March 15, 2019

VIA HAND DELIVERY
Chairman Walter Simon
and Members of the Planning Board
Town of Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607

Re: Subdivision Application – Preliminary Plat Review
570 Taxter Holdings, LLC
Premises: 570 Taxter Road, Greenburgh, New York
Greenburgh Tax Id.: Section: 7.240 Block 104, Lot 8

Dear Chairman Simon and Members of the Planning Board:

On behalf of 570 Taxter Holdings, LLC (the “Applicant”), the owner of the above referenced Premises, we respectfully submit this Application for Preliminary Plat Review for the proposed 2-lot subdivision.

The Premises is a single 4.9-acre lot that is partially located within the Village of Elmsford and situated along the eastern side of Taxter Road. A copy of the deed is included in Exhibit E for your reference. The parcel is classified within the Greenburgh OB Office Building Zoning District and the Elmsford Business Zoning District. The Premises is improved with a 6-story office building and associated parking area that are wholly situated within the Town of Greenburgh. The portion of the lot located within the Village of Elmsford consists of an unimproved vegetated area.

The Proposed Subdivision

The Applicant seeks to subdivide the portion of the Premises situated within the Village of Elmsford and identified on the Elmsford Assessment Roll as 5.10-1-5. This new lot will total approximately 20,300 square feet.¹ The Greenburgh parcel will have a lot area of approximately 194,631 square feet, which is greater than the 80,000 square foot minimum lot area required by Greenburgh Zoning Code Section 285-25(B) for business office buildings located within the OB Zoning District.

No new construction is proposed and therefore, pursuant to Town Code Section 250-27, the Applicant is requesting a waiver of the wetlands/watercourse and steep slopes clearance form submissions.

¹ Pursuant to the Village of Elmsford Zoning Code Sections 335-9 and 335-14 – 335-17, there is no minimum lot area for vacant parcels classified within the Business Zoning District.
Environmental Review

The proposed 2-lot subdivision will not have a significant adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the Applicant is not proposing any construction or improvements to the Premises.

This request for Preliminary Plat Review constitutes an unlisted action under the State Environmental Quality Review Act ("SEQRA"). See 6 NYCRR § 617.2(ak); 617.6 (a)(3); 617.7 (a)(2). For the Planning Board's reference, an Environmental Clearance Form and a Short Environmental Assessment Form ("EAF") have been included in this application and are annexed hereto as Exhibits C & D.

Conclusion

For the reasons set forth above, and as will be further discussed at the public hearing on this matter, the Applicant requests that Preliminary Plat Review commence for the proposed 2-lot subdivision.

In support of this application, enclosed please find six (6) copies of the following materials:

- Exhibit A: Subdivision Application Form;
- Exhibit B: Letter of Authorization;
- Exhibit C: Environmental Clearance Form;
- Exhibit D: Short Environmental Assessment Form; and
- Exhibit E: Copy of Current Deed (Control No. 573623472).

Also enclosed are the six (6) sets of the Preliminary Subdivision Map, prepared by Ward Carpenter Engineers, Inc., dated January 10, 2017 and revised through March 15, 2019.

Further, we enclose three (3) checks made payable to the Town of Greenburgh in the amounts of $850 (representing the subdivision application, environmental clearance form and legal fees); $200 (representing the public hearing notice escrow fee); and $200 (representing the public hearing transcript escrow fee).

The Applicant looks forward to appearing before the Planning Board on its next available agenda. Should the Planning Board or Town Staff have any questions or comments with regard to the foregoing, please do not hesitate to contact me. Thank you for your consideration of this matter.

Very truly yours,

Anthony B. Gioffre III

Enclosures

cc: Hudson Engineering & Consulting, P.C.
    Client
    Kristen Motel, Esq.
EXHIBIT A
TOWN of GREENBURGH  
WESTCHESTER COUNTY, NEW YORK  
DEPARTMENT OF COMMUNITY DEVELOPMENT AND CONSERVATION

SUBDIVISION PLAN APPLICATION FORM

Name of Application: Taxter Road Subdivision

Location of Action: 570 Taxter Road

Name: 670 Taxter Holdings, LLC  
City: Croton Falls  
Telephone: 845-228-6776

Applicant is owner  
City:  
Telephone:

Name or other identification of site (address): 570 Taxter Road

Situated on the Southeast side of Taxter Road (Street) 0 feet from the intersection of W. Main Street, Elmsford, NY (Street)

Volume: Section 7.240  
Sheet 0  
Block(s): 301  
Lot(s): 3  
Total site area (sq. ft): 214,931

1) Zoning District Requirements

Zoning District: OB (Office Building)

<table>
<thead>
<tr>
<th>Description</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (sq. ft)</td>
<td>80,000</td>
<td>194,631</td>
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<tr>
<td>Building Height (ft)</td>
<td>75</td>
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<tr>
<td>Stories</td>
<td>6</td>
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<tr>
<td>Total Gross Floor Area (G.A.R. (sq. ft))</td>
<td>300</td>
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<tr>
<td>Lot Width (ft)</td>
<td>623.2</td>
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<tr>
<td>Yard Setbacks (ft) (Principal building)</td>
<td>150</td>
<td>no change</td>
</tr>
<tr>
<td>Front yard setback</td>
<td></td>
<td>From Rear Lot Line 50</td>
</tr>
<tr>
<td>Rear yard setback</td>
<td></td>
<td>From Principal Building 25</td>
</tr>
<tr>
<td>Length of one side setback</td>
<td>150</td>
<td>472.5</td>
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<tr>
<td>Slope</td>
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<td>586.5</td>
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<tr>
<td>Percent Coverage (Principal Building)</td>
<td>18</td>
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<tr>
<td>Percent Coverage (Accessory Building)</td>
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<tr>
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<td>N/A</td>
</tr>
<tr>
<td>Number of Parking Spaces</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Current</th>
<th>Proposed</th>
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<tbody>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot No. 2 (Elmsford)</td>
<td>Is there an existing house on the lot?</td>
<td>Yes</td>
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<tr>
<td>---------------------</td>
<td>--------------------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>Zoning District: B (Elmsford)</td>
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<td></td>
</tr>
<tr>
<td>Lot Area (sq. ft.)</td>
<td>Permitted</td>
<td>Proposed</td>
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<tr>
<td>N/A</td>
<td>20,300</td>
<td>Feet</td>
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<td>Buildable Lot Area</td>
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<td>N/A</td>
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<td>Total Gross Floor Area (F.A.R.) (sq. ft.)</td>
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<td>N/A</td>
</tr>
<tr>
<td>Lot Width (ft.)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Yard Setbacks (ft.) (Principal building)</td>
<td>Front yard setback</td>
<td>N/A</td>
</tr>
<tr>
<td>Rear yard setback</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Length of one side setback</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Length of second side setback</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Percent Coverages</td>
<td>Principal Building</td>
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</tr>
<tr>
<td>Accessory Building</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Impervious Surface</td>
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<td>N/A</td>
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<tr>
<td>Number of Parking Space</td>
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<td>N/A</td>
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<tr>
<td>Total</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot No. 4</th>
<th>Is there an existing house on the lot?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
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<td>Building Height (ft.)</td>
<td>Feet</td>
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<tr>
<td>Buildable Lot Area</td>
<td>Stories</td>
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<td>Total Gross Floor Area (F.A.R.) (sq. ft.)</td>
<td>Total Height</td>
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</tr>
<tr>
<td>Lot Width (ft.)</td>
<td>Yard Setbacks (ft.) (Accessory Building)</td>
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</tr>
<tr>
<td>Yard Setbacks (ft.) (Principal building)</td>
<td>Front yard setback</td>
<td>From Rear Lot Line</td>
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</tr>
<tr>
<td>Rear yard setback</td>
<td>From Principal Building</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Length of one side setback</td>
<td>Steep Slopes</td>
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<tr>
<td>Length of second side setback</td>
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<td></td>
</tr>
<tr>
<td>Percent Coverages</td>
<td>Principal Building</td>
<td>15-25%</td>
<td></td>
</tr>
<tr>
<td>Accessory Building</td>
<td>25-35%</td>
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<tr>
<td>Total Impervious Surface</td>
<td>35%+</td>
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<td></td>
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<tr>
<td>Number of Parking Space</td>
<td>Wetlands and wetcourse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2) Slope categories of total site: 0%–15% N/A sq. ft. 15%–25% N/A sq. ft. 25%–35% N/A sq. ft. 35%+ N/A sq. ft.
   a) Will construction of homes or facilities involve disturbance to slopes 15% or greater? Yes ☑ No ☐ N/A
   b) What street(s) will have the new curb cuts? N/A
   e) Will a traffic study be undertaken for the proposed project? Yes ☑ No ☐ ☒
4) Will the application need a tree removal permit? Yes ☑ No ☐ ☒
   If yes, what are the number of trees that will be removed from the site?
5) Will the application require a wetlands permit? Yes ☑ No ☐ ☒ Flood hazard permit? Yes ☑ No ☐ ☒
   If the subject property is located within either of the following, please indicate.
   * Critical Environmental Area Yes ☑ No ☐ ☒
   * Conservation District N/A Yes ☐ No ☐ ☒
7) List all public and private recreational facilities within a 1/4 mile radius of the subject property(s). If none exist, identify closest recreational facilities. N/A
8) List variance or other modifications required. (Variances must be verified in writing by the Building Inspector and attached here.)
   Zoning Code Reference Variance sought
   Zoning Code Reference Variance sought
   Zoning Code Reference Variance sought
9) Have you, or to your knowledge, any predecessor of interest in this property, previously applied to the Planning Board or the Zoning Board of Appeals? Yes ☑ No ☐ (Case histories can be obtained from the Department of Community Development & Conservation)
   If yes ☑ case number application for disposition
   ZBA ☑ case number 71-824 application for setback, height, parking dist. disposition Grant
   ZBA ☑ case number 72-82 application for struct. dist from rear line disposition Grant
   ☑ case number application for disposition
10) Is the action located on property within 500 feet of:
    a) The boundary of an adjoining city, town or village Yes ☑ No ☐ ☒
    b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way Yes ☑ No ☐ ☒
    c) An existing or proposed county drainage channel line Yes ☑ No ☐ ☒ N/A
    d) The boundary of state- or county-owned land on which a public building/structure is located Yes ☑ No ☐ ☒ N/A
    e) The boundary of a farm located in an agricultural district. Yes ☑ No ☐ ☒ N/A
11) What is the current assessed value of the property? ☑ Greenburgh = $6,186,400 Elmsford = $40,300
12) Are there existing buildings on the site? Yes ☑ No ☐ ☒ If so, give the date(s) of the Certificate(s) of Occupancy issued for each building. Include case number. N/A
13) Please list all the Civic Association(s) within 500 feet of the property. N/A
14) Please answer the following questions: (if additional space is needed, submit on attached sheet).
   a) Is the owner/applicant a(n):
      ☐ Individual ☐ Partnership ☐ Joint Venture
      ☐ Nominee ☐ Fiduciary ☐ Corporation (LLC)
   b) Please list all owners with a direct or indirect financial or beneficial interest in the property. List the names, addresses, and phone numbers of all owners, partners and limited partners, joint ventures, officers, directors and control persons. (Control is defined as any individual who owns 10% or more of the outstanding shares of the corporation or, notwithstanding the amount of stock owned, is in a position to influence management decisions and make policy on behalf of the corporation).
      N/A
   c) If the owner is a fiduciary, set forth name and address or other evidence of fiduciary, a copy of certificate of fiduciary authority and identify the beneficial owner of the property.
      N/A

NOTE: All of the submission requirements outlined in this application must be approved by the Planning Board prior to the application being accepted in form and content.

By signing this application, the property owner and applicant will indemnify and hold the Town or its representatives harmless against any damage or injury and that the owner and applicant consent to the approval authority’s (including its agents or employees) entry upon lands or waters for the purpose of undertaking any investigations, inspections, examination, survey, or other activity for the purposes of review of this application.

Signature of Applicant 570 Texer Holdings, LLC 3/14/19
Owner is Applicant  
Signature of Owner  
Print Applicant’s Name Date

BUILDABLE AREA: The gross area of the lot less the density deductions for areas classified as steep slopes, very steep slopes, excessively steep slopes, wetlands and watercourses.

STEEP SLOPE AND WETLAND/WATERCOURSE CALCULATIONS - In calculating buildable area, the lot area of a given parcel shall be reduced by the sum of: (a) The area classified as steep slopes multiplied by 20%; (b) The area classified as very steep slopes multiplied by 50%; (c) The area classified as excessively steep slopes multiplied by 75%; and (d) The area classified as wetlands and watercourses multiplied by 75%. (3) Density calculations for multifamily districts. In multifamily districts, the number of dwelling units permitted shall be calculated by dividing the buildable area by the minimum square footage per unit requirement set forth in the multifamily district in which the proposed development is located.

IMPERVIOUS SURFACES, GROSS COVERAGE - The sum of the horizontal area of coverage or footprint of all buildings, structures, paved areas, patios and other improved surfaces on a lot preventing natural runoff to percolate into the soil, measured in square feet. Areas paved with gravel, crushed stone and other materials used to support vehicles shall be considered impervious surfaces for the purposes of this chapter. Swimming pools and tennis courts that are unenclosed shall not be considered impervious surfaces for the purposes of this chapter. [Added 7-8-1987 by L.L. No. 3-1987]

§617.16 CONFIDENTIALITY When a project sponsor submits a completed EAF, draft or final EIS, or otherwise provides information concerning the environmental impacts of a proposed project, the project sponsor may request, consistent with the Freedom of Information Law (FOIL), article 6 of the Public Officers Law that specifically identified information be held confidential. Prior to divulging any such information, the agency must notify the applicant of its determination of whether or not it will hold the information confidential.

Revised 04/06/19
EXHIBIT B
AFFIDAVIT OF OWNERSHIP

State of New York
County of Westchester

Leib Katz being duly sworn, deposes and says that (s)he resides at

7 Cardinal Ct in the Town of Ramapo in the County
of Rockland in the State of New York that (s)he is the duly authorized member of

570 Taxter Holdings, LLC, owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh and the Village of Elmsford

aforesaid and known and designated as the Parcel ID Greenburgh: 7.240-104-8 Elmsford: 5.10-1-5

and that (s)he hereby authorizes Cuddy & Feder LLP to make application in his/her

(it) behalf and that the statement of facts contained in said application is true.

******************************************************

Signature of Owner

Sworn to me before this 15

Day of March 2019

Notary Public

CHERYL LIEBOWITZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01U6102122
Qualified In Rockland County
Commission Expires March 5, 2023
EXHIBIT C
ENVIRONMENTAL CLEARANCE FORM

Name of Application:

Applicant:

Name: 570 Taxter Holding LLC  Street: 1 Alpine Court
City: Chestnut Ridge  State: NY  Zip: 10977
Telephone: 845-425-8776  Fax:

Subject Property:

Name or other identification of site: 570 Taxter Road
Streets which site abuts: Taxter Road and West Main Street
Parcel ID#: 7.24-104-8 Greenburgh: 7.240-104-8 Elmsford: 5.10-1-5  Total site area (sq. ft): 214,931

Proposal Action:

A. State Type I actions – This Type I list is not an exhaustive list of those actions that an agency determines may have a significant effect on the environment and may require the preparation of an EIS. Therefore, the fact that an action or project has not been listed as a Type I action does not carry with it the presumption that it will not have a significant effect on the environment. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. (Please check all items that apply)

1. The following changes in the allowable uses within any zoning district, affecting 25 or more acres of the district:
   (a) Authorizing industrial or commercial uses within a residential or agricultural district; or
   (b) Authorizing residential uses within an agricultural district.

2. The granting of a zoning change at the request of an applicant for an action that meets or exceeds one or more of the thresholds given in other sections of this list.

3. Construction of new residential units which meet or exceed the following thresholds:
   (a) Fifty units not to be connected (at commencement of habitation) to community or publicly owned utilities.
   (b) In a city, town or village having a population of less than 150,000, 250 units to be connected (at the commencement of habitation) to community or publicly owned utilities.

4. Construction of a new or the expansion of existing nonresidential facilities which meet or exceed any of the following thresholds, provided that the expansion and the existing facilities, when combined, meet or exceed any threshold contained in this section:
   (a) A project or action which involves the physical alteration of 10 acres.
   (b) A project or action which would use ground- or surface water in excess of 2,000,000 gallons per day.
   (c) Parking for 1,000 vehicles.
   (d) In a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area.

5. Any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height.

6. Any action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within or contiguous to any facility or site listed on the National Register of Historic Places or any historic building, structure or site or prehistoric site that has been proposed by the Committee on the Register for consideration by the New York State Board on Historic Preservation for a recommendation to the State Historic Officer for nomination for inclusion in said National Register.

7. Any project or action, which exceeds 25% of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space.

8. Any action which exceeds the locally established thresholds or, if no such thresholds are established, any action which takes place wholly or partially within or substantially contiguous to any critical environmental area designated by a local agency pursuant to Section 617.4
B. Local Type I - Activities located in: (Please check all items that apply)

1. Floodplains, as defined in Article 36 of the Environmental Conservation Law.
2. Tarrytown Lakes, watershed area.

C. Unlisted Action. Unlisted actions that do not meet the Type I thresholds, however some actions may still require an EIS. Some examples: non-residential projects physically altering less than 10 acres of land, adoption of regulations, ordinances, local laws and resolutions that may affect the environment 2 lot subdivision.

D. State Type II actions. Action will in no case have a significant effect on the environment based on the criteria contained in Section 617.1 and any additional criteria contained in its procedures adopted pursuant to Section 617.4. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. (Please check all items that apply)

1. The granting of individual setback and lot line variances.
2. Construction or placement of minor structures accessory or appurtenant to existing facilities, including garages, carports, patios, home swimming pools, fences, barns or other buildings not changing land use or density.
3. Street openings for the purpose of repair or maintenance of existing utility facilities.
4. Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures and land use changes consistent with generally accepted principles of farming.
5. Repaving of existing highways not involving the addition of new travel lanes.
6. Installation of traffic control devices on existing streets, roads and highways.
7. Public or private forest management practices other than the removal of trees or the application of herbicides or pesticides.
8. Minor temporary uses of land having negligible or no permanent effect on the environment.
9. Replacement of a facility, in kind, on the same site unless such facility meets any of the thresholds in Section 617.12.

Involving Agencies:

1) Is the action located on property within 500 feet of:
   a) The boundary of an adjoining city, town or village
      - Yes √ No □
      If yes, which municipality? Elmsford
   b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way
      - Yes √ No □
      If yes, who has jurisdiction? Westchester County □ NYSDOT √ NYSOPRHP □
   c) An existing or proposed county drainage channel line
      - Yes □ No √
   d) The boundary of state- or county-owned land on which a public building/institution is located
      - Yes □ No √
   e) The boundary of a farm located in an agricultural district.
      - Yes □ No √
   2) Will a sewer district have to be expanded for the project?
      - Yes □ No √

Relationship to other actions:

1) List any related action that may be undertaken as a result of this proposed action:
   N/A

2) List any actions, which are dependent upon this proposed action, and therefore should be reviewed as a part of this action (e.g., house construction in the case of a residential subdivision):
   N/A

Signature of Applicant: [Signature]
Print Applicant's Name: 570 Taxter Holdings, LLC
Date: 3/14/19

NOTE: The completion of this Environmental Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant form compliance with all other applicable laws, rules and regulations of the Town of Greenburgh.
Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

### Part 1 - Project and Sponsor Information

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<thead>
<tr>
<th>Name of Action or Project:</th>
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<tbody>
<tr>
<td>Proposed 2 - Lot Subdivision</td>
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</table>

<table>
<thead>
<tr>
<th>Project Location (describe, and attach a location map):</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>570 Tawter Road, Greenburgh NY 10523</td>
<td></td>
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</tbody>
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<table>
<thead>
<tr>
<th>Brief Description of Proposed Action:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed 2 - lot subdivision to subdivide the portion of the parcel located in the Village of Elmsford into a separate lot. No new construction is proposed.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 914-909-0420</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hudson Engineering &amp; Consulting</td>
<td>E-Mail: <a href="mailto:michael@hudsonec.com">michael@hudsonec.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>45 Knollwood Road - Suite 201</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/PO:</th>
<th>State:</th>
<th>Zip Code:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elmsford</td>
<td>NY</td>
<td>10523</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.
   NO [ ] YES [ ]

2. Does the proposed action require a permit, approval or funding from any other government Agency?
   If Yes, list agency(s) name and permit or approval:
   NO [ ] YES [ ]

3. a. Total acreage of the site of the proposed action? 4.934 acres
   b. Total acreage to be physically disturbed? 0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.934 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Industrial
   - [☑] Commercial
   - [ ] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other(Specify): Office Building

   - [ ] Parkland

Page 1 of 3
5. Is the proposed action,
   a. A permitted use under the zoning regulations?
      NO YES N/A
      □ √ □
   b. Consistent with the adopted comprehensive plan?
      NO YES N/A
      □ √ □

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?
   NO YES
   □ √

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?
   Name: Hilltops at or > 400 ft. Reason: Preserve open space, Agency: Greenburgh, Town of, Date: 7-10-93
   If Yes, identify: ________________________________
   NO YES
   □ √

8. a. Will the proposed action result in a substantial increase in traffic above present levels?
      NO YES
      √ □
   b. Are public transportation services available at or near the site of the proposed action?
      NO YES
      □ √
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?
      NO YES
      □ √

9. Does the proposed action meet or exceed the state energy code requirements?
   If the proposed action will exceed requirements, describe design features and technologies:
   N/A
   NO YES
   □ √

10. Will the proposed action connect to an existing public/private water supply?
    If No, describe method for providing potable water:
    N/A

11. Will the proposed action connect to existing wastewater utilities?
    If No, describe method for providing wastewater treatment:
    N/A

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?
    NO YES
    √ □
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?
    NO YES
    □ √

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?
    NO YES
    √ □
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?
    NO YES
    √ □

   If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline  [ ] Forest  [ ] Agricultural/grasslands  [ ] Early mid-successional
- [ ] Wetland  [ ] Urban  [ ] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

<table>
<thead>
<tr>
<th>No</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

16. Is the project site located in the 100-year flood plan?

<table>
<thead>
<tr>
<th>No</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

17. Will the proposed action create storm water discharge, either from point or non-point sources?

- If Yes,
  
  a. Will storm water discharges flow to adjacent properties?

<table>
<thead>
<tr>
<th>No</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

  If Yes, briefly describe:

  ____________________________________________________

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

- If Yes, explain the purpose and size of the impoundment:

  ____________________________________________________

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

- If Yes, describe:

  ____________________________________________________

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

- If Yes, describe:

  ____________________________________________________

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Henson Engineering & Consulting P.C. - Michael Stein, P.E.  Date: 3/14/19

Signature:  [Signature]  Title: President
Part 1 / Question 7 [Critical Environmental Area] | Yes
---|---
Part 1 / Question 7 [Critical Environmental Area - Identify] | Name: Hilltops at or > 400 ft, Reason: Preserve open space, Agency: Greenburgh, Town of, Date: 7-10-93
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No
Part 1 / Question 12b [Archeological Sites] | Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | No
Part 1 / Question 15 [Threatened or Endangered Animal] | No
Part 1 / Question 16 [100 Year Flood Plain] | No
Part 1 / Question 20 [Remediation Site] | No
EXHIBIT E
## Westchester County Recording & Endorsement Page

### Submitter Information
- **Name:** Riverside Abstract, LLC
- **Address 1:** 3839 Flatlands Avenue
- **Address 2:** Suite 208
- **City/State/Zip:** Brooklyn NY 11234
- **Phone:** 718-252-4200 ext.231
- **Fax:** 718-252-4226
- **Email:** rec@rsideabstract.com
- **Reference for Submitter:** RANY-27184

### Control Number: 573623472
- **Package ID:** 2017122800184001002
- **Document Details:**
  - **Document Type:** Deed (DED)
  - **Document Page Count:** 3
  - **Total Page Count:** 5

### Parties
- **1st PARTY**
  - HY2 070 TAXTER LLC
  - **2nd PARTY**
    - 570 TAXTER HOLDINGS LLC

### Property
- **Street Address:** 570 TAXTER RD
- **City/Town:** GREENBURGH
- **Tax Designation:** 7.240-104-8

### Cross-References
- 1: RP-5217
- 2: TP-584

### Supporting Documents

#### Recording Fees
- **Statutory Recording Fee:** $40.00
- **Page Fee:** $20.00
- **Cross-Reference Fee:** $0.00
- **Mortgage Affidavit Filing Fee:** $0.00
- **RP-5217 Filing Fee:** $250.00
- **TP-584 Filing Fee:** $5.00
- **Total Recording Fees Paid:** $315.00

#### Transfer Taxes
- **Consideration:** $4,000,000.00
- **Transfer Tax:** $16,000.00
- **Mansion Tax:** $0.00
- **Transfer Tax Number:** 7760

### Mortgage Taxes
- **Document Date:**
- **Mortgage Amount:**
  - Basic: $0.00
  - Westchester: $0.00
  - Additional: $0.00
  - MTA: $0.00
  - Special: $0.00
  - Yonkers: $0.00
- **Total Mortgage Tax:** $0.00

### Record and Return To
- **Pick-up at County Clerk's office**
- **Riverside Abstract, LLC**
  - 3839 Flatlands Ave, Ste 208
- **Brooklyn, NY 11234**
- **Attn:** recording
<table>
<thead>
<tr>
<th>Properties Addendum</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 WHITE PLAINS RD 10529</td>
</tr>
</tbody>
</table>
BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the 26 day of December, 2017,

between,

H'Y2 570 Taxter, LLC
c/o Keystone Property Group
125 E. Elm Street, Suite 400
Conshohocken, PA 19428

party of the first part, and

570 TAXTER HOLDINGS LLC
1 Alpine Court
Chestnut Ridge, NY 10977

party of the second part,

WITNESSETH that the party of the first part, in consideration of One Dollar ($1.00) lawful money of the United States and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See Exhibit A annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

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

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

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises has been encumbered in any way whatsoever, except as aforesaid.

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

PHIL. 6587422v.1
IN WITNESS WHEREOF, the party of the first part has duly caused this Indenture to be executed the day and year first above written.

HY2 570 TAXTER, LLC, a Delaware limited liability company,

By: 
Name: Marc Rash
Title: Secretary

COMMONWEALTH OF PENNSYLVANIA )
COUNTY OF Montgomery ) ss.: 

On the 20th day of November in the year 2017 before me, the undersigned, personally appeared Marc Rash, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Anna Coogan
Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL:
ANNA COOGAN, Notary Public
Montgomery City, Montgomery County
My Commission Expires July 21, 2021

[Signature page to Deed]
EXHIBIT A

Legal Description

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING
PARTLY IN THE VILLAGE OF ELMSFORD, TOWN OF GREENBURGH, COUNTY OF
WESTCHESTER AND STATE OF NEW YORK, BEING MORE PARTICULARLY BOUNDED AND
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY A MONUMENT ON THE SOUTHEASTERLY SIDE OF
TAXTER ROAD, WHERE THE SAME INTERSECTS THE DIVISION LINE BETWEEN THE
VILLAGE OF ELMSFORD AND THE TOWN OF GREENBURGH;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG LAND NOW OR FORMERLY
OF THE PEOPLE OF THE STATE OF NEW YORK, THE FOLLOWING TWO COURSES AND
DISTANCES:

NORTH 68 DEGREES 51' 10" EAST 130.32 FEET; AND
SOUTH 75 DEGREES 11' 50" EAST 139.26 FEET TO A POINT ON THE WESTERLY LINE OF
LAND NOW OR FORMERLY OF EXPRESSWAY MOTEL CORP.;

RUNNING THENCE ALONG SAID LAND NOW OR FORMERLY OF EXPRESSWAY MOTEL
CORP.,
THE FOLLOWING TWO COURSES AND DISTANCES:

SOUTH 27 DEGREES 29' 20" WEST 316.62 FEET; AND
SOUTH 61 DEGREES 58' 00" EAST 74.66 FEET TO A MONUMENT SET IN LAND NOW OR
FORMERLY OF TARRYGREEN DEVELOPMENT CORP.;

RUNNING THENCE ALONG SAID LAND NOW OR FORMERLY OF TARRYGREEN
DEVELOPMENT CORP., THE FOLLOWING THREE COURSES AND DISTANCES:

SOUTH 29 DEGREES 57' 21" WEST 453.97 FEET TO A POINT OF CURVE;

ON A CURVE TO THE RIGHT HAVING A CHORD BEARING GENERALLY IN A WESTERLY
DIRECTION, A RADIUS OF 55 FEET, AN ARC LENGTH OF 85.90 FEET AND A CENTRAL
ANGLE OF 89 DEGREES 28' 50"; AND

NORTH 60 DEGREES 33' 49" WEST 251.01 FEET TO A POINT ON THE SOUTHEASTERLY SIDE
OF SAID TAXTER ROAD;

RUNNING THENCE ALONG SAID SOUTHEASTERLY SIDE OF TAXTER ROAD, THE
FOLLOWING
TWO COURSES AND DISTANCES:

NORTH 43 DEGREES 51' 21" EAST 4.16 FEET; AND
NORTH 29 DEGREES 57' 21" EAST 683.20 FEET TO THE POINT AND PLACE OF BEGINNING.

[Exhibit A to Deed]