# Brownfield Cleanup Program Application Cottage Place Gardens Phase 4 Parcel City of Yonkers, Westchester County

# Applicant:

### 170-174 WARBURTON LIMITED PARTNERSHIP

90 State Street Albany, New York 12207

Prepared for:

Chief, Site Control Section

New York State Department of Environmental Conservation

Division of Environmental Remediation

625 Broadway

Albany, New York 12233



JULY 17, 2017 (REVISED AUGUST 1, 2017)



# 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, ncluding the required public comment period. Is this an application to amend an existing BCA?									
Yes No If yes, provide existing site number:									
ART A (note: application is separated into Parts A and B for DEC review purposes) BCP App Rev 9									
Section I. Requestor Information - See Instructions for Further Guidance BCP SITE #:									
NAME	SEE ATT	FACHMENT I							
ADDRESS									
CITY/TOWN	ZIP CODE								
PHONE	FAX	E-MAIL							
<ul> <li>Is the requestor authorized to conduct business in New York State (NYS)?</li> <li>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 &amp; 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.</li> <li>Do all individuals that will be certifying documents meet the requirements detailed below? Yes No</li> <li>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.</li> </ul>									
Section II. Project Description	SEE ATTACHMENT II								
1. What stage is the project start	ing 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 <a href="DER-10/Technical Guidance for Site">DER-10/Technical Guidance for Site</a> 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):  No NOT APPLICABLE									
4. Please attach a short descript	ion of the overall development project, i	ncluding:							
the date that the remedia	I program is to start; and								
the date the Certificate of	f Completion is anticipated.								

### Section III. Property's Environmental History

SEE ATTACHMENT III

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			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
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.

11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE IN	WIIH ANY	GUIDANCE PRO
ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*	V	NI -
(*answering No will result in an incomplete application)	Yes	No

4	INDICATE PAST I	AND USES (CHECK	ΔΙΙ	$TH\Delta T$	APPI YI
₩.	INDICALLEAGE	AND USES ICHECK	$\Delta$ L		AFFLII

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner	
Salvage Yard	Bulk Plant	Pipeline	Service Station	
Landfill	Tannery	Electroplating	Unknown	
Other:				

Section IV. Property Information - See Instructions	s for Furth	er Guida	nce SEE A	ATTACHME	ENT IV
PROPOSED SITE NAME					
ADDRESS/LOCATION					
CITY/TOWN ZIP C	ODE				
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):					
COUNTY	SITE	SIZE (AC	RES)		
LATITUDE (degrees/minutes/seconds)	LONGITU	DE (degre	es/minutes/se	econds)	и
COMPLETE TAX MAP INFORMATION FOR ALL TAX PAR BOUNDARIES. ATTACH REQUIRED MAPS PER THE AF				ROPERTY	
Parcel Address	Se	ction No.	Block No.	Lot No.	Acreage
SEE ATTACHMENT IV (The Site Consists of Fou	r Parcels)				
Do the proposed site boundaries correspond to tax If no, please attach a metes and bounds description			unds?	Yes	No
Is the required property map attached to the applic (application will not be processed without map)	cation?			Yes	No
Is the property within a designated Environmental (See <u>DEC's website</u> for more information)	Zone (En-z	zone) purs	suant to Tax Ye		6)?
If yes, id	dentify cens	sus tract :			
Percentage of property in En-zone (check one):	0-49%	Į	50-99%	100%	, <b>5</b>
Is this application one of multiple applications for a project spans more than 25 acres (see additional contents).					lopment es No
If yes, identify name of properties (and site number applications:	rs if availal	ole) in rela —	ated BCP		
5. Is the contamination from groundwater or soil vapor subject to the present application?	or solely en	nanating f	rom propert	y other than Ye	
6. Has the property previously been remediated purse ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.	uant to Titl	es 9, 13, (	or 14 of ECL	. Article 27, Ye	
7. Are there any lands under water? If yes, these lands should be clearly delineated on	the site ma	ар.		Υe	es No

	tion IV. Property Information (continued)		
	Are there any easements or existing rights of way that would preclude remediation in the fyes, identify here and attach appropriate information.		? No
<u> </u>	Easement/Right-of-way Holder Description	<u>on</u>	
	List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here on formation)	or attach	
<u> </u>	Type Issuing Agency De	scription_	
	Property Description and Environmental Assessment – please refer to application in the proper format of <u>each</u> narrative requested.	struction	s for
	Are the Property Description and Environmental Assessment narratives included		
	in the prescribed format?	Yes	No
	For sites located within the five counties comprising New York City, is the requestor se-		No
(	For sites located within the five counties comprising New York City, is the requestor sedetermination that the site is eligible for tangible property tax credits?		
l	For sites located within the five counties comprising New York City, is the requestor sedetermination 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.	eking a Yes Not App	□ No licable
l	For sites located within the five counties comprising New York City, is the requestor sed 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.  Is the Requestor now, or will the Requestor in the future, seek a determination	eking a Yes Not App	□ No licable No
12.	For sites located within the five counties comprising New York City, is the requestor sed 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. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?	eking a Yes Not App	□ No licable No
12.	For sites located within the five counties comprising New York City, is the requestor sed 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.  Is the Requestor now, or will the Requestor in the future, seek a determination	eking a Yes Not App	□ No licable No licable
12. 13. <b>NC</b> pai	For sites located within the five counties comprising New York City, is the requestor sed 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.  Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?  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?  OTE: If a tangible property tax credit determination is not being requested in the ricipate in the BCP, the applicant may seek this determination at any time before	eking a Yes Not App Yes Not App Yes Not App	□ No licable No licable No licable on to ce of
12. 13. NC pai	For sites located within the five counties comprising New York City, is the requestor sed 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. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?  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?  OTE: If a tangible property tax credit determination is not being requested in the	eking a Yes Not App Yes Not App Yes Not App	□ No licable No licable No licable on to ce of
12.	For sites located within the five counties comprising New York City, is the requestor set 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.  Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?  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?  OTE: If a tangible property tax credit determination is not being requested in the articipate in the BCP, the applicant may seek this determination at any time befor certificate of completion by using the BCP Amendment Application, except for significant may seek the complete of the second completion by using the BCP Amendment Application, except for significant may seek this determination, except for significant may seek this determination.	eking a Yes Not App Yes Not App Yes Not App application e issuance ites seeki	No licable No licable No licable on to be of ling
12.  13.  NC pair a control eligible.	For sites located within the five counties comprising New York City, is the requestor sedetermination 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.  Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?  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?  DTE: If a tangible property tax credit determination is not being requested in the articipate in the BCP, the applicant may seek this determination at any time before tertificate of completion by using the BCP Amendment Application, except for significant under the underutilized category.	eking a Yes Not App Yes Not App Yes Not App application e issuance ites seeki	No licable No licable No licable on to be of ling

BCP application - PART B(note: application is separated into Parts A and B for DEC review purposes) DEC USE ONLY Section V. Additional Requestor Information BCP SITE NAME: See Instructions for Further Guidance BCP SITE #: NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE **ADDRESS** CITY/TOWN ZIP CODE **PHONE** FAX E-MAIL NAME OF REQUESTOR'S CONSULTANT **ADDRESS** CITY/TOWN ZIP CODE PHONE FAX E-MAIL NAME OF REQUESTOR'S ATTORNEY **ADDRESS** CITY/TOWN ZIP CODE FAX PHONE E-MAIL Section VI. Current Property Owner/Operator Information – if not a Requestor SEE ATTACHMENT VI Multiple **Varies** OWNERSHIP START DATE: **CURRENT OWNER'S NAME ADDRESS** CITY/TOWN ZIP CODE FAX E-MAIL **PHONE** Multiple **CURRENT OPERATOR'S NAME ADDRESS** ZIP CODE CITY/TOWN FAX PHONE 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) SEE ATTACHMENT VII

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?
- 2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?

  Yes No

Nο

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. Yes 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
- 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?
- 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 which require registration?

  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.

Se	ction VII. Requestor Eligibility Information (continued) SEE ATTACHMENT VII		
	questor Relationship to Property (check one): Previous Owner Current Owner Potential /Future Purchaser Other		
be	equestor is not the current site owner, <b>proof of site access sufficient to complete the rer submitted</b> . Proof must show that the requestor will have access to the property before sig d throughout the BCP project, including the ability to place an easement on the site. Is this	ning the	e BCA
	Yes No		
No	te: a purchase contract does not suffice as proof of access.		
Se	ction 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.		
2	In / was the property or any parties of the property listed on the NVC Degistry of Inactive	Yes	No
۷.	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?  If yes, please provide: Site # Class #	Yes	No
3.	Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim facility?	Status Yes	No
	If yes, please provide: Permit type:		
4.	If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined u 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available requestor related to previous owners or operators of the facility or property and their financincluding any bankruptcy filing and corporate dissolution documentation. Not Applicable	able to ial viab	the ility,
5.	Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 1 If yes, please provide: Order #	7 Title 1 Yes	10? No
6.	Is the property subject to a state or federal enforcement action related to hazardous waste If yes, please provide explanation as an attachment.	or petro Yes	oleum? No
Se	ction IX. Contact List Information SEE ATTACHMENT IX		

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 SEE ATTACHMENT X		
What is the current zoning for the site? What uses are allowed by the current zoning?     Residential	uthority.	
Current Use: Residential Commercial Industrial Vacant Recreational (checapply)     Attach a summary of current business operations or uses, with an emphasis on iden possible contaminant source areas. If operations or uses have ceased, provide the design.		
Reasonably anticipated use Post Remediation: Residential Commercial Industrial that apply) Attach a statement detailing the specific proposed use.	(check al	I
If residential, does it qualify as single family housing?	Yes N	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
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 hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the <u>Proposed DER-32</u> , <u>Brownfield Cleanup Program Applications and Agreements</u> ; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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: Signature:
Date: Signature: Print Name: Not Applicable
(By a requestor other than an individual)
I hereby affirm that I am_an Authorized Agent_(title) of
SUBMITTAL INFORMATION:
<ul> <li>Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:</li> </ul>
Chief, Site Control Section
<ul> <li>New York State Department of Environmental Conservation</li> </ul>
Division of Environmental Remediation
o 625 Broadway
o Albany, NY 12233-7020
FOR DEC USE ONLY BCP SITE T&A CODE: LEAD OFFICE:

BCP Application Summary (for I	DEC use or	nly)					
Site Name: City:		Site A Coun	ddress: ty:			Zip:	
Tax Block & Lot Section (if applicable):	Block	<b>«</b> :		Lo	ot:		
Requestor Name: City:			Rec Zip:	uestor A	ddress:	Email:	
Requestor's Representative (for Name: City:	billing pur Addre	•	z	lip:		Email:	
Requestor's Attorney Name: City:	Addre	ess:	Z	Zip:		Email:	
Requestor's Consultant Name: City:	Addre	ess:	2	Zip:		Email:	
Percentage claimed within an En DER Determination: Agree		<b>0</b> % Disagree	< <b>50</b> °	%	50-99%	100	%
Requestor's Requested Status:	Volur	nteer	Partic	ipant			
<b>DER/OGC Determination:</b> Notes:	Agree	Disa	gree				
For NYC Sites, is the Reques	tor Seekir	ng Tangib	le Prop	erty Cre	dits:	Yes	No
Does Requestor Claim Prope	erty is Up	side Dowi	n:	Yes	No		
<b>DER/OGC Determination:</b> Notes:	Agree	Disagr	ee	Undeterr	mined		
Does Requestor Claim Prop	erty is Un	derutilize	d:	Yes	No		
DER/OGC Determination: Notes:	Agree	Disag		Undete			
Does Requestor Claim Afford	dable Hou	using Stat	us:	Yes	No	Planned	, No Contract
<b>DER/OGC Determination:</b> Notes:	Agree	D	isagree	Uı	ndetermir	ned	

# **ATTACHMENT I**

# (Section I of Part A of the BCP Application)

Entity information from the NYS Department of State.

See attached Entity Information obtained from the NYS Department of State Division of Corporations web site (ATTACHMENT I-1).

The Requestor's physical address is different from the address identified on the Entity Information sheet. The NYS Department of State (DOS) Process (Address to which DOS will mail process if accepted on behalf of the entity) identifies the property as 170-174 WARBURTON LIMITED PARTNERSHIP, C/O CORPORATION SERVICE Co., 80 State Street, Albany, NY 12207-2543 whereas the Requestor's physical address is 170-174 WARBURTON LIMITED PARTNERSHIP, 90 State Street, Albany, NY 12207.

ATTACHMENT I-1 Page 1 of 1

# **NYS Department of State**

### **Division of Corporations**

### **Entity Information**

The information contained in this database is current through May 10, 2017.

Selected Entity Name: 170-174 WARBURTON LIMITED PARTNERSHIP

Selected Entity Status Information

Current Entity Name: 170-174 WARBURTON LIMITED PARTNERSHIP

DOS ID #:

5076003

Initial DOS Filing Date: JANUARY 30, 2017

County:

ALBANY

Jurisdiction:

NEW YORK

**Entity Type:** 

DOMESTIC LIMITED PARTNERSHIP

Current Entity Status: ACTIVE

Selected Entity Address Information

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

170-174 WARBURTON LIMITED PARTNERSHIP C/O CORPORATION SERVICE CO.

80 STATE STREET

ALBANY, NEW YORK, 12207-2543

Registered Agent

NONE

\*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** 

JAN 30, 2017 Actual

170-174 WARBURTON LIMITED PARTNERSHIP

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.

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# **ATTACHMENT II**

# (Section II of Part A of the BCP Application)

Question 4 - Provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated.

The purpose of the project is to redevelop a portion of an existing aging public housing apartment complex with new low to moderate income housing with community centers, parking and open space recreation. The existing public housing complex was built in the 1940's and is referenced as the Cottage Place Gardens (CPG) apartment complex. The CPG apartment complex is undergoing phased redevelopment into low to moderate income housing. Phases 1 and 2 are complete and Phase 3 is underway. This project will constitute Phase 4 of the redevelopment.

The remedial program is anticipated to start in the Fall of 2018. The Certificate of Completion is anticipated in the Fall of 2020. The remedial program will include the remediation of the Site's soil/fill to Track 1 (unrestricted use) cleanup levels.

# **ATTACHMENT III**

# (Section III of Part A of the BCP Application)

### Question 1 - Environmental Report

Attached to the next page is the electronic copy on CD of the following environmental report:

Phase II Environmental Site Assessment, Cottage Place Gardens Phase 4 Parcel, prepared by C.T. Male Associates, dated April 7, 2017 (ATTACHMENT III-1).

### **Question 2 - Sampling Data.**

The laboratory reports of sampling data are included as Appendices F and G in the Phase II Environmental Site Assessment Report in ATTACHMENT III-1 and are also included as standalone reports in electronic format on a separate CD in ATTACHMENT III-1 on the next page.

### **Question 3 - Site Drawings for Impacted Site Media.**

Attached are two (2) site drawings identifying contaminants in media that exceed regulatory standards and guidance values, as follows:

-Analytes In Soil/Fill Exceeding SCOs (ATTACHMENT III-2). The gray highlighted values on the Figure depict exceedences of Unrestricted Use SCOs. The yellow highlighted values on the Figure depict exceedences of Restricted Residential Use SCOs.

-Analytes in Groundwater Exceeding Groundwater Standards and Guidance Values (ATTACHMENT III-3). All compounds identified in the Figure have exceeded groundwater standards and guidance values promulgated at 6 NYCRR Part 703.5.

The drawings are known as Figures 3 and 4 in the Phase II Environmental Site Assessment Report in ATTACHMENT III-1.

Other site media such as soil gas, soil vapor and indoor air quality were not assessed during the Phase II Environmental Site Assessment.

### Summary of Contaminants Per Media Type For Each Parcel Constituting the Site

Four (4) parcels constitute the Cottage Place Gardens Phase 4 Site; 8 Cottage Place, 170 Warburton Avenue, 172 Warburton Avenue and 174 Warburton Avenue. Soil/fill and groundwater samples were collected from each of the parcels during previous

investigations. Parameters which exceeded their respective regulatory standards and guidance values are depicted on the figures in ATTACHMENT III-2 for soil/fill and ATTACHMENT III-3 for groundwater.

### Summary of Contaminants in Soil/Fill

Eight (8) soil samples were collected for laboratory analysis at varying depth intervals from test borings advanced within the 8 Cottage Place parcel. One (1) soil sample each was collected for laboratory analysis at varying depth intervals from test borings advanced within the 170, 172 and 174 Warburton Avenue parcels.

Contaminants in soil/fill exceeding regulatory standards were encountered within the 8 Cottage Place parcel at test borings SB2016-2, SB2016-4, SB2016-5, SB2016-7, SB2016-10, SB2016-11, SB2016-12 and B-N. VOCs, SVOCs, pesticides, PCBs and metals were detected at concentrations exceeding Unrestricted Use SCOs at varying concentrations across the parcel, with the SVOC dibenzo(a,h)anthracene and the metals barium, lead and mercury detected at concentrations exceeding Restricted-Residential Use SCOs. Additionally, a slight chemical-type odor was detected in soil samples collected from the 15′-17′ and 20′-22′ depth intervals at SB2016-5, which is located adjacent north to the 33 Ashburton Avenue BCP site.

Test boring GP01 was completed within the property boundaries of the 170 Warburton Avenue parcel. Soil/fill sampling results depicted two (2) VOCs, two (2) pesticides and three (3) metals at concentrations exceeding Unrestricted Use SCOs with lead (970 mg/kg) exceeding its Restricted-Residential SCO of 400 mg/kg. Additionally, elevated PID readings ranging from 19.6 to 57.3 ppm were encountered in soil/fill samples collected from the five (5) to 10 foot depth intervals at GP01. The soil/fill also emitted a petroleum- type odor and black staining was observed. Based on these subjective findings, the New York State Department of Environmental Conservation (NYSDEC) Spills Hotline was contacted and the Site was assigned spill No. 1610904

Test boring GP02 was completed within the property boundaries of the 172 Warburton Avenue parcel. Soil/fill sampling results depicted three (3) pesticides and three (3) metals at concentrations exceeding Unrestricted Use SCOs with lead (860 mg/kg) and mercury (1.2 mg/kg) each exceeding their Restricted-Residential SCO of 400 mg/kg and 0.81 mg/kg respectively.

Test boring GP03 was completed within the property boundaries of the 174 Warburton Avenue parcel. Soil/fill sampling results depicted one (1) VOC, three (3) pesticides and

three (3) metals at concentrations exceeding Unrestricted Use SCOs with lead (550 mg/kg) exceeding its Restricted-Residential SCO of 400 mg/kg.

### Summary of Contaminants in Groundwater

Seven (7) groundwater samples were collected from monitoring wells installed within the 8 Cottage Place parcel and one (1) groundwater sample was collected from a monitoring well installed within the 170 Warburton Avenue parcel. Groundwater samples were not collected from the 172 Warburton Avenue parcel because drilling refusal was encountered prior to penetration into the water table. Groundwater samples were not collected from the 174 Warburton Avenue parcel because the monitoring well did not contain groundwater at the time of sampling.

At the 8 Cottage Place parcel, the following parameters were detected in groundwater at concentrations exceeding regulatory standards and guidance values.

-The VOCs p/m-xylene at MW2016-5 and 1,2-dichloropropane at MW-L.

-The SVOCs benzo(a)anthracene at MW2016-2, MW2016-5, MW2016-10 and MW2016-12; benzo(b)fluoranthene at MW2016-2, MW2016-5 and MW2016-12; and chrysene at MW2016-12.

-The metals antimony at MW2016-5; chromium at MW2016-10, MW-L and MW-M; iron at MW2016-5, MW2016-10, MW2016-12, MW-L, MW-M and MW-N; lead at MW-M and MW-N; magnesium at MW2016-2, MW2016-10 and MW-L; manganese at MW2016-2, MW2016-5, MW2016-10, MW2016-12, MW-L and MW-M; and sodium at MW2016-5, MW2016-10, MW2016-12, MW-L and MW-M.

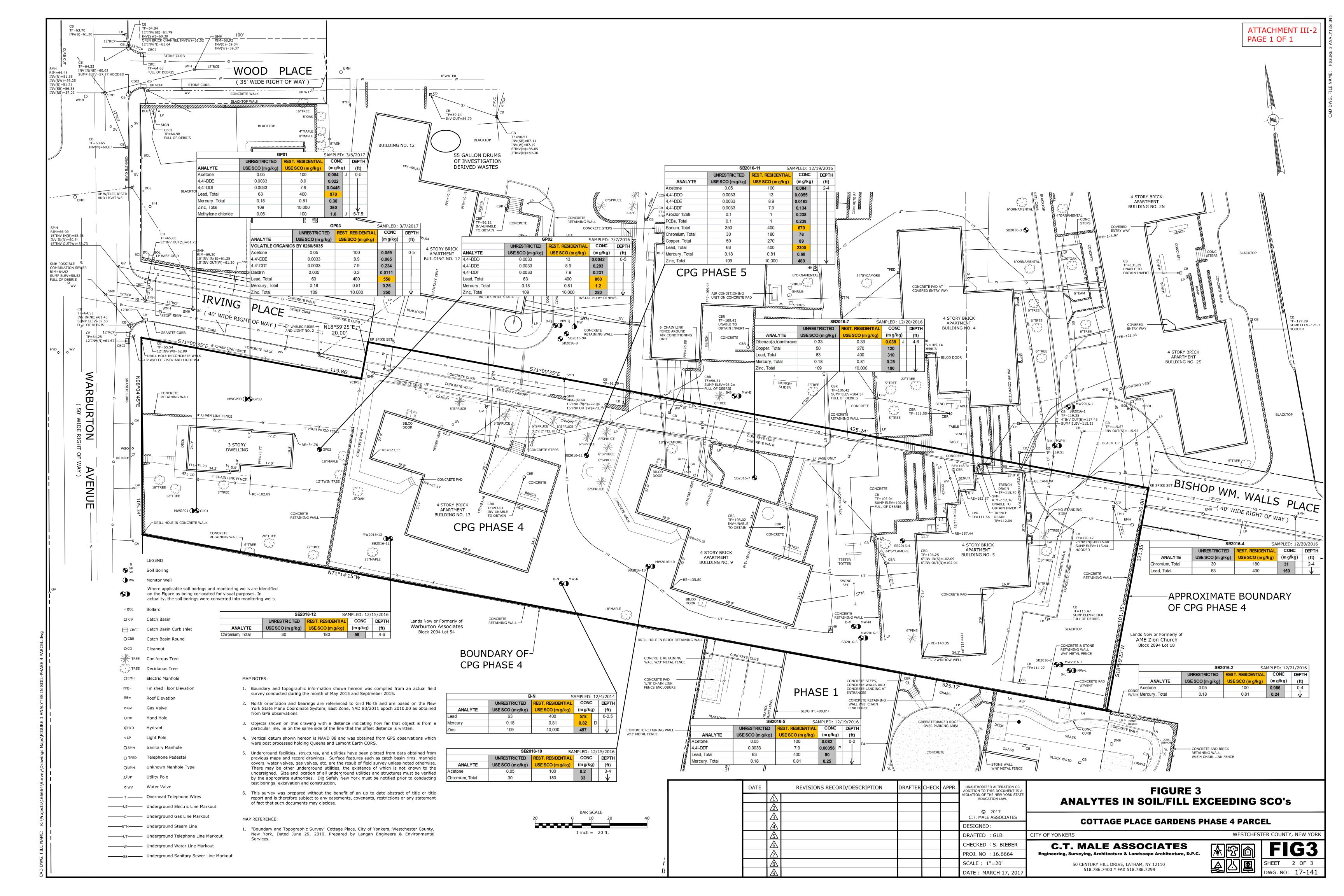
At the 170 Warburton Avenue parcel, the following parameters were detected in groundwater at concentrations exceeding regulatory standards and guidance values.

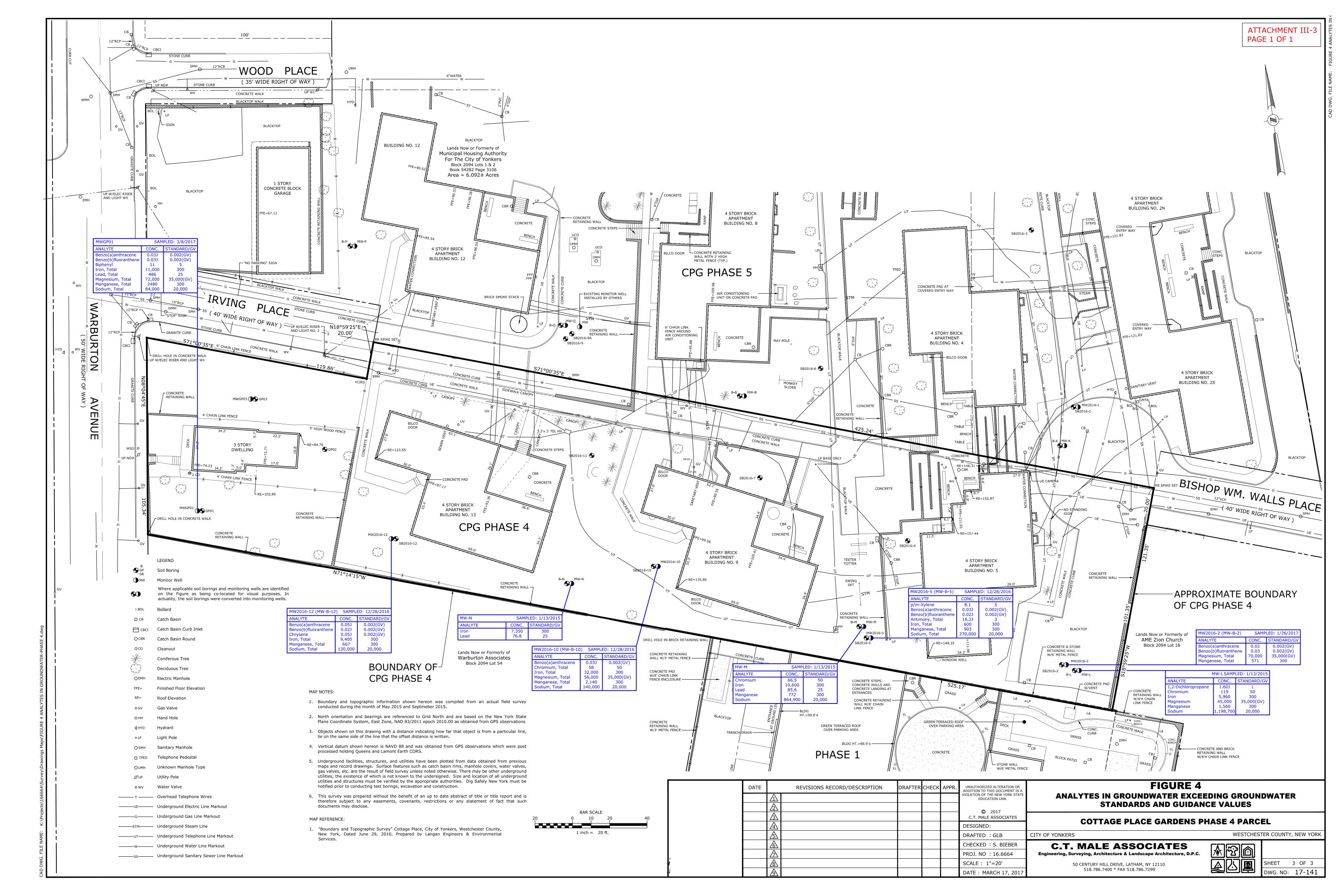
- -The SVOCs benzo(a)anthracene, benzo(b)fluoranthene and biphenyl.
- -The metals iron, lead, magnesium, manganese and sodium.

# **ATTACHMENT III-1**

-CD of Phase II Environmental Site Assessment Report, Cottage Place Gardens Phase 4 Parcel, prepared by C.T. Male Associates, dated April 7, 2017. (NOT ATTACHED)

-CD of Laboratory Reports from the Phase II Environmental Site Assessment Report. (NOT ATTACHED)





# **ATTACHMENT IV**

# (Section IV of Part A of the BCP Application)

### **Tax Parcel Information**

The following table provides tax map information for all tax parcels included within the BCP property boundaries.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
8 Cottage Place	2	2094	1	4.62
170 Warburton Avenue	2	2094	55	0.08
172 Warburton Avenue	2	2094	56	0.08
174 Warburton Avenue	2	2094	58	0.08

# County and City Tax Maps, and Figures Showing the Location and Boundaries of the Site.

- See Attached Site Location Map (ATTACHMENT IV-1).
- See Attached City of Yonkers Tax Map (ATTACHMENT IV-2).
- See Attached Westchester County Tax Map (ATTACHMENT IV-3).

### **Question 1 - Metes and Bounds Description**

• See Phase 4 Description on the attached ALTA/NSPS Land Title Survey prepared by C.T. Male Associates, dated June 15, 2017 (ATTACHMENT IV-4).

### **Question 2 - Property Base Map**

• See Attached Property Base Map (ATTACHMENT IV-5).

# Question 3 - Is the Property Within a Designated Environmental Zone (En-zone).

• See Attached En-Zone Map (ATTACHMENT IV-6).

### **Property Description Narrative**

### Location

The CPG Phase 4 Parcel (the site) is located in an urban area within the City of Yonkers, Westchester County, New York. The site is approximately 1.45 acres in size and is an assemblage of three (3) tax parcels (2.-2094-55, 2.-2094-56 and 2.-2094-58) and a portion of one (1) tax parcel (2.-2094-1). The site is located along the eastern side of Warburton Avenue at the southeast intersection of Warburton Avenue and Irving Place. A Site Location Map is included in ATTACHMENT IV-1 of this application.

### Site Features

The site is developed with three (3) multi-story brick apartment buildings and one (1) three story wood-frame multi-family building. The three (3) brick apartment buildings are identified as buildings 5, 9 and 13 of the CPG complex and were constructed in the 1940's during development of the CPG complex. The wood-frame apartment building is located on the westernmost portion of the site fronting Warburton Avenue. This building, along with vacant lots to the north and south of the building, were acquired for inclusion into the CPG Phase 4 redevelopment. The remainder of the site consists of landscaped areas, and concrete and asphalt walkways and access-ways. A Survey Map and Property Base Map are included in ATTACHMENTS IV-4 and IV-5 of this application.

The three (3) brick apartment buildings identified as buildings 5, 9 and 13 are currently occupied and will not be refilled as vacancies occur. The wood-frame building located on the westernmost portion of the site fronting Warburton Avenue is vacant.

### Current Zoning and Land Use

The site is zoned "M" – Apartments Medium Density. The site is currently being used as an apartment complex and will continue to be used as an apartment complex upon completion of its redevelopment. The surrounding parcels are primarily used for residential purposes with an interspersing of small convenience stores.

• See Attached Zoning Map (ATTACHMENT IV-7).

### Past Use of the Site

The majority of the site has consisted of a portion of the CPG public housing apartment complex since its construction in the 1940s. Prior to this time, the CPG complex was

developed with multiple single and multi-family dwellings, stores and a garage since as early as 1886.

The remaining Site parcels identified as 170, 172 and 174 Warburton Avenue were formerly utilized as dwellings and stores since at least 1886. A dwelling formerly located on the 170 Warburton Avenue parcel was demolished in 1981 and a dwelling formerly located on the 172 Warburton Avenue parcel was demolished in 2001.

Several Phase I and II Environmental Site Assessments have been conducted on the site from 2014 to 2017 to assess the site's environmental quality. Results of these investigations concluded that fill material mantling the site and the site's groundwater are impacted by compounds and analytes exceeding regulatory standards and guidance values. Furthermore, the site was assigned NYSDEC Spill No. 1610904 pursuant to subjective petroleum-type impacts in the site's soil/fill.

The CPG complex is undergoing phased redevelopment into low to moderate income housing. Previous phases 1, 2 and 3 of the redevelopment have each been accepted into the BCP pursuant to similar contaminants of concern in soil/fill and groundwater.

### Site Geology and Hydrogeology

The site is mantled by fill material that typically consists of fine to coarse sand, containing little to some gravel, various amounts of silt, and occasional cobbles, brick, porcelain, ash, coal, concrete, glass and metal. The thickness of the fill deposit ranges from four (4) feet to 10 feet below the ground surface. Native soil underlying the fill material consists of sand that contains little to some silt and trace to little amounts of gravel. Underlying the sand deposit is glacial till. Groundwater was measured at depths that ranged from 9.5 feet to 12.5 feet below the ground surface. Inferred groundwater flow direction is from the southeast towards the northwest.

### **Environmental Assessment**

The site's environmental quality was assessed via the completion of four (4) Phase I ESAs and two (2) Phase II ESAs from 2014 to 2017. The findings of the environmental assessments are presented in the previously referenced Phase II ESA report which is included as ATTACHMENT III-1. Results of the investigations concluded the following.

### Soil and Fill

-The site was assigned NYSDEC Spill No. 1610904 pursuant to subjective impacts in the site's soil/fill, which included elevated PID readings, petroleum-type odors and black staining.

-Soil/fill is impacted by contaminants exceeding SCOs for Unrestricted and Restricted Residential Use Sites. Two (2) VOCs, one (1) SVOC, four (4) pesticides, one (1) PCB and six (6) metals were detected above Unrestricted Use SCOs at varying frequencies across the Site. Of the analytes detected above Unrestricted Use SCOs, one (1) SVOC and the metals barium, lead and mercury were detected above Restricted Residential Use SCOs at varying frequencies in samples collected from central and western portions of the Site.

### Groundwater

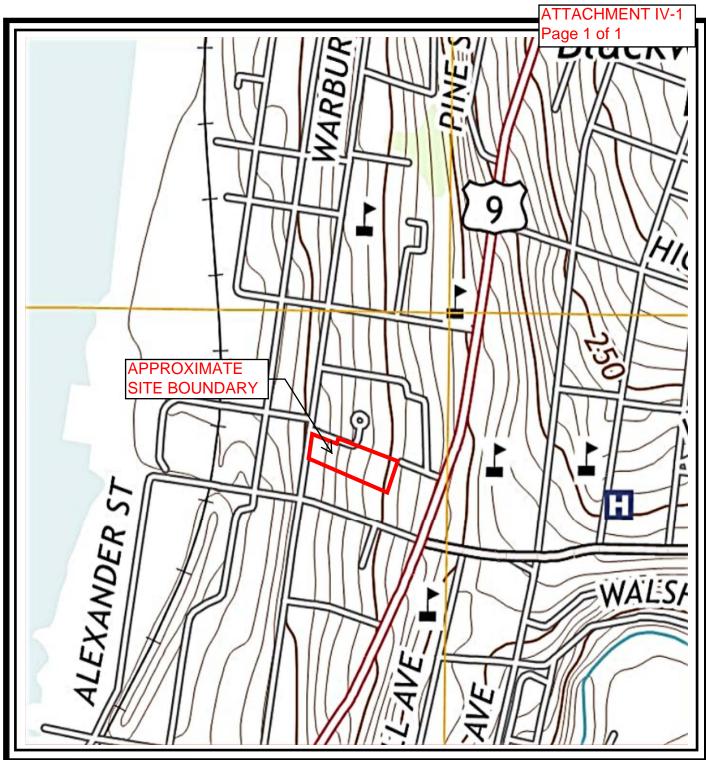
-The Site's groundwater is impacted above applicable standards by VOCs, SVOCs and metals. Two (2) VOCs were detected above applicable standards in monitoring wells located along the Site's southern boundary, adjacent to the 33 Ashburton (CPG Phase I) Brownfields site. Five (5) SVOCs were detected above applicable standards in monitoring wells located adjacent to the 33 Ashburton (CPG Phase I) BCP site and on western portions of the Site. Seven (7) metals were detected in groundwater above applicable standards with iron, manganese and sodium being the most persistent in the samples analyzed. Other metals that were detected at varying frequencies above applicable standards included antimony at one (1) sampling location, chromium at three (3) sampling locations, lead at three (3) sampling locations and magnesium at four (4) sampling locations.

### Common Contaminants in Groundwater and Soil/Fill

-Lead and chromium detections above regulatory standards in groundwater samples collected from three (3) monitoring wells were also detected above SCOs in soil samples collected from the three (3) corresponding test borings that were converted into the monitoring wells.

### Soil Gas, Soil Vapor and Indoor Air Quality

Soil gas, soil vapor and indoor air quality assessments were not conducted during the previous environmental assessments.



### MAP REFERENCE

United States Geological Survey 7.5 Minute Series Topographic Map Quadrangle: Yonkers, NY-NJ

Date: 2013





ARCHITECTURE & BUILDING SYSTEMS ENGINEERING
CIVIL ENGINEERING
ENVIRONMENTAL SERVICES SURVEY & LAND INFORMATIONAL SERVICES

MALE ASSOCIATES

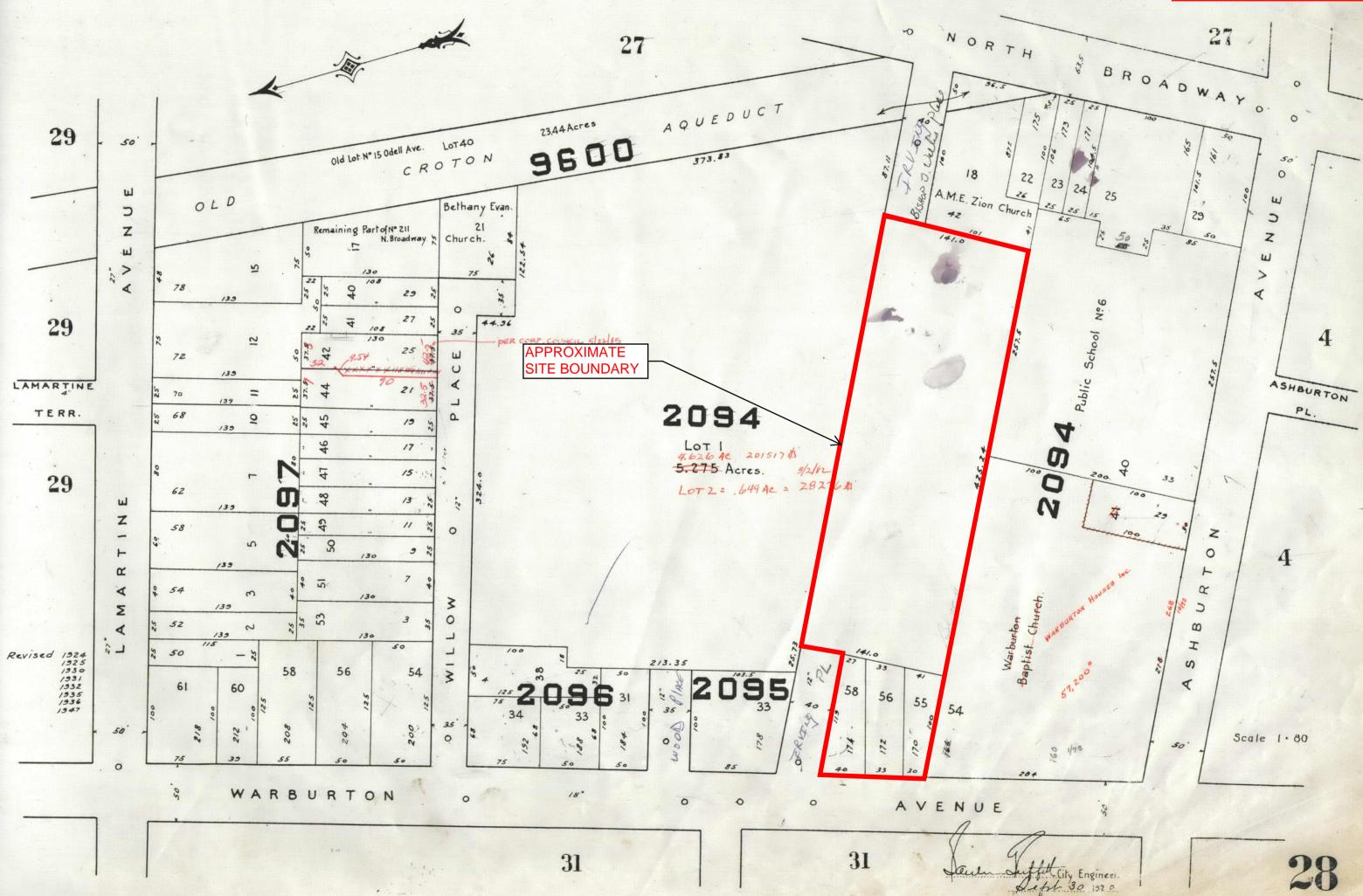
50 CENTURY HILL DRIVE, LATHAM, NY 12110 PHONE (518) 786- 7400 FAX (518) 786-7299

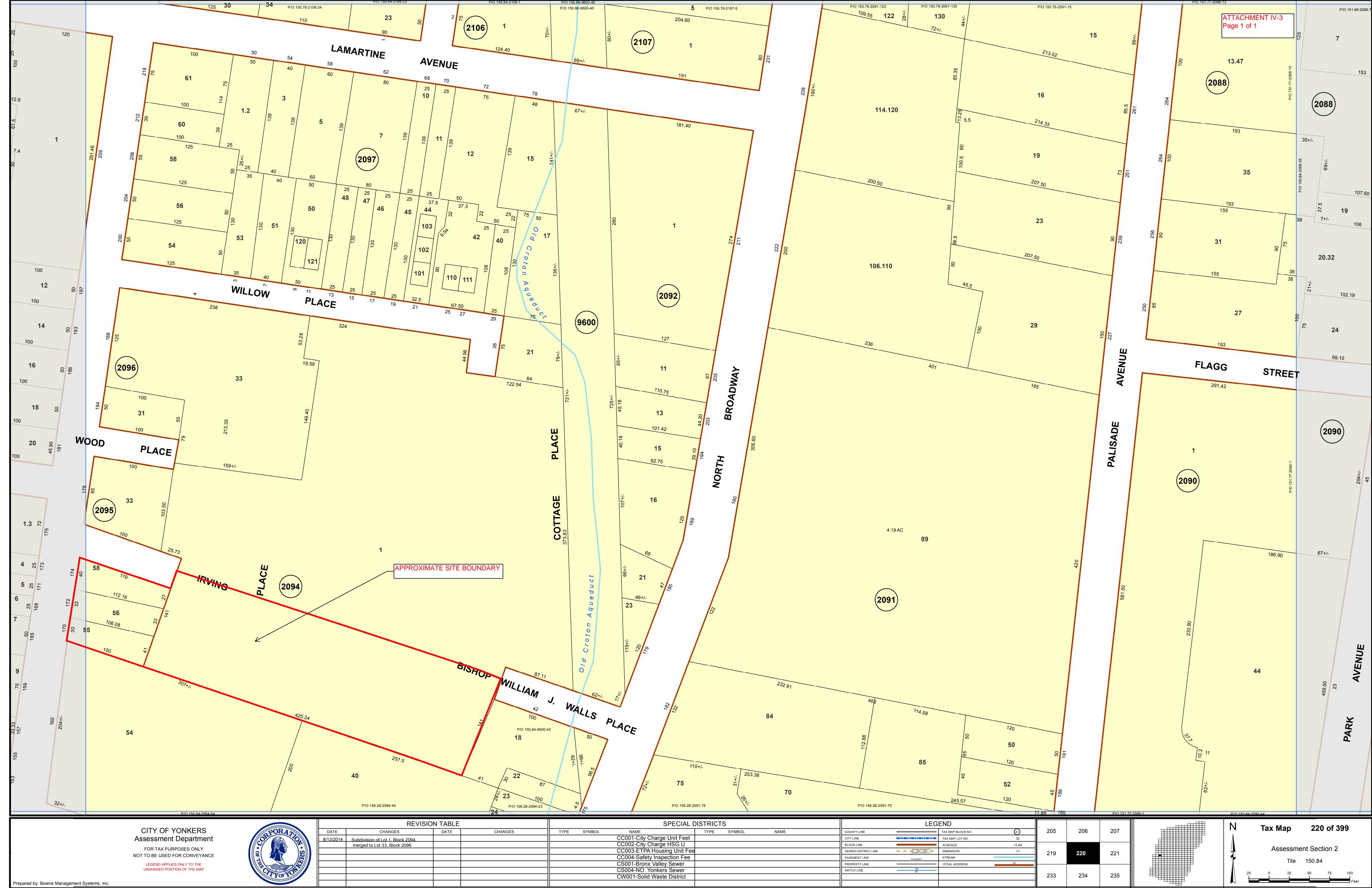
# SITE LOCATION MAP COTTAGE PLACE GARDENS PHASE 4 PARCEL

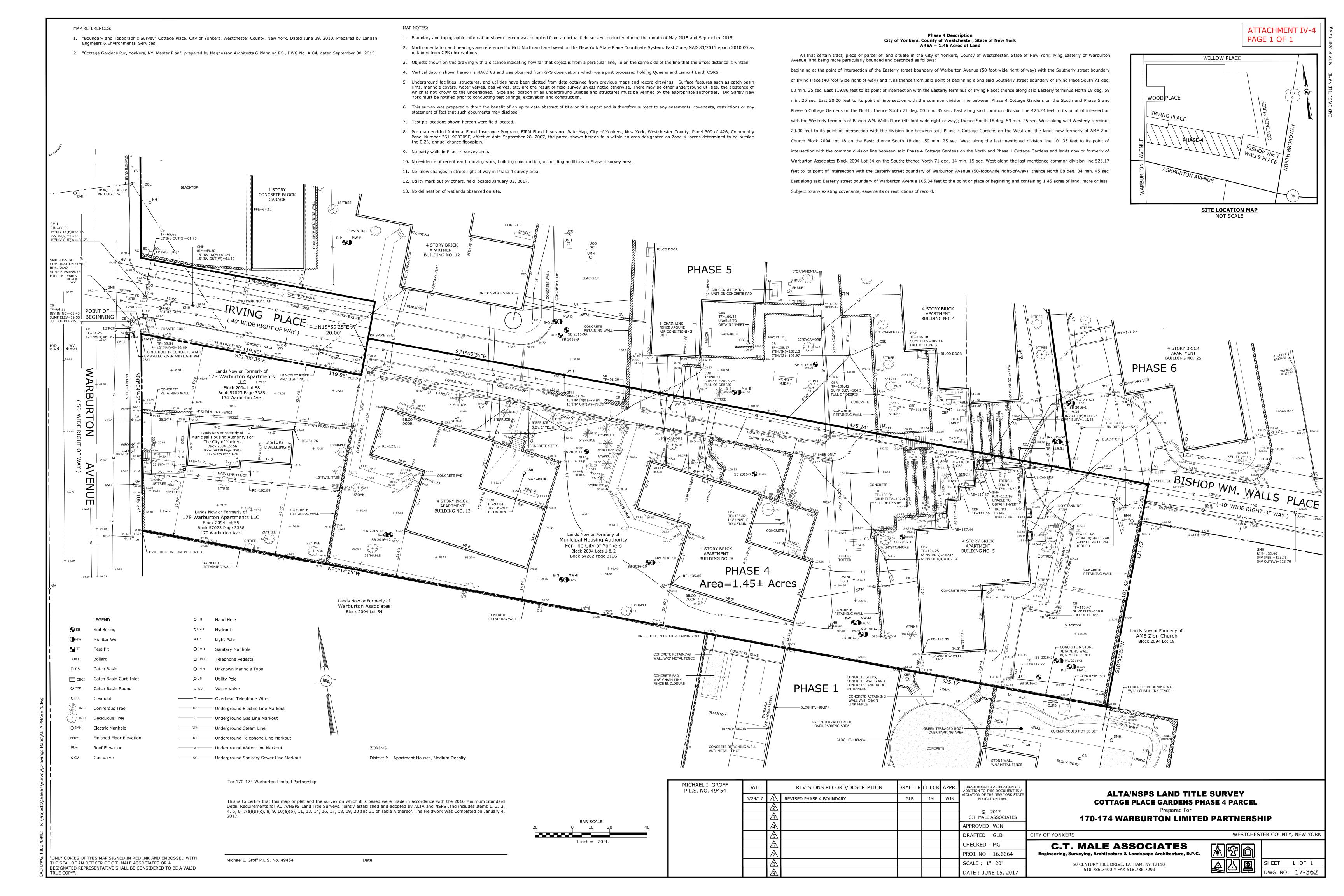
**CITY OF YONKERS** WESTCHESTER COUNTY, NY

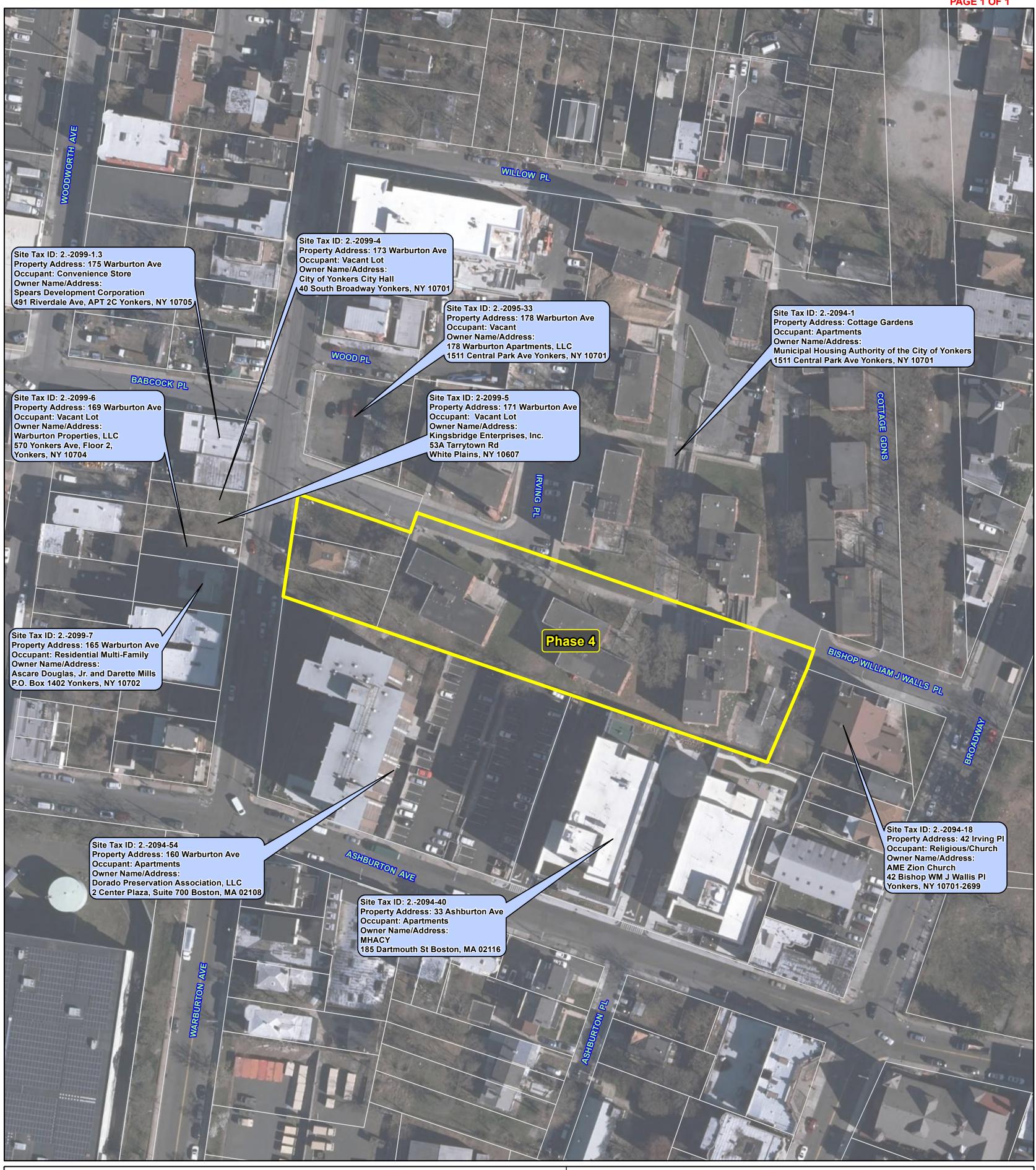
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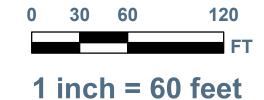
PROJECT No. 16.6664







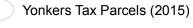




# Legend



Phase 4





# Property Base Map Cottage Place Gardens Phase 4 Parcel

**City of Yonkers** 

Westchester County, New York



C.T. MALE ASSOCIATES

ENGINEERING, SURVEYING, ARCHITECTURE & LANDSCAPE ARCHITECTURE, D.P.C

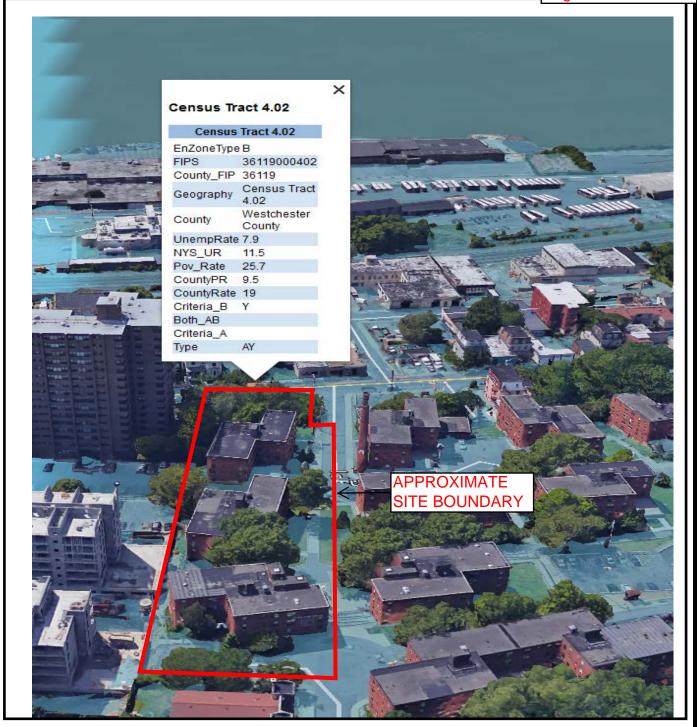
50 CENTURY HILL DRIVE, LATHAM, NEW YORK 12110

(518) 786-7400 \* FAX (518) 786-7299 \* WWW.CTMALE.COM

Project Number: 16.6664
Data Source: NYSGIS Clearinghouse, BING, LandMax
Projection: State Plane NAD83 NYE (feet)
Date: June 28, 2017
File: 188WarburtonSitePhase4\_18x24.mxd

GIS: C Secor

Note: The locations and features depicted on this map are approximate and do not represent an actual field survey.



### MAP REFERENCE

New York State Environmental Zones (En-Zones) developed by the NYS Department of Labor (as required by TAX § 21(b)(6)), and made available by the DEC's Division of Environmental Remediation.



50 CENTURY HILL DRIVE

LATHAM, NY 12110

# CITY OF YONKERS

# WESTCHESTER COUNTY, NY

\_\_\_\_

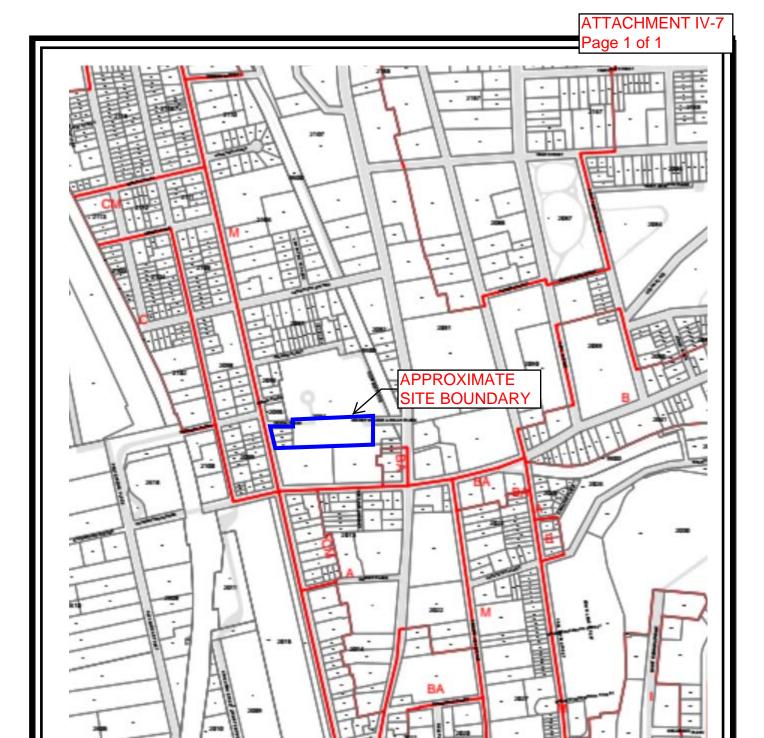
SCALE: NOT TO SCALE

DRAFTER: SB

PROJECT No: 16.6664

The locations and features depicted on this map are approximate and do not represent an actual survey.

EN-ZONE MAP CPG PHASE 4 PARCEL



### MAP REFERENCE

City of Yonkers Zoning Map

M = Medium Density - Residential and Apartment Houses



# CITY OF YONKERS

SCALE: NOT TO SCALE

DRAFTER: SB

PROJECT No: 16.6664

The locations and features depicted on this map are approximate and do not

WESTCHESTER COUNTY, NY

represent an actual survey.

CITY OF YONKERS ZONING MAP CPG PHASE 4 PARCEL

50 CENTURY HILL DRIVE LATHAM, NY 12110

# ATTACHMENT V

# (Section V of Part B of the BCP Application)

# **Additional Requestor Information**

No additional information is needed in this attachment.

# **ATTACHMENT VI**

### (Section VI of Part B of the BCP Application)

### **Owner and Operator Information**

The following table identifies the current site owners and operators.

Site's Parcel ID	Current Site Own	Current Site Owner and Operator			
8 Cottage Place	Municipal Housing Authority	Municipal Housing Authority for the City of Yonkers			
Tax ID: 22094-1	1511 Central Park Avenue	1511 Central Park Avenue			
	Yonkers, New York 10710	Telephone: 914.793.8400			
170 Warburton Avenue		178 Warburton Apartments, LLC.			
Tax ID: 22094-55	1511 Central Park Avenue				
	Yonkers, New York 10710	Telephone: 914.793.8400			
172 Warburton Avenue	Municipal Housing Authority	for the City of Yonkers			
Tax ID: 22094-56	1511 Central Park Avenue	-			
	Yonkers, New York 10710	Telephone: 914.793.8400			
174 Warburton Avenue	178 Warburton Apartments, L	LC.			
Tax ID: 22094-58	1511 Central Park Avenue				
	Yonkers, New York 10710	Telephone: 914.793.8400			

### Requestor's Relationship to the Current Site Owners and Operators

The Requestor, 170-174 Warburton Limited Partnership, is a development entity created for the sole purpose of redeveloping this site. 178 Warburton Apartments, LLC is an affiliate of MHACY. MHACY and The Community Builders will have an ownership interest in the limited partnership's general partner. MHACY will transfer ownership of the four properties to the partnership prior to closing on construction financing or the start of the project.

### **Previous Site Owners and Operators**

The following table identifies previous site owners and operators, as obtained from available land records reviewed online at yonkersny.gov. The reviewed land records are attached as ATTACHMENT VI-1.

Owner/Operator	Date	Requestor's Relationship to Past Owners and
	Acquired	Operators
8 Cottage Place (Tax ID No. 22094-1)		
Municipal Housing Authority for the	1948	The Requestor will partner with MHACY during
City of Yonkers (MHACY)		redevelopment of the site and the Requestor will
1511 Central Park Avenue		acquire ownership of the site upon completion of
Yonkers, New York 10710		redevelopment.

Owner/Operator	Date	Requestor's Relationship to Past Owners and
	Acquired	Operators
170 Warburton Avenue (Tax ID No. 2	-2094-55)	
178 Warburton Apartments LLC	1/26/2017	The Requestor will partner with178 Warburton
1511 Central Park Avenue		Apartments LLC during redevelopment of the
Yonkers, New York 10710		site and the Requestor will acquire ownership of
		the site upon completion of redevelopment.
City of Yonkers	Unknown	None.
87 Nepperhan Avenue		
Yonkers, New York 10701		
172 Warburton Avenue (Tax ID No. 2	2094-56)	
Municipal Housing Authority for the	12/9/2014	The Requestor will partner with MHACY during
City of Yonkers (MHACY)		redevelopment of the site and the Requestor will
1511 Central Park Avenue		acquire ownership of the site upon completion of
Yonkers, New York 10710		redevelopment.
Moshe Rheine	1/24/2006	None.
Contact Information Unknown		
Federal National Mortgage	5/12/2005	None.
Association		
Contact Information Unknown		
Kim Hanson	10/10/2002	None.
Contact Information Unknown		
Abdias Suero	8/11/1999	None.
Contact Information Unknown		
Realty Consultant Lenders	8/11/1997	None.
Contact Information Unknown		
Tms Mortgage Company	12/2/1996	None.
Contact Information Unknown		
The Money Store Empire	8/19/1996	None.
Contact Information Unknown		
Robert Udeagha	12/21/1989	None.
Contact Information Unknown		
Luther Garrison	Unknown	None.
Contact Information Unknown		
174 Warburton Avenue (Tax ID No. 2	2094-56)	
178 Warburton Apartments LLC	1/26/2017	The Requestor will partner with178 Warburton
1511 Central Park Avenue		Apartments LLC during redevelopment of the
Yonkers, New York 10710		site and the Requestor will acquire ownership of
		the site upon completion of redevelopment.
City of Yonkers	4/25/2014	None.
87 Nepperhan Avenue		
Yonkers, New York 10701		
C.L. Chambers	Unknown	None.
Contact Information Unknown		



# **Property Description Report For:** Cottage Gdns, Municipality of City of Yonkers

Active

ATTACHMENT VI-1 Page 1 of 9



Total Acreage/Size: 4.62

Land Assessment: 2017 - \$333,200 2016 - \$333,200

Full Market Value:

2016 - \$32,553,300

2017 - \$36,170,400

Equalization Rate: Deed Book:

Grid East: 658841 Roll Section: Wholly Exem Swis: 551800 Tax Map ID #: 2.-2094-1 Property Class: 411 - Apartment RES 1 Site: In Ag. District: No Site Property Class: 411 - Apartment

Zoning Code: M - Apts Med Dens Neighborhood Code: 00011 - LaMartine

Yonkers

768375

2017 - \$976,600 Total Assessment:

2016 - \$976,600

Property Desc: Deed Page:

**School District:** 

Status:

Grid North:

Area

Living Area: 0 sq. ft. Second Story Area: 0 sq. ft. Additional Story Area: 0 sq. ft. Finished Basement: 0 sq. ft. Finished Rec Room 0 sq. ft. First Story Area: 0 sq. ft. Half Story Area: 0 sq. ft. 3/4 Story Area: 0 sq. ft. Number of Stories: Finished Area Over 0 sq. ft.

Garage

Structure

0 **Building Style:** Bedrooms: Fireplaces: 0 Porch Type: Basement Garage Cap: 0 Overall Condition:

Year Built:

Bathrooms (Full - Half): 0 - 0

Kitchens: 0 Basement Type: Porch Area: 0.00 Attached Garage Cap: 0.00 sq. ft.

Overall Grade:

5/15/2017 11:10 AM 1 of 2

ATTACHMENT VI-1 Page 2 of 9

### Owners

MHACY 1511 Central Park Ave Yonkers NY 10710

### Sales

No Sales Information Available

### Utilities

Sewer Type: Comm/public Utilities: Gas & elec Fuel Type: 0

Size

Water Supply: Heat Type: Central Air:

Comm/public 0

Year

No

Condition

### Improvements

Structure

Special Districts for 2017					
Description	Units	Percent	Туре	Value	
CC001-City charge un ft	2012	0%		0	
CC002-City charge hsg u	220	0%		0	
CS004-No yonkers sewer	0	0%		0	
CW001-Solid waste dist	0	0%		0	

Grade

### Special Districts for 2016

Description	Units	Percent	Туре	Value
CC001-City charge un ft	2012	0%		0
CC002-City charge hsg u	220	0%		0
CS004-No yonkers sewer	0	0%		0
CW001-Solid waste dist	0	0%		0

### Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2017	INDL.DEVLP	\$976,600	0	2015	2045			0
2016	INDL.DEVLP	\$976,600	0	2015				0

### **Taxes**

Year Description Amount

2 of 2

<sup>\*</sup> Taxes reflect exemptions, but may not include recent changes in assessment.



# **Property Description Report For: 170** Warburton Ave, Municipality of City of **Yonkers**





2016 - \$2,100

2017 - \$77,800 2016 - \$70,000

Total Acreage/Size: 0.08

Land Assessment: 2017 - \$2,100

Full Market Value:

**Equalization Rate:** Deed Book:

57023 Grid East: 658531 Roll Section: Swis:

Site Property Class: Zoning Code:

Neighborhood Code: School District:

Total Assessment:

Property Desc:

3388 Deed Page: Grid North: 768215

Status: Active Wholly Exem 551800 Tax Map ID #: 2.-2094-55 Property Class: 330 - Vacant comm COM 1 Site: In Ag. District:

> 330 - Vacant comm M - Apts Med Dens 00011 - LaMartine

2017 - \$2,100 2016 - \$2,100

Yonkers

1 of 2 5/15/2017 11:03 AM

ATTACHMENT VI-1 Page 4 of 9

### Owners

178 Warburton Apartments LLC 1511 Central Park Ave Yonkers NY 10710

### Sales

Sales											
Sale Date	Price	Pro Cla	perty ss Sal	е Туре	Prior Own		Value Usable	Arms Length	Addl. Parcels	Deed Book and Page	•
1/26/2017	\$138,29	7 330 Vac con	ant Buil	d & lding	City C Yonke		Yes	No	Yes	57023/338	8
Utilities											
Sewer Type:		0			Wate	r Suppl	y:	0			
Utilities:		0									
Inventory											
Overall Eff Ye	ear Built:				Over	all Cond	dition:	0			
Overall Grad	e:				Over	all Desi	rability	: 0			
Buildings											
AC% Sprir	nkler%	Alarm%	Elevators			Year Built	Condi	tion Q		Gross Floor Area (sqft)	Stories
Improveme	nts										
Structure		Size		Grade	•		Cond	dition		Year	
Special Dist	tricts for	2017									
Description		Units		Perc	ent		Тур	e		Value	
CC001-City ch un ft	arge	37		0%						0	

### Special Districts for 2016

0

CS004-No yonkers

CW001-Solid waste

-					
Description	Units	Percent	Type	Value	
CC001-City charge un ft	37	0%		0	
CS004-No yonkers sewer	0	0%		0	
CW001-Solid waste dist	0	0%		0	

0%

0%

### Exemptions

<b>Year</b> 2017	Description PUB HOUSNG	<b>Amount</b> \$2,100	Exempt %	Start Yr 1991	End Yr	V Flag	H Code	<b>Own %</b> 0
2016	PUB HOUSNG	\$2,100	0	1991				0

### **Taxes**

Year Description Amount

2 of 2

<sup>\*</sup> Taxes reflect exemptions, but may not include recent changes in assessment.



Printer Friendly Report - Image Mate Online

# **Property Description Report For: 172** Warburton Ave, Municipality of City of Yonkers

**ATTACHMENT VI-1** Page 5 of 9



Total Acreage/Size: 0.08

Land Assessment: 2017 - \$2,600 2016 - \$2,600

Full Market Value: 2017 - \$318,500

2016 - \$286,700

**Equalization Rate:** 54338 Deed Book: Grid East: 658541 Status: Active Roll Section: Taxable Swis: 551800 Tax Map ID #: 2.-2094-56 Property Class: 230 - 3 Family Res

Site: RES 1 In Ag. District:

Site Property Class: 230 - 3 Family Res Zoning Code: M - Apts Med Dens Neighborhood Code: 00011 - LaMartine

**School District:** Yonkers Total Assessment: 2017 - \$8,600 2016 - \$8,600

Property Desc:

3505 Deed Page: Grid North: 768250

### Area

Living Area: 2,862 sq. ft. Second Story Area: 0 sq. ft. Additional Story Area: 0 sq. ft. Finished Basement: 0 sq. ft. Finished Rec Room 0 sq. ft.

First Story Area: 0 sq. ft. Half Story Area: 0 sq. ft. 3/4 Story Area: 0 sq. ft. Number of Stories: Finished Area Over 0 sq. ft.

Garage

### Structure

**Building Style:** Old style Bedrooms: 0 Fireplaces:

Porch Type: Porch-coverd Basement Garage Cap: 0

**Overall Condition:** Fair Year Built:

Bathrooms (Full - Half): 3 - 0 Kitchens: Basement Type: Full Porch Area: 144.00 Attached Garage Cap: 0.00 sq. ft. Overall Grade: Average

5/15/2017 11:05 AM 1 of 3

ATTACHMENT VI-1 Page 6 of 9

http://imo.yonkersny.gov/report.aspx? file=VOLLOCAL/GeospanCenter...

### Owners

MHACY 1511 Central Park Ave Yonkers NY 10710

### Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl.	Deed Book and Page
12/9/2014	\$386,750	230 - 3 Family Res	Land & Building	Rhein, Moshe	Yes	No	No	54338/3505
1/24/2006	\$235,000	230 - 3 Family Res	Land & Building	Federal Ntl Mortgage Assn	Yes	No	No	46122/394
5/12/2005	\$429,397	230 - 3 Family Res	Land & Building	Hanson, Kim	Yes	No	No	45174/321
10/10/2002	\$450,000	230 - 3 Family Res	Land & Building	Suero, Abdias	Yes	Yes	No	43060/659
8/11/1999	\$10	230 - 3 Family Res	Land & Building	Suero, Abdias	No	No	No	40124/511
8/11/1998	\$174,750	230 - 3 Family Res	Land & Building	Lenders, Realty Consultant	Yes	Yes	No	12128/164
8/11/1997	\$90,000	230 - 3 Family Res	Land & Building	Tms Mortgage Inc	No	No	No	11812/116
12/2/1996	\$78,901	230 - 3 Family Res	Land & Building	The, Money Store Empire S	No	No	No	11609/54
8/19/1996	\$1,000	230 - 3 Family Res	Land & Building	Udeagha, Robert	No	No	No	11523/63
12/21/1989	\$100,000	210 - 1 Family Res	Land & Building	Garrison, Luther	No	Yes	No	9716/258

### Utilities

Sewer Type:Comm/publicWater Supply:Comm/publicUtilities:Gas & elecHeat Type:0Fuel Type:0Central Air:No

### Improvements

Porch-coverd         144.00 sq ft         Average         Normal         1900           Porch-enclsd         24.00 sq ft         Average         Fair         1945           Porch-enclsd         15.00 sq ft         Average         Normal         1900	Structure	Size	Grade	Condition	Year
3.	Porch-coverd	144.00 sq ft	Average	Normal	1900
Porch-enclsd 15.00 sq ft Average Normal 1900	Porch-enclsd	24.00 sq ft	Average	Fair	1945
	Porch-enclsd	15.00 sq ft	Average	Normal	1900

### Special Districts for 2017

Description	Units	Percent	Туре	Value
CC001-City charge un ft	31	0%		0
CC002-City charge hsg u	3	0%		0
CC004-Safety insp fee	250	0%		0
CS004-No yonkers sewer	0	0%		0
CW001-Solid waste dist	0	0%		0

### Special Districts for 2016

Description	Units	Percent	Туре	Value
CC001-City charge un ft	31	0%		0
CC002-City charge hsg u	3	0%		0
CC004-Safety insp fee	250	0%		0

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CW001-Solid waste dist	0		0%				0	
Exemptions								
Year Descript	ion	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %

 $<sup>\</sup>mbox{\ensuremath{^{\star}}}$  Taxes reflect exemptions, but may not include recent changes in assessment.

ATTACHMENT VI-1 Page 7 of 9

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# **Property Description Report For: 174** Warburton Ave, Municipality of City of **Yonkers**

**ATTACHMENT VI-1** Page 8 of 9



Total Acreage/Size:

0.08

Land Assessment: 2016 - \$3,600 Full Market Value:

2017 - \$133,300 2016 - \$120,000

**Equalization Rate:** Deed Book:

Grid East:

57023 658546

2017 - \$3,600

Status: Active Roll Section: Wholly Exem Swis: 551800 Tax Map ID #: 2.-2094-58 Property Class: 330 - Vacant comm Site: COM 1

In Ag. District:

Site Property Class: 330 - Vacant comm M - Apts Med Dens Neighborhood Code: 00011 - LaMartine

School District: Yonkers 2017 - \$3,600 Total Assessment: 2016 - \$3,600

Property Desc:

Zoning Code:

3388 Deed Page: Grid North: 768282

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Owners

178 Warburton Apartments LLC 1511 Central Park Ave Yonkers NY 10710

# ATTACHMENT VI-1 Page 9 of 9

### Sales

		Property				Arms	Addl.	Deed Book
Sale Date	Price	Class	Sale Type	Prior Owner	Usable	Length	Parcels	and Page
1/26/2017	\$138,297	330 - Vacant comm	Land & Building	City of Yonkers	Yes	No	Yes	57023/3388
4/25/2014	\$640,679	330 - Vacant comm	Land & Building	Chambers, C. L	Yes	No	No	54114/3041

### Utilities

Sewer Type: 0 Utilities: 0 Water Supply:

Inventory

Overall Eff Year Built: Overall Grade: Overall Condition: 0
Overall Desirability: 0

### Buildings

AC%	Sprinkler%	Alarm%	Elevators	Туре	 Condition	Quality	Area (sqft)	Stories

### Improvements

Structure Size Grade Condition Year

### Special Districts for 2017

No information available for the 2017 roll year.

### Special Districts for 2016

Description	Units	Percent	Туре	Value
CC001-City charge un ft	39	0%		0
CC002-City charge hsg u	0	0%		0
CC004-Safety insp fee	0	0%		0
CS004-No yonkers sewer	0	0%		0
CW001-Solid waste dist	0	0%		0

### Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2017	CITY OWNED	\$3,600	0	2016				0
2016	CITY OWNED	\$3,600	0	2016				0

### **Taxes**

Year Description Amount

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 $<sup>\</sup>mbox{\ensuremath{^{\star}}}$  Taxes reflect exemptions, but may not include recent changes in assessment.

# **ATTACHMENT VII**

## (Section VII of Part B of the BCP Application

### **Volunteer Statement**

170-174 Warburton Limited Partnership, as the Requestor to the NYS Brownfields Cleanup Program, is a Volunteer. 170-174 Warburton Limited Partnership did not operate or own the site.

### **Requestor Access to the Property**

Proof that the Requestor has access to the property prior to the signing of the Brownfield Cleanup Agreement and throughout the BCP project, including the ability of the Requestor to place an easement on the property, is provided in letters from current site owners 178 Warburton Apartments, LLC (ATTACHMENT VII-1) and the Municipal Housing Authority for the City of Yonkers (ATTACHMENT VII-2).

ATTACHMENT VII-1
Page 1 of 1

178 Warburton Apartments, LLC C/O MHACY
1511 Central Park Avenue

Yonkers, NY 10710

June 6, 2017

Susan McCann, VP & Authorized Agent 170-174 Warburton Limited Partnership 90 State Street Albany, New York 12207-2543

RE: Access to the 170 and 174 Warburton Avenue Portions of the Cottage Place Gardens (CPG) Phase 4 Parcel Site

Dear Ms. McCann:

Pursuant to your request and the requirements of the New York State Department of Environmental Conservation ("DEC") in connection with an application being made by 170-174 Warburton Limited Partnership as a volunteer in the Brownfield Cleanup Program ("BCP"), please be advised that 178 Warburton Apartments, LLC is the owner of portions of the CPG Phase 4 Parcel addressed as 170 Warburton Avenue (SBL #2.-2094-55) and 174 Warburton Avenue (SBL #2.-2094-58).

As you are aware, 170-174 Warburton Limited Partnership is a single-purpose entity created exclusively for the acquisition and redevelopment of the CPG Phase 4 Parcel. To that end, 178 Warburton Apartments, LLC does hereby give you and your representatives' authorization to access the aforementioned properties immediately and throughout the BCP process. Additionally, 178 Warburton Apartments, LLC accepts that an environmental easement may be placed on the CPG Phase 4 Parcel by the New York State Department of Environmental Conservation.

Sincerely,

Joseph Shuldiner

President

Cc:

Jesse Batus, TCB

Lauren Hauck, TCB

Kirk Moline, C.T. Male Associates

(

Steve Bieber, C.T. Male Associates



June 6, 2017

# THE MUNICIPAL HOUSING AUTHORITY FOR THE CITY OF YONKERS

### **ADMINISTRATION OFFICE**

1511 Central Park Avenue P.O. Box 35 Yonkers, New York 10710

Tel: (914) 793-8400 Fax: (914) 793-6916 www.mhacy.org

Susan McCann, VP & Authorized Agent 170-174 Warburton Limited Partnership 90 State Street Albany, New York 12207-2543

RE: Access to the 8 Cottage Place and 172 Warburton Avenue Portions of the Cottage Place Gardens (CPG) Phase 4 Parcel Site

Dear Ms. McCann:

Pursuant to your request and the requirements of the New York State Department of Environmental Conservation ("DEC") in connection with an application being made by 170-174 Warburton Limited Partnership as a volunteer in the Brownfield Cleanup Program ("BCP"), please be advised that the Municipal Housing Authority for the City of Yonkers (MHACY) is the owner of portions of the CPG Phase 4 Parcel addressed as 8 Cottage Place (SBL #2.-2094-1) and 172 Warburton Avenue (SBL #2.-2094-56).

As you are aware, 170-174 Warburton Limited Partnership is a single-purpose entity created exclusively for the acquisition and redevelopment of the CPG Phase 4 Parcel. To that end, MHACY does hereby give you and your representatives' authorization to access the aforementioned properties immediately and throughout the BCP process. Additionally, MHACY accepts that an environmental easement may be placed on the CPG Phase 4 Parcel by the New York State Department of Environmental Conservation.

Sincerely,

Joseph Shuldiner Executive Director

Municipal Housing Authority for the City of Yonkers

Cc:

Jesse Batus, TCB Lauren Hauck, TCB

Kirk Moline, C.T. Male Associates

Steve Bieber, C.T. Male Associates

# **ATTACHMENT VIII**

(Section VIII of Part B of the BCP Application)

**Property Eligibility Information** 

No additional information is needed in this attachment.

# **ATTACHMENT IX**

# (Section IX of Part B of the BCP Application)

# **Contact List Information**

Chief Executive Officer and Planning Board Chairperson of County and Town	
Westchester County	City of Yonkers
County Chief Executive Officer	Chief Executive Officer
Robert P. Astorino	Mayor Mike Spano
148 Martine Avenue	City Hall
White Plains, NY 10601	40 South Broadway
	Yonkers NY 10701
Planning Board Chairperson	Planning Board Chairman
Jeremiah Lynch	Mr. Roman Kozicky
148 Martine Avenue	87 Nepperhan Avenue
White Plains, NY 10601	Yonkers, New York 10701-3892
Public Water Supplier	
Water Bureau	
C/O Department of Public Works	
City Hall	
40 South Broadway, Room 311	
Yonkers, New York 10701	
Local News Media	
Yonkers Tribune	The Journal News
Attention: News Director	Attention: News Director
55 Main Street	1133 Westchester Ave N110
Yonkers, NY 10701	White Plains
(914) 378-1433	(914) 694-9300
Yonkers Rising	WABC AM
Attention: News Director	Attention: News Director
Rising Media Group	2 Penn Plaza,
25 Warburton Avenue.	17th Floor
Yonkers, NY 10701	New York, NY 10117
(914) 965-4000	(212) 613-3800
WNYC	WNYM
Attention: News Director	Attention: News Director
160 Varick Street	777 Terrace Avenue, Suite 6
New York, NY 10013	Hasbrouck Heights, NJ 07604-3100
(646) 829-4000	201-298-5700
City Hall TV	News 12 Westchester
Attention: News Director	Attention: News Director
40 South Broadway, Room 500	6 Executive Plaza
Yonkers, New York, 10701	Yonkers, NY 10701
(914) 377-6000	(914)378-4800
Nearby Schools and Daycare Facilities  Charter School of Educational Excellence  New Little Branches Daycare/Lanza Learning Center	
	Contact: Raymond L. Thomas, Jr. (Executive Director)
Cindy Lopez (Principal) 260 Warburton Ave	150 Woodworth Avenue
Yonkers, NY	Yonkers, NY 10701
(914) 476-5070	(914) 378-1473
()17) 710-3010	(717) 310-1713

Adjacent Property Owners/Occupants	
Site Tax ID: 22094-1	Site Tax ID: 22094-54
Property Address: Cottage Gardens	Property Address: 160 Warburton Avenue
Occupant: Apartments	Occupant: Apartments
Owner Name/Address:	Owner Name/Address:
Municipal Housing Authority of the City of Yonkers	Dorado Preservation Association, LLC
1511 Central Park Avenue	2 Center Plaza, Suite 700
Yonkers, NY 10701	Boston, MA 02108
Site Tax ID: 22094-40	Site Tax ID: 22094-18
Property Address: 33 Ashburton Avenue	Property Address: 42 Irving Place
Occupant: Apartments	Occupant: Religious/Church
Owner Name/Address:	Owner Name/Address:
MHACY	AME Zion Church
185 Dartmouth Street	42 Bishop WM J Wallis Place
Boston, MA 02116	Yonkers, NY 10701-2699
Site Tax ID: 22095-33	Site Tax ID: 22099-1.3
Property Address: 178 Warburton Avenue	Property Address: 175 Warburton Avenue
Occupant: Vacant	Occupant: Convenience Store
Owner Name/Address:	Owner Name/Address:
178 Warburton Apartments, LLC	Spears Development Corporation
1511 Central Park Avenue	491 Riverdale Avenue, Apartment 2C
Yonkers, NY 10701	Yonkers, NY 10705
Site Tax ID: 22099-4	Site Tax ID: 20-2099-5
Property Address: 173 Warburton Avenue	Property Address: 171 Warburton Avenue
Occupant: Vacant Lot	Occupant: Vacant Lot
Owner Name/Address:	Owner Name/Address:
City of Yonkers City Hall	Kingsbridge Enterprises, Inc.
40 South Broadway	53A Tarrytown Road
Yonkers, NY 10701	White Plains, NY 10607
Site Tax ID: 22099-6	Site Tax ID: 22099-7
Property Address: 169 Warburton Avenue	Property Address: 165 Warburton Avenue
Occupant: Vacant Lot	Occupant: Residential Multi-Family
Owner Name/Address:	Owner Name/Address:
Warburton Properties, LLC	Ascare Douglas, Jr. and Darette Mills
570 Yonkers Avenue, Floor 2	P.O. Box 1402
Yonkers, NY 10704	Yonkers, NY 10702

# Location of the document repository for the project.

Yonkers Public Library Riverfront Library One Larkin Center Yonkers, NY 10701 (914) 337-1500

The acknowledgement letter from the library stating that it agrees to act as a document repository for the property is attached as ATTACHMENT IX-1.

### C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.

Page 1 of 1

ATTACHMENT IX-1



50 Century Hill Drive, Latham, NY 12110 518.786.7400 FAX 518.786.7299 ctmale@ctmale.com

June 2, 2017

Mr. John Favareau Reference Librarian Yonkers Public Library (Riverfront Library) One Larkin Center Yonkers, New York 10701 Email: jfavareau@ypl.org

Re: Repository

> Cottage Place Gardens Phase 4 Site CTMA Project No.: 16.6664

Dear Mr. Favareau:

Consistent with the requirements of the New York State Department of Environmental Conservation's Brownfields Clean-up Program (NYSDEC's BCP), the Yonkers Public Library (Riverfront Library) has been selected as an appropriate public repository for documents associated with the redevelopment of the Cottage Place Gardens Phase 4 site.

Please indicate the library's willingness to fulfill the role of public repository for the project documents by signing below. The BCP requires that the documents be maintained for periods of up to 45 days for viewing by the public.

Sincerely,

C.T. MALE ASSOCIATES

Stephen Bieber, CHMM

**Environmental Scientist** 

The Yonkers Public Library (Riverfront Library) agrees to serve as public repository as described above.

John a favareau, 6/5/2017 Signature of Agent for Yonkers Public Library

Reference Librarian

# ATTACHMENT X

# (Section X of Part B of the BCP Application)

### Applicable Zoning Laws/Maps

According to the City of Yonkers Zoning Map, the property is zoned within the "M" district, for Apartments - Medium Density. See the attached zoning map as ATTACHMENT X-1.

### **Current Use**

The property is developed with three (3) multi-story brick apartment buildings and one (1) three story wood-frame multi-family building. The three (3) brick apartment buildings are identified as buildings 5, 9 and 13 of the CPG complex and were constructed in the 1940's during development of the CPG complex. The wood-frame apartment building is located on the westernmost portion of the property fronting Warburton Avenue. This building, along with vacant lots to the north and south of the building, were acquired for inclusion into the CPG Phase 4 Parcel redevelopment. The remainder of the property consists of landscaped areas, and concrete and asphalt walkways and access-ways.

Previous investigations of the site have identified contaminants in fill mantling the site and groundwater at concentrations exceeding regulatory standards and guidance values (see environmental report in ATTACHMENT III-1).

### **Anticipated Use - Post Remediation**

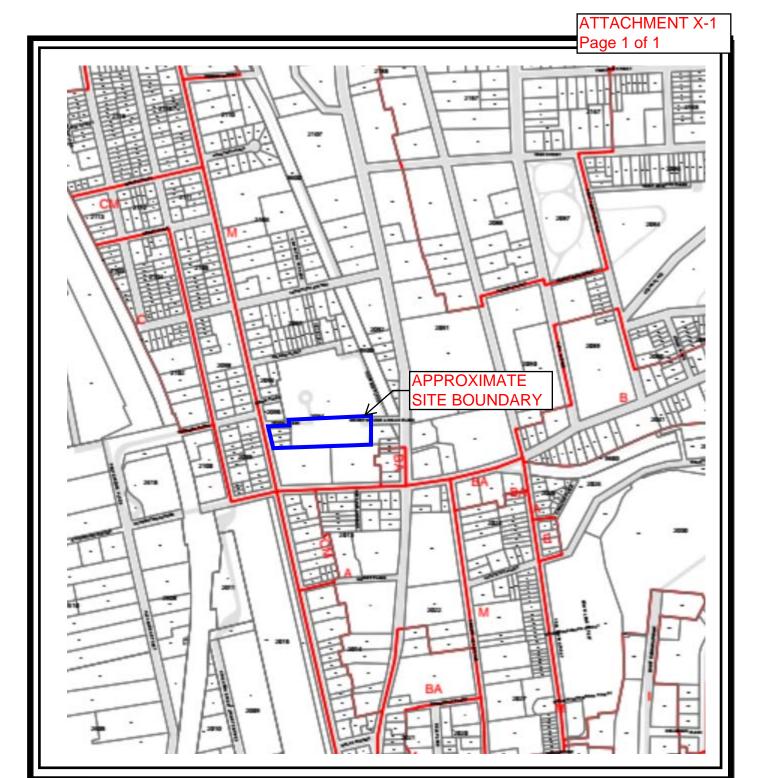
The intended use of the property will be for multi-family residential purposes and will include the construction of residential apartment buildings with associated community center, open space recreation and parking.

### Do Historic/Current Development Trends Support the Proposed Use?

The property's redevelopment for multi-family residential purposes is consistent with current and historical development patterns for the property and its surroundings, and consistent with the property's zoning. The property is currently, and has historically, been utilized for multi-family residential purposes. Surrounding land usage consists of



public housing to the north and south; institutional, commercial and residential development to the east; and residential and commercial development to the west.



### MAP REFERENCE

City of Yonkers Zoning Map

M = Medium Density - Residential and Apartment Houses



50 CENTURY HILL DRIVE LATHAM, NY 12110

# CITY OF YONKERS

### WESTCHESTER COUNTY, NY

**SCALE: NOT TO SCALE** 

DRAFTER: SB

PROJECT No: 16.6664

The locations and features depicted on this map are approximate and do not represent an actual survey.

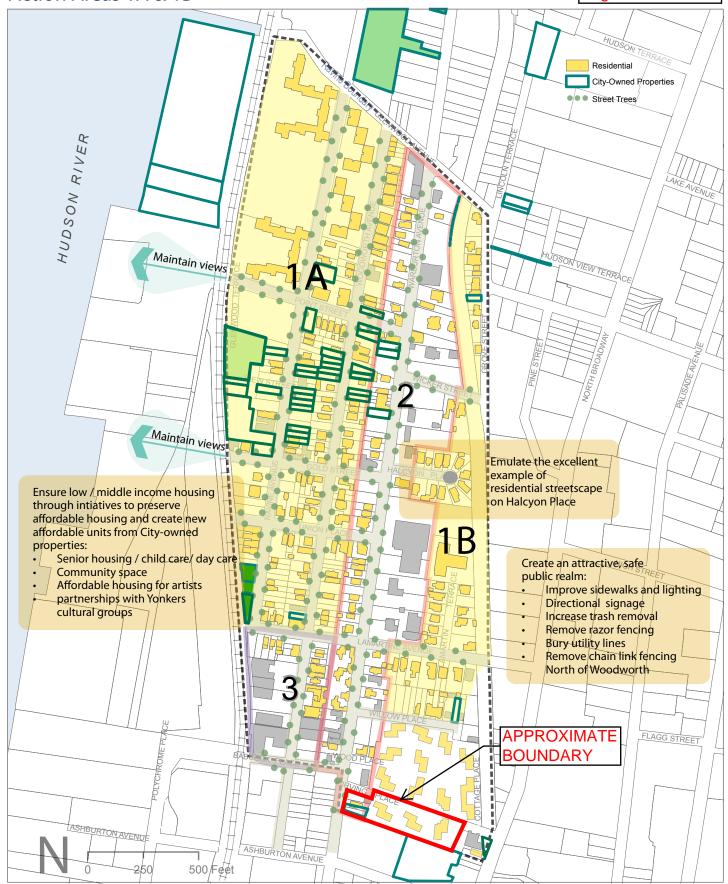
CITY OF YONKERS ZONING MAP CPG PHASE 4 PARCEL Warburton - Ravine Avenue Urban Renewal Area Plan Yonkers, New York



Prepared for: Yonkers Community Development Agency and The City of Yonkers Department of Planning and Development Yonkers City Hall 40 South Broadway Yonkers, NY 10701-3700

December 2010

ATTACHMENT X2 **Action Areas** Page 2 of 4 HUDSON RIVER **1B APPROXIMATE** GG STREET **BOUNDARY** ASHBURTON AVENUE ASHBURTON AVENUE NORTH 0 500/Feet



Phillips Preiss Shapiro Associates, Inc. 2007

Action Area 2

ATTACHMENT X-2 Page 4 of 4

