

TB White Plains Apartments LLC Brownfield Cleanup Program Application Ford and Florence Howe Auto Dealerships Site C360228

**Portion of Former 80 Westchester Avenue
White Plains, New York 10601**



**Legal & Consulting Team:
Knauf Shaw LLP & SESI Consulting Engineers.
July 2024**

Table of Contents

Section

- 1. Cover Letter**
 - 2. BCP Application**
 - 3. BCP Support Document**
 - 4. Exhibit A – Site Map, Street Map and USGS 7.5-Minute Quadrangle Map**
 - 5. Exhibit B – BCP Site Metes and Bounds, Common Counsel Resolution, Condo Lot Merger Map, Survey and Tax Map**
 - 6. Exhibit C – Brownfield Opportunity Area Map, Disadvantage Communities Map, Environmental Justice Map, En-Zone Map**
 - 7. Exhibit D – Flood Map**
 - 8. Exhibit E – Zoning Map**
 - 9. Exhibit F – Previous Owners and Operators List**
 - 10. Exhibit G – Site Drawing Spider Maps**
 - 11. Exhibit H – DOS Entity Information**
 - 12. Exhibit I – Corporate Consent and Organizational Chart**
 - 13. Exhibit J – Deeds**
 - 14. Exhibit K – Site Contact List**
 - 15. Exhibit L – Repository Letter**
- Environmental Reports**



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July 2, 2024

VIA ELECTRONIC MAIL
jennifer.hathaway@dec.ny.gov

Site Control Section
Attn: Jennifer Hathaway
Division of Environmental Remediation
NYS Department of Environmental Conservation
625 Broadway, 11th Floor
Albany, NY 12233-7020

**RE: Brownfield Cleanup Program Application
Ford and Florence Howe Auto Dealership Site
C360228**

Dear Jenn:

Enclosed please find a revised Brownfield Cleanup Program (“BCP”) Application in response to your Letter of Incompleteness received via email on June 20, 2024. Responses to your comments are provided below:

Section I: Property Information

- Please clarify site name. In some places it indicates “Dealership” and in others, “Dealerships.”

RESPONSE: The name of the Site is Ford and Florence Howe Auto Dealerships Site. The Site Contact List, included as Exhibit K, has been corrected to state Dealerships instead of Dealership. All other aspects of the application have the correct Site Name listed.

- Narrative – Past Use of Site – please elaborate on the past uses of the site and include possible sources of contamination.

RESPONSE: Narrative, Section I – Property Information, Question 14, D. Past Use of the Site has been updated to include a more elaborate explanation of the past uses of the site and includes possible sources of contamination. Additional information on past uses and possible sources of contamination can be found in Narrative, Section IV – Property’s Environmental History, Part 4. Past Land Use.

- Site Map – provide a site map titled as such and clearly identify adjacent property owners, as well as all other requirements indicated in the instructions.

RESPONSE: This map was provided in Exhibit A under the name of “Base Map.” The map’s name has been updated to “Site Map,” and is still provided in Exhibit A.



- Provide a USGS 7.5-minute quadrangle map titled as such and with the site clearly identified.

RESPONSE: This map was provided in Exhibit A under the name of “Site Location Map”. The map’s name has been updated to “USGS 7.5-Minute Quadrangle Map” and is still provided in Exhibit A.

- Tax Map – should clearly identify surrounding parcels in addition to site parcel.

RESPONSE: The Tax Map has been updated to identify the surrounding parcels. Please see Exhibit B.

- Please provide documentation regarding the parcel merger such as a date stamped application submission from the county clerk and indicate the anticipated date that a parcel number will be assigned to the site.

RESPONSE: Please see attached as Exhibit B the Environmental Findings Resolution of the Common Council of the City of White Plains, adopted on November 7, 2022 (the “Resolution”), which was inadvertently not included in our last submission. Pages 5-6 of the Resolution list the documents submitted for approval of the Site Plan application for the project, as amended. The architectural drawings that consolidate the existing parcels to form a single condominium property per the Condo Unit Designation Map are listed as Item No. 8, on page 6 of the Resolution. The Common Council of the City of White Plains reconfirmed its prior approvals for the project, including the amended Site Plan and documents to consolidate the existing parcels into a single condominium property, as indicated on page 11 of the Resolution. The Common Council’s approval for the condominium consolidation structure is also referenced on page 10 of the Resolution, at Section C. 1. It is anticipated that updated tax lot assignment(s) for the condominium property will be issued by the taxing authority upon final Site Plan approval in or about October 2024.

Section IX: Currently Property Owner and Operator Information

- On the form, please provide the requested information regarding the current operator (City of White Plains)

RESPONSE: The contact person for the current property operator is Thomas Soyk, the Deputy Commissioner for the City of White Plains Department of Parking and Traffic. Please see the application form for his contact information.

Section XII: Statement of Certification and Signatures

- Please have the signature page signed and dated by an authorized signatory.

RESPONSE: The executed and dated signature page has been included in the application form.



Jennifer Hathaway
July 2, 2024
Page 3

Additional Comments

- Please include a cover letter reiterating Site Control comments, including Applicant responses and indicating where revisions can be found within the revised application.

RESPONSE: Please accept this cover letter in response to the Site Control to satisfy this comment.

- In the top section of Page 1 of the revised application, please select “yes” to indicate that the submittal is a revised application and include the NYSDEC site code in the subject line of this letter.

RESPONSE: In the top section of Page 1 of the revised application, “yes” has been selected and the NYSDEC site code has been included where indicated.

Thank you and please let me know if you have any questions.

Sincerely,

KNAUF SHAW LLP

A handwritten signature in black ink that reads "Linda R. Shaw".

LINDA R. SHAW, ESQ.

Enclosure

Ec: Emily Barry, Project Manager, NYSDEC
Justin Stenerson, Project Attorney, NYSDEC
Sarah Saucier, NYSDEC
Steven McCague, NYSDEC
Kiera Thompson, NYSDEC
Michael Murphy, NYSDEC
Ashley Johnson, NYSDEC
Kelly Lewandowski, NYSDEC
Bradley Thompson
John Ambrose
Fuad Dahan



SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
 - b. one individual file (PDF) of each previous environmental report; and,
 - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. Compress all files (PDFs) into one zipped/compressed folder.
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both email and ground mail.

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service. (<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “*BCP Application NEW - *Proposed Site Name**”
- Email your submission to DESiteControl@dec.ny.gov – do NOT copy Site Control staff.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:
Chief, Site Control Section
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7020

PROPOSED SITE NAME: Ford and Florence Howe Auto Dealerships Site

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: _____

☐

Yes

☐

No

Is this a revised submission of an incomplete application?

If yes, provide existing site number: C360228

☒

Yes

☐

No



BCP App Rev 15 – May 2023

SECTION I: Property Information

PROPOSED SITE NAME **Ford and Florence Howe Auto Dealerships Site**

ADDRESS/LOCATION **Portion of 80 Westchester Avenue**

CITY/TOWN **White Plains, New York**

ZIP CODE **10601**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **City of White Plains, Westchester County**

COUNTY **Westchester**

SITE SIZE (ACRES) **2.559**

LATITUDE

LONGITUDE

41°	01'	59.1N	73°	45'	33.3W
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Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage
Portion of 80 Westchester Ave	p/o 126.61	3	N/A	2.559
Former lots were consolidated into one Condominium Lot				
The lot number has not yet been assigned by the City of White Plains				

	Y	N
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the required property map included with the application? (Application will not be processed without a map)	<input checked="" type="radio"/>	<input type="radio"/>
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) If yes, identify census tract: <u>88.01</u> Percentage of property in En-zone (check one): 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input checked="" type="radio"/>	<input type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	<input type="radio"/>	<input checked="" type="radio"/>

SECTION I: Property Information (CONTINUED)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>
8. 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? If yes, attach relevant supporting documentation.		<input type="radio"/>	<input checked="" type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: C360228		<input checked="" type="radio"/>	<input type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <div style="display: flex; justify-content: space-between;"> <div> <u>Easement/Right-of-Way Holder</u> <small>See Support Narrative - There are several easements bu these easement will not preclude remediation since they are future use and access easements that take effect post remediation and construction</small> </div> <div> <u>Description</u> </div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <div style="display: flex; justify-content: space-between;"> <div> <u>Type</u> N/A </div> <div> <u>Issuing Agency</u> </div> <div> <u>Description</u> </div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<input type="radio"/>	<input type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input type="radio"/>
17. If you have answered YES to Question 16 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?		<input type="radio"/>	<input type="radio"/>
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions. Initials of each Requestor: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☒ RIWP ☐ RAWP ☒ IRM ☐ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? RM-0.35 and R1-12.5

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential ☒ Commercial ☒ Industrial ☐

3. Current use (select all that apply):

Residential ☐ Commercial ☒ Industrial ☐ Recreational ☐ Vacant ☒

4. Please provide 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 by which the site became vacant.
Is this summary included with the application?

Y ☒ N ☐

5. Reasonably anticipated post-remediation use (check all that apply):

Residential ☒ Commercial ☒ Industrial ☐

If residential, does it qualify as single-family housing?

N/A ☐

☐ ☒

6. Please provide a statement detailing the specific proposed post-remediation use.
Is this summary attached?

☒ ☐

7. Is the proposed post-remediation use a renewable energy facility?
See application instructions for additional information.

☐ ☒

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

☒ ☐

9. Is the proposed use consistent with applicable zoning laws/maps?
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

SECTION IV: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following:

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). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
 - Sample location
 - Date of sampling event
 - Key contaminants and concentration detected
 - For soil, highlight exceedances of reasonably anticipated use
 - For groundwater, highlight exceedances of 6 NYCRR part 703.5
 - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this 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 checked="" type="checkbox"/> Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other: Automotive dealerships

SECTION V: Requestor Information

NAME TB White Plains Apartments LLC

ADDRESS 1140 Virginia Drive

CITY/TOWN Fort Washington

STATE PA

ZIP CODE 19034

PHONE (215) 328-7418

EMAIL jambrose@tollbrothers.com

	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
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="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)

7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/> Y	<input checked="" type="radio"/> N
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. 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.	<input type="checkbox"/>	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 selecting this option, 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; and, (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.
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>		

SECTION VI: Requestor Eligibility (CONTINUED)

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

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

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?



Yes



No



N/A

Note: A purchase contract or lease agreement does not suffice as proof of site access.**SECTION VII: Requestor Contact Information**

REQUESTOR'S REPRESENTATIVE Bradley Thompson

ADDRESS 1140 Virginia Drive

CITY Fort Washington

STATE PA

ZIP CODE 19034

PHONE (215) 914-1310

EMAIL bthompson3@tollbrothers.com

REQUESTOR'S CONSULTANT (CONTACT NAME) Fuad Dahan

COMPANY SESI Consulting Engineers

ADDRESS 959 Route 46E, Floor 3, Suite 300

CITY Parsippany

STATE NJ

ZIP CODE 07054

PHONE (862) 702-5719

EMAIL fd@sesi.org

REQUESTOR'S ATTORNEY (CONTACT NAME) Linda R. Shaw, Esq.

COMPANY Knauf Shaw LLP

ADDRESS 2600 Innovation Square, 100 S. Clinton Avenue

CITY Rochester

STATE NY

ZIP CODE 14604

PHONE (585) 546-8430

EMAIL lshaw@nyenvlaw.com

SECTION VIII: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A	<input checked="" type="radio"/>	<input type="radio"/>

SECTION IX: Current Property Owner and Operator Information

CURRENT OWNER TB White Plains Apartments LLC

CONTACT NAME Bradley Thompson

ADDRESS 1140 Virginia Drive

CITY Fort Washington

STATE PA

ZIP CODE 19034

PHONE (215) 914-1310

EMAIL bthompson3@tollbrothers.com

OWNERSHIP START DATE July 2019

CURRENT OPERATOR Site is vacant other than an active Parking Lot operated by the City of White Plains

CONTACT NAME Thomas Soyk, Deputy Commissioner, White Plains Department of Parking and Traffic

ADDRESS 255 Main Street (Annex Building)

CITY White Plains

STATE NY

ZIP CODE 10601

PHONE (914) 422-1232

EMAIL tsoyk@whiteplainsny.gov

OPERATION START DATE City Parking Lot commenced in 1971

SECTION X: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>

SECTION X: Property Eligibility Information (continued)

<p>3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____ Date Permit Issued: _____ Permit Expiration Date: _____</p>	<p>Y</p> <input type="radio"/>	<p>N</p> <input checked="" type="radio"/>
<p>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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents.</p> <p style="text-align: right;">N/A <input checked="" type="radio"/></p>	<input type="radio"/>	<input type="radio"/>
<p>5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.</p>	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XI: Site Contact List

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 mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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 XII: 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 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 VP Authorized Signatory (title) of TB White Plains Apartments LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. 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 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: 05-21-2024

Signature: _____

DocuSigned by:

EECD83FB30504D8...

Print Name: Bradley Thompson

PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

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.

BCP App Rev 15

Please respond to the questions below and provide additional information and/or documentation as required. Please refer to the application instructions.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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*
- *Selecting this option 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation 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.

☐ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

☐ Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

☐ No

From ECL 75-0111 as of April 9, 2022:

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

BCP APPLICATION SUPPORT DOCUMENT

BCP APPLICATION SUPPORT DOCUMENT

Exhibit List

Exhibit A	USGS 7.5-Minute Quadrangle Map, Street Map and Site Map
Exhibit B	Survey, Condominium Map, Metes and Bounds, Tax Map and Common Counsel Resolution
Exhibit C	BOA, Disadvantaged Communities, Environmental Justice and En-Zone Maps
Exhibit D	Flood Map
Exhibit E	Zoning Map
Exhibit F	Previous Owners and Operators
Exhibit G	Site Drawing Spider Maps
Exhibit H	DOS Entity Information
Exhibit I	Corporate Consent and Organizational Chart
Exhibit J	Deeds
Exhibit K	Site Contact List
Exhibit L	Repository Letter

ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:

1. January 1987 Spill No. 8606267
2. May 2011 Conrad Geoscience Corp. Phase I Environmental Site Assessment (“ESA”) prepared for Harbour Commercial Real Estate for 80 Westchester Avenue
3. July 2012 DVD Pre Demolition Asbestos Survey prepared for Saber WP, LLC for the Service Area Parking Garage located at 80 Westchester Avenue
4. July 2012 DVD Pre Demolition Asbestos Survey prepared for Saber WP, LLC for the Auto Showroom located at 80 Westchester Avenue
5. July 2012 DVD Pre Demolition Asbestos Survey prepared for Saber WP, LLC for the Parts and Service located at 80 Westchester Avenue
6. August 2012 DVD Subsurface Environmental Investigation Services and Inspection prepared for Saber WP, LLC for the property located at 80 Westchester Avenue
7. October 2012 DVD Pre Demolition Asbestos Survey prepared for Saber Realty for the Retail Spaces located at 90-96 Westchester Avenue
8. December 2012 DVD Phase I Environmental Audit prepared for Saber White Plains LLC for the property located at 80 Westchester Avenue
9. December 2012 DVD Phase I Environmental Audit prepared for Saber White Plains LLC for the property located at 90-96 Westchester Avenue
10. June 2014 Woodward & Curran (“W & C”) Tank Closure Report prepared for Westchester County Department of Health (“WDOH”) for the property located at 80 Westchester Avenue

11. June 2014 W & C Tank Closure Report prepared for WDOH for 90 – 96 Westchester Avenue
12. August 2014 WDOH Closure Report Letter prepared for 80 Westchester Avenue (3-801931) and 90-96 Westchester Avenue (3-801932)
13. January 2015 SESI Consulting Engineers (“SESI”) Geotechnical Investigation Report prepared for Saber Chauncey WP, LLC
14. March 2015 Woodward & Curran Phase II ESA prepared for Saber Chauncey WP, LLC prepared for the properties located at 70-96 Westchester Avenue and 50 Franklin Avenue
15. October 2015 Woodward & Curran Phase II ESA prepared for the properties located at 70-96 Westchester Avenue and 50 Franklin Avenue
16. January 2016 Woodward & Curran Phase I ESA prepared for Saber Real Estate Advisors prepared for the property located at 50 Franklin Avenue
17. January 2019 SESI Environmental Review Letter prepared for Toll Brothers Apartment Living
18. March 2022 SESI Phase I ESA prepared for Requestor
19. March 2022 SESI Phase II ESA prepared for Requestor
20. March 2022 SESI Remedial Investigation Work Plan (“RIWP”) prepared for Requestor
21. June 2022 SESI Interim Remedial Measures Plan prepared for Requestor
22. May 2024 Supplemental Phase II ESA Report prepared by SESI for TB White Plains Apartments LLC

SECTION I – PROPERTY INFORMATION

The Brownfield Cleanup Program (“BCP”) Site (“BCP Site” or “Site”) is located on a portion of a new consolidated condominium block at 80 Westchester Avenue, White Plains, New York on Section 126.61 Block 3 Lot N/A (The lot number has not yet been assigned by the City of White Plains). The following former addresses and tax lots are shown below, which make up the BCP Site:

Parcel Address	Tax Parcel Identification No.	Acreage ¹
106 Westchester Avenue	126.61-3-11	0.410
92-98 Westchester Avenue	126.61-3-12	0.151
80 Westchester Avenue	126.61-3-13	1.184
88-84 Westchester Avenue	126.61-3-14	0.171
50 Franklin Avenue	126.61-3-26	0.643

The USGS 7.5-Minute Quadrangle Map and Site Map are in Exhibit A. It is important to note that three former lots 27, 28 and 29 have been removed from this revised application due to lack of contamination above the restricted residential levels, which is the reason the Site is only a portion of the newly consolidated condominium block shown on the survey map and in the condominium map approved by the City of White Plains in Exhibit B. However, former Lot 11 has been added because of newly discovered contamination found in the most recent investigation performed, which is summarized in the May 2024 SESI Supplemental Phase II Report and in the revised Exhibit G spider maps attached hereto. The City condominium block merger approvals and a metes and bounds description of the portion of the condominium lot that makes up the Site are also in Exhibit B.

1. Site Boundary and Tax Parcel Information

The Site boundary does not correspond to the condominium tax block boundary. The Tax Boundary Map and Survey map are provided in Exhibit B, as well as the metes and bounds description of the portion of the consolidated condominium block that makes up the BCP Site boundary. As noted above, a lot number has not yet been assigned.

2. Property Map

The USGS 7.5-Minute Quadrangle Map and Site Map are in Exhibit A. A Survey map and metes and bounds description is in Exhibit B.

3-5. BOA, Disadvantage Communities, EJ and En-Zone Designations

The Site BOA, Disadvantaged Communities, Environmental Justice, and En-Zone Maps are in Exhibit C. The Site is located in an En-Zone Type B, Census Tract 88.01. The Site is not located in a BOA. The Site is located in a Potential Environmental Justice Area. The EPA ArcGIS map

¹ Acreages were determined using the Survey included in Exhibit B.

indicates that approximately 80.48% of the population surrounding this Site is a minority population. Approximately 7% of the area surrounding the Site is a limited English-speaking household, so the BCP documents will not need to be translated. The Site is located in a disadvantaged community area. According to the New York State Disadvantaged Communities Map, the Site is located on Census Tract 36119008800, which has an environmental burden higher than 85% of Census Tracts statewide and a population vulnerability higher than 48% percent of Census Tracts statewide.

6-11. Please refer to BCP Application Form.

12. Easements and Existing Rights of Way

There are several easements described below, but these easements will not preclude remediation since they are future use and access easements, which take effect post remediation and construction. In July 2019, the City of White Plains conveyed to Requestor the parcels formerly located at 50, 58-60, 62, and N/A Franklin Avenue, White Plains 10601. The deed contained three easements for these former lots. See 2019 Deed in Exhibit C.

The first Easement Agreement is between Requestor and the City of White Plains. The Easement Agreement relates to a parking structure to be constructed by Requestor on the conveyed premises. The parking structure is to include two hundred seventy-five (275) parking spaces to be dedicated as City of White Plains municipal parking. The parcels were also subject to a Declaration of Pedestrian Access Easement. The access easement related to pedestrian walkways on the westerly side of the premises. The third easement is an Amended and Restated Reciprocal Easement between Saber Chauncey WP, LLC, and Winnick Realty LLC. The Reciprocal Easement relates to pedestrian walkways on the easterly side of the premises. These easements will not preclude remediation at the Site since they take affect post remediation and construction.

13. Please refer to BCP Application Form.

14. Property Description Narrative

A. Site Location

The Site is located on a portion of a new consolidated condominium block at 80 Westchester Avenue, White Plains, New York on Section 126.61 Block 3 Lot N/A (The lot number has not yet been assigned by the City of White Plains). See Exhibits A and B. The Site is located in a mixed-use neighborhood, which became an En Zone based on the latest Census data. Franklin Avenue is located north of the Site. Amherst Place runs perpendicular to Franklin Avenue. A baseball field, parking garage, used car dealership, and a retail building are located east of the Site on another BCP Site located at 70 Westchester Avenue. Westchester Avenue and the Westchester Mall are located south of the Site. Several car dealerships, restaurants, retail stores, and residential buildings are located near the Site.

B. Site Features

The northeastern portion of the Site consists of asphalt covered parking and is leased and utilized for off-site parking related to the adjacent residential apartment buildings. There is a building located at 106 Westchester Avenue, which was occupied by a tenant called 100 Westchester Ave. Corp. for food preparation until 2022, but this building is also now vacant. The remaining portions of the Site are vacant with only concrete slab remnants of previous structures with the exception of one remaining building located at former 100 Westchester Avenue where a restaurant called Westchester Burger was located.

Several waterbodies are located near the Site. The Mamaroneck River is located 0.316 miles east of the Site the Site. The Bronx River is located 0.843 miles west of the Site. Bloomingdale Pond is located 0.365 miles from the Site. The Site is not located in a flood zone. See Exhibit D Flood Map.

C. Current Zoning and Land Use

The Site is currently located in the RM-0.35 Multifamily Residential District and R1-12.5 Residential One Family District. The properties located along Franklin Avenue are located in the RM-0.35 District. The RM-0.35 district allows for residential and accessory uses. The properties located along Westchester Avenue are located in the R1-12.5 District. The R1-12.5 District allows for residential and accessory uses. See Exhibit E Zoning Map. The Site is vacant with the exception of a City operated parking lot. One remaining restaurant building remains. The surrounding properties include car dealerships, restaurants, retail stores, and residential buildings. The White Plains Metro North Station and closest rail line are located 0.812 miles from the Site.

D. Past Use of the Site

See Section IV.4 for full description of past land uses. Most recently, the Site was used as a car dealership, retail units, and parking lots. The Site has a long history of use as car dealerships including auto repair. By 1930, lot 13 was developed with 3 buildings utilized as a car dealership. In 1941, the operator of the dealership was White Plains Auto Sales, then starting in 1961, the operator was Larsen Ford. In 1976 a permit was filed for a finishing shop and in 1984 another permit was filed for an existing spray paint booth. In 1988, the lot was operated by Key Ford of White Plains, and then 80 Westchester Avenue Associates Limited Partnership in 1992. The lot was operated by Smith Cairns Ford until 2011. Lot 14 has a history as a used car lot from 1987 to at least 2004 and lot 26 was owned and operated by Florence Howe Automotive Garage in 1942 and was eventually converted into a parking lot. These site operations reportedly involved the use of bulk petroleum storage, inground hydraulic lifts and two waste oil pits. Historic site plans also depicted floor drains and trenches throughout the former structures. The structures have since been demolished. Soil staining was observed on the property and is believed to have been caused by the demolition of site structures, specifically, the equipment used. A fill port was observed in the paved driveway on lot 11, and a GPR survey of the area revealed the presence of a metallic anomaly indicative of a 1,000-gallon UST. This UST is believed to have been utilized to store heating oil for a prep kitchen. The historical owners and uses associated with the Site are in Exhibit F the Previous Owners and Operators List.

E. Site Geology and Hydrogeology

According to the July 2012 Composite Survey of Property prepared by Ward Carpenter Engineers, which is discussed in the January 2015 SESI Geotechnical Investigation, the Site is ranges from 176 feet above mean sea level (“ft-amsl”) at the northwestern corner of the Site to a low elevation of 153 ft-amsl. Surface topography is generally flat with slope increasing in elevation from east to west. Based on topographic maps reviewed during Site investigations, the Site appears to be in a valley between two rolling hills. Groundwater is presumed to flow locally to the southeast and was encountered at depths ranging from 6 to 16 ft-bgs. Overburden ground water beneath the Site ranges from 12 to 16 ft-bgs.

Surficial materials at the Site consist of a 1- to 4-inch-thick layer of asphalt. Fill is found beneath the asphalt. The fill consists of consisting of varying percentages of sand, silt, gravel, and brick, asphalt, fragments, wood, concrete, plastic, etc. ranging in depth from approximately 3 to 16 ft-bgs. Natural sands are encountered beneath the fill. The natural soils are composed of sand with varying amounts of silt, and gravel with boulders and fractured/weathered rock. This stratum extends to depths ranging from 13 to 56 ft-bgs. This layer is loose to dense in condition. Bedrock at the Site was encountered between 15 and 66 ft-bgs. The upper portion of bedrock is weather. According to the Lower Hudson Sheet of Geologic Map of New York and USGS data, bedrock underlying the subject property is late Cambrian-early Ordovician Inwood Marble, consisting of dolomite marble, calc-schist, granulite, and quartzite which is overlain by calcite marble and grades into the underlying patchy Lowerre Quartzite.

F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are SVOCs and metals in soil, SVOCs, metals, and PFAS in groundwater, and Petroleum and Chlorinated VOCs in soil vapor. See Exhibit G Site Drawing Spider Maps and additional detail below.

15-17. Regarding Questions 15-17 on the BCP Application:

There are no responses to question 15-17 on the BCP Application Form since this Site is not located in New York City.

SECTION II – PROJECT DESCRIPTION

1-3. Please refer to BCP Application Form.

4. Short Project Description

The planned redevelopment of the Site entails the construction of a mixed-use apartment building with a commercial retail component and residential structure. The project is a 276-unit apartment development with 3 stories of residential units over retail and restaurant space on the southern half of the site and 7 stories of residential units over the northern half of the site and lower basement level of parking. Six (6) percent of the apartments will be affordable. There will also be a 275-space municipal parking lot developed, which will replace the current 153-space surface parking lot operated by the City of White Plains. 106 Westchester Avenue (former Lot 11) contains an

existing building that was most recently used for food preparation, and is likely to ultimately be turned into a restaurant and is remaining in place. This lot also had a grease oil tank, which has been removed since the initial application was sent to the Department. This will also be the staging area location for the construction project.

Schedule – Commencement through COC

A Remedial Investigation Work Plan and Interim Remedial Measures Work Plan have been submitted with the application in order to expedite any final data gap investigation work on the Site and commence some site preparation work, including any remaining slab or parking lot demolition, the installation of support of excavation in order to satisfy an agreement with the City of White Plains to commence the project as soon as possible. Therefore, this work is expected to commence shortly after the Site is accepted in the program in or about September 2024. An IRM Construction Completion Report, Remedial Investigation Report and Remedial Action Work Plan are expected to follow shortly thereafter. The Remediation is expected to commence in the fall of 2024 and may be completed on the Site by the end of 2024 or early 2025. The Certificate of Completion is anticipated to be issued before December 31, 2025.

SECTION III – LAND USE FACTORS

1. Current Zoning

The Site is within the RM-0.35 Multifamily Residential District and R1-12.5 Residential One Family District. See Exhibit E Zoning Map.

2. Allowed Uses

The properties located along Franklin Avenue are located in the RM-0.35 District. The RM-0.35 district allows for residential and accessory uses. The properties located along Westchester Avenue are located in the R1-12.5 District. The R1-12.5 District allows for residential and accessory uses and all project approvals have been received. See Exhibit E Zoning Map.

3-4. Current Use

This Site is mainly vacant and has been vacant since the latest auto dealership left the Site in about 2011. A portion of the Site is occupied by a public parking lot and has been since 1971. There is also a food preparation facility that was located on the former 106 Westchester Avenue Lot 11 until 2022 when that remaining on site structure became vacant.

5. Intended Use Post Remediation

After the remediation, the Site will be used for a mixed use Commercial and Residential apartment building and a residential and public parking lot.

6. Post Remediation Use

Post remediation use of the Site will be used for a mixed use Commercial and Residential apartment building and a residential and public parking lot.

7. Renewable Energy Facility

The proposed post-remediation use is not a renewable energy facility.

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

Yes, current, historical and/or recent development patterns support the proposed use.

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

Yes, the project is consistent with the City of White Plains zoning laws and map.

10. Consistent with the Master Plan?

Yes, the project is consistent with the City of White Plains Master Plan, which intends to facilitate neighborhoods that offer a variety of housing options with retail and commercial mixed uses to diversify the economy in the area. The project is also consistent with the Mid-Hudson Regional Economic Development Council's Strategic Plan.

SECTION IV – PROPERTY’S ENVIRONMENTAL HISTORY

1. List of Environmental Reports

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

- a. January 1987 Spill No. 8606267
- b. May 2011 Conrad Geoscience Corp. Phase I Environmental Site Assessment (“ESA”) prepared for Harbour Commercial Real Estate for 80 Westchester Avenue
- c. July 2012 DVD Pre Demolition Asbestos Survey prepared for Saber WP, LLC for the Service Area Parking Garage located at 80 Westchester Avenue
- d. July 2012 DVD Pre Demolition Asbestos Survey prepared for Saber WP, LLC for the Auto Showroom located at 80 Westchester Avenue
- e. July 2012 DVD Pre Demolition Asbestos Survey prepared for Saber WP, LLC for the Parts and Service located at 80 Westchester Avenue
- f. August 2012 DVD Subsurface Environmental Investigation Services and Inspection prepared for Saber WP, LLC for the property located at 80 Westchester Avenue
- g. October 2012 DVD Pre Demolition Asbestos Survey prepared for Saber Realty for the Retail Spaces located at 90-96 Westchester Avenue
- h. December 2012 DVD Phase I Environmental Audit prepared for Saber White Plains LLC for the property located at 80 Westchester Avenue

- i. December 2012 DVD Phase I Environmental Audit prepared for Saber White Plains LLC for the property located at 90-96 Westchester Avenue
- j. June 2014 Woodward & Curran (“W & C”) Tank Closure Report prepared for Westchester County Department of Health (“WDOH”) for the property located at 80 Westchester Avenue
- k. June 2014 W & C Tank Closure Report prepared for WDOH for 90 – 96 Westchester Avenue
- l. August 2014 WDOH Closure Report Letter prepared for 80 Westchester Avenue (3-801931) and 90-96 Westchester Avenue (3-801932)
- m. January 2015 SESI Consulting Engineers (“SESI”) Geotechnical Investigation Report prepared for Saber Chauncey WP, LLC
- n. March 2015 Woodward & Curran Phase II ESA prepared for Saber Chauncey WP, LLC prepared for the properties located at 70-96 Westchester Avenue and 50 Franklin Avenue
- o. October 2015 Woodward & Curran Phase II ESA prepared for the properties located at 70-96 Westchester Avenue and 50 Franklin Avenue
- p. January 2016 Woodward & Curran Phase I ESA prepared for Saber Real Estate Advisors prepared for the property located at 50 Franklin Avenue
- q. January 2019 SESI Environmental Review Letter prepared for Toll Brothers Apartment Living
- r. March 2022 SESI Phase I ESA prepared for Requestor
- s. March 2022 SESI Phase II ESA prepared for Requestor
- t. March 2022 SESI Remedial Investigation Work Plan (“RIWP”) prepared for Requestor
- u. June 2022 SESI Interim Remedial Measures Plan prepared for Requestor
- v. May 2024 Supplemental Phase II ESA Report prepared by SESI for Requestor

2. Sampling Data

See Exhibit G Spider Maps, which include sampling data summaries, and Section IV.3.

3. Environmental Assessment

See Exhibit G Site Drawing Spider Maps and summary below:

Soil:

Analytes > RRSCOs	Detections > RRSCOs	Maximum Detection (mg/kg)	RRSCO (mg/kg)	Depth (ft-bgs)	Sample ID	Max Collection Date
SVOCs						
Benzon(a)anthracene	11	112	1	3-3.5	SB-20	2/28/2024
Benzo(a)pyrene	12	93.7	1	3-3.5	SB-20	2/28/2024
Benzo(b)fluoranthene	13	110	1	3-3.5	SB-20	2/28/2024
Benzo(k)fluoranthene	5	13.4	3.9	3-3.5	SB-20	2/28/2024
Chrysene	8	99.4	3.9	3-3.5	SB-20	2/28/2024
Dibenzo(a,h)anthracene	9	16.1	0.33	3-3.5	SB-20	2/28/2024
Fluoranthene	1	195	100	3-3.5	SB-20	2/28/2024
Indeno(1,2,3-cd)pyrene	13	48.9	0.5	3-3.5	SB-20	2/28/2024

Phenanthrene	1	298	100	3-3.5	SB-20	2/28/2024
Pyrene	1	192	100	3-3.5	SB-20	2/28/2024
Metals						
Barium	2	421	400	3-3.5	SB-20	2/28/2024
Copper	1	500	270	5.5-6	SB-202	10/7/2021
Chromium	N/A	37.6	N/A	8.5-9	SB-17	2/28/2024
Lead	3	588	400	5.5-6	SB-202	10/7/2021
Manganese	2	3700	2000	7-7.5	TP-06	10/8/2021

Groundwater:

Analyte > AWQS	Detections > AWQS	Max Detection (µg/L)	AWQS (µg/L)	Sample ID	Max Collection Date
SVOCs					
Benzo(a)anthracene	2	0.54	0.002	TW-6	2/8/2022
Benzo(a)Pyrene	2	0.55	0	TW-6	2/8/2022
Benzo(b)fluoranthene	3	0.52	0.002	TW-6	2/8/2022
Benzo(k)fluoranthene	1	0.28	0.002	TW-6	2/8/2022
Chrysene	2	0.55	0.002	TW-6	2/8/2022
Indeno(1,2,3-cd)pyrene	2	0.42	0.002	TW-6	2/8/2022
Metals					
Arsenic	1	87.6	25	TW-5	2/8/2022
Barium	3	3,680	1,000	TW-5	2/8/2022
Cadmium	3	16.4	5	TW-5	2/8/2022
Chromium	3	349	50	TW-5	2/8/2022
Copper	2	681	200	TW-5	2/8/2022
Iron	8	297,000	300	TW-5	2/8/2022
Lead	3	422	25	TW-4	2/8/2022
Manganese	8	14,200	300	TW-5	2/8/2022
Nickel	2	267	100	TW-5	2/8/2022
Sodium	7	1,760,000	20,000	TW-4	2/8/2022
Zinc	2	217,000		TWP-211	10/7/2021
PFAS (ng/L)					
Perfluorooctane sulfonic Acid	10	109	6.7	TWP-211	10/7/2021
Perfluorooctanoic Acid	9	71	2.7	TWP-207	10/7/2021

Soil Vapor:

Analytes	Total Detections	Max Detection (µg/m ³)	NYSDOH Soil Vapor Subslab Matrices	Max Detection Date	Sampe ID
VOCs					
1,2,4-Trimethylbenzene	18	77.7	60	2/15/2023	SSV-R-1
1,2,4-Trichlorobenzene	1	8.9	-	10/7/2021	SV-4
1,3,5-Trimethylbenzene	9	78.2	60	2/15/2023	SSV-R-1
1,3-Butadiene	7	19.6	-	2/15/2023	SV-R-4
2,2,4-Trimethylpentane	4	19.8	60	2/15/2023	SV-R-6
2-Butanone	9	94.1	-	2/15/2023	SV-R-3
2-Hexanone	8	88.8	-	10/7/2021	SV-5
4-Ethyltoluene	7	38.6	-	2/15/2023	SSV-R-1
Acetone (2-Propanone)	8	3040	-	10/7/2021	SV-5
Acetone	10	549	-	2/15/2023	SV-R-3
Benzene	15	13.4	60	2/15/2023	SV-R-5
Carbon Disulfide	13	1200	-	2/15/2023	SV-R-5
Carbon Tetrachloride	2	3.71	6	2/15/2023	SV-R-8
Chlorobenzene	1	2.1	-	2/28/2024	SV-2
Chloroethane	1	4.59	-	2/15/2023	SV-R-4
Chloroform	2	1.06	-	2/15/2023	SV-R-8
Chloromethane	12	2.17	-	2/15/2023	SV-R-4
Cyclohexane	9	513	60	2/15/2023	SV-R-5
Dichlorodifluoromethane	15	63.8	-	10/7/2021	SV-6
Ethanol	11	780	-	10/7/2021	SV-4
Ethyl Acetate	7	273	-	2/28/2024	SV-1
Ethylbenzene	16	4340	60	2/15/2023	SSV-R-1
Heptane	16	28.7	200	2/15/2023	SV-R-5
Hexane	6	493	200	10/7/2021	SV-5
Isopropanol	8	14	-	2/15/2023	SV-R-3
Isopropyl Alcohol	7	140	-	2/28/2024	SV-2
m-Dichlorobenzene	2	54	-	2/28/2024	SV-2
Methylene Chloride	6	5.2	100	10/7/2021	SV-6
Methyl Ethyl Ketone	8	2120	-	10/7/2021	SV-5
Methyl Isobutyl Ketone	4	25	-	10/7/2021	SV-4
m, p-Xylene	7	20	200	2/28/2024	SV-1
n-Hexane	9	60.6	-	2/14/2023	Sv-R-5
O-Xylene	17	7380	60	2/15/2023	SSV-R-1
p/m-Xylene	11	19,400	-	2/15/2023	SSV-R-1
Propylene	6	479	-	10/7/2021	SV-3
Tertiary Butyl Alcohol	10	23	-	10/7/2021	SV-5/SV-4
Tetrachloroethylene	5	108	100	2/28/2024	SV-2
Tetrachloroethene	10	49.2	-	2/15/2023	SSV-R-1

Tetrahydrofuran	1	8.3	-	10/7/2021	SV-4
Toluene	19	145	300	2/15/2023	SV-R-3
Trichlorofluoromethane	12	10.7	-	2/15/2023	SV-R-2
Vinyl Acetate	4	18	-	2/28/2024	SV-2
Xylenes (total)	7	45	-	2/28/2024	SV-2

4. Past Land Use

1. Past Use of the Site

The environmental history is broken down below by the former lot numbers since each lot had different historic uses:

80 Westchester Avenue (126.61-3-13)

From 1905-1911, this lot was developed with a small unidentified structure and a small woodshed. Thereafter, the lot contained a small two-story structure. By 1930, the lot was developed with three car dealership buildings. Two gasoline tanks were on the lot, including one along the southeastern corner of what was known as the storage building. In 1941, White Plains Auto Sales operated the lot. In 1960, a building permit was filed to convert a building on the lot into an automobile showroom. Between 1961 and 1971, the lot was operated by Larsen Ford. In 1976, a permit was filed for a finishing shop permit. In 1984, an existing spray paint booth was legalized according to building department records. By 1987, the small structure along Westchester Avenue had been demolished. In addition, one of the two gasoline tanks shown in earlier maps was no longer present. In January 1987, a spill was reported to the NYSDEC after a tank test failure (Spill No. 8606267). Key Ford of White Plains operated the property in 1988. The property was acquired by 80 Westchester Avenue Associates Limited Partnership in 1992. Between 1987 and 1990, the lot was operated as an automobile sales and service lot. The lot was operated by Smith Cairns Ford until approximately February 2011.

84-88 Westchester Avenue (126.61-3-14)

In 1905, the lot was occupied by a dwelling. The dwelling was present in 1911. In 1930, a small diner operated as the “lunch wagon” and a dwelling were present on the lot. The dwelling and diner were demolished in the late 1950s. Between 1987 and at least 2004, the lot was utilized as a used car lot.

92-98 Westchester Avenue (126.61-3-12)

Sanborn historic maps show from 1905 and 1911 that Lot 12 was vacant. Maps from 1930 through 2004 show that Lot 12 was occupied by stores.

106 Westchester Avenue (126.61-1-11)

Sanborn historic maps show from 1905 to 1911 that Lot 11 was occupied by a dwelling. From 1930 to 1987 Lot 11 is shown as being occupied by stores and dwellings. Then from 1987 to 2021 Lot 11 is shown as being occupied by stores and a restaurant.

50 Franklin Avenue (126.61-3-26)

In 1905, Lot 26 was occupied by three buildings. At the time, the current Franklin Avenue was known as Oakley Avenue. The 1911 map shows no change from the 1905 map. Twelve buildings

were present on the lot in 1930. By 1942, two of the buildings were combined. The lot appeared to be owned by Florence Howe Automotive Garage in 1942. By 1971, most of the lot was converted into a parking lot. Two structures remained on the east side of the property. All the buildings were removed in 1987, and the remaining portion of the lot was converted into a parking lot. By 1987, the street name was changed to Franklin Avenue. The maps between 1988 and 2004 show no change in the lot configuration from the 1987 map.

2. Past Investigations Related to Uses and Environmental Conditions that Led to the Submission of this Application.

The Site was historically operated as various auto dealerships from the 1930s until 2011. Site operations reportedly involved the use of inground hydraulic lifts and two waste oil pits. In 1986, the property was listed with the USEPA as a small quantity generator (“SQG”) of hazardous waste. Violations were listed in 1990. The property was also listed as an SQG in 2006 under the name of Key Ford of White Plains. The property was also listed on the NYSDEC database of leaking registered storage tanks (“LTANKS”) for Spill No. 8606267 described briefly below. Manifest records for the property were found with two names: Consolidated Edison and Key Ford of White Plains. The manifest document for Con Ed was generated in June 2010 but the nature of the hazardous material was not recorded. Over 100 manifest documents with the name Key Ford were generated between 1986 and 2004. The majority of the waste generated was unlisted (“non-listed ignitable waste”). Tetrachloroethylene was listed as a generated waste in 1990, 1991, 1995, and 1996. In January 1987, a spill was reported to the NYSDEC at 80 Westchester Avenue (Spill No. 8606267). An unknown amount of gasoline was spilled as a result of a tank test failure. Groundwater was affected by the spill. The spill was closed on January 8, 1987.

Historic Phase I Environmental Site Assessment reports (ESAs) for the portion of the Site located at 80 and 84-88 Westchester Avenue indicated that the property as of 2011 housed three vacant buildings and an underground garage used for a car sales showroom, car storage, and vehicle service. The service building contained an underground garage. Two 275-gallon above ground storage tanks (ASTs) were present in the showroom building, one 275-gallon AST and one 300-gallon motor oil AST were present on the first floor of the storage building, two underground storage tanks (USTs) were present in the courtyard area south of the service building, two 275-gallon ASTs were present in the underground garage, three 275-gallon ASTs were present in the underground garage below the service bays, an AST of unknown size located next to the three ASTs was present in the underground garage, and a rectangular AST of unknown size was located in the underground garage. Petroleum odors were evident in several areas where stained pavement was also noted. The property was a petroleum bulk storage (“PBS”) but not registered, two historic gasoline tanks and a dispenser were present on Sanborn maps and floor were noted to be present.

In August 2012, a Subsurface Environmental investigation of the former Ford Dealership located at 80 Westchester Avenue revealed some MTBE, naphthalene and some low levels petroleum and chlorinated solvents in soil but this was not made evident in the text of the report. Instead, the consultant seemed focused on the presence of waste oil pits in the vicinity of sample GB-8 and hydraulic lift reservoirs in the basement of the building, which they noted should be drained and cleaned prior to construction and concluded that the soil should be handled as a contaminated material prior to construction.

Historic ESA reports prepared for 90-96 Westchester Avenue as of 2012 revealed this land was occupied by retail stores: (i) a window store, (ii) a restaurant, (iii) a bead store, and (iv) a tailor. One 550-gallon oil tank was identified near the rear of the building.

In June 2014, tank closures were documented in a Tank Closure report, but the three dealership buildings were still present at this time. Three (3) USTs and sixteen (16) ASTs were removed from the property. Prior to PBS closure, all tanks were registered with the WDOH, and a County PBS ID (3-801931) was assigned. Samples were collected from stockpiles onsite to characterize the soil for possible off-Site disposal or re-use on Site. Toluene, Aroclor 1260 (PCB), metals, and several pesticides were detected in the composite samples, but at concentrations below the unrestricted use SCOs. A 2,000-gallon UST was also discovered and removed from 90-96 Westchester Avenue. At the time of the closure, the Site was developed as a retail strip mall. The PBS tank was located in the rear portion of the property, which was covered by vegetation and exposed soils. Prior to closure, the 2,000-gallon UST was registered with the WCDOH and a County PBS ID (3-801932) was assigned to the Site. Upon removal of this tank, post excavation endpoint samples revealed several SVOCs at concentrations exceeding the NYSDEC CP-51 Soil Cleanup Levels for Fuel Oil Contaminated Soils.

In January 2015, a Geotechnical Investigation Report for the Site noted that dewatering during site excavation would likely be required and a driven pile foundation or drilled caisson pile foundation was recommended. At this time, the Site was utilized as a municipal parking lot, an auto dealership with service garage, an abandoned auto dealership, retail stores, and a restaurant, with associated parking lots.

In March 2015, a Phase II subsurface environmental investigation indicated that contamination was present including VOCs, SVOCs, and metals in soils, and VOCs, SVOCs, and metals in groundwater. See Section IV.10.F for full environmental assessment. In October 2015, additional investigation work revealed SVOCs and metals in soil, and VOCs, SVOCs, and metals in groundwater. See Section IV.10.F for full environmental assessment. VOCs consistent with petroleum were detected and petroleum odor was evident during sampling. Based on these new results, a remedial strategy to address impacted soil and groundwater prior to or during Site development activities was recommended.

Historic investigations of 50 Franklin Avenue in 2016 revealed this property was improved with an asphalt-paved municipal parking lot and no ASTs or USTs were observed or reported to be located at this property. However, minor soil staining related to a release of hazardous substances or petroleum products was observed. 50 Franklin was identified as an EDR Historical Auto Station in 2004 called “R&T Auto Center Inc.” A potential vapor intrusion condition was noted due the presence of four historic cleaner sites within 0.33 miles of the property.

Between October 2021 and February 2022, twenty soil borings, eight groundwater temporary wells, six soil vapor samples and one ambient air sample revealed higher level contaminants of concern than were previously known to be present leading to the initial BCP application for a slightly different configuration of former lots. The contaminants of concern included SVOCs, PAHs, pesticides, and metals in soil, SVOCs, metals, pesticides, and PFAS in groundwater, and

VOCs in soil vapor. See Section IV.10.F for full environmental assessment. However, the Department contended not enough contamination was present for BCP eligibility.

In 2023, the lots were consolidated into one condominium lot and in early 2024 additional investigation was performed, which revealed additional contamination, which should be sufficient for eligibility.

In April 2022, SESI prepared a RIWP and an IRM WP for the Site. SESI proposed additional soil borings, groundwater wells and soil vapor probes in order to finalize the nature and extent of delineation of contamination on the Site to commence some soil excavation work soon after the Site is accepted into the program.

SECTION V – REQUESTOR INFORMATION

The Requestor is TB White Plains Apartments LLC a foreign limited liability company doing business in New York, located at 1140 Virginal Drive, Fort Washington, Pennsylvania 19034. *See* Exhibit H, NYSDOS Entity Information. TB White Plains Apartments LLC only has one member (Toll Apartments, LP). Please see the organizational chart for TB White Plains Apartments LLC included in Exhibit I.

The Written Consent provides Vice President Bradley Thompson with authority to sign all Brownfield Cleanup Program (“BCP”) documents on behalf of the Requestor TB White Plains Apartments LLC. *See* Exhibit I, Corporate Consent.

Requestor is the owner of the BCP Site. Requestor purchased the 50 Franklin parking lot 26 from the City of White Plain on July 11, 2019. Requestor purchased the remainder of the Site on the same day from the adjacent 70 Westchester Avenue BCP Site owner.

The Requestor has no prior relationship with any current or past owners or operators of the Site. *See* Exhibit F, 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 – REQUESTOR ELIGIBILITY INFORMATION

1-10. Please refer to BCP Application Form.

11. Unregistered bulk storage tanks

The Site does not contain any known unregistered storage tanks. 80 Westchester Avenue and 90-96 Westchester Avenue were registered petroleum bulk storage facilities (PBS Nos. 3-801931 and 3-801932) and all known tanks were removed. Former Lot 11 had grease oil tank, which was removed when that the last food preparation tenant vacated the building on that lot in 2022. Therefore, there are no known tanks on the Site.

REQUESTOR CERTIFICATION

The Requestor certifies it is a Volunteer, since it does not have nor has ever had a relationship with any of the past owners or operators of the Site that caused the contamination other than it purchased a portion of the Site from previous owners. Requestor 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 and has implemented due care of the Site since its ownership in mid-2019.

SECTION VII- REQUESTOR CONTACT INFORMATION

Please refer to the BCP Application Form.

SECTION VIII – PROGRAM FEE

Please refer to responses on the BCP Application Form.

SECTION IX- CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The owner of the Site is the Requestor. See Exhibit J Deeds.

The Previous Owner and Operator list is attached in Exhibit F. 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"). Exhibit F also includes the prior operators' use of the Site.

SECTION X - PROPERTY ELIGIBILITY INFORMATION

Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirms 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 and industrial uses, which can be linked to and caused

Site contamination above the applicable cleanup standards. See Environmental Reports separately attached 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 XI - CONTACT LIST INFORMATION

See Exhibit L for the Site Contact List. See Exhibit M for the Repository Letter.

EXHIBIT A

Site Map

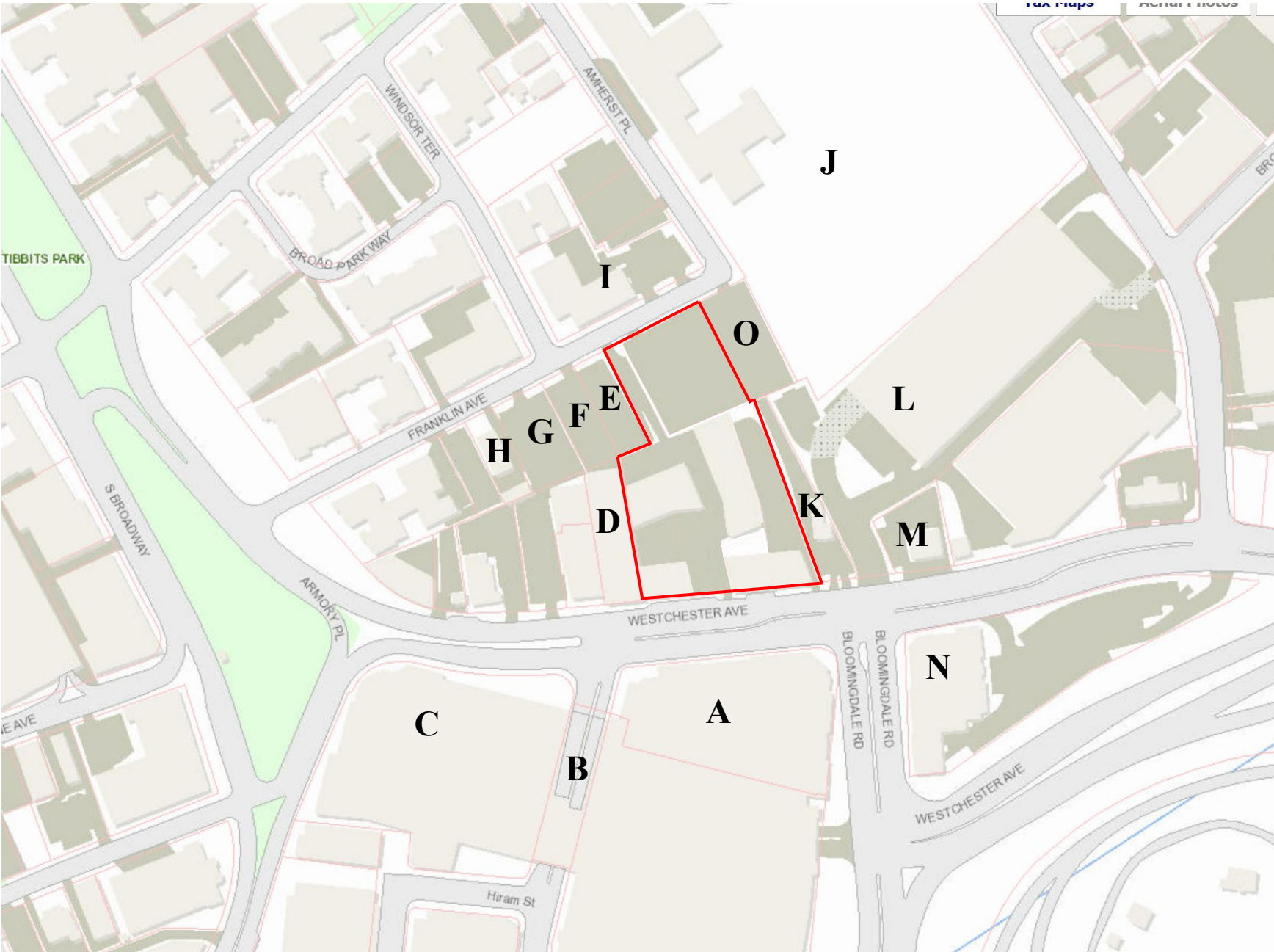
Ford and Florence Howe Auto Dealerships Site

Portion of 80Westchester Avenue
White Plains, New York 10601
126.61-3-N/A
(The lot number has not yet been assigned
by the City of White Plains)

Legend:
 Site Property Boundary

Corresponding page
lists adjacent property owners by
letter A – Q

December 28, 2021
Source: Westchester County GIS
Scale: 1" = 100' approximately

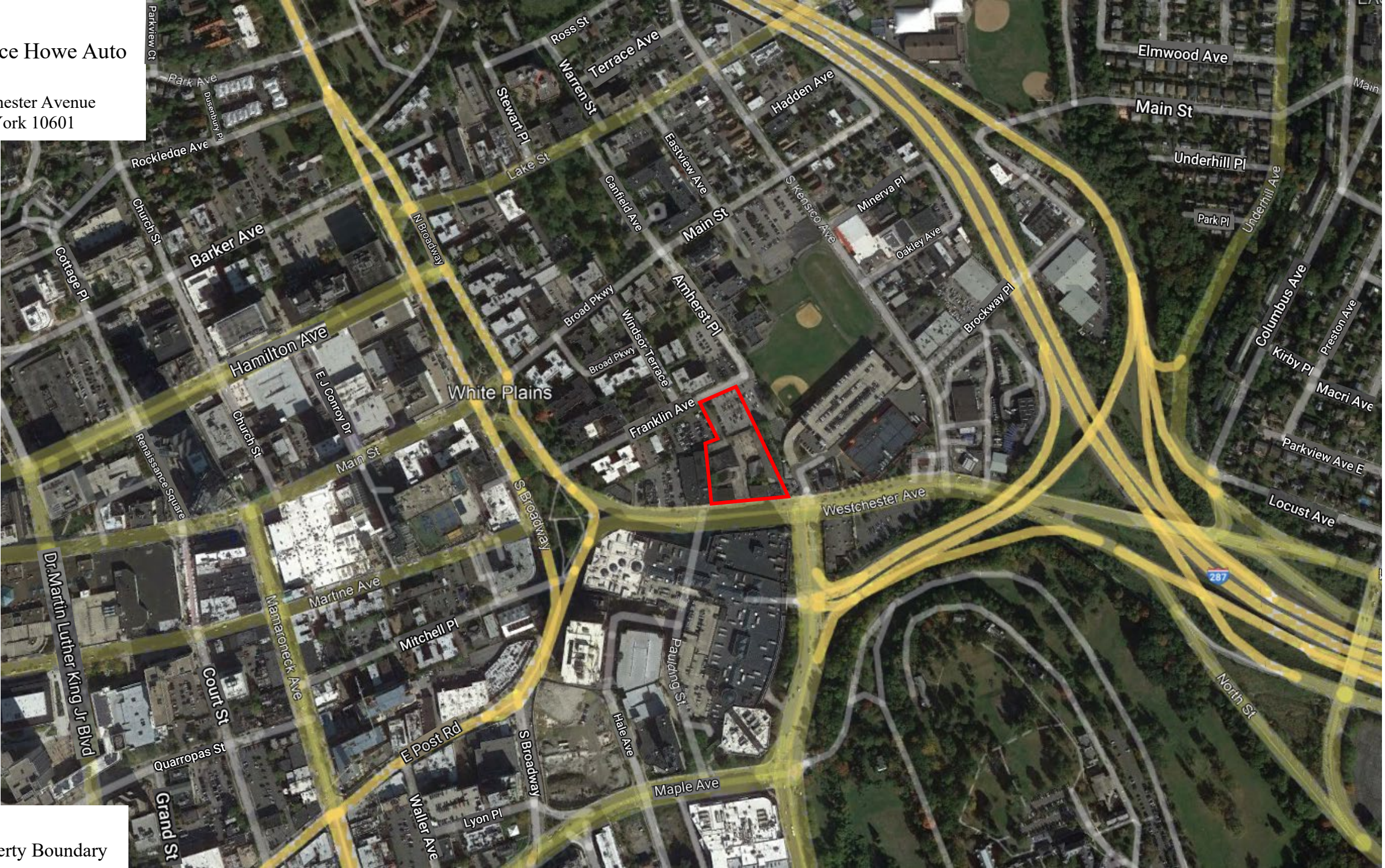


***Please see page 2 for adjacent property owners information**

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.

Letter	Adjacent Property Owner(s) Name(s)	Property Address	Section-Block-Lot
A	Westchester Mall, LLC	Westchester Avenue	126.69-5-3
B	Westchester Mall, LLC	Bloomington Road	126.69-5-2
C	Westchester Mall, LLC	125 Westchester Avenue	126.69-5-1
D	70 Westchester LLC	70 Westchester Avenue	126.61-3-15
E	70 Westchester LLC	42-44 Franklin Avenue	126.61-3-25
F	70 Westchester LLC	38-40 Franklin Avenue	126.61-3-24
G	70 Westchester LLC	30-36 Franklin Avenue	126.61-3-23
H	26 Franklin, LLC	26 Franklin Avenue	126.61-3-22
I	Hony Housing Develop Fund	40 Windsor Terrace	126.61-2-11
J	City School District of White Plains	7 and 11 Amherst Place	126.61-3-1
K	Winnick Realty LLC	116 Westchester Avenue	126.61-3-10
L	44 South Broadway Owner LLC	120 Westchester Avenue	126.61-3-2.1
M	130 Westchester Avenue LLC	130 Westchester Avenue	126.61-3-8
N	XTP Ventures LLC	145 Westchester Avenue	126.69-3-1
O	TB White Plains Apartments LLC	Portion of 80 Westchester	129.61-3-p/o [Condo Lot No]

Street Map
Ford and Florence Howe Auto
Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601



Legend:
 Site Property Boundary

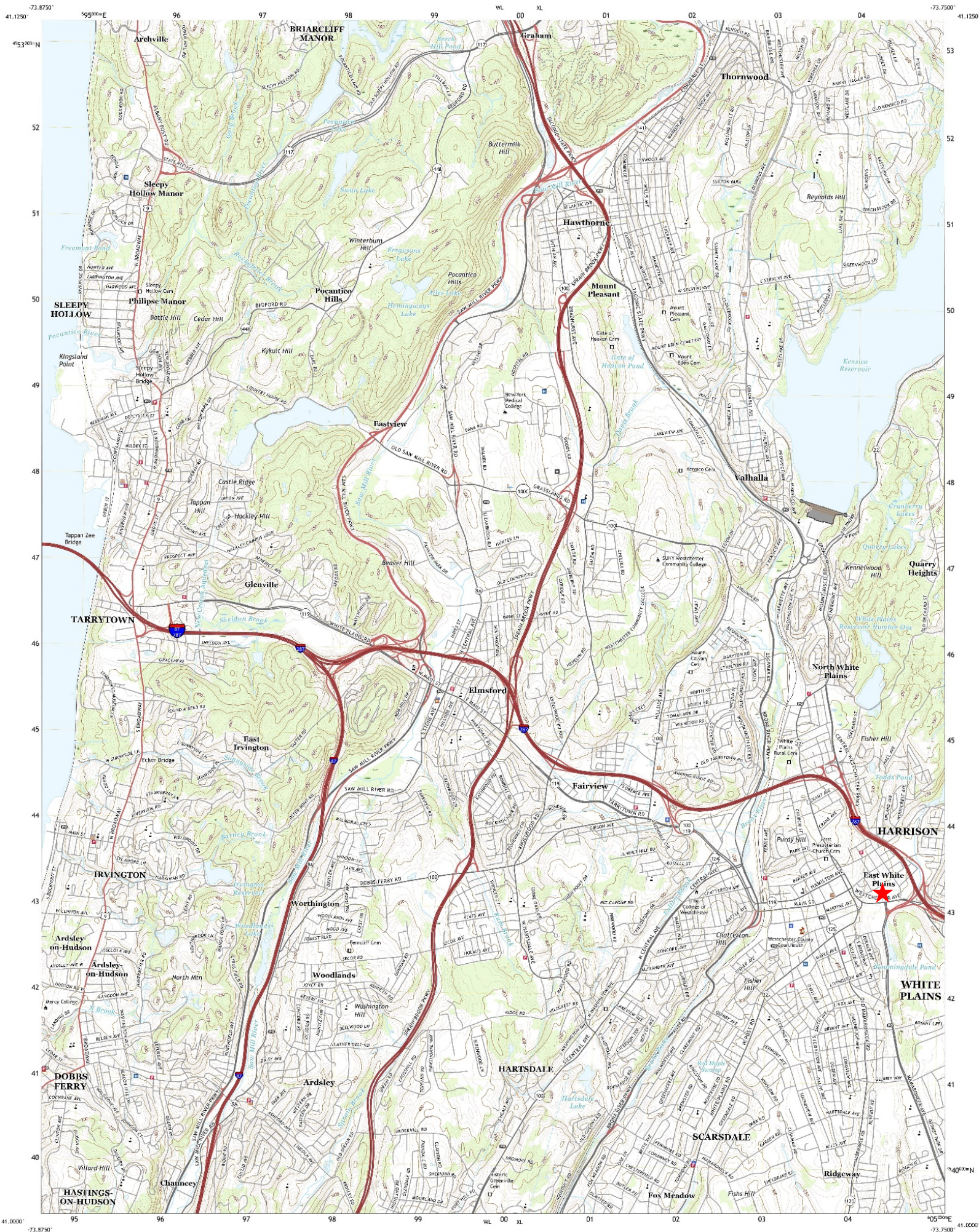
SITE LOCATION MAP



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



WHITE PLAINS QUADRANGLE
NEW YORK - WESTCHESTER COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1000-meter scale Universal Transverse Mercator, Zone 18T
This map is not a legal document. Inaccuracies may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery:N.A.P., July 2015 - December 2017
Roads:U.S. Census Bureau, 2010
Boundaries:GNS, 1980 - 2010
Hydrography:National Hydrography Dataset, 2002 - 2015
Contours:National Elevation Dataset, 1999 - 2012
Boundaries:Multiple sources; see metadata file 1217 - 2010
Wetlands:FWS National Wetlands Inventory 1990 - 2011

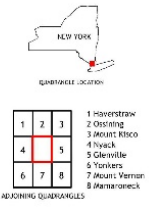
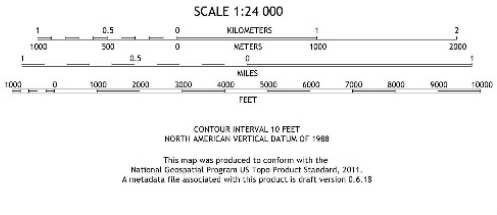
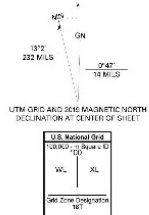


EXHIBIT B

PORTION OF NEW CONDO LOT, BLOCK 126.61 – LOT 3
LEGAL DESCRIPTION OF BCP SITE

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

Beginning at a point formed by the division line between property now or formerly 70 Westchester LLC (former 126.61-3-15), property now or formerly TB White Plains Apartments LLC (formerly 126.61-3-13) and the northerly side of Westchester Avenue, said point being distant southerly 646.87 feet as measured along the northerly side of Westchester Avenue from the southerly side of Franklin Avenue to the POINT OF BEGINNING;

thence from said point of beginning along said division line, North 0 degrees 35 minutes 50 seconds East, a distance of 249.29 feet;

thence North 77 degrees 15 minutes 00 seconds East, a distance of 59.14 feet;

thence North 17 degrees 21 minutes 30 seconds West, a distance of 178.44 feet to the southerly side of Franklin Avenue;

thence along said southerly side of Franklin Avenue and along North 72 degrees 38 minutes 30 seconds East, a distance of 180.00 feet to the division line between (former 126.61-3-26 & former 126.61-3-27);

thence South 17 degrees 21 minutes 30 seconds East, a distance of 150.04 feet;

thence along the division line between (former 126.61-3-26 and former 126.61-3-29), South 17 degrees 21 minutes 30 seconds East, a distance of 42.91 feet;

thence along the division line between (former 126.61-3-29 and former 126.61-3-11), North 77 degrees 15 minutes 00 seconds East, a distance of 8.50 feet;

thence along the division line between (former 126.61-3-11) and property now or formerly Winnick Realty LLC (126.61-3-10), South 9 degrees 09 minutes 10 seconds East, a distance of 330.80 feet to a point on the northerly side of Westchester Avenue;

thence along the northerly side of Westchester Avenue and (former 126.61-3-11 through 14), North 85 degrees 40 minutes 00 seconds West, a distance of 298.18 feet to the point and place of BEGINNING.

Containing 111,490 square feet or 2,5594 acres, more or less.

STATE OF NEW YORK }
COUNTY OF WESTCHESTER } ss.:
CITY OF WHITE PLAINS }

I, the undersigned, City Clerk, of the City of White Plains, NY, do hereby certify that I have compared the proceeding with the original Resolution adopted by the Common Council of the City of White Plains, NY, by a vote of the majority of the members of the Common Council at a **Regular Stated** meeting held November 7, 2022 , and I do hereby certify the same to be a correct transcript therefrom and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of White Plains, NY, this

November 8, 2022



Jill Iannetta
City Clerk of White Plains

CERTIFIED COPY

of a(an)

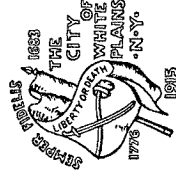
RESOLUTION

Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of TB White Plains Apartments, LLC (Toll Brothers) seeking amended site plan approval and an amended special permit to construct a project known as Adora Row.

CERTIFIED COPY

from the

CITY OF WHITE PLAINS
255 Main Street
White Plains, NY 10601



ADOPTED BY THE
COMMON COUNCIL

of the

CITY OF WHITE PLAINS

on

November 7, 2022

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
WHITE PLAINS APPROVING THE APPLICATION
SUBMITTED ON BEHALF OF TB WHITE PLAINS
APARTMENTS, LLC (TOLL BROTHERS) SEEKING
AMENDED SITE PLAN APPROVAL AND AN AMENDED
SPECIAL PERMIT TO CONSTRUCT A PROJECT KNOWN AS
ADORA ROW**

WHEREAS, by letter dated September 14, 2022, David Steinmetz of Zarin & Steinmetz, on behalf of TB White Plains Apartments, LLC/Toll Brothers (the “Applicant”), submitted an application to the White Plains Common Council to amend an approved site plan and special permit approval which was granted on April 2, 2018 and extended to April 2, 2023 (the “2018 Approvals”) in order to construct a mixed-use project consisting of approximately 333,875 square feet of gross floor area, comprising 20,549 square feet of retail and restaurant space (including the existing Westchester Burger space, which will remain at its current location), 276 multi-family dwelling units contained within two separate buildings (17, or 6 percent of which will be dedicated as affordable consistent with the City’s Affordable Rental Housing Program), and a total of approximately 753 parking spaces in a multi-level parking structure and at grade, including 275 dedicated spaces for City municipal parking (replacing a 153 space municipal surface parking lot located on Franklin Avenue); and

WHEREAS, the proposed project is located on an approximately 3.1 acre site on the northerly side of Westchester Avenue, across from the Westchester Mall, and the southerly side of Franklin Avenue (Section 126.61, Block 3, Lots 11, 12, 13, 14, 26, 27, 28 and 29) (the “Project Site”) and is to be known as “Adora Row”. The Project Site consists of mostly vacant and underutilized properties and is within the designated Westchester Avenue Urban Renewal Area (Project No. WPUR-14). The Project Site is split by two separate zoning districts; the portion fronting on Franklin Avenue is located in the RM-0.35 Multi-Family Residential District while the portion fronting on Westchester Avenue is located within the B-3 Intermediate Business District; and

WHEREAS, during the site investigation and demolition process, the Applicant discovered that the water table was at a higher level than indicated at the time of the 2018 Approvals. Consequently, in order to avoid having the lower levels of the garage and parking spaces potentially submerged, the Applicant has requested to raise the grade of the finished floor elevation of the basement level by two feet, which will result in several modifications to the overall design of the Project and to make other minimal modifications; and

WHEREAS, the Applicant submitted an application for an amended site plan consisting of:

- A. Cover letters from David Steinmetz, dated June 10, 2022 and September 14, 2022;
- B. Completed Short Form Environmental Assessment Form, Part 1, dated June 10, 2022.
- C. Plans for the Project consisting of the following numbered, titled and dated plans:

MELILLO | BAUER | CARMAN Landscape Architecture plans, dated 9/13/22:

- L-1A - Street Level Planting Plan
- L-1B - Street Level Planting Plan

Catizone Engineering P.C. plans, dated 5/26/22

- C0.10 Cover
- C1.11 Existing Conditions
- C1.21 Demolition Plan
- C2.11 Layout Plan
- C2.21 Grading; Drainage Plan
- C2.31 Utility Plan
- C2.32 Utility Plan (Offsite)
- C2.41 ESCP: Phase 1 & 2
- C2.42 ESCP: Phase 3 & 4
- C2.51 On-Site Striping and Signage Plan
- C2.52 Photometric Plan
- C3.01 Profiles
- C4.11 Site Details
- C4.21 City of White Plains Standard Notes
- C4.22 City of White Plains Standard Details
- C4.23 City of White Plains Standard Details
- C4.24 City of White Plains Standard Details
- C4.31 WCDPW and MUTCD Standard Details

Minno Wasko Amended Architectural Site Plan Submission

- A-01 Zoning Diagram (9/12/22)
- A-02 Hard Scape / Landscape Plan (9/24/22)
- A-03 Building Plan – Basement (9/12/22)
- A-04 Building Plan – Int. Basement Floor (9/12/22)
- A-05 Building Plan – First Floor (9/12/22)
- A-06 Building Plan – Second Floor (9/12/22)
- A-07 Building Plan – Third Floor (9/12/22)
- A-08 Building Plan – Fourth Floor (9/12/22)
- A-09 Building Plan – Fifth Floor (9/12/22)
- A-10 Building Plan – Sixth Floor (9/12/22)
- A-11 Building Plan – 7th – 10th Floor (9/12/22)

- A-12 Building Plan – 11th Floor (9/12/22)
- A-13 Building Sections (9/26/22)
- A-14 Building Elevations – West & North Elevations (9/26/22)
- A-15 Building Elevations – East and South Elevations (9/26/22)
- A-15.1 Building Elevation Comparison – South Elevations Franklin Avenue (9/26/22)
- A-16 Zoning, Parking, & Loading Data (9/26/22)
- A-17 Gross Floor Area Chart (9/26/22)
- A-18 Street Section – Franklin & Westchester Avenue (9/26/22)
- A-18.1 Street Section Comparison - Franklin & Westchester Avenue (9/26/22)
- A-19 Illustrative Perspective Comparison – Westchester Avenue (9/12/22)
- A-20 Illustrative Perspective – Westchester Avenue (9/12/22)
- A-21 Illustrative Perspective – Westchester Avenue (9/12/22)
- A-22 Illustrative Perspective – Franklin Avenue Comparaison (9/12/22)

(collectively, the “Application”); and

WHEREAS, the Common Council, at the July 5, 2022 meeting, referred the Application for an Amended Site Plan and Special Permit to all necessary City departments, officers, agencies, boards, and commissions and to the Westchester County Planning Board for review, comments and recommendations in accordance with the Zoning Ordinance; and

WHEREAS, the Common Council, at the July 5, 2022 meeting, adopted a resolution scheduling a public hearing on the Amended Site Plan and Special Permit application for August 1, 2022, thereafter adjourned the public hearing to September 6, 2022, thereafter adjourned the public hearing to October 3, 2022 and thereafter adjourned the public hearing to November 7, 2022; and

WHEREAS, the Common Council, at its November 7, 2022 meeting, opened the duly noticed public hearing on the Application, at which time representatives of the Applicant and the public were afforded the opportunity to speak for and against the Application, and then closed the public hearing; and

WHEREAS, the Common Council, at its November 7, 2022 meeting, received communications with respect to the Application from

1. Commissioner of Building, dated 8/22/2022
2. Commissioner of Planning, dated 10/26/22
3. Commissioner of Public Works, dated 7/18/22
4. Commissioner of Public Safety, dated 7/13/22
5. Commissioner of Parking, dated 9/21/22
6. Deputy Commissioner of Parking for Transportation Engineering, dated 9/19/22

7. Chair of the Planning Board, dated 9/22/22
8. Acting Chairman of the Traffic Commission, dated 7/20/22
9. Design Review Board, dated 7/15/22
9. Environmental Officer, dated 11/3/22
10. Westchester County Planning Board, dated 7/18/22

WHEREAS, the Common Council has reviewed and considered the comments from the public, as well as from the various City departments, agencies, boards, commissions and officers, and the Westchester County Planning Board, and has reviewed the instant Special Permit/Site Plan application in light of the 1997 Comprehensive Plan and the 2006 Comprehensive Plan Update adopted July 11, 2006, and standards set forth in the Zoning Ordinance, including, but not limited to, Sections, 6.5, 6.7.5, 7 and 8; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act and its accompanying regulations ("SEQRA"), the Common Council, at its meeting of November 7, 2022, adopted a resolution that declared the Common Council to be Lead Agency for the environmental review of the Application, determined the proposed action to be a Type I Action under SEQR Regulations and found that the proposed action would not have a significant effect on the environment; and

NOW, THEREFORE, be it

RESOLVED, that the following Findings are hereby adopted in accordance with the Zoning Ordinance:

I. SPECIAL PERMIT

As part of the 2018 Approvals, four special permits were granted to facilitate the mixed-use development, as follows:

1. To increase the height of the Westchester Avenue Building (the "B-3 Building") from four (4) stories and 50 feet to four (4) stories and 65 feet, pursuant to footnote (x) of Section 5.3 Schedule of Dimensional Regulations: Non-residential (*outside the Central Parking Area, on "lots" greater than 30,000 square feet in "area", residential floors may exceed the stated height by one (1) story or 15 feet on issuance of a special permit by the Common Council*);
2. To permit forty (40) of the 130 dwelling units permitted in the B-3 Zoning District to be constructed in the RM-0.35 District, thereby increasing the number of dwelling units from 146 units permitted to 186 units proposed, pursuant to footnote (v) of Section 5.3 Schedule of Dimensional Regulations: Residential (*for a designated "development site" located in two or more zoning districts that permit "multi-family dwellings" ... the "dwelling units" [may] be built on any portion of the "development*

site” provided the total number of “dwelling units” does not exceed the number allowed in each district as determined under Section 5.3 of the Zoning Ordinance, and provided that all dimensional requirements of each district are met except for minimum “lot area per dwelling unit.”)

3. To increase maximum building coverage on the portion of the Development Site in the RM-0.35 District from 60% to 79% pursuant to footnote (w) of Section 5.3 Schedule of Dimensional Regulations: Residential *(For a designated “development site” located in two or more districts, the maximum “building coverage” may be increased ... as if the “development site” was a single “lot”);* and
4. To increase the maximum number of stories in the Franklin Avenue Building (the “RM-0.35 Building”) from six (6) stories to eleven (11) stories, pursuant to footnote (n) of Section 5.3 Schedule of Dimensional Regulations: Residential *(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).*

The proposed site plan amendment does not affect the requested special permits, nor the findings made previously by the Common Council, pursuant to the special permit standards outlined in Section 6.5 of the Zoning Ordinance. Comparison charts of the 2018 Approvals and the 2022 amended plan are provided below:

FLOOR AREA (SF)	2018 Approvals	2022 Amended Plan	Difference
Total Residential Floor Area	293,557	313,326	19,769
Total Commercial Floor Area	25,218 (18,692 Retail + 6,526 Restaurant)	20,549 (13,211 Retail + 7,338 Restaurant)	-4,669
Total Gross Floor Area	318,775	333,875	15,100
Total Parking Floor Area	259,434	269,068	9,634

The total gross floor area of the Project has increased by 15,100 square feet. The commercial floor area has decreased by 4,669 square feet, and the residential floor area increased by 19,769 square feet. The commercial floor area continues to include the existing Westchester Burger restaurant. The increase in residential density is a result of the reconfiguration of the parking garage, updated residential amenity layouts to coordinate with the interior design and exterior façade design, and building code compliance. The number of residential units remains the same at 276 dwelling units.

HEIGHT (FT)	2018 Approvals	2022 Amended Plan	Difference
B-3 Building	59.60 feet / 4 stories	58.13 feet / 4 stories	-1.47 ft.
RM-0.35 Building	123.60 feet / 11 stories	124.46 feet / 11 stories	0.86

The Applicant received a special permit to increase the height in the B-3 district by 15 feet to 65 feet, pursuant to footnote (x); and to increase the number of stories in the RM-0.35 district from six (6) stories to 11 stories, pursuant to footnote (n). The revised building heights are due to the water table conditions on site. The Common Council finds that the proposed revisions to building height is in the best interest of the City and the development, is de minimis, and does not affect the previous findings made by the Common Council Planning in approving the special permit.

COVERAGE	2018 Approvals	2022 Amended Plan	Difference
B-3 Building	59% (45,886 sf)	57% (44,361 sf)	-1,525 (2%)
RM-0.35 Building	79% (40,202)	79% (40,428 sf)	226

The Applicant received a special permit to increase the maximum building coverage on the portion of the Development Site in the RM-0.35 District from 60% to 79% pursuant to footnote (w). Maximum building coverage decreased slightly in the B-3 district and remained substantially unchanged in the RM-0.35 district. The Common Council finds that the proposed change to coverage is de minimis and does not affect the findings made previously by the Common Council in approving the special permit.

UNIT MIX	2018 Approvals	2022 Amended Plan	Difference
Studio	25	27	2
1-Bedroom	160	145	-15
2-Bedroom	91	104	13
Total Units	276	276	0

The Applicant received a special permit, pursuant to footnote (v), described above, to permit forty (40) of the 130 dwelling units permitted in the B-3 Zoning District to be constructed in the RM-0.35 District, thereby increasing the number of dwelling units from 146 units permitted in the RM-0.35 to 186 units, for a total of 276 units. The number of dwelling units remains unchanged at 276 units. The number of units within the B-3 District remains 90 and the number of units in the RM-0.35 District remains 186. The unit mix has been revised slightly to reflect market conditions. The Common Council Planning finds that the proposed change in unit mix does not affect the findings made previously by the Common Council in approving the special permit.

II. ZONING COMPLIANCE

On November 2, 2022, the Applicant was granted an area variance from the Zoning Board of Appeals to permit a 10-foot encroachment into the 15-foot special building setback mapped on the north side of Westchester Avenue abutting the Project Site. This area variance was granted previously by the ZBA as part of the 2018 Approvals..

The variance is from the required 15 ft. special building setback mapped on the north side of Westchester Avenue between Franklin Street and Bloomingdale Road. The variance permits a 5 ft. setback as required in the B-3 District pursuant to Section 4.4.12 of the Zoning Ordinance.

The proposed amendments to the site plan are zoning compliant, and do not alter the findings made previously by the Common Council pursuant to the site plan standards outlined in Section 7.5 of the Zoning Ordinance. The following exceptions are noted below and have been revised to reflect the updated plan.

7.5.2.1 *The effect of the proposed development on traffic conditions on existing "streets."*

The Applicant submitted an updated traffic analysis to reflect the modifications made to the unit mix, the reduction in commercial space by 16%, and the relocation of the Franklin Avenue entrance and the reconfiguration of the internal circulation of the parking garage. According to the analysis and upon confirmation by the Deputy Commissioner of Parking, the revised development will be slightly less impactful than the approved development, provided the mitigation measures in the previously approved traffic studies are implemented.

The Common Council finds that the proposed site plan amendment will not have an adverse impact on the existing street network.

7.5.2.2 *The number, locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.*

Two vehicular entrances to the parking structure are proposed, one on Westchester Avenue and one on Franklin Avenue. The main entrance to the project remains on Westchester Avenue and connects to an improved entry motor court with updated hardscape and landscape design to accommodate additional public seating and planter areas. The entryway has also been designed to provide the required turning clearances for loading and delivery vehicles, and a designated drop off/pick up area in front of the main lobby entrance.

The proposed curb cut at the Franklin Avenue entrance to the parking structure has been shifted east along Franklin Avenue to allow for better internal vehicular circulation. The Franklin Avenue entrance/exit will have a controlled barrier gate and is intended for use by City permit holders only for access to the City parking spaces.

Pedestrian access to both residential buildings continues to be from a central lobby connecting the two buildings. A residential drop off area has been provided inside the ground floor of the parking structure. An internal elevator is also proposed from the parking garage to the Franklin Avenue Building residential units.

7.5.2.4 The location, arrangement and adequacy of off-“street” “parking lots,” which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

The internal parking garage layout, vertical vehicular circulation, and location of City, retail, residential and shared spaces has been revised, due to the changes in building elevations.

Pursuant to Section 8 of the Zoning Ordinance, the amended project requires 520 parking spaces (365 residential spaces and 155 Commercial spaces (76 retail and 79 restaurant)). The additional requirement of 275 municipal parking spaces brings the total parking requirement to 795 spaces (520+275=795). To accommodate parking for the Project Site, the Applicant proposes to construct a 733 space, four (4) story parking structure, with 323 below grade spaces (located underneath both buildings), 109 at-grade spaces and 301 upper level spaces. An additional 20 surface parking spaces will be provided along the eastern portion of the development site (behind Westchester Burger) for a total of **753** parking spaces. Since the Applicant has agreed to dedicate 275 municipal permit parking spaces, the project is technically deficient 42 parking spaces (795-753=42) per zoning requirements (520 required + 275 City spaces; 478 residential/commercial provided (753-275=478)). In order to comply with the City’s parking requirement, the Applicant received approval to designate 85 spaces for “joint use”, pursuant to Section 8.5.3 of the Zoning Ordinance. Thus, 278 spaces are dedicated residential spaces, 115 spaces are dedicated retail spaces, 275 spaces are dedicated City spaces, and 85 spaces are considered shared commercial/residential spaces.

The changes to the parking plan are shown below:

PARKING REQUIREMENTS	2018 Approvals	2022 Amended Plan	Difference
Residential Spaces	362	365	3
Required Commercial Spaces	190 (103 Retail + 87 Restaurant)	155 (76 Retail + 79 Restaurant)	-35
Total Required	552	520	-32
Municipal Spaces	275	275	0

Total Spaces Needed	827	795	-32
Shared (Joint) Spaces	85	85	0
Total Required Spaces	742	710	-32
Provided Garage Spaces	716	733	17
Provided Surface Spaces	29	20	-9
Total Provided Spaces	745	753	8

The table below indicates the parking garage plan by level, number of spaces and use type. As is shown, there are no City spaces on the lower levels of the parking structure.

Parking Garage Level	Residential	Retail	Shared	City	Total
Basement	39	95	85	0	219
Basement Intermediate	104	0	0	0	104
First Floor	39	0	0	70	109
Second Floor	0	0	0	122	122
Third Floor	35	0	0	83	118
Fourth Floor	61	0	0	0	61
Total Garage Spaces	278	95	85	275	733
Surface Parking		20			20
Total Parking Spaces	278	115	85	275	753

Thus, with the inclusion of 85 shared spaces, the Common Council finds that the Project has sufficient parking.

7.5.2.6 The location, arrangement and adequacy of "loading spaces," which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

LOADING SPACES	2018 Approvals	2022 Amended Plan	Difference
	3	3	0

The number of required loading spaces is two (2) spaces, based on the reduction of retail square footage. However, the Applicant will continue to provide three (3) loading spaces. In addition, the Applicant has provided a Loading Dock Management Plan so that deliveries and trash pickup can be safely and efficiently accommodated.

Accordingly, the Common Council finds that the project conforms to the requirements of Section 8 of the Zoning Ordinance.

7.5.2.7 *Patterns of vehicular and pedestrian circulation both within the boundaries of the development and in relation to the adjoining “street” and sidewalk system.*

According to the Applicant's Hard Scape / Landscape Plan (A-02), dated October 24, 2022, there are two pedestrian pathways proposed, one on the easterly side and one on the westerly side of the project, that provide a vital connection from Franklin Avenue to Westchester Avenue. The westerly connection extends from Franklin Avenue to the west of the parking structure, around the western edge of the proposed residential lobby, to the internal plaza area which leads to Westchester Avenue. The easterly connection extends from Franklin Avenue to Westchester Avenue via an easement with the property owner to the east. Therefore, the Common Council finds that vehicular and pedestrian circulation are adequate though may be modified with the approval of the Commissioner of Planning and Commissioner of Building.

7.5.2.9 *The location, arrangement and adequacy of landscaping within and bordering "parking lots" and "loading spaces," which shall, at a minimum, meet the requirements of Section 8.7.5 of this Ordinance.*

The Applicant has enhanced and augmented the landscaping and public seating areas within and around the project site. Additional landscaping and lawn areas have been added at the northwest corner of the site and additional seating areas have been added near the surface parking area and main entrance to the two buildings (See L-1A and L-1B – Melillo-Bauer-Carman Landscape Architecture Plans).

III. AFFORDABLE HOUSING

The 2018 Approvals were subject to the City's 2012 Affordable Rental Housing Program Rules and Procedures. Since there is no increase in the total number of dwelling units proposed, the site plan amendment is subject to the same regulations as follows:

The project requires a 10% affordable rental unit set aside by virtue of being located in the CB-1 Core Business Zoning District where a minimum of 10% of the total units in the development must be affordable to Families at 60% to 100% of Median Family income, the average of which being no more than 80% of Family Income. However, the Applicant requested and received a reduction of the 10% affordable unit requirement to 6% of total units in accordance with the 2012 Affordable Rental Housing Program Rules and Procedures which stated: *“At the option of the Common Council, the number of affordable rental units may be established at 6% where all required affordable rental units in a specified ARHP Applicable Rental Project are affordable to Families at 60% of Median Family Income.”*

Accordingly, the total number of affordable units required is 17 (6%). However, although the total number of units is the same, the proposed unit mix has changed resulting in an additional affordable two-bedroom unit instead of a one-bedroom as indicated below:

AFFORDABLE UNIT MIX	2018 Approvals	2022 Amended Plan	Difference
Studio	2	2	0
1-Bedroom	10	9	-1
2-Bedroom	5	6	1
Total Affordable Units	17	17	0

The dedicated affordable units must remain in perpetuity for the life of the project. The location, specific unit bedroom count, and total unit size of each of the 17 affordable units within the project shall be depicted on the final approved site plan to the satisfaction of the Commissioner of Planning as Director of the White Plains Affordable Rental Housing Program pursuant to existing program guidelines.

IV. OPEN SPACE

The recreation fee has increased slightly to reflect the changes made to the overall unit mix. In particular, the number of two-bedroom units increased by 13 units, whereas the number of one-bedroom units decreased by 15 units.

RECREATION FEE	2018 Approvals	2022 Amended Plan	Difference
	\$861,000	\$866,500	\$5,500

Accordingly, pursuant to the recommendations from the Planning Department regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof, it is recommended that the Common Council make the requisite finding simultaneous to granting site plan and special permit approvals that the submitted site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of at least 516 new city residents, projected future overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities.

Under the per unit fee schedule previously established by the Common Council, \$2,500 per studio unit, \$3,000 per one-bedroom unit, and \$3,500 per two-bedroom unit or larger, the 276 unit mix proposed would result in a total fee-in-lieu payment to the City of \$866,500 to be used exclusively for park, playground and other recreational purposes, including the

acquisition of real property. It is recommended that the total fee shall be paid by the applicant in two equal installments of \$433,250; the first shall be made at time of issuance of the first building permit, and second made prior to issuance of a Temporary Certificate of Occupancy (TCO) by the Commissioner of Building. In the event that no Temporary Certificate of Occupancy is required, the second payment shall be made prior to issuance of a Certificate of Occupancy (CO) by the Commissioner of Building.

CONCLUSION

RESOLVED, that based upon the above Findings, the Common Council determines that the standards of Sections 6.5 and 7.5 of the Zoning Ordinance have been satisfied and that the Amended Site Plan and Special Permit Application be and hereby is granted as follows

1. The project is designated as a “Development Site” pursuant to Section 6.7.27.3 and Footnote (w), Section 5.3, RM-0.35 District.
2. The Amended Site Plan is hereby approved pursuant to Section 7.5 of the Zoning Ordinance.
3. The Amended Special Permit is hereby approved to:
 - A. Permit an increase in height of the Westchester Avenue Building from four (4) stories and 50 feet to four (4) stories and 58.13 feet, pursuant to footnote (x) of Section 5.3 Schedule of Dimensional Regulations: Non-residential (outside the Central Parking Area, on “lots” greater than 30,000 square feet in “area”, residential floors may exceed the stated height by one (1) story or 15 feet on issuance of a special permit by the Common Council).
 - B. Permit forty (40) of the 130 dwelling units permitted in the B-3 Zoning District (the Westchester Avenue Building) to be constructed in the RM-0.35 District in the Franklin Avenue Building, thereby increasing the number of dwelling units from 146 units permitted to 186 units proposed, pursuant to footnote (v) of Section 5.3 Schedule of Dimensional Regulations: Residential (see above).
 - C. Permit an increase in maximum building coverage on the portion of the Development Site in the RM-0.35 District from 60% to 79% pursuant to footnote (w) of Section 5.3 Schedule of Dimensional Regulations: Residential (see above).
 - D. Permit an increase in maximum number of stories in the Franklin Avenue Building from six (6) stories to eleven (11) stories, pursuant to footnote (n) of Section 5.3 Schedule of Dimensional Regulations: Residential (*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*); and
4. “Joint use” parking approval is granted, pursuant to Section 8.5.3 of the Zoning Ordinance to permit a reduction of spaces from 520 parking spaces normally

required for separate residential and commercial uses, to permit 85 joint use spaces. Altogether, 753 spaces shall be provided on site (including 275 spaces to be used by the City for municipal parking); and

IT IS FURTHER RESOLVED, that said approval is granted subject to the following conditions, some of which were included in the 2018 Approvals, some of which have been modified from the 2018 Approvals and some of which are new in connection with this granting of the Amended Site Plan and Special Permit Application:

1. Common Council approval of the conveyance to the Applicant of City owned property known as 50 – 62 Franklin Avenue (Section 126.61, Block 3, Lots 26, 27, 28 and 29) that is currently used as a 153 space municipal surface parking lot, the consideration for such conveyance being the dedication of 275 parking spaces for municipal parking in a new garage and building to be constructed by the Applicant on the property, which approval has been granted and said conveyance has been completed;
2. Common Council approval of an Amendment to or Amended Easement Agreement pursuant to which the Applicant shall construct and provide at no cost to the City, 275 parking spaces for municipal use the locations of which are shown on the drawings prepared by Minno-Wasko, Architects and Planners, dated 9/12/22:

- Drawing A-05 First Floor Plan 70 spaces
- Drawing A-06 Second Floor Plan 120 spaces
- Drawing A-07 Third Floor Plan 85 spaces

Total 275 spaces

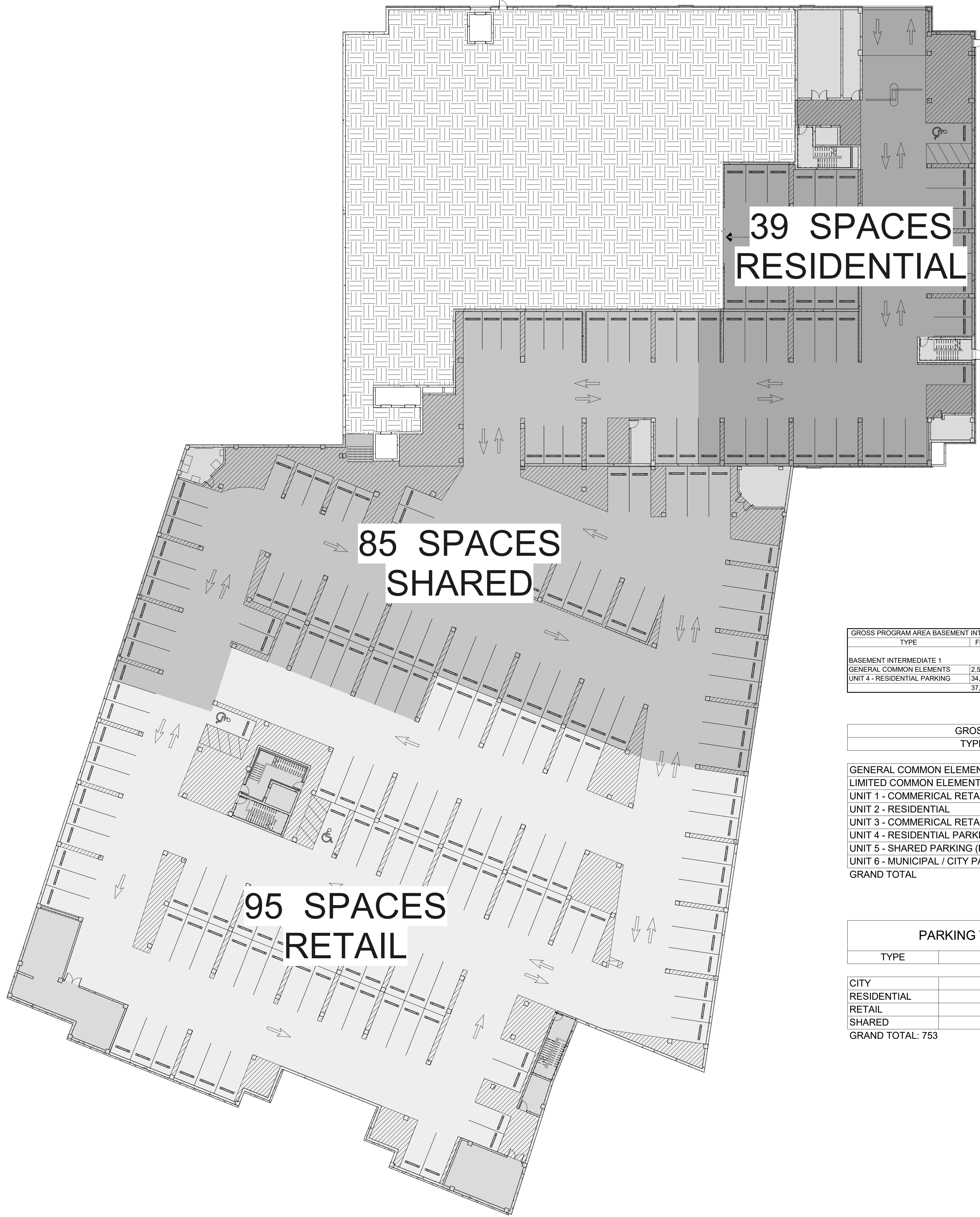
3. Each parking level on which the 275 City parking spaces are located shall have a passenger elevator landing and such requirement shall supersede any drawings noted or described in this Resolution. The locations of said spaces shall be in accordance with the drawings listed in Condition 2 above or at such other locations for such spaces in said garage as may be approved by the Commissioner of Parking in a form or method to be approved by the Corporation Counsel.
4. Approval by the Commissioner of Parking of a plan for the replacement of the existing 153 municipal parking spaces during construction of the new building and garage and, after completion of the new garage, for the replacement of any of the new 275 municipal parking spaces that cannot be used due to necessary maintenance or repairs.
5. With respect to pedestrian walkways between Franklin Avenue and Westchester Avenue:
 - A. The Applicant shall enter into an off-site pedestrian walkway easement with the owner of the property at 116 Westchester Avenue, for the purpose of constructing and maintaining a public pedestrian walkway located on the easterly side of the Project site at 80 - 106 Westchester Avenue extending from Franklin Avenue to

- Westchester Avenue as shown on the Applicant's Hard Scape / Landscape Plan (A-02), dated October 24, 2022. Said easement shall be subject to approval by the Corporation Counsel; and
- B. The pedestrian walkway and easement along the eastern property line from Franklin Avenue to Westchester Avenue shall also include an easement connection to an existing public pedestrian easement and walkway to "Stop & Shop" at 120 Westchester Avenue and 154 Westchester Avenue; and
 - C. As shown on the Applicant's Minno-Wasko Hard Scape / Landscape Plan (A-02), dated October 24, 2022, a pedestrian pathway shall be constructed and maintained on the westerly side of the Project Site that will extend from Franklin Avenue to the west of the Project parking structure, around the western edge of the proposed residential lobby, to the internal plaza area which leads to Westchester Avenue. If a proposed walkway at 70 Westchester Avenue (the adjoining property to the west of the Adora Row site) is constructed, then the Commissioner of Planning may request that the Adora Row walkway be modified to join the walkway at the adjoining project or the Commissioner of Planning may approve the abandonment of the westerly Adora Row walkway, such walkway modifications to be in the sole discretion of and be approved by the Commissioner of Planning and Commissioner of Building; and
 - D. All such pedestrian walkways shall be clearly identified, including with signs and marked crosswalks traversing any vehicular entrances
- 6. The payment by the Applicant of a fee-in-lieu of providing sufficient park and recreation facilities for the 276 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one-bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$866,500 to be paid by the Applicant to the City and to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property. The \$866,500 fee shall be paid by the Applicant in two equal installments; \$433,250 prior to the issuance of the first building permit and \$433,250 prior to issuance by the Commissioner of Building of any Temporary Certificate of Occupancy (TCO) for the Project. In the event that no Temporary Certificate of Occupancy is required, the second payment shall be made prior to issuance by the Commissioner of Building of any Certificate of Occupancy (CO) for the project.
 - 7. The project shall contain a 6% affordable component for families earning between 60% and 79% of Median Family Income, for a total of 17 affordable units comprised of two (2) studios, nine (9) one-bedrooms, and six (6) two-bedrooms. The dedicated affordable units must remain in perpetuity for the life of the project and be comprised of the same proportional unit mix as the market rate units with respect to bedroom count and be no smaller than 80% of the square footage of a comparable bedroom-sized market rate unit. The location, specific unit bedroom count, and total unit size

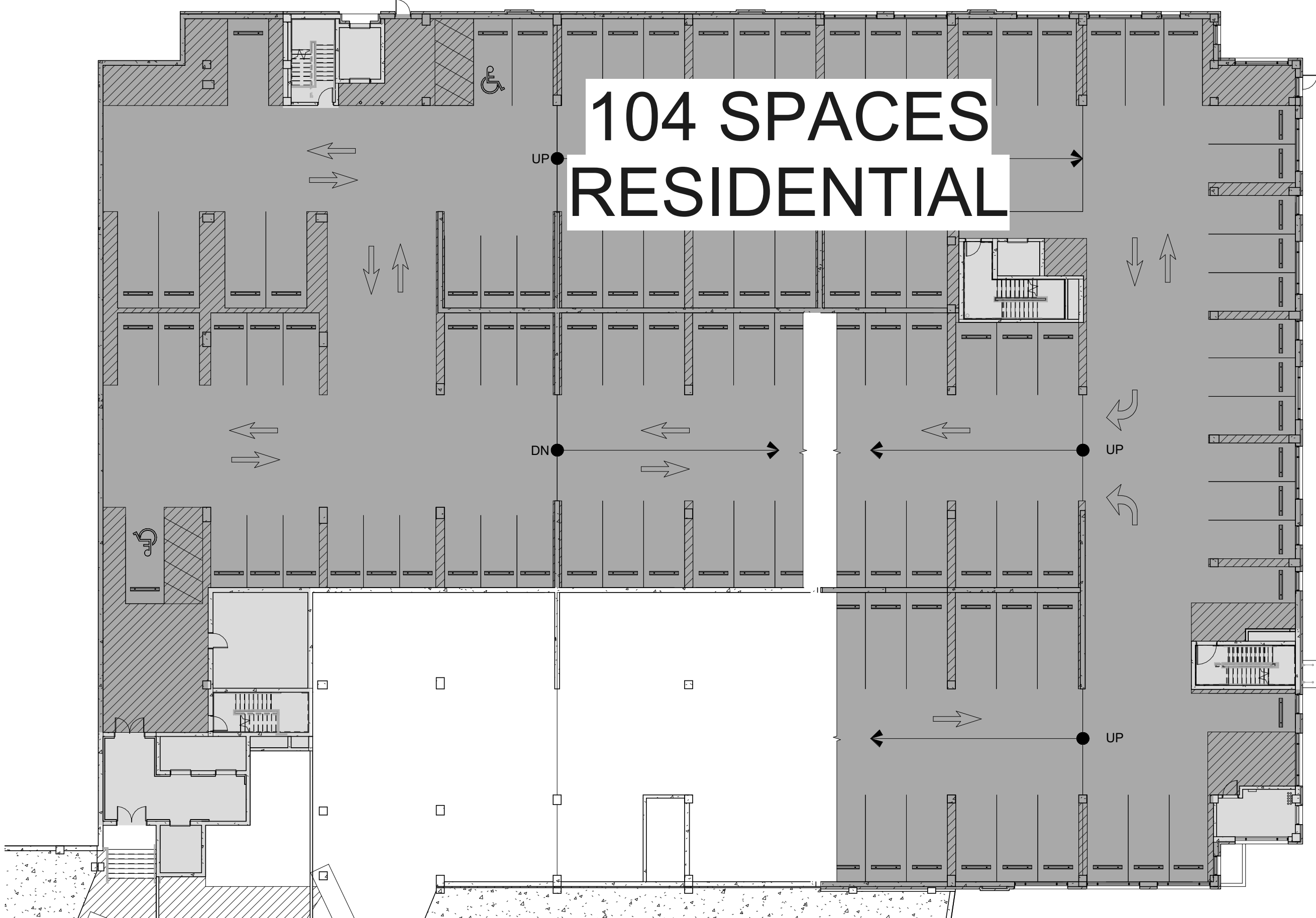
of each of the 17 affordable units within the project shall be as depicted on the approved site plan.

8. All vehicular access to the site by residents, commercial patrons, and for loading shall be via Westchester Avenue only. Vehicular access to the 275 parking municipal parking spaces within the parking structure shall be accessible via controlled gate access from Franklin Avenue.
9. Prior to the issuance of a building permit, Applicant shall provide a detailed landscaping plan indicating type and location of all proposed plantings. All landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
10. Prior to the issuance of a building permit, a Construction Management Plan must be submitted to the City by the Applicant and is subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, Planning and the Environmental Officer. The wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. A pre-construction meeting must be held with the Applicant, the contractor, the Commissioner of Building, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and Applicant responsibilities during construction.
11. Applicant shall provide documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards prior to issuing a building permit.
12. As recommended by the City Transportation Engineer, the Applicant shall install a traffic signal at the intersection of Westchester Avenue and Franklin Avenue to provide improved pedestrian access between the project neighborhood and the downtown area. The signal shall be pedestrian actuated to provide safe access to the nearby park and downtown.
13. As recommended by the City Transportation Engineer, as part of the construction plans, the Applicant must submit internal sign and marking plans and scale drawings of all road, driveway & parking markings. The marking plan must indicate proper allocation of different parking space sizes, clear identification of "compact" spaces and a minimum of 20 feet aisle width for "compact" spaces and a minimum of 22 feet aisle width for all other spaces.
14. As recommended by the City Transportation Engineer, a Loading Dock Management Plan must be submitted for approval.

15. The Applicant must comply with all requirements, conditions and recommendations set forth in the communication/review addressed to the Mayor and Common Council by the Commissioner of Public Works, dated March 5, 2018.
16. As recommended by the City Transportation Engineer, the site plan must reflect changes to the striping of Westchester Avenue, the inclusion of a staging area for the loading area, which staging area is to be located adjacent to the internal traffic rotary (which staging area must have an intercom for contacting personnel to assist access to the loading area) and modification of the entry access to car carrier loading space, if any, on Westchester Avenue.
17. As recommended by the City Transportation Engineer, no curb stops shall be installed where pedestrians may walk over them (in the absence of parking).



GROSS PROGRAM AREA BASEMENT	
TYPE	FLOOR AREA
BASEMENT	
GENERAL COMMON ELEMENTS	5,469 SF
UNIT 3 - COMMERCIAL RETAIL PARKING	37,793 SF
UNIT 4 - RESIDENTIAL PARKING	14,728 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,628 SF
	88,619 SF



0-1 BASEMENT INTERMEDIATE
SCALE: 1" = 20'-0"

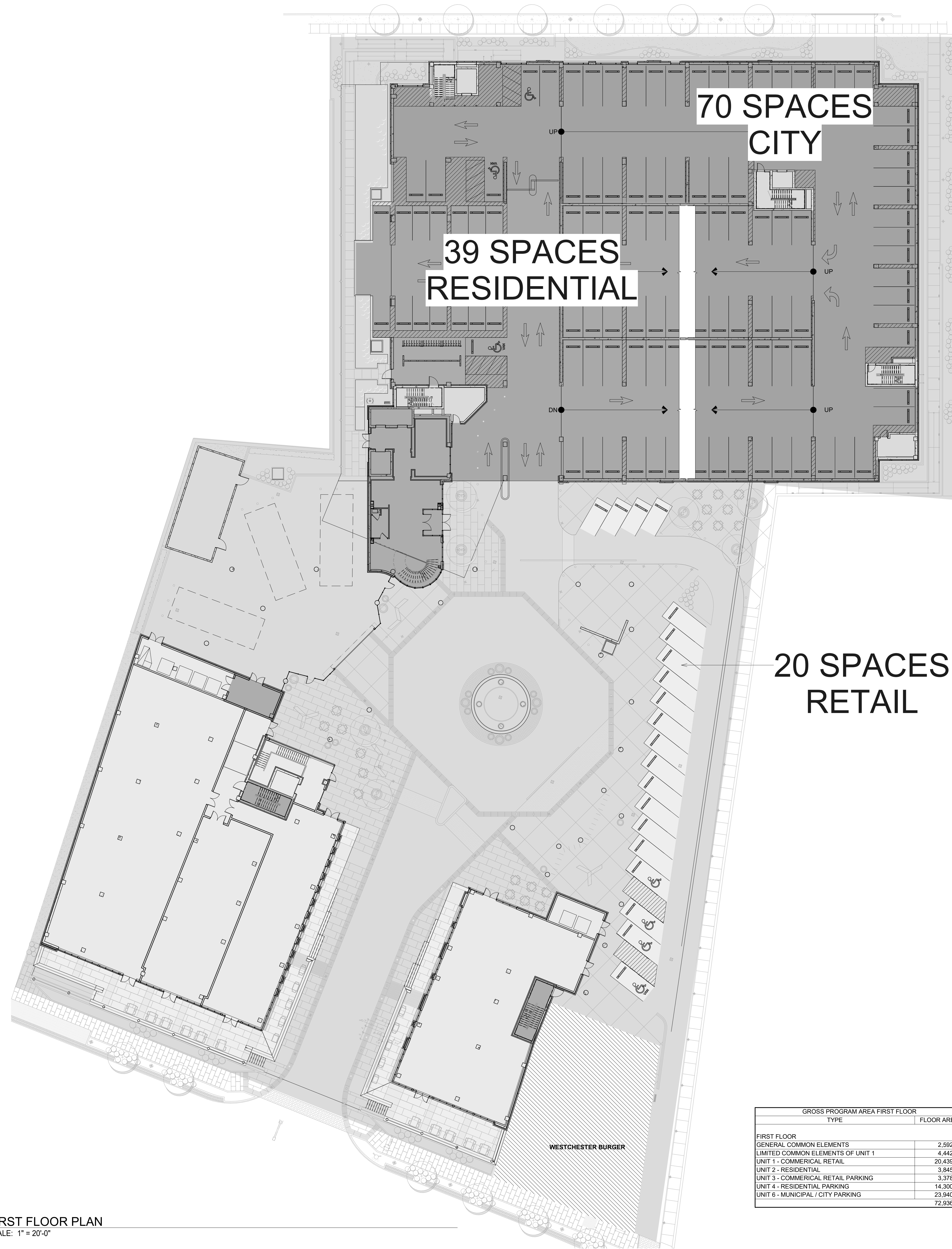
- Building Area Legend
- GENERAL COMMON ELEMENTS
 - UNIT 1 - COMMERCIAL RETAIL
 - LIMITED COMMON ELEMENTS OF UNIT 1
 - UNIT 2 - RESIDENTIAL
 - UNIT 3 - COMMERCIAL RETAIL PARKING
 - UNIT 4 - RESIDENTIAL PARKING
 - UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
 - UNIT 6 - MUNICIPAL / CITY PARKING

GROSS PROGRAM AREA BASEMENT INTERMEDIATE	
TYPE	FLOOR AREA
BASEMENT INTERMEDIATE 1	
GENERAL COMMON ELEMENTS	2,581 SF
UNIT 4 - RESIDENTIAL PARKING	34,814 SF
	37,395 SF

GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERCIAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERCIAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,628 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF

PARKING TOTALS	
TYPE	QUANTITY
CITY	275
RESIDENTIAL	278
RETAIL	115
SHARED	85
GRAND TOTAL: 753	

SPONSOR'S NAME:	TB WHITE PLAINS APARTMENTS LLC
SPONSOR'S ADDRESS:	11140 VIRGINIA DRIVE FORT WASHINGTON, PA 19034
NAME OF CONDOMINIUM:	ADORA ROW CONDOMINIUM
CONDOMINIUM ADDRESS:	80 WESTCHESTER AVENUE WHITE PLAINS, NEW YORK 10601
TAX ID:	SECTION: 126.61 BLOCK: 3 N/K/A LOTS: F/K/A LOT: 11,12,13,14,26,27,28 AND 29
ARCHITECT:	MINNO & WASKO ARCHITECTS AND PLANNERS 80 LAMBERT LANE, SUITE 105 LAMBERTVILLE, NJ 08530
CERTIFICATION OF ARCHITECT: "I, THE ARCHITECT, CERTIFY THAT THESE PLANS BEING FILED ARE A ACCURATE PORTION OF THE PLANS FILED WITH THE BUILDING DEPARTMENT OF THE CITY OF WHITE PLAINS AND FULLY AND FAIRLY DEPICT THE LAYOUT, LOCATION, UNIT DESIGNATION AND APPROXIMATE DIMENSIONS OF THE UNITS TO BE BUILT."	
SIGNATURE AND SEAL	
CERTIFICATION OF ASSESSOR: THIS IS TO CERTIFY THAT THE UNIT DESIGNATIONS AND TAX LOTS SHOWN HEREIN WILL CONFORM TO THE OFFICIAL TAX LOT NUMBERS FOR EACH UNIT ON THE ASSESSMENT ROLL OF THE CITY OF WHITE PLAINS, NEW YORK.	
DATE:	
TAX MAP CARTOGRAPHER: PROPERTY DIVISION	
APPROVED FOR FILING BY OWNER: TB WHITE PLAINS APARTMENTS LLC A DELAWARE LIMITED LIABILITY COMPANY	
BY: TOLL BROS., INC. A DELAWARE CORPORATION, ITS SOLE MEMBER	
BY:	
NAME: BRYAN OOS TITLE: AUTHORIZED PERSON	



- Building Area Legend**
- GENERAL COMMON ELEMENTS
 - UNIT 1 - COMMERICAL RETAIL
 - LIMITED COMMON ELEMENTS OF UNIT 1
 - UNIT 2 - RESIDENTIAL
 - UNIT 3 - COMMERICAL RETAIL PARKING
 - UNIT 4 - RESIDENTIAL PARKING
 - UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
 - UNIT 6 - MUNICIPAL / CITY PARKING

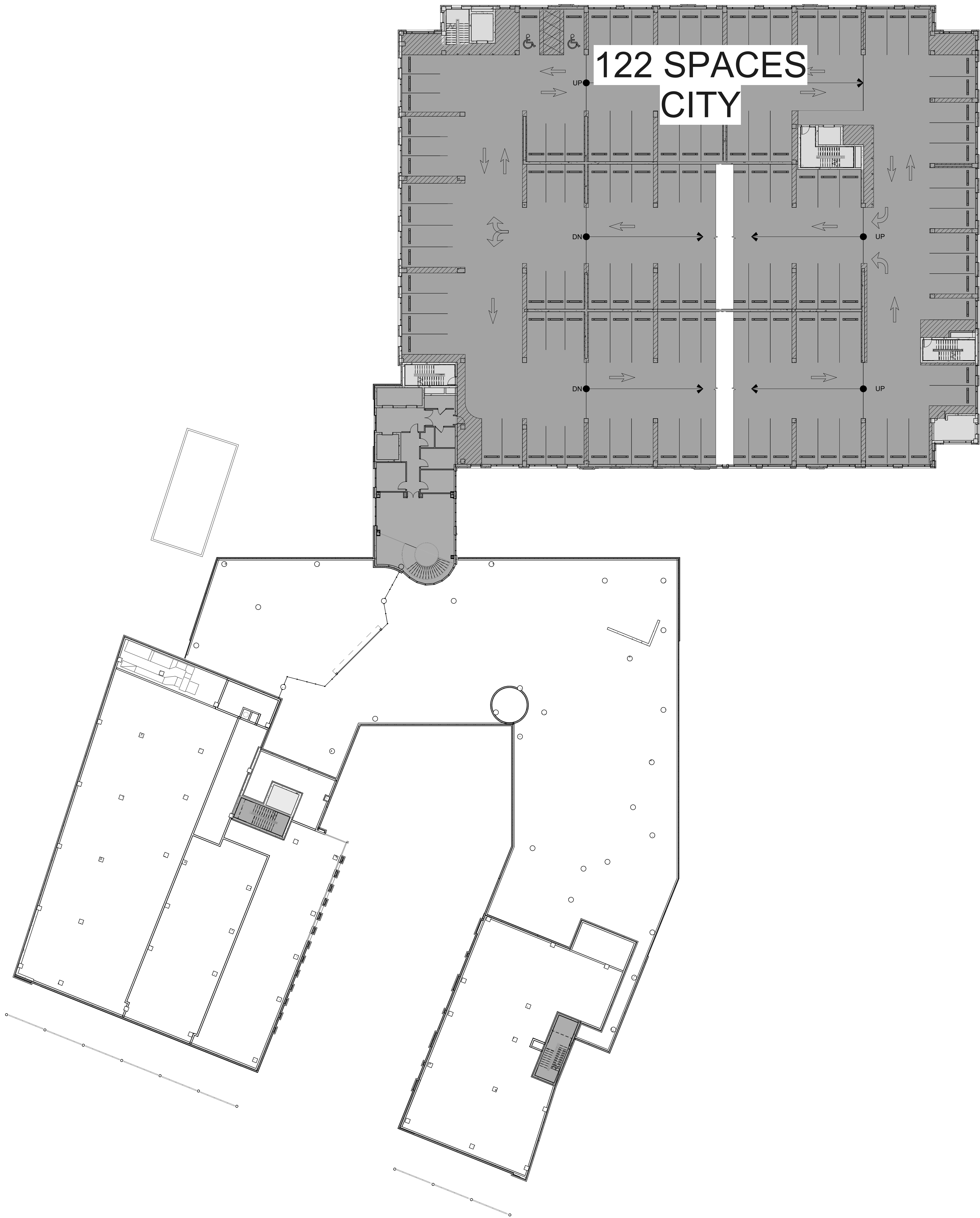
GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF

PARKING TOTALS	
TYPE	QUANTITY
CITY	275
RESIDENTIAL	278
RETAIL	115
SHARED	85
GRAND TOTAL: 753	

GROSS PROGRAM AREA FIRST FLOOR	
TYPE	FLOOR AREA
FIRST FLOOR	
GENERAL COMMON ELEMENTS	2,592 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,439 SF
UNIT 2 - RESIDENTIAL	3,845 SF
UNIT 3 - COMMERICAL RETAIL PARKING	3,378 SF
UNIT 4 - RESIDENTIAL PARKING	14,300 SF
UNIT 6 - MUNICIPAL / CITY PARKING	23,940 SF
	72,936 SF

1 FIRST FLOOR PLAN
SCALE: 1" = 20'-0"

AREA PLANS



2 SECOND FLOOR PLAN
SCALE: 1" = 20'-0"

GROSS PROGRAM AREA SECOND FLOOR	
TYPE	FLOOR AREA
SECOND FLOOR	
GENERAL COMMON ELEMENTS	1,378 SF
UNIT 1 - COMMERCIAL RETAIL	110 SF
UNIT 2 - RESIDENTIAL	2,795 SF
UNIT 6 - MUNICIPAL / CITY PARKING	38,597 SF
	42,880 SF

Building Area Legend

- GENERAL COMMON ELEMENTS
- UNIT 1 - COMMERCIAL RETAIL
- LIMITED COMMON ELEMENTS OF UNIT 1
- UNIT 2 - RESIDENTIAL
- UNIT 3 - COMMERCIAL RETAIL PARKING
- UNIT 4 - RESIDENTIAL PARKING
- UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
- UNIT 6 - MUNICIPAL / CITY PARKING

GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERCIAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERCIAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF

PARKING TOTALS	
TYPE	QUANTITY
CITY	275
RESIDENTIAL	278
RETAIL	115
SHARED	85
GRAND TOTAL:	753

AREA PLANS

Building Area Legend

GENERAL COMMON ELEMENTS

UNIT 1 - COMMERICAL RETAIL

LIMITED COMMON ELEMENTS OF UNIT 1

UNIT 2 - RESIDENTIAL

UNIT 3 - COMMERICAL RETAIL PARKING

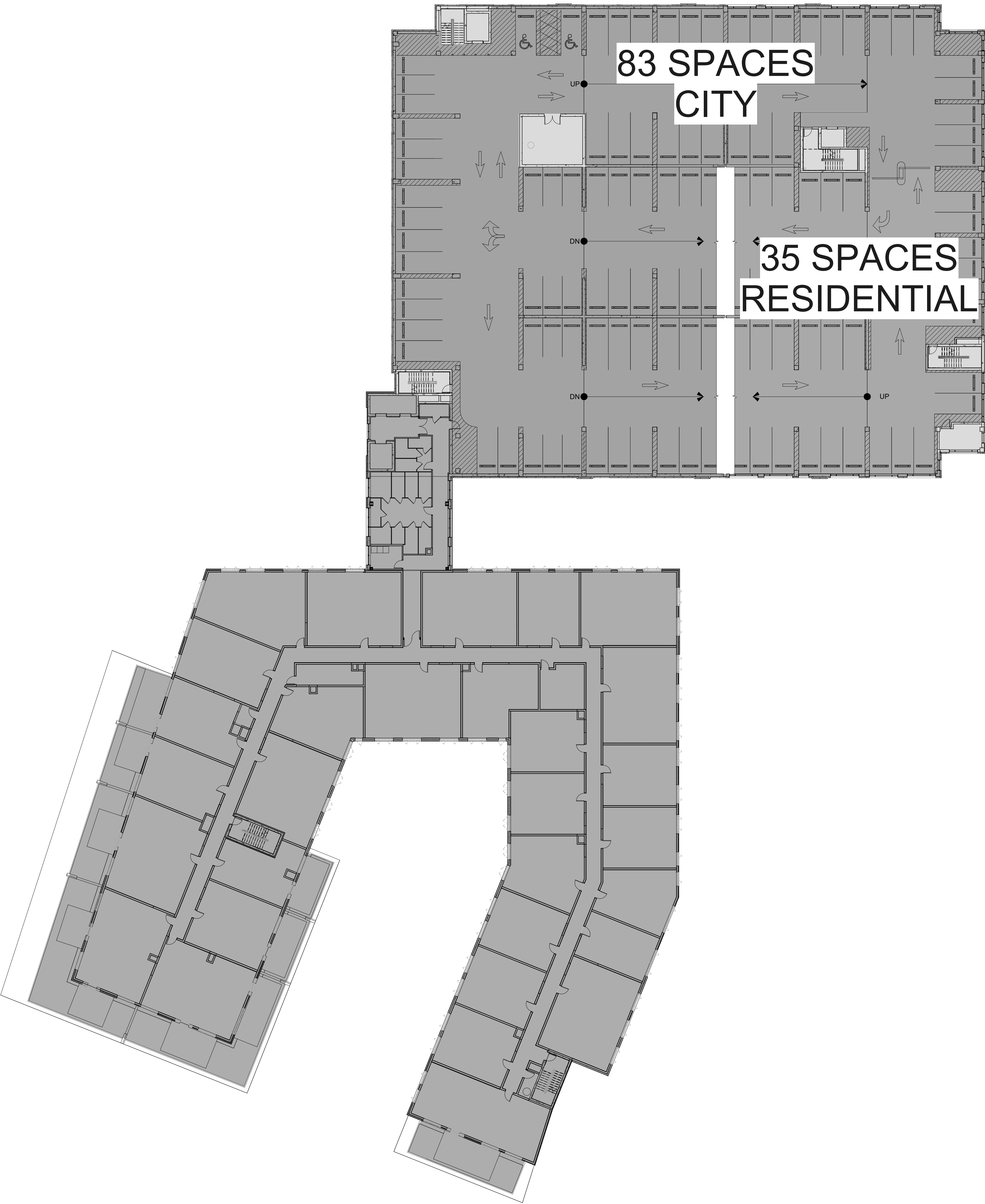
UNIT 4 - RESIDENTIAL PARKING

UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)

UNIT 6 - MUNICIPAL / CITY PARKING

GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF

PARKING TOTALS	
TYPE	QUANTITY
CITY	275
RESIDENTIAL	278
RETAIL	115
SHARED	85
GRAND TOTAL:	753



3 THIRD FLOOR PLAN

SCALE: 1" = 20'-0"

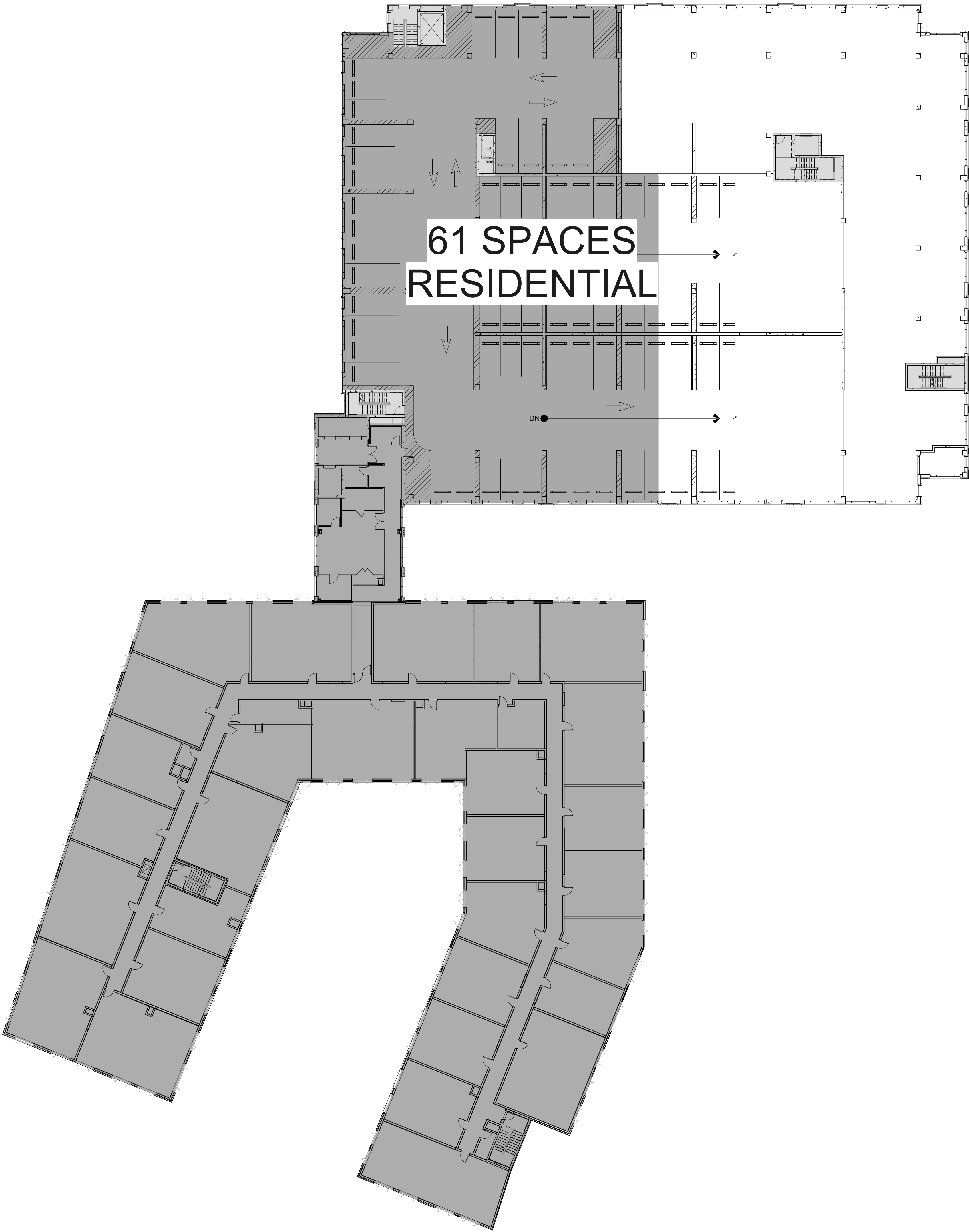
GROSS PROGRAM AREA THIRD FLOOR	
TYPE	FLOOR AREA
THIRD FLOOR	
GENERAL COMMON ELEMENTS	1,894 SF
UNIT 2 - RESIDENTIAL	32,289 SF
UNIT 4 - RESIDENTIAL PARKING	11,153 SF
UNIT 6 - MUNICIPAL / CITY PARKING	26,984 SF
	72,322 SF

AREA PLANS

- Building Area Legend
- GENERAL COMMON ELEMENTS
 - UNIT 1 - COMMERICAL RETAIL
 - LIMITED COMMON ELEMENTS OF UNIT 1
 - UNIT 2 - RESIDENTIAL
 - UNIT 3 - COMMERICAL RETAIL PARKING
 - UNIT 4 - RESIDENTIAL PARKING
 - UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
 - UNIT 6 - MUNICIPAL / CITY PARKING

GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF

PARKING TOTALS	
TYPE	QUANTITY
CITY	275
RESIDENTIAL	278
RETAIL	115
SHARED	85
GRAND TOTAL:	753



4 FOURTH FLOOR PLAN

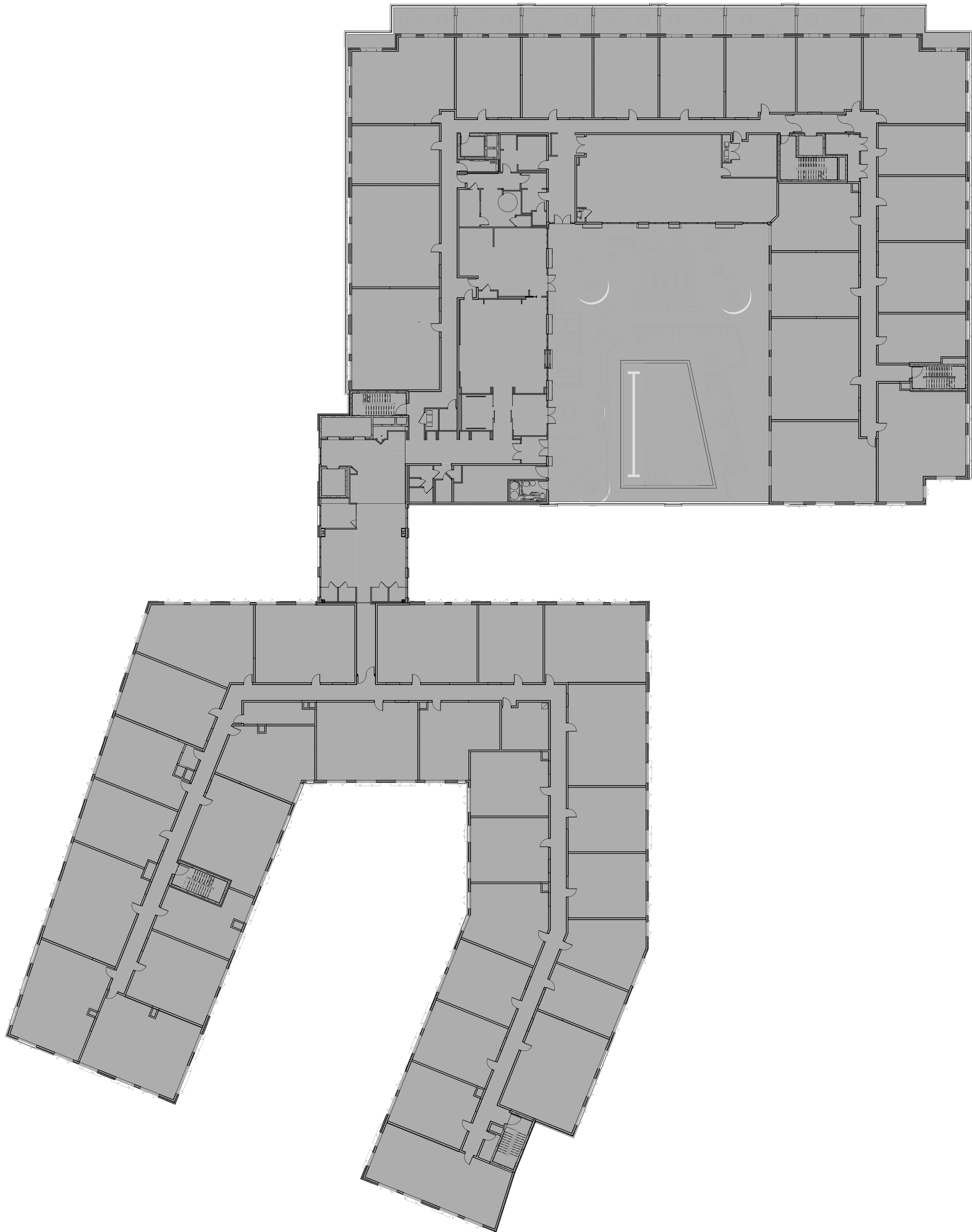
SCALE: 1" = 20'-0"

GROSS PROGRAM AREA FOURTH FLOOR	
TYPE	FLOOR AREA
FOURTH FLOOR	
GENERAL COMMON ELEMENTS	1,282 SF
UNIT 2 - RESIDENTIAL	32,356 SF
UNIT 4 - RESIDENTIAL PARKING	18,538 SF
	52,114 SF

AREA PLANS

- Building Area Legend
- GENERAL COMMON ELEMENTS
 - UNIT 1 - COMMERICAL RETAIL
 - LIMITED COMMON ELEMENTS OF UNIT 1
 - UNIT 2 - RESIDENTIAL
 - UNIT 3 - COMMERICAL RETAIL PARKING
 - UNIT 4 - RESIDENTIAL PARKING
 - UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
 - UNIT 6 - MUNICIPAL / CITY PARKING

GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF



5 FIFTH FLOOR PLAN

SCALE: 1" = 20'-0"

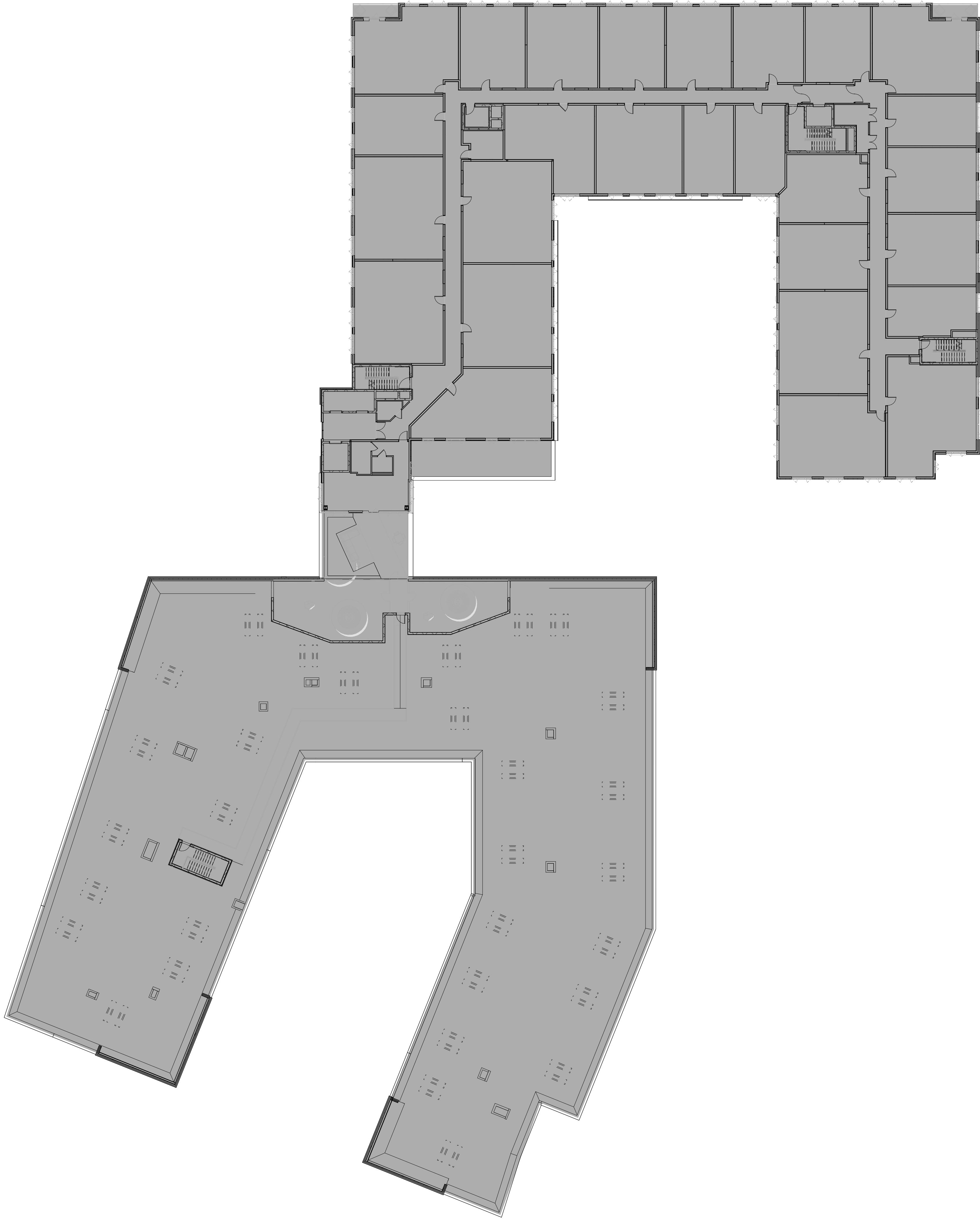
GROSS PROGRAM AREA FIFTH FLOOR	
TYPE	FLOOR AREA
FIFTH FLOOR	
UNIT 2 - RESIDENTIAL	61,387 SF
	61,387 SF

AREA PLANS

DATE: 09/07/22

- Building Area Legend
- GENERAL COMMON ELEMENTS
 - UNIT 1 - COMMERICAL RETAIL
 - LIMITED COMMON ELEMENTS OF UNIT 1
 - UNIT 2 - RESIDENTIAL
 - UNIT 3 - COMMERICAL RETAIL PARKING
 - UNIT 4 - RESIDENTIAL PARKING
 - UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
 - UNIT 6 - MUNICIPAL / CITY PARKING

GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF



6 SIXTH FLOOR PLAN

SCALE: 1" = 20'-0"

GROSS PROGRAM AREA SIXTH FLOOR	
TYPE	FLOOR AREA
SIXTH FLOOR	
UNIT 2 - RESIDENTIAL	29,936 SF
	29,936 SF

AREA PLANS

DATE: 09/07/22

Building Area Legend

GENERAL COMMON ELEMENTS

UNIT 1 - COMMERICAL RETAIL

LIMITED COMMON ELEMENTS OF UNIT 1

UNIT 2 - RESIDENTIAL

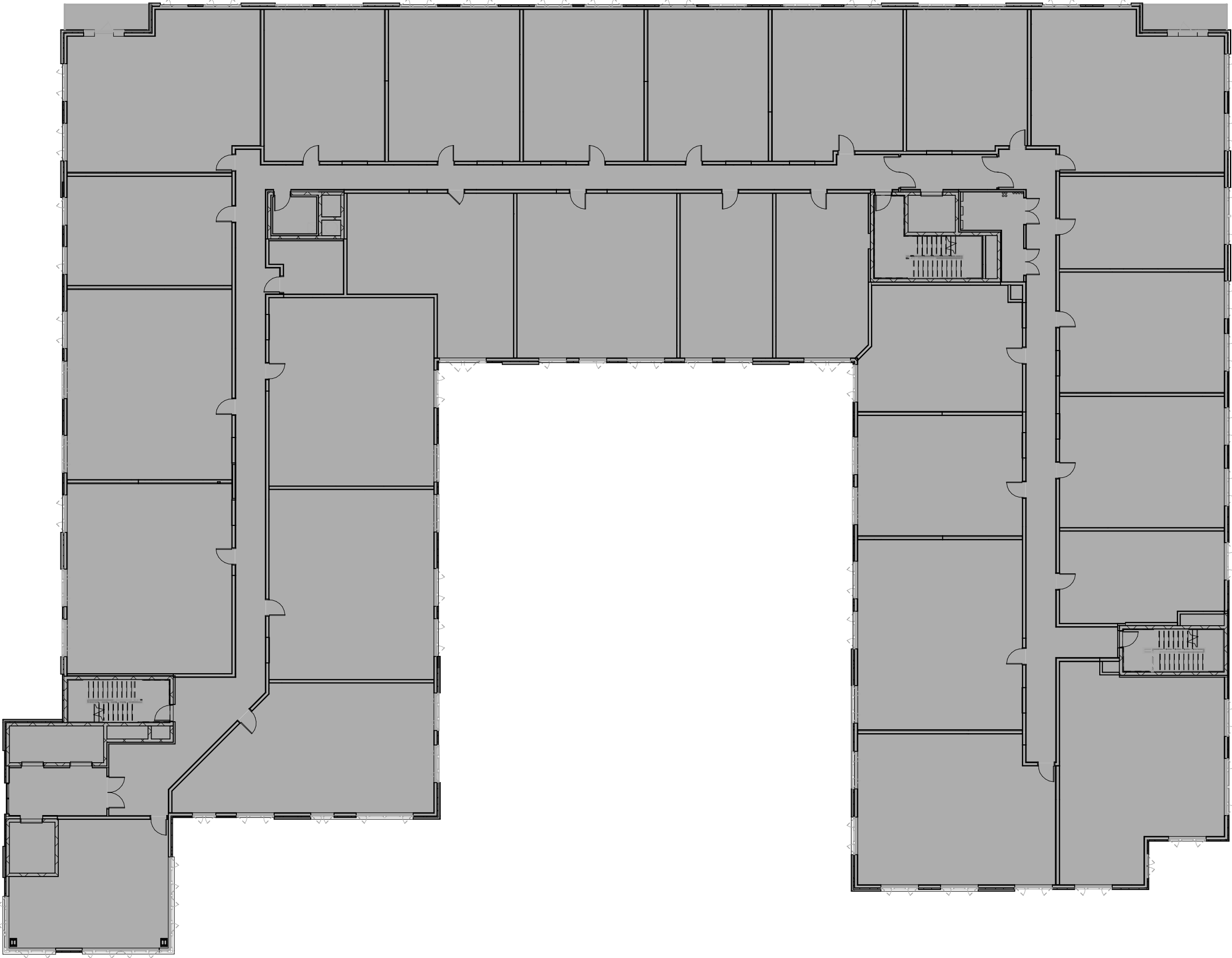
UNIT 3 - COMMERICAL RETAIL PARKING

UNIT 4 - RESIDENTIAL PARKING

UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)

UNIT 6 - MUNICIPAL / CITY PARKING

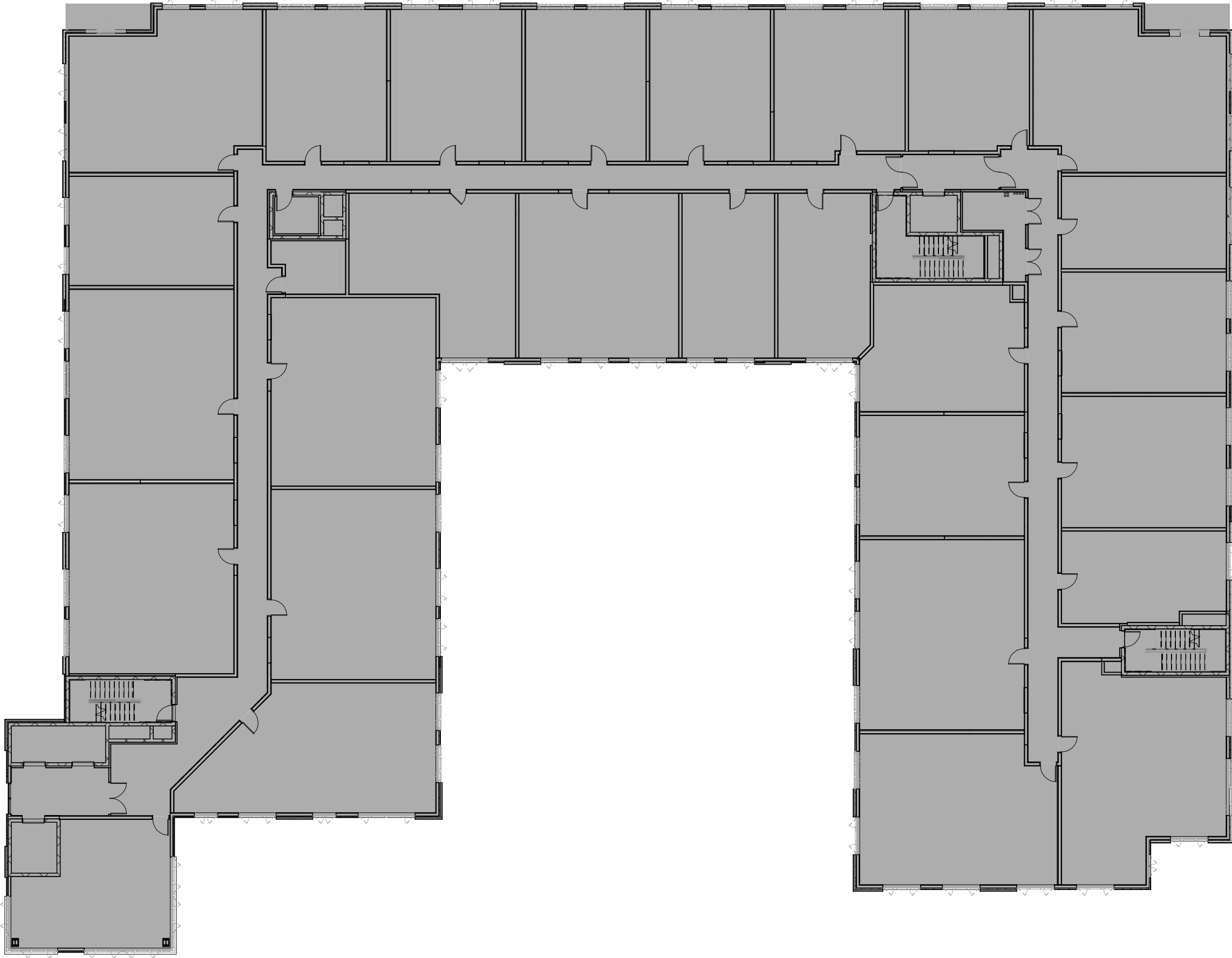
GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF



10 TENTH FLOOR PLAN

SCALE: 1" = 20'-0"

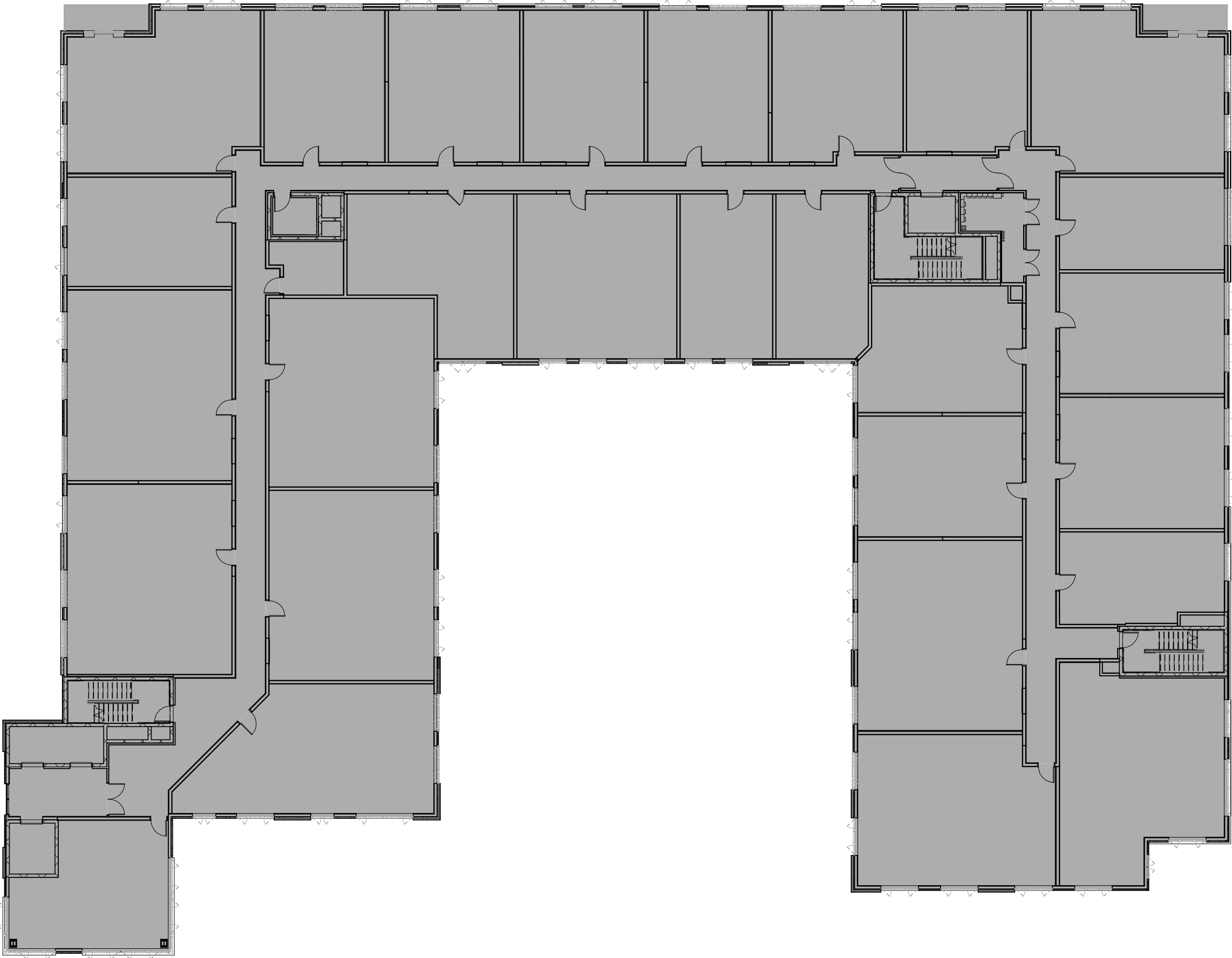
GROSS PROGRAM AREA TENTH FLOOR	
TYPE	FLOOR AREA
TENTH FLOOR	
UNIT 2 - RESIDENTIAL	29,744 SF
	29,744 SF



8 EIGHTH FLOOR PLAN

SCALE: 1" = 20'-0"

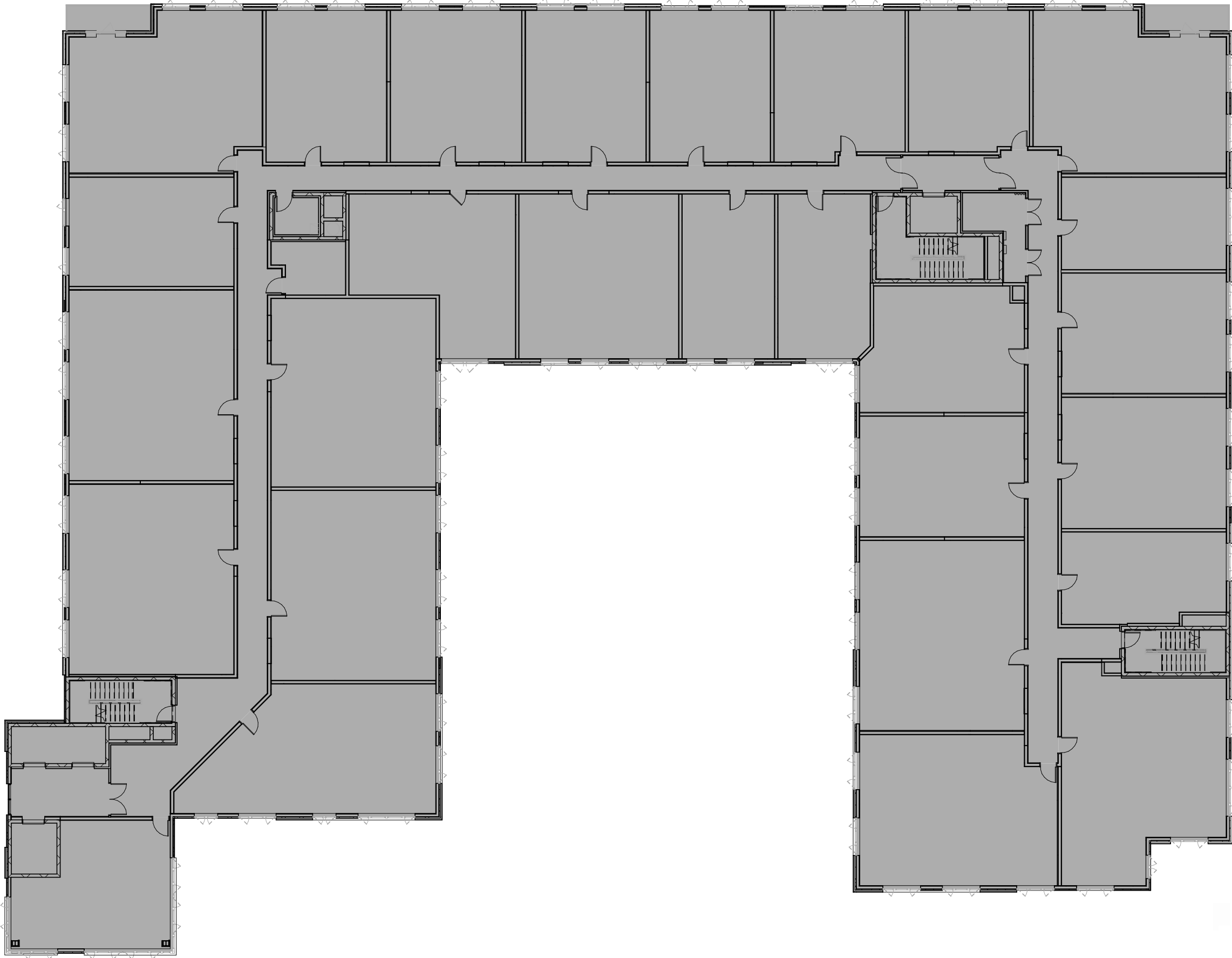
GROSS PROGRAM AREA EIGHTH FLOOR	
TYPE	FLOOR AREA
EIGHTH FLOOR	
UNIT 2 - RESIDENTIAL	29,744 SF
	29,744 SF



9 NINTH FLOOR PLAN

SCALE: 1" = 20'-0"

GROSS PROGRAM AREA NINTH FLOOR	
TYPE	FLOOR AREA
NINTH FLOOR	
UNIT 2 - RESIDENTIAL	29,744 SF
	29,744 SF



7 SEVENTH FLOOR PLAN

SCALE: 1" = 20'-0"

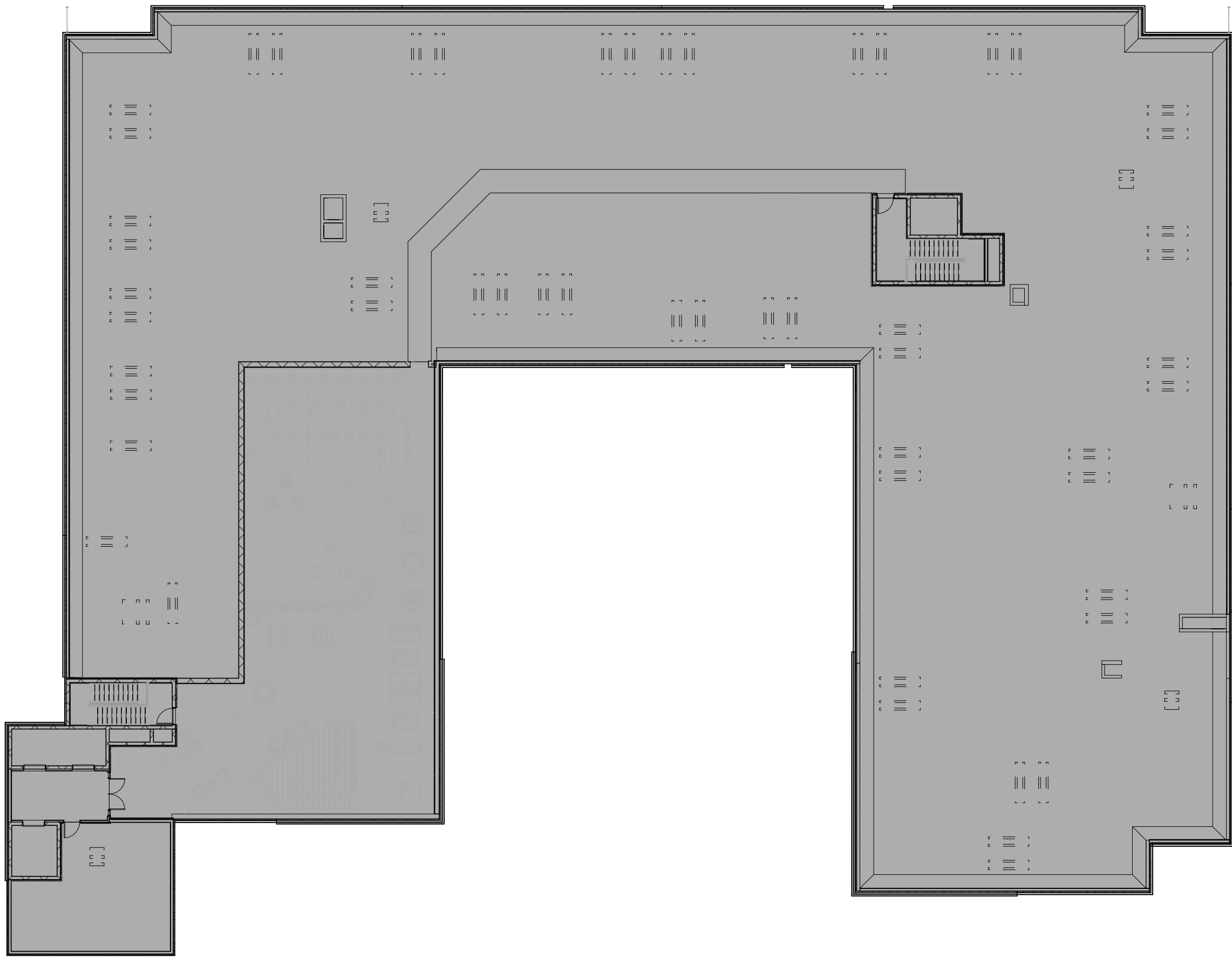
GROSS PROGRAM AREA SEVENTH FLOOR	
TYPE	FLOOR AREA
SEVENTH FLOOR	
UNIT 2 - RESIDENTIAL	29,744 SF
	29,744 SF

AREA PLANS

DATE: 09/07/22

- Building Area Legend
- GENERAL COMMON ELEMENTS
- UNIT 1 - COMMERICAL RETAIL
- LIMITED COMMON ELEMENTS OF UNIT 1
- UNIT 2 - RESIDENTIAL
- UNIT 3 - COMMERICAL RETAIL PARKING
- UNIT 4 - RESIDENTIAL PARKING
- UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)
- UNIT 6 - MUNICIPAL / CITY PARKING

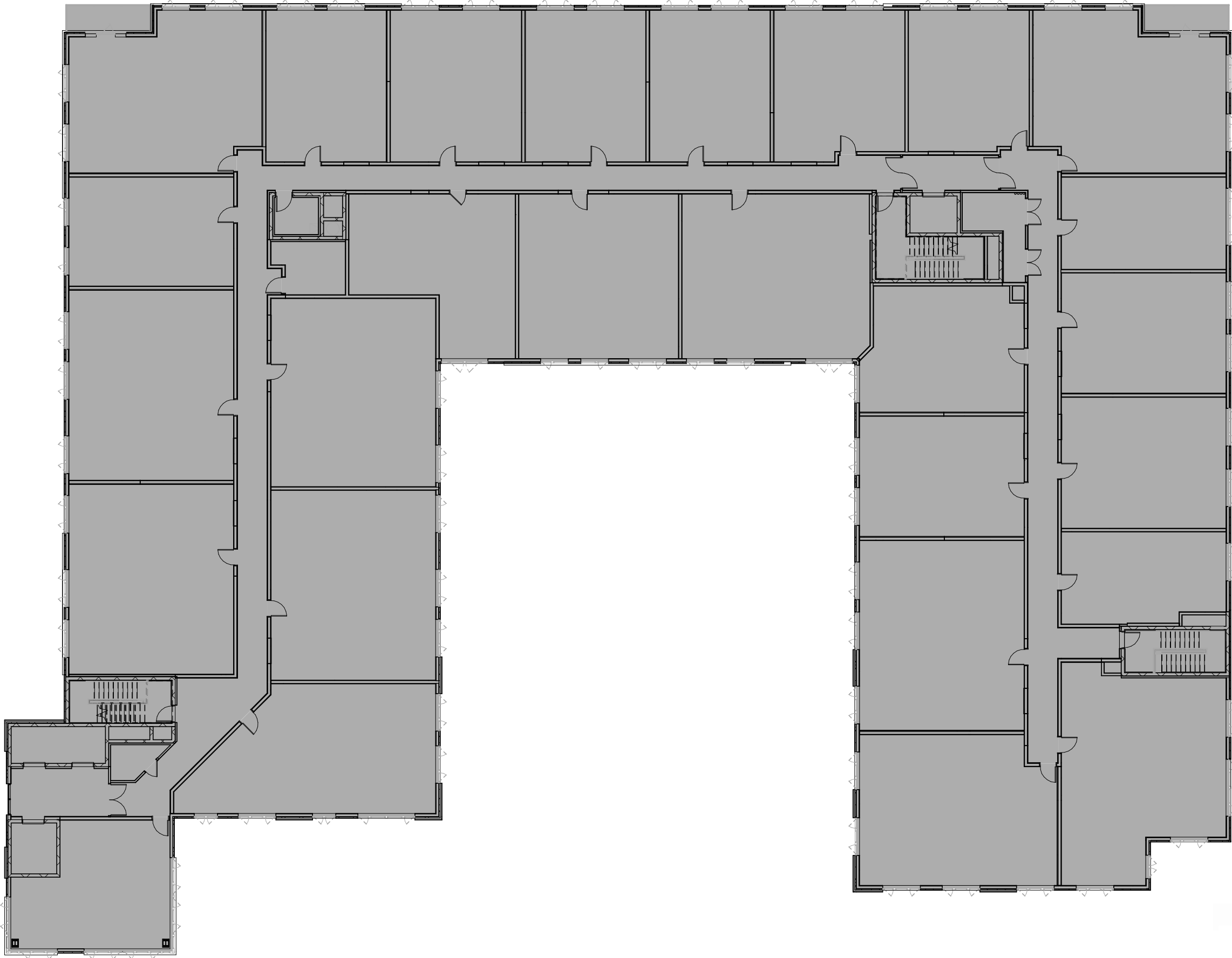
GROSS PROGRAM AREA	
TYPE	FLOOR AREA
GENERAL COMMON ELEMENTS	15,195 SF
LIMITED COMMON ELEMENTS OF UNIT 1	4,442 SF
UNIT 1 - COMMERICAL RETAIL	20,549 SF
UNIT 2 - RESIDENTIAL	312,345 SF
UNIT 3 - COMMERICAL RETAIL PARKING	41,171 SF
UNIT 4 - RESIDENTIAL PARKING	93,535 SF
UNIT 5 - SHARED PARKING (RETAIL + RESIDENTIAL)	30,626 SF
UNIT 6 - MUNICIPAL / CITY PARKING	89,522 SF
GRAND TOTAL	607,388 SF



12 ROOF PLAN

SCALE: 1" = 20'-0"

GROSS PROGRAM AREA ROOF	
TYPE	FLOOR AREA
TOP OF PLATE	
UNIT 2 - RESIDENTIAL	1,077 SF
	1,077 SF



11 ELEVENTH FLOOR PLAN

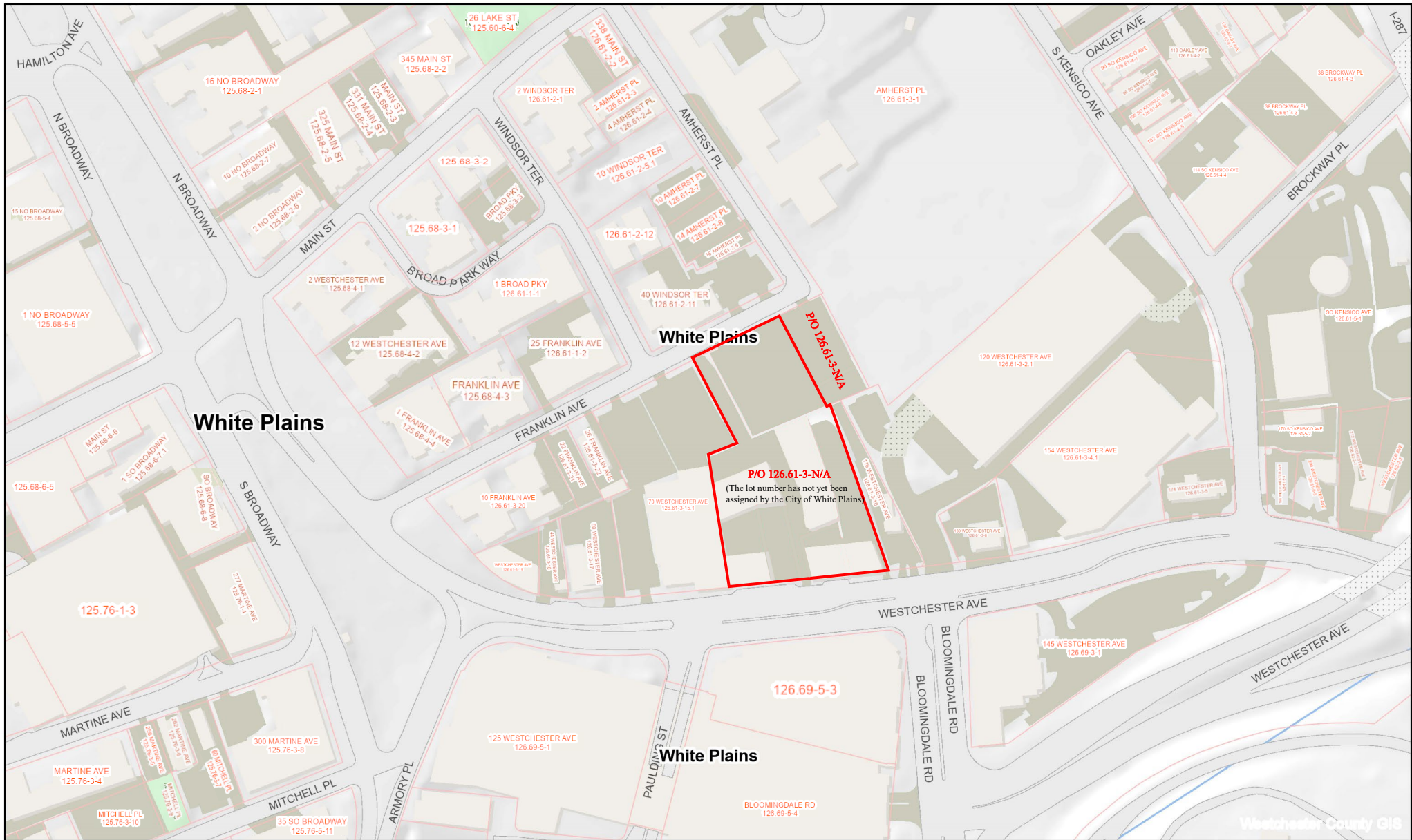
SCALE: 1" = 20'-0"

GROSS PROGRAM AREA ELEVENTH FLOOR	
TYPE	FLOOR AREA
ELEVENTH FLOOR	
UNIT 2 - RESIDENTIAL	29,745 SF
	29,745 SF

AREA PLANS

DATE: 09/07/22

(White Plains)



June 20, 2024

Tax parcel data was provided by local municipality. This map is generated 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 local municipality assessor's office.

1:3,000



0 145 290 580 ft

Westchester County GIS

GIS GEOGRAPHIC INFORMATION SYSTEM

<http://giswww.westchestergov.com>

Michaelian Office Building

148 Martine Avenue Rm 214

White Plains, New York 10601

EXHIBIT C

BOA Map

Ford and Florence Howe Auto
Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

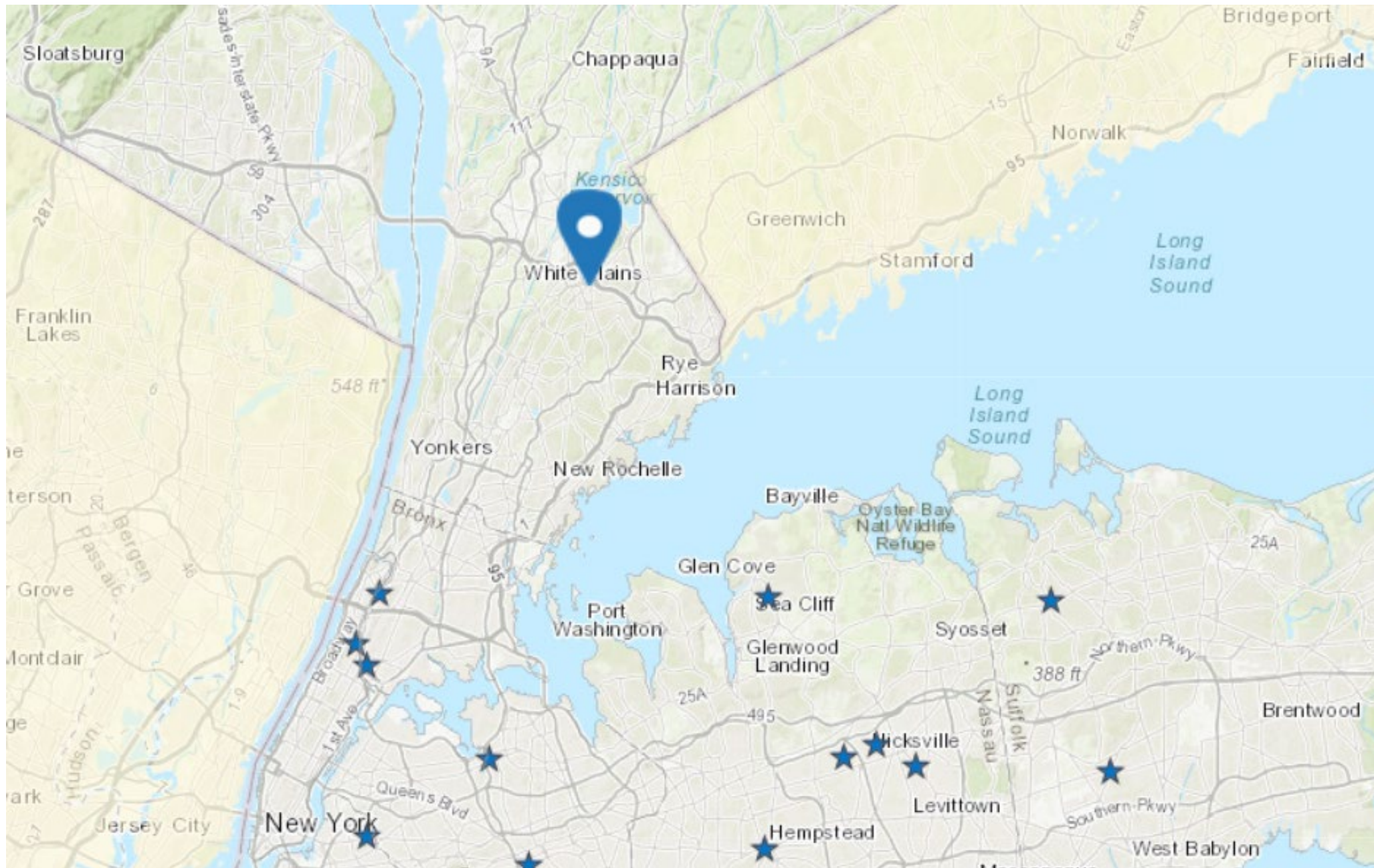
Legend:



Site Location



BOA Designations



December 2021

Source: NY Geographic Information Gateway

Scale: 1" = 100' approximately

Communities Map

Ford and Florence Howe Auto Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601


DAC

GEOID: 36119008800

Household Count: 1991

Population Count: 3912

Regional Economic Development Council: Mid-Hudson

 Disadvantage Community

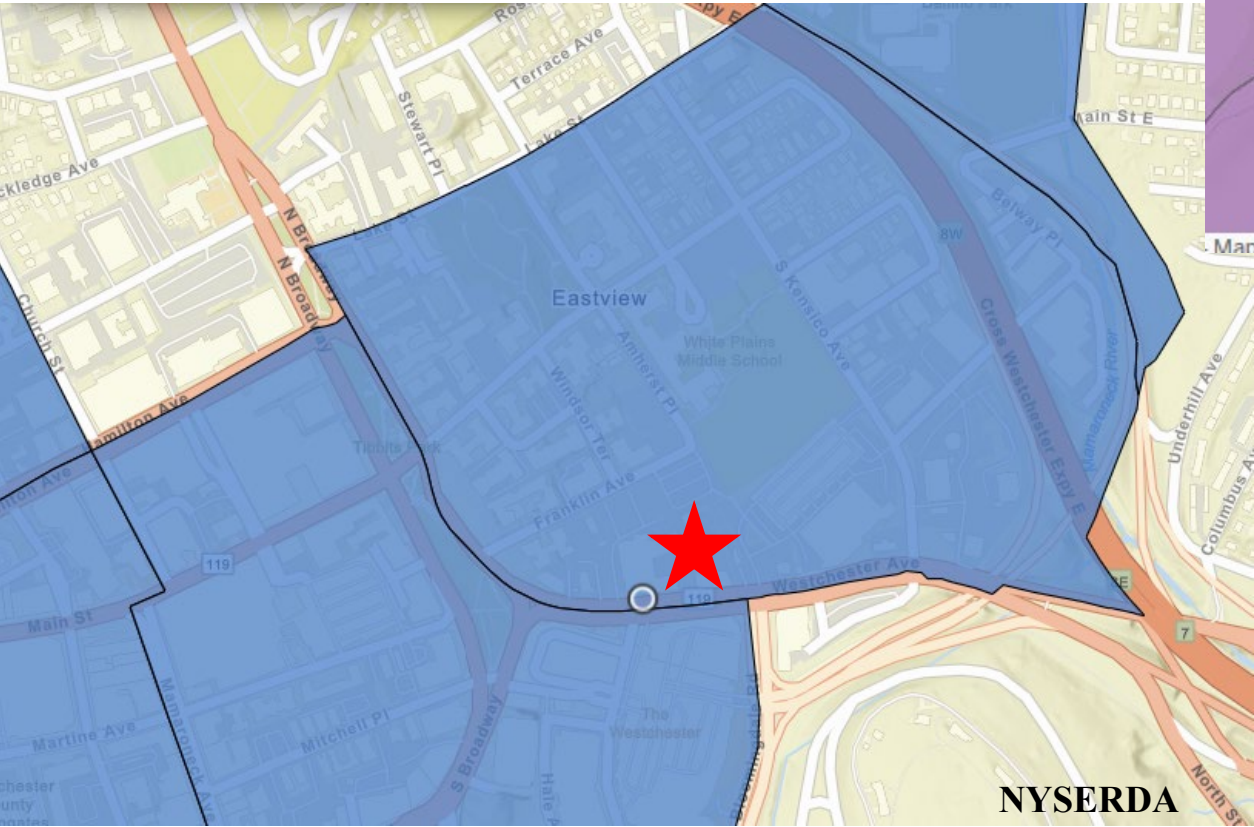


NYS Climate Act

 Disadvantage Community

Census Tract 36119008800 is **Designated a DAC**
This Tract covering **White Plains city** has a population of **3,912**

Environmental Burden is higher than **85%** of Census Tracts statewide
Population Vulnerability is higher than **48%** of Census Tracts statewide



NYSERDA

Population Characteristics & Vulnerability ...

Health Impacts & Burdens	Asthma ED visits	57%
	COPD ED visits	55%
	Heart attack (MI) Hospitalization	8%
	Low Birthweight	77%
	Pct Adults Age 65+	65%
	Pct w/ Disabilities	57%
	Pct w/o Health Insurance	88%
	Premature Deaths	17%
Housing, Mobility, Communications	Energy Poverty / Cost Burden	26%
	Homes Built Before 1960	49%
	Housing Cost Burden (Rental C...	44%
	Manufactured Homes	0%
	Pct Renter-Occupied Homes	61%
	Pct w/o Internet (home or cellul...	37%
Income	Pct <100% of Federal Poverty ..	71%
	Pct <80% Area Median Income	46%
	Pct Single-Parent Households	4%
	Pct w/o Bachelor/Es Degree	10%
	Unemployment Rate	13%
Race/Ethnicity	Limited English Proficiency	65%
	Pct Asian	80%
	Pct Black or African American	62%
	Pct Latino/a or Hispanic	78%
	Pct Native American or Indigen...	0%

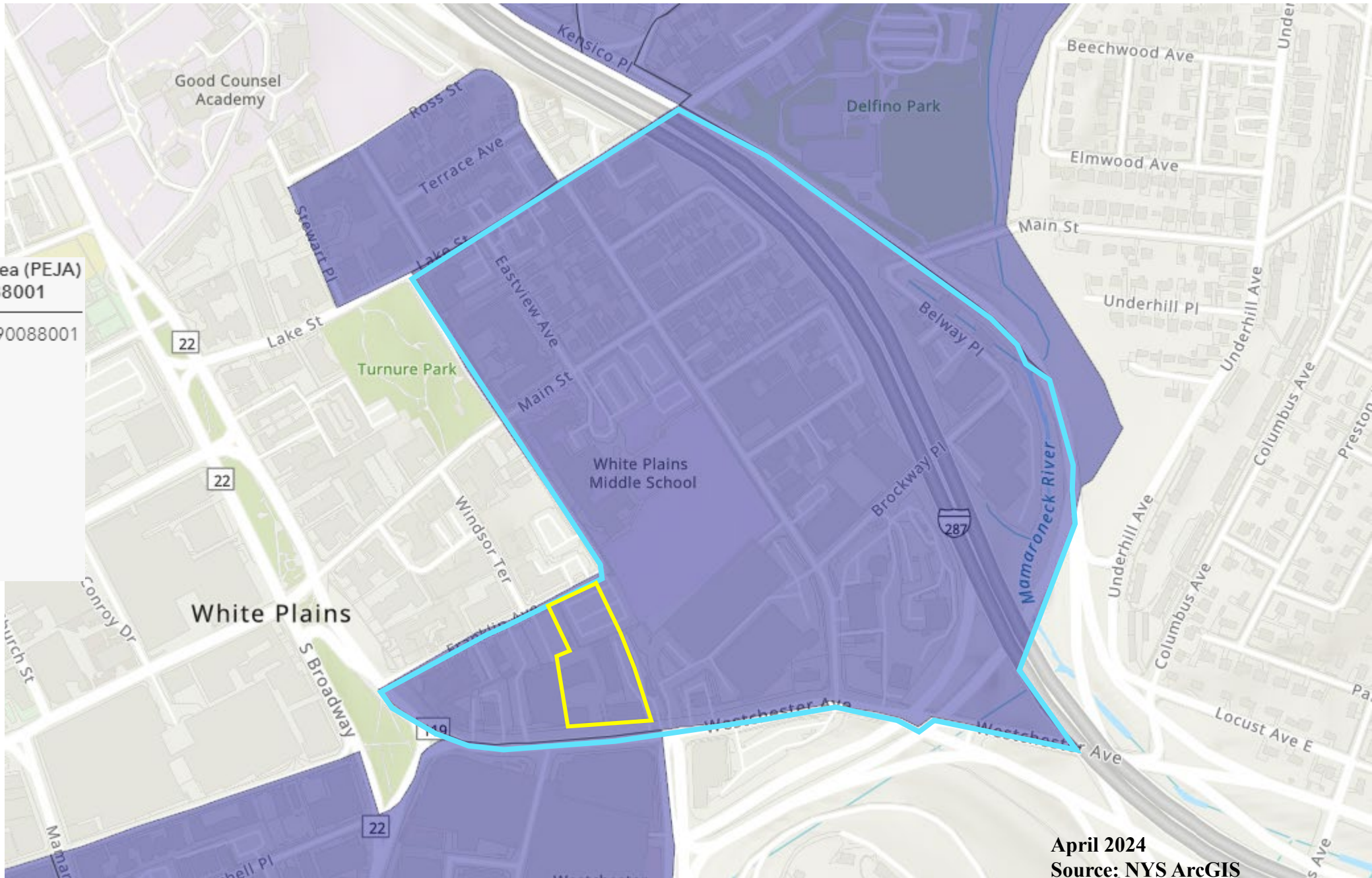
Environmental Burden & Climate Change Risk ...

Land Use & Historic Discrimination	Active Landfills	0%
	Housing Vacancy Rate	83%
	Industrial/Manufacturing/Mining La...	45%
	Major Oil Storage Facilities	0%
	Municipal Waste Combustors	0%
	Power Generation Facilities	0%
	Regulated Management Plan (Ch...	31%
	Remediation Sites	57%
	Scrap Metal Processing	0%
Potential Climate Change Risk	Agricultural Land Use	0%
	Coastal Flooding and Storm Risk ..	0%
	Driving Time to Urgent/Critical Care	22%
	Extreme Heat Projections (>90? d...	96%
	Inland Flooding Risk Areas	43%
	Low Vegetative Land Cover	69%
Potential Pollution Exposure	Benzene Concentration (Modeled)	55%
	Particulate Matter (PM2.5)	47%
	Traffic: Diesel Trucks	98%
	Traffic: Number of Vehicles	96%
	Wastewater Discharge	9%

EJ MAP
Ford and Florence Howe Auto
Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

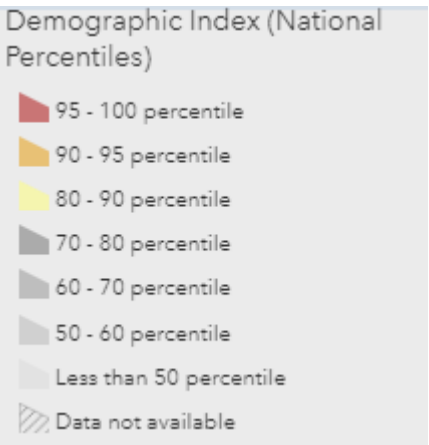
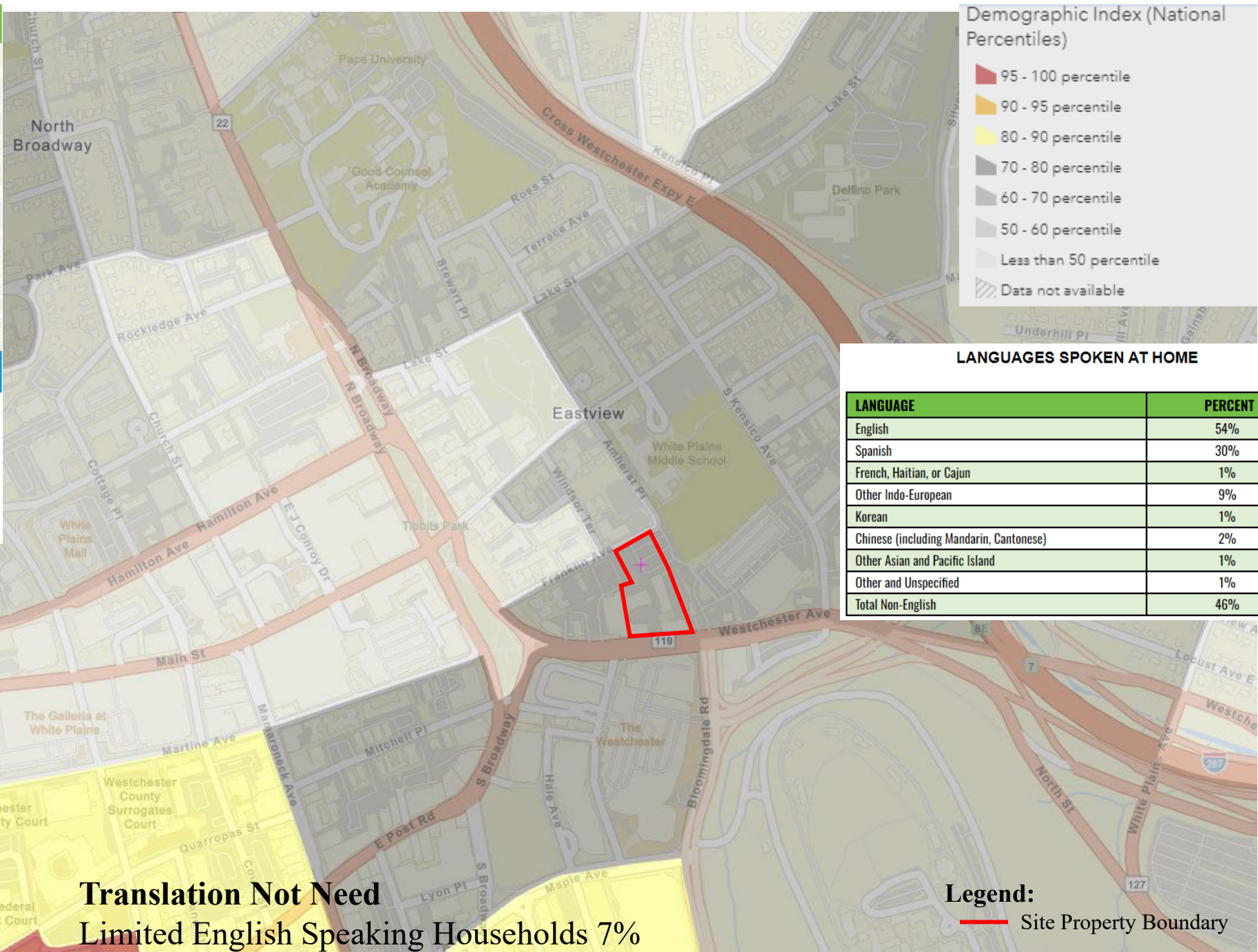
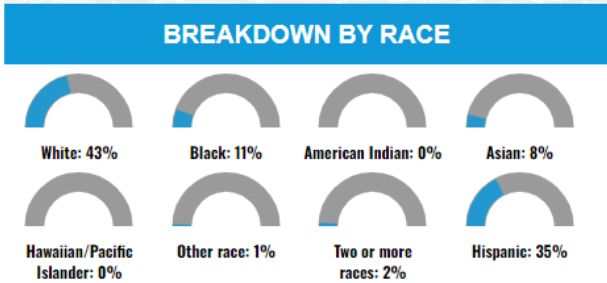
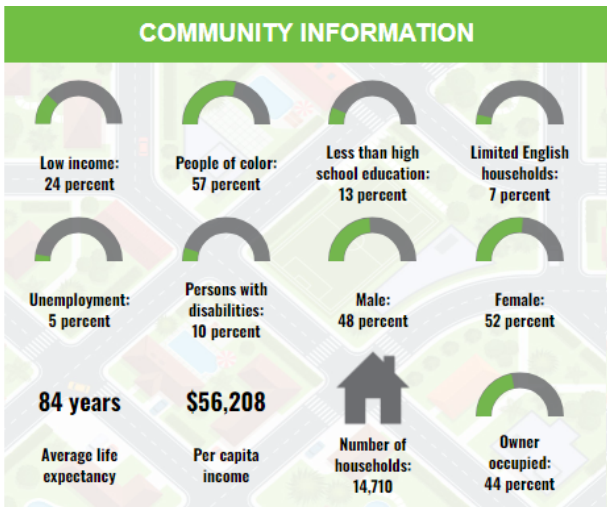
Potential Environmental Justice Area (PEJA)
Communities: 15000US361190088001

Census Block Group	15000US361190088001
Percentage Below Poverty Level	14.49
Total Population	1,777.00
Percentage Minority Population	80.48
PEJA	Yes



Legend:
— Site Property Boundary

April 2024
Source: NYS ArcGIS
Scale: 1" = 100' approximately



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	54%
Spanish	30%
French, Haitian, or Cajun	1%
Other Indo-European	9%
Korean	1%
Chinese (including Mandarin, Cantonese)	2%
Other Asian and Pacific Island	1%
Other and Unspecified	1%
Total Non-English	46%

April 2024
Source: EPA EJ Screen
Scale: 1" = 100' approximately

Translation Not Need
Limited English Speaking Households 7%

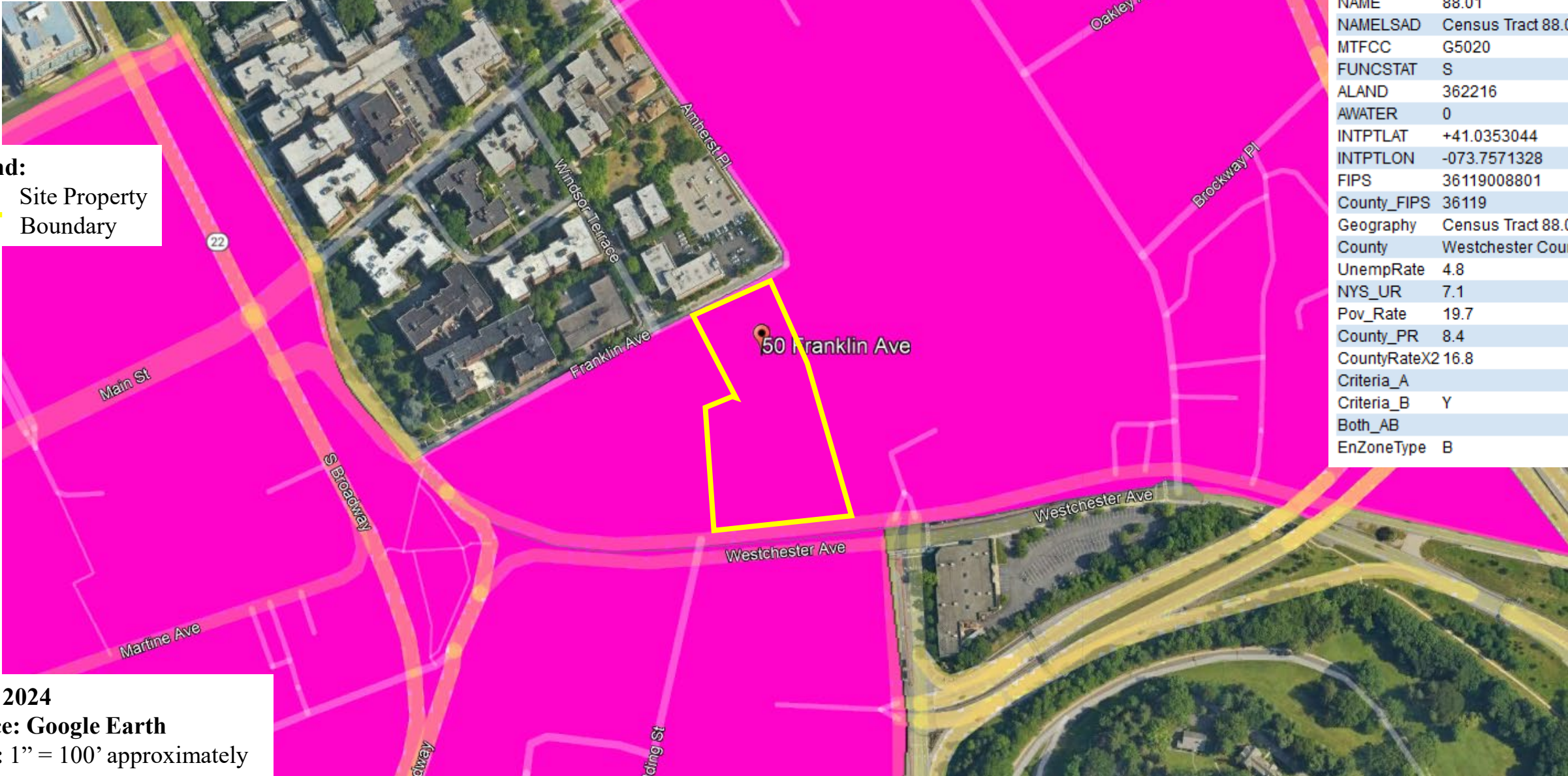
Legend:
Site Property Boundary

En-Zone Map

Ford and Florence Howe Auto
Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

Legend:

Site Property Boundary



April 2024
Source: Google Earth
Scale: 1" = 100' approximately

88.01	
STATEFP	36
COUNTYFP	119
TRACTCE	008801
GEOID	36119008801
NAME	88.01
NAMELSAD	Census Tract 88.01
MTFCC	G5020
FUNCSTAT	S
ALAND	362216
AWATER	0
INTPTLAT	+41.0353044
INTPTLON	-073.7571328
FIPS	36119008801
County_FIPS	36119
Geography	Census Tract 88.01
County	Westchester County
UnempRate	4.8
NYS_UR	7.1
Pov_Rate	19.7
County_PR	8.4
CountyRateX2	16.8
Criteria_A	
Criteria_B	Y
Both_AB	
EnZoneType	B

EXHIBIT D

Ford and Florence Howe Auto Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

December 2021
Source: FEMA Flood Map
 Scale: 1" = 100" approximately

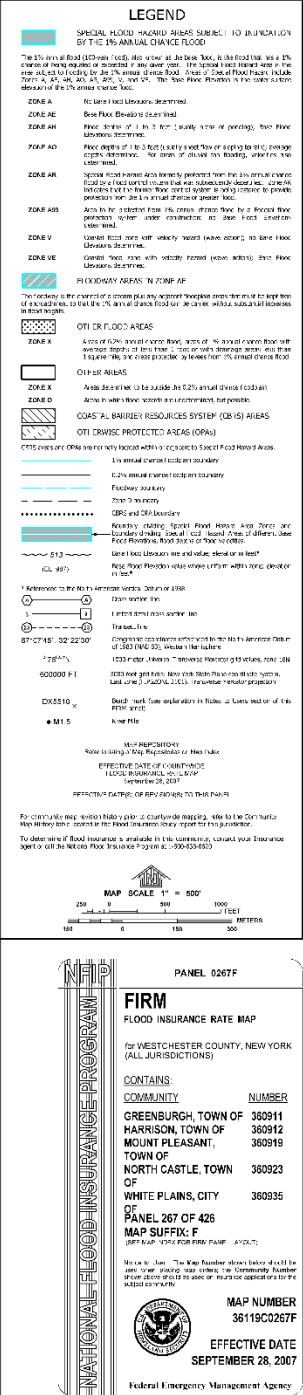
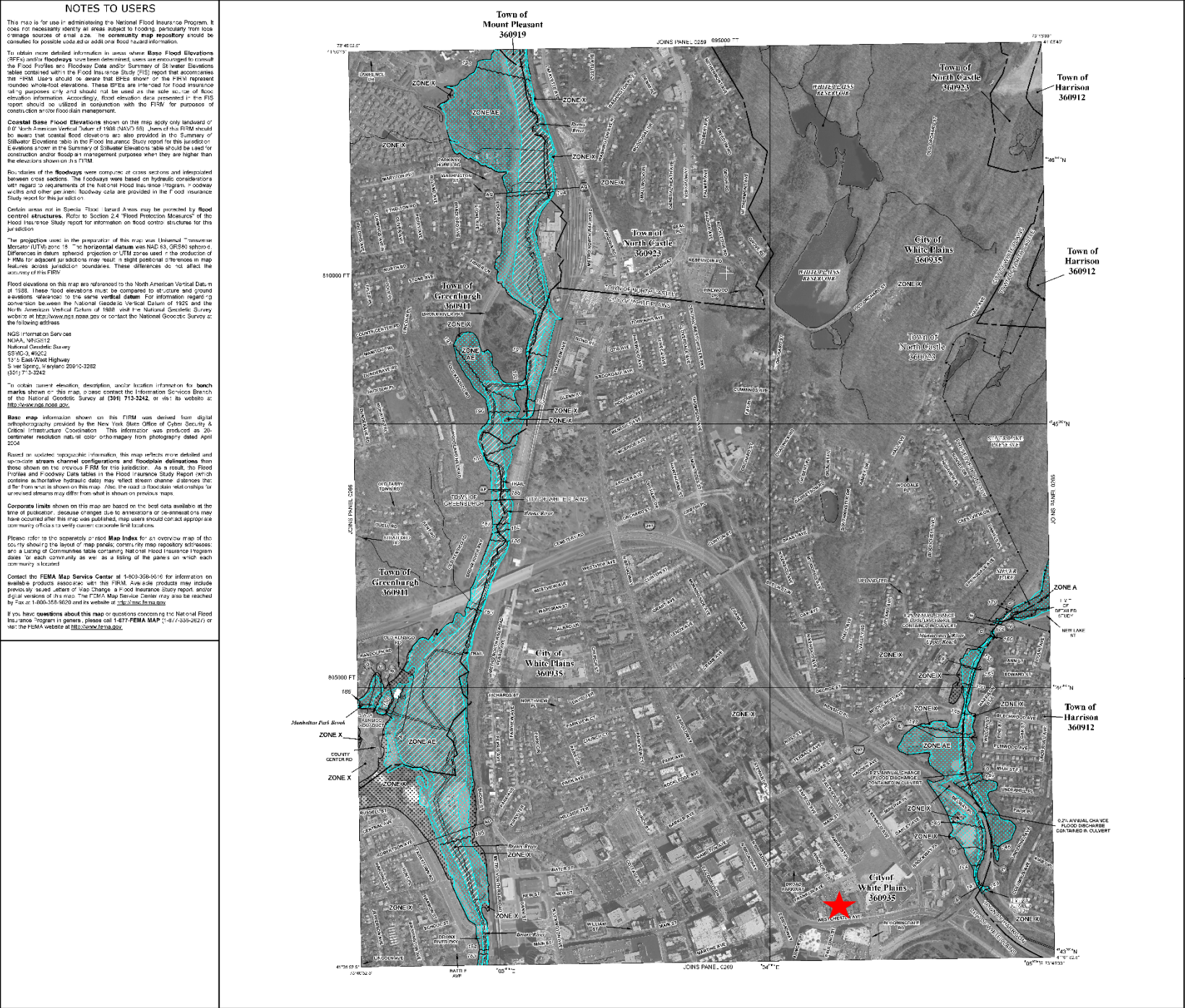



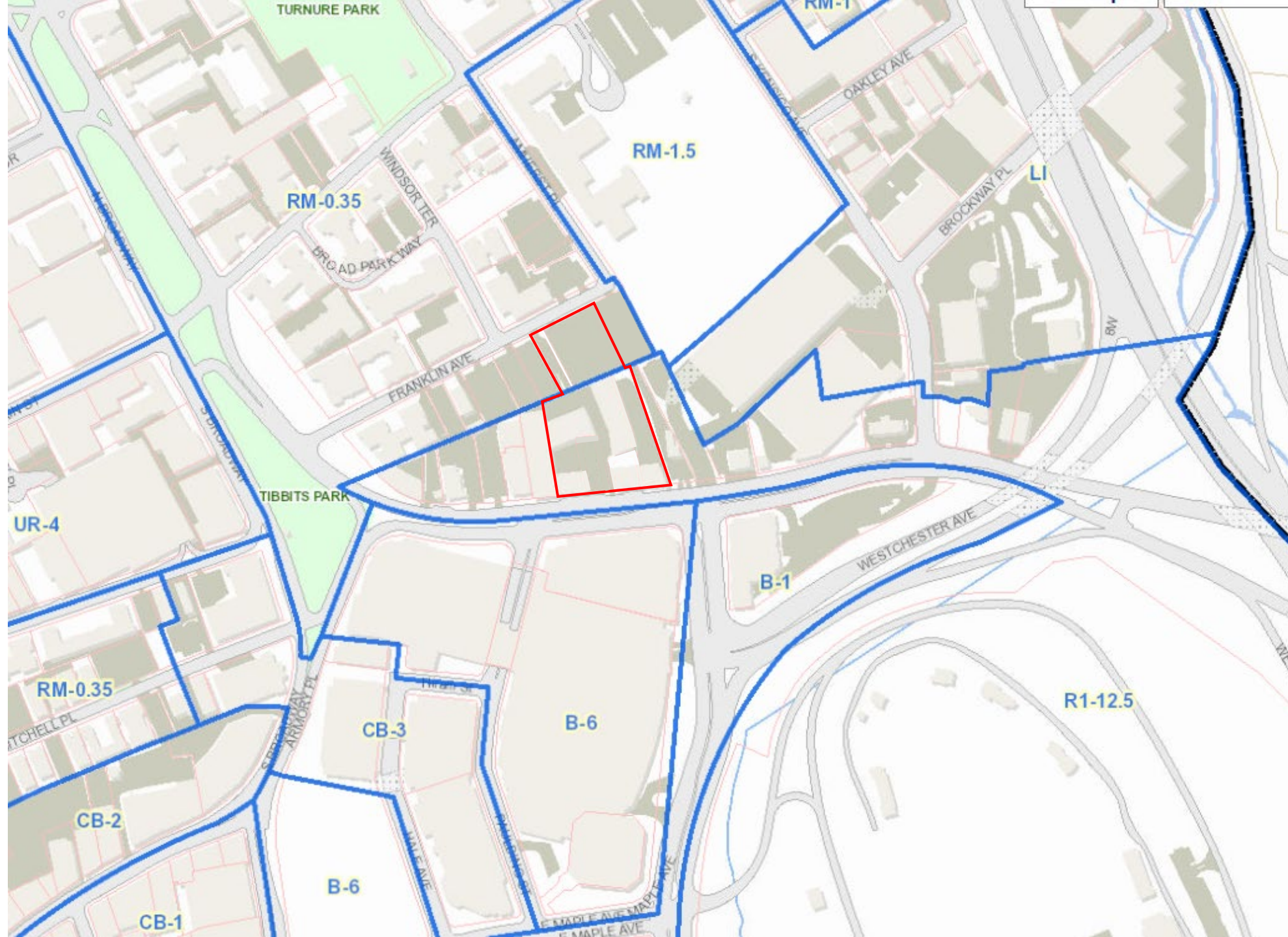
EXHIBIT E

ZONING MAP

Ford and Florence Howe
Auto Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

Legend:

 Site property boundary
Zoning Districts: RM-0.35 and R1-12.5



December 2021

Source: Westchester GIS

ArcGIS

Scale: 1" = 100' approximately

Zoning District: RM-0.35 (Residential Multi-Family)

For the RM-1.5, RM-1, RM-0.4 and RM-0.35 Districts, to provide for 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. The "height" and density requirements of these districts are such that low-rise "buildings" are permitted in fringe areas near the center of the City, and the mid- and high-rise "buildings" are permitted in the center of the City, all in locations consistent with the "Comprehensive Plan."

USE	TYPE
"One family dwelling"	PP
"Two family dwelling"	PP
"Multi-family dwellings"	PP
The keeping of not more than one "roomer" per "dwelling unit" in a "one family dwelling" or "two family dwelling"	PA
The keeping of "household pets"	PA
"Minor accessory buildings"	PA
Customary indoor or outdoor athletic facilities, such as playfields or stadia, as accessory to a "private school," "university," "college" or seminary	SP
Non-profit "recreation facilities"	PA
Accessory "swimming pools" as regulated by Sections 4.4.24 and 6.7.3	SP
Accessory tennis courts, paddle tennis courts or other similar courts	SP
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP
Churches or other places of worship	PP
Sunday schools or other similar religious schools	PA
Parish houses or rectories	PA
Convents	PP
"Transitional housing for homeless families"	SP
"Uses" of the City of White Plains	PP
"Uses" of other governments, subject to the requirements of Section 5.6	PP
"Public schools"	PP
"Private secondary or elementary schools"	SP
"Nursery schools" or "day care centers"	SP
"Nursery schools" or "day care centers" in conjunction with a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	PA
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP
"Universities," "colleges" or seminaries	SP
Dormitories as accessory to a "private school," "university," "college," seminary or convent	PA
"Domiciliary care facilities," "community residences" or "rooming houses"	SP
Libraries, museums or art galleries not operated for profit	SP
Office in residence of a "professional person" as regulated by Section 5.4.2	PA
Office space for physicians and dentists within the lowest "story" of a "multi-family dwelling" limited to not more than 50% of the "gross floor area" of that "story" and 10% of such area of the "building"	SP
Business, administrative or headquarters offices for "philanthropic institutions"	SP
"Customary home occupations" as regulated by Section 5.4.2	PA
"Accessory electronic games"	PA

USE	TYPE
"Public utility buildings or structures"	SP
"Private garages," carports or open parking for private passenger vehicles	PA
"Parking lots" or "parking garages"	SP
Accessory parking adjoining business or industrial districts	SP
Neighborhood parking (See Section 6.7.13)	SP
"Parking lots" or "parking garages" of the City of White Plains or its Parking Department	PP
Stacked attendant parking	SP*

KEY:
PP = Permitted Principal "Use";
PA = Permitted "Accessory Use";
SP = Special Permit "Use";
(R-A), etc. = Prior District designation;
* = When in the Central Parking Area

Zoning District: R1-12.5 (Residential One Family)

USE	TYPE
"One family dwelling"	PP
"Conservation development"	See Sec. 5.7
The keeping of not more than two "roomers" per "dwelling unit"	PA
The keeping of "household pets"	PA
Accessory servants quarters	SP
"Minor accessory buildings"	PA
Non-profit "recreation facilities" incident to places of worship	SP
"Golf and country clubs"	SP
Accessory "swimming pools" as regulated by Sections 4.4.24 and 6.7.3	SP
Accessory tennis courts, paddle tennis courts or other similar courts	SP
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP
Stables	PA
Hospitals or sanitariums	SP
Churches or other places of worship	PP
Sunday schools or other similar religious schools	PA
Parish houses or rectories	PA
"Uses" of the City of White Plains	PP
"Uses" of other governments, subject to the requirements of Section 5.6	PP
"Public schools"	PP
"Private secondary or elementary schools"	SP
"Nursery schools" or "day care centers"	SP
"Nursery schools" or "day care centers" in conjunction with a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	PA
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP
"Universities," seminaries or "colleges"	SP
Libraries, museums or art galleries not operated for profit	SP
Office in residence of a "professional person" as regulated by Section 5.4.2	PA
"Customary home occupations" as regulated by Section 5.4.2	PA
"Accessory electronic games"	PA
"Public utility buildings or structures"	SP
"Private garages," carports or open parking for private passenger vehicles	PA

KEY:
PP = Permitted Principal "Use";
PA = Permitted "Accessory Use";
SP = Special Permit "Use";
(R-A), etc. = Prior District designation;
* = When in the Central Parking Area

EXHIBIT F

PREVIOUS OWNERS & OPERATORS LIST
Ford and Florence Howe Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

Year	Former 80 Westchester Avenue Former Tax Lot 126.61-3-13 Owners	Status	Relation to Requestor
Unknown – April 1982	David C. Posner Address: 215 East 68 th Street New York, New York 10021 Phone: Unknown	Unknown	None
	Richard Posner Address: 3 Hidden Oak Lane New York, New York 10504 Phone: Unknown	Unknown	None
April 1982 – Unknown	Alan Posner Address: 911 Park Avenue Phone: Unknown	Unknown	None
Unknown – Jan. 1992	Florence Feldman Address: 82 Fox Meadow Road Scarsdale, New York 10583 Phone: Unknown	Unknown	None
Jan. 1992 – Sept. 2012	80 Westchester Avenue Associates Limited Partnership Address: c/o Wertheimer Fredman, LLC 333 Westchester Avenue, S-302 White Plains, New York 10604 Phone: Unknown	Active	None
Sept. 2012 – July 2019	Chauncey White Plains LLC Address: c/o Rabin, Paner, Herrick Esqs. 44 Church Street White Plains, New York 0601 Phone: Unknown	Active	None
July 2019	Saber Chauncey WP LLC Address: 80 Business Park Drive, Suite 306 Armonk, New York 10504 Phone: Unknown	Active	Sold Property to Requestor
July 2019 – Present	TB White Plains Apartments LLC Address: 42 Old Ridgeway Road, 2 nd Floor Danbury, Connecticut 06810 Phone: (215) 328 - 7418	Active	Requestor
	Operators		
1905	Woodshed and unidentified structure	N/A	None
1911	Two Story Structure	N/A	None
1930	Stores and Garage	N/A	None
1950	Automotive Sales Lot and Garage	N/A	None
1964-1971	Larsen Ford Inc. Address: c/o Ambrose Russell Wesley Avenue Port Chester, New York 10573 Phone: Unknown	Inactive	None
1982	White Plains Ford Sales, Inc. Address: Unknown Phone: Unknown	Active	None
1988	Key Ford of White Plains Address: Unknown Phone: Unknown	Inactive	None
2000	Key Auto Group Address: Unknown Phone: Unknown	Inactive	None
2011	Smith Cairns Ford of White Plains, Inc. Address: 900 Central Park Avenue Yonkers, New York 10704 Phone: Unknown	Active	None
Present	Vacant	N/A	None

PREVIOUS OWNERS & OPERATORS LIST
Ford and Florence Howe Dealerships Site
Portion of 80 Westchester Avenue
White Plains, New York 10601

Year	Former 84-88 Westchester Avenue Former Tax Lot 126.61-3-14 Owners	Status	Relation to Requestor
Unknown – April 1980	David C. Posner Address: 215 East 68 th Street New York, New York 10021 Phone: Unknown	Unknown	None
	Richard Posner Address: 3 Hidden Oak Lane New York, New York 10504 Phone: Unknown	Unknown	None
April 1980 – unknown	Alan Posner Address: 911 Park Avenue New York, New York 10021 Phone: Unknown	Unknown	None
Unknown – Jan. 1992	Florence Feldman Address: 82 Fox Meadow Road Scarsdale, New York 10583 Phone: Unknown	Unknown	None
Jan. 1992 – Sept. 2012	80 Westchester Avenue Associates Limited Partnership Address: c/o Wertheimer Fredman, LLC 333 Westchester Avenue, S-302 White Plains, New York 10604 Phone: Unknown	Active	None
Sept. 2012 – July 2019	Chauncey White Plains LLC Address: c/o Rabin, Paner, Herrick Esqs. 44 Church Street White Plains, New York 0601 Phone: Unknown	Active	None
July 2019	Saber Chauncey WP LLC Address: 80 Business Park Drive, Suite 306 Armonk, New York 10504 Phone: Unknown	Active	Sold Property to Requestor
July 2019 – Present	TB White Plains Apartments LLC Address: 42 Old Ridgeway Road, 2 nd Floor Danbury, Connecticut 06810 Phone: (215) 328 - 7418	Active	Requestor
	Operators		
1905 – 1911	Dwelling	N/A	None
1930 – late 1950s	The “Lunch Wagon” and a dwelling	N/A	None
1987 - 2004	Used Car Lot (Cadillac) Address: c/o Pepe Cadillac 15 Water Street White Plains, New York 10601 Phone: (914) 752-4618	Inactive	None
Present	Vacant	N/A	None

PREVIOUS OWNERS & OPERATORS LIST

Ford and Florence Howe Dealerships Site

Portion of 80 Westchester Avenue

White Plains, New York 10601

Year	Former 92-98 Westchester Avenue Former Tax Lot 126.61-3-12 Owners	Status	Relation to Requestor
Unknown – Dec. 1986	Frederick Wiegand Address: 12 Tibbets Avenue White Plains, New York Phone: Unknown	Deceased	None
	Anna Wiegand Address: 12 Tibbets Avenue White Plains, New York Phone: Unknown		None
Dec. 1986 – Jan. 2013	Westave Owners, Inc. Address: c/o/ First New Amsterdam Corporation 1230 Avenue of the Americas, 7 th Floor New York, New York 10020 Phone: Unknown	Active	None
Jan. 2013 – July 2019	Saber White Plains LLC Address: 90 Business Park Drive, Suite 306 Armonk, New York 10504 Phone: Unknown	Active	None
July 2019	Saber Chauncey WP LLC Address: 80 Business Park Drive, Suite 306 Armonk, New York 10504 Phone: Unknown	Active	Sold Property to Requestor
July 2019 – Present	TB White Plains Apartments LLC Address: 42 Old Ridgeway Road, 2 nd Floor Danbury, Connecticut 06810 Phone: (215) 328 - 7418	Active	Requestor
	Operators		
Unknown – 1911	Vacant	N/A	None
1977	Xerox Address: 45 Glover Avenue Norwalk, CT 06856 Phone: 1(800) 275-9376	Active	None
1930 – 2021	Stores	N/A	None
2021 – Present	Vacant	N/A	None

Year	Former 106 Westchester Avenue Former Tax Lot 126.61-3-11 Owners	Status	Relation to Requestor
Unknown – Jan 1988	Helen H. Doyle Address: 50 Endicott Street Danvers, Massachusetts 01923 Phone: Unknown	Unknown	None
Jan 1988 – Nov 1988	Robert E. Doyle Address: 8 Maple Place Lynn, Massachusetts 01904 Phone: Unknown Helen H. Doyle Address: 50 Endicott Street Danvers, Massachusetts 01923 Phone: Unknown	Unknown	None

PREVIOUS OWNERS & OPERATORS LIST

Ford and Florence Howe Dealerships Site

Portion of 80 Westchester Avenue

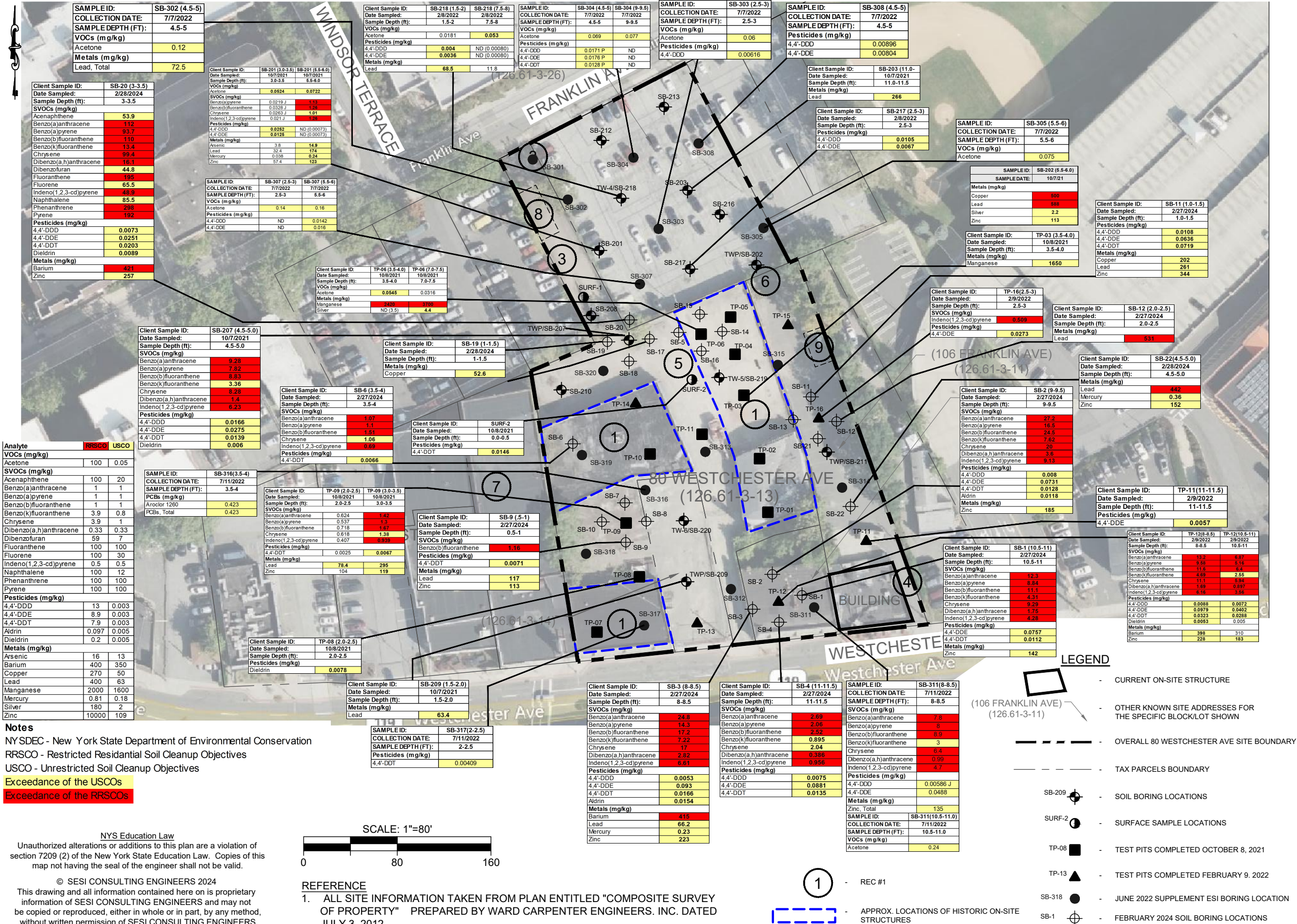
White Plains, New York 10601

Nov 1988 – Aug 2015	Helen H. Doyle Address: 50 Endicott Street Danvers, Massachusetts 01923 Phone: Unknown	Unknown	None
Aug 2015 – April 2019	Robert H. Doyle, as Trustee of the Helen Hartwell Doyle Revocable Trust Fund Address: c/o Robert H. Doyle 25 Windsor Place Poland, Maine 04274 Phone: Unknown	Unknown	None
April 2019 – July 2019	Saber Chauncey WP LLC Address: 80 Business Park Drive, Suite 306 Armonk, New York 10504 Phone: Unknown	Unknown	Sold property to Requestor
July 2019 – Present	TB White Plains Apartments LLC Address: 1140 Virginia Drive Fort Washington, PA 19034 Phone: (215) 328 - 7418	Active	Requestor
Operators			
1905 – 1911	Dwelling	N/A	None
1930 – 1987	Stores and Dwellings	N/A	None
1987 – 2021	Stores and Restaurant	N/A	None
Present	100 Westchester Ave. Corp - Food Preparation Facility Address: c/o Claudia Shaum, President 73 Clapboard Hill Road Westport, Ct 06880 Phone: (917) 865-2677	Active	Current Operator

Year	Former 50 Franklin Avenue Former Tax Lot 126.61-3-26 Owners	Status	Relation to Requestor
1942 – unknown	Florence Howe Automotive Garage Address: Phone: Unknown	Unknown	None
Unknown – July 2019	The City of White Plains Address: 255 Main Street White Plains, New York 10601 Phone: Unknown	Active	Sold Property to Requestor
July 2019 – Present	TB White Plains Apartments LLC Address: 42 Old Ridgeway Road, 2 nd Floor Danbury, Connecticut 06810 Phone:(215) 328 - 7418	Active	Requestor
Operators			
1905	Three buildings with unknown use	N/A	None
1930	Twelve buildings with unknown use	N/A	None
1971 - Present	Public Parking Lot	N/A	None

EXHIBIT G

N:\ACAD\12076\CAD\PHASE II\REPORT 2\12076 - SOIL SAMPLE LOCATION & RESULTS MAP_V2.DWG 05/22/24 11:23:49AM, plan.ward, LAYOUT: FIG-3.1



dwg by: KBV
chk by: JM
scale: AS NOTED
date: 04/17/2024

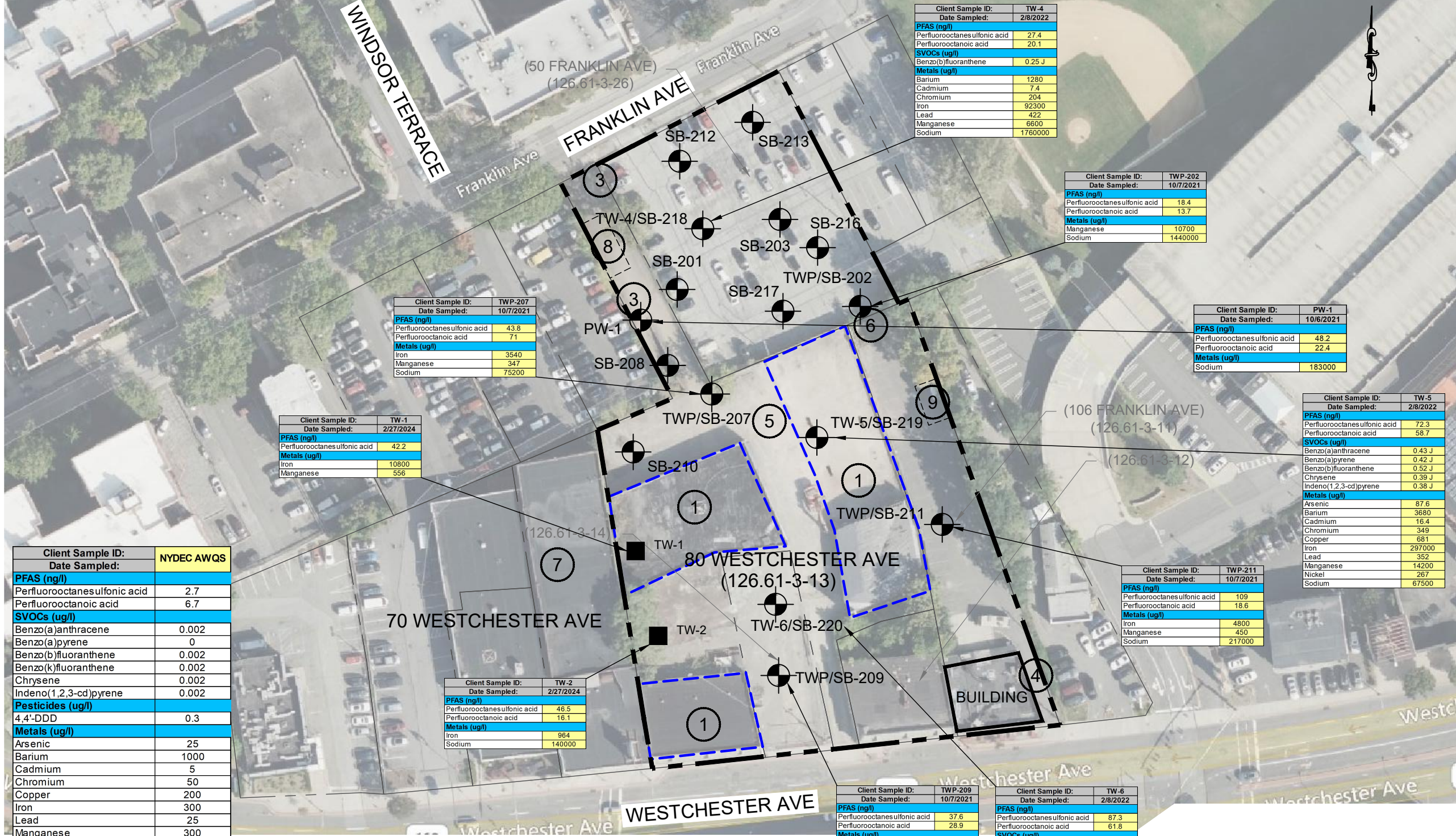
SESI CONSULTING ENGINEERS
GEOTECHNICAL | ENVIRONMENTAL | SITE CIVIL
959 ROUTE 46E, 3RD FLOOR, PARSPIPPANY, NJ 07054 PH: 973.808.9050

project: FORD AND FLORENCE HOWE AUTO DEALERSHIPS SITE
80 WESTCHESTER AVENUE
WHITE PLAINS, NEW YORK 10601
title: SOIL SAMPLE LOCATIONS AND RESULTS MAP

job no: 12076
drawing no:

FIG-3.1

N:\ACAD\12076\CAD\PHASE II\REPORT 2\12076 - GROUNDWATER LOCATION AND RESULTS MAP_V2.DWG 05/22/24 12:38:37PM, alan.ward, LAYOUT: FIG-3.2



project: FORD AND FLORENCE HOWE AUTO DEALERSHIPS SITE
80 WESTCHESTER AVENUE
WHITE PLAINS, NEW YORK 10601

title: GROUNDWATER SAMPLE LOCATIONS AND RESULTS MAP

job no: 12076
drawing no: FIG-3.2
1 of 1

dwg by: KBV
chk by: JM
scale: AS NOTED
date: 04/17/2024

SESI CONSULTING ENGINEERS
GEOTECHNICAL | ENVIRONMENTAL | SITE CIVIL
959 ROUTE 46E, 3RD FLOOR, PARSIPPANY, NJ 07054 PH: 973.808.9050

REFERENCE

1. ALL SITE INFORMATION TAKEN FROM PLAN ENTITLED "COMPOSITE SURVEY OF PROPERTY" PREPARED BY WARD CARPENTER ENGINEERS. INC. DATED JULY 3, 2012.

N:\ACAD\12076\CAD\PHASE II\12076 - SOIL VAPOR LOCATION AND RESULTS MAP_V2.DWG 04/29/24 11:26:59AM, dian.word, LAYOUT:FIG-3.3

Analyte	Units	Matrix A Lower Threshold Level	Matrix B Lower Threshold Level	Matrix C Lower Threshold Level	Matrix D Lower Threshold Level	Matrix E Lower Threshold Level	Matrix F Lower Threshold Level
Acetone (2-Propanone)	ug/m3	-	-	-	60	-	-
Benzene	ug/m3	-	-	-	-	-	-
Carbon disulfide	ug/m3	-	-	-	-	-	-
Chlorobenzene	ug/m3	-	-	-	-	-	-
Chloromethane	ug/m3	-	-	-	-	-	-
Carbon tetrachloride	ug/m3	6	-	-	-	-	-
Cyclohexane	ug/m3	-	-	-	60	-	-
Dichlorodifluoromethane	ug/m3	-	-	-	-	-	-
m-Dichlorobenzene	ug/m3	-	-	-	-	-	-
Ethanol	ug/m3	-	-	-	-	-	-
Ethylbenzene	ug/m3	-	-	-	60	-	-
Ethyl Acetate	ug/m3	-	-	-	-	-	-
4-Ethyltoluene	ug/m3	-	-	-	-	-	-
Heptane	ug/m3	-	-	-	-	200	-
Hexane	ug/m3	-	-	-	-	200	-
Isopropyl Alcohol	ug/m3	-	-	-	-	-	-
Methylene chloride	ug/m3	-	100	-	-	-	-
Methyl ethyl ketone	ug/m3	-	-	-	-	-	-
Propylene	ug/m3	-	-	-	-	-	-
1,2,4-Trimethylbenzene	ug/m3	-	-	-	60	-	-
1,3,5-Trimethylbenzene	ug/m3	-	-	-	60	-	-
2,2,4-Trimethylpentane	ug/m3	-	-	-	60	-	-
Tertiary Butyl Alcohol	ug/m3	-	-	-	-	-	-
Tetrachloroethylene	ug/m3	-	100	-	-	-	-
Toluene	ug/m3	-	-	-	-	-	300
Trichlorofluoromethane	ug/m3	-	-	-	-	-	-
Vinyl Acetate	ug/m3	-	-	-	-	-	-
m,p-Xylene	ug/m3	-	-	-	-	200	-
o-Xylene	ug/m3	-	-	-	60	-	-
Xylenes (total)	ug/m3	-	-	-	-	-	-

NOTES:

NYSDOH Matrix A - NYSDOH Matrix A Sub-slab Vapor Concentration Criteria Lower Threshold
NYSDOH Matrix B - NYSDOH Matrix B Sub-slab Vapor Concentration Criteria Lower Threshold
NYSDOH Matrix C - NYSDOH Matrix C Sub-slab Vapor Concentration Criteria Lower Threshold
NYSDOH Matrix D - NYSDOH Matrix D Sub-slab Vapor Concentration Criteria Lower Threshold
NYSDOH Matrix E - NYSDOH Matrix E Sub-slab Vapor Concentration Criteria Lower Threshold
NYSDOH Matrix F - NYSDOH Matrix F Sub-slab Vapor Concentration Criteria Lower Threshold
J - Estimate value
ug/m³ - Micrograms per cubic meter
- No applicable criteria

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

1. ALL SITE INFORMATION TAKEN FROM PLAN ENTITLED "COMPOSITE SURVEY OF PROPERTY" PREPARED BY WARD CARPENTER ENGINEERS. INC. DATED JULY 3, 2012.

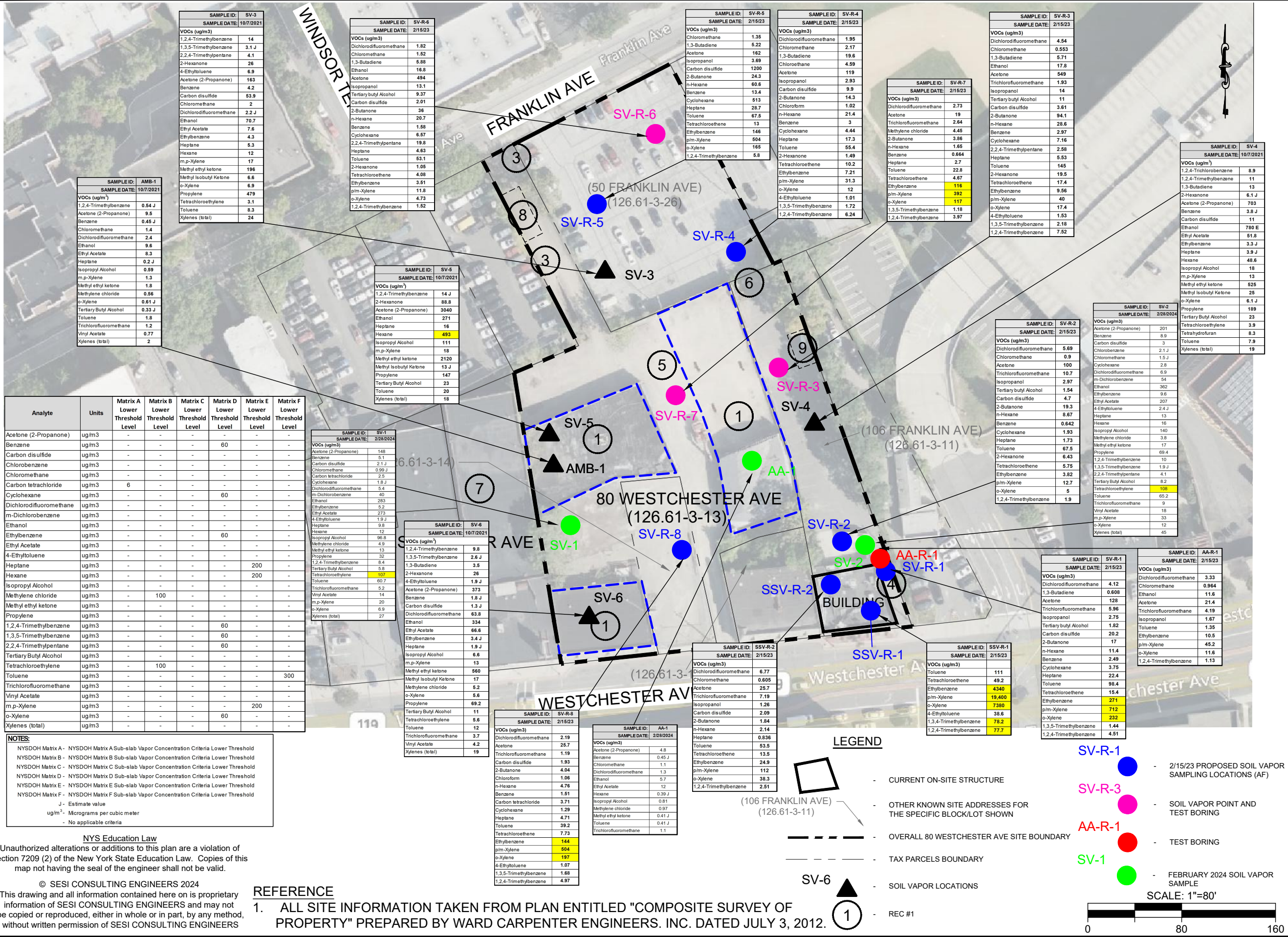


EXHIBIT H

COVID-19 Vaccines

Vaccine appointments are available at New York State mass vaccination sites for children ages 5- 11. Vaccines are also widely available through your child's pediatrician, family physician, local county health department, FQHC, or pharmacy.

[FIND PROVIDER >](#)

Department of State Division of Corporations

Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details

ENTITY NAME: TB WHITE PLAINS APARTMENTS LLC	DOS ID: 5585282
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: 802 LLC - LIMITED LIABILITY COMPANY LAW	ENTITY STATUS: Active
DATE OF INITIAL DOS FILING: 07/11/2019	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 07/11/2019	INACTIVE DATE:
FOREIGN FORMATION DATE: 03/13/2019	STATEMENT STATUS: PAST DUE DATE
COUNTY: New York	NEXT STATEMENT DUE DATE: 07/31/2021
JURISDICTION: Delaware, United States	NFP CATEGORY:

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: C/O UNITED AGENT GROUP INC.**Address:** 600 MAMARONECK AVENUE, SUITE 400, HARRISON, NY, United States, 10528

Chief Executive Officer's Name and Address

Name:**Address:**

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name: UNITED AGENT GROUP INC.**Address:** 600 MAMARONECK AVENUE, SUITE 400, HARRISON, NY, 10528

Entity Primary Location Name and Address

Name:**Address:**

Farmcorpflag

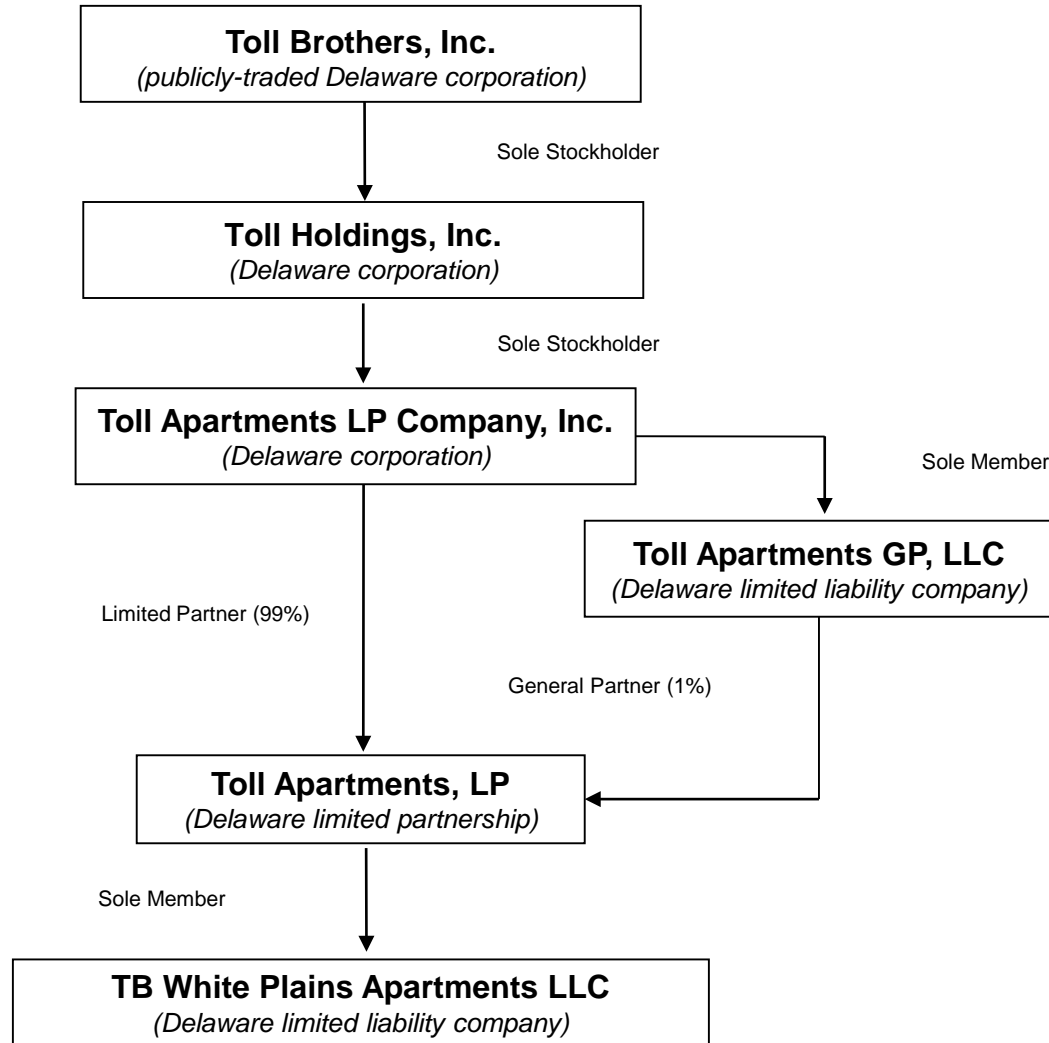
Is The Entity A Farm Corporation: No

Stock Information

Share Value	Number Of Shares	Value Per Share

Exhibit I

TB WHITE PLAINS APARTMENTS LLC - ORGANIZATIONAL CHART



OFFICER'S CERTIFICATE

The undersigned, being a Vice President and Assistant Secretary of TB White Plains Apartments LLC, a Delaware limited liability company doing business in New York (the "Company"), does hereby certify as follows:

1. The Company is the prospective volunteer for the prospective Brownfield Cleanup Program ("BCP") for real property located on the following consolidated condominium parcel located at 80 Westchester Avenue, newly designated as Block 126.61 Block 3 White Plains, New York 10601 ("BCP Site") and formerly known as parcels:

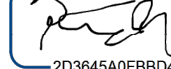
Address	Tax Block Information
80 Westchester Avenue	126.61-3-13
84-88 Westchester Avenue	126.61-3-14
92-98 Westchester Avenue	126.61-3-12
106 Westchester Avenue	126.61-3-11
50 Franklin Avenue	126.61-3-26

2. Bradley Thompson is a Vice President of the Company, and he is individually authorized, empowered and directed to execute and deliver, for and on behalf of the Company, as a BCP Site volunteer, any and all documents required by the New York State Department of Environmental Conservation in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 29th day of April 2024.

TB WHITE PLAINS APARTMENTS LLC

DocuSigned by:



2D3645A0FBBD4B3...

Kenneth J. Greenspan
Vice President and Assistant Secretary

Exhibit J

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.



591913503DED0020

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 Part 3

Document Details

Control Number: **591913503** Document Type: **Deed (DED)**
Package ID: 2019071000224001002 Document Page Count: **8** Total Page Count: **10**

Parties

☐ Additional Parties on Continuation page

1st PARTY

2nd PARTY

1: WHITE PLAINS CITY OF - Other 1: TB WHITE PLAINS APARTMENTS LLC - Other
2: 2:

Property

☒ Additional Properties on Continuation page

Street Address: 50-62 FRANKLIN AVENUE Tax Designation: 126.61-3-26
City/Town: WHITE PLAINS Village:

Cross- References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: RP-5217 2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$45.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$250.00
TP-584 Filing Fee: \$5.00
Total Recording Fees Paid: **\$340.00**

Transfer Taxes

Consideration: \$5,421,600.00
Transfer Tax: \$21,688.00
Mansion Tax: \$0.00
Transfer Tax Number: 15662

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: 07/18/2019 at 02:22 PM
Control Number: **591913503**
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

Westerman Ball Ederer Miller Zucker & Sharfstein, LLP
Jonathan M. Hoffman
1201 RXR Plaza
Uniondale, NY 11556
Attn: Jonathan M. Hoffman

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.

591913503DED0020

Westchester County Recording & Endorsement Page

Document Details

Control Number: **591913503**

Document Type: **Deed (DED)**

Package ID: 2019071000224001002

Document Page Count: 8

Total Page Count: 10

Properties Addendum

58-60 FRANKLIN AVENUE 10601	WHITE PLAINS	126.61 3 27
62 FRANKLIN AVENUE 10601	WHITE PLAINS	126.61 3 28
N/A FRANKLIN AVENUE 10601	WHITE PLAINS	126.61 3 29

DEED

THIS INDENTURE, made as of the 11th day of July, 2019

BETWEEN

THE CITY OF WHITE PLAINS, a New York municipal corporation having its offices at the Municipal Building, 255 Main Street, White Plains, New York 10601

party of the first part, and

TB WHITE PLAINS APARTMENTS LLC, a Delaware limited liability company having its offices at 250 Gibraltar Road, Horsham, Pennsylvania 19044

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other good and valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of White Plains, County of Westchester and State of New York, more particularly described on the attached "Schedule A".

Said premises also being known as 50-62 Franklin Avenue, White Plains, New York 10601 and Section 126.61, Block 3, Lots 26, 27, 28 & 29 on the tax map of the City of White Plains, County of Westchester, State of New York.

Said premises being subject to an Easement Agreement between TB White Plains Apartments LLC and the City of White Plains, dated July 11, 2019, to be recorded in the land records of the Westchester County Clerk, said Easement Agreement relating to a parking structure to be constructed by TB White Plains Apartments LLC upon said premises which structure shall include two hundred seventy-five (275) parking spaces to be dedicated as City of White Plains municipal parking.

Said premises being subject to a Declaration of Pedestrian Access Easement to be made by TB White Plains Apartments LLC and to be recorded in the land records of the Westchester County Clerk prior to the issuance of temporary certificates of occupancy or certificates of occupancy for the structures to be constructed on the premises, said Declaration relating to pedestrian walkways on the westerly side of the

premises.

Said premises being subject to an Amended and Restated Reciprocal Easement Agreement between Saber Chauncey WP, LLC and Winnick Realty LLC, dated May 20, 2019, recorded in the land records of the Westchester County Clerk on June 11, 2019 as Control Number 591403464, said Reciprocal Easement Agreement relating to pedestrian walkways on the easterly side of the premises.

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, hereby 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.

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

IN PRESENCE OF:



THOMAS M. ROACH
Mayor



STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

On the 11th day of July in the year 2019, before me, the undersigned, a notary public in and for said state, personally appeared THOMAS M. 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.


Notary Public

LESLIE BRUCE MARON

NOTARY PUBLIC, STATE OF NEW YORK

No. 02MA4667211

QUALIFIED IN WESTCHESTER COUNTY

Commission Expires September 30, 2022

SECTION 126.61
BLOCK 3
LOTS 26, 27, 28 & 29

City of White Plains
County of Westchester

QUITCLAIM DEED

CITY OF WHITE PLAINS
TO
TB WHITE PLAINS APARTMENTS LLC

RECORD & RETURN TO:

David S. Steinmetz, Esq.
Zarin & Steinmetz
81 Main Street Suite 415
White Plains, NY 10601

~~EXHIBIT "A"~~

SCHEDULE A LEGAL DESCRIPTION

PARCEL V - Tax Lot 26:

Tract I

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, known and designated as Lot No. 4 on a Map entitled, "Map of Property belonging to Florence Howell situate at White Plains, New York" made by J. Henry Carpenter, C.E. & S. White Plains, New York dated July, 1902 and filed in the Office of the County Clerk, County of Westchester, Division of Land Records as Map No. 2360 (Old Vol. 15 P.10) and more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Franklin Avenue, formerly Oakley Avenue, at a point where the same is intersected by the division line as it now stands between the property herein described and Lot No. 3, and

RUNNING THENCE along the southerly line of Franklin Avenue, formerly Oakley Avenue, North 72 degrees 0 minutes 30 seconds East 30 feet to the northeasterly corner of the property herein described and to Lot No. 5;

THENCE RUNNING along Lot No. 5 South 17 degrees 59 minutes 30 seconds East 183.22 feet to the southerly corner of property herein described and to other land now or formerly of Florence Howell;

THENCE RUNNING along said Howell's Land South 76 degrees 37 minutes West 30.09 feet to the southerly corner of the land herein described and to Lot No. 3;

THENCE RUNNING along Lot No. 3 North 17 degrees 59 minutes 30 seconds West 180.80 feet to the point or place of BEGINNING.

Tract II

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, and known and designated as Lot No. 5, on a certain Map entitled: "Map of Property belonging to Florence Howell, situated at White Plains, N.Y.", made by J. Henry Carpenter, C.E. And S., dated July 1902 and filed in the Office of the Register of Westchester County now County Clerk's Office on October 3, 1902, in Volume 15 of Maps Page 10 and which Lot is more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Oakley Avenue distant easterly 118.95 feet from the easterly line of Augustus Garrett's Property, being the easterly side of Lot No. 4 as shown on said map;

THENCE RUNNING Southerly along the easterly side of said Lot No. 4, 183.22 feet to the northerly line of property formerly owned by Florence Howell, called The Bartram Property;

THENCE RUNNING Easterly along the northerly line of said property formerly owned by Florence Howell, called The Bartram Property 30.09 feet to the westerly line of Lot No. 6 as shown on said map;

THENCE RUNNING Northerly along the westerly line of said Lot No. 6, 185.64 feet to the southerly side of Oakley Avenue;

THENCE RUNNING Westerly along the southerly side of Oakley Avenue 30 feet to the point or place of BEGINNING.

Tract III

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, known and designated as Lot No. 6, on a certain Map entitled, "Map of Property belonging to Florence Howell situated at White Plains, NY" made by J. Henry Carpenter, C.E. & S., dated July, 1902 and filed in the Westchester County Clerk's Office, Division of Land Records on October 3, 1902 as Map No. 2360.

TOGETHER with and SUBJECT to a Right Of Way as created by Agreement dated May 7, 1949 and recorded May 10, 1949 in Liber 4739 Cp 197.

TRACT IV

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, known and designated as Lots Nos. 7 and 8 on a certain Map entitled, "Map of Property belonging to Florence Howell, situate at White Plains, N. Y.", made by J. Henry Carpenter, C. E. & S., dated July 1902 and filed in the Office of the Clerk of Westchester County, Division of Land Records in Volume 15 of Maps at Page 10, now known as Filed Map No. 2360.

Note: Address, Section, Block & Lot shown for informational purposes only.

Designated as Section 126.61 Block 3 Lot 26 and also known as 50 Franklin Avenue, White Plains, NY.

SCHEDULE A
LEGAL DESCRIPTION

PARCEL VI - Tax Lot 27:

ALL those certain lots, pieces or parcels of land situate, lying and being in the City of White Plains, County of Westchester and State of New York, known and designated as part of Lots 9 and 10 on a certain Map entitled, "Map of Property belonging to Florence Howell, situate at White Plains, N. Y.," made by J. Henry Carpenter, C. E. & S., dated July 1902 and filed in the Office of the Register of the County of Westchester, October 3, 1902 in Vol. 15 of Maps at Page 10, said part of said Lots when taken together are more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Oakley Avenue at the division line between Lots Nos. 8 and 9 as shown on the above referred to Map;

RUNNING THENCE along said division line on a course South 17 degrees 59 minutes 30 seconds East 150 feet to a point;

RUNNING THENCE on a course North 72 degrees 00 minutes 30 seconds East and parallel to the southerly side of Oakley Avenue a distance of 45 feet to a point;

THENCE on a course North 17 degrees 59 minutes 30 seconds West 150 feet to the southerly side of Oakley Avenue;

THENCE along the same on a course South 72 degrees 00 minutes 30 seconds West 45 feet to the point or place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only.

Designated as Section 126.61 Block 3 Lot 27 and also known as 58-60 Franklin Avenue, White Plains, NY.

SCHEDULE A
LEGAL DESCRIPTION

PARCEL VII - Tax Lot 28:

ALL those certain lots, pieces or parcels of land situate, lying and being in the City of White Plains, N. Y., known and designated as parts of Lots 10 and 11 on a certain Map entitled "Map of Property belonging to Florence Howell, situate at White Plains, N. Y.," made by J. Henry Carpenter, C. E., & S., dated July 1902 and filed in the Office of the Register of the County of Westchester October 3, 1902 in Vol. 15 of Maps at Page 10, said part of said Lots when taken together are more particularly bounded and described as follows:

BEGINNING at a point in the southerly side of Oakley Avenue at the division line between Lots Nos. 11 and 12 as shown on the above referred to Map;

RUNNING THENCE along said division line on a course South 17 degrees 59 minutes 30 seconds East 150 feet to a point;

RUNNING THENCE on a course South 72 degrees 00 minutes 30 seconds West and parallel to the southerly side of Oakley Avenue 45 feet to a point;

RUNNING THENCE on a course North 17 degrees 59 minutes 30 seconds West 150 feet to the southerly side of Oakley Avenue;

THENCE along same on a course North 72 degrees 00 minutes 30 seconds East 45 feet to the point or place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only.

Designated as Section 126.61 Block 3 Lot 28 and also known as 62 Franklin Avenue, White Plains, NY.

SCHEDULE A
LEGAL DESCRIPTION

PARCEL VIII - Tax Lot 29:

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, being known and designated as the southerly parts of Lots 9, 10 and 11, on a certain Map entitled "Map of Property Belonging To Florence Howell, situated at White Plains, New York", dated July, 1902, made by J. Henry Carpenter, C. E. & S. and filed in the Office of the Clerk of the County of Westchester (Division of Land Records) on October 3, 1902 as Map Number 2360, being more particularly bounded and described as follows:

BEGINNING at a point on the division line between Lots 8 and 9, as shown on the above described Map, which point is distant 150 feet as measured along the said division line from the southerly side of Oakley Avenue;

RUNNING THENCE Easterly through said Lots 9, 10 and 11, 90 feet to the westerly line of Lot Number 12, at a point 150 feet southerly from the southerly side of Oakley Avenue;

RUNNING THENCE Southerly along the westerly line of said Lot 12, a distance of 50.16 feet;

RUNNING THENCE Westerly, a distance of 90.27 feet to the aforesaid division line between Lots 8 and 9;

RUNNING THENCE Northerly along the said division line between Lots 8 and 9, 42.9 feet to the point or place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only.

Designated as Section 126.61 Block 3 Lot 29 and also known as N/A Franklin Avenue, White Plains, NY.

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.



591793044DED0026

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 Deed 2nd Batch

Document Details

Control Number: **591793044** Document Type: **Deed (DED)**
Package ID: 2019062800031001001 Document Page Count: **7** Total Page Count: **9**

Parties

☐ Additional Parties on Continuation page

1st PARTY

2nd PARTY

1: SABER CHAUNCEY WP LLC - Other 1: TB WHITE PLAINS APARTMENTS LLC - Other
2: 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

1: RP-5217 2: 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: \$250.00
TP-584 Filing Fee: \$5.00
Total Recording Fees Paid: **\$335.00**

Transfer Taxes

Consideration: \$32,755,000.00
Transfer Tax: \$131,020.00
Mansion Tax: \$0.00
Transfer Tax Number: 15594

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: 07/17/2019 at 03:09 PM
Control Number: **591793044**
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

Westerman Ball Ederer Miller Zucker & Sharfstein, LLP
Jonathan M. Hoffman
1201 RXR Plaza
Uniondale, NY 11556
Attn: Jonathan M. Hoffman

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.

591793044DED0026

Westchester County Recording & Endorsement Page

Document Details

Control Number: **591793044**

Document Type: **Deed (DED)**

Package ID: 2019062800031001001

Document Page Count: 7

Total Page Count: 9

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

DEED

THIS INDENTURE is made the //~~7~~ day of July, 2019, by and between SABER CHAUNCEY WP LLC a New York limited liability company, having an address at 80 Business Park Drive, Suite 306, Armonk, New York 10504 (hereinafter called "**Grantor**") and TB WHITE PLAINS APARTMENTS LLC, a Delaware limited liability company having an address at 250 Gibraltar Rd, Horsham, PA 19044 hereinafter called "**Grantee**").

W I T N E S S E T H:

That Grantor, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and release unto Grantee, and the heirs or successors and assigns of Grantee, forever:

All that certain plot, piece, or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of White Plains, County of Westchester, State of New York, as described on Exhibit "A" attached hereto (the "Real Property"), subject to all easements, covenants, conditions, restrictions and encumbrances of record.

TOGETHER with all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Real Property to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of all right, title and interest, if any, of Grantor in and to said premises;

TO HAVE AND TO HOLD the Real Property herein granted unto Grantee, and the heirs or successors and assigns of Grantee, forever.

Grantor, in compliance with Section 13 of the Lien Law of the State of New York, covenants that Grantor will receive the consideration for this conveyance, and will hold the right to receive such consideration, as a trust fund for the purpose of paying the cost of the improvements at the Property required to be made by Grantor and will apply the same first to the payment of the cost of such improvements before using any part of the same for any other purposes.

The term "**Grantee**" shall be read as "**Grantees**" whenever the sense of this indenture so requires.

[signatures follow]

IN WITNESS WHEREOF, Grantor has duly executed this indenture as of the day and year first above written.

GRANTOR:

SABER CHAUNCEY WP LLC, a New York
limited liability company,

By: 

Name: Martin G. Berger


Title: MANAGING MEMBER

STATE OF NEW YORK)

COUNTY OF WESTCHESTER)

ss.:

On the 11 day of JULY 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(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 on behalf of which the individual(s) acted, executed the instrument.


Notary Public

VICTORIA OVERGARD

Notary Public, State of New York
Qualified in Rockland County

No. 01OV5005491

My commission Expires Dec. 7, 2022

EXHIBIT "A"

Description of Real Property

SCHEDULE A – LEGAL DESCRIPTION

PARCEL I :

ALL that certain land, situated in the City of White Plains, County of Westchester and State of New York and bounded and described as follows:

BEGINNING at a point on the northerly side of Westchester Avenue, adjoining land now or formerly of Florence Howell and of the New York Westchester and Boston Railroad Company, which point of beginning is distant 138.16 feet westerly when measured along the said northerly side of Westchester Avenue on a course, North 86 degrees 00 minutes 00 seconds West from a monument situated on the said northerly side of Westchester Avenue, which monument is distant, 64.38 feet easterly, measured along the said northerly side of Westchester Avenue, from the point where the center line of the New York Westchester and Boston Railroad right-of-way intersects Westchester Avenue;

RUNNING THENCE along the northerly side of Westchester Avenue, North 86 degrees 00 minutes 00 seconds West, 75.14 feet to lands now or formerly of One T.M. Macy;

THENCE leaving Westchester Avenue and running along the said Macy land, the following two (2) courses and distances:

1. North 00 degrees 31 minutes 00 seconds West, 150 feet to an angle; and
2. North 09 degrees 29 minutes 10 seconds West, 161.99 feet to premises now or formerly belonging to Florence Howell;

RUNNING THENCE along premises now or formerly of said Florence Howell, North 76 degrees 55 minutes 00 seconds East, 49.78 feet to a corner adjoining land now or formerly of said Florence Howell;

THENCE RUNNING along premises now or formerly of Florence Howell and land now or formerly of the New York Westchester and Boston Railroad Company, South 09 degrees 29 minutes 10 seconds East, 330.80 feet to the aforesaid northerly side of Westchester Avenue to the point and place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only.

Designated as Section 126.61 Block 3 Lot 11 and also known as 106 Westchester Avenue, White Plains, NY.

PARCEL II:

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

BEGINNING at a point on the northerly side of Westchester Avenue, 151.49 feet easterly as measured along the said northerly side of Westchester Avenue from the point formed by the intersection of the westerly line of Lot No. 15 with the said northerly side of Westchester Avenue, as said Lot No. 15 is shown and designated on a certain map entitled, "Map of property belonging to Florence Howell", which said map was filed in the Office of the Clerk of the County of Westchester, Division of Land Records, as Map No. 2360 formerly Volume 15 of maps, at page 10;

**SCHEDULE A – LEGAL DESCRIPTION
(CONTINUED)**

RUNNING THENCE from said point of beginning northwesterly on a course, North 03 degrees 01 minute 30 seconds West, a distance of 81.23 feet per deed and North 02 degrees 23 minutes 30 seconds West, 81.75 feet per actual measurement to a point;

RUNNING THENCE northeasterly the following two (2) courses and distances:

1. North 76 degrees 38 minutes 40 seconds East, per deed and North-77 degrees 16 minutes 40 seconds East per actual measurement 34.57 feet; and
2. North 88 degrees 16 minutes 45 seconds East, per deed and North 88 degrees 54 minutes 45 seconds East per actual measurement 40.71 feet to a point;

RUNNING THENCE southeasterly on a course, South 00 degrees 49 minutes 00 seconds East, a distance of 94.95 feet per deed and South 00 degrees 11 minutes 00 seconds East, 95.47 feet per actual measurement to a point on the northerly side of Westchester Avenue;

RUNNING THENCE northwesterly along said northerly side of Westchester Avenue on a course, North 85 degrees 40 minutes 00 seconds West, a distance of 71.52 feet to the point and place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only

Designate as Section 126.61 Block 3 Lot 12 and also known as 90-96 Westchester Avenue, White Plains City, NY.

PARCEL III - Tax Lot 13:

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 northerly side of Westchester Avenue where said avenue is intersected by the westerly line of the land now or formerly of Frederick Wiegand described in deed recorded in Liber 3781 of Conveyances at Page 277 in said county and which point of beginning is distant when measured along the northerly side of Westchester Avenue, 284.84 feet Westerly from the monument referred to in said deed;

THENCE RUNNING from said point of beginning along said northerly side of Westchester Avenue, North 86 degrees 18 minutes 00 seconds West, 19.78 feet to a point;

THENCE RUNNING North 03 degrees 01 minutes 30 seconds West, 150.00 feet to a corner;

RUNNING THENCE North 86 degrees 18 minutes 00 seconds West, 50.00 feet to another corner;

THENCE RUNNING South 03 degrees 01 minutes 30 seconds East, 150.00 feet to the aforesaid northerly side of Westchester Avenue;

THENCE RUNNING along the said northerly side of Westchester Avenue, North 86 degrees 18 minutes 00 seconds West, 81.71 feet to a point;

**SCHEDULE A – LEGAL DESCRIPTION
(CONTINUED)**

THENCE RUNNING North 00 degrees 02 minutes 10 seconds West, 249.29 feet to a corner;

THENCE North 76 degrees 37 minutes 00 seconds East, 59.14 feet to another corner;

RUNNING THENCE North 17 degrees 59 minutes 30 seconds West, 178.38 feet to the southerly side of Oakley Avenue;

THENCE RUNNING along the southerly side of Oakley Avenue, North 72 degrees 00 minutes 30 seconds East, 30.00 feet to a point;

THENCE RUNNING South 17 degrees 59 minutes 30 seconds East, 180.80 feet to a corner;

THENCE RUNNING North 76 degrees 37 minutes 00 seconds East, 109.22 feet to another corner;

THENCE RUNNING South 09 degrees 47 minutes 00 seconds East, 161.99 feet; and South 00 degrees 49 minutes 00 seconds East, 55.05 feet to the northeasterly corner of said land now or formerly of Frederick Wiegand above referred to;

THENCE RUNNING along said land now or formerly of Frederick Wiegand, the following courses and distances:

South 88 degrees 16 minutes 45 seconds West, 40.71 feet;
South 76 degrees 38 minutes 40 seconds West, 34.57 feet; and
South 03 degrees 01 minutes 30 seconds East, 81.23 feet to the point or place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only

Designate as Section 126.61 Block 3 Lot 13 and also known as 80 Westchester Avenue, White Plains City, NY.

PARCEL IV - Tax Lot 14:

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 and being a part of Lot No, 15 on a certain map entitled, "Map of Property Belonging to Florence Howell, situated at White Plains, N.Y.", made by J. Henry Carpenter, C.E. & S., July 1902 and filed In the Westchester County Clerk's Office (formerly Register's Office), Division of Land Records, on October 3, 1902 in Volume 15 of Maps at Page 10 and bounded and described as follows:

BEGINNING at a point on the northerly side of Westchester Avenue, distant 35.00 feet Westerly from the southwesterly corner of premises now or formerly of one Imogene Bellmer; and

RUNNING THENCE Northerly and parallel with the westerly line of lands now or formerly of said Bellmer, 150 feet;

THENCE Westerly and parallel with Westchester Avenue, 50 feet;

**SCHEDULE A – LEGAL DESCRIPTION
(CONTINUED)**

THENCE Southerly and again parallel with the westerly line of lands now or formerly of said Bellmer, 150 feet to the northerly side of Westchester Avenue;

THENCE Easterly along the same, 50 feet to the point or place of BEGINNING.

Note: Address, Section, Block & Lot shown for informational purposes only

Designated as Section 126.61 Block 3 Lot 14 and also known as 84-88 Westchester Avenue, White Plains City, NY.

Exhibit K

Site Contact List

Ford and Florence Howe Auto Dealerships Site

Portion of 80 Westchester Avenue, White Plains, New York 10601

Name	Title	Address	City	State	Zip
Charles Schumer	U.S. Senator	Leo O'Brien Building, Room 827	Albany	NY	12207
Kirsten Gillibrand	U.S. Senator	Leo O'Brien Building, Room 821	Albany	NY	12207
Andrea Stewart-Cousins	NYS Senator, 35th District	28 Wells Avenue, Building 3, 5th Floor	Yonkers	NY	10701
ondaire Jones	U.S. House of Representatives, 17th District	222 Mamaroneck Avenue, Suite 312	White Plains	NY	10605
George Latimer	Westchester County Executive	148 Martine Avenue	White Plains	NY	10601
Richard Hyman	Westchester County Planning Board, Chair	148 Martine Avenue	White Plains	NY	10601
Thomas Roach	Mayor of White Plains	255 Main Street	White Plains	NY	10601
John J. Ioris	White Plains Planning Board, Chair	255 Main Street	White Plains	NY	10601
The Journal News	Media Outlet	1133 Westchester Avenue, Suite N110	White Plains	NY	10604
Richard G. Hope	City of White Plains Public Works, Commissioner	255 Main Street	White Plains	NY	10601
Bureau of Water and Wastewater	City of White Plains Public Water Supply	255 Main Street	White Plains	NY	10601
Brian Kenney	White Plains Public Library, Director	100 Martine Avenue	White Plains	NY	10601
Paul Bratcher	Rochambeau Alternative High School, Director	228 Fisher Avenue	White Plains	NY	10606
Elizabeth Perelstein	School Choice International	150 Grand Street	White Plains	NY	10601
Ryan Monk	Fusion Academy Westchester, Head of School	1 N Broadway, Suite 120	White Plains	NY	10601
Myra Castillo	Church Street School, Principal	295 Church Street	White Plains	NY	10603
Dennis Kortright	S.J. Preston Elementary, Principal	50 Taylor Avenue	West Harrison	NY	10604
Pat Tursi	Elizabeth Seton Children's School	317 North Street	White Plains	NY	10605
Debbie Imperia	Harrison Children's Center, Executive Director	251 Underhill Avenue	West Harrison	NY	10604
Antonia Rojas	Little Angels Daycare	12 Lincoln Avenue	West Harrison	NY	10604
Cheryl Brown	Lullaby Family Daycare	280 Old Tarrytown Road	White Plains	NY	10603
Anatolia Torres	Sunny Daycare	52 West Prospect Avenue	White Plains	NY	10607
Magaly Torres Vizcarra	Patricia's Day Care	58 Lincoln Avenue	White Plains	NY	10606
Hope J. Pierce	Lil Explorers Preschool	39 Trenton Avenue	White Plains	NY	10606
Adagui G. Marchena	Mini City Daycare	66 Concord Avenue	White Plains	NY	10606
Candy Camacho	My Sister's Daycare	3 Ridgeview Avenue	White Plains	NY	10606
Lia Da Rocha	Lia's Day Care	236 South Lexington Avenue	White Plains	NY	10606
Lada Tillmann	Prospect Academy of Westchester	82 Prospect Street	White Plains	NY	10606
Jennifer Frias-Gonzalez	Little Disciple Learning Center	348 South Lexington Avenue	White Plains	NY	10606
Leah Tomberlin & Ricardo McDonald	Kiddie Academy of White Plains	222 bloomingdale Road, Suite 108	White Plains	NY	10606
Vivian Caraballo	Children's Corner Learning Center	120 Bloomingdale Road	White Plains	NY	10605
Margaret Rowan	Memorial United Methodist Church Early Childhood Center	250 Bryan Avenue	White Plains	NY	10605
Susan Williamson	Susan & Rachel's Home Day Care	429 South Lexington Avenue	White Plains	NY	10606
Westchester Mall, LLC	Adjacent Property Owner of 125 Westchester Ave, Bloomingdale Rd and Westchester Avenue	28 Liberty Street	New York	NY	10005
70 Westchester LLC	Adjacent Property Owner of 70 Westchester Ave, 30-36, 38-40, and 42-44 Franklin Ave	70 Westchester Avenue	White Plains	NY	10601
26 Franklin, LLC	Adjacent Property Owner of 26 Franklin Ave	26 Franklin Avenue	White Plains	NY	10601

Hony Housing Development Fund Corp.	Adjacent Property Owner of 40 Windsor Terrace	59 Rutledge Road	Scarsdale	NY	10583
City School District of White Plains	Adjacent Property Owner/Operator of 7 and 11 Amherst Place	5 Homeside Lane	White Plains	NY	10605
Winnick Realty LLC	Adjacent Property Owner of 116 Westchester Ave	305 Central Avenue	White Plains	NY	10606
44 South Broadway Owner LLC	Adjacent Property Owner of 120 Westchester Ave	551 Fifth Avenue, 34th Floor	New York	NY	10176
130 Westchester Avenue LLC	Adjacent Property Owner of 130 Westchester Ave	130 Westchester Avenue	White Plains	NY	10601
XTP Ventures LLC	Adjacent Property Owner of 145 Westchester Ave	5757 Wilshire Boulevard, Penthouse 30	Los Angeles	CA	90036
The City of White Plains	Adjacent Property Owner of 98-106 Westchester Avenue	255 Main Street	White Plains	NY	10601
The Westchester Shopping Mall/Simon Property Group	Adjacent Property Operator of 125 Westchester Avenue	225 West Washington Street	Indianapolis	IN	46204
White Plains Chrysler Jeep Dodge	Adjacent Property Operator of 70 Westchester Avenue	70 Westchester Avenue	White Plains	NY	10601
Westchester Used Vehicles	Adjacent Property Operator of 130 Westchester Avenue	130 Westchester Avenue	White Plains	NY	10601
The Container Store	Adjacent Property Operator of 145 Westchester	145 Westchester Avenue	White Plains	NY	10601

Exhibit L



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January 3, 2022

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VIA ELECTRONIC MAIL
bkenney@whiteplainslibrary.org

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

RE: Brownfield Cleanup Program Application
Applicant: TB White Plains Apartments LLC
Site Address: 80 Westchester Avenue
White Plains, NY 10601

Dear Mr. Kenney:

We represent TB White Plains Apartments LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 80 Westchester Avenue in the City of White Plains, Westchester County, NY. 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 as an attachment to an email 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 80-106 Westchester Avenue and 50-62 Franklin Avenue, White Plains, New York under the NYS Brownfield Cleanup Program.


Brian Kenney, Director

Jan. 3, 2022
Date