



Environmental, Planning, and Engineering Consultants

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September 28, 2023

Site Control Section
Attn: Alexandra Servis-Oettinger
New York State Department of Environmental Conservation
Bureau of Technical Support
625 Broadway, 11th Floor
Albany, NY 12233-7020

Re: Brownfield Cleanup Program (BCP) Application
Brookfield Commons Phase 3
BCP #C360246

Dear Ms. Servis-Oettinger:

Enclosed is an electronic copy of the revised BCP Application for the Brookfield Commons Phase 3 Site located in White Plains, New York. As outlined in the letter of incompleteness dated September 25, 2023, the following information has been included in the BCP Application:

Section I: Property Information

- The Site's longitude has been updated to "-73" degrees.
- Figure 6 has been updated, removing "draft" from the DAC, as the disadvantaged community criteria have been adopted and the maps made final.
- Additional Project Manager's comments are addressed below.

Section III: Land Use Factors

- The building was vacated on August 1, 2022, and had remained vacant since that time. The supplemental information has been updated with this information.

Section IV: Property's Environmental History

- Project Manager comments are addressed below.

Section V: Requestor Information

- The application has been updated to include the contact email address for the requestor in this section of the application form.

Section IX: Current Property Owner and Operator Information

- The application has been updated to include the contact name for the White Plains Housing Authority.

Section XII: Statement of Certification and Signatures

- The completed signature page is included in the application.

Additional Comments

- The application has been updated to remove responses from the Supplemental Questions for Sites Seeking Tangible Property Credits in New York City.
- The application has been updated to indicate that the submittal is a revised application and includes the NYSDEC site code.

PM Comments on the Environmental Assessment in Section I and/or Section IV Property's Environmental History**Section IV:**

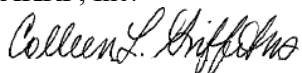
- The supplemental information has been updated to indicate that the Phase I ESA included a regulatory database review, including review of the New York State Spills (NY Spills) / Leaking Underground Storage Tanks (LTANKs) Information Database. The Property was listed on the NY Spills database for NYSDEC Spill No. 1610459, which was reported at 159 South Lexington Avenue in February 2017. According to the listing, a sewer line was damaged, and 100 gallons of raw sewage was washed down the street into a catch basin; the spill was closed the next day.
- Figures 7 through 10 have been updated to include definitive parcel boundaries on all spider maps, relative to the site boundary.
- Figure 9 has been updated to include the regional/anticipated groundwater flow direction, well screen interval depths, and a general depth to groundwater.

General:

The supplemental information has been updated to include the anticipated clean-up track for the Site is Track 1/Contingent Track 2.

We thank you for the opportunity to submit this revised BCP Application on behalf of Trinity Brookfield Commons Phase Three Limited Partnership and look forward to moving ahead with this program under the BCP. If you have any questions or need any additional detail regarding the completeness of this Application, please feel free to contact me at (914) 922-2363 or cgriffiths@akrf.com.

Sincerely,
AKRF, Inc.



Colleen L. Griffiths
Vice President

cc: T. Brown, O. Musa, A. Brown, C. Stump – Trinity
M. Godick, G. Baird – AKRF
L. Schnapf – Schnapf



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: Brookfield Commons Phase 3

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: C360246

☒

Yes

☐

No



BCP App Rev 15 – May 2023

SECTION I: Property Information

PROPOSED SITE NAME **Brookfield Commons Phase 3**

ADDRESS/LOCATION **159 South Lexington Avenue**

CITY/TOWN **White Plains**

ZIP CODE **10601**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **White Plains**

COUNTY **Westchester**

SITE SIZE (ACRES) **1.284**

LATITUDE

LONGITUDE

41° 01' 35.20" N 73° 46' 16.00" W

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. See Attachment A

Parcel Address	Section	Block	Lot	Acreage
159 South Lexington	125.83	7	P/O 1	1.284

	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. See Attachment B	<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) See Attachment A	<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) See Attachment A, Fig 3 If yes, identify census tract: <u>93</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: _____			<input type="radio"/>	<input checked="" 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> N/A </div> <div> <u>Description</u> N/A </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): Not Applicable <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></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? See Attached Supporting Documentation Section I			<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. Not Applicable			Y <input type="radio"/>	N <input type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Not Applicable			<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? Not Applicable			<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

See Attachment D (Phase I Report and Limited Subsurface Investigation Report) & Attached Supporting Documentation Section II

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

See Attached Supporting Documentation Section II

SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? B3

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?

See Attached Supporting Documentation Section III

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?

See Attached Supporting Documentation Section III

☒

☐

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?

See Attached Supporting Documentation Section III

☒

☐

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

Please provide a brief explanation. Include additional documentation if necessary.

See Attached Supporting Documentation Section III

☒

☐

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.

See Attached Supporting Documentation Section III

☒

☐

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.**

See Attached Supporting Documentation Section IV

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.**

See Attachment D, Data Summary Tables

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input 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 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:

See Attachments C Environmental Report and D, Data Summary Tables

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.

See Attachment A,
Figure 8 - 10

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 type="checkbox"/> Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other: Auto Repair and Upholsterer

SECTION V: Requestor Information

NAME Trinity Brookfield Commons Phase Three Limited Partnership

ADDRESS 1350 Broadway, Suite # 1700

CITY/TOWN New York

STATE NY

ZIP CODE 10018

PHONE (212) 247-8400

EMAIL rhemenway@trinityfinancial.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? See Attachment E	<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? See Attachment F Org Chart and Supporting Documentation Section V	<input type="radio"/>	<input checked="" 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)

	Y	N
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"/>	<input checked="" type="radio"/>
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 <input type="checkbox"/> <p>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.</p>	VOLUNTEER <input checked="" type="checkbox"/> <p>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.</p> <p>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.</p> <p>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.</p>	
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"/>		

See Attached Supporting Documentation Section VI

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: Future Lessor

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

See Attachment G

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

REQUESTOR'S REPRESENTATIVE Rebecca Hemenway

ADDRESS 1350 Broadway, Suite 1700

CITY New York

STATE NY

ZIP CODE 10018

PHONE (212) 267-8400

EMAIL rhemenway@trinityfinancial.com

REQUESTOR'S CONSULTANT (CONTACT NAME) Marc Godick

COMPANY AKRF, Inc.

ADDRESS 34 S. Broadway, Suite 300

CITY White Plains

STATE NY

ZIP CODE 10601

PHONE (914) 922-2356

EMAIL mgodick@akrf.com

REQUESTOR'S ATTORNEY (CONTACT NAME) Lawrence Schnapf

COMPANY Schnapf LLC

ADDRESS 55 East 87th Street #8B

CITY New York

STATE NY

ZIP CODE 10128

PHONE (212) 876-3189

EMAIL Larry@SchnapfLaw.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 checked="" type="radio"/>	<input type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information. Documentation of financial hardship provided in Attachment H	<input type="radio"/>	<input checked="" type="radio"/>
Is the appropriate documentation included with this application? N/A	<input type="radio"/>	<input checked="" type="radio"/>

SECTION IX: Current Property Owner and Operator Information

CURRENT OWNER White Plains Housing Authority (WPHA)

CONTACT NAME Denise Brooks, Executive Director

ADDRESS 223 Dr. Martin Luther King Jr. Boulevard

CITY White Plains

STATE NY

ZIP CODE 10601

PHONE (914) 949-6462

EMAIL dbrooks@wphany.com

OWNERSHIP START DATE 1982

CURRENT OPERATOR White Plains Housing Authority (WPHA)

CONTACT NAME Denise Brooks, Executive Director

ADDRESS 223 Dr. Martin Luther King Jr. Boulevard

CITY White Plains

STATE NY

ZIP CODE 10601

PHONE (914) 949-6462

EMAIL dbrooks@wphany.com

OPERATION START DATE 1982

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)

	Y	N
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
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. N/A <input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
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.	<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: **See Attached Supporting Documentation Section XI**

- 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. **See Attachment I**

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 Authorized Signatory (title) of Trinity Brookfield Commons Phase Three Limited Partnership (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: 8/18/2023 Signature: Rebecca Hemenway

Print Name: Rebecca Hemenway, Authorized Signatory

SUBMITTAL INFORMATION

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF) on an external storage device (such as thumb drive or CD), must be sent to:
Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT SUPPORTING DOCUMENTS WITH THE HARD COPY APPLICATION FORM.
Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY

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

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.

Not Applicable

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?

☐
☐

2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?

☐
☐

3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?

☐
☐

4. Is the property upside down or underutilized as defined below?

Upside down

☐
☐

Underutilized

☐
☐

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.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP) INSTRUCTIONS FOR COMPLETING AND SUBMITTING A BCP APPLICATION

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional Office](#) to schedule a meeting. To add a party to an existing BCP Agreement, use the [BCP Agreement Amendment Application](#).

For further information regarding the determination of a complete application, please refer to the guidance following these instructions, as well as the [NYSDEC BCP website](#).

SUBMITTAL INSTRUCTIONS

- Compile the application package in the following manner:
 - one file in non-fillable portable document format (PDF) of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
 - one individual file (PDF) of each previous environmental report; and,
 - one file (PDF) of each work plan being submitted with the application, if applicable.
- Compress all files (PDFs) into one zipped/compressed folder
- 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 via email and via ground mail.

VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service (<https://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.

VIA GROUND MAIL:

- Save the application file 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

SECTION I: Property Information	
PLEASE NOTE	If any changes to SECTION I are required prior to application approval, a new page 2, initialed by each requestor, must be submitted with the revisions.
Proposed Site Name	Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e., ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.
Site Address	Provide a street address, city/town, zip code, and each municipality and county in which the site is located.
Site Size	Provide the approximate acreage of the site.
GIS Information	Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.
Tax Parcel Information	Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5-minute quad map on which the property appears and clearly indicate the proposed site's location.
Tax Map Boundaries	State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/ reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.
Site Map	Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: (i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and (ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.
En-zone	If any part of the site is located within an En-zone, please provide a map showing the location of the site with the En-zone overlay. For information on En-zones, please see DEC's website . Note that new En-zone boundaries are effective January 1, 2023.
Disadvantaged Communities	If the site is located within a Disadvantaged Community, please provide a map showing the location of the site with the Disadvantaged Community overlay. For additional information on disadvantaged communities, please refer to the Climate Leadership and Community Protection Act website .

SECTION I: Property Information (continued)

Brownfield Opportunity Area (BOA)	If the site is located within a NYS Department of State designated Brownfield Opportunity Area, please provide a map showing the location of the site with the BOA overlay. For more information on designated BOAs, please refer to the NYS DOS website . Additional information on BOA conformance determinations can be found at the Office of Planning and Development website . A BOA conformance determination cannot be made until a Decision Document has been issued for the site.
Multiple Applications	Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where (1) the development project spans more than 25 acres; (2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and (3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).
Previous BCP Applications	If all or part of the proposed site has been the subject of a previous BCP application (whether accepted, denied or withdrawn), please provide the assigned DEC site number from the previous application as well as any relevant information regarding why the property is not currently in the program.
Registry Listing and P-site Status	If all or part of the proposed site is now or ever was listed on the Registry of Inactive Hazardous Waste Disposal Sites or is currently the subject of investigation as a Potential Site, please provide the assigned DEC site number.

SECTION I: Property Information (continued)

Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location:

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large, abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified)

Example: "The site is currently inactive and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility rights-of-way. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

SECTION I: Property Information (continued)

<p>Environmental Assessment</p>	<p>The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semi-volatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths. The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SCGs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.</p> <p>A typical Environmental Assessment would look like the following:</p> <p>Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).</p> <p><i>Soil</i> - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).</p> <p><i>Groundwater</i> - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.</p> <p><i>Soil Vapor & Indoor Air</i> - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.</p>
<p>Questions 15-17: New York City Sites</p>	<p>These questions pertain ONLY to sites located within the five counties comprising New York City. If the requestor is seeking a determination that the site is eligible for tangible property tax credits, this section and the <i>Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</i> must be completed.</p>

SECTION II: Project Description

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the issuance of the Certificate of Completion is anticipated.

SECTION III: Land Use Factors

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).

This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

Zoning and Current Use	Provide the current municipal zoning designation and uses permitted by that designation. Provide a summary of the current use of the site, including identifying possible contaminant source areas. If the site is no longer in use, provide the date by which operations ceased.
Anticipated Use	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
Renewable Energy Facility Site	Indicate if the post-remediation use of the site is proposed to be a renewable energy facility. A "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. Section 66-p of the Public Service Law: "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. Provide any detailed plans or documentation to support this. Appropriate documentation must be provided as follows: for planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, a local land use approval must be provided. For planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, a permit issued by the Office of Renewable Energy Siting must be provided.
Compliance with Zoning Laws, Recent Development, and Community Master Plans	Provide an explanation to support the responses to each of these items. Attach additional documentation if applicable.

SECTION IV: Property's Environmental History

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data include site drawings and data summary tables requested in Section IV, #3 of the BCP application form. Specific instructions regarding the data summary tables are attached at the end of these instructions.

SECTION V: Requestor Information

Requestor Name	<p>Provide the name of the person(s)/entity requesting participation in the BCP (if more than one, attach additional sheets with requested information). The requestor is the person or entity seeking DEC review and approval of the remedial program.</p> <p>If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.</p>
Address, etc.	Provide the requestor's mailing address, telephone number and e-mail.
LLC Information	If the requestor(s) is/are an LLC, the names of the members/owners must be provided on a separate attachment.
Document Certification	<p>All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of DER-10. Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:</p> <ul style="list-style-type: none">• New York State licensed professional engineers (P.E.s), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a P.E. with current license and registration for work that was done by them or those under their direct supervision. The firm by which the P.E. is employed must also be authorized to practice engineering in New York State;• qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;• remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or• site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION VI: Requestor Eligibility

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

Volunteer Statement	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.
Proof of Site Access	If a requestor is not the current owner of the entirety of the site, a site access agreement must be provided that demonstrates that the requestor will have access to the property before signing the BCA and throughout the BCP project. Additionally, the access agreement must include language allowing the requestor the ability to place an environmental easement on the site should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

SECTION VII: Requestor Contact Information

Requestor's Representative	Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.
Requestor's Consultant and Requestor's Attorney	Provide all requested information.

SECTION VIII: Program Fee

If the requestor is applying for a fee waiver, sufficient documentation must be provided to demonstrate financial hardship. To demonstrate financial hardship, the applicant must show that with the payment of the program fee, remediation of the brownfield site would not be economically viable. This documentation may be in the form of federal tax returns with applicable schedules, financial statements and balance sheets, proof that the applicant has waived its right to tax credits, or any other documentation deemed acceptable by the Department.

If the requestor is applying for a fee waiver based on the requestor's status as a not-for-profit entity, please provide documentation of non-profit designation.

SECTION IX: Current Property Owner and Operator Information

Owner Information	Provide requested information of the current owner of the property. List <u>all</u> parties holding an interest in the property and, if the requestor is not the current owner, describe the requestor's relationship to the current owner. If the property consists of multiple parcels, be sure to include the ownership start date of each.
Operator Information	Provide requested information of the current operator(s). If multiple operators, attach the requested information for each operator, including the date each operator began utilizing the property.
Historical Owners and Operators	Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owners and operators, include any relationship between the requestor's corporate members and the previous owners and operators.

SECTION X: Property Eligibility Information

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

CERCLA / NPL Listing	Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.
Registry Listing	Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.
RCRA Listing	Does the property have a Resource Conservation and Recovery Act (RCRA) TSD Permit in accordance with the ECL 27-0900 et seq? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.
Registry/RCRA Sites Owned by Volunteers	If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27- 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

SECTION X: Property Eligibility Information (CONTINUED)

Existing Order	Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.
Pending Enforcement Actions	Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information as an attachment.

SECTION XI: Site Contact List

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project. For sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.

SECTION XII: Statement of Certification and Signatures

The requestor must sign the application or designate a representative who is authorized to sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each requestor must sign a signature page. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

DATA SUMMARY TABLE INSTRUCTIONS

Data summary tables should include the following columns:

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m3) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e., "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m3) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection (µg/m³)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of common application deficiencies and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. (Please note: the application as a whole requires more than the information outlined below to be determined complete). The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section IV, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties and their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

DETERMINATION OF A COMPLETE APPLICATION (CONTINUED)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the timeframes established by the LOC, the public comment period on the application will be extended to ensure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

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Brownfield Cleanup Program Application Supporting Documentation

Supplement to Section I – Property Information

The following figures are included in Attachment A:

- Figure 1 – BCP Site Location
- Figure 2 – Tax Map
- Figure 3 – En-Zone Boundary Map
- Figure 4 – Surrounding Land Use
- Figure 5 – Zoning Map
- Figure 6 – Disadvantaged Community Boundary Map
- Figure 7 – Site Plan and Sample Locations
- Figure 8 – Soil Sample Concentrations Above NYSDEC SCOs
- Figure 9 – Groundwater Sample Concentrations Above NYSDEC AWQSGVs
- Figure 10 – Soil Vapor Sample Concentrations

1. Metes and Bounds

A Boundary and Location Survey of the Site with a metes and bounds description and a Boundary and Topographic Survey are included in Attachment B.

3. En-Zone

The entirety of the Site is located within an En-Zone, under Criteria A. This indicates that the census tract has a “poverty rate of at least 20% and unemployment rate of at least 125% the statewide unemployment rate.” An En-Zone boundary map is provided as Figure 3 in Attachment A.

4. Disadvantaged Community

The Site meets the interim criteria identified for a disadvantaged community as shown on the New York State Website: https://climate.ny.gov/assets/leaflet/Mid-Hudson_incl_counties.html

A Disadvantaged Community Boundary Map is provided as Figure 6 in Attachment A.

14. Property Description and Environmental Assessment

Location

The Project Site is located on South Lexington Avenue, south of Quarropas Street (see Figure 1) and is part of White Plains Tax Block 7, Section 125.83, part of Lot 1 in White Plains, Westchester County, New York (see Figure 1). The Site is part of a multi-story apartment building complex identified as Brookfield Commons or Winbrook. The Winbrook property is bounded by Quarropas Street and Fisher Court to the north, East Post Road to the south, MLK Blvd to the east, and South Lexington Avenue to the west. The Project Site comprises approximately 1.284-acres of the Winbrook property, and includes the nine-story apartment building, south-adjacent parking lot, and landscaping.

Site Features

The approximately 1.284-acre Site is developed with a vacant nine-story apartment building with a basement and a south-adjacent parking lot. The building is surrounded by lawns and asphalt-paved walkways.

Current Zoning and Land Use

The Project Site is located within the B3 and RM-0.35 Zoning Districts, and the Central Parking Area (CPA) of the City of White Plains. The Phase 3 portion of the campus is located entirely within the B3 Zoning District. A Zoning Map showing the zoning of the Site and surrounding area is attached as Figure 5 in Attachment A.

Land uses immediately to the north of the Project Site include residential uses, followed by institutional and government uses; to the south is retail and the White Plains Hospital, farther to the south; residential uses, followed by commercial and institutional uses to the east; and commercial and residential uses to the west. Overall, the surrounding area is generally built out with a mix of institutional/governmental, residential, community, and commercial uses.

The proposed project, a 174-unit multi-family building with a height of 11-stories, will be seeking a Special Permit from the Common Council for height. As a multi-family building, the Proposed Project is a Permitted Principal Use in the B-3 Zoning District requiring Site Plan approval from the Common Council. In addition, the proposed project requires City of White Plains Common Council site plan approval and a special permit under Section 5.3, Footnote (X) of the Zoning Ordinance to permit the building to be constructed to a height of 11 stories, or approximately 125 feet.

Past Uses of the Site

Historic Sanborn fire insurance maps indicated the Property was vacant as early as 1900. Between 1900 and 1930, the Property was developed with small residential buildings and associated garages, multiple three to four-story apartment buildings, an upholsterer and an auto repair shop. These structures were demolished for construction of the existing apartment building and grounds, which were constructed in 1949-1950 as part of the Winbrook housing complex.

The surrounding area was primarily residential in the early 1900's, with commercial uses shown by 1911, and gasoline filling stations and auto-related uses shown by 1930. The White Plains Hospital was shown on the south-adjacent block by 1911, and subsequently expanded to cover a larger portion of this block. An undertaker was shown by 1950, and drycleaners were shown by 1987. Potential uses of concern on or in close proximity to the Property included: auto repair and an upholsterer on the Property, and nearby filling stations and stores with gasoline USTs, dry cleaners, the White Plains Hospital, auto sales, auto and bicycle repair shops, a vulcanizing (tire conditioning) facility, an undertaker, sheet metal works, and a printer.

The identified Site contamination may be attributed to historical on-site uses, including an upholsterer and an auto repair shop.

Site Geology and Hydrogeology

The Property is located at the southern end of a topographic depression, with surrounding land sloping slightly down toward it from the southeast and southwest. Based on reports compiled by the U.S. Geological Survey (White Plains, NY Quadrangle), the Property is approximately 200 feet above the North American Vertical Datum of 1988, an approximation of mean sea level.

During AKRF's 2021 Subsurface (Phase II) Investigation, groundwater was typically observed at depths ranging from approximately 4 to 10 feet below grade and is presumed to flow in a northwesterly direction toward the Bronx River, located approximately 1,600 feet away. Actual groundwater flow at the Property can be affected by many factors, including past filling activities; underground utilities; other subsurface openings or obstructions such as basements; and other factors beyond the scope of this study.

According to the 2014 Annual Water Quality Report prepared by the City of White Plains Department of Public Works, groundwater supply wells formerly providing potable water for White Plains were decommissioned in 2009. The City of White Plains was subsequently supplied with potable water from a reservoir in the NYC potable water supply system.

Based on the previous subsurface investigation completed at the Site, the stratigraphy beneath the Site consisted of historic fill material (sand, gravel, silt, concrete, brick, glass, and asphalt) to approximately 6 feet below grade, underlain by apparent native soils (silt, peat, sand, clay and gravel) to the terminus of the borings (maximum of 15 feet bgs).

Environmental Assessment

Based on the findings of the Limited Subsurface (Phase II) Investigation performed by AKRF in 2021, the primary contaminants of concern (COC) for the Site, based on the proposed future use, include metals (barium, lead and copper) in soil; volatile organic compounds (VOCs) [cis-1,2-dichloroethylene, tetrachloroethylene (PCE), trichloroethylene (TCE), and vinyl chloride] in groundwater; and petroleum-related and chlorinated VOCs in soil vapor.

Soil - Six soil samples were collected for laboratory analysis from soil borings SB-01 through SB-06. The analytical results for VOCs, SVOCs, metals, and PCBs were compared to the 6 New York Code of Rules and Regulations (NYCRR) Unrestricted Use Soil Cleanup Objectives (UUSCOs), Protection of Groundwater Soil Cleanup Objective (PGWSCOs), and Restricted-Residential Soil Cleanup Objectives (RRSCOs), the applicable Soil Cleanup Objectives (SCOs) for the proposed future use of the Site.

- Six metals (barium, copper, lead, mercury, silver and zinc) were detected above their respective UUSCOs in at least one of the soil samples. Lead was detected above its RRSCO and PGWSCO in five of the soil samples [SB-03 (0-2), SB-04 (0-2), SB-05 (0-2), SB-05 (3-5) and SB-06 (0-2)]. Barium and copper were detected above their RRSCOs in samples SB-04 (0-2) and SB-02 (0-2), respectively. Mercury was detected above its PGWSCO in sample SB-05 (0-2).
- The polychlorinated biphenyl (PCB) Aroclor 1254 was detected in soil sample SB-05 (0-2) above the UUSCO but below the RRSCO and PGWSCOs for total PCBs.
- No VOCs or SVOCs were detected above their respective UUSCO, RRSCO, and PGWSCOs in any of the soil samples.

Groundwater - Four temporary groundwater monitoring wells (TW-01 through TW-04) were retrofitted in the corresponding soil boring. Groundwater sample analytical results for VOCs and semi volatile organic compounds (SVOCs) were compared to the NYSDEC Class GA Ambient Water Quality Standards and Guidance Values (AWQSGVs).

- PCE was detected above its AWQSGVs in samples TW-01 [30 micrograms per liter (ug/l)] and TW-04 (440 ug/l). Cis-1,2-dichloroethylene, TCE, and vinyl chloride were also detected above their respective AWQSGVs in sample TW-04, at concentrations ranging from 4.1 to 76 ug/l.
- No SVOCs were detected above their respective AWQSGVs in any of the groundwater samples.

Soil Vapor - Four soil vapor samples and one ambient air sample were collected for laboratory analysis. The soil vapor samples were compared to the New York State Department of Health (NYSDOH) Air Guideline Values (AGVs).

- Petroleum and chlorinated-solvent related VOCs were detected at concentrations above the laboratory method detection limits. VOCs associated with petroleum [including benzene, toluene, ethylbenzene, and xylenes (collectively referred to as BTEX)] were detected at variable concentrations in all of the soil vapor samples analyzed. Other petroleum-related VOCs, solvents, and chlorofluorocarbons were also detected in the samples.
- The chlorinated VOC, PCE, was detected in all of the soil vapor samples collected at concentrations ranging from 0.29 microgram per cubic meter ($\mu\text{g}/\text{m}^3$) to $45 \mu\text{g}/\text{m}^3$. PCE was detected above its AGV of $30 \mu\text{g}/\text{m}^3$ in sample SV-04 at $45 \mu\text{g}/\text{m}^3$.

The COCs, in soil and soil vapor, were identified uniformly across the entire site. VOCs were detected in two of the groundwater samples from the north-central and southeast areas of the Site.

Soil, groundwater, and soil vapor sample results are summarized in Figures 8, 9, and 10 in *Attachment A* and the data summary tables are included in *Attachment D*.

Supplement to Section II - Project Description

2. Remedial Investigation Report

A final Remedial Investigation Report (RIR) has not been prepared for the Site; however, a Subsurface (Phase II) Investigation was conducted by AKRF, Inc. (AKRF) in 2021. Soil, groundwater, and soil vapor data collected during the investigation are being provided in support of this Brownfield Cleanup Program (BCP) Application. The Subsurface (Phase II) Investigation is discussed in more detail in Section I.

A Draft Remedial Investigation Work Plan (RIWP) is submitted with the application.

4. Description of Development Project and Schedule

The “Brookfield Commons Phase 3” project site (the “Site”) is located in White Plains, New York. Trinity Brookfield Commons Phase Three Limited Partnership (Trinity) proposes to redevelop the approximately 1.284-acre portion of the 9.3-acre Winbrook Housing campus (“Winbrook”) into a mixed-income affordable residential community that will be known as Brookfield Commons Phase 3 (the “Project Site”). The Project Site will include construction of a residential building that will replace the 159 South Lexington building which was vacated upon the completion of the Brookfield Commons Phase 2.

The purpose of the Proposed Project is to provide new mixed-income affordable housing in close proximity to Downtown White Plains. The Proposed Project is located in an area that has good access to jobs, schools, public transportation, and community services. The Proposed Project would replace the vacant 90-unit public housing project building with a 174-unit mixed-income affordable housing building. The Proposed Project would provide housing for existing residents within the Winbrook property, such that there would be no displacement of existing residents.

The entire Site is located in an En-Zone (Census Tract 93) and meets the interim criteria identified for a disadvantaged community as shown on the New York State Website. A map of the En-Zone boundary is included on Figure 3, and a map of the disadvantage communities is shown on Figure 6. The Site is also identified as part of White Plains Tax Block 7, Section 125.83, part of Lot 1. A Tax Map and Site Plan are included as Figures 2 and 7, respectively, included in *Attachment A*.

Specific construction details regarding the proposed redevelopment project are pending; however, the project will consist of construction of a 11-story, 174-unit multi-family residential building. The Proposed Project will include 90 units of replacement housing, 82 units of new non-WPHA affordable units, 1 superintendent’s unit, associated parking, and community space. A metes and bounds survey map of the Site is included as *Attachment B*.

The project is seeking to enter the NYSDEC Brownfield Cleanup Program (BCP) at the investigation stage. Although an initial investigation has been completed, a Remedial Investigation (RI) will be completed to further delineate subsurface impacts at the site. This BCP Application is being submitted concurrently with a Remedial Investigation Work Plan (RIWP). The RI, to be completed in accordance with the RIWP after approval by the NYSDEC, will be conducted in compliance with Environmental Conservation Law (ECL) Article 27-1415(2); and all applicable federal, state, and local regulations. The anticipated clean-up track for the Site is Track 1/Contingent Track 2.

The Phase II Report by AKRF 2021 concluded that contaminated soil, groundwater, and soil vapor are present at the Site. The metals and PCBs in soil; chlorinated solvents in groundwater in groundwater; and volatile organic compounds (VOCs) in the soil vapor seem to be associated with former automotive and commercial uses at the Site.

The presence of contamination creates an impediment to development in low-income areas and low-income projects, as these areas/projects are less likely to experience improving market conditions, which would allow for the absorption of added costs related to remediation, construction time, and construction risk. Entry into the BCP would facilitate the cleanup and redevelopment of the Site into the proposed mixed-income affordable housing building.

Estimated Project Schedule:

The Applicant's plan is to remediate the Site in conjunction with construction of the proposed new building. The remedial action will begin in August 2024 and the Certificate of Completion (COC) will be obtained in February 2026. The preliminary project schedule, shown in Table 1, is subject to change.

Table 1
Proposed Project Schedule

Activity	Time To Complete
Submit BCP App & Draft RIWP to NYSDEC	August 23, 2023
NYSDEC Completeness Review	September 22, 2023
NYSDEC 30-Day Public Comment Period for BCP App & RIWP	September 30, 2023
NYSDEC Acceptance to BCP & Issuance of BCA	November 15, 2023
NYSDEC Comments for RIWP	November 30, 2023
Response to RIWP Comments & Approval by NYSDEC	December 7, 2023
Initiate RI Field Activities	December 15, 2023
Submit RI Report to NYSDEC	February 1, 2024
NYSDEC Approves RIR	March 1, 2024
Draft RAWP Submitted	March 1, 2024
45-day Public Comment Period for RAWP	April 1, 2024
NYSDEC Approves RAWP and Issues Decision Document	June 30, 2024
Issue Remedial/Construction Notice Fact Sheet	July 15, 2024
Begin Implementation of RAWP	August 1, 2024
Execution of Environmental Easement (if required)	June 1, 2025
Draft Site Management Plan (SMP) Submitted to NYSDEC	July 1, 2025
Draft Final Engineering Report and Fact Sheet	September 1, 2025
Certificate of Completion and Fact Sheet	December 30, 2025
Completion of Building (first occupancy)	February 1, 2026
Draft Final Engineering Report and Fact Sheet	September 1, 2025
Certificate of Completion and Fact Sheet	December 30, 2025
Completion of Building (first occupancy)	February 1, 2026

Supplement to Section III – Land Use Factors

1. Zoning

The Winbrook property is located within the B3 and RM-0.35 Zoning Districts, and the Central Parking Area (CPA) of the City of White Plains. The BCP Site is located entirely within the B3 Zoning District.

The Proposed Project on the Site, a 174-unit multi-family building with a height of 11-stories, will be seeking a Special Permit from the Common Council for height. As a multi-family building, the Proposed Project is a Permitted Principal Use in the B-3 Zoning District, requiring Site Plan approval from the Common Council. The Proposed Project also requires City of White Plains Common Council site plan approval and a special permit under Section 5.3, Footnote (X) of the Zoning Ordinance to permit the building to be constructed to a height of 11 stories, or approximately 125 feet. A Zoning Map showing the zoning of the Site and surrounding area is attached as Figure 5 in Attachment A.

4. Current Site Use

Currently, the Site is occupied by a vacant 90-unit public housing project building. The building was vacated on August 1, 2022 and had remained vacant since that time.

The Proposed Project would replace the vacant building with a 174-unit mixed-income affordable housing building. The Proposed Project would provide housing for existing residents within the Winbrook property, such that there would be no displacement of existing residents. An Existing Land Use map is included as Figure 4 in Attachment A.

6. Proposed Site Use (Post Remediation)

The Applicant's plan is to remediate the Site in conjunction with construction of a 11-story, 174-unit multi-family mixed-income affordable housing residential building that will replace the vacant 159 South Lexington building.

Supplement to Section IV - Property's Environmental History

The following figures are included in *Attachment A*:

- Figure 1 – BCP Site Location
- Figure 2 – Tax Map
- Figure 3 – En-Zone Boundary Map
- Figure 4 – Surrounding Land Use
- Figure 5 – Zoning Map
- Figure 6 – Disadvantaged Community Boundary Map
- Figure 7 – Site Plan and Sample Locations
- Figure 8 – Soil Sample Concentrations Above NYSDEC SCOs
- Figure 9 – Groundwater Sample Concentrations Above NYSDEC AWQSGVs
- Figure 10 – Soil Vapor Sample Concentrations

The following data summary tables are included in *Attachment D*:

- Phase II Investigation Data (Tables 1 through 7)
- Soil Data Summary Table – RRSCOs
- Groundwater Data Summary Table – AWQSGVs
- Soil Vapor Data Summary Table

1. Environmental Reports

Copies of the following previous environmental reports for the Site are included in *Attachment C* (reports are provided separately via electronic submission).

- Phase I Environmental Site Assessment, Brookfield Commons Phase 3, 159 South Lexington Avenue, White Plains, New York, AKRF, Inc., July 2021.
- Limited Subsurface Investigation Letter Report, Brookfield Commons Phase 3, 159 South Lexington Avenue, White Plains, New York, AKRF, Inc., October 2021.

Summaries of the reports are provided below. The Applicant believes that there is sufficient information to proceed with this BCP Application. The Applicant seeks to enroll in the program to remediate the Site in a timely manner under the oversight of NYSDEC.

Phase I Environmental Site Assessment – Brookfield Commons Phase 3, 159 South Lexington Avenue, White Plains, New York, AKRF, Inc., June 2021

AKRF performed a Phase I ESA of the Property in July 2021. The Property was developed with a nine-story apartment building with a basement and surrounding lawns and walkways, which were part of a multi-story apartment building complex identified as Brookfield Commons or Winbrook. Historical Sanborn maps indicated that the Property was vacant in 1900. Between 1900 and 1942, the Property was developed with small residential buildings and associated garages, multiple three to four-story apartment buildings, an upholsterer and an auto repair shop. These structures were demolished for construction of the existing apartment building and grounds, which were constructed in 1949-1950 as part of the Winbrook housing complex.

The Phase I ESA included a regulatory database review, including review of the New York State Spills (NY Spills) / Leaking Underground Storage Tanks (LTANKs) Information Database. The Property was listed on the NY Spills database for NYSDEC Spill No. 1610459, which was reported at 159 South Lexington Avenue in February 2017. According to the listing, a sewer line was damaged, and 100 gallons of raw sewage was washed down the street into a catch basin; the spill was closed the next day.

The following RECS were identified:

- Historical land uses on the Property included auto repair and an upholsterer.
- Numerous nearby active- and closed-status petroleum spills, petroleum bulk storage facilities, hazardous waste generators (including generators of chlorinated solvents), and a State Brownfield Cleanup Program Site were reported in regulatory databases, including closed-status spills located on off-site areas of the Winbrook complex.
- Active-status NYSDEC Spill No. 9713110 was reported at a former filling station at 26 East Post Road, approximately 100 feet south of the Property. Based on information provided to AKRF, this spill resulted in a plume of petroleum-contaminated groundwater extending from the former filling station onto the Winbrook complex (south-adjacent parking lot of the Property). Remedial activities included removal of contaminated soil, groundwater, and soil vapor, and installation and sampling of numerous groundwater monitoring wells. Groundwater sampling of wells associated with this spill in August and November 2016 did not identify significant concentrations of petroleum-related VOCs in the wells located on the Property. However, some wells on the Winbrook complex contained chlorinated VOCs, including PCE at up to 1,000 parts per billion (ppb) and TCE at up to 55 ppb. The source of these chlorinated VOCs has not been identified.
- Active-status NYSDEC Spill No. 1608924 was reported in September 2015 at the gas station at 34 East Post Road, approximately 90 feet southeast of the Property. According to the listing and information provided to AKRF, soil and groundwater contamination was reported downgradient of this facility, and additional investigations were conducted in 2014-2016. Listing detail indicated: a Consent Order was executed by the NYSDEC in February 2018; a Remedial Action Work Plan was submitted to the NYSDEC in January 2019; and, as of August 2019, the City of White Plains intended to take over ownership of the property through the eminent domain process. Three additional closed-status spills were reported at this address.

The following De Minimis Conditions were identified:

- Demolition debris from historical structures on the Property and/or fill materials of unknown origin may be present in the subsurface.
- Chemical storage at the Property included two 5-gallon bucket of hydraulic oil, and cleaning and maintenance chemicals in containers up to one-gallon, which were stored in the basement. The observed chemicals were generally neatly stored and labeled

In addition, the following considerations outside the scope of ASTM Practice E 1527-13 were identified in connection with the Property:

- Based on the age of the building, window caulking, electrical equipment, fluorescent lighting fixtures, and hydraulic compactor equipment may contain PCBs. In addition, electrical equipment (e.g., switches and thermostats) and fluorescent lamps may contain mercury.
- Suspect asbestos-containing material (ACM) were observed at the Property. Suspect ACM were noted to be in generally good to damaged condition. ACM may also be present in demolition debris in the subsurface at the Property.
- Based on the age of the Property building, lead based paint (LBP) may be present on indoor and/or outdoor surfaces. Painted surfaces were observed to be in generally good to fair condition. LBP may also be present in demolition debris in the subsurface at the Property.

Limited Subsurface Investigation Letter Report, Brookfield Commons Phase 3, 159 South Lexington Avenue, White Plains, New York, AKRF, Inc., October 2021

AKRF conducted a Limited Subsurface Investigation (SI) on April 27 and 28, 2021. The investigation included the advancement of six soil borings (SB-01 through SB-06) with the collection and laboratory analysis of 12 soil samples, the installation of four temporary monitoring

wells (TW-01 through TW-04) with the collection and laboratory analysis of four groundwater samples, and the installation of four soil vapor points (SV-01 through SV-04) with the collection of four soil vapor samples.

Based on observations during the Phase II field work, soil beneath the Property consists of historic fill material (sand, gravel, silt, concrete, brick, glass, and asphalt) to approximately 6 ft bgs, underlain by apparent native soils (silt, peat, sand, clay and gravel) to the terminus of the borings (maximum of 15 feet bgs). Groundwater was encountered between 4 to 6 ft bgs during the investigation. Based on USGS mapping and previous investigations associated with the nearby spills, groundwater is expected to flow in a northwesterly direction toward the Bronx River.

PID readings of up to 1.6 parts per million (ppm) were noted throughout the soil column in soil boring SB-04, and readings of less than 1 ppm were noted near the surface in soil borings SB-01 and SB-05. No petroleum-like odors or other visual evidence of gross contamination was noted in the soil borings. No separate phase product was detected in the purge water from any of the temporary groundwater wells. PID readings of 7.3 and 5.6 ppm were noted in the purge vapors from SV-01 and SV-04, respectively.

Soil sample analytical results were compared to the NYCRR UUSCOs, PGWSCO, and RRSCO, the applicable SCOs for the proposed future use of the Site. Six metals (barium, copper, lead, mercury, silver and zinc) were detected above their respective UUSCOs in at least one of the soil samples. Lead was detected above its RRSCO and PGWSCO in five of the soil samples [SB-03 (0-2), SB-04 (0-2), SB-05 (0-2), SB-05 (3-5) and SB-06 (0-2)]. Barium and copper were detected above their RRSCOs in samples SB-04 (0-2) and SB-02 (0-2), respectively. Mercury was detected above its PGWSCO in sample SB-05 (0-2). The PCB Aroclor 1254 was detected in soil sample SB-05 (0-2) above the UUSCO but below the RRSCO and PGWSCO for total PCBs.

Groundwater sample analytical results for VOCs and SVOCs were compared to the NYSDEC Class GA AWQSGVs. PCE was detected above its AWQSGVs in samples TW-01 (30 ug/l) and TW-04 (440 ug/l). Cis-1,2-dichloroethylene, TCE, and vinyl chloride were also detected above their respective AWQSGVs in sample TW-04, at concentrations ranging from 4.1 to 76 ug/l).

Four soil vapor samples and one ambient air sample were collected for laboratory analysis during the Phase II Investigation. The soil vapor samples were compared to the NYSDOH AGVs. Soil vapor samples SV-01, SV-02, and SV-03 were analyzed at a secondary dilution due to elevated concentrations of target compounds in the initial sample run. VOCs associated with petroleum [including benzene, toluene, ethylbenzene, and xylenes (collectively referred to as BTEX)] were detected at variable concentrations in all of the soil vapor samples analyzed. Other petroleum-related VOCs, solvents, and chlorofluorocarbons were also detected in the samples. The chlorinated VOC, PCE, was detected in all of the soil vapor samples collected at concentrations ranging from 0.29 $\mu\text{g}/\text{m}^3$ to 45 $\mu\text{g}/\text{m}^3$. PCE was detected above its AGV of 30 $\mu\text{g}/\text{m}^3$ in sample SV-04 at 45 $\mu\text{g}/\text{m}^3$.

The data summary tables are included in *Attachment D*.

Supplement to Section V – Requestor Information

1. Requestor Information

Trinity Brookfield Commons Phase Three Limited Partnership (Trinity) is the Requestor for this application. The NYS Department of State's Corporation and Business Entity Database listing for the Requestor entity, Trinity Brookfield Commons Four Phase Three Limited Partnership, is included as *Attachment E*. The entity is herein referred to as (the "Applicant"). (An Applicant-member organization structure and member consent authorization are provided in *Attachment F*.)

Contact Information

Mr. Omalawa Musa, LEED AP BD+C
Trinity
1350 Broadway, Suite # 1700
New York, NY 10018
212-267-8400

Supplement to Section VI - Requestor Eligibility and Volunteer Status

The Requestor is a prospective lessor of the Site.

The Requestor qualifies as a volunteer because (i) it has performed a Phase I Environmental Site Assessment that complies with the EPA All-Appropriate Inquiries Rule (40 CFR 312), (ii) all disposals/releases of hazardous substances have occurred prior to the time the Requestor acquires ownership and (iii) the Requestor does not have affiliation with potentially responsible parties. Any potential liability of the Requestor would arise solely as a result of its ownership or involvement with the redevelopment of the Site subsequent to the disposal of hazardous substances and contaminants. The Applicant has also conducted a Phase II investigation to evaluate potential environmental concerns prior to taking control of the Project Site. As such, the Requestor qualifies as a Volunteer as defined in ECL 27-1405(1)(b).

An access letter providing explicit proof that the Owner has granted the Requestor full access to the Site to complete the remediation is provided in *Attachment G*.

Supplement to Section VIII – Program Fee

The Requestor is seeking a fee waiver based upon demonstration of financial hardship, inclusive of the proposed redevelopment consisting of 100% affordable housing. Documentation of financial hardship is provided in *Attachment H*.

Supplement to Section IX – Current Property Owner and Operator information

Current owner(s):

The current owner (as defined herein) of the proposed BCP Site, located in White Plains, NY, is the White Plains Housing Authority (WPHA), who received title to the Site from the City of White Plains in 1982. The WPHA will retain ownership of the underlying development site.

An access letter providing explicit proof that the Owner has granted the Requestor full access to the Site to complete the remediation is provided in *Attachment G*.

Prior owner(s), known corporate members, and relationship to Applicant(s)

Current operators and previous owners are listed below.

Table 1
Current and Previous Property Owners

Property Owners	Years of Ownership	Status of Entity (Alive, Deceased, Active, Dissolved)	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor(s)
White Plains Housing Authority	1982 to Present	Active	223 Dr. Martin Luther King Jr. Boulevard White Plains, New York 10601 914.949.6462	Lessor
City of White Plains	1930 to 1982	Active	City of White Plains, NY 10601	None

Supplement to Section XI – Site Contact List

1. Local, State, and Federal Officials

Hon. George Latimer Westchester County Executive 148 Martine Avenue White Plains, NY 10601	Hon. Thomas M. Roach Mayor of the City of White Plains City Hall 255 Main Street White Plains, NY 10601
Mr. Kenneth Jenkins Westchester County Deputy Executive 148 Martine Avenue White Plains, NY 10601	Mr. Christopher Gomez, AICP Commissioner City of White Plains Planning Department 70 Church Street White Plains, NY 10601
Ms. Norma Drummond Planning Commissioner Westchester County Department of Planning 148 Martine Avenue White Plains, NY 10601	Ms. Judith Mezey Deputy Commissioner City of White Plains Planning Department 70 Church Street White Plains, NY 10601
Mr. Richard Hyman Chairman Westchester County Planning Board 148 Martine Avenue White Plains, NY 10601	Mr. John J. Ioris Chairman City of White Plains Planning Board 70 Church Street White Plains, NY 10601
Ms. Kathy Hochul Governor of New York State NY State Capitol Building Albany, New York 12224	Hon. Charles Schumer U.S. Senator 322 Hart Senate Office Building Washington, DC 20510
Hon. Andrea Stewart-Cousins NY State Senator 28 Wells Avenue, Building #3 Yonkers, NY 10701	Hon. Kirsten Gillibrand U.S. Senator 478 Russell Senate Office Building Washington, DC 20510
Hon. Jamaal Bowman U.S. House of Representatives 345 Cannon House Office Building Washington, DC 20003	

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site is currently owned by the White Plains Housing Authority (WPHA), with offices at 223 Dr. Martin Luther King Jr. Boulevard in White Plains, NY 10601.

A list of adjacent properties and their owners and occupants is provided below.

Site

Section 125.83 Block 7 Part of Lot 1 (159 South Lexington)

W P HOUSING AUTHORITY
223 DR. MARTIN L.KING,JR
WHITE PLAINS NY 10601

West

Section 130.27 Block 1 Lot 1

134 SO LEXINGTON AVE INC
C/O PAUL WARHIT
15 REIMER ROAD
SCARSDALE NY 10583

Section 130.27 Block 1 Lot 2

LEOLA'S BEAUTY SALON INC
C/O LEOLA WASHINGTON WBL 2063 28 SCHOOL TAXABLE 14,500
95 STONE AVENUE ACREAGE 0.08 14,500 GA174 REFUSE DISPOSAL 14,500 TO M
WHITE PLAINS NY 10603

Section 130.27 Block 1 Lot 3

GARCED, H A TRUST
GARCED, HECTOR
32 CUMMINGS AVENUE
WHITE PLAINS NY 10604

Section 130.27 Block 1 Lot 4

GARCED, H A TRUST
H A GARCED TRUSTEE
32 CUMMINGS AVENUE
WHITE PLAINS NY 10604

Section 130.27 Block 1 Lot 5

GARCED, H A TRUST
HA GARCED TRUSTEE
32 CUMMINGS AVENUE
WHITE PLAINS NY 10604

Section 130.27 Block 1 Lot 6

MORONOTA, GLORIA
GIL, MIGUEL
GIL, ANGIE
176 SO LEXINGTON AVENUE
WHITE PLAINS NY 10606

Section 130.27 Block 1 Lot 7
GARCED, H A TRUST
H A GARCED TRUSTEE
32 CUMMINGS AVENUE
WHITE PLAINS NY 10604

South

Parcels EL1 and EL2
Parking lots associated with the Brookfield Commons housing complex

Section 130.27 Block 2 Lot 5
26-28 E. POST LLC
909 THIRD AVE., 28TH FL
NEW YORK NY 10022

Section 130.27 Block 2 Lot 6
ADEOGUN OWONIKOKO COMPANY LLC
15 GEDNEY WAY
WHITE PLAINS NY 10605

Section 130.27 Block 2 Lot 7
GABE REALTY CORP
149 GRAND STREET
WHITE PLAINS NY 10601

Section 130.27 Block 2 Lot 8
GABE REALTY CORP
149 GRAND STREET
WHITE PLAINS NY 10601

Section 130.27 Block 2 Lot 9
12 EAST POST ROAD ASSOCIATES, LLC
12 EAST POST RD
WHITE PLAINS NY 10601

Section 130.27 Block 7 Lot 4
WHITE PLAINS HOSPITAL MEDICAL CENTER
41 EAST POST RD
WHITE PLAINS NY 10601

North

Section 125.83 Block 7 Part of Lot 1 (135 South Lexington)
W P HOUSING AUTHORITY
223 DR. MARTIN L.KING,JR
WHITE PLAINS NY 10601

East

Section 125.83 Block 7 Part of Lot 1 (33 Fisher Avenue)
W P HOUSING AUTHORITY
223 DR. MARTIN L.KING,JR
WHITE PLAINS NY 10601

3. Local News Media

The Journal News 1133 Westchester Ave, Suite N110 White Plains, NY 10604	News 12 Westchester 6 Executive Plaza Yonkers, NY 10701
The White Plains Examiner Examiner Media, LLC 151 Harriman Road Mount Kisco, NY 10549	FiOS1 News Lower Hudson Valley 800 Westchester Avenue, Suite S-640 Rye Brook, NY 10573
The New York Times 229 West 43 rd Street New York, NY 10036	WABC-TV 7 Lincoln Square New York, NY 10023
New York Daily News 4 New York Plaza New York, NY 10004	WNYW Fox 5 205 East 67 th Street New York, NY 10021
New York Post 1211 6th Avenue New York, NY 10036	WNBC News 4 30 Rockefeller Plaza, 7 th Floor New York, NY 10112

4. Public Water Supply

The water currently delivered by the City of White Plains is purchased from the New York City Department of Environmental Protection (NYCDEP) through Westchester County Water District No. 1. The City of White Plains Department of Public Works, office location is 255 Main Street in White Plains, NY 10601).

5. Additional Contacts

NYSDEC Project Manager Contact Information

Name: Ryan Richard
Email: ryan.richard@dec.ny.gov
Phone: (845) 256-3118

6. Nearby Schools and Day Care Centers

Daycares:

Thomas H. Slater Center 2 Fisher Court White Plains, NY 10601 (914) 948-6211 Distance: 730 feet northeast of the Site Contact: Heather Miller	My Sister's Daycare 3 Ridgeview Avenue White Plains, NY 10606 (914) 673-3211 Distance: 1,900 feet west of the Site Contact: Candy Camacho
Family Services of Westchester 1 Fisher Court White Plains, NY 10601 (914) 761-4125 Distance: 500 feet northeast of the Site Contact: Carol Robinson	Passage to Excellence Corporation 1 Fisher Court White Plains, NY 10601 (914) 426-6174 Distance: 500 feet northeast of the Site Contact: Tasha C. Pine
Grace Episcopal Church 33 Church Street White Plains, NY 10601 (914) 949-2874 Distance: 2,000 feet northeast of the Site Contact: Suzan Ortega-Collado	Athena Montessori Children's Program 20 Greenridge Avenue White Plains, NY 10605 (914) 417-4303 Distance: 1,500 feet southeast of the Site Contact: Dumindra S. Hathurusinghe
Lia's Day Care 236 S. Lexington Avenue White Plains, NY 10606 (914) 328-3475 Distance: 1,100 feet south of the Site Contact: Lia Darocha	Prospect Academy of Westchester 82 Prospect Street White Plains, NY 10606 (914) 946-0628 Distance: 2,600 feet southwest of the Site Contact: Elena V. Fedorova

Schools:

POST ROAD ELEMENTARY 175 West Post Road White Plains, NY 10606 (914) 422-2320 Distance: 2,400 feet northeast of the Site Contact: Jesimae Ossorio, Principal	Rochambeau Alternative High School 228 Fisher Avenue White Plains, NY 10606 (914) 422-2420 Distance: 2,200 feet west of the Site Contact: Paul Bratcher, Director
---	--

7. Document Repository

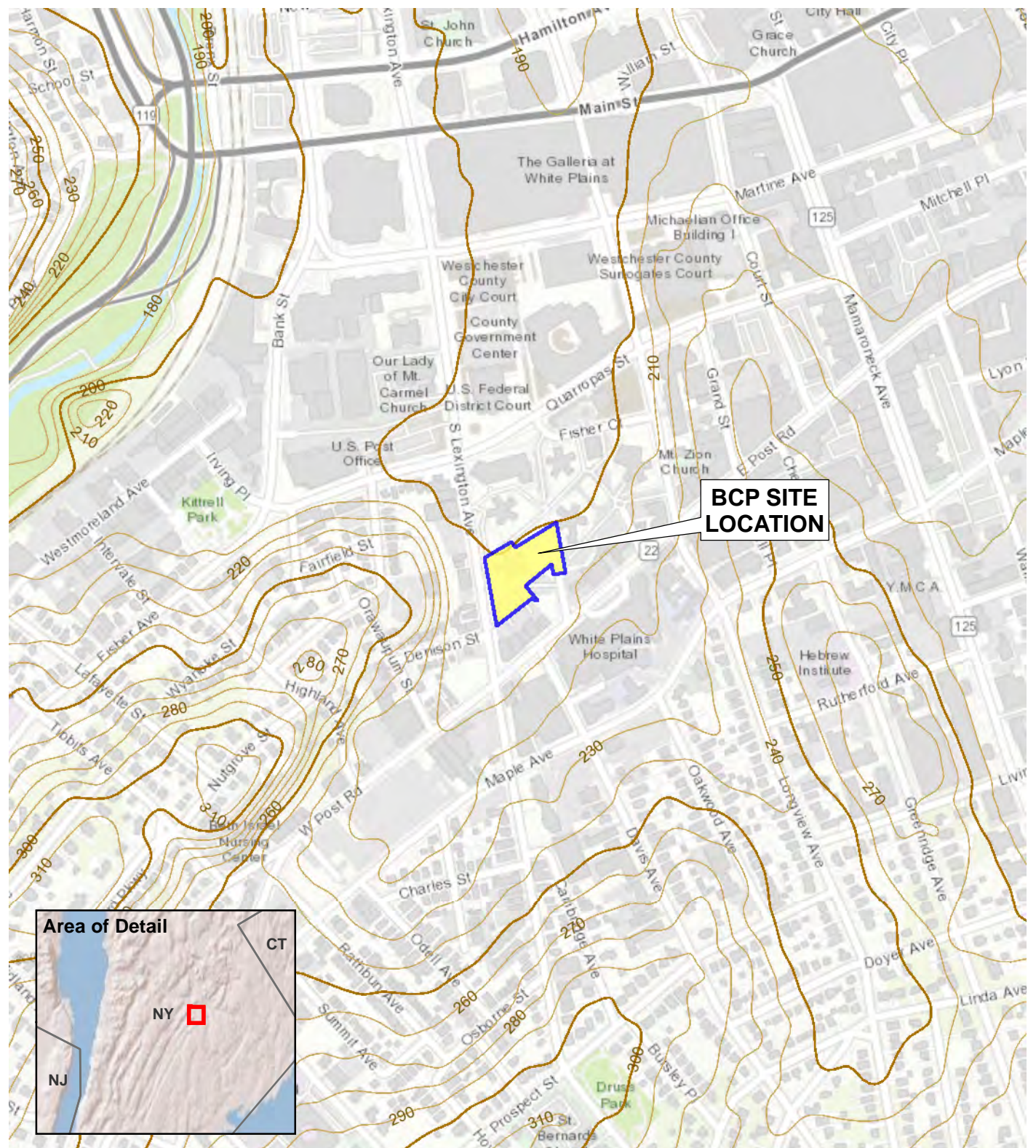
White Plains Public Library
100 Martine Avenue
White Plains, NY 10601
(914) 422-1400
Brian Kenny, Director

NYSDEC Region 3 White Plains Sub-Office
100 Hillside Avenue, Suite 1W
White Plains, NY 10603
(914) 428-2505

The executed document repository acknowledgment letter from White Plains Library is included in Attachment I.

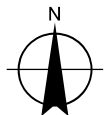
ATTACHMENT A
FIGURES

© 2023 AKRF W:\Projects\210122 - SAR BROOKFIELD COMMONS PHASE 3\Technical\GIS and Graphics\SAR\210122 Fig 1 Site Location1.mxd 8/10/2023 5:11:39 PM jlsalus



Service Layer Credits: USGS The National Map: 3d Elevation Program, Data Refreshed July, 2021

Service Layer Credits: USGS The National Map: 3d Elevation Program 2019
Map Source: World Topo map service from ESRI

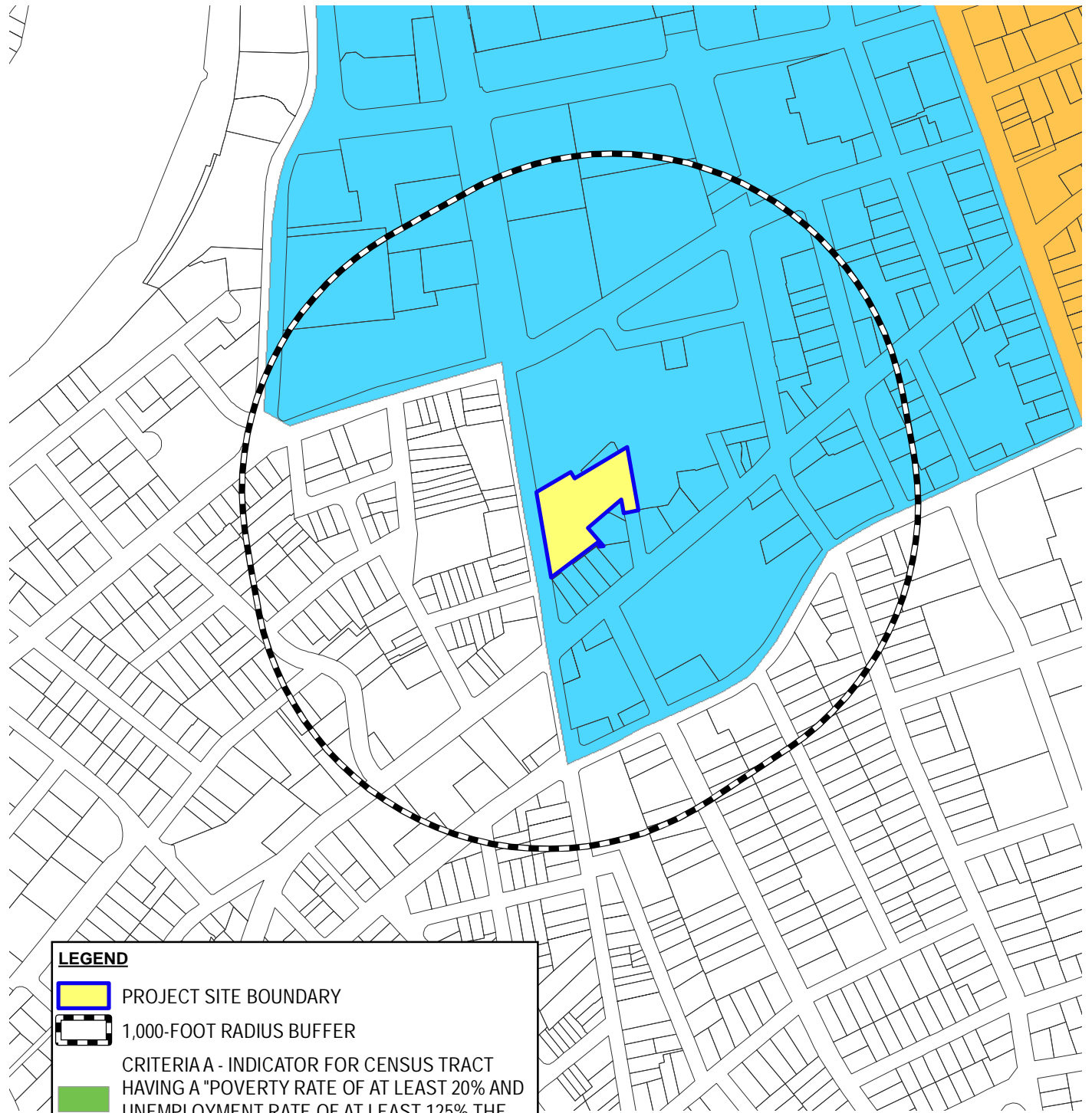


34 South Broadway #401
White Plains, NY 10601

Brookfield Commons Phase 3
White Plains, New York

BCP SITE LOCATION

DATE
8/10/2023
PROJECT NO.
210122
FIGURE
1



LEGEND



PROJECT SITE BOUNDARY



1,000-FOOT RADIUS BUFFER



CRITERIA A - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 20% AND UNEMPLOYMENT RATE OF AT LEAST 125% THE STATEWIDE UNEMPLOYMENT RATE.



CRITERIA B - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 2 TIMES THE POVERTY RATE FOR THE COUNTY



CRITERIA AB - INDICATOR THAT THE CENSUS TRACT MEETS BOTH CRITERIA A AND B.

Map Source:
giswww.westchestergov.com (GIS database)



0 600 1,200

SCALE IN FEET



440 Park Avenue South, New York, NY 10016

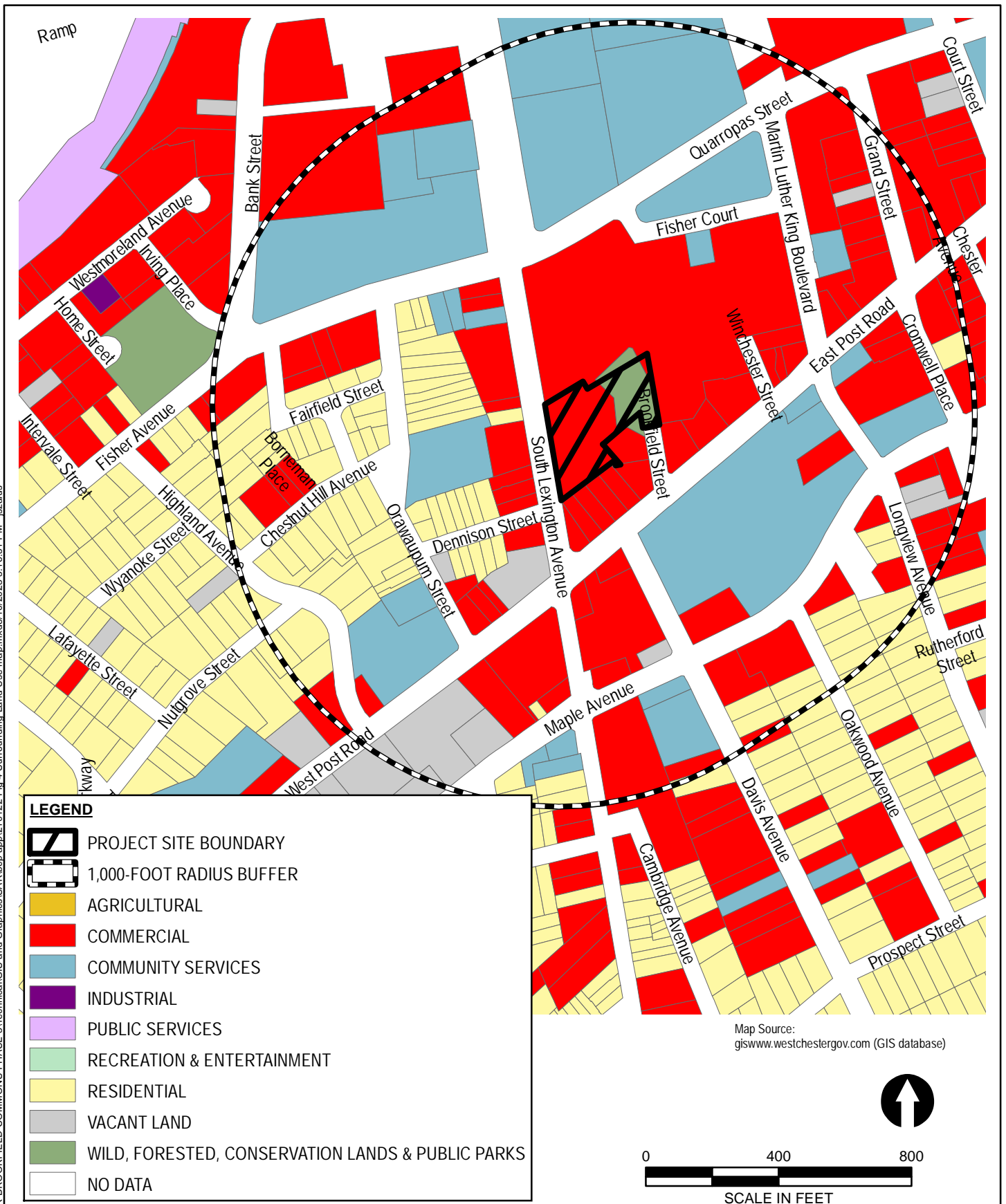
Brookfield Commons Phase 3
White Plains, New York

En-zone Boundary Map

DATE
8/11/2023

PROJECT NO.
210122

FIGURE
3



440 Park Avenue South, New York, NY 10016

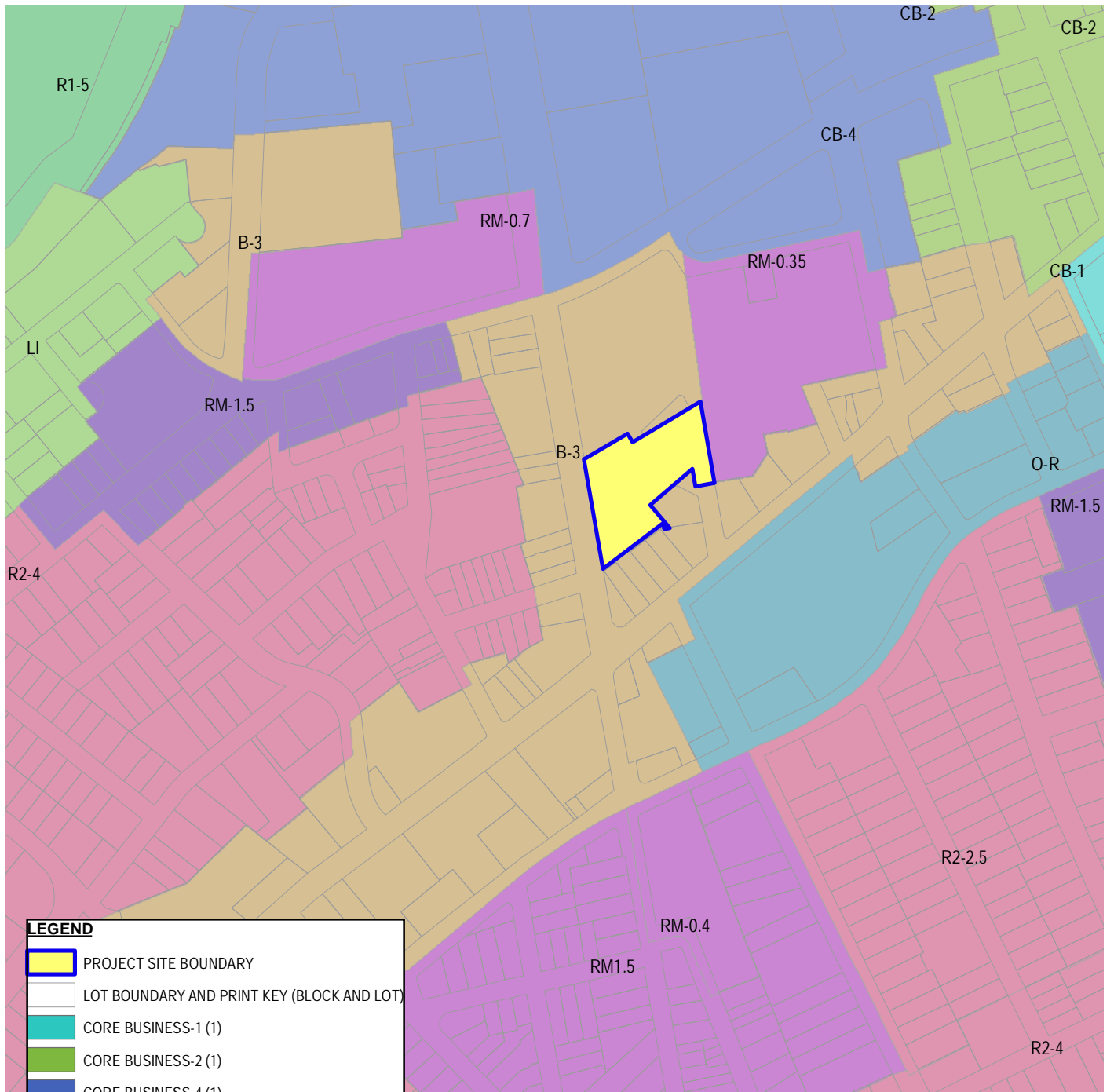
Brookfield Commons Phase 3

White Plains, New York

SURROUNDING LAND USE

DATE	8/10/2023
PROJECT NO.	210122
FIGURE	4

© 2023 AKRF. W:\Projects\210122 - SAR BROOKFIELD COMMONS PHASE 3\Technical\GIS and Graphics\SAR\Bcp app\210122 Fig 5 Zoning map.mxd 8/11/2023 11:21:06 AM jslalus



LEGEND	
	PROJECT SITE BOUNDARY
	LOT BOUNDARY AND PRINT KEY (BLOCK AND LOT)
	CORE BUSINESS-1 (1)
	CORE BUSINESS-2 (1)
	CORE BUSINESS-4 (1)
	INTERMEDIATE BUSINESS (2)
	LIGHT INDUSTRIAL (1)
	NEIGHBORHOOD BUSINESS (1)
	OFFICE-RESIDENTIAL (1)
	RESIDENTIAL MULTI-FAMILY (4)
	RESIDENTIAL ONE FAMILY (1)
	RESIDENTIAL ONE AND TWO FAMILY (3)
	RESIDENTIAL TOWNHOUSE (3)



Map Source:
giswww.westchestergov.com (GIS database)



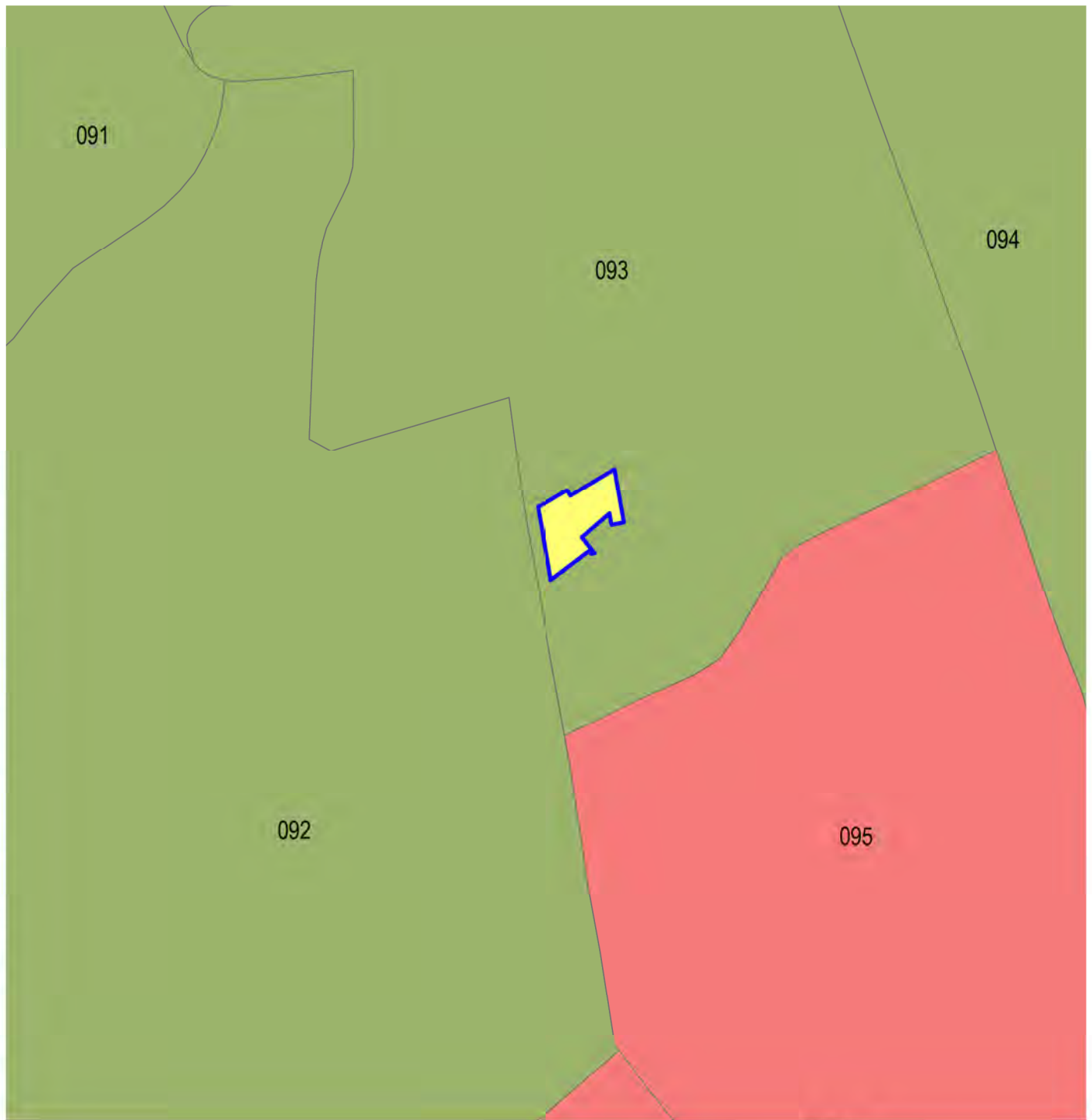
440 Park Avenue South, New York, NY 10016

Brookfield Commons Phase 3

White Plains, New York




ZONING MAP

DATE
8/11/2023
PROJECT NO.
210122
FIGURE
5



Map Source:
giswww.westchestergov.com (GIS database)

LEGEND

-  PROJECT SITE BOUNDARY
-  DESIGNATED AS A DAC (DISADVANTAGED COMMUNITIES MAP)
-  NOT DESIGNATED AS A DAC (DISADVANTAGED COMMUNITIES MAP)

0 600 1,200
SCALE IN FEET



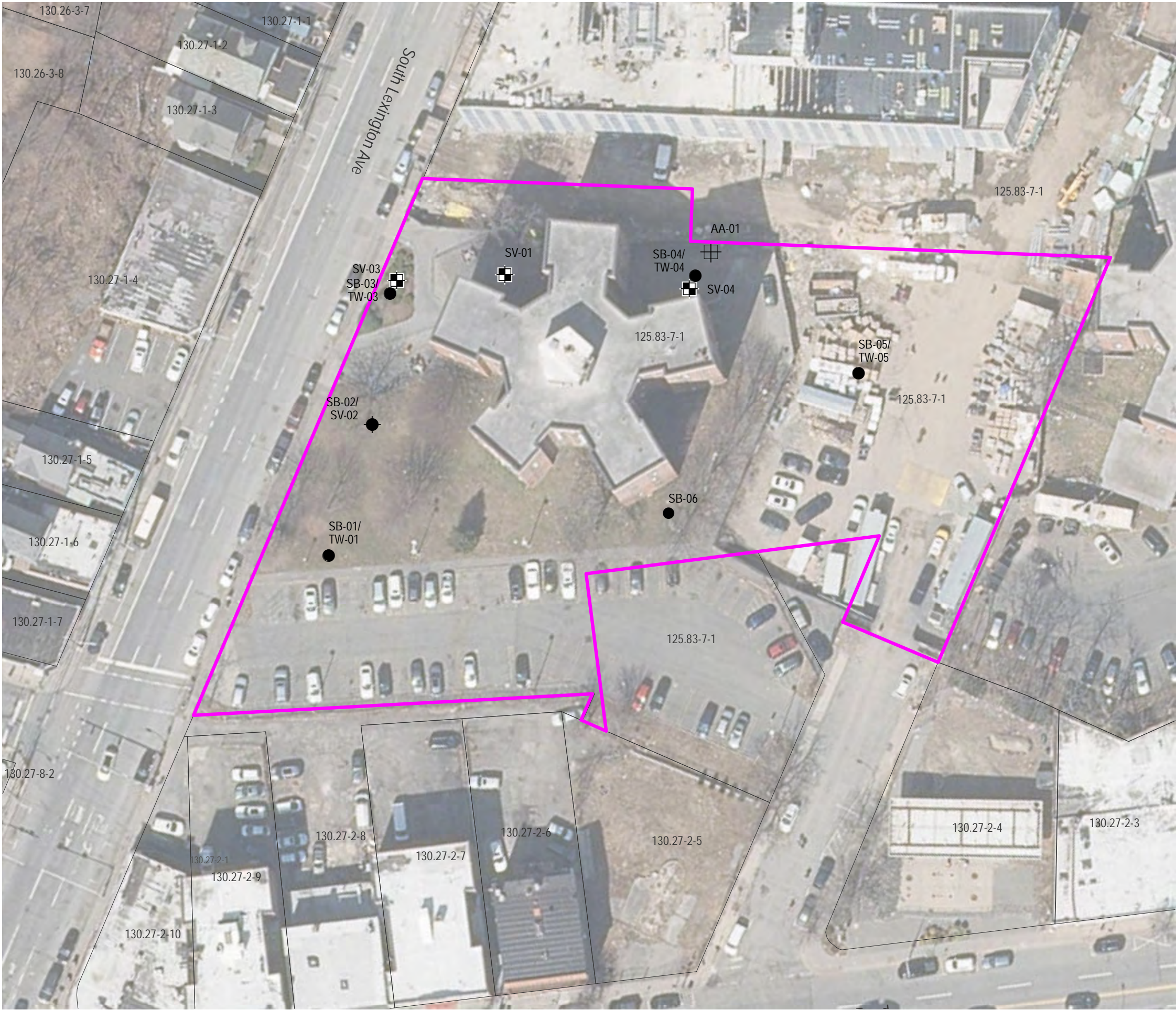
34 South Broadway #401
White Plains, NY 10601

Brookfield Commons Phase 3
White Plains, New York

Disadvantaged Community Boundary Map

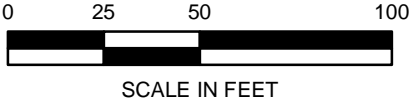
DATE 9/26/2023
PROJECT NO. 210122
FIGURE 6

© 2023 AKRF W:\Projects\210122 - SAR BROOKFIELD COMMONS PHASE 3\Technical\GIS and Graphics\SAR\Map app\210122 Fig 7 Site Plan and Sampling Locations.mxd 9/27/2023 11:04:52 AM iszalus



LEGEND

- PROJECT SITE BOUNDARY
- LOT BOUNDARY WITH BLOCK AND LOT NUMBER
- SOIL BORING
- SOIL BORING/TEMPORARY WELL
- SOIL BORING/SOIL VAPOR POINT
- SOIL VAPOR POINT
- AMBIENT AIR SAMPLE LOCATION



Map Source:
giswww.westchestergov.com (GIS database)
Aerial Source:
2021 New York Statewide Digital Orthoimagery



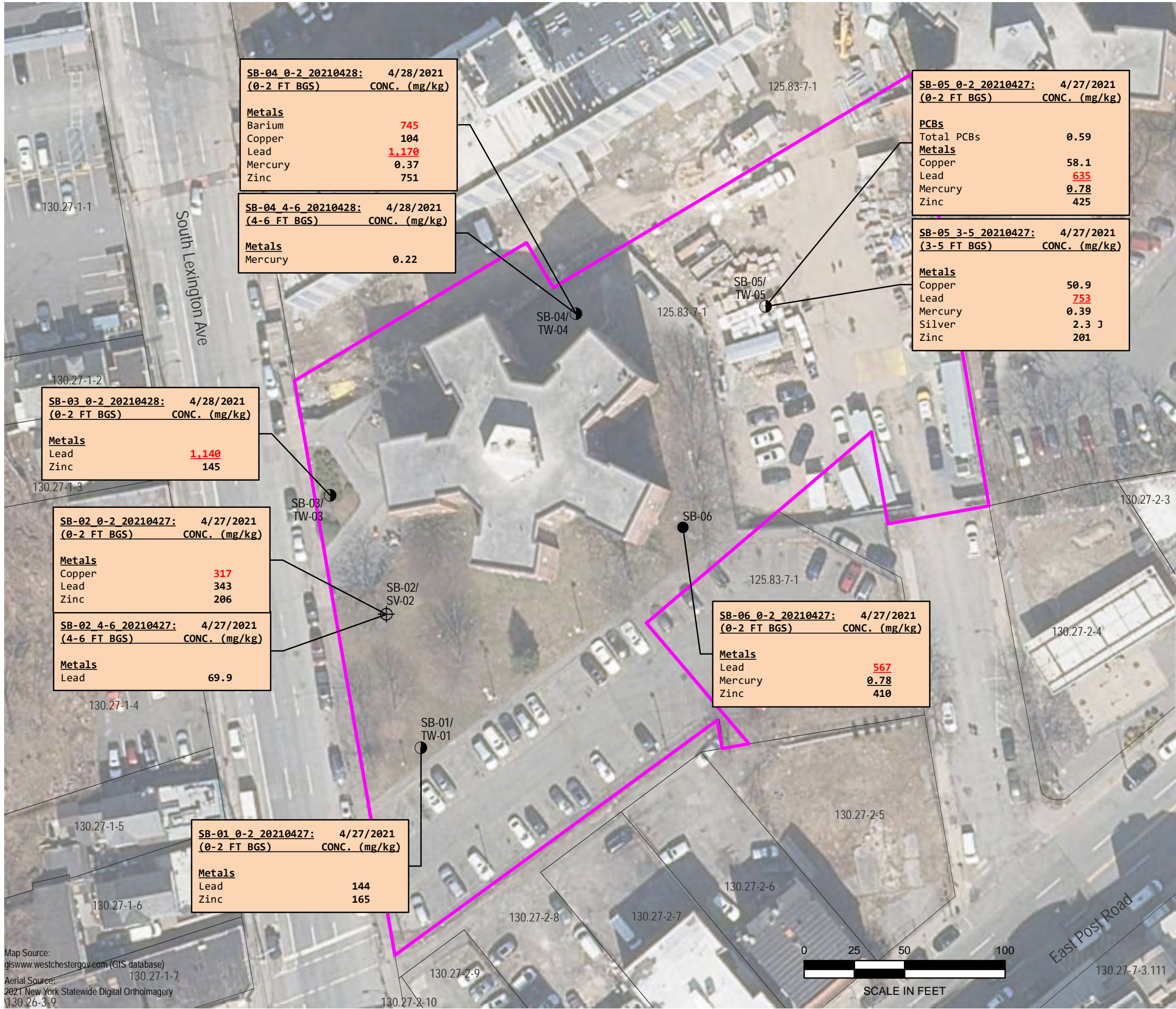
Brookfield Commons Phase 3
White Plains, New York

SITE PLAN AND SAMPLING LOCATIONS



DATE
9/27/2023
PROJECT NO.
210122
FIGURE
7

© 2023 AKRF W:\Projects\210122 - SAR BROOKFIELD COMMONS PHASE 3\Technical\GIS and Graphics\SAR\Map app\210122 Fig 8 Soil Sample Concentrations Above NYSDEC SCOs.mxd9/27/2023 11:10:19 AM isalus



LEGEND

- PROJECT SITE BOUNDARY
- LOT BOUNDARY WITH BLOCK AND LOT NUMBER
- SOIL BORING
- SOIL BORING/TEMPORARY WELL
- SOIL BORING/SOIL VAPOR POINT

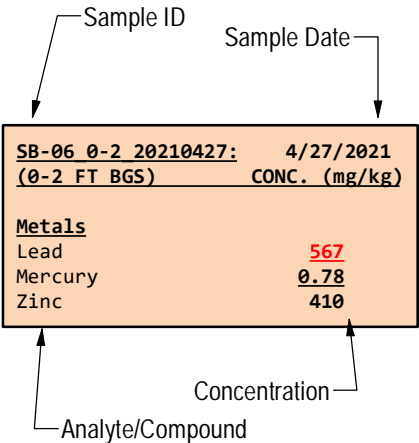
SOIL

Exceedances of NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs) are presented in bold font.
Exceedances of NYSDEC Restricted Residential Soil Cleanup Objectives (RRSCOs) are presented in red.
Exceedances of NYSDEC Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) are presented in underlined font.

mg/kg: milligrams per kilogram = parts per million (ppm)

J: The concentration given is an estimated value.

	Part 375 PROTECTION OF GROUNDWATER	PART 375 RESTRICTED RESIDENTIAL	PART 375 UNRESTRICTED
	mg/kg	mg/kg	mg/kg
PCBs			
Total PCBs	3.2	1	0.1
Metals			
Barium	820	400	350
Copper	1720	270	50
Lead	450	400	63
Mercury	0.73	0.81	0.18
Silver	8.3	180	2
Zinc	2480	10000	109



Brookfield Commons Phase 3
White Plains, New York

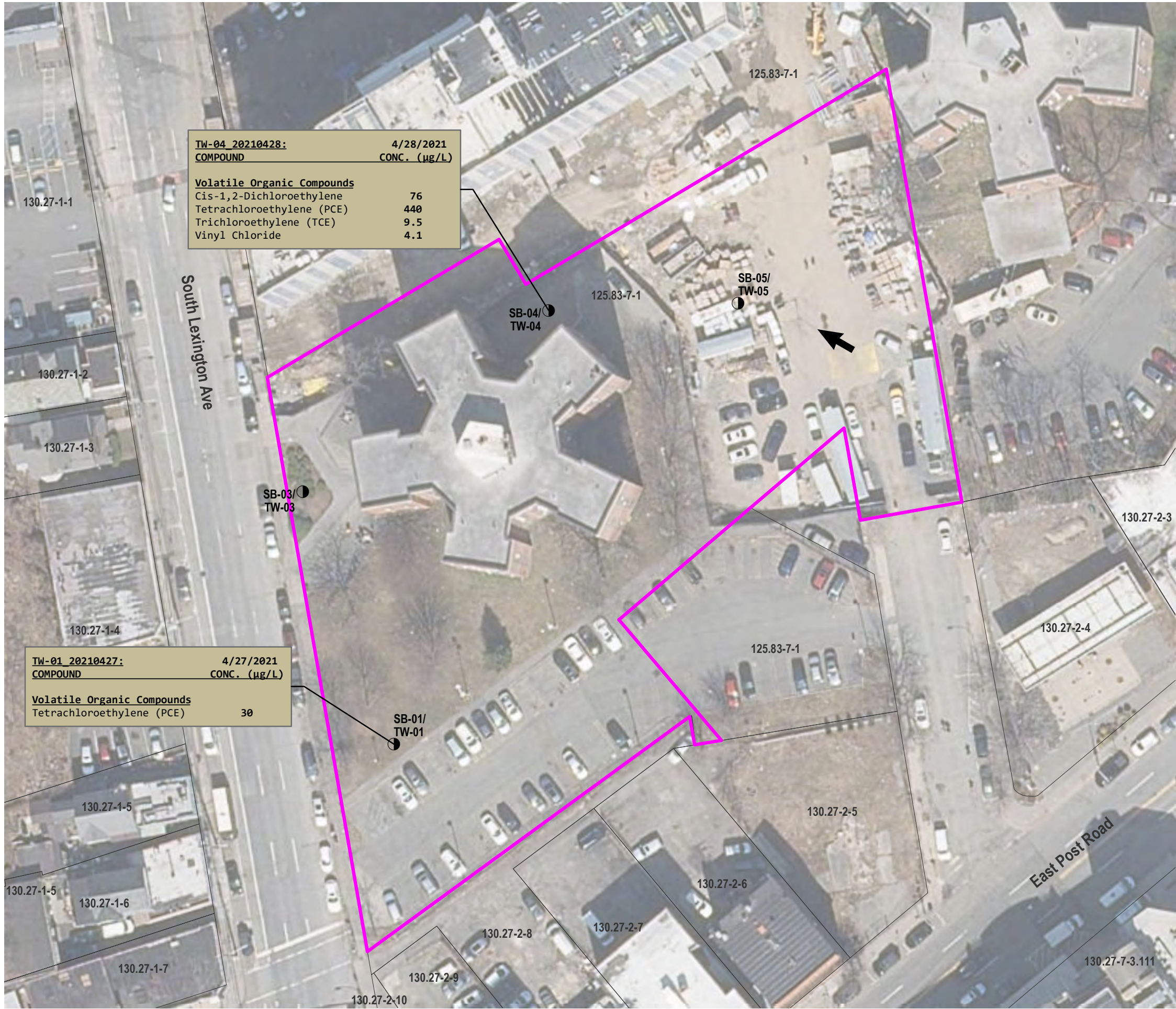


440 Park Avenue South, New York, NY 10016

Soil Sample Concentrations Above NYSDEC SCOs

DATE	9/27/2023
PROJECT NO.	210122
FIGURE	8

© 2023 AKRF W:\Projects\210122 - SAR BROOKFIELD COMMONS PHASE 3\Technical\GIS and Graphics\SAR\Map app\210122 Fig 9 Groundwater Concentrations Above NYSDEC AWQSGVs.mxd 09/27/2023 11:36:09 AM isaluis



LEGEND

- PROJECT SITE BOUNDARY
- LOT BOUNDARY WITH BLOCK AND LOT NUMBER
- SOIL BORING/TEMPORARY WELL
- REGIONAL/ANTICIPATED GROUNDWATER FLOW DIRECTION

GROUNDWATER

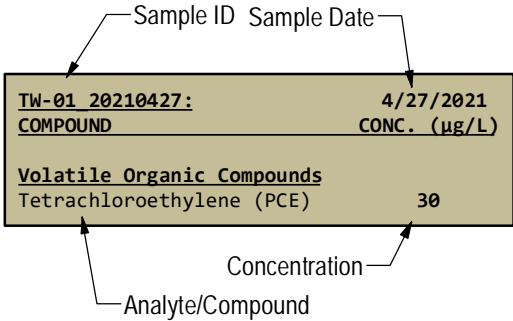
NYSDEC TOGS Class GA Ambient Water Quality Standard and Guidance Values (AWQSGVs):
New York State Department of Environmental Conservation (NYSDEC)
Technical and Operational Guidance Series (TOGS) (1.1.1):

µg/L: micrograms per Liter = parts per billion (ppb)

Only Exceedances of NYSDEC AWQSGVs are shown in bold font.

NYSDEC AWQSGVs ug/l	
Volatile Organic Compounds	
Cis-1,2-Dichloroethylene	5
Tetrachloroethylene (PCE)	5
Trichloroethylene (TCE)	5
Vinyl Chloride	2

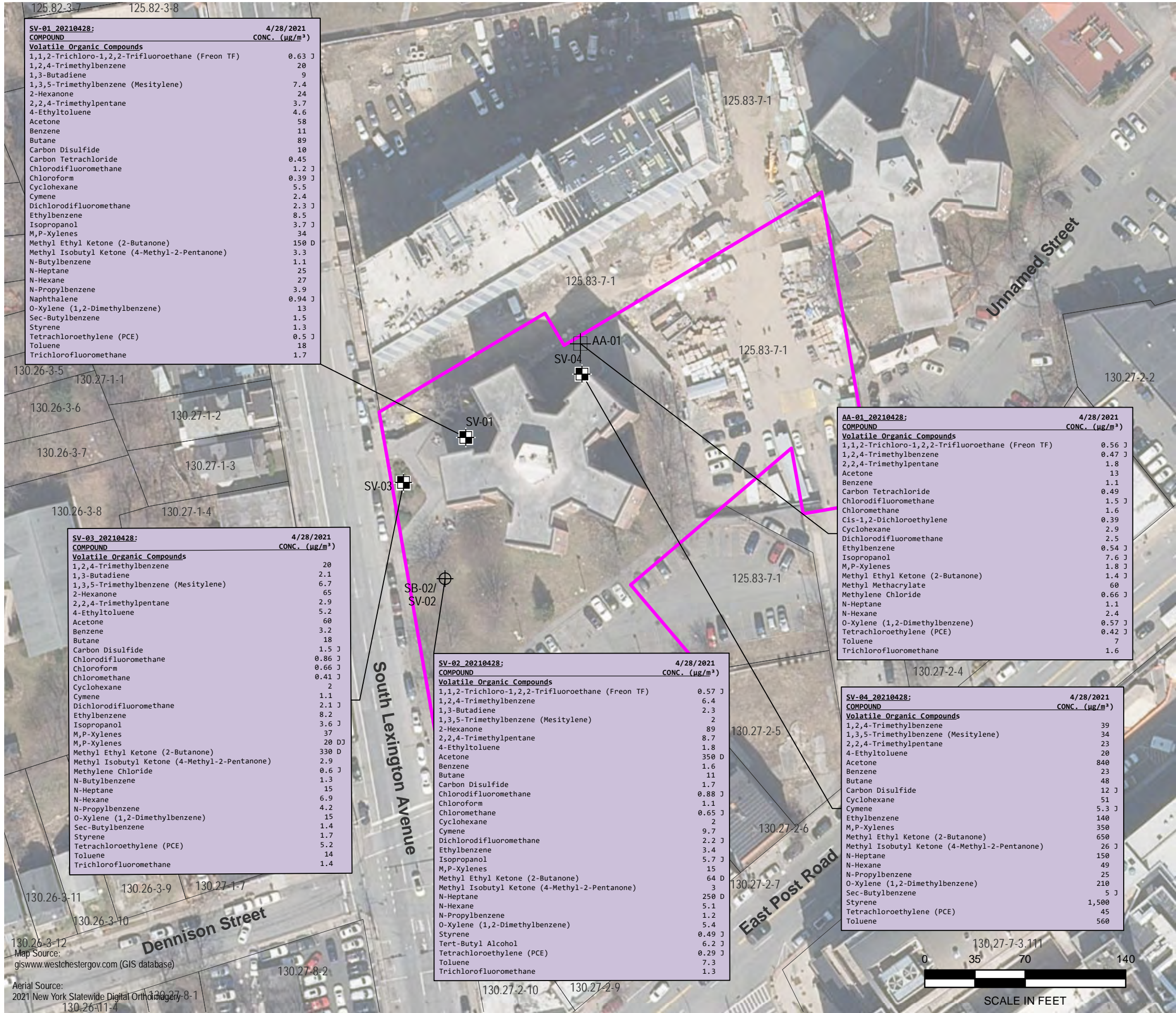
Monitoring Well ID	Depth to Water (ft. bgs)	Well Screen Interval (ft. bgs)
TW-01	4.20	1.50 - 6.50
TW-03	5.40	3.11 - 13.11
TW-04	4.98	3.73 - 13.73
TW-05	6.10	5.00 - 13.25



SCALE IN FEET

Map Source:
giswww.westchestergov.com (GIS database)
Aerial Source:
2021 New York Statewide Digital Orthoimagery

© 2023 AKRF W:\Projects\210122 - SAR BROOKFIELD COMMONS PHASE 3\Technical\GIS and Graphics\SAR\Map app\210122 Fig 10 Soil Vapor Sample Concentrations.mxd 9/27/2023 11:17:55 AM iszalus



SV-04 20210428:		4/28/2021
COMPOUND		CONC. (µg/m³)
Volatile Organic Compounds		
1,2,4-Trimethylbenzene		39
1,3,5-Trimethylbenzene (Mesitylene)		34
2,2,4-Trimethylpentane		23
4-Ethyltoluene		20
Acetone		840
Benzene		23
Butane		48
Carbon Disulfide		12 J
Cyclohexane		51
Cymene		5.3 J
Ethylbenzene		140
M,P-Xylenes		350
Methyl Ethyl Ketone (2-Butanone)		650
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)		26 J
N-Heptane		150
N-Hexane		49
N-Propylbenzene		25
O-Xylene (1,2-Dimethylbenzene)		210
Sec-Butylbenzene		5 J
Styrene		1,500
Tetrachloroethylene (PCE)		45
Toluene		560

Brookfield Commons Phase 3

White Plains, New York

DATE
9/27/2023

PROJECT NO.
210122

FIGURE
10

SOIL VAPOR SAMPLE CONCENTRATIONS



440 Park Avenue South, New York, NY 10016