRP-CSH Greenburgh, L.L.C. is authorized to conduct business in NY, in the form of a Department of State Division of Corporations Entity Information print-out, as well as a list of its members and owners is included as **Attachment A**.

Section II: Project Description

The CRP-CSH Greenburgh Site (the “subject property” or “subject site”), which is located at 715 Dobbs Ferry Road in the Town of Greenburgh, Westchester County, New York, is proposed to be developed for the purpose of providing a senior living facility that will be serviced by public water and sewer. The remedial program is scheduled to start in July 2017. The Certification of Completion is anticipated to be issued November 2018.

Section III: Property’s Environmental History

GTA’s Remediation Action Work Plan (RAWP), dated April 2016, is included as **Attachment B** and on the enclosed CD. Additional prior environmental reports, including GTA’s Phase I / II ESA, dated March 9, 2016, and GTA’s Remedial Investigation Report, dated August 22, 2016, are included on the enclosed CD.

Section IV: Property Information

A Tax Map of the subject property is attached in **Attachment C**.

A metes and bounds description of the BCP Application Area is imposed on the stamped site survey, attached in **Attachment D**.

A USGS 7.5 minute quad map on which the property appears is included in **Figures**.

Property Description Narrative:

Location: The approximate 5.54-acre subject site is located in a suburban area, at 715 Dobbs Ferry Road in the Town of Greenburgh, Westchester County, New York.

Site Features: The subject site currently contains a vacant Frank’s Garden Center retail building with parking lots to the north and wooded land to the south.

Current Zoning and Land Use: The subject site is currently inactive, and is zoned for residential use. The subject site is bordered to the north by Dobbs Ferry Road followed by the Elmwood Country Club; to the south by Westchester Greenhouses; to the east by a utility right-of-way followed by wooded land and a residence; and to west by the Westchester Golf Range and a municipal storage lot.

Past Use of the Site: Historically, the subject site consisted of wooded marshland from at least 1947. The subject site was filled in the 1950s and 1960s, and developed with a landscape nursery and garden

BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.

center by the late 1960s. By 1974, the nursery was expanded. The existing Frank's Garden Center replaced the former nursery by 1991.

Site Geology and Hydrogeology:

According to the Geologic Map of New York (1995), the bedrock geology at the site consists of Fordham Gneiss bedrock, with occurrences of quartz-feldspar lenses. The Surficial Geologic Map of New York (1989) indicates the overburden materials consist of glacial till, which can range from approximately 1 to 50 meters thick. Based on prior environmental evaluations, groundwater at the subject site generally flows toward the southeast. Depth to groundwater ranges from 5-7 feet below ground surface (bgs).

Environmental Assessment

Heating Oil UST

The existing retail building is heated by oil stored in a 6,000-gallon heating oil underground storage tank (UST) located approximately 130 feet south of the building. Closure of this UST is planned.

In 2001, it was reported that approximately 500 gallons of heating oil was discharged from fuel lines associated with the existing heating oil UST. Free product was identified within monitoring wells near the spill, and some of the free product was recovered between 2001 and 2003. The primary contaminant of concern in soil at the 2001 spill area of concern is Total Petroleum Hydrocarbons (TPH). A site-specific Soil Cleanup Objective (SCO) of 3,000 mg/kg has been proposed by GTA for TPH, which is considered to be protective of potential future groundwater impacts. TPH has been detected in soil up to a concentration of 31,500 mg/kg. The primary contaminants of concern in groundwater at the 2001 spill area of concern are semi-volatile organic compounds (SVOCs), and more particularly polycyclic aromatic hydrocarbons (PAHs). The Ambient Water Quality Standards for most of the PAHs of concern is 0.002 ug/l. The individual PAHs of concern have generally been detected at concentrations less than 1 ug/l in groundwater. Soil and groundwater within an approximate 17,000 square foot area has been impacted by the spill. Groundwater contamination extends southeast from the spill area and more recent groundwater evaluations suggest some pockets of free product remains in the spill area.

Historic Fill

Prior evaluations identified historic fill containing construction/demolition debris and wood beneath the majority of the subject site. Sampling of the fill identified PAHs and other contaminants above the NYSDEC Unrestricted Use and Restricted Residential SCOs. PAHs are the primary contaminant of concern in soil associated with the fill. PAHs concentrations in soil are generally within one order of magnitude of the Restricted Residential SCOs. Groundwater samples obtained from the subject site identified PAHs that are likely related to the historic fill. The individual PAHs of concern have generally been detected at concentrations less than 1 ug/l in groundwater. The Ambient Water Quality Standards for most of the PAHs of concern is 0.002 ug/l.

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

Section V: Additional Requestor Information

No further information or attachments are necessary.

Section VI: Current Property Owner / Operator Information – If not a Requestor

Neither the requestor, CRP-CSH Greenburgh L.L.C., nor its members and owners, have a relationship with the current or former owners. CRP-CSH Greenburgh L.L.C. is currently in contract to purchase the subject property from the Town of Greenburgh.

Prior Ownership history is provided below, and was provided by the Town of Greenburgh. The owners are assumed to have been the operators at the time.

Unknown – 1942

Owner: Albert W. Lockyer and R. Eugene Curry
Successor Trustees under Declaration of Trust (dated January 26, 1935)
Series NO. 2-4136 of Lawyers Westchester Mortgage and Title Company
Last Known Address:
201 Main Street
White Plains, NY 10601
Phone Number: Not Available

1942-1948

Owner: Westchester Lighting Company
Last Known Address:
9 S. First Avenue
Mount Vernon, NY 10550
Phone Number: Not Available

1948-1952

Owner: Lyman E. Kipp and Douglas W. Kipp
Kip Bros. Materials and Equipment Co.
Last Known Address:
15 Center Street
Ardsley, NY 10502
Phone Number: Not Available

1952-1967

Owner: Ardsley Center Corporation
Last Known Address:
15 Center Street
Ardsley, NY 10502
Phone Number: Not Available

BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.

1967-1973

Owner: Beamary Realty Co., Inc.
Last Known Address:
20 Tuckahoe Road
Yonkers, NY 10710
Phone Number: Not Available

1973-1973

Owner: Nicolas D'Agostino
Last Known Address:
200 Worthington Road
White Plains, NY 10607
Phone Number: Not Available

1973-1994

Owner: N.A.D. Realty Co., Inc.
Last Known Address:
715 Dobbs Ferry Road
White Plains, NY 10607
Phone Number: Not Available

1994-1998

Owner: Frank's Nursery & Crafts, Inc.
Last Known Address:
1175 W. Long Lake Road
Troy, MI 48078
Phone Number: (248) 712-7000
Previous Address:
6501 E. Nevada Street
Detroit, MI 48234

1998-2011

Owner: S&D Realty, L.L.C.
Last Known Address:
101 West 55th Street
New York, NY 10019
Phone Number: Not Available

2011-Present

Owner: Town of Greenburgh, NY
Last Known Address:
177 Hillside Avenue
Greenburgh, NY 10607
Phone Number: (914) 989-1500

BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.

Section VII: Requestor Eligibility Information

CRP-CSH Greenburgh L.L.C. qualifies as a Volunteer under the Brownfield Cleanup Program, since it meets the qualifications as set forth in NYS Environmental Conservation Law Article 27, Title 14, specifically section 1405(1)(b), which defines a “Volunteer” as an applicant who (a) was not an owner or operator or was in any way involved with the site prior to or during the disposal or discharge of contaminants, and (b) who will take reasonable steps to: (i) stop any continuing release; (ii) prevent any threatened future release; and (iii) prevent or limit human, environmental, or natural resource exposure to any previously released contamination. In **Attachment A** of the Supporting Documentation of the BCP Application, a list of the members and owners of CRP-CSH Greenburgh L.L.C. has been provided. None of these entities is liable for or affiliated with anyone liable for the contamination at the subject property. Also, in Section VI of the Supporting Documentation, the statement is made that neither the Applicant CRP-CSH Greenburgh L.L.C., nor its members or owners have a relationship with the current or former owners of the subject property. Contamination at the site, as described in the environmental reports, was caused by the use of the property by Frank’s Nursery as a garden center. **Attachment B** of the BCP Application contains a Remedial Action Work Plan which describes in detail the steps that CRP-CSH Greenburgh L.L.C. will take to (i) remediate existing contamination on site, (ii) to prevent future release, and to (iii) prevent any exposure to human health or the environment from the discovered contamination. This includes, among other things, removal of impacted soil at the site of the 2001 heating oil discharge, groundwater sampling and monitoring, as well as the establishment of engineering controls such as asphalt caps. Additional evaluations will be performed to determine if vapor barriers and vapor mitigation systems will be needed.

Since the requester CRP-CSH Greenburgh L.L.C. is not the current site owner, proof of access sufficient to complete the remediation is attached in **Attachment E**.

Section VIII: Property Eligibility Information

No further information or attachments are necessary.

Section IX: Contact List Information

1. Municipal Contacts:

Chief Executive Officer, Westchester County

Robert P. Astorino, County Executive
Westchester County Government
148 Martine Avenue
White Plains, New York 10601
Office Tel: (914) 995-2000

Chief Executive Office, Town of Greenburgh

Paul Feiner, Town Supervisor
Town of Greenburgh

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

177 Hillside Avenue
Greenburgh, NY 10607
Office Tel: (914) 989-1540

Planning Board Chairperson, Westchester County

Edward Buroughs, Planning Department
148 Martine Avenue
White Plains, New York 10601

Planning Board Chairperson, Town of Greenburgh

Frances S. McLaughlin, Chairperson
Town of Greenburgh
177 Hillside Avenue
Greenburgh, NY 10607
Office Tel: (914) 989-1532

2. Adjacent Property Owners / Occupants / Residents:

Louis Vizioli

Section 8.120, Block 70, Lot 2
Section 8.50, Block 28, Lot 4
1171 Dobbs Ferry Road
Greenburgh, NY

Louis Vizioli

Section 8.50, Block 28, Lot 5
P.O. Box 65
Ardsley, NY

Elmwood Country Club

Section 7.530, Block 320, Lot 4
850 Dobbs Ferry Road
Greenburgh, NY

Consolidated Edison Co. (transmission lines to east of Site)

Section 8.120, Block 70, Lot 1
4 Irving Place, 3rd Floor
New York, NY

3. Local News Media:

News 12 Westchester
6 Executive Plaza
Yonkers, NY 10701
Telephone: (914) 378-4855

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

The Journal News
1133 Westchester Avenue
Suite N110
White Plains, NY 10604
Telephone: (914) 694-9300

4. Public Water Supplier:

Greenburgh Water Department
177 Hillside Avenue
Greenburgh, NY 10607
Telephone: (914) 989-1900

5. Any person who has requested to be placed on the Contact List:

No one has requested to be placed on the Contact List.

6. The administrator of any school or day care facility located on or near the property:

There are no schools or day care facilities located on or near the property.

7. Local Repository (acknowledgment letter attached, see Attachment F):

Greenburgh Public Library
300 Tarrytown Road
Elmsford, NY 10523
Telephone: (914) 721-8200

8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries:

The site is not located within such community board's boundaries.

Section X: Land Use Factors

2. Current Use: The site has been vacant and operations at the site ceased as of 2004.
3. Proposed Use: The subject site is planned to be developed with a senior living facility, as shown on a *Proposed Site Plan* dated June 18, 2016 and prepared by Brooker Engineering. A copy of the *Proposed Site Plan* is attached as Attachment G. GTA understands the planned development of the subject site will be serviced by public water and sewer.
- 4, 5, and 6. Assisted Living is a Special Permit Use in the Town of Greenburgh in the R-30 zoning district where the subject property is located, provided that one has at least a minimum of 4 acres and the site is located within 200 feet of, and has access to, a State or County right-of-way. Since the former "Frank's Nursery" site is on Dobbs Ferry Road/NYS Route 100-B, and exceeds six acres, it does qualify for this use.

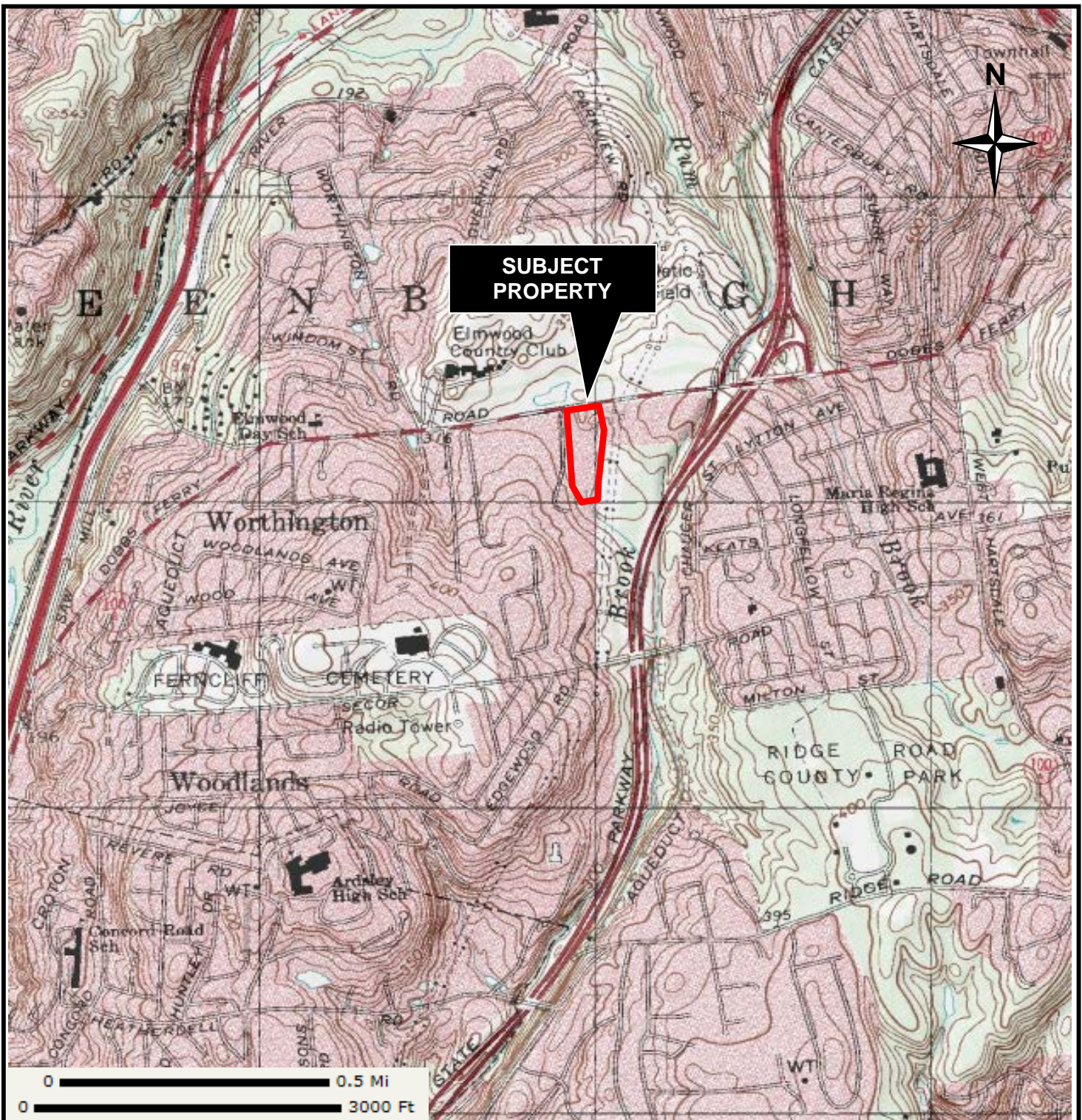
BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.

Moreover, the site is currently owned by the Town of Greenburgh and it, as the seller in this transaction, is quite well aware that Capitol Senior Housing intends to redevelop it as an assisted living facility. Hence, there is no question that the town desires this use on this property.

Finally, the Amended Greenburgh Comprehensive Plan is about to be adopted. Section 10.4.1 of the Plan, entitled Senior Housing (independent living) states: “the greater the variety of housing options in terms of size, location and type, the greater the likelihood our aging population will be able to age in place.” Section 10.4.2 of the Plan, entitled Assisted Living Facilities declares: “Assisted Living Facilities are an important component of the continuum of care with respect to housing needs..... In 2013, the Town adopted legislation allowing assisted living facilities as a special permit use in one-family residential districts on lots with a minimum of four acres.” In addition, other sections of the Plan acknowledge the need for and importance of these types of new senior living arrangements.

BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.

FIGURES



Note: site boundary is approximate.

TOPOGRAPHIC MAP



14 Worlds Fair Drive, Suite B
Somerset, New Jersey 08873
(732) 271-9301
fax (732) 271-9306

GTA ENGINEERING SERVICES OF NY, PC

CSH Greenburgh Site
715 Dobbs Ferry Road
Town of Greenburgh
Westchester County, New York

SOURCE: USGS QUADRANGLE (WHITE PLAINS, NY)

SCALE: AS SHOWN

DATE: JAN 2016

PROJECT #: 34160102

W&C SAMPLE ID					001	002			
LOCATION					WC6	WC6			
SAMPLING DATE					9/10/2012	9/10/2012			
LAB SAMPLE ID					L1217993-01	L1217993-02			
SAMPLE DEPTH (ft.)					4-5	7-8			
	COMM	RES	UNRES	Units			Q		Q
Total Metals									
Barium, Total	400	350	350	mg/kg	1100	940			
Chromium, Trivalent	1500	36	30	mg/kg	28	37			
Iron, Total	---	2000	---	mg/kg	17000	20000			
Lead, Total	1000	400	63	mg/kg	1400	2600			
Mercury, Total	2.8	0.81	0.18	mg/kg	0.52	0.27			
Zinc, Total	10000	2200	109	mg/kg	1400	560			

LOCATION					SB-6				
SAMPLING DATE					1/17/2013				
LAB SAMPLE ID					L1301211-02				
SAMPLE DEPTH (ft.)					7-8				
	COMM	RES	UNRES	Units			Q		
Pesticides									
4,4'-DDE	62	1.8	0.0033	mg/kg	0.00973				
4,4'-DDD	92	1.7	0.0033	mg/kg	0.0169				
PCBs									
Aroclor 1254	1	1	0.1	mg/kg	0.173				
Metals									
Chromium, Trivalent	1500	36	30	mg/kg	32				
Lead, Total	1000	400	63	mg/kg	180				
Zinc, Total	10000	2200	109	mg/kg	110				

W&C SAMPLE ID					003	004			
LOCATION					WC1	WC1			
SAMPLING DATE					9/10/2012	9/10/2012			
LAB SAMPLE ID					L1217993-03	L1217993-04			
SAMPLE DEPTH (ft.)					4-5	8-9			
	COMM	RES	UNRES	Units			Q		Q
Total Metals									
Iron, Total	---	2000	---	mg/kg	16000	13000			
Pesticides									
4,4'-DDE	62	1.8	0.0033	mg/kg	0.0123				
4,4'-DDD	92	1.7	0.0033	mg/kg	0.0163				
Metals									
Chromium, Trivalent	1500	36	30	mg/kg	30				
Zinc, Total	10000	2200	109	mg/kg	110				

W&C SAMPLE ID					020				
LOCATION					WC14				
SAMPLING DATE					9/10/2012				
LAB SAMPLE ID					L1217993-13				
SAMPLE DEPTH (ft.)					7-8				
	COMM	RES	UNRES	Units			Q		
Total Metals									
Arsenic, Total	16	16	13	mg/kg	15				
Copper, Total	270	270	50	mg/kg	160				
Chromium, Trivalent	1500	36	30	mg/kg	42				
Iron, Total	---	2000	---	mg/kg	43000				
Lead, Total	1000	400	63	mg/kg	170				
Mercury, Total	2.8	0.81	0.18	mg/kg	0.22				
Nickel, Total	310	140	30	mg/kg	36				
Zinc, Total	10000	2200	109	mg/kg	190				

LOCATION					SB-11				
SAMPLING DATE					1/18/2013				
LAB SAMPLE ID					L1301211-07				
SAMPLE DEPTH (ft.)					8.5-9.5				
	COMM		UNRES	Units			Q		
Pesticides									
4,4'-DDD	92	1.7	0.0033	mg/kg	0.0346				
cis-Chlordane	24	0.91	0.094	mg/kg	0.115				
Metals									
Barium, Total	400	350	350	mg/kg	470				
Lead, Total	1000	400	63	mg/kg	1300				
Mercury, Total	2.8	0.81	0.18	mg/kg	1.1				
Zinc, Total	10000	2200	109	mg/kg	370				

LOCATION					SB-3				
SAMPLING DATE					1/17/2013				
LAB SAMPLE ID					L1301211-04				
SAMPLE DEPTH (ft.)					8.5-9.5				
	COMM	UNRES	UNRES	Units			Q		
Pesticides									
4,4'-DDD	92	1.7	0.0033	mg/kg	0.0041				
Metals									
Chromium, Trivalent	1500	36	30	mg/kg	37				

LOCATION					SB-10				
SAMPLING DATE					1/18/2013				
LAB SAMPLE ID					L1301211-06				
SAMPLE DEPTH (ft.)					8.5-9.5				
	COMM		UNRES	Units			Q		
Pesticides									
4,4'-DDD	92	1.7	0.0033	mg/kg	0.0952				
PCBs									
Aroclor 1254	1	1	0.1	mg/kg	0.478				
Metals									
Barium, Total	400	360	350	mg/kg	570				
Chromium, Trivalent	1500	36	30	mg/kg	53				
Copper, Total	270	270	50	mg/kg	56				
Lead, Total	1000	400	63	mg/kg	730				
Mercury, Total	2.8	0.81	0.18	mg/kg	0.35				
Nickel, Total	310	140	30	mg/kg	70				
Zinc, Total	10000	2200	109	mg/kg	460				

LOCATION					SB-9				
SAMPLING DATE					1/18/2013				
LAB SAMPLE ID					L1301211-05				
SAMPLE DEPTH (ft.)					7.5-8.5				
	COMM	RES	UNRES	Units			Q		
Pesticides									
4,4'-DDT	47	1.7	0.0033	mg/kg	0.00513				J
Metals									
Copper, Total	270	270	50	mg/kg	58				
Mercury, Total	2.8	0.81	0.18	mg/kg	0.29				
Selenium, Total	1500	36	3.9	mg/kg	5.2				J

W&C SAMPLE ID					008	009			
LOCATION					WC3	WC3			
SAMPLING DATE					9/10/2012	9/10/2012			
LAB SAMPLE ID					L1217993-08	L1217993-09			
SAMPLE DEPTH (ft.)					2-3	7-8			
	COMM	RES	UNRES	Units			Q		Q
Total Metals									
Arsenic, Total	16	16	13	mg/kg	2	23			
Barium, Total	400	350	350	mg/kg	28	510			
Cadmium, Total	9.3	2.5	2.5	mg/kg	0.86	3.7			
Chromium, Trivalent	1500	36	30	mg/kg	2.7	56			
Copper, Total	270	270	50	mg/kg	250	300			
Iron, Total	---	2000	---	mg/kg	35000	110000			
Lead, Total	1000	400	63	mg/kg	38	1600			
Mercury, Total	2.8	0.81	0.18	mg/kg	0.09	0.69			
Nickel, Total	310	140	30	mg/kg	6.9	75			
Zinc, Total	10000	2200	109	mg/kg	64	1700			

W&C SAMPLE ID					010	011			
LOCATION					WC4	WC4			
SAMPLING DATE					9/10/2012	9/10/2012			
LAB SAMPLE ID					L1217993-10	L1217993-11			
SAMPLE DEPTH (ft.)					4-5	7-8			
	COMM	RES	UNRES	Units			Q		Q
Total Metals									
Barium, Total	400	350	350	mg/kg	1500	140			
Copper, Total	270	270	50	mg/kg	580	35			
Iron, Total	---	2000	---	mg/kg	14000	48000			
Lead, Total	1000	400	63	mg/kg	1600	300			
Mercury, Total	2.8	0.81	0.18	mg/kg	0.32	0.19			
Zinc, Total	10000	2200	109	mg/kg	860	240			

W&C SAMPLE ID					015				
LOCATION					WC7				
SAMPLING DATE					9/10/2012				
LAB SAMPLE ID					L1217993-12				
SAMPLE DEPTH (ft.)					7-8				
	COMM	RES	UNRES	Units			Q		
Total Metals									
Copper, Total	270	270	50	mg/kg	57				
Chromium, Trivalent	1500	36	30	mg/kg	31				
Iron, Total	---	2000	---	mg/kg	26000				
Lead, Total	1000	400	63	mg/kg	94				
Nickel, Total	310	140	30	mg/kg	49				
Zinc, Total	10000	2200	109	mg/kg	110				

Notes:

Bold - Indicates Compound Detected

mg/kg - milligrams per kilogram

Q - Qualifier

U - Compound not detected at the Method Detection Limit (MDL) shown

J - Compound detected above the MDL, but below the Reporting Limit (RL)

NYSDEC - New York State Department of Environmental Conservation

COMM - NYSDEC Part 375 Soil Cleanup Objective for Commercial Use

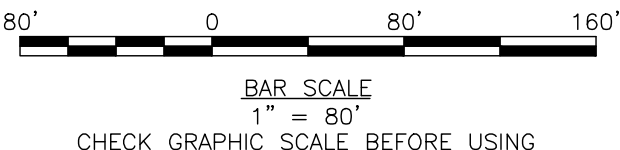
RES - NYSDEC Part 375 Soil Cleanup Objective for Residential Use

UNRES - NYSDEC Part 375 Soil Cleanup Objective for Unrestricted Use

	Exceeds UNRES
	Exceeds UNRES & RES
	Exceeds UNRES, RES & COMM

LEGEND:

---	PROPERTY BOUNDARY
x x x	FENCE
oe	OVERHEAD ELECTRICAL
s	SANITARY SEWER
	CATCH BASIN
	EXISTING MONITORING WELL
	EXISTING SOIL BORING
	NEW MONITORING WELL
	NEW SOIL BORING
	APPROXIMATE SPILL IMPACT AREA



709 WESTCHESTER AVENUE, SUITE L2
WHITE PLAINS, NY 10604
888.265.8969 | www.woodardcurran.com

COMMITMENT & INTEGRITY DRIVE RESULTS

SOIL ANALYTICAL DATA
METALS, PESTICIDES, & PCBs

DESIGNED BY:
DRAWN BY:

TOWN OF GREENBURGH
715 DOBBS FERRY ROAD
GREENBURGH, NEW YORK 10607

SITE INVESTIGATION REPORT

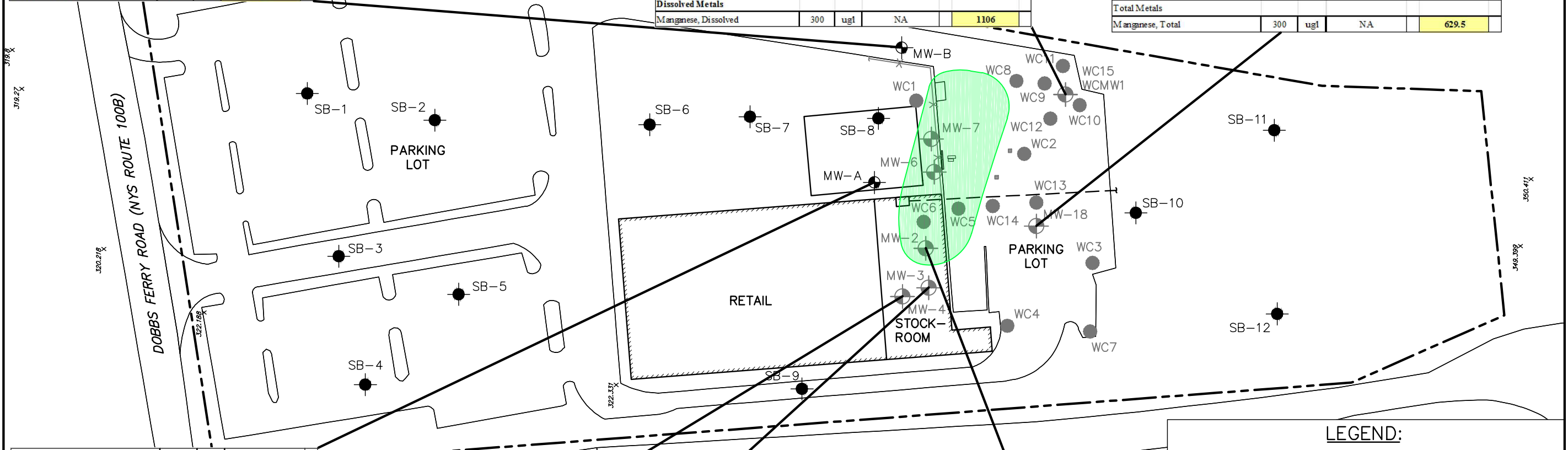
JOB NO: 213948.00
DATE: February 2013
SCALE: 1"=80'

FIGURE 3B

LOCATION			MW-B
SAMPLING DATE			1/29/2013
LAB SAMPLE ID			L1301717-03/R1
	AWQS	Units	Q
Semivolatile Organic Compounds			
Benzo(a)pyrene	0	ug/l	0.55
Benzo(b)fluoranthene	0.002	ug/l	0.76
Benzo(k)fluoranthene	0.002	ug/l	0.31
Chrysene	0.002	ug/l	0.72
Indeno(1,2,3-cd)Pyrene	0.002	ug/l	0.4
Total Metals			
Lead, Total	25	ug/l	28.8
Manganese, Total	300	ug/l	1163

LOCATION			WCMW-1	WCMW-1
SAMPLING DATE			9/10/2012	1/29/2013
LAB SAMPLE ID			L1216287-30	L1301717-01/R1
	AWQS	Units	Q	Q
Semivolatile Organic Compounds				
Benzo(a)pyrene	0	ug/l	0.28	0.2
Benzo(b)fluoranthene	*0.002	ug/l	0.33	0.2
Benzo(k)fluoranthene	*0.002	ug/l	0.24	0.2
Chrysene	*0.002	ug/l	0.37	0.08
Indeno(1,2,3-cd)Pyrene	*0.002	ug/l	0.24	0.2
Total Metals				
Barium, Total	1000	ug/l	NA	1110
Manganese, Total	300	ug/l	NA	1267
Dissolved Metals				
Manganese, Dissolved	300	ug/l	NA	1106

LOCATION			MW-18-028	MW-18
SAMPLING DATE			9/10/2012	1/29/2013
LAB SAMPLE ID			L1216287-28	L1301717-02/R1
	AWQS	Units	Q	Q
Semivolatile Organic Compounds				
Benzo(a)pyrene	0	ug/l	0.11	0.12
Benzo(b)fluoranthene	0.002	ug/l	0.1	0.18
Benzo(k)fluoranthene	0.002	ug/l	0.07	0.08
Chrysene	0.002	ug/l	0.11	0.16
Indeno(1,2,3-cd)Pyrene	0.002	ug/l	0.1	0.1
Total Metals				
Manganese, Total	300	ug/l	NA	629.5



LOCATION			MW-A
SAMPLING DATE			1/30/2013
LAB SAMPLE ID			L1301717-06/R1
	AWQS	Units	Q
Semivolatile Organic Compounds			
Chrysene	0.002	ug/l	0.06
Total Metals			
Lead, Total	25	ug/l	27.5
Manganese, Total	300	ug/l	1053

LOCATION			MW-4-026	MW-4
SAMPLING DATE			9/10/2012	1/30/2013
LAB SAMPLE ID			L1216287-26	L1301717-08
	AWQS	Units	Q	Q
Total Metal				
Lead, Total	25	ug/l	NA	40.3
Manganese, Total	300	ug/l	NA	320.2

LOCATION			MW-3	MW-3
SAMPLING DATE			9/10/2012	1/30/2013
LAB SAMPLE ID			L1216287-25	L1301717-07
	AWQS	Units	Q	Q
Total Metals				
Manganese, Total	300	ug/l	NA	490.4

LOCATION			MW-2
SAMPLING DATE			9/10/2012
LAB SAMPLE ID			L1216287-24
	AWQS	Units	Q
Semivolatile Organic Compounds			
Acenaphthene	*20	ug/l	99
Naphthalene	*10	ug/l	550
Fluorene	*50	ug/l	77
Phenanthrene	*50	ug/l	81
Volatile Organic Compounds			
Naphthalene	*10	ug/l	680
1,2,4-Trime-thylbenzene	5	ug/l	14

Notes:

Bold - Indicates compound detected

ug/l - micrograms per liter

NA - Not analyzed

Q - Qualifier

U - Compound not detected at reporting limit (RL) shown

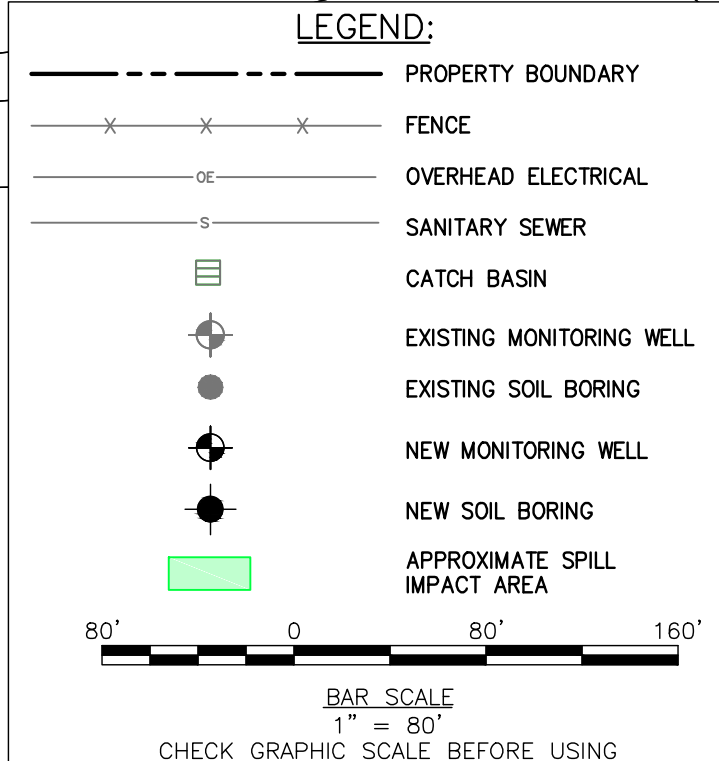
J - Estimated Value; compound detected above method detection limit (MDL) but below RL

NYSDEC - New York State Department of Environmental Conservation

AWQS - Ambient Water Quality Standards - NYSDEC Technical Operational Guidance Series (TOGS)

* Guidance Value

Exceeds AWQS



709 WESTCHESTER AVENUE, SUITE L2
WHITE PLAINS, NY 10604
888.265.8969 | www.woodardcurran.com



GROUND WATER ANALYTICAL DATA

TOWN OF GREENBURGH
715 DOBBS FERRY ROAD
GREENBURGH, NEW YORK 10607

JOB NO: 213948.00
DATE: February 2013
SCALE: 1"=80'

FIGURE 5

DESIGNED BY: 21394800-SI-Figure 2-2013.2.12.dwg
DRAWN BY:
WOODARD & CURRAN
COMMITMENT & INTEGRITY DRIVE RESULTS

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT A

**CRP-CSH GREENBURGH, L.L.C.
AUTHORIZATION TO CONDUCT BUSINESS IN
NEW YORK AND LIST OF MEMBERS AND
OWNERS**

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through June 27, 2016.

Selected Entity Name: CRP/CSH GREENBURGH, L.L.C.

Selected Entity Status Information

Current Entity Name: CRP/CSH GREENBURGH, L.L.C.

DOS ID #: 4968291

Initial DOS Filing Date: JUNE 24, 2016

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

C/O CT CORPORATION SYSTEM

111 EIGHTH AVENUE

NEW YORK, NEW YORK, 10011

Registered Agent

C T CORPORATION SYSTEM

111 EIGHTH AVENUE

NEW YORK, NEW YORK, 10011

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address

(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUN 24, 2016	Actual	CRP/CSH GREENBURGH, L.L.C.

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS](#)
[Homepage](#) | [Contact Us](#)

BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.

List of Owners and Members of CRP-CSH Greenburgh, L.L.C.:

The members of **CRP-CSH Greenburgh, L.L.C.**, a Delaware limited liability company, are **Capitol Seniors Housing (CRP) JV V, LLC**, with a 2.0% interest, and **CRP-CSH Greenburgh Member, L.L.C.**, with a 98.0% interest

Capitol Seniors Housing (CRP) JV V, LLC, a Delaware limited liability company, and an affiliate of Capitol Seniors Housing, owned indirectly by S. Scott Stewart and other Capitol Seniors Housing personnel. Capitol Seniors Housing is a real estate private equity firm with an exclusive focus on acquiring and investing in the development of seniors housing communities. www.capitolseniorshousing.com

CRP-CSH Greenburgh Member, L.L.C., a Delaware limited liability company, and an affiliate of The Carlyle Group, owned indirectly by U.S. investors, non-U.S. investors and employees of The Carlyle Group. The Carlyle Group is an American multinational private equity, alternative asset management and financial services corporation. www.carlyle.com

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT B

**GTA APRIL 2016 REMEDIAL ACTION WORK
PLAN (ON CD)**

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT C

TAX MAP FOR THE PROPERTY

Tax ID: 7.530-320-1..SG
Owner: Elmwood Country Club
Private Golf Country Club

Dobbs Ferry Road

Tax ID: 8.50-25-4
Owner: Vizioli TIC, Louis
Other Outdoor Sports

Tax ID: 8.50-25-5
Owner: Vizioli TIC, Louis
Other Outdoor Sports

Tax ID: 8.50-28-9
Owner: Town of Greenburgh

Tax ID: 8.180-128-28..SG
Owner: Consolidated Edison Co
Utility Right-of-Way

**EXTENT OF
BCP APPLICATION
AREA**

**TAX PARCEL
BOUNDARY**

Tax ID: 8.120-70-2
Owner: Vizioli, Louis
Other Outdoor Sports

TAX MAP AND BCP APPLICATION AREA



14 Worlds Fair Drive, Suite B
Somerset, New Jersey 08873
(732) 271-9301
fax (732) 271-9306

GTA ENGINEERING SERVICES OF NY, PC

CSH GREENBURGH SITE

715 Dobbs Ferry Road
Town of Greenburgh
Westchester County, New York

SOURCE: GTA

SCALE: 1" = 150'

APR 2016

PROJECT #: 34160102

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT D

**A MEETS AND BOUNDS DESCRIPTION OF BCP
APPLICATION AREA IMPOSED ON THE
STAMPED SITE SURVEY**

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT E

**PROOF OF ACCESS SUFFICIENT TO COMPLETE
REGISTRATION**

ACCESS AGREEMENT

This Access Agreement and all schedules and exhibits hereto ("Agreement") is made and entered into on this 8th day of July, 2016, by and between the Town of Greenburgh, with offices located at 117 Hillside Avenue, Greenburgh, NY 10607 (the "SELLER"), and CRP/CSH Greenburgh, L.L.C., with offices at c/o Capitol Seniors Housing, 1275 Pennsylvania Avenue, NW, 2nd Floor, Washington DC 20004 ("PURCHASER") (collectively, the "Parties").

WHEREAS, PURCHASER is under contract (the "Contract") to purchase real property located at 715 Dobbs Ferry Road, Greenburgh, NY, Section 8.50, Block 28, Lot 9 (the "Real Property") from the SELLER; and

WHEREAS, PURCHASER is performing environmental investigations and will perform remediation at the Real Property; and

WHEREAS, PURCHASER has retained GTA as its environmental consultant to perform these investigations and remediation; and

WHEREAS, PURCHASER is applying for the New York State Department of Environmental Conservation ("NYSDEC") Brownfield Cleanup Program ("BCP"), as a Volunteer, to remediate the Real Property, which work may begin prior to and continue subsequent to PURCHASER's purchase of the Real Property; and

WHEREAS, the NYSDEC BCP requires that PURCHASER as applicant demonstrate proof of access to the Real Property;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the Parties hereby agree as follows:

1. Subject to the terms and conditions set forth below, the SELLER agrees to allow PURCHASER, its agents (including, but not limited to GTA), contractors, engineers, surveyors, attorneys, employees and invitees shall have the right, at any time, to enter the Real Property to make studies, tests, analyses, or other determinations desired by Purchaser, including drainage studies, surveying, soil testing, environmental studies (including invasive testing), hazardous materials inspections and the like, provided, however, that Purchaser shall not conduct any invasive testing or conduct any of the work set forth in Section 2 below prior to Closing as defined in the Contract without first submitting a written proposal for such testing or work and delivering evidence of insurance of the organization conducting such testing or work, with Seller's prior approval, to be issued in its sole, but reasonable discretion, being required prior to such testing or work.

2. The scope of the environmental remediation work will consist of, but not be limited to: mobilization, underground storage tank system removal, excavation, transportation and disposal of contaminated soil, excavation dewatering, open excavation oxidant application, clean fill, transportation and disposal of unsuitable contaminated soil, dust, odor and vapor controls, vapor mitigation, operations and maintenance on vapor system. The aforementioned work is more particularly described in the attached Remediation Action Work Plan prepared by GTA dated April 14, 2016 ("RAWP").

3. PURCHASER agrees to indemnify and hold SELLER harmless for any direct damage to personal or Real Property resulting from the exercise of the access rights granted to PURCHASER; provided, however, that PURCHASER shall not have any liability with respect to any claims that may arise from SELLER'S negligence or willful misconduct or with respect to any condition that existed on the Real Property prior to PURCHASER'S entry. PURCHASER shall, prior to entry onto the Real Property, provide to SELLER a certificate of insurance from a reputable insurance company covering such indemnification obligations of PURCHASER with coverage amounts of at least \$1,000,000 per claim, naming SELLER as an additional insured. In the event that Closing does not occur, PURCHASER shall reasonably restore the Real Property if it is materially changed as a result of the exercise of any of the rights granted herein. PURCHASER'S right of access provided above shall extend to and include the entire time that this Agreement is in effect.

4. The SELLER agrees to reasonably cooperate with PURCHASER, GTA and its contractors and to allow PURCHASER, GTA and its contractors to timely conduct and complete the RAWP.

5. Any notice required or permitted under this Agreement shall be given personally or by certified mail, return receipt requested or reputable overnight courier service as follows:

To:

SELLER :

Paul J. Feiner, Supervisor
Town of Greenburgh
117 Hillside Avenue
Greenburgh, New York 10607
914-989-1500 Phone
914-989-1627 Fax
pfeiner@greenburghny.com

PURCHASER

CRP/CSH Greenburgh, L.L.C.
c/o Capitol Seniors Housing
1275 Pennsylvania Avenue, NW, 2nd Floor
Washington, DC 20004

Attn: Joseph F. McElwee
Principal - Development
610-246-6663 Phone
joe.mcelwee@cshjv.com

With contemporaneous copy to:

John D. Caine, Esq.
Tatusko Kennedy, P.C.
3016 Williams Drive, Suite 200
Fairfax, Virginia 22031
(703) 205-0711 Phone
(703) 205-9059 Fax
jcaine@tatuskolaw.com

and

Suzanne M. Avena, Esq.
Garfunkel, Wild P.C.
111 Great Neck Road
Great Neck, NY 11021
516-229-2229
516-918-5629 Fax
savena@garfunkelwild.com

Any notice shall be deemed to have been delivered and effective the next business day after it has been sent in the manner described above, or on the date it is delivered in person, if so delivered.

6. This Agreement, including any attachment or schedule or exhibit annexed hereto, constitutes the entire agreement and understanding between the Parties for matters contained herein, and merges and supersedes all prior discussions, agreements and understandings between the Parties. No amendments, additions or modifications hereto shall be valid unless in writing and signed by the Parties hereto.

7. This Agreement and the rights and obligations associated herewith may not be assigned or transferred by Parties.

8. The effective date of this Agreement shall be deemed the date of the last signature hereto. This Agreement may be executed in counterparts, each of which will be deemed an original agreement, but all of which will be considered one and the same instrument.

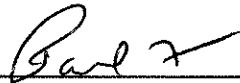
9. This Agreement shall be governed by the laws of the State of New York without giving effect to conflict of laws principles thereof.

[SIGNATURE PAGES FOLLOW]

Signature Page to Access Agreement
Town of Greenburgh and CRP/CSH Greenburgh, L.L.C.

SELLER:

TOWN OF GREENBURGH

By: 

Name: PAUL J. FEINER

Title: TOWN SUPERVISOR

Date: JULY 8, 2016

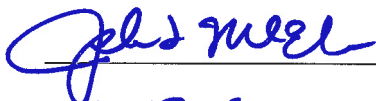
[ADDITIONAL SIGNATURE PAGE FOLLOWS]

Signature Page to Access Agreement
Town of Greenburgh and CRP/CSH Greenburgh, L.L.C.

PURCHASER:

CRP/CSH GREENBURGH, L.L.C., a Delaware
limited liability company

By: Capitol Seniors Housing (CRP) JV V, LLC,
a Delaware limited liability company, its
authorized member

By: 
Name: JOSEPH F. MCELWEE
Title: VICE PRESIDENT
Date: 7/6/16

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT F

**LOCAL REPOSITORY ACKNOWLEDGMENT
DOCUMENTATION**



Greenburgh Public Library

Putting Service First

John Sexton, Library Director
jsexton@greenburghlibrary.org

July 20, 2015

Anthony C. Catalano P.E., BCEE
Senior Vice President
Woodard & Curran
709 Westchester Avenue
White Plains, New York 10604

Dear Mr. Catalano:

This letter confirms that the Greenburgh Public Library maintains public documents in the reference department for the public to review. Documents cannot be checked out of the Library but are available for review inside the Library. Documents are maintained as long as they are relevant.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Sexton', written over a horizontal line.

John Sexton
Library Director

cc: Victor Carosi, Commissioner, Town of Greenburgh Department of Public Works
Timothy Lewis, Town Attorney, Town of Greenburgh

Lake, Rich

From: John Sexton <jsexton@greenburghlibrary.org>
Sent: Tuesday, April 05, 2016 4:44 PM
To: Lake, Rich
Subject: Re: Brownfield Cleanup Program repository

Rich: yes, I can confirm that we have available to the public records that were sent to us.

John

On Tuesday, April 5, 2016, Lake, Rich <rlake@gtaeng.com> wrote:

Hi John,

I'm writing to confirm that the Greenburgh Public Library is able to maintain a repository of environmental records associated with a property in Greenburgh that is planned to be remediated through the New York State Department of Environmental Conservation Brownfield Cleanup Program. Please see the attached letter that previously acknowledged the maintenance of these records.

Thanks for your help,

Rich

Richard Lake, LSRP

Associate

GEO-TECHNOLOGY ASSOCIATES, INC.

14 Worlds Fair Dr., Suite B

Somerset, New Jersey 08873

Tel: 732-271-9301 Fax: 732-271-9306

Cell: 215-813-1649

Email: rlake@gtaeng.com

Visit us at www.gtaeng.com

Services: Geotechnical Engineers • Environmental
Consultants • Construction Observation & Testing

Offices: Abingdon, Baltimore, Laurel, Frederick & Waldorf, MD

Georgetown & New Castle, DE • York, Towanda & Quakertown, PA • NYC Metro

Somerset, NJ • Sterling & Fredericksburg, VA • Charlotte, NC • Malvern, OH

**BCP APPLICATION SUPPORTING INFORMATION
CRP-CSH GREENBURGH, L.L.C.**

ATTACHMENT G

PROPOSED SITE PLAN

