



February 8, 2016

Dear Westwood Neighbor.

As part of our ongoing communications with you, I wanted to let you know that Mensch Capital Partners, LLC, has submitted a draft sampling report to the New York State Department of Environmental Conservation (NYSDEC), providing updated soil sampling test results pursuant to the Brownfield Cleanup Agreement (BCA) entered into between Mensch and NYSDEC for the remediation of environmental contamination identified at the former Westwood Country Club site.

Soil testing commissioned in the fall of 2014 by Mensch, at the request of the Erie County Department of Health, uncovered levels of arsenic that exceed NYSDEC's Soil Cleanup Objectives for residential, commercial or industrial uses.

The updated soil test results recently submitted to NYSDEC confirmed the presence of arsenic and found a number of additional metals not previously detected in the initial testing, including cadmium, chromium, copper, mercury, lead and zinc. The test screen for this latest round of soil sampling was approved by NYSDEC as part of the Remedial Investigation Work Plan for the Westwood Site.

Testing was conducted by C&S Companies of Buffalo, an engineering, architecture, planning, environmental and construction services firm.

"The presence of these metals appears consistent with the historic use of pesticides, fungicides and possibly herbicides that were regularly applied by the former country club and in keeping with then generally accepted golf course industry maintenance protocols," said Daniel Riker, Managing Geologist for C&S.

Based upon our interpretation of the published regulations, the levels of arsenic, cadmium, chromium and mercury identified during this latest soil sampling event each exceed published NYSDEC Soil Cleanup Objectives, which demonstrates that the site is unsuitable for either residential or recreational uses, including both active or passive recreation uses.

These new soil test results further underscore the importance of developing and implementing a cleanup and remediation plan in cooperation with NYSDEC that meets or exceeds its stringent standards for residential and/or recreational uses of the site. Mensch will continue to work cooperatively with NYSDEC under the BCA towards fulfilling this important objective.

There is no question that implementing such a remediation plan will be costly. Our decision to apply for the BCP and subsequently entering into a BCA with NYSDEC was motivated by our desire to ensure that the remediation of the Westwood Site is both technically and economically feasible and that the remediation of the site is completed to the satisfaction and standards of the appropriate state regulator.

To be clear, the redevelopment of the site is the only viable catalyst that enables a successful remediation of the site, resulting in a "clean" site, as meeting rigorous regulatory standards for residential and/or recreational uses. In our opinion, the successful remediation of the site will definitively mitigate the current environmental issues and enhance the value of all nearby properties.

The draft sampling report submitted to NYSDEC provides a summary of the results of the updated soil sampling testing and conclusions where appropriate. A final report will be prepared based on comments from the NYSDEC, if any, and submitted to NYSDEC for final review and approval. This draft sampling report is only the first phase of the remedial investigation process that will lead to the preparation of a remedial plan for the eventual remediation of the site.

In the interest of full public disclosure and transparency, Mensch made public its submittal of the draft sampling report, known as Hole #6 Pilot Study Report, to NYSDEC. A copy of the draft report is posted on the Westwood Amherst website: <http://www.westwoodamherst.com/overview/related-documents>. We have also notified the Amherst Town Board, which is the designated Lead Agency for the coordinated environmental review of the Westwood Project pursuant to SEQRA, of the submittal of the draft report to the NYSDEC.

Sincerely,



Andrew J. Shaevel  
Managing Partner