

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director  
625 Broadway, 12th Floor, Albany, New York 12233-7011  
P: (518) 402-9706 | F: (518) 402-9020  
[www.dec.ny.gov](http://www.dec.ny.gov)

Transmitted via E-mail and US Mail

December 29, 2022

GS White Plains Owner, LLC  
Attn: Ryan Souls  
One Federal Street, Suite 1804  
Boston, MA 02110  
[ryan.souls@greystar.com](mailto:ryan.souls@greystar.com)

Re: Certificate of Completion  
Hope Fire Engine Co. Site  
White Plains, Westchester County  
Site No. C360219

Dear Ryan Souls:

Congratulations on having satisfactorily completed the remedial program at the Hope Fire Engine Co. Site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Greta White, Bureau C  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days.

If you have any questions, please do not hesitate to contact Greta White, the Department's project manager, at 518-402-2029.

Sincerely,

*Andrew Guglielmi*

Andrew Guglielmi  
Division Director  
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

L. Shaw – Knauf Shaw, Esq. ([lshaw@nyenvlaw.com](mailto:lshaw@nyenvlaw.com))  
F. Dahan – Sesi Consulting Engineers ([fd@sesi.org](mailto:fd@sesi.org))  
S. Gustems – Sesi Consulting Engineers ([ssg@sesi.org](mailto:ssg@sesi.org))  
C. Vooris - NYSDOH ([christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov))  
M. Doroski - NYSDOH ([melissa.doroski@health.ny.gov](mailto:melissa.doroski@health.ny.gov))  
K. Kulow - NYSDOH ([kristin.kulow@health.ny.gov](mailto:kristin.kulow@health.ny.gov))  
M. Gokey ([matthew.gokey@tax.ny.gov](mailto:matthew.gokey@tax.ny.gov))  
P. Takac ([paul.takac@tax.ny.gov](mailto:paul.takac@tax.ny.gov))  
DECDOCS

ec w/o enc.:

G. White - NYSDEC ([greta.white@dec.ny.gov](mailto:greta.white@dec.ny.gov))  
K. Thompson - NYSDEC ([kiera.thompson@dec.ny.gov](mailto:kiera.thompson@dec.ny.gov))  
J. Brown - NYSDEC ([janet.brown@dec.ny.gov](mailto:janet.brown@dec.ny.gov))  
D. Bendell - NYSDEC ([Daniel.bendell@dec.ny.gov](mailto:Daniel.bendell@dec.ny.gov))  
K. Pero - NYSDEC ([kyle.pero@dec.ny.gov](mailto:kyle.pero@dec.ny.gov))  
M. Murphy – NYSDEC ([Michael.murphy1@dec.ny.gov](mailto:Michael.murphy1@dec.ny.gov))  
J. Andaloro - NYSDEC ([Jennifer.andaloro@dec.ny.gov](mailto:Jennifer.andaloro@dec.ny.gov))  
K. Lewandowski - NYSDEC ([Kelly.lewandowski@dec.ny.gov](mailto:Kelly.lewandowski@dec.ny.gov))

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)  
*CERTIFICATE OF COMPLETION*

**CERTIFICATE HOLDER(S):**

**Name**

GS White Plains Owner, LLC

**Address**

One Federal Street, Suite 1804, Boston, MA 02110

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 11/29/21    **Agreement Execution:** 12/7/21

**Agreement Index No.:** C360219-11-21

**Application Amendment Approval:** 10/10/22

**Agreement Amendment Execution:** 10/10/22

**SITE INFORMATION:**

**Site No.:** C360219    **Site Name:** Hope Fire Engine Co. Site

**Site Owner:** GS White Plains Owner, LLC

**Street Address:** 25 North Lexington Avenue

**Municipality:** White Plains    **County:** Westchester

**DEC Region:** 3

**Site Size:** 1.463 Acres

**Tax Map Identification Number(s):** Portion of 125.66-5-2.1

**Percentage of site located in an EnZone:** 0 - 49%

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

**CERTIFICATE ISSUANCE**

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

**Allowable Uses under the BCP:** Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial

**Cleanup Track:** Track 1: Unrestricted use

**Tax Credit Provisions:**

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50%.

Tangible Property Credit is 15%. Comprised of 10% Base, 5% Track 1.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24%.

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 as there are no use restrictions and there is no reliance on the long-term employment of institutional controls.

#### **LIABILITY LIMITATION**

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

#### **CERTIFICATE TRANSFERABILITY**

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

#### **CERTIFICATE MODIFICATION/REVOCATION**

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached; or
- (4) there is good cause for such modification or revocation.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/29/2022

Andrew O. Guglielmi, Director  
Division of Environmental Remediation

**Exhibit A**  
**Site Description**



REVISED BCP SITE LEGAL DESCRIPTION  
**P/O SECTION: 125.66 BLOCK: 5 LOT: 2.1**  
COUNTY OF WESTCHESTER, CITY AND STATE OF NEW YORK

BEGINNING at a point on along the northerly line of Hamilton Avenue at the westerly terminus of a curve having a radius of 20.00 feet connecting said northerly line of Hamilton Avenue with the westerly line of North Lexington Avenue as shown on filed map no. 21580;

THENCE along said northerly line of Hamilton Avenue, South 84 degrees 55 minutes 13 seconds West, a distance of 254.715 feet to a point of curvature;

THENCE northwesterly along the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90 degrees 01 minutes 00 seconds and an arc length of 39.277 feet to its point tangency with the easterly line of Ferris Avenue;

THENCE along westerly line of the environmental easement area, North 05 degrees 03 minutes 48 seconds West, a distance of 72.778 feet and North 02 degrees 03 minutes 23 seconds West, a distance of 103.334 feet to a point of curvature;

THENCE northeasterly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 86 degrees 32 minutes 43 seconds and an arc length of 30.210 feet to its point of intersection with the southerly line of Right of Way Easement A as shown on the aforesaid filed map no. 21580;

THENCE through the aforesaid Delivery Parcel No.2 and along said southerly line of Right of Way Easement A, North 84 degrees 29 minutes 20 seconds East, a distance of 239.352 feet to a point of curvature and thence southeasterly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 85 degrees 57 minutes 50 seconds and an arc length 30.007 feet to its point of tangency with the aforesaid westerly line of North Lexington Avenue;

THENCE along said westerly line of North Lexington Avenue, South 09 degrees 32 minutes 50 seconds East, a distance of 85.745 feet and South 09 degrees 58 minutes 42 seconds East, a distance of 96.440 feet to a point of curvature;

THENCE southwestly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 94 degrees 53 minutes 55 seconds and an arc length of 33.126 feet to its point of tangency with the aforesaid northerly line of Hamilton Avenue, the point and place of BEGINNING.

*Contains within said bounds 63,740 square feet more or less or 1.4632 acres of land more or less.*

**Exhibit B**

**Site Survey**



REVISED BCP SITE LEGAL DESCRIPTION  
P/O SECTION: 125.66 BLOCK: 5 LOT: 2.1  
COUNTY OF WESTCHESTER, CITY AND STATE OF NEW YORK

**BEGINNING** at a point on along the northerly line of Hamilton Avenue at the westerly terminus of a curve having a radius of 20.00 feet connecting said northerly line of Hamilton Avenue with the westerly line of North Lexington Avenue as shown on FILED MAP No. 21580;

THENCE along said northerly line of Hamilton Avenue, South 84 degrees 55 minutes 13 seconds West, a distance of 254.715 feet to a point of curvature;

THENCE northwesterly along the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90 degrees 01 minutes 00 seconds and an arc length of 39.277 feet to its point tangency with the easterly line of Ferris Avenue;

THENCE along westerly line of the environmental easement area, North 05 degrees 03 minutes 48 seconds West, a distance of 72.778 feet and North 02 degrees 03 minutes 23 seconds West, a distance of 103.334 feet to a point of curvature;

THENCE northeasterly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 86 degrees 32 minutes 43 seconds and an arc length of 30.210 feet to its point of intersection with the southerly line of Right of Way Easement A as shown on the aforesaid FILED MAP No. 21580;

THENCE through the aforesaid Delivery Parcel No.2 and along said southerly line of Right of Way Easement A, North 84 degrees 29 minutes 20 seconds East, a distance of 239.352 feet to a point of curvature and thence southeasterly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 85 degrees 57 minutes 50 seconds and an arc length 30.007 feet to its point of tangency with the aforesaid westerly line of North Lexington Avenue;

THENCE along said westerly line of North Lexington Avenue, South 09 degrees 32 minutes 50 seconds East, a distance of 85.745 feet and South 09 degrees 58 minutes 42 seconds East, a distance of 96.440 feet to a point of curvature;

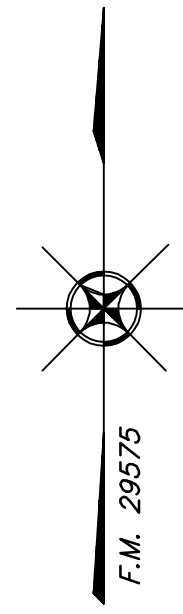
THENCE southwestwesterly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 94 degrees 53 minutes 55 seconds and an arc length of 33.126 feet to its point of tangency with the aforesaid northerly line of Hamilton Avenue, the point and place of **BEGINNING**.

Contains within said bounds 63,740 square feet more or less or 1.4632 acres of land more or less.

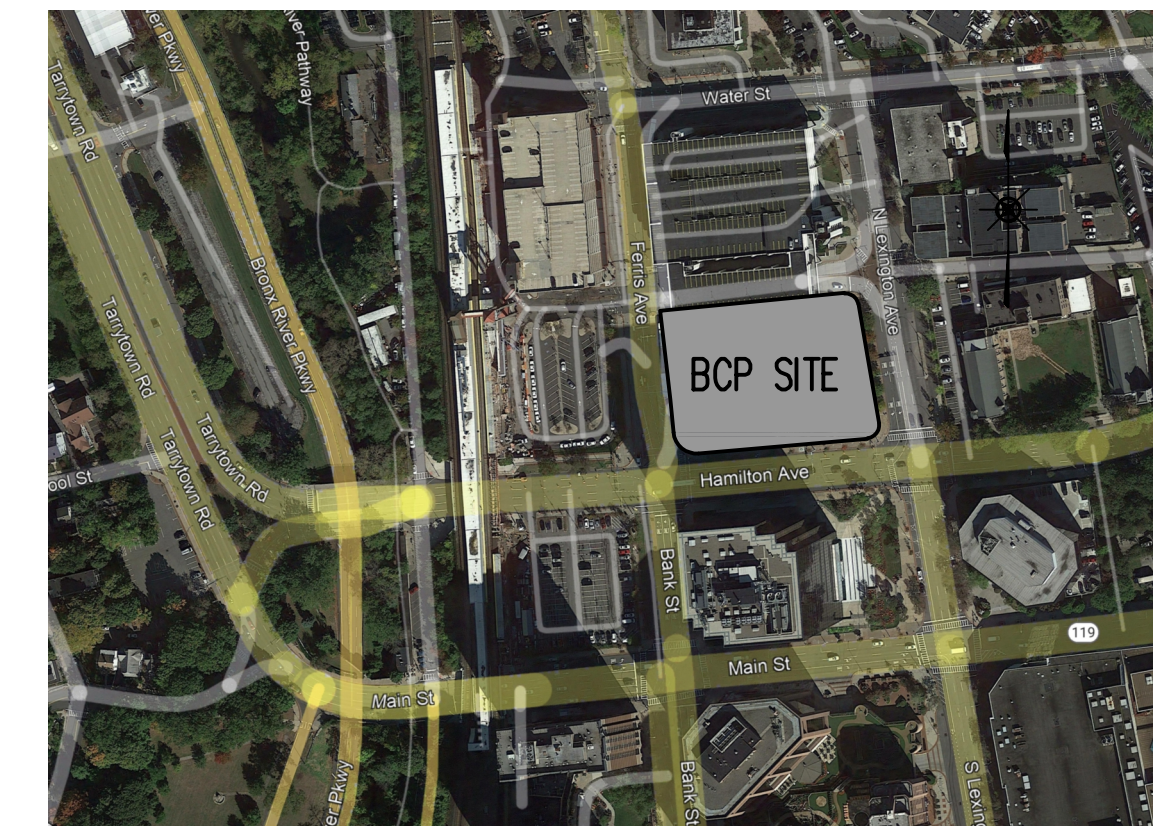
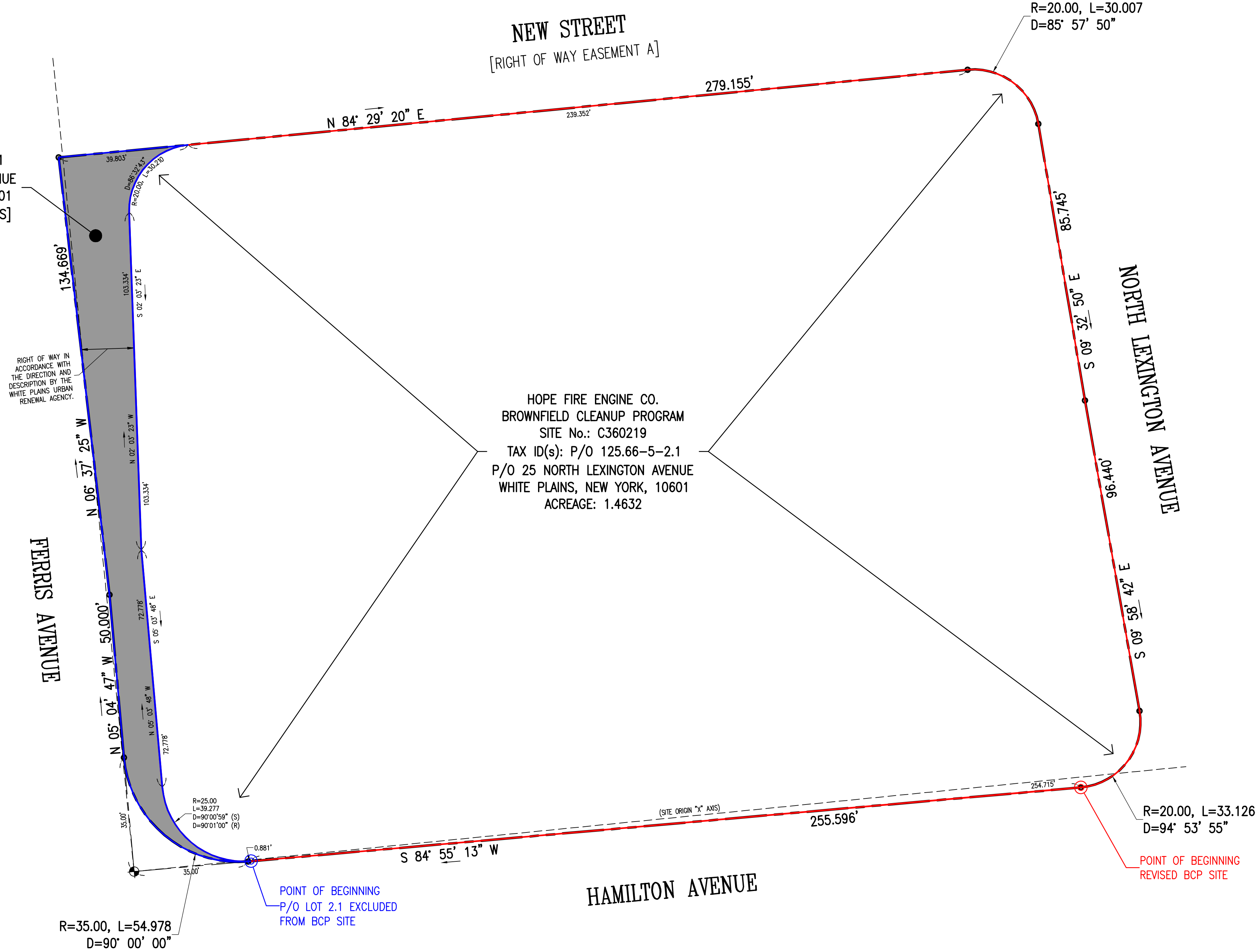
THE PURPOSE OF THIS MAP IS TO INDICATE THE AREA (BOUNDED BY THE METES AND BOUNDS SHOWN ON THIS MAP) INCLUDED FOR A BROWNFIELD SUBMISSION. THE METES AND BOUNDS OF THE BOUNDARY SHOWN IN THIS MAP DOES NOT INDICATED OWNERSHIP FOR WHOM THIS MAP IS PREPARED AND IS UNLAWFUL FOR USE IN TRANSFER OF TITLE.

THE SURVEYOR'S SEAL, SIGNATURE AND ANY CERTIFICATION APPEARING HEREON SIGNIFY THAT, TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR LAND SURVEYS AS SET FORTH IN THE CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



TAX ID(s): P/O 125.66-5-2.1  
P/O 25 NORTH LEXINGTON AVENUE  
WHITE PLAINS, NEW YORK, 10601  
[±2,977 S.F. - ±0.0683 ACRES]



VICINITY MAP  
NOT TO SCALE

P/O LOT 2.1 EXCLUDED FROM BCP SITE  
SECTION: 125.66 BLOCK: 5 LOT: 2.1  
COUNTY OF WESTCHESTER  
CITY AND STATE OF NEW YORK

**RUNNING** from a point on along the northerly line of Hamilton Avenue at the westerly terminus of a curve having a radius of 20.00 feet connecting said northerly line of Hamilton Avenue with the westerly line of North Lexington Avenue as shown on FILED MAP no. 21580;

THENCE along said northerly line of Hamilton Avenue, South 84 degrees 55 minutes 13 seconds West, a distance of 254.715 feet to a point of **BEGINNING**;

THENCE along said northerly line of Hamilton Avenue, South 84 degrees 55 minutes 13 seconds West, a distance of 0.881 feet to a point of curvature;

THENCE northwesterly along the arc of a curve to the right having a radius of 35.00 feet, a central angle of 90 degrees 00 minutes 00 seconds and an arc length of 54.978 feet to its point tangency with the easterly line of Ferris Avenue;

THENCE along said easterly line of Ferris Avenue, North 05 degrees 04 minutes 47 seconds West, a distance of 50.000 feet and North 06 degrees 37 minutes 25 seconds West, a distance of 134.669 feet to its point of intersection with the southerly line of Right of Way Easement A as shown on the aforesaid FILED MAP no. 21580;

THENCE through the aforesaid Delivery Parcel No.2 and along said southerly line of Right of Way Easement A, North 84 degrees 29 minutes 20 seconds East, a distance of 39.803 feet to a point of non-tangent curvature;

THENCE southwestwesterly along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 86 degrees 32 minutes 43 seconds and an arc length 30.210 feet to its point of tangency with the westerly line of the revised BCP (brownfield cleanup program) Site;

THENCE along aforesaid westerly line of BCP Site, South 02 degrees 03 minutes 23 seconds East, a distance of 103.334 feet and South 05 degrees 03 minutes 48 seconds East, a distance of 72.778 feet to a point of curvature;

THENCE southeasterly along the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90 degrees 01 minutes 00 seconds and an arc length of 39.277 feet to its point of tangency with the aforesaid northerly line of Hamilton Avenue, the point and place of **BEGINNING**.

Contains within said bounds 2,977 square feet more or less or 0.0683 acres of land more or less.

**BROWNFIELD CLEANUP PROGRAM**  
PREPARED FOR  
**25 NORTH LEXINGTON AVENUE**  
**GATEWAY II - HOPE FIRE ENGINE CO. SITE No.: C360219**  
P/O TAX ID: 125.66-5-2.1  
BCP SITE AREA: 63,740 S.F. (1.4632 Ac.)  
PROPERTY SITUATE IN THE  
**CITY OF WHITE PLAINS**  
**COUNTY OF WESTCHESTER**  
**STATE OF NEW YORK**

ACREAGE SCHEDULE:

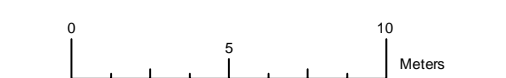
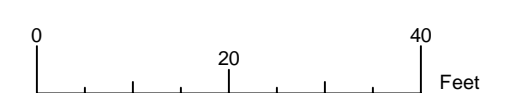
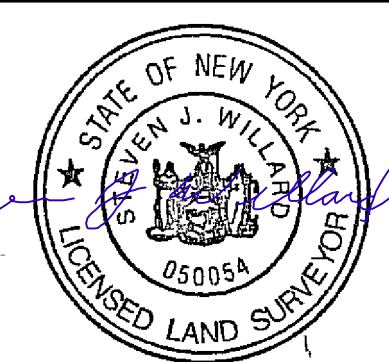
PARCEL	SQ. FT.	ACRES
ORIGINAL BCP SITE (LOT 2.1)	66,716 ±	1.5315 Ac.
REVISED BCP SITE AREA	63,740 ±	1.4632 Ac.
P/O LOT 2.1 EXCLUDED FROM BCP SITE	2,977 ±	0.0683 Ac.

"BCP SITE" LEGEND:

- LOT 2.1 BOUNDARY LINE / ORIGINAL BCP SITE
- REVISED BCP SITE AREA BOUNDARY LIMITS
- P/O LOT 2.1 EXCLUDED FROM BCA SITE

LINE & GRADE SURVEYORS D.P.C.

23 Nepperhan Avenue  
Elmsford, New York 10523  
Phone: (914) 347-3141  
email: office@lineandgrade.net



DATE: AUGUST 19, 2022



**NOTICE OF CERTIFICATE OF COMPLETION**  
**Brownfield Cleanup Program**  
**6 NYCRR Part 375-1.9(d)**

**Hope Fire Engine Co. Site, Site ID No. C360219**  
**25 North Lexington Avenue, White Plains, NY 10601**  
**City of White Plains, Westchester County, Tax Map Identification Number: p/o 125.66-5-2.1**

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to GS White Plains Owner, LLC for a parcel approximately 1.463 acres located at 25 North Lexington Avenue in White Plains, Westchester County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the Remedial Work Plan.

**PLEASE TAKE NOTICE**, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

**PLEASE TAKE NOTICE**, provided that the Certificate is complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

**PLEASE TAKE NOTICE**, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

**PLEASE TAKE NOTICE**, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 Office located at 21 South Putt Corners Road, New Paltz, NY 12561, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C360219/>.

**Hope Fire Engine Co. Site, C360219**  
**25 North Lexington Avenue, White Plains, NY 10601**

**WHEREFORE**, the undersigned has signed this Notice of Certificate

GS White Plains Owner, LLC

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK            ) SS:  
COUNTY OF                    )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
GS White Plains Owner, LLC  
Attn: Ryan Souls  
One Federal Street, Suite 1804  
Boston, MA 02110