

Saber-North White Plains, LLC
Brownfield Cleanup Program Application
White Plains Chrysler Car Dealership
70 Westchester Avenue, White Plains, New York 10601



Legal & Consulting Team:
Knauf Shaw LLP & SESI Consulting Engineers.
December 2020



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 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Saber-North White Plains, LLC Attn: Martin Berger

ADDRESS 80 Business Park Drive, Suite 100

CITY/TOWN Armonk

ZIP CODE 10504

PHONE (914) 250-0600

FAX (914) 273-2491

E-MAIL berger@saberfund.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. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

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

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

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

3. 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). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

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	X	X	X
Other VOCs			
SVOCs	X	X	
Metals	X	X	
Pesticides			
PCBs		X	
Other*	PFAS	PFAS	

*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: Automobile dealership and service center.

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME White Plains Chrysler Car Dealership				
ADDRESS/LOCATION 70 Westchester Avenue				
CITY/TOWN White Plains		ZIP CODE 10601		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City of White Plains				
COUNTY Westchester		SITE SIZE (ACRES) 1.8258		
LATITUDE (degrees/minutes/seconds) 41 ° 01 ' 59.1 "		LONGITUDE (degrees/minutes/seconds) 73 ° 45 ' 36.3 "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
70 Westchester Avenue	126.61	3	15.1	1.8258
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
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)? (See DEC's website for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 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. Some Remediation Under Spills Program				
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

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

Type

Issuing Agency

Description

See Ex. M Westchester PBS
Registration for 4 Above Ground
Storage Tanks (ASTs)

Westchester County

Registration of 4 ASTs

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

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

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

NOTE: If a tangible property tax credit 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 by 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 Saber-North White Plains, LLC, Nick DiFalco			
ADDRESS 80 Business Park Drive			
CITY/TOWN Armonk, New York		ZIP CODE 10504	
PHONE (914) 250-0600	FAX (914) 448-0147	E-MAIL ndifalco@saberfund.com	
NAME OF REQUESTOR'S CONSULTANT SESI Consulting Engineers, Fuad Dahan, PhD, P.E., LSRP			
ADDRESS 12A Maple Avenue			
CITY/TOWN Pine Brook, New Jersey		ZIP CODE 07058	
PHONE 973-747-9567	FAX 973-808-9099	E-MAIL fd@sesi.org	
NAME OF REQUESTOR'S ATTORNEY Linda Shaw, Esq., Knauf Shaw LLP			
ADDRESS 1400 Crossroads Building, 2 State Street			
CITY/TOWN Rochester, New York		ZIP CODE 14614	
PHONE 585-546-8430	FAX 585-546-4324	E-MAIL lshaw@nyenvlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME 70 Westchester LLC		OWNERSHIP START DATE: 08/29/2007	
ADDRESS 70 Westchester Avenue			
CITY/TOWN White Plains, New York		ZIP CODE 10601	
PHONE (914) 946-2600	FAX (914) 946-3368	E-MAIL a.difeo@whiteplainscars.com	
CURRENT OPERATOR'S NAME White Plains Chrysler Jeep Dodge, Attn:Agostino DiFeo			
ADDRESS 70 Westchester Ave			
CITY/TOWN White Plains, New York		ZIP CODE 10601	
PHONE (914) 946-2600	FAX (914) 946-3368	E-MAIL a.difeo@whiteplainscars.com	
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".			
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.			
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 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.

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). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? RM-0.35 and B-3

What uses are allowed by the current zoning? (Check boxes, below)

☒ 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

See support document

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

☒ Yes ☐ No

See support document

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

See support document

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby 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 [DER-32, Brownfield Cleanup Program Applications and Agreements](#); 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: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am the Sole Member (title) of Saber-North White Plains, LLC (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: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); 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: 10/28/20 Signature: 

Print Name: Martin G. Berger

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: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2: (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures.	
"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: White Plains Chrysler Car Dealership
City: White Plains

Site Address: 70 Westchester Avenue
County: Westchester **Zip:** 10601

Tax Block & Lot

Section (if applicable): 126.61 **Block:** 3 **Lot:** 15.1

Requestor Name: Saber-North White Plains, LLC Attn: Martin Berger **Requestor Address:** 80 Business Park Drive, Suite 100
City: Armonk **Zip:** 10504 **Email:** berger@saberfund.com

Requestor's Representative (for billing purposes)

Name: Saber-North White Plains, LLC, Nick DiFalco **Address:** 80 Business Park Drive
City: Armonk, New York **Zip:** 10504 **Email:** ndifalco@saberfund.com

Requestor's Attorney

Name: Linda Shaw, Esq., Knauf Shaw LLP **Address:** 1400 Crossroads Building, 2 State Street
City: Rochester, New York **Zip:** 14614 **Email:** lshaw@nyenvlaw.com

Requestor's Consultant

Name: SESI Consulting Engineers, Fuad Dahan, PhD, P.E., LSRP **Address:** 12A Maple Avenue
City: Pine Brook, New Jersey **Zip:** 07058 **Email:** fd@sesi.org

Percentage claimed within an En-Zone: ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree

Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

BCP APPLICATION SUPPORT DOCUMENT

BCP APPLICATION SUPPORT DOCUMENT

Exhibit List

Exhibit A -	DOS Entity Information
Exhibit B-	Corporate Consent
Exhibit C-	Deed(s)
Exhibit D-	Site Access Agreement
Exhibit E-	Previous Owners and Operators
Exhibit F-	Site Drawing Spider Map(s)
Exhibit G-	Survey, Tax Map and Tax Consolidation Merger
Exhibit H-	Site Location Map, Base Map, and En-Zone Map
Exhibit I-	Zoning Map
Exhibit J-	Flood Map
Exhibit K-	Site Contact List
Exhibit L-	Repository Letter

ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:

1. Tank Cleaning and Contaminated Soil Removal and Disposal Project, prepared by O'Brien & Gere, February 1990 (NOT FOUND but summarized in October 2000 Phase I]
2. Remedial Action Report, prepared by S&S Environmental Sciences, Inc., for Westchester Chrysler-Plymouth/Jeep-Eagle, November 1994
3. Phase I Environmental Site Assessment and Limited Phase II Site Investigation, 70 Westchester Avenue, prepared by Earth Tech, October 2000 for Daimler Chrysler Corporation;
4. Phase II Environmental Site Assessment Report 70-96 Westchester Avenue, prepared by Woodard & Curran, March 2015;
5. Phase II Environmental Site Assessment Addendum, 70 Westchester Avenue, prepared by Woodard and Curran, July 2015
6. Phase II Site Investigation, 70 Westchester Avenue prepared by SESI, October 2020

PART A

SECTION I - REQUESTOR INFORMATION

The Requestor is Saber-North White Plains, LLC, a New York limited liability company, located at 80 Business Park Drive Suite 306, Armonk NY. Saber-North White Plains, LLC is authorized to do business in the State of New York. *See* Exhibit A, NYSDOS Entity Information. The sole member is Martin G. Berger.

The Written Consent provides sole member Martin G. Berger with authority to sign all Brownfield Cleanup Program (“BCP”) documents on behalf of the Requestor Saber-North White Plains, LLC. *See* Exhibit B, Corporate Consent.

As further described below in Section IV, the Site is located at 70 Westchester Avenue, on newly consolidated Tax parcel identification no. 126.61-3-15.1 (“Site” or “BCP Site.”) The Site was formerly known as six different tax lots:

Referred to as:	Tax Parcel	Tax Address
“Site” or “BCP Site”	126.61-3-15	70 Westchester Ave
	126.61-3-16.1	64-68 Westchester Ave
	16.61-3-16.2	62 Westchester Ave
	126.61-3-23	30-36 Franklin Ave
	126.61-3-24	38-40 Franklin Ave
	126.61-3-25	42-44 Franklin Ave

Requestor is not yet the owner of the Site. As more fully described below in Section VI, 70 Westchester LLC is the current owner of the Site. *See* Exhibits C, Deeds, and Exhibit G, Survey. Requestor has received a temporary license from the Owner to access the property to perform investigation and remediation work required by the BCP. *See* Exhibit D, Site Access Agreement.

The Requestor has no prior relationship with any current or past owners or operators of the Site other than the Requestor intends to acquire the Site from 70 Westchester LLC, the most recent owner. *See* Sections V and VI below, and Exhibit E, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor’s involvement at the Site.

SECTION II - PROJECT DESCRIPTION

Please refer to responses to Questions 1-3 on the BCP Application Form.

4. Short Project Description

The planned redevelopment of the Site consists of a new 368,000 square foot mixed-use multi-family/retail project with structured parking in White Plains, New York. The Project includes

226,000 gross square feet of residential units, 17,000 gross square feet of retail and 125,000 gross square feet of structured parking. The 212 residential units shall be a mixture of studio, one-bedroom, one-bedroom dens, and two-bedroom units configured in three separate buildings. Buildings 1 and 2 will include ground floor, double height retail space, and four stories of multi-family residential above. Building 3 is ten stories with seven floors of multi-family residential above three stories of structured parking. One level of underground parking will be constructed below all three buildings with a footprint encompassing nearly the entire site. An outdoor pool, sundeck and residential amenities area will be constructed as part of Building 3 at the first residential level over the parking deck along with rooftop amenities such as landscaped seating areas and grilling stations.

The program area is approximately as follows:

Residential: 212 units 226,000 GSF

Retail: 16,500 SF 17,000 GSF

Parking: 349 spots 125,000 GSF

TOTAL: 368,000 GSF

Schedule- Commencement through COC

Given the time of year, a Brownfield Cleanup Agreement is expected to be executed within four months from now or in early March 2021. A Remedial Investigation is expected to be completed on the Site by Summer to Fall 2021. A Remedial Investigation Report (“RIR”) is expected to be completed by winter 2021. The Remedial Action Work Plan (“RAWP”) will be completed in spring of 2022 and then Site preparation activities, including on-Site building demolition in order to prepare the Site for remediation under former slabs, is also expected to commence by Summer 2022 and any required remediation may commence thereafter in Fall 2022. The Certificate of Completion is anticipated to be issued on or before December 2022.

SECTION III – PROPERTY’S ENVIRONMENTAL HISTORY

1. List of Environmental Reports

The following is the list of environmental reports for the Site separately attached:

- A. Tank Cleaning and Contaminated Soil Removal and Disposal Project, prepared by O’Brien & Gere, February 1990 (NOT FOUND but summarized in October 2000 Phase I]
- B. Remedial Action Report, prepared by S&S Environmental Sciences, Inc., for Westchester Chrysler-Plymouth/Jeep-Eagle, November 1994
- C. Phase I Environmental Site Assessment and Limited Phase II Site Investigation, 70 Westchester Avenue, prepared by Earth Tech, October 2000 for Daimler Chrysler Corporation;
- D. Phase II Environmental Site Assessment Report 70-96 Westchester Avenue, prepared by Woodard & Curran, March 2015;

- E. Phase II Environmental Site Assessment Addendum, 70 Westchester Avenue, prepared by Woodard and Curran, July 2015
- F. Phase II Site Investigation, 70 Westchester Avenue prepared by SESI, October 2020

2. Sampling Data

See Exhibit F, Spider Maps, which include sampling data summaries, and Section IV.10.F below.

3. Site Drawing

See Exhibit F, Spider Maps.

4. Past Land Uses

The Site has been an active car dealership with auto repair for at least the past 53 years since at least 1967. However, the on-site commercial building has been present on the Site since 1925 suggesting that this was an auto dealership dating back to potentially 1925. Historic car dealership owners date back to the 1940's. See Section IV.10.D for full description of past land uses and previous owner/operator list in Exhibit E.

SECTION IV – PROPERTY INFORMATION

1. Site Boundary and Tax Parcel Information

The Site boundary does correspond to the newly consolidated tax lot boundary. The Tax Boundary Map and a Survey map is provided in Exhibit G. Six lots that previously made up the Site were recently consolidated by the City of White Plains for this Project. See also Tax Lot Merger letter in Exhibit G. The Site Location Map, Base Property Map, Street Map and En-zone Map are in Exhibit H. The Site is not in a En-Zone.

2. Property Map

The Site Location and Base Property Map are in Exhibit H. A Survey map is in Exhibit G.

Please refer to responses to Questions 3-9 on the BCP Application Form.

10. Property Description Narrative

A. Site Location

See Response to Section IV.1 and IV.2 above. The Site is located at 70 Westchester Avenue, White Plains, New York. The Site is located in a commercial and residential downtown neighborhood. See Exhibits G & H. The Site is bound by Franklin Avenue, a dense residential neighborhood (rear- Franklin Ave), school, ball field, and retail businesses to the north, the White Coach Diner to the west, Westchester Avenue and the

Westchester Mall to the south, and closed car dealership to the east.

B. Site Features

The site is located in a commercial and residential section of White Plains, New York at 70 Westchester Avenue, White Plains, New York 10601. The BCP Site is approximately 1.8258 acres¹. The southern portion of the Site is still occupied by a Chrysler car dealership commercial building. The northern portion of the Site is currently an associated parking lot for the dealership. The car dealership is still a tenant at the Site and will remain a tenant at the Site until the Site is ready for remediation pursuant to the schedule above.

The eastern portion of the building, which was constructed in 1925, consists of a single-story and two-story structure with small partial basement under the southeastern corner of the building. The western portion of the building, which was constructed in 1990, consists of a single-story structure with a half basement. Historically, the Site was improved with residential dwellings, an automotive garage, and a machine shop, and auto sales and service facilities.

The Site is not in a flood plain and is not proximate to any waterbodies. *See* Exhibit J.

C. Current Zoning and Land Use

The Site is currently located in the RM-0.35 and B-3 Districts. RM-0.35 is a Residential Multi-Family District. B-3 is an intermediate Business District zone. Therefore, half the property is zoned residential. *See* Exhibit I Zoning Map. The Site is in the Special White Plains Westchester Avenue Urban Renewal Zone formed to assist this development. *See* Exhibit I Urban Renewal Zoning Resolution. The Requestor is seeking site plan approval and a special use permit to increase density given the split zoning, and to accommodate the Project description above.

The Site is currently used as a car dealership. The surrounding properties are retail businesses to the north and abuts a dense residential neighborhood (rear- Franklin Ave), and a school and ball field, the White Coach Diner to the west, Westchester Avenue and the Westchester Mall to the south, and closed car dealership to the east. The Site is 0.7865 miles from White Plains Metro North train station located at 16 Ferris Avenue.

D. Past Use of the Site

The Site has been an active car dealership with auto repair for at least the past 53 years since at least 1967. However, the on-site commercial building has been present on the Site since 1925 suggesting that this was an auto dealership dating back to potentially 1925. Some of the historical owner names suggest that a dealership or auto related use has been on the Site since at least the early 1940's. There has been some spill related remediation work on the Site since 1989.

¹ The acreage on the tax map information is 1.79 acres, which is only an estimate, and is incorrect. The 1.8258 acreage is based on an actual survey of the site.

1. Tank Cleaning and Contaminated Soil Removal and Disposal Project, prepared by O'Brien & Gere, February 1990 (NOT FOUND but summarized in October 2000 Phase I)

The first known report on the Site is from 1990 by O'Brien and & Gere. While this report could not be located, it was summarized in the October 2000 Earth Tech Phase I summarized below. The 1990 report allegedly described the excavation and removal of 11 USTs at three areas on the Site under the supervision of the NYSDEC and the White Plains Fire Marshall. Excavation of the tanks and some soil occurred and a total of 14 sidewall and bottom samples were taken from three excavations. The soil sampling appeared to be limited to only 6 VOCs, which were allegedly non detect but TEX compounds (i.e. toluene, ethylbenzene and xylene were found in groundwater in excess of the State standards. A groundwater investigation was recommended.

2. Remedial Action Report, prepared by S&S Environmental Sciences, Inc., for Westchester Chrysler-Plymouth/Jeep-Eagle, November 1994

In 1994, S&S Environmental Sciences conducted sampling and reporting related to the remediation of two floor pits associated with wash bays in the service garage. Remediation consisted of removal of waste oil, solvents and petroleum contaminated soil from each pit. Allegedly, the remediation of Pit A was "successful" but excavation of Pit B was halted at 7.5 feet even though contaminated soils were still present and spill # 9407257 was reported. [NOTE: According to the Spill files separately attached, work to address this spill did not occur until the early 2000's when the spill was eventually closed.]

3. Phase I Environmental Site Assessment and Limited Phase II Site Investigation for 70 Westchester Avenue, Earth Tech. October 2000

This Phase I Report was prepared for Daimler Chrysler Corporation and all of its subsidiaries by Earth Tech, Inc. It was completed in accordance with the scope and limitations of ASTM Practice E1527-97. A Limited Phase II was performed on October 2 and 3, 2000. Eleven soil boring were advanced and four temporary groundwater sampling points ("TGSPs" were installed and samples were collected.

Interviews with site personnel, document reviews, and a site inspection conducted as part of the ESA revealed the following Recognized Environmental Conditions ("RECs"): Seven former/inactive underground hydraulic hoists; two former puts or dry wells; one oil/water separator; three former underground storage tank ("UST") areas; former auto and sales service building; three aboveground storage tanks (ASTs) containing 275-gallon used antifreeze, 500-gallon waste pile, and 500-gallon virgin motor oil; one former 2000-gallon fuel oil UST; concrete sump pit containing clear odorless liquid; twelve portable oil stations; three floor drains and one trench drain; and one parts washer.

The property was classified as a hazardous waste small quantity generator, and was listed on

three databases at the time: aboveground storage tank (AST), NY Spills, and underground storage tanks (UST). Those databases revealed that a single spill case was closed in February 1990, and that there are no registered USTs on the Property.

Eleven soil borings were advanced and four temporary groundwater sampling points were installed and samples were collected. Soil results exceeded applicable regulatory limits at the time for acetone in a sample collected in the vicinity of a former hydraulic hoist inside the service garage. The boring was advanced near a subfloor vault containing hoist components (pipes and small tank) that were not removed when the hoist was decommissioned. A 6-inch long section of the soil sample contained an oily substance that exhibited a strong odor.

One soil and groundwater sample collected in a boring located near two former gasoline USTs and one former waste oil UST exceed regulatory limits for toluene (groundwater only), ethylbenzene, and total xylenes. One groundwater sample collected in a boring located near two former gasoline USTs of unknown content exceeded the regulatory limit for xylene. The report notes these USTs had been removed under DEC supervision in 1989. The detection of soil and groundwater contamination was reported to DEC and the Westchester County Health Department on October 12, 2000 and DEC Spill No. 0008186 as assigned to the Site. See separately attached Spill reports.

Finally, Total Petroleum Hydrocarbon (“TPH”) concentrations above 500 ppm were detected in soil samples from several boring associated with former underground hoists and USTs.

4. 70-96 Westchester Avenue Phase II Environmental Site Assessment Report by Woodard & Curran, March 2015

Woodard & Curran conducted a Phase II Environmental Site Investigation in March 2015. A total of twenty-nine (29) soil samples were collected from twenty-three (23) soil borings on former parcels 126.61-3-15 (70 Westchester Ave), 126.61-3-16.1 (64-68 Westchester Ave.), 16.61-3-16.2 (62 Westchester Ave.), 126.61-3-23 (30-36 Franklin Ave.), 126.61-3-24 (38-40 Franklin Ave.). In addition, three (3) groundwater samples were collected from 2 permanent and one temporary monitoring wells. Results of soil sampling identified semi-VOCs (SVOCs) and metals impacts on the western paved parking area (SB-7 and SB-16) at concentrations exceeding the Restricted Residential Soil Cleanup Objectives (RRSCOs). Results of groundwater sampling identified the VOC toluene in temporary well TWP-CD-05 at a concentration of 11 ug/L, exceeding its Ambient water Quality Standard (AWQS) of 5 ug/L. In addition, several SVOCs including benzo (1)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and chrysene were detected in well MW-B-7 at concentrations exceeding the AWQS.

5. 70-96 Westchester Avenue Phase II Environmental Site Assessment Report by Woodard & Curran, July 2015

Woodard & Curran conducted supplemental soil and groundwater sampling in July 2015. A total of six (6) soil samples and six (6) groundwater samples were collected from six (6) soil borings. Results of soil sampling identified remaining petroleum related VOCs northeast of

the building area (CD-19) and metals were detected west of the building (CD-17) at concentrations exceeding the RRSCOs. Results of groundwater sampling identified numerous petroleum VOCs, including toluene, in temporary well TWP-CD-19, and several SVOCs in TWP-CD-17 at a concentrations exceeding the AWQSSs. In addition, numerous metals were detected in each groundwater sample collected at concentrations exceeding the AWQSSs.

6. October 2020 SESI Phase II Environmental Site Assessment Report

Twelve (12) soil borings, six (6) groundwater borings, and twelve soil (12) vapor borings were most recently advanced using a direct-push sampling equipment on the Site to evaluate current conditions. Specifically, two (2) soil and two (2) soil vapor borings were advanced on each of the former tax lots, and one groundwater boring was advanced on each of the former lots to provide additional subsurface data in areas that were not previously investigated. A total of twenty-six (26) soil samples at a frequency of approximately 2 samples per boring, twelve (12) soil vapor borings, and six (6) groundwater samples were collected and analyzed for Target Compound List +30/Target Analyte List (TCL+30/TAL) including volatile organic compounds (VOCs) by EPA Method 8260C, semi-VOCs (SVOCs) by EPA Method 8270D, Target Analyte List (TAL) Metals by EPA Method 6010C/7471, Polychlorinated Biphenyls (PCBs) by EPA Method 8082A, pesticides by EPA Method 8081B, Cyanide by EPA Method 9082, PFAS by Modified EPA Method 537, and 1-4 dioxane by EPA Method 8270D, by Alpha Analytical, Inc. (Alpha), a New York State Department of Health (NYSDOH) Environmental laboratory Accreditation Program (ELAP)-certified laboratory. A summary of the results of this investigation is provided below in Section F entitled Environmental Assessment.

E. Site Geology and Hydrogeology

Soil conditions within the borings performed by SESI in the most recent Phase II investigation revealed that soil consists of gray-brown fine to coarse sand with brick fragments (historic fill) from depths of 3 to 13 ft-bgs. The fill is underlain by light brown - brown fine to coarse sand to the boring terminus at 20 ft-bgs. Groundwater was encountered at approximately 16 to 18 ft-bgs across the Site.

F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are petroleum-related and chlorinated volatile organic compounds (VOCs) related to the past car dealership operations, semi-volatile organic compounds (SVOCs) from historic fill, metals from past car dealership operations and possibly historic fill, pesticides and PFAS compounds in soil, VOCs, SVOCs and PFAS in groundwater, and both petroleum related and chlorinated VOCs in soil vapor. *See Exhibit F Site Drawing Spider Maps.*

Soil:

The VOC acetone was detected in two (2) soil borings, at 0.07 and 0.1 ppm above the 0.05

USCO in S-1 and S-5, from 4.5 to 9 ft-bgs. Note acetone use was potentially used at the Site in association with a hydraulic hoist at the car dealership, and as a result, may not be a lab contaminant. In addition, Total Xylene (200 mg/kg above 100 mg/kg RRSCO), Ethylbenzene (66 mg/kg above 41 mg/kg RRSCO) and 1,2,4-Trimethylbenzene (140 mg/kg above 52 mg/kg RRSCO) was also detected in soil during the 2015 Woodward & Curran investigation in exceedance of their respective RRSCOs.

The SVOC benzo(a)pyrene was detected in two (2) borings: S-5 (1.4 mg/kg) and S-6 (1.1 mg/kg) from 2 to 5 ft-bgs at concentrations exceeding the RRSCO of 1 mg/kg.

The metals barium (634 mg/kg) and lead (474 mg/kg) were detected in boring S-4 from 2.5 to 3 ft-bgs at concentrations exceeding their respective RRSCOs of 400 mg/kg. Copper (970 mg/kg) was detected in boring S-7 from 1.5 to 2 ft-bgs exceeding its RRSCO of 270 mg/kg. In addition, the metals barium, lead and zinc were detected five (5) borings from 1.5 to 5 ft-bgs at concentrations exceeding their applicable USCOs.

Pesticides including 4,4-DDE, 4,4-DDD, 4,4-DDT, and cis-chlordane were detected in nine (9) soil sample collected from seven (7) soil borings from grade to 15 ft-bgs at concentrations exceeding their applicable USCOs.

A summary table of this data appears below:

SAMPLE ID:	NY-RSCO	NY-RRSCO	NY-USCO	S-1 (8.5-9)		S-2 (3-3.5)		S-3 (3.5-4)		S-4 (2.5-3)		S-5 (4.5-5)		S-6 (2-2.5)		S-7 (1.5-2)	
COLLECTION DATE:				9/10/2020		9/10/2020		9/10/2020		9/10/2020		9/10/2020		9/11/2020		9/11/2020	
ANALYTE	(mg/kg)	(mg/kg)	(mg/kg)	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q
VOLATILE ORGANICS BY EPA 5035																	
Acetone	100	100	0.05	0.07		0.0042	U	0.0052	U	0.0052	U	0.1		0.0055	U	0.0054	U
SEMIVOLATILE ORGANICS BY GC/MS																	
Benzo(a)anthracene	1	1	1	0.13		0.43		0.25		0.26		1		0.87		0.023	U
Benzo(a)pyrene	1	1	1	0.091	J	0.33		0.21		0.2		1.4		1.1		0.05	U
ORGANOCHLORINE PESTICIDES BY GC																	
4,4'-DDE	1.8	8.9	0.0033	0.0206		0.000624	J	0.00144	JIP	0.00454		0.000421	U	0.000459	U	0.000434	U
4,4'-DDD	2.6	13	0.0033	0.0165	IP	0.00133	J	0.000743	U	0.000981	J	0.00278		0.000708	U	0.00067	U
4,4'-DDT	1.7	7.9	0.0033	0.00145	U	0.0013	U	0.00523		0.00314	JIP	0.00146	U	0.0016	U	0.00151	U
cis-Chlordane	0.91	4.2	0.094	0.18	P	0.000562	U	0.000726	U	0.000634	U	0.000634	U	0.000692	U	0.000654	U
TOTAL METALS																	
Barium, Total	350	400	350	84.2		132		113		634		383		62.9		122	
Copper, Total	270	270	50	22.3		26		26		12.2		38.9		9.09		970	
Lead, Total	400	400	63	39.8		227		110		474		168		22.2		59.7	
Zinc, Total	2200	10000	109	51.5		120		86.2		402		261		58		166	

	Compound Exceeds the USCO
	Compound Exceeded the RSCO
	Compound Exceeds the RRSCO

U = Compound not detected

I - The lower value for the two columns has been reported due to obvious interference.

P = The RPD between the results for the two columns exceeds the method-specified criteria.

J = Concentration Estimated

PFOS was reported in sample S-2 (3-3.5) at a concentration of 0.894 ug/kg, which exceeds the NYSDEC USCO Soil Screening Level of 0.88 ug/kg. Several additional PFAS were detected at estimated concentrations above laboratory MDLs, but below RLs in 6 soil samples as presented below:

SAMPLE ID:	NY-RESRR	NY-UNRES	S-1 (4.5-5)		S-2 (3-3.5)		S-7 (1.5-2)		S-9 (2.5-3)		SB-10 (1-2)		SB-11 (2-3)		SB-12 (8-9)	
ANALYTE			Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q
PERFLUORINATED ALKYL ACIDS BY ISOTOPE DILUTION ((ug/kg))																
Perfluoropentanoic Acid (PFPeA)			0.049	U	0.084	J	0.055	U	0.089	J	0.049	U	0.045	U	0.051	U
Perfluorohexanoic Acid (PFHxA)			0.056	U	0.086	J	0.064	J	0.094	J	0.056	U	0.051	U	0.059	U
Perfluoroheptanoic Acid (PFHpA)			0.048	U	0.047	J	0.054	U	0.061	J	0.049	U	0.044	U	0.05	U
Perfluorooctanoic Acid (PFOA)	33	0.66	0.045	U	0.119	JF	0.051	U	0.208	J	0.047	J	0.041	U	0.118	J
Perfluorooctanesulfonic Acid (PFOS)	44	0.88	0.139	U	0.894	J	0.156	U	0.455	J	0.254	J	0.247	JF	0.145	U
N-Ethyl Perfluorooctanesulfonamidoacetic Acid			0.19	J	0.084	U	0.102	U	0.097	U	0.091	U	0.082	U	0.094	U
PFOA/PFOS, Total			0.045	U	1.01	J	0.051	U	0.663	J	0.301	J	0.247	J	0.118	J

 Compound Exceeds the NYSDEC October 2020 PFOS/PFOA Soil Guidance Values

U = Compound not detected

J = Concentration Estimated

F - The ratio of quantifier ion response to qualifier ion response falls outside of the laboratory criteria. Results are considered to be an estimated maximum concentration.

Groundwater:

The VOC acetone was detected in the groundwater sample collected from temporary well GW-2 at a concentration of 57 µg/L, exceeding the AWQS of 50 µg/L.

SVOCs were detected in the groundwater samples collected from temporary wells GW-1, GW-2, GW-3, GW-4, and GW-6 at concentrations exceeding their applicable AWQS including:

- bis(2-ethylhexyl)phthalate (8.3 µg/L compared to AWQS of 5 µg/L),
- phenol (8.5 µg/L compared to AWQS of 1 µg/L),
- fluoranthene (140 µg/L compared to AWQS of 50 µg/L),
- benzo(a)anthracene (0.02 - 72 µg/L compared to AWQS of 0.002 µg/L),
- benzo(a)pyrene (0.02 - 80 µg/L compared to AWQS of 0 µg/L),
- benzo(b)fluoranthene (0.01 - 94 µg/L compared to AWQS of 0.002 µg/L),
- benzo(k)fluoranthene (0.02 - 32 µg/L compared to AWQS of 0.002 µg/L),
- chrysene (0.02- 60 µg/L compared to AWQS of 0.002 µg/L),
- phenanthrene (59 µg/L compared to AWQS of 50 µg/L),
- ideno(1,2,3-cd) pyrene (0.02 - 66 µg/L compared to AWQS of 0.002µg/L)and
- pentachlorophenol (23 µg/L compared to AWQS of 1 µg/L).

Numerous metals were detected in each groundwater sample at concentrations exceeding the AWQS including:

- antimony (3.58 µg/L compared to AWQS of 3 µg/L),
- arsenic (32.58 – 39.39 µg/L compared to AWQS of 25 µg/L),
- barium (3235-4965 µg/L compared to AWQS of 1000 µg/L),
- beryllium (4.14 – 9.82 µg/L compared to AWQS of 3 µg/L),
- cadmium (5.15- 9.93 µg/L compared to AWQS of 5 µg/L),
- chromium (329.5 - 1022 µg/L compared to AWQS of 50 µg/L),
- copper (594.3 - 920 µg/L compared to AWQS of 200 µg/L),
- iron (9,440 – 411,000 µg/L compared to AWQS of 300 µg/L),
- lead (619 - 2230 µg/L compared to AWQS of 25 µg/L),
- magnesium (162,000 – 529,000 µg/L compared to AWQS of 35,000 µg/L),

- manganese (9,200 – 34,120 µg/L compared to AWQS of 300 µg/L),
- mercury (0.9 – 1.7 µg/L compared to AWQS of 0.7 µg/L),
- nickel (128.5 – 506.4 µg/L compared to AWQS of 100 µg/L),
- selenium (23.9 - 34 µg/L compared to AWQS of 10 µg/L),
- sodium (59,200 – 650,000 µg/L compared to AWQS of 20,000 µg/L), and
- zinc (2341 µg/L compared to AWQS of 2000 µg/L).

Finally, the PCB Aroclor 1242 was detected in the groundwater sample collected from temporary monitoring well GW-1 at a concentration of 0.143 ug/L, exceeding its AWQS of 0.09 ug/L.

SAMPLE ID:		GW-1		GW-2		GW-3		GW-4		GW-5		GW-6	
COLLECTION DATE:		9/10/2020		9/11/2020		9/11/2020		9/11/2020		9/11/2020		9/15/2020	
	NY-AWQS												
ANALYTE	(ug/l)	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q
VOLATILE ORGANICS BY GC/MS													
Acetone	50	57		9.6		3.9	J	11		4.6	J	3.8	J
SEMIVOLATILE ORGANICS BY GC/MS													
Bis(2-ethylhexyl)phthalate	5	8.3		1.5	U	1.5	U	1.5	U	1.5	U	1.9	J
Phenol	1	8.5		0.57	U	0.57	U	0.57	U	0.57	U	0.57	U
SEMIVOLATILE ORGANICS BY GC/MS-SIM													
Fluoranthene	50	140		0.02	J	0.02	U	0.04	J	0.02	U	0.06	J
Benzo(a)anthracene	0.002	72		0.02	U	0.02	J	0.04	J	0.02	U	0.02	J
Benzo(a)pyrene	0	80		0.02	U	0.02	J	0.02	J	0.02	U	0.02	U
Benzo(b)fluoranthene	0.002	94		0.01	J	0.02	J	0.03	J	0.01	U	0.01	U
Benzo(k)fluoranthene	0.002	32		0.01	U	0.01	U	0.02	J	0.01	U	0.01	U
Chrysene	0.002	60		0.01	U	0.01	U	0.02	J	0.01	U	0.01	U
Phenanthrene	50	59		0.03	J	0.02	U	0.05	J	0.02	J	0.11	
Indeno(1,2,3-cd)pyrene	0.002	66		0.01	U	0.02	J	0.02	J	0.01	U	0.01	U
Pyrene	50	110		0.02	J	0.02	J	0.03	J	0.02	U	0.05	J
Pentachlorophenol	1	2.3	J	0.01	U	0.01	U	0.01	U	0.01	U	0.11	J
POLYCHLORINATED BIPHENYLS BY GC													
Aroclor 1242	0.09	0.143		0.039	U	0.039	U	0.039	U	0.039	U	0.039	U

SAMPLE ID:		GW-1		GW-2		GW-3		GW-4		GW-5		GW-6	
COLLECTION DATE:		9/10/2020		9/11/2020		9/11/2020		9/11/2020		9/11/2020		9/15/2020	
	NY-AWQS												
ANALYTE	(ug/l)	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q	Conc	Q
TOTAL METALS													
Antimony, Total	3	3.58	J	0.42	U	0.49	J	0.42	U	0.42	U	0.42	U
Arsenic, Total	25	35.5		10.32		1.94		39.34		39.39		32.58	
Barium, Total	1000	4955		3235		494.1		4542		5299		3884	
Beryllium, Total	3	9.82		5		0.16	J	4.18		4.14		6.34	
Cadmium, Total	5	5.15		1.47		3.17		9.93		7.79		8.92	
Chromium, Total	50	1022		379.5		6.45		440.9		649.2		329.5	
Copper, Total	200	744.4		615.8		75.15		658		920		594.3	
Iron, Total	300	291000		326000		9440		411000		322000		142000	
Lead, Total	25	2230		619		5.89		1032		1116		216.5	
Magnesium, Total	35000	529000		477000		21600		162000		310000		216000	
Manganese, Total	300	7805		13490		9200		34120		19240		30740	
Mercury, Total	0.7	1.79		0.29		0.09	U	1.4		0.9		0.09	U
Nickel, Total	100	390.5		262.6		128.5		485.6		427.4		506.4	
Selenium, Total	10	23.9		6.18		1.73	U	32.7		30.8		34	
Sodium, Total	20000	650000		434000		59200		112000		401000		230000	
Thallium, Total	0.5	3.55		2		0.14	U	2.49		2.59		1.95	
Zinc, Total	2000	2341		425.1		70.25		909.7		1416		701.2	

Numerous PFAS compounds were also detected in groundwater samples across the Site, but only PFOS was detected in the groundwater sample collected from temporary monitoring well GW-1 at a concentration of 213 ng/L, exceeding its NYSDEC Groundwater Screening Level of 100 ng/L.

LOCATION	NYSDEC Screening Level		GW-1		GW-2		GW-3		GW-4		GW-5		GW-6	
		Units	Results	Q	Results	Q	Results	Q	Results	Q	Results	Q	Results	Q
Perfluorinated Alkyl Acids by Isotope Dilution														
Perfluorobutanoic Acid (PFBA)		ng/l	26.8		16.6		5.3		5.4		15.2		10.3	
Perfluoropentanoic Acid (PFPeA)		ng/l	34.9		38.1		10.8		16.9		26.3		33.4	
Perfluorobutanesulfonic Acid (PFBS)		ng/l	13.2		16.3		4.46		9.38		20.5		6.31	
Perfluorohexanoic Acid (PFHxA)		ng/l	27.2		28.1		9.25		12.4		22.6		21.4	
Perfluoroheptanoic Acid (PFHpA)		ng/l	16.4		14.9		6.99		6.93		17.5		13.8	
Perfluorohexanesulfonic Acid (PFHxS)		ng/l	11.8		13.2		2.34	J	1.59	JF	15.2		3.08	
Perfluorooctanoic Acid (PFOA)	100	ng/l	52.7		33		19.3		17.2		61.7		29	
Perfluoroheptanesulfonic Acid (PFHpS)		ng/l	2.83		0.829	J	2.38	U	2.11	U	1.63	J	1.84	U
Perfluorononanoic Acid (PFNA)		ng/l	11.9		1.25	J	0.842	J	7.12		7.71		8.38	
Perfluorooctanesulfonic Acid (PFOS)	100	ng/l	213		22.1	F	5.85	F	61.6	F	74.3	F	55	
Perfluorodecanoic Acid (PFDA)		ng/l	3.46		2.01	U	1.43	J	2.11	U	0.653	JF	5.48	
Perfluoroundecanoic Acid (PFUnA)		ng/l	0.716	J	2.01	U	1.64	J	2.11	U	2.21	U	1.84	U
Perfluorododecanoic Acid (PFDS)		ng/l	2.07	U	2.01	U	2.38	U	2.11	U	2.21	U	1.64	J
N-Ethyl Perfluorooctanesulfonamidoacetic Acid (NEtFOSAA)		ng/l	2.07	U	2.01	U	2.38	U	2.11	U	2.21	U	2.13	F
Perfluorododecanoic Acid (PFDoA)		ng/l	2.07	U	2.01	U	0.609	JF	2.11	U	2.21	U	1.84	U
PFOA/PFOS, Total		ng/l	213		22.1		5.85		61.6		74.3		55	

Compound Exceeds the NYSDEC October 2020 PFOS/PFOA Groundwater Screening Level

U = Compound not detected

J = Concentration Estimated

F - The ratio of quantifier ion response to qualifier ion response falls outside of the laboratory criteria. Results are considered to be an estimated maximum concentration.

Soil Vapor:

With respect to the compounds covered in the NYSDOH Soil Vapor Guidance document, carbon tetrachloride was detected in soil vapor samples SV-8 and SV-9 at concentrations ranging from 8.55 to 17.6 ug/m³, exceeding its NYSDOH Matrix A lower threshold value of 6 ug/m³. Trichloroethene (TCE) was detected in soil vapor sample SV-7 at a concentration of 8.55 ug/m³, exceeding its Matrix A lower threshold guidance value of 6 ug/m³. Tetrachloroethene (PCE) was detected in soil vapor samples SV-7 and SV-8 at concentrations of 469 ug/m³ and 834 ug/m³, exceeding its Matrix B lower threshold of 100 ug/m³. Carbon tetrachloride, TCE, and PCE were below detection limits in all 3 ambient air samples collected.

SAMPLE ID:	NY-SSC-A	NY-SSC-B	SV-7		SV-8		SV-9	
LAB ID:			L2038365-07		L2038365-08		L2038365-09	
COLLECTION DATE:			9/14/2020		9/14/2020		9/14/2020	
SAMPLE MATRIX:			SOIL_VAPOR		SOIL_VAPOR		SOIL_VAPOR	
ANALYTE	(ug/m ³)	(ug/m ³)	Conc	Q	Conc	Q	Conc	Q
VOLATILE ORGANICS IN AIR								
Carbon tetrachloride	6		ND		8.55		17.6	
Trichloroethene	6		8.55		4.15		ND	
Tetrachloroethene		100	469		834		62.9	

There are also numerous other petroleum BTEX (benzene, toluene, ethylbenzene and xylene) compounds and other VOC compounds in soil vapor, for which there are no State guidance levels present under the entire Site.

NOTE: There are no responses to Questions 11-13 on the BCP Application Form since this Site

is not located in New York City.

PART B

SECTION V- ADDITIONAL REQUESTOR INFORMATION

See Section I, Requestor Information and responses in the Application form. As stated in Section I, the Requestor has no prior relationship with any current or past owners or operators of the Site other than the Requestor intends to purchase the Site from current owner 70 Westchester LLC. *See also* Exhibit E, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's involvement at the Site.

SECTION VI- CURRENT PROPERTY OWNER/OPERATOR INFORMATION

70 Westchester LLC is the owner of the Site since 2007. *See* Exhibit C Deeds.

A past owner and operator list is attached as Exhibit E. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestor's relationship to each owner and operator (all of which are "None") except for the current owner from which the Requestor will acquire the Site. Exhibit E also includes the prior operators' use of the Site, which generally included commercial car dealership related uses.

SECTION VII- REQUESTOR ELIGIBILITY INFORMATION

Please refer to responses to Questions 1-10 on the BCP Application Form.

11. Unregistered bulk storage tanks

No unregistered tanks are located on this Site. There are four registered above ground storage tanks still located on the Site. *See* Ex. M Westchester PBS Registration for 4 Above Ground Storage Tanks (ASTs).

REQUESTOR CERTIFICATION

The Requestor certifies it is a Volunteer, since it does not own the Site, does not have nor has ever had a relationship with any of the past owners or operators of the Site, and did not have involvement with the Site at the time of disposal. The Requestor has performed all required environmental due diligence prior to acquiring the Site.

SECTION VIII- PROPERTY ELIGIBILITY INFORMATION

Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirm the Site is not ineligible for the BCP.

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site's eligibility for the BCP.

The Site meets the definition of an eligible "brownfield site" in Environmental Conservation Law § 27-1405(2) as "any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations." Environmental investigation results show evidence of impact from the Site's previous commercial car dealership and auto repair uses, which can be linked to and caused Site contamination above the applicable cleanup standards. See Environmental Reports and the Spider Maps in Exhibit F, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

SECTION IX - CONTACT LIST INFORMATION

See Exhibit K for the Site Contact List. See Exhibit L, for the Repository Letter.

SECTION X- LAND USE FACTORS

1. Current Zoning

The Site is currently located in the RM-0.35 and B-3 Districts. RM-0.35 is a Residential Multi-Family District. B-3 is an intermediate Business District zone. Therefore, half the property is zoned residential and rezoning is not required. *See Exhibit I Zoning Map.* The Site is in the Special White Plains Westchester Avenue Urban Renewal Zone formed to assist this development. *See Exhibit I Urban Renewal Zoning Resolution.* The Requestor is seeking site plan approval and a special use permit to increase density given the split zoning and to accommodate the Project description above.

2. Current Use

This Site is currently an active car dealership and will remain a car dealership until remediation commences.

3. Intended Use Post Remediation

Post remediation use of the Site will be a mixed use commercial and residential project. *See* Section II, Project Scope for a more detailed description.

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

Yes, downtown White Plains has been seeing a resurgence in downtown mixed use development. An urban renewal area was created for 19 building lots including the former six lots that make up this Site. *See* Exhibit I Urban Renewal Zoning Resolution. Therefore, the City of White Plains is fully supportive of this Project.

5. Is the proposed use consistent with applicable zoning laws/maps?

Yes, the proposed use is consistent with the applicable zoning for the Site. *See* Exhibit I Zoning Map and Urban Renewal Zoning Resolution.

6. Consistent with the Master Plan?

Yes, the project is consistent with the Special White Plains Westchester Avenue Urban Renewal Zone resolution attached hereto in Exhibit I. The RM-0.35 and B-3 Districts allow substantially more development than currently exists in the Project Area. Given the Site's location across the street from The Westchester Mall, the City concluded that the Project Area, including this Site, is underperforming, and should contain a better mix of land uses to attain its development and marketability potential. The current development by existing land intensive auto-related uses do not generate large amounts of property taxes (which are largely based on the value of the improvements to the land) are substantially below the potential relative to the 4- to 12-story development that is zoned for the Site. Since there is a substantial foregone amount of potential property tax revenue and future employment base for the City when compared to the strong economic potential of the area, the Project is consistent with the City's Urban Renewal redevelopment plan for the area to increase density and property taxes.

EXHIBIT A

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through November 3, 2020.

Selected Entity Name: SABER-NORTH WHITE PLAINS, LLC

Selected Entity Status Information

Current Entity Name: SABER-NORTH WHITE PLAINS, LLC

DOS ID #: 5757690

Initial DOS Filing Date: MAY 28, 2020

County: WESTCHESTER

Jurisdiction: NEW YORK

Entity Type: DOMESTIC 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 UNISEARCH, INC.

99 WASHINGTON AVE STE 805A

ALBANY, NEW YORK, 12210-2822

Registered Agent

UNISEARCH, INC.

99 WASHINGTON AVE STE 805A

ALBANY, NEW YORK, 12210-2822

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
MAY 28, 2020	Actual	SABER-NORTH WHITE PLAINS, LLC

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](#)

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[Homepage](#) | [Contact Us](#)

EXHIBIT B

SOLE MEMBER WRITTEN CONSENT

The undersigned, being the Sole Member of Saber-North White Plains, LLC, does hereby certify as follows:

1. Saber-North White Plains, LLC is the prospective volunteer for the White Plains Chrysler Car Dealership Site located at 70 Westchester Avenue, New Rochelle, New York (consolidated lot number 126-61-3-15.1), formerly known as 70 Westchester Avenue (126.61-3-15); 64-68 Westchester Avenue (126.61-3-16.1); 62 Westchester Avenue (126.61-3-16.2); 42-44 Franklin Avenue (126.61-3-25); 38-40 Franklin Avenue (126.61-3-24) and 30-36 Franklin Avenue (126.61-3-23) (the "Site").

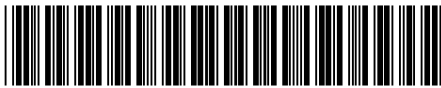
2. Sole Member Martin G. Berger has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer Saber-North White Plains, LLC.

IN WITNESS WHEREOF, the undersigned has executed this Sole Member written Consent on this 28 day of October, 2020.



Martin G. Berger
Saber-North White Plains, LLC
Sole Member

EXHIBIT C



472670556DED1

Control Number
472670556

Instrument Type
DED



**WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)**

***** DO NOT REMOVE *****

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT: DED - DEED

FEE PAGES: 8 TOTAL PAGES: 8

RECORDING FEES

STATUTORY CHARGE	\$6.00
RECORDING CHARGE	\$24.00
RECORD MGT. FUND	\$19.00
RP 5217	\$165.00
TP-584	\$5.00
CROSS REFERENCE	\$0.00
MISCELLANEOUS	\$0.00
TOTAL FEES PAID	\$219.00

TRANSFER TAXES

CONSIDERATION	\$6,120,000.00
TAX PAID	\$24,480.00
TRANSFER TAX #	2399

**RECORDING DATE: 10/4/2007
TIME: 11:20:00**

MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
COUNTY TAX	\$0.00
YONKERS TAX	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
TOTAL PAID	\$0.00

**SERIAL NUMBER:
DWELLING:**

**THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY, NEW YORK IN THE:
CITY OF WHITE PLAINS**

WITNESS MY HAND AND OFFICIAL SEAL

**TIMOTHY C. IDONI
WESTCHESTER COUNTY CLERK**

**Record & Return to:
WESTERMAN BALL EDERER MILLER & S
170 OLD COUNTRY RD
4TH FL
MINEOLA, NY 11501**

First American Title Ins. Co. of New York
188 East Post Road
White Plains, New York 10601
(914) 428-3433 (800) 942-1893

DEED

3608-193967

R.J.A. REALTY LLC

to

70 WESTCHESTER LLC

Date: August 29, 2007

Premises: 70 Westchester Avenue
White Plains, New York 10601
Block: 3 Lots: 15, 16.1, 16.2, 23, 24, and 25
County: Westchester

Record and Return to:
Philip L. Sharfstein, Esq.
Westerman Ball Ederer Miller & Sharfstein, LLP
170 Old Country Road
Fourth Floor
Mineola, New York 11501

SPACE RESERVED FOR RECORDING OFFICE USE

DEED

THIS INDENTURE, made as of the 29th day of August, 2007 between R.J.A. REALTY LLC, a New York limited liability company, having an office c/o 16442 Brookfield Estates Way, Delray Beach, Florida 33446 (hereinafter referred to as "party of the first part") and 70 WESTCHESTER LLC, a New York limited liability company, having an office at 70 Westchester Avenue, White Plains, New York 10601 (hereinafter referred to as "party of the second part"),

WITNESSETH, that the party of the first part, in consideration of Ten Dollars (\$10.00), and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL those certain plots, pieces or parcels of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Westchester, City of White Plains and State of New York, and as more particularly described in the legal description attached hereto as Exhibit A, being the same premises conveyed by that certain deed recorded on January 5, 2001 as Control Number 403620190.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the premises described in each of the exhibits annexed hereto;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.


AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

R.J.A. REALTY LLC

By: 

Name: James E. Goldfein
Title: Managing Member

STATE OF FLORIDA

COUNTY OF

Palm Beach SS

On this *27* day of August in the year 2007 before me, the undersigned, personally appeared James E. Goldfein personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity and that by his/her signature on the instrument the individual, or person upon behalf of which the individual acted, executed the instrument.

Robin Penny Rodgers
Notary Public



Robin Penny Rodgers
Commission # DD413702
Expires June 28, 2009
Bonded Troy Fain - Insurance, Inc. 800-385-7019

EXHIBIT A

SCHEDULE A

Legal Description of Premises

All that certain plot, piece or parcel of land, situate, lying and being in the City of White Plains, County of Westchester and State of New York, bounded and described as follows:

Beginning at a point on the southerly side of Franklin Avenue, distant 350.00 feet easterly from the corner formed by the intersection of the southerly side of Franklin Avenue with the easterly side of Westchester Avenue;

Running thence along the southerly side of Franklin Avenue, North 72° 26' 50" East, 215.02 feet;

Thence South 17° 33' 10" East, 178.47 feet;

Thence South 77° 03' 20" West, 59.15 feet;

Thence South 00° 36' 50" West, 249.36 feet to the northerly side of Westchester Avenue;

Thence along the northerly side of Westchester Avenue, North 85° 40' 00" West 197.90 feet;

Thence North 02° 54' 00" East, 97.67 feet;

Thence North 00° 12' 40" East, 75.11 feet;

Thence North 02° 42' 50" East, 18.59 feet;

Thence North 76° 50' 30" East 36.93 feet;

Thence North 17° 33' 10" West, 39.75 feet;

Thence North 72° 26' 50" East, 5.00 feet;

Thence North 17° 33' 10" West, 119.49 feet to the southerly side of Franklin Avenue, the point or place of BEGINNING.

WESTCHESTER COUNTY CLERK RECORDING SHEET

110 Dr. Martin Luther King, Jr. Boulevard

White Plains, NY 10601

----- THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH DOCUMENT -----

This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this document.

To the best of the submitter's knowledge the information contained on this Recording Sheet is consistent with the information contained in the attached document.

SUBMITTER INFORMATION:

Title Number: 3008-193967

Company: First American Title Ins. Co. of New York

Address: 188 East Post Road

White Plains, New York 10601

City: (914) 428-3433 (800) 942-1898

Zip: _____

Telephone: _____

Attention: _____

Document type: <u>Deed</u>		# of pages: <u>7</u>	Mortgage Amount On page ____ of document		Dwelling Type: For Mortgage Only On page ____ of document	
1st party name(s) (i.e. grantor/mortgagor) On page ____ of document		Business Entity	OR		<input type="checkbox"/> 1 to 2 family <input type="checkbox"/> 1 to 6 family <input checked="" type="checkbox"/> Not 1 to 6 family	
<u>RTA Realty LLC</u>		<input checked="" type="checkbox"/>	Consideration/Conveyance Amt: \$ <u>6,120,000</u>			
		<input type="checkbox"/>	Check if submitted:			
		<input type="checkbox"/>	<input checked="" type="checkbox"/> RP-5217 - <u>75</u> <input checked="" type="checkbox"/> \$165 <input checked="" type="checkbox"/> TP-584 - Type of property conveyed [1 through 8] <u>5</u> <input type="checkbox"/> TP-584.1 <input type="checkbox"/> IT-2663			
2nd party name(s) (i.e. grantee/mortgagee) On page ____ of document		Business Entity	TAXES PAID:		Reference # Or Check #	
<u>70 Westchester LLC</u>		<input type="checkbox"/>	Mortgage Tax \$ _____		_____	
		<input type="checkbox"/>	Transfer Tax \$ <u>24480-</u>		_____	
		<input type="checkbox"/>	Mansion Tax \$ _____		_____	
		<input type="checkbox"/>	RECORDING FEES PAID:		Reference # or Check #	
		<input type="checkbox"/>	\$ <u>215</u>		_____	
Tax designation (Section, Block & Lot) On page ____ of document		MORTGAGE TAX AFFIDAVITS SUBMITTED:				
<u>126.61 / 3 / 15, 16.1, 16.2</u>		<input type="checkbox"/> 252 <input type="checkbox"/> 255 <input type="checkbox"/> 280 Other: _____ <input type="checkbox"/> 253 <input type="checkbox"/> 260 <input type="checkbox"/> 339-ee _____				
City(ies) or Town(s) for Property Description On page ____ of document		Cross Reference(s): On page ____ of document				
<u>White Plains</u>		_____				
Property Description -- If required, check the one contained within the document.			Record and Return To:			
<input checked="" type="checkbox"/> Metes & bounds <input type="checkbox"/> Lot number on map filed in the Office of the County Clerk <input type="checkbox"/> Refer to deed recorded in the Office of the County Clerk			<u>Westerman Ball Gderes</u> <u>Miller & Sharfstein LLP</u> <u>170 St. County Rd. 41371</u> <u>Mineola, NY 11501</u>			

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



590463279WAV0019

Westchester County Recording & Endorsement Page

Submitter Information

Name: Sutton Alliance Phone: 516 837 6204
Address 1: 515 Rockaway Avenue Fax: 516 837 6504
Address 2: Email: Recordings@suttonalliance.com
City/State/Zip: Valley Stream NY 11581 Reference for Submitter: SL-002643

Document Details

Control Number: **590463279** Document Type: **Waiver (WAV)**
Package ID: 2019021500148001001 Document Page Count: **10** Total Page Count: **13**

Parties

☒ Additional Parties on Continuation page

1st PARTY

2nd PARTY

1: COMMON COUNCIL OF THE CITY OF WHITE PLAINS - Other 1:
2: CHAUNCEY WHITE PLAINS LLC - Other 2:

Property

☒ Additional Properties on Continuation page

Street Address: 106 WESTCHESTER AVE Tax Designation: 126.61-3-11
City/Town: WHITE PLAINS Village:

Cross- References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$55.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$0.00
TP-584 Filing Fee: \$0.00
Total Recording Fees Paid: **\$95.00**

Transfer Taxes

Consideration: \$0.00
Transfer Tax: \$0.00
Mansion Tax: \$0.00
Transfer Tax Number:

Mortgage Taxes

Document Date:
Mortgage Amount:

Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt: ☐
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 02/22/2019 at 10:22 AM
Control Number: **590463279**
Witness my hand and official seal

Timothy C. Idoni

Timothy C. Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

Sutton Alliance LLC
515 Rockaway Avenue

Valley Stream, NY 11581
Attn: Recording Dept

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

590463279WAV0019

Westchester County Recording & Endorsement Page

Document Details

Control Number: 590463279 Document Type: Waiver (WAV)
Package ID: 2019021500148001001 Document Page Count: 10 Total Page Count: 13

1st PARTY Addendum

2nd PARTY Addendum

SABER WHITE PLAINS LLC	Other
SCHOOL DISTRICT OF THE CITY OF WHITE PLAINS	Other
70 WESTCHESTER LLC	Other
WHITE PLAINS CITY OF COMMON COUNCIL	Other
WHITE PLAINS CITY OF SCHOOL DISTRICT	Other

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

590463279WAV0019

Westchester County Recording & Endorsement Page

Document Details

Control Number: **590463279**

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Properties Addendum

92-98 WESTCHESTER AVE 10601	WHITE PLAINS	126.61-3-12
80 WESTCHESTER AVE 10601	WHITE PLAINS	126.61-3-13
84-88 WESTCHESTER AVE 10601	WHITE PLAINS	126.61-3-14
50 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-26
58-60 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-27
62 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-28
50-62 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-29
80 WESTCHESTER AVE 10601	WHITE PLAINS	126.61-3-13
84-88 WESTCHESTER AVE 10601	WHITE PLAINS	126.61-3-14
92-98 WESTCHESTER AVE 10601	WHITE PLAINS	126.61-3-12
7 & 11 AMHERST PL 10601	WHITE PLAINS	126.61-3-1
30-36 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-23
38-40 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-24
42-44 FRANKLIN AVE 10601	WHITE PLAINS	126.61-3-25

Termination and Release of Restrictive Covenant

WHEREAS, on April 2, 2018, the Common Council of the City of White Plains (the “City”) granted site plan approval (the “Approval”) for redevelopment of the real property known and designated on the City tax assessment map as Section 126.61, Block 3, Lots 11-14, and 26-29 (the “Development Site”) as a mixed-use residential/commercial facility consisting of approximately 25,000 square feet of retail and restaurant space, 276 dwelling units, and 745 parking spaces, including 275 spaces exclusively for City municipal use; and

WHEREAS, the City, having an address of 255 Main Street, White Plains, New York 10601, is the owner of the portion of the Development Site comprised of the real property known as 50-62 Franklin Avenue, and known and designated on the City tax assessment map as Section 126.61, Block 3, Lots 26-29 (the “City Property”); and

WHEREAS, Chauncey White Plains, LLC (“Chauncey”), having an address at c/o Saber Real Estate Advisors, 80 Business Park Drive, Suite 306, Armonk, New York 10504, is the owner of the portion of the Development Site comprised of the real property known as 80 Westchester Avenue, White Plains, New York 10601, and known and designated on the City tax assessment map as Section 126.61, Block 3, Lots 13 and 14 (the “Chauncey Property”); and

WHEREAS, Saber White Plains, LLC (“Saber”), having an address at 80 Business Park Drive, Suite 306, Armonk, New York 10504, is the owner of the portion of the Development Site comprised of the real property known as 90-96 Westchester Avenue, White Plains, New York 10601, and known and designated on the City tax assessment map as Section 126.61, Block 3, Lot 12 (the “Saber Property”); and

WHEREAS, the School District of the City of White Plains, New York (the “District”), having an address of 5 Homeside Lane, White Plains, New York 10605, is the owner of real property in the City known and designated on the City tax assessment map as Section 126.61, Block 3, Lot 1 (the “School District Property”), which adjoins the Development Site; and

WHEREAS, 70 Westchester LLC (“70 Westchester”), having an address of 70 Westchester Avenue, White Plains, New York 10601, is the owner of real property in the City known and designated on the City tax assessment map as Section 126.61, Block 3, Lot 23, 24 and 25 (the “70 Westchester Property”), which adjoins the Development Site; and

WHEREAS, by virtue of deeds dated in the nineteenth century and recorded in the Westchester County Clerk’s office in but not limited to the following Libers and Pages:

Liber 1289 Cp. 122; Liber 1290 Cp. 385; Liber 1262 Cp. 438; Liber 1370 Cp. 36;
 Liber 1205 Cp. 4; Liber 1222 Cp. 398; Liber 1258 Cp. 336; Liber 1289 Cp. 122;
 Liber 1622 Cp. 237; Liber 1622 Cp. 239; Liber 1622 Cp. 241; Liber 1622 Cp. 243;
 Liber 1622 Cp. 246; Liber 1622 Cp. 248;

there may exist a restriction that “no building be erected... nearer than 25 feet from the south line or side of” Franklin Avenue (f/k/a Oakley Avenue) and that no nuisance be created on the properties referred to in such deeds (the “Setback”); and

WHEREAS, pursuant to the Approval, certain structures on the Development Site will be located nearer than 25 feet from the south side of Franklin Avenue (f/k/a Oakley Avenue); and

WHEREAS, the City Property, the School District Property, the Chauncey Property, the Saber Property and the 70 Westchester Property may all be subject to the Setback and each party hereto may have the right to enforce such Setback against the property of the others; and

WHEREAS the parties hereto recognize and acknowledge that there has been a substantial change in the neighborhood since the Setback was imposed, and that the Setback may also affect additional properties owned by others, and that some or all of such properties have structures erected thereon which violate the Setback;

NOW THEREFORE, in consideration of \$10, and other good and valuable consideration, each to the other paid, receipt of which is acknowledged, and in consideration of the mutual covenants herein contained, the City, the District, Chauncey, Saber and 70 Westchester agree that:

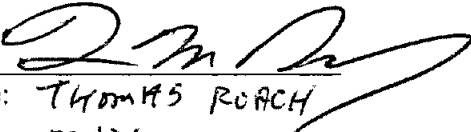
1. The Setback no longer serves a meaningful purpose.
2. The City hereby relinquishes and releases the School District Property, the Chauncey Property, the Saber Property and the 70 Westchester Property from any rights that it may have with respect to the Setback, and agrees that the Setback is with respect to the School District Property, the Chauncey Property, the Saber Property and the 70 Westchester Property hereby terminated and extinguished and of no further force and effect.
3. Chauncey hereby relinquishes and releases the City Property, the School District Property, the Saber Property and the 70 Westchester Property from any rights that it may have with respect to the Setback, and agrees that the Setback is with respect to the City Property, the School District Property, the Saber Property and the 70 Westchester Property hereby terminated and extinguished and of no further force and effect.
4. The District hereby relinquishes and releases the City Property, the Chauncey Property, the Saber Property and the 70 Westchester Property from any rights that it may have with respect to the Setback, and agrees that the Setback is with respect to the City Property, the Chauncey Property, the Saber Property and the 70 Westchester Property hereby terminated and extinguished and of no further force and effect.
5. Saber hereby relinquishes and releases the City Property, the School District Property, the Chauncey Property and the 70 Westchester Property from any rights that it may have with respect to the Setback, and agrees that the Setback is with respect to the City Property, the School District Property, the Chauncey Property and the 70 Westchester Property hereby terminated and extinguished and of no further force and effect.
6. 70 Westchester hereby relinquishes and releases the City Property, the Chauncey Property, the Saber Property and the School District Property from any rights that it may have with respect to the Setback, and agrees that the Setback is with respect to the City Property, the Chauncey Property, the Saber Property and the School District Property hereby terminated and extinguished and of no further force and effect.
7. Chauncey and Saber agree that neither they nor any successor or assign of either or both shall hereafter obtain a release of the Setback from any other party potentially entitled to enforce it against the Chauncey Property, Saber Property and 70 Westchester Property unless Chauncey or Saber also obtains a corresponding release of the Setback against the 70 Westchester Property on the same terms and conditions.
8. This Termination and Release shall be recorded against the City Property, the Chauncey Property, the Saber Property, the School District Property, and the 70 Westchester Property and shall run with the land and be binding upon the heirs, successors, and assigns of each of the parties hereto.

9. This Termination and Release of Restrictive Covenant may be executed by the parties in one or more counterparts, each of which, when so executed, shall be an original but all such counterparts shall constitute but one and the same instrument.


IN WITNESS WHEREOF this Termination and Release of Restrictive Covenant has been executed by each of the parties as of the 1st day of February, 2019.

[Nothing further on this page; signatures and acknowledgements follow.]

CITY OF WHITE PLAINS

By: 
Name: THOMAS ROACH
Title: Mayor

APPROVED AS TO FORM

DATED 10/10/18

St. Asa Corporation Counsel

ACKNOWLEDGMENT

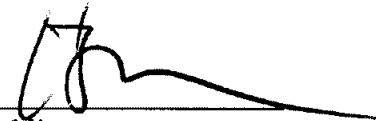
State of New York

}SS:


County of Westchester

On the 10th day of October in the year 2018, before me, the undersigned, personally appeared THOMAS ROACH, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

LESLIE BRUCE MARON
Notary Public, State of New York
No. 02MA4667211
Qualified in Westchester County
Commission Expires September 30, 2022
22


Notary Public

CHAUNCEY WHITE PLAINS, LLC

By: 
Name: Corey B. Rabin
Title: Managing Member

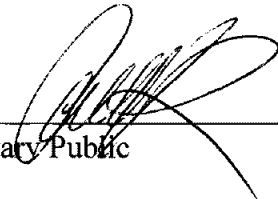
ACKNOWLEDGMENT

State of New York

} SS:

County of Westchester

On the 16th day of January in the year 2019, before me, the undersigned, personally appeared Corey B. Rabin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

AMY KRUSE
Notary Public, State of New York
No. 01-KR6 048360
Qualified in Westchester County
Commission Expires 9/25/22

SABER WHITE PLAINS, LLC

By: 

Name: Martin G. Berger

Title: Managing Member

ACKNOWLEDGMENT

State of New York

}SS:

County of Westchester

On the 16 day of January in the year 2019, before me, the undersigned, personally appeared Martin G. Berger, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JEANETTE TRIVIGNO
Notary Public, State of New York
No. 01TR6001701
Qualified in Dutchess County
Commission Expires January 20, 2022

SCHOOL DISTRICT OF THE CITY OF WHITE PLAINS

By: Rosemarie Eller

Name: ROSEMARIE ELLER

Title: BOARD OF EDUCATION PRESIDENT

ACKNOWLEDGMENT

State of New York

}SS:


County of Westchester

On the 14th day of January in the year 2019, before me, the undersigned, personally appeared Rosemarie Eller, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Michele Schoenfeld
Notary Public

MICHELE SCHOENFELD
NOTARY PUBLIC, State of New York
No. 4770865
Qualified in Westchester County
Term Expires 8/31/22

70 WESTCHESTER LLC

By: 
Name: Agostino A. DiFeo
Title: Member

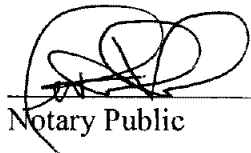
ACKNOWLEDGMENT

State of New York

}SS:

County of Westchester

On the 1 day of February in the year 2019, before me, the undersigned, personally appeared Agostino A. DiFeo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JILL HAYWARD
Notary Public, State of New York
No. 01HA6040287
Qualified in Westchester County
Term Expires 4-18-22

CERTIFICATE OF AUTHORITY

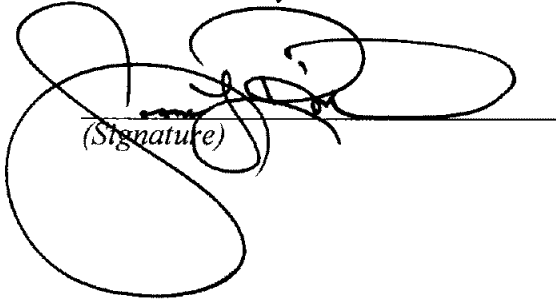
I, JOSEPH L. PICCA, Ed.D., certify that:

1. I am the SUPERINTENDENT OF SCHOOLS of the School District of the City of White Plains, a New York State education corporation (the "District");

2. ROSEMARIE ELLER, the person who signed this Termination and Release of Restrictive Covenant on behalf of the District was, at the time of execution, BOARD PRESIDENT of the District; and

3. That this Termination and Release of Restrictive Covenant was duly executed for and on behalf of the District by authority of BOARD OF EDUCATION, and that such authority is in full force and effect at the date hereof.

Dated: JANUARY 14, 2019


(Signature)

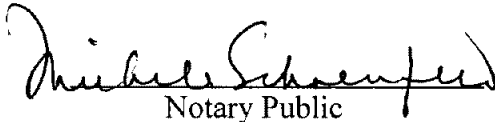
ACKNOWLEDGMENT

State of New York

} SS:

County of Westchester

On the 14th day of January in the year 2019, before me, the undersigned, personally appeared Joseph L. Picca, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

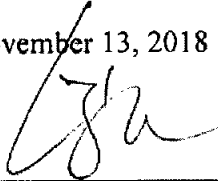
MICHELE SCHOENFELD
NOTARY PUBLIC, State of New York
No. 4770865
Qualified in Westchester County,
Term Expires 6/31/22

CERTIFICATE OF AUTHORITY

I, Leslie B. Maron, Esq., certify that:

1. I am the Senior Assistant Corporation Counsel of the City of White Plains, a New York State municipal corporation (the "City");
2. Thomas Roach, the person who signed a Termination and Release of Restrictive Covenant on behalf of the City relating to City property with an address of 50-62 Franklin Avenue, White Plains, New York 10601 (Section 126.61, Block 3, Lots 26, 27, 28 & 29), was, at the time of execution and still is as of this date, the Mayor of the City; and
3. That the Termination and Release of Restrictive Covenant was duly executed for and on behalf of the City pursuant to Section 3.14 of a certain Contract of Sale authorized by an Ordinance adopted by the Common Council of the City on April 2, 2018, and that such authority is in full force and effect at the date hereof.

Dated: November 13, 2018



LESLIE B. MARON, ESQ.

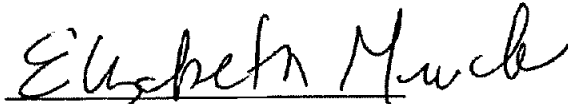
ACKNOWLEDGMENT

State of New York

}SS:

County of Westchester

On the 13th day of NOVEMBER in the year 2018, before me, the undersigned, personally appeared LESLIE B. MARON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

ELIZABETH C. MIRISOLA
Notary Public, State of New York
No. 02MI6313534
Qualified in Westchester County
Commission Expires October 20, 2019

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



602403632CNT002Q

Westchester County Recording & Endorsement Page

Submitter Information

Name: Benchmark Title Agency, LLC Phone: 914-250-2400
Address 1: Domenica Stancato Fax: 914-422-1550
Address 2: 222 Bloomingdale Road Email: dstancato@benchmarkta.com
City/State/Zip: White Plains NY 10605 Reference for Submitter: BRS1202964

Document Details

Control Number: **602403632** Document Type: **Contract (CNT)**
Package ID: 2020082700259001002 Document Page Count: **7** Total Page Count: **9**

Parties

☐ Additional Parties on Continuation page

1st PARTY

2nd PARTY

1: 70 WESTCHESTER LLC - Other 1: SABER-NORTH WHITE PLAINS LLC - Other
2: 2:

Property

☒ Additional Properties on Continuation page

Street Address: 70 WESTCHESTER AVENUE Tax Designation: 126.61-3-15
City/Town: WHITE PLAINS Village:

Cross- References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$40.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$0.00
TP-584 Filing Fee: \$5.00
RPL 291 Notice Fee: \$0.00
Total Recording Fees Paid: **\$85.00**

Transfer Taxes

Consideration: \$0.00
Transfer Tax: \$0.00
Mansion Tax: \$0.00
Transfer Tax Number: 16260

Mortgage Taxes

Document Date:
Mortgage Amount:

Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt: ☐
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 09/01/2020 at 10:02 AM
Control Number: **602403632**
Witness my hand and official seal

Timothy C. Idoni

Timothy C. Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

BENCHMARK TITLE AGENCY LLC
222 BLOOMINGDALE RD
SUITE 102
WHITE PLAINS, NY 10605

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

602403632CNT002Q

Westchester County Recording & Endorsement Page

Document Details

Control Number: 602403632

Document Type: Contract (CNT)

Package ID: 2020082700259001002

Document Page Count: 7

Total Page Count: 9

Properties Addendum

64-68 WESTCHESTER AVENUE 10601	WHITE PLAINS	126.61 3 16.1
62 WESTCHESTER AVENUE 10605	WHITE PLAINS	126.61 3 16.2
30-36 FRANKLIN AVENUE 10601	WHITE PLAINS	126.61 3 23
38-40 FRANKLIN AVENUE 10601	WHITE PLAINS	126.61 3 24
42-44 FRANKLIN AVENUE 10601	WHITE PLAINS	126.61 3 25

MEMORANDUM OF CONTRACT

70 WESTCHESTER, LLC.

as
as SELLER

-to-

SABER-NORTH WHITE PLAINS, LLC, as PURCHASER

Premises: 70 Westchester Avenue, 38-40 Franklin Avenue, 42-44 Franklin Avenue, 62 Westchester Avenue, and 64-68 Westchester Avenue, White Plains, New York

Section: 126.61

Block: 3

Lots: 15, 16.1, 16.2, 23, 24 and 25

County: Westchester

Record and Return to:
Westerman Ball Ederer Miller Zucker & Sharfstein, LLP
1201 RXR Plaza
Uniondale, New York 11556
Attention: Philip L. Sharfstein, Esq.

MEMORANDUM OF CONTRACT

NAME AND ADDRESS OF SELLER: **70 WESTCHESTER, LLC**, a New York limited liability company having an address at 70 Westchester, LLC c/o Chrysler Jeep of White Plains, 70 Westchester Avenue, White Plains, NY 10601;

NAME AND ADDRESS OF PURCHASER: **SABER-NORTH WHITE PLAINS, LLC**, a New York limited liability company having an address at 80 Business Park Drive Suite 306, Armonk, New York 10504.

CHRYSLER JEEP OF WHITE PLAINS, INC., a New York corporation having an address at 70 Westchester Avenue, White Plains, NY 10601 is also a party to the Contract in its capacity as the sole Tenant at the Premises hereinafter described.

DATE OF CONTRACT: August 17, 2020, between Seller and Purchaser (as may be further amended in accordance with its terms, the "Contract").

FEE INTEREST TO BE CONVEYED: Those certain premises situate, lying and being located at 70 Westchester Avenue, 30-36 Franklin Avenue, 38-40 Franklin Avenue, 42-44 Franklin Avenue, 62 Westchester Avenue, and 64-68 Westchester Avenue all located in the City of White Plains, New York, Section 126.31, Block 3, Lots 15, 16.1, 16.2, 23, 24 and 25, and more particularly described on Exhibit A annexed hereto and made a part hereof (the "Premises"). The Contract provides for the conveyance from Seller to Purchaser of all of Seller's right, title and interest in and to the Premises.

CLOSING DATE: Subject to certain adjournment rights as set forth in the Contract, the Closing shall be within one hundred twenty (120) days of receipt by Purchaser of all required final, non-appealable Project Approvals (as defined in the Contract) for its proposed redevelopment of the Premises as more particularly provided in Section 3 of the Contract.

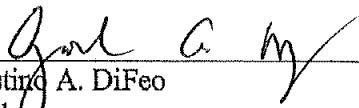
EFFECT OF MEMORANDUM: This Memorandum of Contract is entered into by the parties, and is to be recorded solely to set forth the Contract as a matter of record. Nothing contained in this Memorandum of Contract shall be deemed to modify, amend, alter, limit or otherwise change any of the provisions of the Contract itself or the rights and obligations of the parties thereto as provided therein. All capitalized terms in this Memorandum of Contract shall have the meaning ascribed in the Contract. In the event of any conflict or ambiguity between the terms of this Memorandum of Contract or the terms of the Contract, the terms of the Contract shall prevail. Reference is hereby made to the Contract for all of the terms, covenants and conditions thereof. This memorandum may be executed in counterparts.

[SIGNATURE PAGE TO FOLLOW]

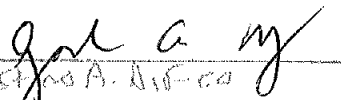
IN WITNESS WHEREOF, Seller, Purchaser and WP Chrysler have duly executed this Memorandum of Contract as of the date first above written.

SELLER:

70 WESTCHESTER, LLC:

By: 
Name: Agostino A. DiFeo
Title: Member

CHRYSLER JEEP OF WHITE PLAINS, INC.

By: 
Name: Agostino A. DiFeo
Title: president

PURCHASER:

SABER-NORTH WHITE PLAINS, LLC

By: _____
Name: Martin G. Berger
Title: Managing Member

IN WITNESS WHEREOF, Seller, Purchaser and WP Chrysler have duly executed this Memorandum of Contract as of the date first above written.

SELLER:

70 WESTCHESTER, LLC:

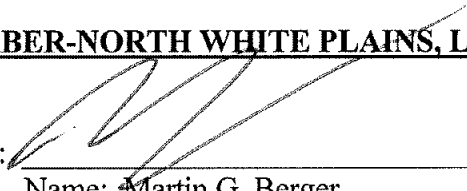
By: _____
Name: Agostino A. DiFeo
Title: Member

CHRYSLER JEEP OF WHITE PLAINS, INC.

By: _____
Name:
Title:

PURCHASER:

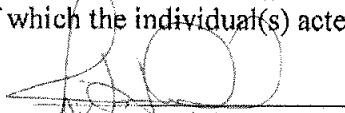
SABER-NORTH WHITE PLAINS, LLC

By:  _____
Name: Martin G. Berger
Title: Managing Member

ACKNOWLEDGEMENTS

State of New York }
 } ss.:
County of }

Westchester On the 20th day of August, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Agostino A. DiFeo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

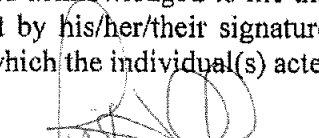


Notary Public

State of New York }
 } ss.:
County of }

JILL HAYWARD
Notary Public, State of New York
No. 01HA6040287
Qualified in Westchester County
Term Expires 4-18-22

Westchester On the 20th day of August, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Agostino A. DiFeo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

State of New York }
 } ss.:
County of }

JILL HAYWARD
Notary Public, State of New York
No. 01HA6040287
Qualified in Westchester County
Term Expires 4-18-22

On the _____ day of _____, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Martin G. Berger, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

ACKNOWLEDGEMENTS

State of New York }
 } ss.:
County of }

On the ____ day of _____, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Agostino A. DiFeo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

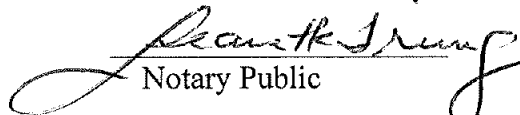
State of New York }
 } ss.:
County of }

On the ____ day of _____, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

State of New York }
 } ss.:
County of Westchester

On the 10 day of August in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Martin G. Berger, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

JEANETTE TRIVIGNO
Notary Public, State of New York
No. 01TR6001701
Qualified in Dutchess County
Commission Expires January 20, 2022

EXHIBIT A

Description of Land

SCHEDULE A

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

BEGINNING at a point on the southerly side of Franklin Avenue, distant 350.00 feet easterly from the corner formed by the intersection of the southerly side of Franklin Avenue with the easterly side of Westchester Avenue;

RUNNING THENCE along the southerly side of Franklin Avenue, North 72 degrees 26' 50" East, 215.02 feet;

THENCE South 17 degrees 33' 10" East, 178.47 feet;

THENCE South 77 degrees 03' 20" West, 59.15 feet;

THENCE South 00 degrees 36' 50" West, 249.36 feet to the northerly side of Westchester Avenue;

THENCE along the northerly side of Westchester Avenue, North 85 degrees 40' 00" West 197.90 feet;

THENCE North 02 degrees 54' 00" East, 97.67 feet;

THENCE North 00 degrees 12' 40" East, 75.11 feet;

THENCE North 02 degrees 42' 50" East, 18.59 feet;

THENCE North 76 degrees 50' 30" East 36.93 feet;

THENCE North 17 degrees 33' 10" West, 39.75 feet;

THENCE North 72 degrees 26' 50" East, 5.00 feet;

THENCE North 17 degrees 33' 10" West, 119.49 feet to the southerly side of Franklin Avenue, the point or place of BEGINNING

are free from incumbrances Fourth that the party of the first part will execute or procure any necessary assurance of the title to said premises. Fifth that the said Florence Howell will forewarn the title to said premises. In Witness whereof the said party of the first part has hereunto set the hand and seal the day and year first above written.

In the presence of

J. R. Sweeney

Florence Howell

State of New York County of Westchester ss. On the 12th day of August in the year one thousand nine hundred and two before me personally came Florence Howell, to me known and known to me to be an individual, described in and who executed the foregoing instrument and he thereupon has acknowledged to me that he executed the same.

J. R. Sweeney - Notary Public Westchester Co.
The foregoing instrument was endorsed for record as follows:
The land affected by within instrument is situated in the Town of White Plains.

A true copy of the original Deed and acknowledgment thereof recorded August 12th 1902 at 12:32 P.

Chauncey A. Bates Register

Florence Howell

To -

Chauncey A. Bates.

This Indenture made the day of August in the year one thousand nine

of White Plains County of Westchester and also
 York. Known and designated on a map
 Map of property belonging to Florence Howell
 located at White Plains N.Y. made by J. H.
 Civil Engineer and surveyor. White Plains
 July 1902 and to be filed in the office of the Reg.
 County of Westchester. Three lots being now
 bounded and described as follows viz: Begin
 a point on the southerly side of Oakley Avenue
 point where the same is intersected by the di
 at it now stands between the property herein
 and land of Mrs. Augustus Garrett and
 along southerly line of Oakley Avenue N. 72°
 eighty eight and ninety five hundredths ($88 \frac{95}{100}$)
 the northeasterly corner of land herein des
 and to land of Florence Howell ^{thence} running
 Howell's land S. $17^{\circ} 59' 30''$ east one hundred
 eighty hundredths ($180 \frac{80}{100}$) feet to the southea
 of land herein described and to other land of
 Howell. Thence S. $76^{\circ} 37'$ west eighty nine a
 hundredths ($89 \frac{18}{100}$) feet to the south westerly
 of land herein described and to land of
 Mrs. Garrett thence along said Mrs. Augus
 land N. $17^{\circ} 59' 30''$ west one hundred se
 and seventy hundredths ($173 \frac{70}{100}$) feet to
 and place of beginning. Together with the
 unobstructed right at all times to use
 said Oakley Avenue in common w

and assigns forever. And the said Florence Howell doth covenant with the said party of the second as follows. First that the said Florence Howell of the first part is seized of the said premises simple and has good right to convey the same. Second that the party of the second part shall enjoy the said premises. Third that the said lands are free from incumbrances. Fourth that the party of the first part will execute or procure further necessary assurance of the title to the premises. Fifth that the said Florence Howell forever warrant the title to said premises. Witness Whereof the said party of the first part has hereunto set his hand and seal the day and year first above written.

In the presence of } Florence Howell
John Hoag Jr. }

State of New York County of Westchester ss.
12th day of August in the year one thousand
hundred and two before me personally came
Howell, to me known and known to me to
individual described in and who executed
foregoing instrument and he thereupon
acknowledged to me that he executed the

John Hoag Jr. Notary Public
The foregoing instrument was endorsed for record.
The land affected by the within instrument is situate
in the Town of White Plains.

EXHIBIT D

SABER-NORTH WHITE PLAINS, LLC

80 Business Park Drive
Suite 306
Armonk, New York 10504

Mr. Agostino DiFeo
70 Westchester, LLC
c/o Chrysler Jeep of White Plains
70 Westchester Avenue
White Plains, NY

October 28, 2020

**Re: Site Access to Perform Brownfield Cleanup Program Work
70 Westchester Avenue Recently Consolidated Lot 126.61-3-15.1
(collectively referred to as "the Westchester Avenue Property")**

Dear Mr. DiFeo:

Saber-North White Plains, LLC is submitting a Brownfield Cleanup Program ("BCP") Application to the New York State Department of Environmental Conservation to voluntarily investigate and remediate the real property recently consolidated on Tax ID No. 126.61-3-15.1 formerly known as: 70 Westchester Avenue (Tax Parcel No. 126.61-3-15), 30-36 Franklin Avenue (Tax Parcel No. 126.61-3-23) 38-40 Franklin Avenue 126.61-3-24), 42-44 Franklin Avenue (Tax Parcel No. 126.61-3-25), 62 Westchester Avenue (Tax Parcel No. 16.61-3-16.2), and 64-68 Westchester Avenue (Tax Parcel No. 126.61-3-16.1), in the City of White Plains, New York (collectively referred to as "the "BCP Site").

As you know, 70 Westchester, LLC owns the aforementioned real property that makes up the BCP Site. We need your written permission below to access your property for the purpose of performing environmental investigation and remediation work for acceptance into the BCP.

If you agree to sign below, you are granting us what is known as a "temporary license" to allow an appropriate contractor we hire to enter the property to perform investigation and remediation work. We promise to provide you with copies of any information we generate about the property, and if we do accidentally damage your property in any way, we agree to repair the damages to restore the property to the way it was before we entered. Our contractor will also maintain insurance that would cover any accidents on the job. We promise to minimize any and all inconvenience to you in connection with this work, and will give you one week notice before the work begins. If you have any questions, please do not hesitate to call Martin Berger at 914-419-9130. Otherwise, please sign below so that this work can proceed.

To the extent an environmental easement is required for the BCP Site after the remediation is complete because a Track 1 remediation was unable to be achieved, and in the unusual circumstance that you still own the site, you are also herein giving us permission to place an environmental easement on the BCP Site to give the NYSDEC access to ensure the BCP Site is properly maintained pursuant to all program requirements.

Thank you for your cooperation.

Sincerely,



SABER-NORTH WHITE PLAINS, LLC

By. Martin Berger
Authorized Signatory

As a member of the site owner, I am authorized to grant this temporary license and agree to allow Saber-North White Plains, LLC and its agents to enter my property to perform the BCP Investigation and/or remediation work required.

70 WESTCHESTER, LLC

By. Agostino DiFeo
Authorized Signatory

Thank you for your cooperation.

Sincerely,



SABER-NORTH WHITE PLAINS, LLC

By. Martin Berger
Authorized Signatory

As a member of the site owner, I am authorized to grant this temporary license and agree to allow Saber-North White Plains, LLC and its agents to enter my property to perform the BCP Investigation and/or remediation work required.



70 WESTCHESTER, LLC
By. Agostino DiFeo
Authorized Signatory

EXHIBIT E

PREVIOUS OWNERS & OPERATORS LIST
White Plains Chrysler Car Dealership Site
70 Westchester Avenue, White Plains, New York 10601

Year	Contact Information	Status	Relation to Requestor
Owner – Parcel I (Approximately former Lot 15)			
Unknown-1945	Meden Realty Corporation Last Known Address: 331 North Main Street Phone: Unknown Port Chester, New York 10573	Unknown	None
1945-1957	Floruss Realty Corporation Last Known Address: 70 Westchester Avenue Phone: Unknown White Plains, New York 10601	Unknown	None
1957-1962	Frank M. Russell and Lyman E. Russell (Deceased 12/14/1959) Last Known Address: 2305 Bay Drive Phone: Unknown Pompano Beach, FL	Unknown	None
1962-1963	Florence L. Russell Last Known Address: 2305 Bay Drive Phone: Unknown Pompano Beach, FL	Unknown	None
1963-1967	Chrysler Motors Corporation Address: 1000 Chrysler Dive Phone: (248) 576-5741 Auburn Hills, Michigan 48326	Inactive 1/9/1990	None
1967-2000	Chrysler Realty Corporation Address: 1000 Chrysler Dive Phone: (248) 512-2000 Auburn Hills, Michigan 48326	Inactive 1/6/2004	None
2000-2007	R.J.A Realty LLC Address: 7605 Della Verde Way Phone: (561) 638-0017 Delray Beach, Florida 33446	Active	None
2007-Present	70 Westchester LLC Address: 70 Westchester Avenue Phone: (914) 946-2600 White Plains, New York 10601	Active	Current Owner of Site
Owner – Parcel II (Approximately Former Lot 25)			
Unknown-1902	Florence Howell Address: Unknown Phone: Unknown	Unknown	None
1902-Unknown	Chauncey A. Bates Address: Unknown Phone: Unknown	Unknown	None
Unknown-1957	Florence L. Russell Last Known Address: 2305 Bay Drive Phone: Unknown Pompano Beach, FL	Unknown	None
1957-1962	Sarah Russell and Lyman E. Russell (Deceased 12/14/1959) Last Known Address: 18 West Way Phone: Unknown Chappaqua, New York	Unknown	None
1962-1963	Florence L. Russell Last Known Address: 2305 Bay Drive Phone: Unknown Pompano Beach, FL	Unknown	None
1963-2000	Chrysler Realty Corporation Address: 1000 Chrysler Dive Phone: (248) 512-2000 Auburn Hills, Michigan 48326	Inactive 1/6/2004	None
2000-2007	R.J.A. Realty LLC Address: 7605 Della Verde Way Phone: (561) 638-0017 Delray Beach, Florida 33446	Active	None

PREVIOUS OWNERS & OPERATORS LIST
White Plains Chrysler Car Dealership Site
70 Westchester Avenue, White Plains, New York 10601

2007-Present	70 Westchester LLC Address: 70 Westchester Avenue White Plains, New York 10601	Phone: (914) 946-2600	Active	Current Owner of Site
Owner -Parcel III (Approximately Former Lot 24)				
Unknown- 1902	Florence Howell Address: Unknown	Phone: Unknown	Unknown	None
1902- Unknown	Chauncey A. Bates Address: Unknown	Phone: Unknown	Unknown	None
Unknown- 1957	Florence L. Russell Last Known Address: 2305 Bay Drive Pompano Beach, FL	Phone: Unknown	Unknown	None
1957-1962	Sarah Russell and Lyman E. Russell (Deceased 12/14/1959) Last Known Address: 18 West Way Chappaqua, New York	Phone: Unknown	Unknown	None
1962-1963	Florence L. Russell Last Known Address: 2305 Bay Drive Pompano Beach, FL	Phone: Unknown	Unknown	None
1963-2000	Chrysler Realty Corporation Address: 1000 Chrysler Dive Auburn Hills, Michigan 48326	Phone: (248) 512-2000	Inactive 1/6/2004	None
2000-2007	R.J.A. Realty LLC Address: 7605 Della Verde Way Delray Beach, Florida 33446	Phone: (561) 638-0017	Active	None
2007-Present	70 Westchester LLC Address: 70 Westchester Avenue White Plains, New York 10601	Phone: (914) 946-2600	Active	Current Owner of Site
Owner – Parcel IV (Approximately Former Lot 16.2)				
Unknown- 1946	62 Westchester Avenue Corporation, Glen L. Werly Address: Unknown	Phone: Unknown	Deceased 2/8/1985	None
1946-1948	Murray Pontiac Co., Inc. Address: Unknown	Phone: Unknown	Unknown	None
1948-1964	Katherine W. Murry and Verne L. Murry Address: Unknown	Phone: Unknown	Unknown	None
1964-1968	Frank W. Fitzpatrick and Adella Fitzpatrick Address: Unknown	Phone: Unknown	Unknown	None
1968-2000	Chrysler Realty Corporation Address: 1000 Chrysler Dive Auburn Hills, Michigan 48326	Phone: (248) 512-2000	Inactive 1/6/2004	None
2000-2007	R.J.A. Realty LLC Address: 7605 Della Verde Way Delray Beach, Florida 33446	Phone: (561) 638-0017	Active	None
2007-Present	70 Westchester LLC Address: 70 Westchester Avenue White Plains, New York 10601	Phone: (914) 946-2600	Active	Current Owner of Site
Owner- Parcel V (Approximately Former Lot 16.1)				
Unknown- 1966	Lucy Matera Address: Unknown	Phone: Unknown	Unknown	None

PREVIOUS OWNERS & OPERATORS LIST
White Plains Chrysler Car Dealership Site
70 Westchester Avenue, White Plains, New York 10601

1966-1968	Frank W. Fitzpatrick and Adella Fitzpatrick Address: Unknown Phone: Unknown	Unknown	None
1968-2000	Chrysler Realty Corporation Address: 1000 Chrysler Dive Auburn Hills, Michigan 48326 Phone: (248) 512-2000	Inactive 1/6/2004	None
2000-2007	R.J.A. Realty LLC Address: 7605 Della Verde Way Delray Beach, Florida 33446 Phone: (561) 638-0017	Active	None
2007-Present	70 Westchester LLC Address: 70 Westchester Avenue White Plains, New York 10601 Phone: (914) 946-2600	Active	Current Owner of Site
Owner – Parcel VI (Approximately Former Lot 23)			
Unknown- 1966	Mercedes Duran Address: Unknown Phone: Unknown	Unknown	None
1966-1968	Frank W. Fitzpatrick and Adella Fitzpatrick Address: Unknown Phone: Unknown	Unknown	None
1968-2000	Chrysler Realty Corporation Address: 1000 Chrysler Dive Auburn Hills, Michigan 48326 Phone: (248) 512-2000	Inactive 1/6/2004	None
2000-2007	R.J.A. Realty LLC Address: 7605 Della Verde Way Delray Beach, Florida 33446 Phone: (561) 638-0017	Active	None
2007-Present	70 Westchester LLC Address: 70 Westchester Avenue White Plains, New York 10601 Phone: (914) 946-2600	Active	Current Owner of Site

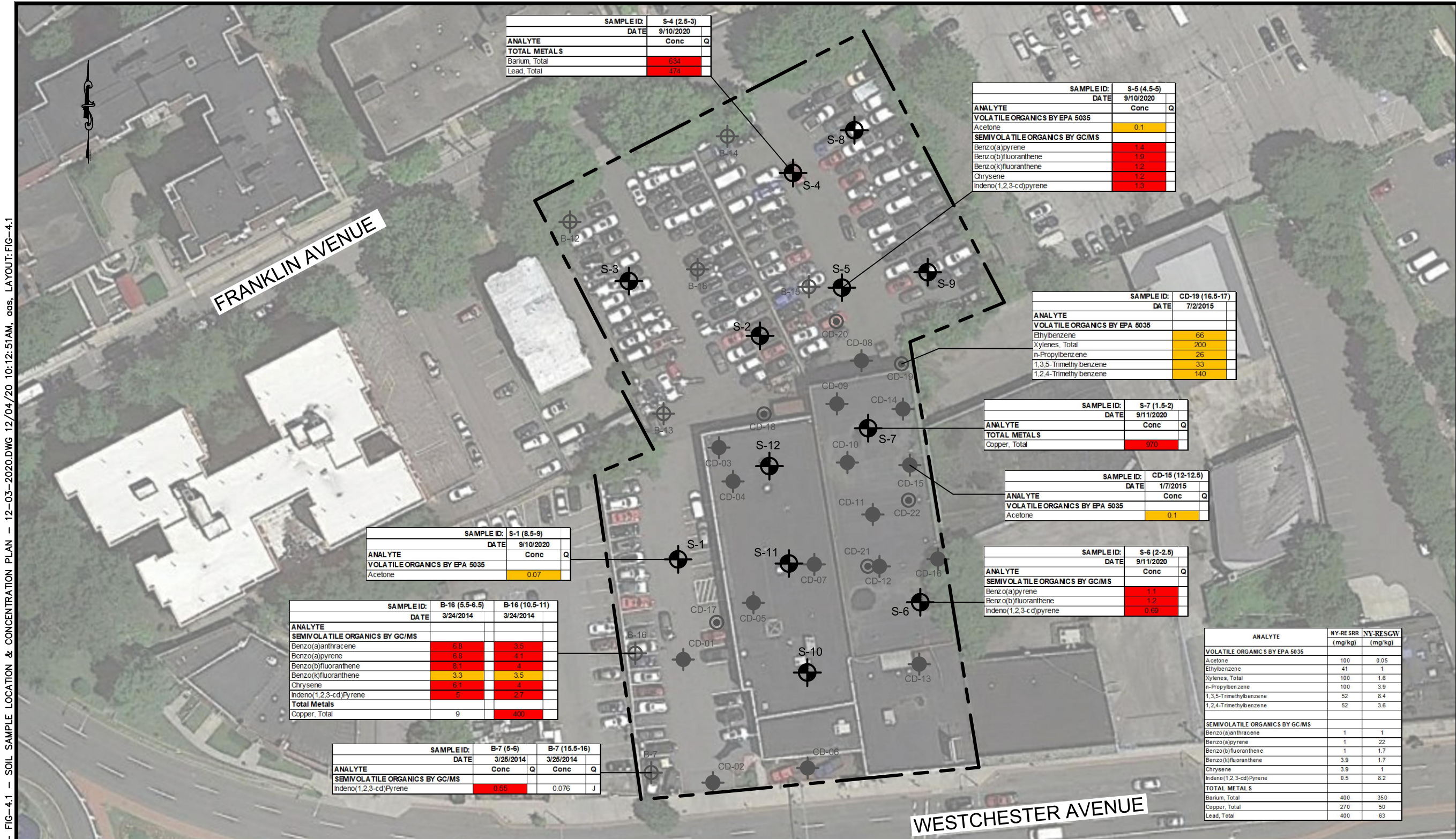
Year	Operator Information for the Whole Site	Relationship to Requestor
1905	Southern part of the parcel, fronting Westchester Avenue There are three separate buildings on the former lots known as Lots 16.2, 16.1, and 15	None
1925	A large building is built on two of the three lots formally known as Lots 16.2, 16.1, and 15	None
1930	The large building is a garage (presumable a service garage with a capacity of 280 cars)	None
1940- Unknown	Benjamin N. Heller and Anna J. Heller (Lease Agreement with 62 Westchester Avenue Corporation) Address: Unknown Phone: Unknown	None
1940- Unknown	Mayflower Garage (Former Lot 16.2) Address: Unknown Phone: Unknown	None
1941- Unknown	W.A. Russell Motors Inc – Inactive 12/29/1982/ Now Larson Ford, Inc. (Lease Agreement with Meden Realty Corporation) Address: c/o Ambrose Russell Wesley Avenue Port Chester, New York 10573 Phone: (732) 795-6382	None

PREVIOUS OWNERS & OPERATORS LIST
White Plains Chrysler Car Dealership Site
70 Westchester Avenue, White Plains, New York 10601

1950	A portion of the large building (southwestern corner) is dedicated to a machine shop	None
1952	Midchester Motors Inc. (Former Lot 16.1) Address: Unknown Phone: Unknown	None
1959-1960	Fitzpatrick Pontiac, Inc. (Former Lot 16.2) Address: Unknown Phone: Unknown	None
1964-1968 1973-1979	Rodier-Rooney Motors (Leased a portion of the Site) Last Known Address: 70 Westchester Avenue Phone: Unknown White Plains, New York 10601	None
1982	National Car Rentals (Former Lot 16.1) – Owned by Enterprise Holdings Address: c/o Enterprise Holdings Phone: (314) 512-5000 600 Corporate Park Drive St. Louis, Missouri 63105	None
1980-1988	White Plains Chrysler Plymouth (Leased a portion of the Site) – Used as automobile storage – Inactive 1/12/1995 Address: c/o John T. Ward Phone: Unknown 113 Smith Avenue Mount Kisco, New York 10549	None
1969-1986	White Plains Dodge, Inc. (Former Lot 16.2) – Inactive Address: c/o CT Corporation System Phone: Unknown 28 Liberty Street New York, New York 10005	None
1987-1989	Roughly two-thirds of the large building is demolished. Building was used for auto sales and as a service facility	None
1990	Chrysler completed a major addition to the west side of the large building	None
1992- Present	White Plains Chrysler Jeep Dodge Address: 70 Westchester Avenue Phone: (914) 946-2600 White Plains, New York 10601	Current Operator of the Site

EXHIBIT F

N:\ACAD\11444\CAD\PHASE II\11444 - FIG-4.1 - SOIL SAMPLE LOCATION & CONCENTRATION PLAN - 12-03-2020.DWG 12/04/20 10:12:51AM, aas, LAYOUT:FIG-4.1



- NOTES:**
- THIS PLAN IS FOR LOCATING SOIL SAMPLING ONLY. OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.
 - J: PRESUMPTIVE EVIDENCE OF COMPOUND

NYS Education Law
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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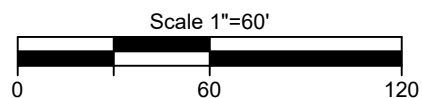
LEGEND:

- PROPERTY LINE
- S-1 - SOIL SAMPLE NUMBER & APPROX. LOCATION
- B-1 - SOIL BORINGS COMPLETED BY OTHERS (MARCH 2014)
- CD-01 - SOIL BORINGS COMPLETED BY OTHERS (JANUARY 2015)

- 0.1 - NY-RESGW: NEW YORK NYCRR PART 375 PROTECTION OF GROUNDWATER CRITERIA, NEW YORK RESTRICTED USE CRITERIA PER 6 NYCRR PART 375 ENVIRONMENTAL REMEDIATION PROGRAMS, EFFECTIVE DECEMBER 14, 2006
- 400 - NY-RESRR: NEW YORK NYCRR PART 375 RESTRICTED-RESIDENTIAL CRITERIA, NEW YORK RESTRICTED USE CRITERIA PER 6 NYCRR PART 375 ENVIRONMENTAL REMEDIATION PROGRAMS, EFFECTIVE DECEMBER 14, 2006

REFERENCE

AERIAL MAP TAKEN FROM BING MAPS, DATED 2020.



project:

70 WESTCHESTER AVENUE
WHITE PLAINS, WESTCHESTER COUNTY, NY

title:

SOIL SAMPLE LOCATION AND
CONCENTRATION PLAN

job no: 11444
drawing no:

FIG-4.1

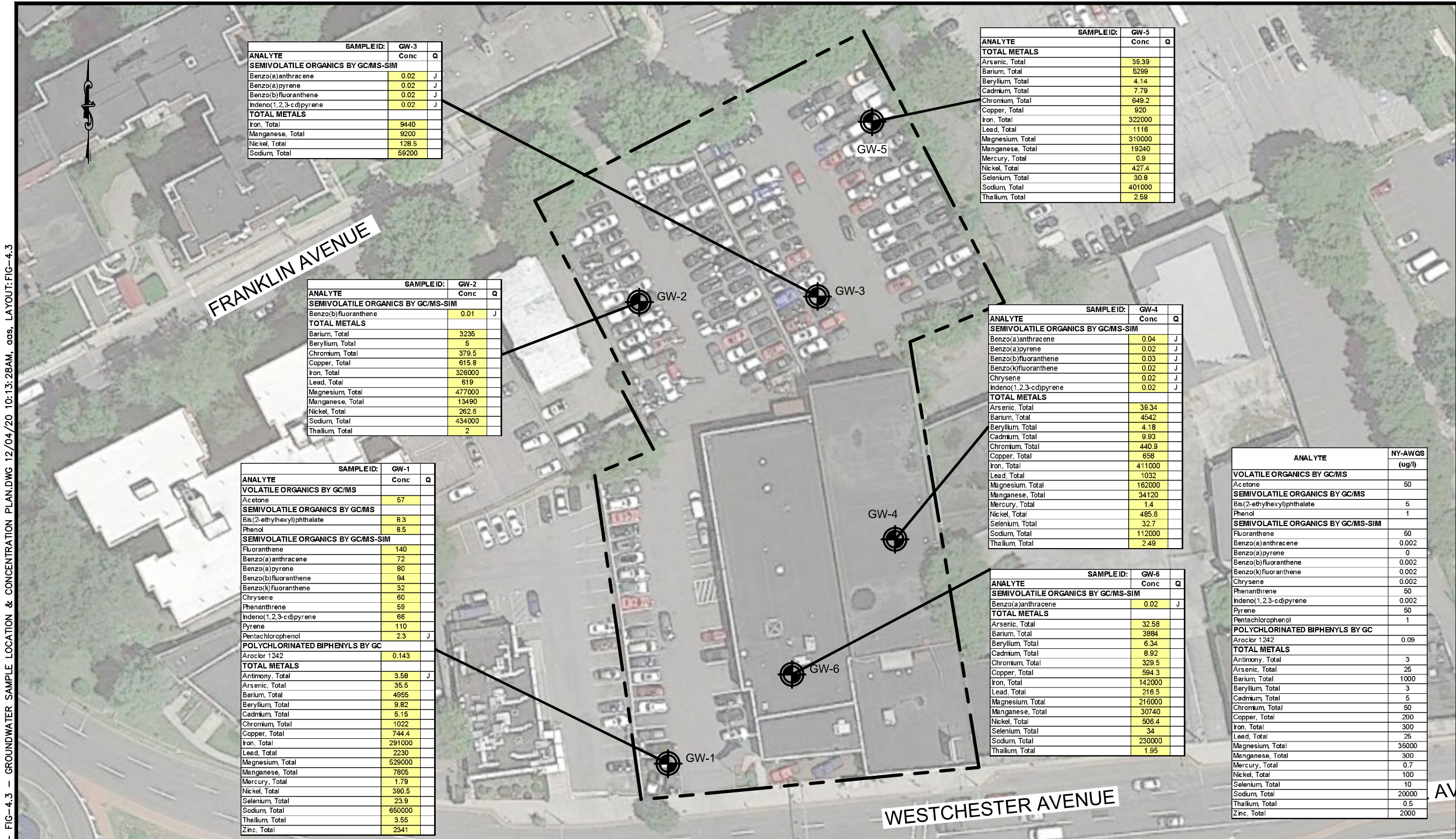
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

SESI
CONSULTING
ENGINEERS

12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

dwg by: aas
chk by: SSG
scale: AS NOTED
date: 12/04/2020

N:\ACAD\11444\CAD\PHASE II\11444 - FIG-4.3 - GROUNDWATER SAMPLE LOCATION & CONCENTRATION PLAN.DWG 12/04/20 10:13:28AM, aas, LAYOUT:FIG-4.3



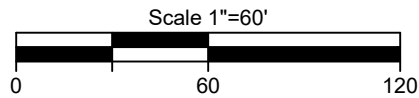
NYS Education Law
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REFERENCE
AERIAL MAP TAKEN FROM BING MAPS, DATED 2020.

- LEGEND:**
- - PROPERTY LINE
 - GW-1 - GROUNDWATER SAMPLE NUMBER & APPROX. LOCATION
 - 110 - CONCENTRATION EXCEEDS NY-AWQS

- NOTES:**
- THIS PLAN IS FOR LOCATING GROUNDWATER SAMPLING ONLY. OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.
 - NY-AWQS: NEW YORK TOGS 111 AMBIENT WATER QUALITY STANDARDS CRITERIA REFLECTS ALL ADDENDUM TO CRITERIA THROUGH JUNE 2004.
 - J = PRESUMPTIVE EVIDENCE OF COMPOUND



dwg by: aas
chk by: SSG
scale: AS NOTED
date: 12/04/2020

SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

SESI
CONSULTING
ENGINEERS

12A MAPLE AVE, PINE BROOK, N.J. 07058 PH: 973-808-9050

70 WESTCHESTER AVENUE
WHITE PLAINS, WESTCHESTER COUNTY, NY

project:

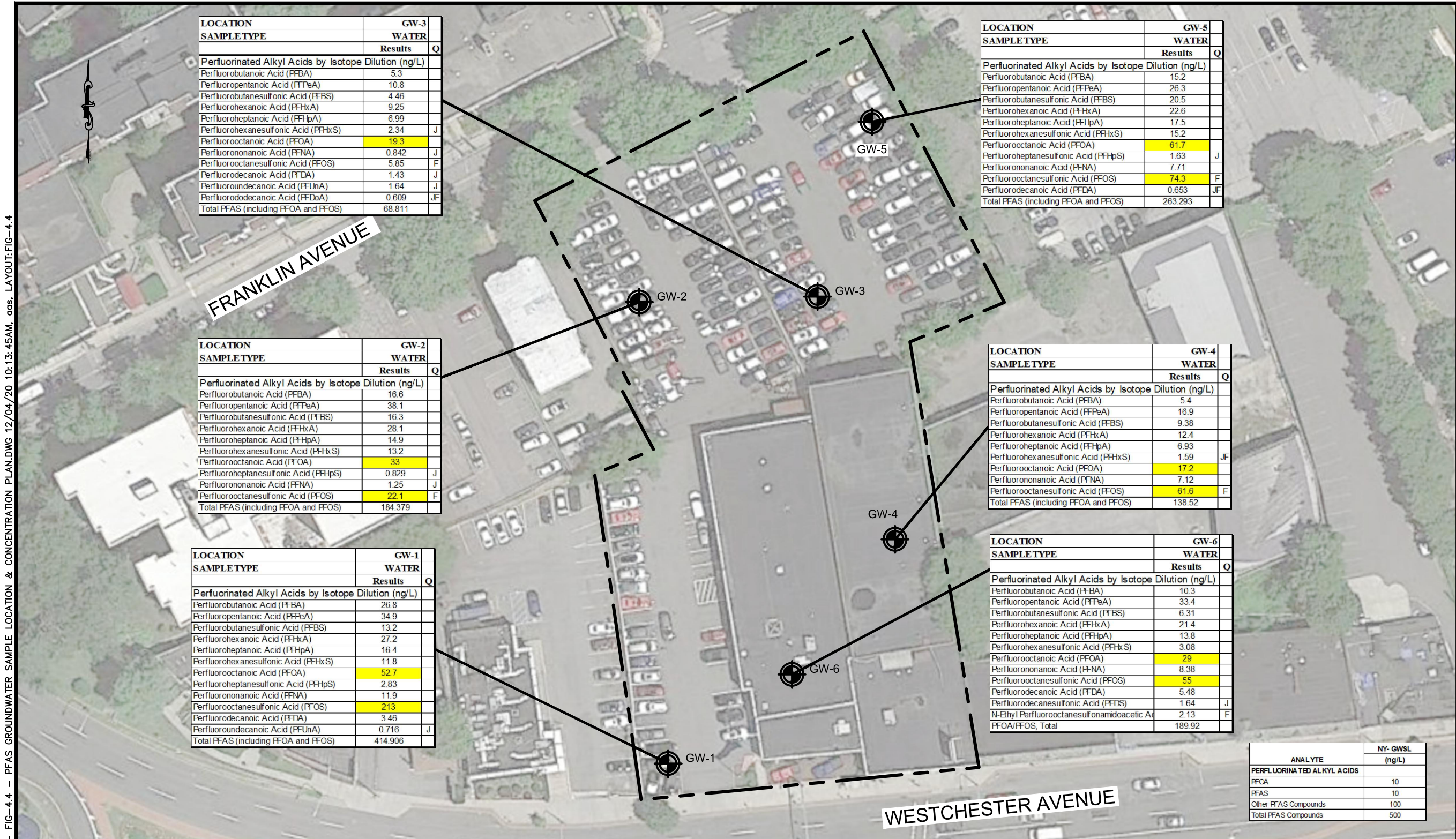
GROUNDWATER SAMPLE LOCATION
AND CONCENTRATION PLAN

title:

job no: 11444
drawing no:

FIG-4.3

N:\ACAD\11444\CAD\PHASE II\11444 - FIG-4.4 - PFAS GROUNDWATER SAMPLE LOCATION & CONCENTRATION PLAN.DWG 12/04/20 10:13:45AM, aas, LAYOUT:FIG-4.4



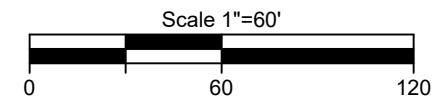
NYS Education Law
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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REFERENCE
AERIAL MAP TAKEN FROM BING MAPS, DATED 2020.

- LEGEND:
- - PROPERTY LINE
 - GW-1 - GROUNDWATER SAMPLE NUMBER & APPROX. LOCATION
 - 55 - COMPOUND EXCEEDS THE NY-GWSL

- NOTES:
- THIS PLAN IS FOR LOCATING GROUNDWATER SAMPLES ONLY. OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.
 - NY-GWSL: NEW YORK GROUNDWATER SCREENING LEVELS PER SAMPLING, ANALYSIS, AND ASSESSMENT OF PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) OCTOBER 2020
 - J = PRESUMPTIVE EVIDENCE OF COMPOUND
 - F = THE RATIO OF QUANTIFIER ION RESPONSE TO QUALIFIER ION RESPONSE FALLS OUTSIDE OF THE LABORATORY CRITERIA. RESULTS ARE CONSIDERED TO BE AN ESTIMATED MAXIMUM CONCENTRATION



dwg by: aas
chk by: SSG
scale: AS NOTED
date: 12/04/2020

SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

SESI
CONSULTING
ENGINEERS

12A MAPLE AVE, PINE BROOK, N.J. 07058 PH: 973-808-9050

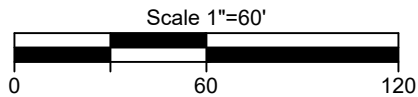
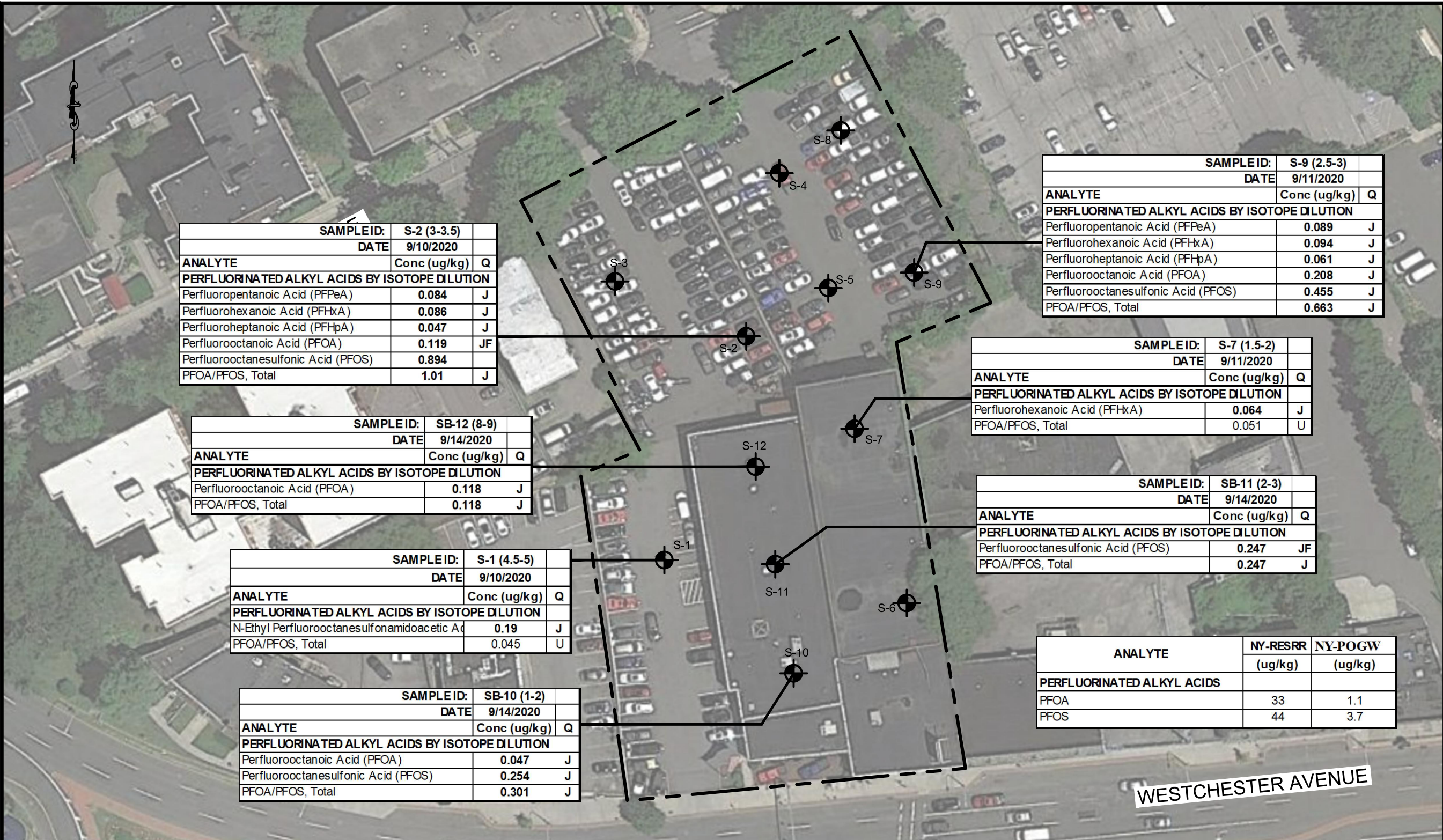
project:
70 WESTCHESTER AVENUE
WHITE PLAINS, WESTCHESTER COUNTY, NY

title:
PFAS GROUNDWATER SAMPLE
LOCATION AND CONCENTRATION PLAN

job no: 11444
drawing no:

FIG-4.4

N:\ACAD\11444\CAD\PHASE II\11444 - FIG-4.2 - PFAS SOIL CONCENTRATION PLAN.DWG 12/04/20 11:50:45AM, aas, LAYOUT:FIG-4.2



NYS Education Law
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LEGEND:

- - - - - PROPERTY LINE
- ⊙ S-1 - SOIL SAMPLE NUMBER & APPROX. LOCATION

REFERENCE
AERIAL MAP TAKEN FROM BING MAPS, DATED 2020.

- NOTE:
- THIS PLAN IS FOR LOCATING SAMPLING ONLY. OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.
 - NY-POGW: NEW YORK NYCRR PART 375 PROTECTION OF GROUNDWATER GUIDANCE VALUE, NEW YORK RESTRICTED USE CRITERIA PER SAMPLING, ANALYSIS, AND ASSESSMENT OF PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) OCTOBER 2020
 - NY-RESRR: NEW YORK NYCRR PART 375 RESTRICTED-RESIDENTIAL GUIDANCE VALUE, NEW YORK RESIDENTIAL USE CRITERIA PER SAMPLING, ANALYSIS, AND ASSESSMENT OF PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) OCTOBER 2020.
 - J = PRESUMPTIVE EVIDENCE OF COMPOUND
 - F = THE RATIO OF QUANTIFIER ION RESPONSE FALLS OUTSIDE OF THE LABORATORY CRITERIA. RESULTS ARE CONSIDERED TO BE AN ESTIMATED MAXIMUM CONCENTRATION.
 - U = NOT DETECTED AT THE REPORTED DETECTION LIMIT FOR THE SAMPLE.

dwg by: aas
chk by: SSG
scale: AS NOTED
date: 12/04/2020

SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

SESI
CONSULTING
ENGINEERS

12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

project:
70 WESTCHESTER AVENUE
WHITE PLAINS, WESTCHESTER COUNTY, NY

title:
PFAS SOIL CONCENTRATION PLAN

job no: 11444
drawing no:

FIG-4.2

N:\ACAD\11444\CAD\PHASE II\11444 - FIG-4.5 - SOIL VAPOR LOCATION & CONCENTRATION PLAN.DWG 10/30/20 03:48:50PM jenny LAYOUT:FIG-4.5

SAMPLE ID:	SV-11
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	2.36
Ethanol	89.7
Acetone	161
Isopropanol	30
Tertiary butyl Alcohol	4.58
Carbon disulfide	2.8
2-Butanone	38.9
Tetrahydrofuran	7.17
n-Hexane	560
Benzene	6.39
Cyclohexane	6.51
2,2,4-Trimethylpentane	21.1
Heptane	32.5
cis-1,3-Dichloropropene	ND
4-Methyl-2-pentanone	4.47
Toluene	334
2-Hexanone	11.2
Tetrachloroethene	21.8
Ethylbenzene	6.56
p/m-Xylene	20.1
o-Xylene	7.51
4-Ethyltoluene	ND
1,2,4-Trimethylbenzene	10.3
1,3,5-Trimethylbenzene	2.5

SAMPLE ID:	SV-7
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
VOLATILE ORGANICS IN AIR	
Dichlorodifluoromethane	3.48
Ethanol	24.3
Acetone	63.9
Trichlorofluoromethane	16.3
Isopropanol	3.71
Tertiary butyl Alcohol	2.76
Carbon disulfide	41.7
2-Butanone	263
Chloroform	2.77
Tetrahydrofuran	8.65
n-Hexane	4.97
Benzene	5.46
Cyclohexane	1.28
Trichloroethene	8.65
2,2,4-Trimethylpentane	13.6
Heptane	3.61
Toluene	20.9
2-Hexanone	41
Tetrachloroethene	469
Ethylbenzene	13.7
p/m-Xylene	55.6
Styrene	1.49
o-Xylene	27.4
4-Ethyltoluene	5.8
1,2,4-Trimethylbenzene	21.5
1,3,5-Trimethylbenzene	14

SAMPLE ID:	AMBIENT-1
SAMPLE MATRIX:	AIR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	1.91
Chloromethane	1.05
Ethanol	70.3
Acetone	406
Trichlorofluoromethane	1.33
Isopropanol	49.4
2-Butanone	1.48
Tetrahydrofuran	20.9
n-Hexane	254
Benzene	8.11
Cyclohexane	3.82
2,2,4-Trimethylpentane	15.2
Heptane	71.7
Toluene	588
Ethylbenzene	9.43
p/m-Xylene	34.5
o-Xylene	9.99
4-Ethyltoluene	1.42
1,2,4-Trimethylbenzene	11.4
1,3,5-Trimethylbenzene	1.94

SAMPLE ID:	AMBIENT-2
SAMPLE MATRIX:	AIR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	1.46
Chloromethane	0.76
Ethanol	22.8
Acetone	74.8
Isopropanol	7.74
2-Butanone	10.1
Tetrahydrofuran	3.19
n-Hexane	48.3
Benzene	2.03
Cyclohexane	0.819
2,2,4-Trimethylpentane	3.07
Heptane	10.5
Toluene	116
Ethylbenzene	1.8
p/m-Xylene	6.86
o-Xylene	2.05
1,2,4-Trimethylbenzene	2.24
1,3,5-Trimethylbenzene	0.403

SAMPLE ID:	SV-12
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Ethanol	132
Acetone	271
Isopropanol	57.3
Carbon disulfide	3.06
2-Butanone	25.7
Chloroform	5.88
Tetrahydrofuran	8.7
n-Hexane	1110
Benzene	5.97
Cyclohexane	5.95
2,2,4-Trimethylpentane	12.3
Heptane	31.4
Toluene	369
Tetrachloroethene	7.39
Ethylbenzene	4.73
p/m-Xylene	16.4
o-Xylene	6.56
1,2,4-Trimethylbenzene	8.9
1,3,5-Trimethylbenzene	2.19

SAMPLE ID:	SV-6
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	14.1
Freon-114	58.4
Ethanol	46.2
Acetone	162
Carbon disulfide	65.1
2-Butanone	608
Chloroform	16.5
n-Hexane	11.5
Benzene	3.15
2,2,4-Trimethylpentane	6.89
Heptane	7.21
Toluene	27.5
2-Hexanone	96.6
Tetrachloroethene	53
Ethylbenzene	10.1
o-Xylene	14.8
4-Ethyltoluene	ND
1,2,4-Trimethylbenzene	16.9
1,3,5-Trimethylbenzene	4.4

SAMPLE ID:	SV-5
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	17.5
Freon-114	64.4
Ethanol	37.7
Acetone	120
Carbon disulfide	5.92
2-Butanone	501
n-Hexane	3.98
Heptane	2.69
Toluene	12.7
2-Hexanone	72.5
Tetrachloroethene	41
Ethylbenzene	6.34
p/m-Xylene	24.9
o-Xylene	12
1,2,4-Trimethylbenzene	13.2
1,3,5-Trimethylbenzene	3.81

SAMPLE ID:	SV-4
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Ethanol	580
Acetone	1640
Isopropanol	1130
2-Butanone	3780
cis-1,2-Dichloroethene	ND
2-Hexanone	68.4

SAMPLE ID:	AMBIENT-3
SAMPLE MATRIX:	AIR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	1.52
Chloromethane	0.869
Ethanol	9.82
Acetone	5.65
Isopropanol	1.84
Toluene	0.927

SAMPLE ID:	SV-1
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	6.72
Ethanol	80.8
Acetone	299
Carbon disulfide	9.31
2-Butanone	1160
n-Hexane	4.9
Toluene	9.87
2-Hexanone	95.9
Tetrachloroethene	45.6
p/m-Xylene	17.5
o-Xylene	10.9
1,2,4-Trimethylbenzene	15.8
1,3,5-Trimethylbenzene	3.96

SAMPLE ID:	SV-3
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	2.31
Chloromethane	1.03
Ethanol	21.5
Acetone	85.8
Trichlorofluoromethane	2.06
Carbon disulfide	18.1
2-Butanone	324
Chloroform	2.78
n-Hexane	3.13
Benzene	1.91
Heptane	1.7
Toluene	11.8
2-Hexanone	61.5
Tetrachloroethene	28.1
Ethylbenzene	4.95
o-Xylene	9.9
4-Ethyltoluene	2.9
1,2,4-Trimethylbenzene	15.9
1,3,5-Trimethylbenzene	3.87

SAMPLE ID:	SV-2
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	6.28
Freon-114	22.2
Ethanol	72.4
Acetone	213
Carbon disulfide	7.04
2-Butanone	770
Toluene	6.14
2-Hexanone	106
Tetrachloroethene	23.5
Ethylbenzene	4.23
p/m-Xylene	15.8
1,1,2,2-Tetrachloroethane	18.7
o-Xylene	9.47
1,2,4-Trimethylbenzene	15.4
1,3,5-Trimethylbenzene	3.91

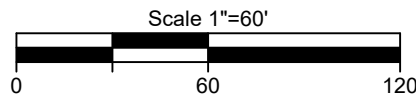
SAMPLE ID:	SV-8
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
VOLATILE ORGANICS IN AIR	
Dichlorodifluoromethane	5.49
Acetone	46.6
Carbon disulfide	3.74
2-Butanone	7.76
Chloroform	2.18
n-Hexane	3.45
1,1,1-Trichloroethane	57.3
Benzene	2.12
Carbon tetrachloride	8.55
Cyclohexane	1.81
Trichloroethene	4.15
2,2,4-Trimethylpentane	2.64
Heptane	3.32
Toluene	14.2
2-Hexanone	4.96
Tetrachloroethene	834
Ethylbenzene	1.88
p/m-Xylene	8.86
o-Xylene	3.64
1,2,4-Trimethylbenzene	9.54
1,3,5-Trimethylbenzene	2.5

SAMPLE ID:	SV-9
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	18.8
Acetone	24.5
Trichlorofluoromethane	9.89
Isopropanol	1.31
Tertiary butyl Alcohol	2.79
Methylene chloride	1.98
Carbon disulfide	4.27
2-Butanone	2.92
Chloroform	4.12
1,2-Dichloroethane	2.15
n-Hexane	9.83
1,1,1-Trichloroethane	14.9
Benzene	9.17
Carbon tetrachloride	17.6
Cyclohexane	2.29
2,2,4-Trimethylpentane	29.5
Heptane	5.49
Toluene	37.7
Tetrachloroethene	62.9
Ethylbenzene	4.43
p/m-Xylene	18.3
o-Xylene	7.73
4-Ethyltoluene	1.56
1,2,4-Trimethylbenzene	10.6
1,3,5-Trimethylbenzene	3.43

SAMPLE ID:	SV-10
SAMPLE MATRIX:	SOIL_VAPOR
ANALYTE	Conc (ug/m3) Q
Dichlorodifluoromethane	1.73
Chloromethane	0.467
Ethanol	72.4
Acetone	89.3
Trichlorofluoromethane	2.51
Isopropanol	27.3
Tertiary butyl Alcohol	3.79
Carbon disulfide	4.55
2-Butanone	22.2
Chloroform	0.991
Tetrahydrofuran	1.76
n-Hexane	270
Benzene	4.82
Cyclohexane	4.06
2,2,4-Trimethylpentane	14.5
Heptane	24.3
4-Methyl-2-pentanone	2.93
Toluene	164
2-Hexanone	8.24
Tetrachloroethene	28.1
Ethylbenzene	3.67
p/m-Xylene	11.3
o-Xylene	5.04
4-Ethyltoluene	1.36
1,2,4-Trimethylbenzene	9
1,3,5-Trimethylbenzene	2.11

ANALYTE	CAS	NY-SSC-A (ug/m3)	NY-SSC-B (ug/m3)
VOLATILE ORGANICS IN AIR			
Carbon tetrachloride	56-23-5	6	
Trichloroethene	79-01-6	6	
Tetrachloroethene	127-18-4		100

Concentration Exceed NYSDOH Sub-Slab Vapor Matrices Criteria
NY-SSC-A: New York DOH Matrix A Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2006, and updated May 2017.
NY-SSC-B: New York DOH Matrix B Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2006, and updated May 2017.



NOTE:
THIS PLAN IS FOR LOCATING BORING ONLY.
OTHER SITE WORK SHOWN HERE IS NOT INTENDED FOR CONSTRUCTION.

LEGEND:

- - PROPERTY LINE
- ▲ SV-1 - SOIL VAPOR SAMPLE NUMBER & APPROX. LOCATION
- AA-1 - AMBIENT AIR SAMPLE NUMBER & APPROX. LOCATION

NYS Education Law
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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REFERENCE

AERIAL MAP TAKEN FROM BING MAPS, DATED 2020.

project:
70 WESTCHESTER AVENUE
WHITE PLAINS, WESTCHESTER COUNTY, NY

title:
SOIL VAPOR SAMPLE LOCATION
AND CONCENTRATION PLAN

job no: 11444
drawing no:

FIG-4.5

SOILS / FOUNDATIONS

SITE DESIGN

ENVIRONMENTAL

SESI
CONSULTING
ENGINEERS

12A MAPLE AVE, PINE BROOK, N.J. 07058 PH: 973-808-9050

dwg by: aas

chk by: SSG

scale: AS NOTED

date: 10/30/2020

EXHIBIT G



DEPARTMENT OF PUBLIC WORKS

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1206 • FAX: (914) 422-1469

THOMAS M. ROACH
MAYOR

RICHARD G. HOPE
COMMISSIONER

UDOMLUG SIRIPHONLAI, P.E.
DEPUTY COMMISSIONER

STEFANIA A. MIGNONE
DEPUTY COMMISSIONER

October 28, 2020

70 Westchester LLC
70 Westchester Avenue
White Plains, NY 10601

**Re: New Address Assignment: 70 Westchester Avenue, White Plains, NY
(SBL: 126.61-3-15.1)**

**Former Addresses: 64-68 Westchester Avenue, White Plains, NY
62 Westchester Avenue, White Plains, NY
30-36 Franklin Avenue, White Plains, NY
38-40 Franklin Avenue, White Plains, NY
42-44 Franklin Avenue, White Plains, NY**

The Department of Public Works officially assigns the street address of 70 Westchester Avenue to the new lot (SBL: 126.61-3-15.1) formed by the merger of 70 Westchester Avenue, 64-68 Westchester Avenue, 62 Westchester Avenue, 30-36 Franklin Avenue, 38-40 Franklin Avenue, 42-44 Franklin Avenue. The former addresses should no longer be used for this property. Please notify all affected parties (e.g. - utility companies, insurance companies, etc.) of this change.

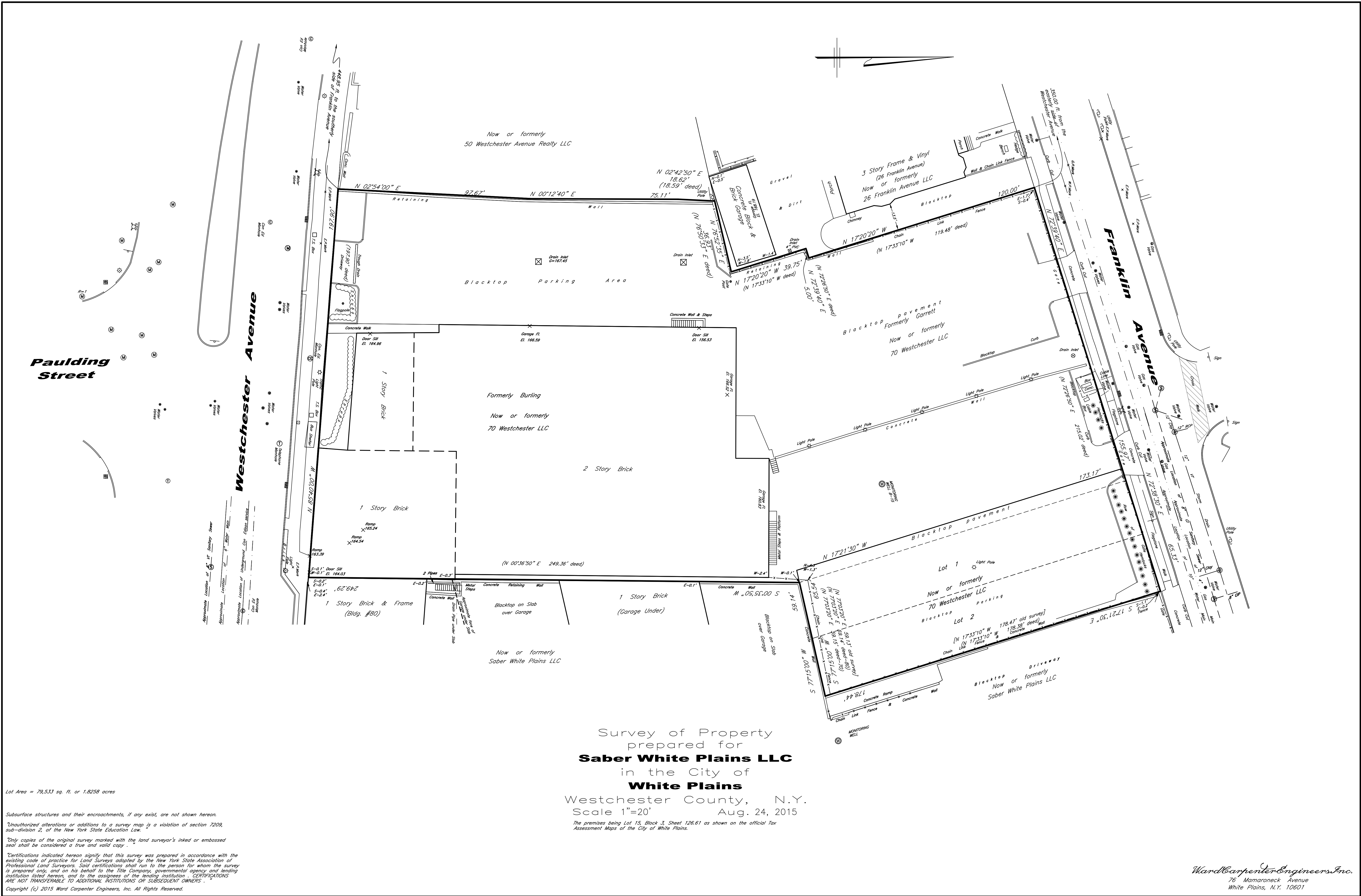
The address must be clearly displayed so that it may be seen from the street in accordance with the City of White Plains Municipal Code (Title IX, Chapter 9-3, Article IV).

The Department of Public Works will, by copies of this letter, give notice of the official address assignment to various municipal agencies and the U.S. Post Office.

Very truly yours,

Richard G. Hope
Commissioner of Public Works

cc: David Morland, USPS - Postmaster (White Plains)
William Wascak, USPS - Address Management Systems, Manager



Lot Area = 79,533 sq. ft. or 1.8258 acres

Subsurface structures and their encroachments, if any exist, are not shown hereon.

Unauthorized alterations or additions to a survey map is a violation of section 7209, sub-division 2, of the New York State Education Law.

Only copies of the original survey marked with the land surveyor's inked or embossed seal shall be considered a true and valid copy.

Certifications indicated hereon signify that this survey was prepared in accordance with the existing code of practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run to the person for whom the survey is prepared only, and on his behalf to the Title Company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

Copyright (c) 2015 Ward Carpenter Engineers, Inc. All Rights Reserved.

Survey of Property
prepared for
Saber White Plains LLC
in the City of
White Plains
Westchester County, N.Y.
Scale 1"=20' Aug. 24, 2015

The premises being Lot 15, Block 3, Sheet 126.61 as shown on the official Tax Assessment Maps of the City of White Plains.

Ward Carpenter Engineers, Inc.
76 Mamaroneck Avenue
White Plains, N.Y. 10601



OFFICE OF ASSESSOR

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601

(914) 422-1223 • FAX: (914) 422-1297

THOMAS M. ROACH
MAYOR

LLOYD TASCH, IAO
ASSESSOR

October 7, 2020

70 Westchester LLC
70 Westchester Avenue
White Plains, NY 10601

Dear Sir:

The apportionment of your parcel will be accomplished as follows:

ORIGINAL PARCEL DESCRIPTION (S) as it appears on the **2020** Tax Roll:

<u>SBL</u>	<u>LAND</u>	<u>BUILDING</u>	<u>TOTAL</u>
SBL 126.61-3-15 70 WESTCHESTER AVE CLASS CODE 431 ACREAGE 0.34	28,900	6,550	35,450
SBL 126.61-3-16.1 64-68 WESTCHESTER AVE CLASS CODE 431 ACREAGE 0.17	25,300	86,300	111,600
SBL 126.61-3-16.2 62 WESTCHESTER AVE CLASS CODE 330 ACREAGE 0.44	32,000	----	32,000
SBL 126.61-3-23 30-36 FRANKLIN AVE CLASS CODE 438 ACREAGE 0.36	23,700	---	23,700

Page 2
October 7, 2020

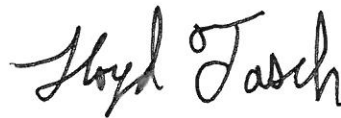
	<u>LAND</u>	<u>BUILDING</u>	<u>TOTAL</u>
SBL 126.61-3-24 38-40 FRANKLIN AVE CLASS CODE 438 ACREAGE 0.24	10,425	----	10,425
SBL 126.61-3-25 42-44 FRANKLIN AVE CLASS CODE 438 ACREAGE 0.24	10,025	----	10,025

NEW PARCEL DESCRIPTION (S):*

	<u>LAND</u>	<u>BUILDING</u>	<u>TOTAL</u>
SBL 126.61-3-15.1 WESTCHESTER AVE CLASS CODE 431 ACREAGE 1.79	130,350	92,850	223,200

*This is only for apportionment purposes. This may not be your assessment for the next roll year.

Very truly yours,



Lloyd Tasch, IAO
Assessor

cc: Mark Weingarten

Tax Parcel Map

Address: 70 Westchester Avenue

SBL: 126.61-3-15.1

Formally known as:

70 Westchester Avenue (126.61-3-15)

64-68 Westchester Avenue (126.61-3-16.1)

62 Westchester Avenue (126.61-3-16.2)

42-44 Franklin Avenue (126.61-3-25)

38-40 Franklin Avenue (126.61-3-24)

30-36 Franklin Avenue (126.61-3-23)



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should **NOT** be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

EXHIBIT H

BASE MAP

White Plains Chrysler Car Dealership Site

70 Westchester Avenue (Formally Known as 70, 60-68, and 62 Westchester Avenue and 30-36, 38-40 and 42-44 Franklin Avenue)

White Plains, New York 10601

Legend:

 Site Property Boundary

Corresponding page lists adjacent property owners by letter A – I

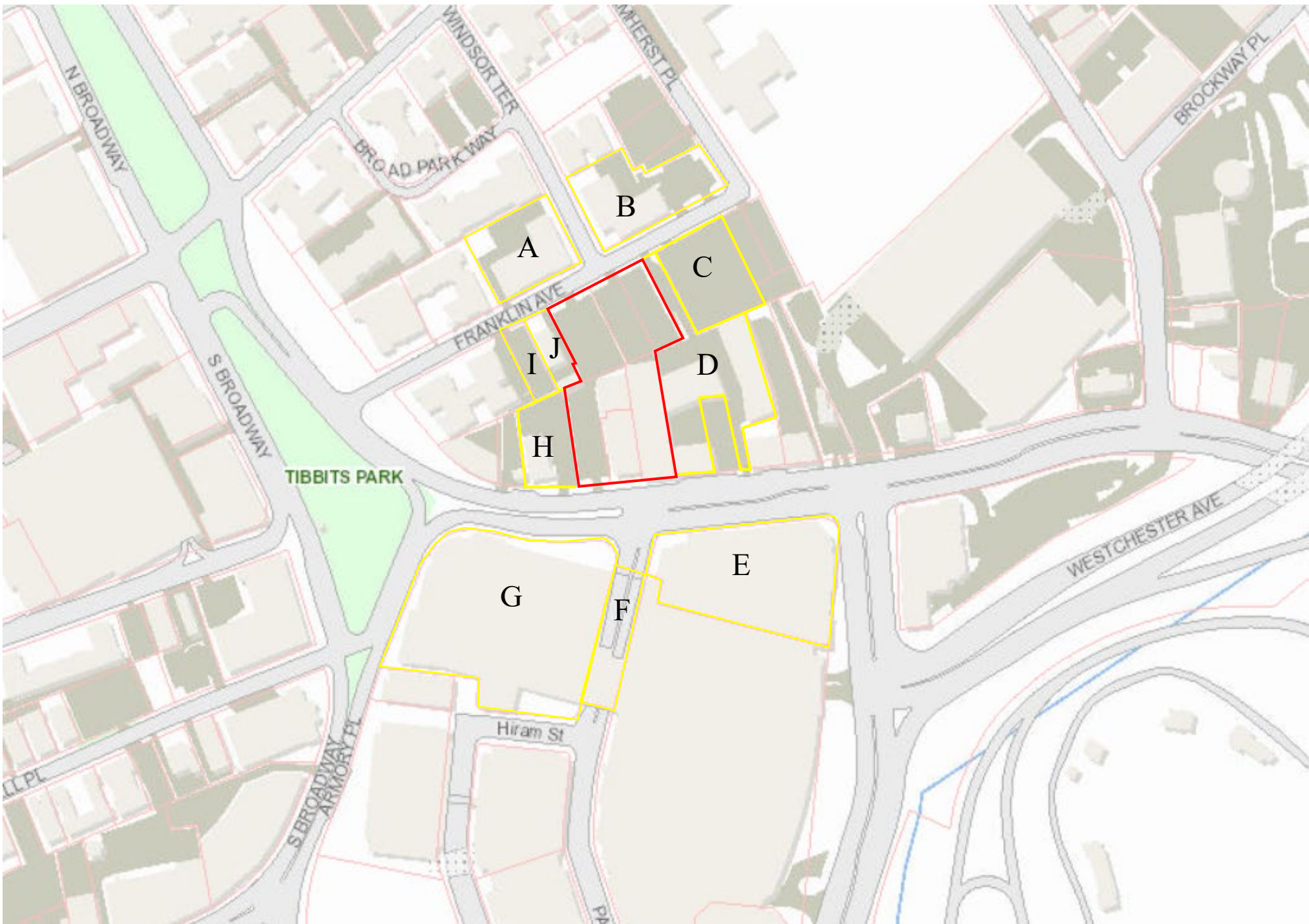


All feature locations are approximate. This map is intended as a schematic to be used in conjunction with associated Application and Support Information and should not be relied upon as a survey for planning and other activities.

October 2020

Source: Westchester County GIS

Scale: 1" = 100' approximately



Letter	Adjacent Property Owner(s) Name(s)	Property Address	Section-Block-Lot
A	Franklin Plains Corporation	25 Franklin Avenue	126.61-1-2
B	Hony Housing Development Fund	40 Windsor Terrace	126.61-2-11
C	City of White Plains	50 Franklin Avenue	126.61-2-26
D	Chauncey White Plains, LLC	80 Winchester Avenue	126.61-3-13
E	Westchester Mall, LLC	125 Westchester Avenue	126.69-5-3
F	Westchester Mall, LLC	Bloomingdale Road	126.69-5-2
G	Westchester Mall, LLC	125 Westchester Avenue	126.69-5-1
H	50 Westchester Avenue Realty Corporation	50 Westchester Avenue	126.61-3-17
I	Westbrook Tenants Corporation	22 Franklin Avenue	126.61-3-21
J	26 Franklin, LLC	26 Franklin Avenue	126.61-3-22

EnZone Map
White Plains Chrysler Car Dealership Site
70 Westchester Avenue (Formerly known as 70, 60-68, and 62
Westchester Avenue and 30-36, 38-40 and 42-44 Franklin Avenue)
White Plains, New York 10601



USN. 7643016367320
JGA REFNO. USGSX24K48735

Street Map
White Plains Chrysler Car Dealership Site
70 Westchester Avenue (Formally known as 70, 60-68, and 62 Westchester Avenue and 30-36, 38-40 and 42-44 Franklin Avenue)
White Plains, New York 10601



Exhibit I

WHITE PLAINS URBAN RENEWAL AGENCY
RESOLUTION 12-2014

RESOLUTION (1) FINDING THE PROPOSED AREA FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14 DESCRIBED HEREIN TO BE APPROPRIATE FOR URBAN RENEWAL; (2) RECOMMENDING THAT THE COMMON COUNCIL DELINEATE AND DESIGNATE THE AREA FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14, AND, (3) UPON SAID DESIGNATION, DIRECTING THE AGENCY STAFF TO PREPARE AN URBAN RENEWAL PLAN FOR THAT AREA FOR SUBMISSION TO THE AGENCY.

WHEREAS:

- A. The staff of the White Plains Urban Renewal Agency (the "Agency") and the Department of Planning undertook and prepared the Urban Renewal Project Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR – 14 ("Project Area Designation Report") dated November 18, 2014, to assess the conditions of the properties located in the area proposed for designation as the Westchester Avenue Urban Renewal Project Area, Project No. WPUR-14, shown on Figure 1, "Westchester Avenue Urban Renewal Project, URP-14 Parcels and Zoning," which delineates the project area boundary and parcels. The Project Area includes a total of 19 properties totaling 6.2 acres along portions of Westchester Avenue and Franklin Avenue. The 19 properties are also listed on Table 1 in said Report.
- B. The properties located in the proposed Westchester Avenue Project Area have not been previously reviewed or considered for urban renewal project designation.
- C. The Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR – 14, dated November 18, 2014, demonstrates that the Westchester Avenue Project Area is appropriate for urban renewal in accordance with Section 502 of Article 15 of the NYS General Municipal Law for the following reasons:
 - 1. Irregularity of the lots
 - 2. Inadequacy of streets, circulation, and parking
 - 3. Inadequate utilization of land
 - 4. Poorly functioning drainage area
 - 5. Traffic safety and congestion
- D. As a result, Agency staff has found that:
 - 1. The area has the potential to have a blighting influence on surrounding residential and commercial properties.
 - 2. The proper development or redevelopment of this area can best be effectuated under the provisions of Article 15 of the NYS General Municipal Law; and
 - 3. The implementation of an urban renewal project in this area is in the interest of sound community planning and in the public interest.
- E. The Agency staff has recommended that the Agency find the Westchester Avenue Project Area to be appropriate for urban renewal in accordance with NYS General Municipal Law Section 502.
- F. The Agency staff has further recommended, pursuant to NYS General Municipal Law Section 505, that, due to the scope of the Westchester Avenue Project Area, it is appropriate to (a) have the urban renewal activities in the designated area carried out in stages and (b) prepare urban

renewal plans for each portion of the Westchester Avenue Project Area in phases.

G. Based on its findings, Agency and City Staff have recommended that the Agency find that

1. Due to the factors inhibiting redevelopment listed above, the proposed WPUR-14 Project Area requires substantial continuing capital investment and rehabilitation to arrest the conditions causing these properties to be in a blighted condition and causing the area represented by these properties to be a blighting influence on the surrounding area, as defined in NYS General Municipal Law Section 502.4;
2. Capital investment in expanded municipal parking facilities would help to alleviate parking shortages in the area that contribute to the blighted or blighting conditions. This could best be effectuated by the inclusion of these municipal parking properties into the Westchester Avenue Urban Renewal Project WPUR-14 Project Area, which would facilitate otherwise unavailable public and private alternatives, including public/private partnerships, available under the provisions of Article 15 of the NYS General Municipal Law;
3. Consistent with NYS General Municipal Law Section 502.4, it is appropriate that the certain identified Project Area parcels and improvements be included in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area, even though these buildings and improvements are "not in themselves substandard or insanitary," but are properties, "the inclusion of which is deemed necessary for the effective undertaking of one or more urban renewal programs;" and
4. The implementation of an urban renewal project in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area is in the interest of sound community planning and in the public interest.

NOW THEREFORE BE IT RESOLVED THAT:

- A. The Urban Renewal Agency hereby finds that the proposed Westchester Avenue Urban Renewal Project Area WPUR-14 is necessary and appropriate to address the blighted or blighting area represented by these properties.
- B. The Agency further finds that not to address the blighted or blighting conditions of this area may tend to impair or arrest the sound growth and development of the surrounding area, including the preservation and growth of retail and commercial office businesses and governmental uses in the surrounding area, the downtown and the City as a whole.
- C. The Agency hereby makes the following findings with respect to the delineation and designation of the proposed Westchester Avenue Urban Renewal Project WPUR-14 Project Area:
 1. Due to the factors inhibiting redevelopment listed above, the proposed WPUR-14 Project Area requires substantial continuing capital investment and rehabilitation to arrest the conditions causing these properties to be in a blighted or blighting condition and causing the area represented by these properties to be a blighted or blighting area, as defined in NYS General Municipal Law Section 502.4;
 2. Capital investment in expanded municipal parking facilities would help to alleviate parking shortages in the area that contribute to the blighted or blighting conditions. This could best be effectuated by the inclusion of these municipal parking properties into the Westchester Avenue Urban Renewal Project WPUR-14 Project Area, which would facilitate otherwise unavailable public and private alternatives,

including public/private partnerships, available under the provisions of Article 15 of the NYS General Municipal Law;

3. Consistent with NYS General Municipal Law Section 502.4, it is appropriate that the certain identified Project Area parcels and improvements be included in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area, even though these buildings and improvements are “not in themselves substandard or insanitary,” but are properties, “the inclusion of which is deemed necessary for the effective undertaking of one or more urban renewal programs;” and
 4. The implementation of an urban renewal project in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area is in the interest of sound community planning and in the public interest.
- D. The Agency hereby recommends that the Common Council, on its own motion and pursuant to Section 504 of Article 15 of NYS General Municipal Law, approve the delineation and designation of the “Westchester Avenue Urban Renewal Project. WPUR-14 Project Area, to include the 19 properties as shown in the “Urban Renewal Project Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR – 14,” attached hereto and made a part hereof as shown in Figure 1 of said Report and listed on Table 1 of said Report.
- E. The Agency further recommends that the Common Council request that the Agency prepare an Urban Renewal Plan for the first phase of the Westchester Avenue WPUR-14 Project, to address the long term rehabilitation, operation, maintenance of, and the continued capital investment in affording “maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program.”

Dated: November 19, 2014

Adopted: November 24, 2014

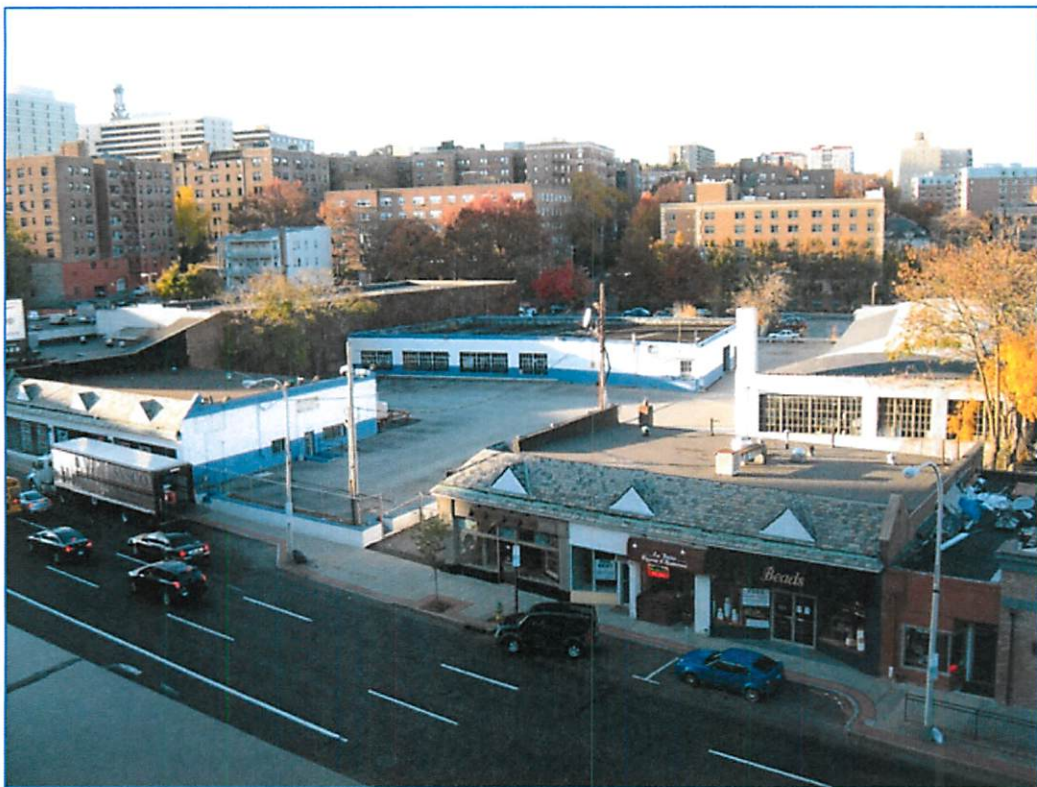
WHITE PLAINS URBAN RENEWAL AGENCY

WHITE PLAINS, NEW YORK

URBAN RENEWAL PROJECT AREA DESIGNATION REPORT

for the

WESTCHESTER AVENUE URBAN RENEWAL PROJECT NO. WPUR – 14



Prepared: November 18, 2014

Adopted: November 24, 2014

I. PROJECT PURPOSE

The purpose of this study is to document existing economic and physical conditions, analyze recent trends, and evaluate the appropriateness of the proposed “Westchester Avenue Urban Renewal Project 14 (URP-14) Area” for designation as an “urban renewal” area pursuant to New York State (NYS) General Municipal Law Article 15, Section 502(3). “Urban renewal” is defined therein as “a program established, conducted and planned by a municipality for the redevelopment, through clearance, replanning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities. An “urban renewal area” is defined in Section 502(9) as “an area designated by the governing body, or by the commission where so authorized to act by the governing body, pursuant to §504 of this article as appropriate for urban renewal. . .”

Before urban renewal can occur, the Common Council must establish an Urban Renewal Area by:

1. Certifying the area as appropriate for urban renewal; and by
2. Requesting the preparation by the White Plains Urban Renewal Agency of an Urban Renewal Plan which establishes goals for future redevelopment of the area with recommendations for land use, zoning, and site planning.

This report addresses the initial requirement of the process—the certification of the area as appropriate for urban renewal.

II. EXISTING CONDITIONS

A. LOCATION

The proposed Westchester Avenue Urban Renewal Project Area encompasses 19 parcels of land totaling approximately 6.2 acres on the north side of Westchester Avenue directly opposite the Westchester Mall (see Figure 1 and Table 1, “Westchester Avenue URP-14 Parcels,” below). Located just west of the Bloomingdale Road exit of Interstate-287, the URP-14 Project Area has excellent highway access. It lies just outside the City’s downtown area and is about one mile from the White Plains TransCenter and Metro North rail station.

B. LAND USE

Table 1, below, provides land use and other detailed parcel information for properties in the project area. Land use in the project area is dominated by auto-related uses, including:

- The White Plains Chrysler Jeep Dodge car dealership and its associated auto service center and service parking area totaling 3.3 acres of the 6.2-acre site;
- At-grade municipal parking known as the “Franklin Avenue Lot,” covering about one acre of the site; and
- Two car rental agencies (Enterprise and Avis/Budget), which together occupy approximately 0.6 acres.

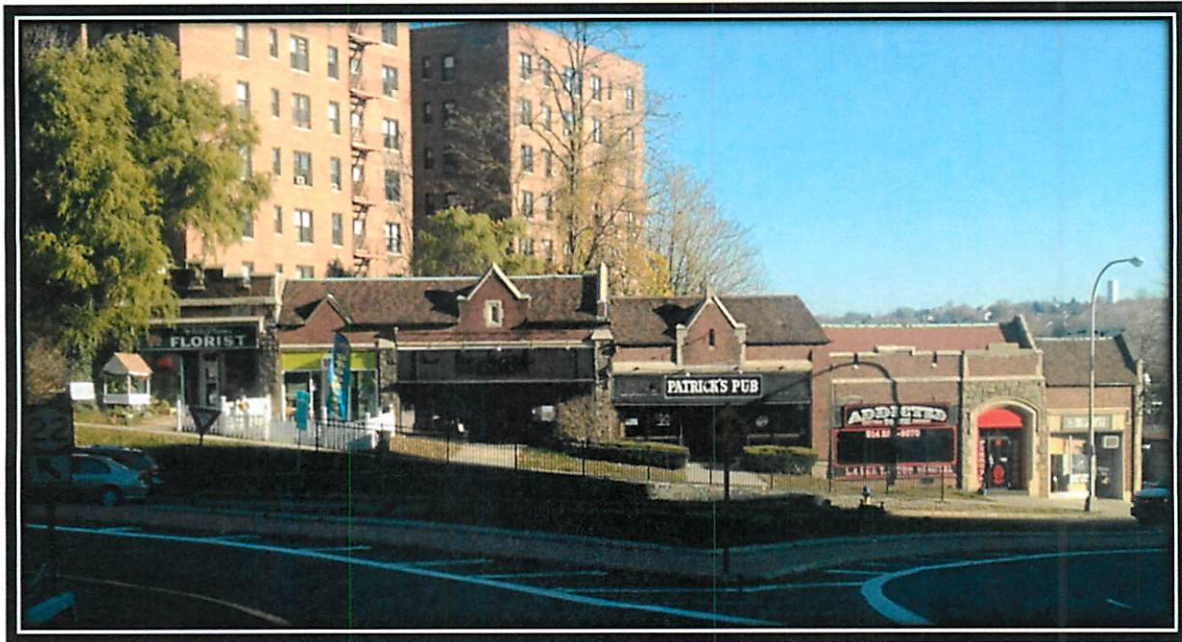
Combined, the auto related uses occupy fully 78 percent of the proposed urban renewal project area. At its western edge and adjacent to Enterprise Car Rental along Westchester Avenue, the project area contains a small building with six storefronts. Current businesses operating at this location include a florist, a groomer, a pub, a tattoo parlor, and a barber. There is one vacant storefront at this location. In addition, there is a diner on the other side of Enterprise Car Rental. Further along Westchester Avenue, there are three attached multi-tenant retail buildings at the eastern edge

of the project area next to Avis/Budget Car Rental. Current businesses at these three locations include the Westchester Burger restaurant, a window treatments store and a tailor shop. Two storefronts at this location are vacant, including the spaces formerly occupied by a pizzeria and a bead store. In addition, the building next to Westchester Jeep is vacant (80 Westchester Avenue). In total, there are four vacant storefronts along Westchester Avenue.

With the exception of one three-story residential building, the Franklin Avenue side of the site is utilized solely for parking cars, including car dealer-related parking and municipal parking.

Figures 2 through 11 at the end of this document provide additional pictures of the existing land uses in the area.

Parcel 18: 30-40 Westchester Avenue

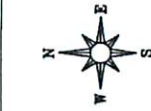


Parcels 9 and 10: 92-98 and 106 Westchester Avenue



Table 1: Existing Land Use, Ownership, and Zoning Westchester Avenue Project Area												
Map #	Address	SBL	Land Area (sf)	Acres	Owner	Land Use	Improved	Zoning District	Maximum FAR	Maximum Building Coverage	Height (Max)	
											Stories	Feet
1	30-36 Franklin Ave	126.61-3-23	15,801	0.36	70 Westchester, LLC	Car dealership auto storage	Unimproved	RM-0.35	3.2	60%	6 (n)	125
2	38-40 Franklin Ave	126.61-3-24	10,530	0.24	70 Westchester, LLC	Car dealership auto storage	Unimproved	RM-0.35	3.2	60%	6 (n)	125
3	42-44 Franklin Ave	126.61-3-25	10,475	0.24	70 Westchester, LLC	Car dealership auto storage	Unimproved	RM-0.35	3.2	60%	6 (n)	125
4	50 Franklin Ave	126.61-3-26	27,897	0.64	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
5	58-60 Franklin Ave	26.61-3-27	6,664	0.15	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
6	62 Franklin Ave	126.61-3-28	6,821	0.16	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
7	Franklin Ave	126.61-3-29	4,031	0.09	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
8	116 Westchester Ave	126.61-3-10	20,460	0.47	Win nick Realty, LLC	Car Rental	2,106 sf Bldg.	B-3	2	80%	4	50
9	106 Westchester Ave	126.61-3-11	17,876	0.41	Doyle, Helen Hartwell	Westchester Burger Co.	2,979 sf Bldg.	B-3	2	80%	4	50
10	92-98 Westchester Ave	126.61-3-12	6,250	0.14	Saber White Plains, LLC	1 retail, 2 vacant	4,331 sf Bldg.	B-3	2	80%	4	50
11	84-88 Westchester Ave	126.61-3-14	7,622	0.17	Chauncey White Plains, LLC	Auto service parking	Unimproved	B-3	2	80%	4	50
12	80 Westchester Ave	126.61-3-13	52,053	1.19	Chauncey White Plains, LLC	Auto service center	26,060 sf Bldg.	B-3	2	80%	4	50
13	70 Westchester Ave	126.61-3-15	15,991	0.37	70 Westchester, LLC	Car dealership	23,754 sf Bldg.	B-3	2	80%	4	50
14	64-68 Westchester Ave	126.61-3-16.1	9,098	0.21	70 Westchester, LLC	Car dealership		B-3	2	80%	4	50
15	62 Westchester Ave	126.61-3-16.2	18,141	0.42	70 Westchester, LLC	Car dealership	Unimproved	B-3	2	80%	4	50
16	50 Westchester Ave	126.61-3-17	17,784	0.41	50 Westchester Ave	Diner	3,532 sf Bldg.	B-3	2	80%	4	50
17	44 Westchester Ave	126.61-3-18	6,811	0.16	44 Westchester Ave	Car Rental	401 sf Bldg.	B-3	2	80%	4	50
18	30-40 Westchester Ave	126.61-3-19	9,052	0.21	EIG MP Realty LLC	Retail/Restaurant	5723 sf Bldg	B-3	2	80%	4	50

Table 1: Existing Land Use, Ownership, and Zoning Westchester Avenue Project Area												
Map #	Address	SBL	Land Area (sf)	Acres	Owner	Land Use	Improved	Zoning District	Maximum FAR	Maximum Building Coverage	Height (Max)	
											Stories	Feet
19	26 Franklin Avenue	126.61-3-22	8,519	0.20	26 Franklin LLC	3-story apartment bldg.	6930 sf Bldg	RM-0.35	3.2	60%	6 (n)	125
Total Land Area (sf)			271,876	6.2 acres								
(n) – The number of stories may be increased within the maximum height as measured in feet, with a front yard of not less than 20 feet, on issuance of a special permit by the Common Council.												



City of White Plains
Planning Department
70 Church Street
White Plains NY 10601-2409



**Westchester Avenue URP-14
Parcels and Zoning**

Figure 1

Legend:

- B-3 Zoning Districts
- 2 Project Area Parcels
- Project Area Boundary

C. ZONING

The parcels in the Project Area are located in two zoning districts: all businesses and lots fronting on Westchester Avenue (Parcels 8 through 18) are located in the B-3 Intermediate Business District; and all lots fronting on Franklin Avenue (Parcels 1 through 7 and 19) are located in the RM-0.35 Residential Multi-Family District. The B-3 district is a general retail district mapped along the major arterial commercial streets of the City. The district typically contains a wide variety of retail, office and service businesses as well as multi-family dwellings. The RM-0.35 District, mapped along Franklin Avenue, is designed to permit the development of a supply of dwelling units suitable for families of all sizes, in locations which are convenient to shopping, transportation and community facilities, and where higher densities will allow for the development of new housing at a more moderate cost. Densities permitted in both districts are mid-range (i.e., lower than the highest densities allowed in the city center, but higher than the one-and two-family zones mapped further out of the center).

D. EXISTING BUILD-OUT VERSUS DEVELOPMENT POTENTIAL

The RM-0.35 and B-3 Districts allow substantially more development than currently exists in the Project Area. Table 2 and Table 3, below, show the unused development potential of land within in each District. Table 2 indicates the development potential that could be achieved within each zoning district of the Project Area under the current zoning for each district included in the Project Area. Given its location across the street from The Westchester mall, the Project Area is underperforming, and should contain a better mix of land uses to attain its development and marketability potential. Based on existing zoning patterns, and as Table 3 shows, the total maximum development potential for the Project Area is approximately 650,000 square feet of commercial and residential space. Currently, only 68,000 square feet of commercial floor area and 6,900 square feet of residential floor area is developed on the 6.2-acre site, leaving approximately 88 percent—more than half a million (575,000) square feet of mixed use development potential—unused. Thus, current development by existing land intensive auto-related uses that do not generate large amounts of property taxes (which are largely based on the value of the improvements to the land) are substantially below relative to the 4- to 12-story development that is zoned for the site. This represents a substantial foregone amount of potential property tax revenue and future employment base for the City when compared to the strong economic potential of the area.

E. SURROUNDING STUDY AREA

The project area is a transitional zone which straddles high intensity retail uses at the 1.1 million-square-foot Westchester Mall to the south and a stable residential apartment neighborhood to the north. Moderate-rise (i.e., four- to 10-story) apartment buildings line North Broadway and Franklin Avenue. This area also includes the Eastview School. Directly east of the project area is a Hyundai dealership and a Stop and Shop Supermarket. To the west of the project area is the Tibbits Park. Downtown White Plains lies one block to the west, on the far side of North Broadway.

Table 2a. Estimated Development Potential in the RM-0.35 Zoning District									
Map #	Address	SBL	Land Area (sf)	Improved	FAR (Max)	Dev. Potential	Coverage (Max)	Height (Max)	
								Stories	Feet
1	30-36 Franklin	126.61-3-23	15,801	Unimproved	3.2	50,563	60%	6 (n)	125
2	38-40 Franklin	126.61-3-24	10,530	Unimproved	3.2	33,696	60%	6 (n)	125
3	42-44 Franklin	126.61-3-25	10,475	Unimproved	3.2	33,520	60%	6 (n)	125
4	50 Franklin	126.61-3-26	27,897	Unimproved	3.2	89,270	60%	6 (n)	125
5	58-60 Franklin	26.61-3-27	6,664	Unimproved	3.2	21,325	60%	6 (n)	125
6	62 Franklin	126.61-3-28	6,821	Unimproved	3.2	21,827	60%	6 (n)	125
7	Franklin	126.61-3-29	4,031	Unimproved	3.2	12,899	60%	6 (n)	125
19	26 Franklin	126.61-3-22	8,519	6,930	3.2	27,261	60%	6 (n)	125
Total Land Area			90,738						
Total Existing Improved SF			6,930						
Development Potential			290,362						
Unused Development Potential			283,432						

Table 2b. Estimated Development Potential in the B-3 Zoning District									
Map #	Address	SBL	Land Area (sf)	Improved	FAR (Max)	Dev. Potential	Coverage (Max)	Height (Max)	
								Stories	Feet
8	116 Westchester	126.61-3-10	20,460	2,106	2	40920	80%	4	50
9	106 Westchester	126.61-3-11	17,876	2,979	2	35752	80%	4	50
10	92-98 Westchester	126.61-3-12	6,250	4,331	2	12500	80%	4	50
11	84-88 Westchester	126.61-3-14	7,622	Unimproved	2	15244	80%	4	50
12	80 Westchester	126.61-3-13	52,053	26,060	2	104106	80%	4	50
13	70 Westchester	126.61-3-15	15,991	23,754	2	31982	80%	4	50
14	64-68 Westchester	126.61-3-16.1	9,098		2	18196	80%	4	50
15	62 Westchester	126.61-3-16.2	18,141	Unimproved	2	36282	80%	4	50
16	50 Westchester	126.61-3-17	17,784	3,532	2	35568	80%	4	50
17	44 Westchester	126.61-3-18	6,811	401	2	13622	80%	4	50
18	30-40 Westchester Ave	126.61-3-19	9,052	5,723	2	18104	80%	4	50
Total Land Area			181,138						
Total Existing Improved Square footage			68,886						
Development Potential			362,276						
Unused Development Potential			293,390						

Table 3. Summary of Estimated Development Potential of the Proposed Designated Area	
Total Land Area (sf)	271,876
Total Existing Improved Square footage	75,816 (68,000 Comm'l)
Total Development Potential (sf)	652,638
Total Unused Development Potential (sf)	576,822

III. CRITERIA FOR URBAN RENEWAL AREA DESIGNATION

A. SLUM, BLIGHTED, OR DETERIORATED OR DETERIORATING AREA

As stated above, the purpose of this study is to determine whether the Westchester Avenue project area is “an area appropriate for urban renewal”. The Urban Renewal Law from New York General Municipal Law Section 502 defines a “substandard or insanitary area” as:

“ Interchangeable with a slum, blighted, or deteriorated or deteriorating area, or an area which has a blighting influence on the surrounding area, whether residential, non-residential, commercial, industrial, vacant, or land in highways, railway and subway tracks, bridge and tunnel approaches and entrances, or other similar facilities, over which air rights and easements or other rights of user necessary for the use and development of such air rights, to be developed as air rights sites for the elimination of the blighting influence, or any combination thereof and may include land, buildings or improvements, or air rights and concomitant easements or other rights of user necessary for the use and development of such air rights, not in themselves substandard or insanitary, the inclusion of which is deemed necessary for the effective undertaking of one or more urban renewal programs.”

The law does not further define the terms “slum, blighted, or deteriorated or deteriorating area” or an area which has a blighting influence on the surrounding area”.

New York State case law has generally supported the consideration of factors including but not limited to the following in determining if an area is “blighted”:

- irregularity of the lots;
- inadequacy of the streets and parking/faulty street or parking design;
- diversity of land ownership making assemblage of property difficult;
- incompatibility of the existing mixture of residential and industrial property;
- underutilization or overutilization of land (inadequate/vacant or overcrowded land use conditions);
- incidence of crime;
- lack of sanitation;
- poorly functioning drainage areas;
- fire hazards;
- traffic congestion and safety; and
- pollution.

For purposes of urban renewal, the term “blighted area” includes areas in process of deterioration, threatened with it, or already considered to be undevelopable. In addition, every parcel within an urban renewal area need not be determined to be “blighted,” as long as the overall area is characterized as blighted.

B. CONSISTENCY WITH THE COMPREHENSIVE PLAN

Designation of an urban renewal area must be consistent with a community's Comprehensive Plan.

Redevelopment of the urban renewal area must be done pursuant to an approved urban renewal plan, which must also be consistent with the Comprehensive Plan. GML Article 15, §502(7) defines “urban renewal plan” as a “plan for an urban renewal project, which shall conform to the comprehensive community plan of the development of the municipality”.

IV. ANALYSIS

A. CONSISTENCY WITH CRITERIA FOR URBAN RENEWAL AREA DESIGNATION

The following section documents the characteristics evident of blight in the proposed Westchester Avenue Urban Renewal Project Area:

IRREGULARITY OF THE LOTS

As shown in Figure 1, the 6.2-acre site is divided into 19 small lots with an average parcel size of approximately one-third-acre. Along Westchester Avenue, there are 11 separate parcels, with several access points from Westchester Avenue. This leads to many hazardous conflict points for vehicles travelling along the busy commercial corridor. In addition, the lots are not uniform-some are very narrow, one is almost triangular (with an unusable portion at the end), some are through lots to Franklin Avenue and others are shallow lots that have frontage only on Westchester Avenue. Lot 9 (the Westchester Burger site) is steeply sloped and also has a narrow, two-way driveway leading to its parking lot in the rear. All of these factors make redevelopment more challenging.

INADEQUACY OF STREETS, CIRCULATION, AND PARKING

There are no shared access points to Westchester Avenue or service roads or driveways that would facilitate vehicular movements within and to/from the parcels. In addition, as discussed below, pedestrian facilities in the area are inadequate. With regard to parking, parcel numbers 4 through 7 are owned by the City of White Plains and used as a 151-space municipal parking lot. Parcels 1 through 3 are used for parking by the car dealerships that front on Westchester Avenue. A number of buildings in the Project Area as well as in the surrounding study area are deficient in parking under current zoning standards. The lack of adequate on-site parking is a major factor affecting the marketability of the small commercial structures, which must direct patrons to park at the Stop and Shop, more than 500 feet away. This is particularly problematic because the lack of a safe pedestrian connection between the Stop and Shop parking lot and the project area. Already, parking is at a premium in the neighborhood and the Franklin Avenue Municipal Parking Lot often has a long waiting list. As described below, the configuration of the driveway on Lot 9 presents safety hazards, particularly for pedestrians. Lot 18 is a multi-tenant retail building that has difficulty attracting and retaining tenants because it lacks parking.

INADEQUATE UTILIZATION OF LAND

The project area is much underutilized considering its potential based both on what the zoning would allow and on the retail drawing power of the Westchester Mall located directly opposite the site. In addition to all of the unimproved parcels, there are four retail spaces in the Project Area that are vacant.

POORLY FUNCTIONING DRAINAGE AREA

Poor drainage conditions in the project area due to the high water table with the potential for groundwater infiltration and flooding increases construction and redevelopment costs, which can have an inhibiting and/or negative effect on investment in the area. The properties along Franklin Avenue (Lots 1-7 and 19) are particularly susceptible to poor drainage conditions.

TRAFFIC SAFETY AND CONGESTION

The Project Area contains a number of substantial transportation safety issues which inhibit its redevelopment, including:

- A severe safety hazard for pedestrians and vehicles created by the steeply sloped, narrow, two-way driveway, poor sight lines, and lack of separation between vehicles and pedestrians at the entrance/exit to Lot 9;
- The lack of adequate pedestrian safety facilities (e.g., sidewalks, crosswalks, pedestrian crossing signals, etc.) between the project area and the Westchester Mall and between the project area and the Stop and Shop supermarket; and
- The absence of a safe and attractive pedestrian linkage between the Eastview School/Franklin Avenue area and the Stop and Shop/Westchester Mall area.

B. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The City's Comprehensive Plan, *White Plains Vision: A Plan for the 21st Century*, as amended by the 2006 *Revision to the 1997 Comprehensive Plan*, is recognized as the guide for future development of the City of White Plains. Combined, these documents meet the NYS General Municipal Law definition of a "comprehensive community plan," and establish goals and strategies for the redevelopment and revitalization of the Westchester Avenue corridor area.

The Westchester Avenue Project Area is identified in the City's Comprehensive Plan as an "Area Where Major Redevelopment Could Occur," and recommendations for its redevelopment are included in the discussions of *New Corridors* and *Major Properties*. Specific Plan recommendations for the redevelopment of the proposed Westchester Avenue Urban Renewal Project Area are listed below:

- *Intersections with high degrees of pedestrian-vehicular conflict are predominantly found along ... Westchester Avenue. Possible modifications to reduce these conflicts include neck downs (sidewalk extensions at intersections), pavement design changes used in other communities, more pedestrian crosswalks, and curbside parking during non-rush hour periods."*
- *The Plan's vision for this segment of Westchester Avenue is a medium density commercial corridor that clearly separates the commercial "Specialty Retail Area" on the south side of Westchester Avenue from the intermediate business district to the north of Westchester Avenue.*
- *The zoning along the northerly side of Westchester Avenue from the supermarket access road to Armory Place should remain B-3 Intermediate Business district. Any development in this area must be carefully assessed to ensure that traffic and parking impacts will not negatively impact residential uses in the RM-0.35 residential district along Franklin Avenue.*
- *Protect the residential neighborhoods of Eastview and Carhart, which abut the Core Area's Specialty Retail Area and Westchester Avenue, from intrusion of commercial uses, accessory uses and their impacts, including parking, traffic and conversion of residential uses to nonresidential uses.*
- *The Plan's vision for the Eastview School and the adjacent publicly and privately-owned properties running through to Westchester Avenue ... envisions the unified redevelopment of the northern Westchester Avenue frontage with new commercial uses, particularly including a supermarket.*
- *From an overall perspective, Westchester Avenue would provide a more appropriate frontage for retail development than would the Eastview property. The area presently contains a mix of uses, including a municipal parking lot with development significantly less than the zoning potential. The opening of The Westchester has increased the value of Westchester Avenue as a retail location. Any*

commercial development along this frontage should have access from Westchester Avenue, preferably at the Bloomingdale Road intersection and not from neighborhood streets such as Franklin Avenue or Amherst Place.

The proposed designation of the project area for urban renewal purposes is consistent with identification in the Comprehensive Plan as an "Area Where Major Redevelopment Could Occur". In addition, the designation of the Project Area is consistent with the Plan's identification of public safety issues related to pedestrian/vehicular conflicts along the Westchester Avenue corridor. The Plan's goals for the area are all consistent with the use of urban renewal powers to assist in the redevelopment of the area.

F. CONCLUSION

Using the criteria and standards set forth in NYS General Municipal Law, the following analysis clearly demonstrates that the Westchester Avenue Project Area is a substandard and deteriorating area that has the potential to exert a blighting influence on adjoining residential and commercial properties, and therefore is appropriate for urban renewal. Specifically, the blighting conditions in the Project Area result primarily from the following factors:

- The inefficiencies and development limitations created by the irregular and substandard configuration of the lots;
- Poor vehicular circulation;
- Deficiencies in parking;
- Underutilization of land in an area with excellent highway access that adjoins a regional retail center;
- A poorly functioning drainage area that restricts subsurface development; and
- A development pattern that presents considerable safety hazards, particularly for pedestrians.

Based on the results of this study, the staff of the Planning Department and the Urban Renewal Agency finds that the proper redevelopment of this area is in the interest of sound community planning and the public interest, and further recommends that such redevelopment can best be effectuated by carrying out an urban renewal project pursuant to Article 15 of NYS General Municipal Law. Urban renewal powers are necessary to achieve the removal of the substandard and blighting conditions in the area and bring about the sound redevelopment of the area, including the implementation of traffic and pedestrian circulation improvements that will improve accessibility and safety to ensure the success of development of the Project Area. It is further advised that the Urban Renewal Agency recommend that the Common Council designate the area an "Urban Renewal Area" and direct staff to prepare a draft "Urban Renewal Plan" to guide the revitalization and redevelopment of the area.

Figure 2: Parcels 1 through 7 - Private and Municipal Parking Lots – Franklin Avenue

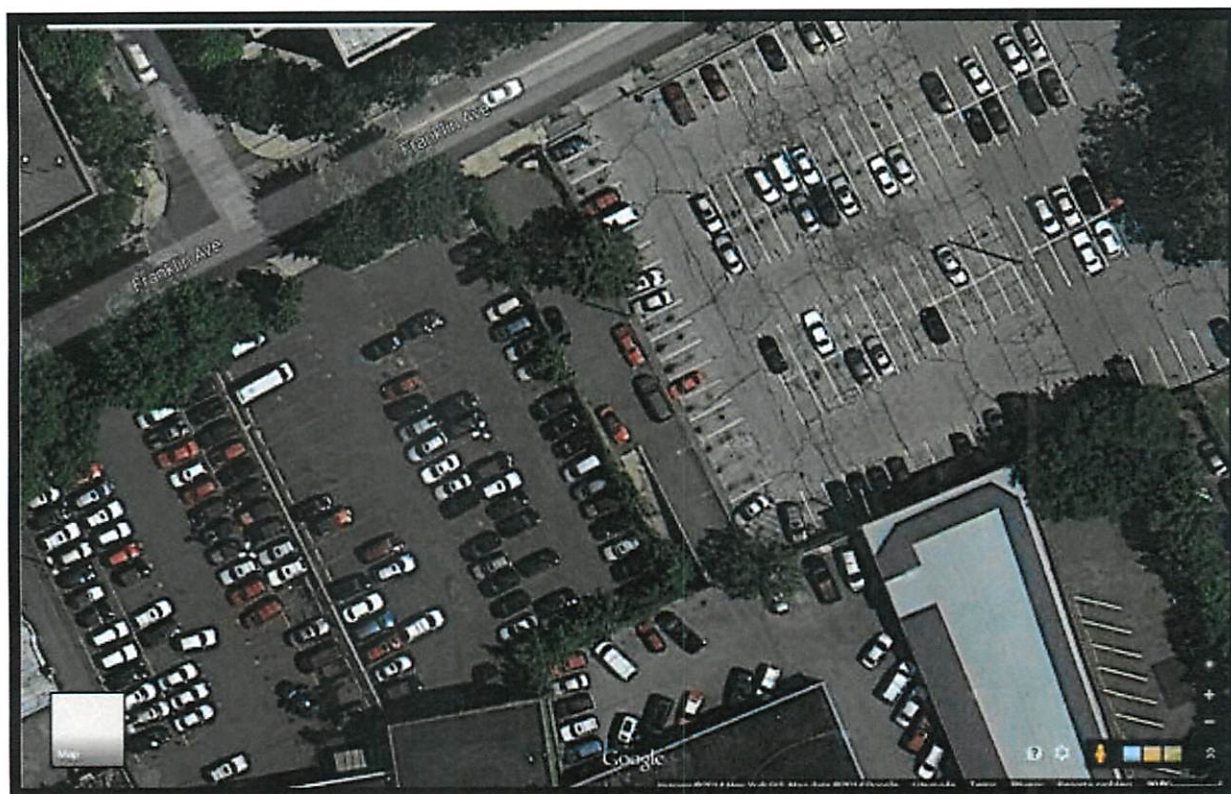


Figure 3 Franklin Avenue Municipal Parking Lot (Parcels 4 through 7). Private Lots Located Beyond Trees



Figure 4: Parcel 17 - Enterprise Car Rental – 44 Westchester Avenue



Figure 5: Parcel 16 - White Plains Coach Diner – 50 Westchester Avenue

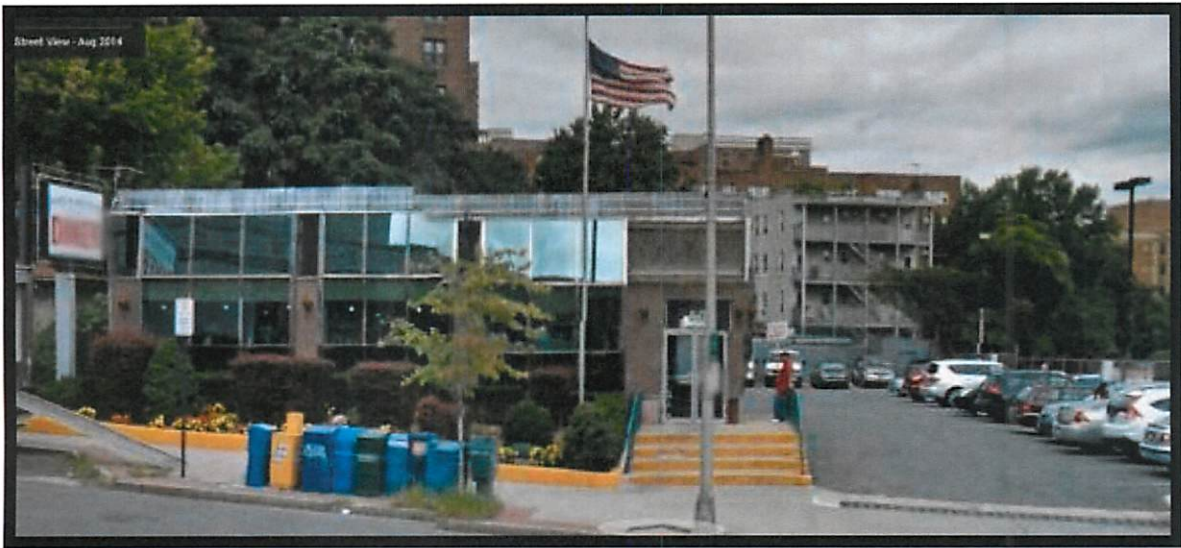


Figure 6: Parcels 15, 14, and 13 - Car Dealership – 62, 64-68, and 70 Westchester Avenue



Figure 7: Parcel 12 - Vacant Storefronts – 80 Westchester Avenue
Parcel 11 - Vacant Parcel – 84-88 Westchester Avenue



Figure 8: Parcel 10 - Window Shop and Tailor. Pizzeria and Beads are vacant – 92-98 Westchester Ave / Parcel 9 - Westchester Burger Co. with driveway – 106 Westchester Avenue

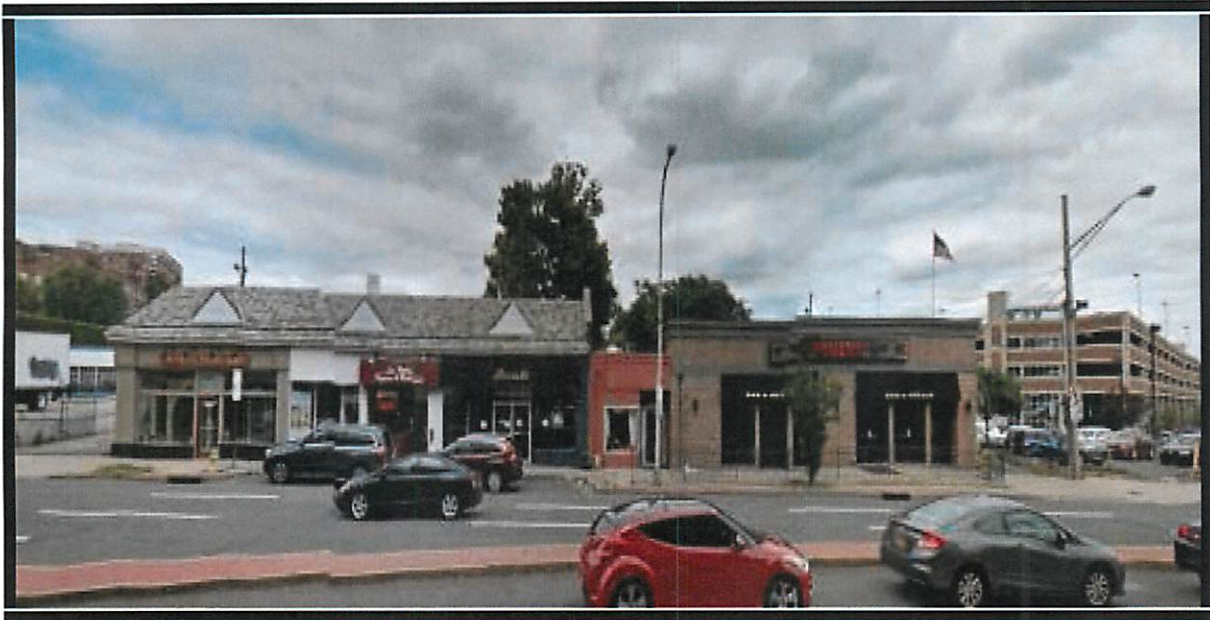


Figure 9: Parcel 8 – Avis/Budget Car Rental – 116 Westchester Avenue

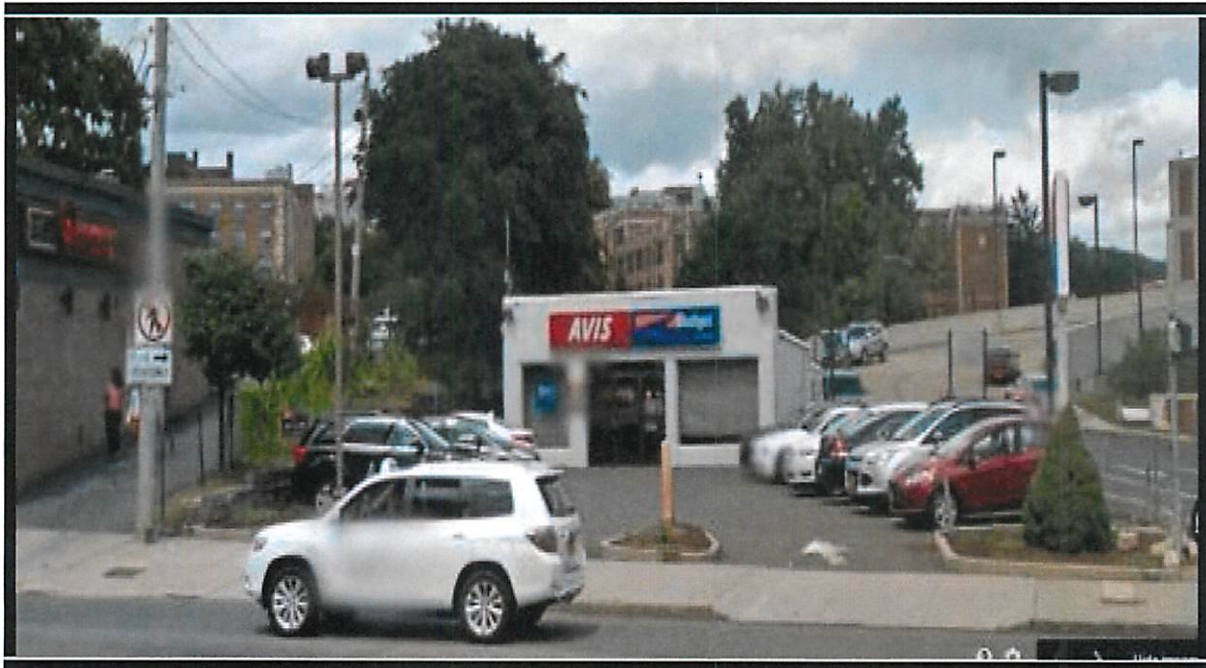


Figure 10: Parcel 18: 30-40 Westchester Avenue



Figure 11: Parcel 19: 26 Franklin Avenue

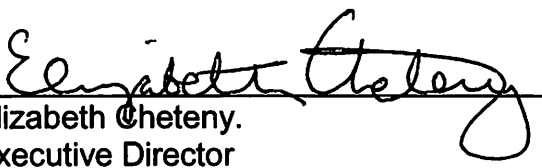


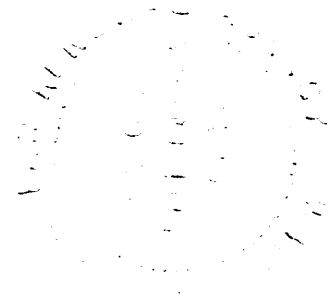
WHITE PLAINS URBAN RENEWAL AGENCY
MUNICIPAL BUILDING ANNEX 255 MAIN STREET, WHITE PLAINS, NEW YORK 10601 (914) 422-1300
Fax (914) 422-1301

CERTIFIED COPY

I, the undersigned, hereby certify that:

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 12 - 2014**, (the "Resolution"), adopted at a meeting of the Agency held on **November 24, 2014**, (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given . A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman in the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **November 24, 2014**.


Elizabeth Cheteny.
Executive Director



1. 2018年12月31日，本公司应收账款账面余额为1,000,000.00元，坏账准备余额为100,000.00元，应收账款账面价值为900,000.00元。

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

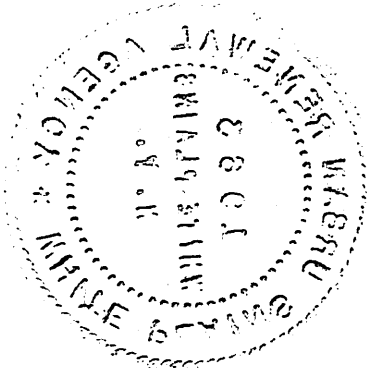
19. *Chrysomelidae* (Coleoptera): 1000

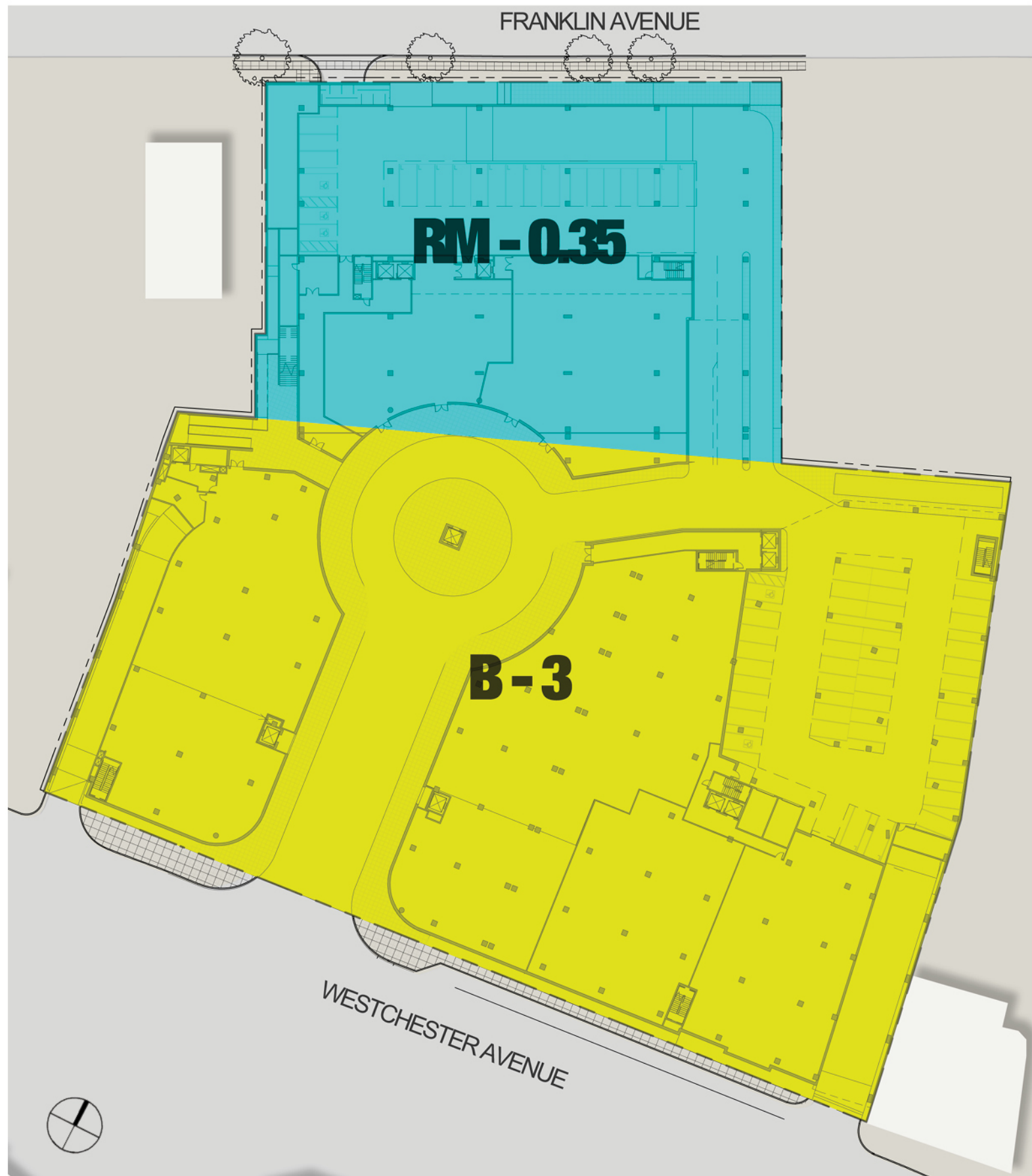
[illegible][illegible]

These authors have also shown that the degree of inhibition of the endometrial growth is a function of the duration of the treatment. The authors have also shown that the degree of inhibition of the endometrial growth is a function of the duration of the treatment.

1. The first step in the process of management is to identify the organization's mission and vision. This involves defining the organization's purpose and its long-term goals. The mission statement should be clear, concise, and inspiring, while the vision statement should paint a picture of the organization's future success.

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan of action. This involves identifying the steps that need to be taken to solve the problem and determining the resources that will be needed to implement the plan. Once a plan of action has been developed, the next step is to implement the plan. This involves carrying out the steps that have been identified in the plan and monitoring the progress of the implementation. Finally, the last step in the process is to evaluate the results of the implementation. This involves determining whether the problem has been solved and whether the resources have been used effectively.





ZONING ORDINANCE OF THE CITY OF WHITE PLAINS (1981, 2007)

RM 0.35 ZONE			
30-36 FRANKLIN AVE (RM 0.35 DISTRICT) 38-40 FRANKLIN AVE (RM 0.35 DISTRICT) 42-44 FRANKLIN AVE (RM 0.35 DISTRICT) 80-88 WESTCHESTER AVE (RM 0.35 & B-3 DISTRICTS)			
ISSUE	SECTION	ORDINANCE REQUIREMENT	REMARKS
ZONE DISTRICT		RM 0.35	
LOT AREA		RM 0.35: 41,933 SF	
USES	SECTION 5.2	RM 0.35: MULTI FAMILY DWELLING, RESTAURANT, PARKING GARAGE	
MAXIMUM BUILDING COVERAGE	TABLE 5.3, COLUMN 2	RM 0.35: 60% MAX	25,160 SF MAX ALLOWED
MAXIMUM "FLOOR AREA RATIO"	TABLE 5.3, COLUMN 5	RM 0.35: N 3.2 (NON RESIDENTIAL)	134,186 SF MAX ALLOWED NON RESIDENTIAL
MINIMUM "LOT" DIMENSIONS	TABLE 5.3, COLUMNS 6-9	RM 0.35	
		LOT AREA: MINIMUM 10,000 SF	COMPLIES
		DWELLING UNIT AREA: 350SF/UNIT	120 DWELLING UNITS ALLOWED
		FRONTAGE: MINIMUM 75'	COMPLIES
MINIMUM REQUIRED "YARD" DIMENSIONS	FRONT YARDS; TABLE 5.3, COLUMN 10 SIDE YARDS; TABLE 5.3, COLUMNS 11 & 12 REAR YARD; TABLE 5.3, COLUMN 13	RM 0.35: 10'	
		RM 0.35: 15' FOR ONE SIDE; 30' FOR TWO SIDES	
		RM 0.35: 30'	
		RM 0.35: 125'; 6 STORIES; ADD'L STORIES W/ 20' FRONT YARD SETBACK	MEAN AVG GRADE: 164.07'; RM 0.35 IS 11 STORIES + PENTHOUSE
PARKING & LOADING	SECTION 8.3	RM 0.35:	OFF-"STREET" PARKING AND LOADING REQUIREMENTS DEPENDENT ON USE
*REFERS TO TABLE 5.3 RESIDENTIAL & NON-RESIDENTIAL			

B-3 ZONE			
80-88 WESTCHESTER AVE (RM 0.35 & B-3 DISTRICTS) 62 WESTCHESTER AVE (B-3 DISTRICT) 64-68 WESTCHESTER AVE (B-3 DISTRICT) 70 WESTCHESTER AVE (B-3 DISTRICT) 84-88 WESTCHESTER AVE (B-3 DISTRICT) 92-98 WESTCHESTER AVE (B-3 DISTRICT)			
ISSUE	SECTION	ORDINANCE REQUIREMENT	REMARKS
ZONE DISTRICT		RM 0.35 / B-3	
LOT AREA		B-3: 103,251 SF	
USES	SECTION 5.2	B-3: SENIOR LIVING, HOTEL, RETAIL, HEALTH CLUB, OFFICE, MOTOR VEHICLE SALES AND SERVICE, PARKING GARAGE	
MAXIMUM BUILDING COVERAGE	TABLE 5.3, COLUMN 2	B-3: 80% MAX	82,601 SF MAX ALLOWED
MAXIMUM "FLOOR AREA RATIO"	TABLE 5.3, COLUMN 5	B-3: N 2.0 (NON RESIDENTIAL)	206,502 SF MAX ALLOWED NON RESIDENTIAL
MINIMUM "LOT" DIMENSIONS	TABLE 5.3, COLUMNS 6-9	B-3	
		LOT AREA: NO REQUIREMENT	
		DWELLING UNIT AREA: 800SF/UNIT	130 DWELLING UNITS ALLOWED
		FRONTAGE: NO REQUIREMENT DEPTH: NO REQUIREMENT	
MINIMUM REQUIRED "YARD" DIMENSIONS	FRONT YARDS; TABLE 5.3, COLUMN 10 SIDE YARDS; TABLE 5.3, COLUMNS 11 & 12 REAR YARD; TABLE 5.3, COLUMN 13	B-3: 5'	
		B-3: 0'	
		B-3: 15'	
		B-3: 50'; 4 STORIES	MEAN AVG GRADE: 164.07'; B-3 IS 57' WITH 4 STORIES + ROOF
PARKING & LOADING	SECTION 8.3	B-3:	OFF-"STREET" PARKING AND LOADING REQUIREMENTS DEPENDENT ON USE
*REFERS TO TABLE 5.3 RESIDENTIAL & NON-RESIDENTIAL			

Exhibit J

70 Westchester Avenue (Formally
known as 70, 60-68, and 62
Westchester Avenue and 30-36, 38
40 and 42-44 Franklin Avenue)
White Plains, New York 10601

May 2020
Source: FEMA
 Scale: 1" = 100" approximately

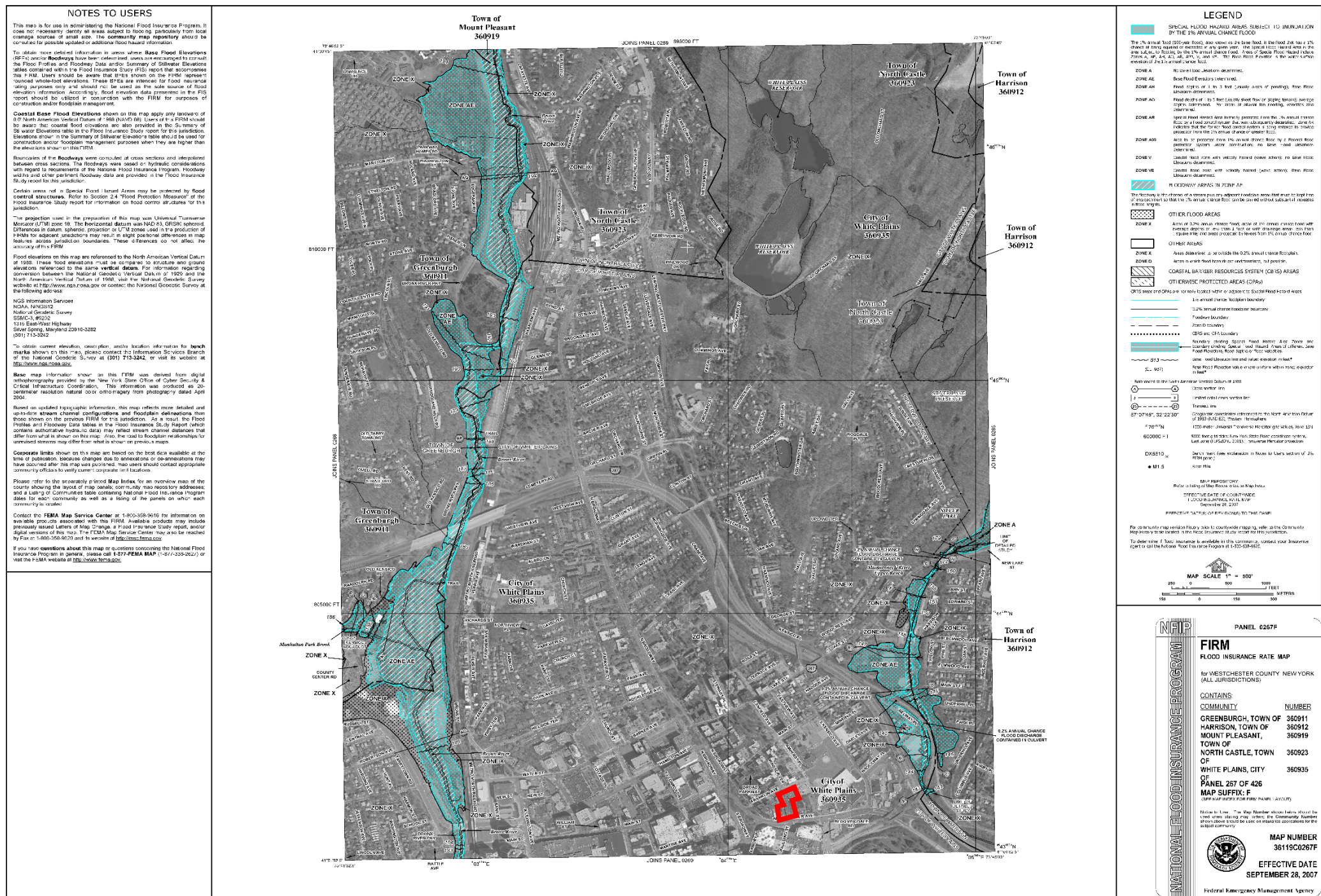


Exhibit K

Site Contact List

White Plains Chrysler Car Dealership Site
70 Westchester Avenue, White Plains, New York 10601

Name	Title	Address	City	State	Zip
Hon. Chuck E. Schumer	U.S. Senator	780 Third Avenue, Suite 2301	New York	NY	10017
Hon. Kristen Gillibrand	U.S. Senator	780 Third Avenue, Suite 2601	New York	NY	10017
Sarach Crowell	NYS DOS Department of Planning and Development, Director	1 Commerce Place, 99 Washington Ave, Suite 1010	Albany	NY	12231
Nita M. Lowey	U.S. House of Representatives, 17th District	222 Mamaroneck Avenue, Suite 312	White Plains	NY	10605
Andrea Stewart-Cousins	New York State Senator, District 35	28 Wells Avenue, Building #3	Yonkers	NY	10701
George Latimer	Westchester County Executive	148 Martine Avenue	White Plains	NY	10601
Richard Hyman	Westchester County Planning Board, Chair	148 Martine Avenue, Room 432	White Plains	NY	10601
Thomas Roach	Mayor of the City White Plains	255 Main Street	White Plains	NY	10601
Christopher Gomez	City of White Plains, Department of Planning, Commissioner	70 Church Street	White Plains	NY	10601
The Journal New	Media Outlet	1133 Westchester Avenue, Suite N110	White Plains	NY	10604
Katie Marino	Mount Kisco Water Bureau, Public Water Suplier	Village Hall, 1st Floor, 104 Main Street	Mount Kisco	NY	10549
Brian Kenney	Director of the White Plains Public Library - Document Repository	100 Martine Avenue	White Plains	NY	10601
Dr. Daisy Rodriguez	Principal of WPMS - Eastview Campus	350 Main Street	White Plains	NY	10601
Ryan Monk	Head of School of Fusion Academy	1 North Broadway, suite 120	White Plains	NY	10601
Ebony Tronsoso	Director of Childern's Corner Learning Center	120 Bloomingdale Road	White Plains	NY	10605
Kathy Halas	Director of Westchester Child Day Care	143 Grand Street	White Plains	NY	10601
Franklin Plains Corporation	Adjacent Property Owner and Operator of 25 Franklin Avenue	25 Franklin Avenue	White Plains	NY	10601
Hony Housing Development Fund	Adjacent Property Owner of 40 Windsor Terrace	59 Rutledge Road	Scarsdale	NY	10583
City of White Plains	Adjacent Property Owner of 50 Franklin	255 Main Street	White Plains	NY	10601
Chauncey White Plains, LLC	Adjacent Property Owner of 80 Winchester Avenue	44 Church Street	White Plains	NY	10601
Westchester Mall, LLC	Adjacent Property Owner and Operator of 125 Westchester and Bloomingdale Road	125 Westchester Avenue	White Plains	NY	10601
50 Westchester Avenue Realty Corporation	Adjacent Property Owner and Operator of 50 Westchester Avenue	50 Westchester Avenue	White Plains	NY	10601
Westbrook Tenants Corporation	Adjacent Property Owner of 22 Franklin Avenue	10 Franklin Avenue, Apt 6M	White Plains	NY	10601
26 Franklin, LLC	Adjacent Property Owner and Operator of 26 Franklin Avenue	26 Franklin Avenue	White Plains	NY	10601
Franklin Windsor	Adjacent Property Operator of 40 Windsor Terrace	40 Windsor Terrace	White Plains	NY	10601
White Plains Coach Diner	Adjacent Property Operator of 50 Westchester Avenue	50 Westchester Avenue	White Plains	NY	10601
Westchester Burger Company	Adjacent Property Operator of 106 Westchester Avenue	106 Westchester Avenue	White Plains	NY	10601
Nordstrom Café	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601
Swarovski	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601
Johnston & Murphy	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601
Free People	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601
My Suite	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601
Hilister Co.	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601
Apple The Westchester Electronics Store	Adjacent Property Operator of 125 Westchester Avenue	125 Westchester Avenue	White Plains	NY	10601

Exhibit L



October 27, 2020

VIA ELECTRONIC MAIL
bkenney@whiteplainslibrary.org

Brian Kenney, Director
White Plains Public Library
100 Martine Avenue
White Plains, New York 10601

RE: Brownfield Cleanup Program Application
Applicant: Saber-North White Plains, LLC
Site Name: White Plains Chrysler Car Dealership
Site Address: 70 Westchester Avenue, White Plains, NY 10601

Dear Mr. Kenney:

We represent Saber-North White Plains, LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 70 Westchester Avenue in the City of White Plains, Westchester County, New York. Your branch is currently the repository for this project. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent in CD format.

Please sign below and return the original in the enclosed stamped self-addressed envelope if you are able to certify that your library would be willing and able to act as the temporary public repository for this Brownfield Cleanup Program project.

Thank you.

Sincerely,

KNAUF SHAW LLP

LINDA R. SHAW

Yes, the White Plains Public Library is willing and able to act as a public repository for documents related to the cleanup of 70 Westchester Avenue in the City of White Plains, Westchester County, New York under the NYS Brownfield Cleanup Program.

Brian Kenney, Director

10/27/20
Date

Exhibit M

PETROLEUM BULK STORAGE REGISTRATION CERTIFICATE

Site: White Plains Chrysler Jeep Dodge 70 Westchester Avenue White Plains, NY 10601 Operator: Augie DiFeo - (914) 946-2600 Emergency Contact: Luciano Caferri (914) 946-2600	PBS ID: 3-074896	Issue Date: 01/08/2018 Expiration Date: 01/08/2021						
	Owner: 70 Westchester LLC 70 Westchester Avenue White Plains, NY 10601 Issued by: Sherlita Amler, M.D. Commissioner of Health							
As an authorized representative of the above-named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. I recognize that I am responsible for assuring that this facility is in compliance with all sections of Article XXV and XXVI of the Westchester County Sanitary Code.								
<ul style="list-style-type: none"> The facility must be re-registered upon a transfer of ownership. The Department must be notified within 15 days prior to adding, replacing, reconditioning or permanently closing a stationary tank. THIS CERTIFICATE MUST BE POSTED ON THE PREMISES AT ALL TIMES. Posting must be at the tank, at the entrance of the facility or at the main office where the storage tanks are located. Any person with knowledge of a spill, leak or discharge must report the incident immediately to the Westchester County Department of Health at 914-813-5000 and to the New York State Department of Environmental Conservation at 800-457-7362. 								
Tank ID	Date Installed	Tank Location	Product	Capacity (gallons)	Last Tested	Next Test Due		
WO 1	01/2008	Aboveground (contact w/ impervious barrier)	Waste/Used Oil	1000		*		
ATF 1	01/2008	Aboveground (contact w/ impervious barrier)	Transmission Fluid	330		*		
OIL 1	01/2008	Aboveground (contact w/ impervious barrier)	Motor Oil	1000		*		
OIL 2	01/2008	Aboveground (contact w/ impervious barrier)	Motor Oil	500		*		
Mailing Address: Luciano Caferri 70 Westchester LLC 70 Westchester Avenue White Plains NY 10601			Name of Authorized Representative/Owner (print) Signature of Authorized Representative/Owner <table style="width: 100%;"> <tr> <td style="width: 70%;">Title</td> <td style="width: 30%;">Date</td> </tr> </table>				Title	Date
Title	Date							

*Please refer to tank testing protocol at health.westchestergov.com/petroleum-bulk-storage

THIS CERTIFICATE IS NON-TRANSFERABLE