



Department of  
Environmental  
Conservation

## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

### PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

#### 1. Check the appropriate box(es) below based on the nature of the amendment modification requested:

☐ Amendment to modify the existing BCA: [check one or more boxes below]

- ☐ Add applicant(s)
- ☐ Substitute applicant(s)
- ☐ Remove applicant(s)
- ☐ Change in Name of applicant(s)

☐ Amendment to reflect a transfer of title to all or part of the brownfield site

1a. A copy of the recorded deed must be provided. Is this attached? ☐ Yes ☐ No

1b. ☐ Change in ownership ☐ Additional owner (such as a beneficial owner)

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

☐ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

☒ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

☒ Other (explain in detail below)

#### 2. Required: Please provide a brief narrative on the nature of the amendment:

This BCA Amendment Application is being submitted to reduce the boundary of the BCP Site by an additional 0.0081 acres as shown on Exhibit A. The site is being reduced again because the area near the one story garage is being sloped. The site was already reduced by 0.0364 in the first BCA Amendment. The total site reduction including the first and second reduction is 0.0445 acres. See revised BCP Site Boundary in Exhibit B.

In addition, the address of the site has been changed by the NYC Department of Buildings to be 586 Gerard Avenue as opposed to the current address of 580 Gerard Avenue.

**\*Please refer to the attached instructions for guidance on filling out this application\***

**\*Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment involves more than an insignificant change in acreage, applicants are encouraged to consult with the DEC project team prior to submitting this application.\***

<b>Section I. Current Agreement Information</b>		
BCP SITE NAME: 580 Gerard Former Post Office Vehicle Rep BCP SITE NUMBER: C203142		
NAME OF CURRENT APPLICANT(S): SB Gerard Avenue LLC		
INDEX NUMBER OF AGREEMENT: C203142-12-20 DATE OF ORIGINAL AGREEMENT: 1/8/2020		
<b>Section II. New Requestor Information</b> (complete only if adding new requestor or name has changed)		
NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
1. Is the requestor authorized to conduct business in New York State (NYS)? <input type="checkbox"/> Yes <input type="checkbox"/> No  • 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 above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.		
NAME OF NEW REQUESTOR'S REPRESENTATIVE		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
2. Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3. Describe Requestor's Relationship to Existing Applicant:		

**Section III. Current Property Owner/Operator Information (only include if new owner/operator)**  
**Owner below is:** ☐ Existing Applicant ☐ New Applicant ☐ Non-Applicant

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

**Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)**

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☐ No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? ☐ Yes ☐ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? ☐ Yes ☐ No  
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☐ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. ☐ Yes ☐ No
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? ☐ Yes ☐ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves 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? ☐ Yes ☐ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? ☐ Yes ☐ No
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? ☐ Yes ☐ No
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? ☐ Yes ☐ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☐ No

THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination 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 contamination.

☐ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, 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; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

12. Requestor's Relationship to Property (check one):

☐ Prior Owner ☐ Current Owner ☐ Potential /Future Purchaser ☐ Other \_\_\_\_\_

13. If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** 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 easement on the site Is this proof attached? ☐ Yes ☐ No

**Note: a purchase contract does not suffice as proof of access.**

**Section V. Property description and description of changes/additions/reductions (if applicable)**

1. Property information on current agreement:

ADDRESS 580 Gerard Avenue

CITY/TOWN Bronx, New York

ZIP CODE 10451

TAX BLOCK AND LOT (SBL)

TOTAL ACREAGE OF CURRENT SITE: 0.6998

Parcel Address	Section No.	Block No.	Lot No.	Acreage
Portion of 580 Gerard Avenue	Bronx	2353	1	0.6998

2. Check appropriate boxes below:

☐ Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

2a. PARCELS ADDED:

Parcel Address	Section No.	Block No.	Lot No.	Acreage Added by Parcel

Total acreage to be added: \_\_\_\_\_

☒ Reduction of property

2b. PARCELS REMOVED:

Parcel Address	Section No.	Block No.	Lot No.	Acreage Removed by Parcel
Portion of 586 Gerard Avenue	Bronx	2353	1	0.0081
Second Reduction of 0.0081 Acres.				

Total acreage to be removed: 0.0081

☐ Change to SBL (e.g. merge, subdivision, address change)

2c. NEW SBL INFORMATION:

Parcel Address	Section No.	Block No.	Lot No.	Acreage

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

**3. TOTAL REVISED SITE ACREAGE:** 0.6917

# Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see <a href="#">DEC's website</a> for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>From ECL 27-1405(31):</b>  "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.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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' households 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 home owners 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.	

## PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: 580 Gerard Former Post Office Vehicle Repair S	BCP SITE NUMBER: C203142
NAME OF CURRENT APPLICANT(S): SB Gerard Avenue LLC	
INDEX NUMBER OF AGREEMENT: C203142-12-20	
EFFECTIVE DATE OF ORIGINAL AGREEMENT: 1/8/2020	

### Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

### Statement of Certification and Signatures: New Requestor(s) (if applicable)

(Individual)

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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

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

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am (title \_\_\_\_\_) of (entity \_\_\_\_\_); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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.

\_\_\_\_\_ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

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

Print Name: \_\_\_\_\_

**Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)**

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

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

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am Member (title) of SB Gerard Avenue LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Sharone Karten signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 8/16/2022 Signature: 

Print Name: Sharone Karten

**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Please see the following page for submittal instructions.

**NOTE: Applications submitted in fillable format will be rejected.**

Status of Agreement:

☐

**PARTICIPANT**

A requestor who either 1) was the owner of the site at the time of the disposal of contamination 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 contamination.

☒

**VOLUNTEER**

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.

**Effective Date of the Original Agreement: 1/8/2020**

**Signature by the Department:**

DATED: 12/15/2022

NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

By: Andrew Guglielmi

~~Susan Edwards, P.E., Acting Director~~ Andrew Guglielmi  
Division of Environmental Remediation

**SUBMITTAL REQUIREMENTS:**

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in final, non-fillable Portable Document Format (PDF) must be sent to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7020

- **NOTE: Applications submitted in fillable format will be rejected.**

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**FOR DEPARTMENT USE ONLY**

**BCP SITE T&A CODE:**\_\_\_\_\_ **LEAD OFFICE:**\_\_\_\_\_

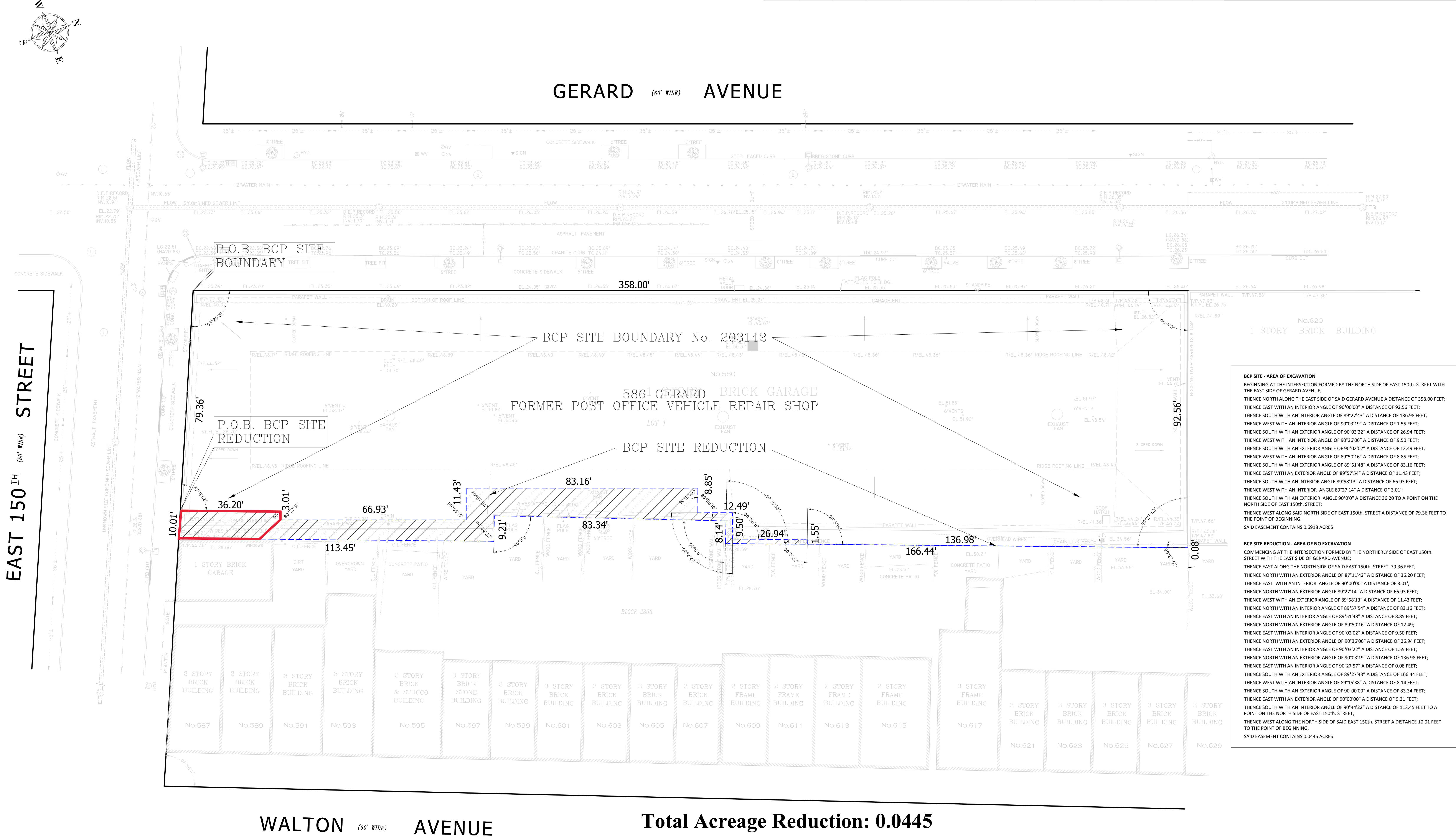
**PROJECT MANAGER:**\_\_\_\_\_

# **EXHIBIT A**

	TREE PIT		HYDRANT		UTILITY POLE		TRAFFIC SIGN		WATER VALVE		CATCH BASIN		LIGHT POST		WATER MANHOLE		TELEPHONE MANHOLE		EL ELEVATION		BC-EL ON BOTTOM OF CURB		LG-LEGAL GRADE		CD-CELLAR DOOR		ENT-ENTRANCE		CL CLEAR		N.T.S. NOT TO SCALE
	ELECTRIC BOX		ELECTRIC VALVE		PARKING METER		ELECTRIC MANHOLE		SEWER MANHOLE		TC-EL ON TOP OF CURB		CL-EL ON CENTER OF ROAD		LA LOW AREA		FE-FIRE ESCAPE		RT-RIGHT ON LINE												

	LEGEND
--	--------

ADDRESS:  
586 GERARD AVENUE  
BRONX, N.Y.



**BCP SITE - AREA OF EXCAVATION**  
BEGINNING AT THE INTERSECTION FORMED BY THE NORTH SIDE OF EAST 150th STREET WITH THE EAST SIDE OF GERARD AVENUE;  
THENCE NORTH ALONG THE EAST SIDE OF SAID GERARD AVENUE A DISTANCE OF 358.00 FEET;  
THENCE EAST WITH AN INTERIOR ANGLE OF 90°00'00" A DISTANCE OF 92.56 FEET;  
THENCE SOUTH WITH AN INTERIOR ANGLE OF 89°27'43" A DISTANCE OF 136.98 FEET;  
THENCE WEST WITH AN INTERIOR ANGLE OF 90°03'19" A DISTANCE OF 1.55 FEET;  
THENCE SOUTH WITH AN INTERIOR ANGLE OF 90°03'22" A DISTANCE OF 26.94 FEET;  
THENCE WEST WITH AN INTERIOR ANGLE OF 90°36'06" A DISTANCE OF 9.50 FEET;  
THENCE SOUTH WITH AN INTERIOR ANGLE OF 89°50'16" A DISTANCE OF 8.85 FEET;  
THENCE WEST WITH AN INTERIOR ANGLE OF 89°51'48" A DISTANCE OF 8.14 FEET;  
THENCE EAST WITH AN EXTERIOR ANGLE OF 89°57'54" A DISTANCE OF 11.43 FEET;  
THENCE SOUTH WITH AN INTERIOR ANGLE 89°58'13" A DISTANCE OF 66.93 FEET;  
THENCE WEST WITH AN INTERIOR ANGLE 89°27'14" A DISTANCE OF 3.01 FEET;  
THENCE SOUTH WITH AN EXTERIOR ANGLE 90°00'00" A DISTANCE 36.20 TO A POINT ON THE NORTH SIDE OF EAST 150th STREET;  
THENCE WEST ALONG SAID NORTH SIDE OF EAST 150th STREET A DISTANCE OF 79.36 FEET TO THE POINT OF BEGINNING.  
SAID EASEMENT CONTAINS 0.6918 ACRES

**BCP SITE REDUCTION - AREA OF NO EXCAVATION**  
COMMENCING AT THE INTERSECTION FORMED BY THE NORTHERLY SIDE OF EAST 150th STREET WITH THE EAST SIDE OF GERARD AVENUE;  
THENCE EAST ALONG THE NORTH SIDE OF SAID EAST 150th STREET, 79.36 FEET;  
THENCE NORTH WITH AN EXTERIOR ANGLE OF 87°11'42" A DISTANCE OF 36.20 FEET;  
THENCE EAST WITH AN INTERIOR ANGLE OF 90°00'00" A DISTANCE OF 3.01 FEET;  
THENCE NORTH WITH AN EXTERIOR ANGLE 89°27'14" A DISTANCE OF 66.93 FEET;  
THENCE NORTH WITH AN INTERIOR ANGLE OF 89°58'13" A DISTANCE OF 11.43 FEET;  
THENCE EAST WITH AN INTERIOR ANGLE OF 89°51'48" A DISTANCE OF 8.85 FEET;  
THENCE NORTH WITH AN EXTERIOR ANGLE OF 89°50'16" A DISTANCE OF 12.49 FEET;  
THENCE EAST WITH AN INTERIOR ANGLE OF 90°02'02" A DISTANCE OF 9.50 FEET;  
THENCE NORTH WITH AN EXTERIOR ANGLE OF 90°03'22" A DISTANCE OF 1.55 FEET;  
THENCE NORTH WITH AN EXTERIOR ANGLE OF 90°03'19" A DISTANCE OF 136.98 FEET;  
THENCE SOUTH WITH AN INTERIOR ANGLE OF 90°27'57" A DISTANCE OF 0.08 FEET;  
THENCE SOUTH WITH AN EXTERIOR ANGLE OF 89°27'43" A DISTANCE OF 166.44 FEET;  
THENCE WEST WITH AN INTERIOR ANGLE OF 89°15'38" A DISTANCE OF 8.14 FEET;  
THENCE SOUTH WITH AN EXTERIOR ANGLE OF 90°00'00" A DISTANCE OF 83.34 FEET;  
THENCE SOUTH WITH AN INTERIOR ANGLE OF 90°44'22" A DISTANCE OF 9.21 FEET;  
THENCE WEST ALONG THE NORTH SIDE OF SAID EAST 150th STREET A DISTANCE 10.01 FEET TO THE POINT OF BEGINNING.  
SAID EASEMENT CONTAINS 0.0445 ACRES

--- First Reduction of BCP Site of 0.0364 Acres  
— Second Reduction of BCP Site of 0.0081 Acres

Total Acreage Reduction: 0.0445  
Site Acreage: 0.6917

DATE	DESCRIPTION	NOTES: Unauthorized alterations or additions to this survey is a violation of section 7209 of the New York State Education Law. Copies of this survey map not bearing the land surveyor's inked seal or embossed seal shall not be considered to be a valid true copy. Guarantees or certifications indicated hereon shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Guarantees or certification are not transferable to additional institutions or subsequent owners.	SCALE: 1"= 15'
SEPT. 29, 2021	SOE EASEMENT		
AUGUST 1, 2022	SOE EASEMENT UPDATED		
BLOCK	LOT	SECTION	COUNTY
2353	1		BRONX
DWG BY	A.G.	CHKD BY	J.A.

**MERIDIAN**  
LAYOUT INC.

3280 SUNRISE HWY, SUITE 341  
WANTAGH, NY 11793

TEL 516-787-3299

# **EXHIBIT B**

## WRITTEN CONSENT

The undersigned, being a Member of SB Gerard Avenue LLC, does hereby certify as follows:

1. SB Gerard Avenue LLC is a volunteer for the 580 Gerard Former Post Office Vehicle Repair Shop Site BCP Site No. 203142 located at the 580 Gerard Avenue, Bronx, New York 10451 (Tax Parcel Identification No. Block 2353 Lot 1 (the "Site"));

2. The following person, Sharone Karten, a member of SB Gerard Avenue LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer SB Gerard Avenue LLC.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 15th day of October 2021.



---

SB Gerard Avenue LLC

Matthew Grodin

Member



1400 Crossroads Building  
2 State Street  
Rochester, New York 14614  
nyenvlaw.com

**LINDA R. SHAW**  
ATTORNEY AT LAW

T 585.546.8430  
C 585.414.3122  
lshaw@nyenvlaw.com

August 18, 2022

**VIA FEDEX AND ELECTRONIC MAIL**

Kelly A. Lewandowski, P.E.  
Chief Site Control Section  
New York State Division of Environmental Conservation  
Site Control Section  
625 Broadway, 11th Floor  
Albany, NY 12233

**RE: 580 Gerard Former Post Office Vehicle Repair Shop Site  
BCP Site #C203142  
BCA Amendment – BCP Site Boundary Reduction**

Dear Ms. Lewandowski,

Enclosed please find a Change of Use/ BCA Amendment Application being submitted for the above-referenced BCP Site to further reduce the Site by 0.0081 Acres. The Site is being reduced again because the area near the one-story garage is being sloped. The Site was already reduced by 0.0364 in the first BCA Amendment. The total Site reduction including the first and second reduction is 0.0445 Acres, and the Site is now 0.6917 Acres.

In addition, the address of the site has been changed by the NYC Department of Buildings to be 586 Gerard Avenue as opposed to the current address of 580 Gerard Avenue.

Please let me know if you have any questions. Thank you.

Sincerely,

**KNAUF SHAW LLP**

A handwritten signature in black ink, appearing to read "Linda R. Shaw", is written over the printed name.

LINDA R. SHAW

LRS/rrs  
Enclosure

**60-Day Advance Notification of Site Change of Use, Transfer of  
Certificate of Completion, and/or Ownership**

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation, 625 Broadway  
Albany NY 12233-7020

**I. Site Name:** 580 Gerard Former Post Office Vehicle Repair Shop **DEC Site ID No.** C203142

**II. Contact Information of Person Submitting Notification:**

Name: Linda R. Shaw, Esq., Knauf Shaw LLP  
Address1: 1400 Crossroads Building, 2 State Street  
Address2: Rochester, New York 14614  
Phone: (585) 546-8430 E-mail: lshaw@nyenvlaw.com

**III. Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☐ Change in Ownership or Change in Remedial Party(ies)  
☐ Transfer of Certificate of Completion (CoC)  
☒ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): 8/17/2022

**IV. Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

This BCA Amendment Application is being submitted to reduce the boundary of the BCP Site by an additional 0.0081 acres. The site is being reduced again because the area near the one story garage is being sloped. The site was already reduced by 0.0364 in the first BCA Amendment. The total site reduction including the first and second reduction is 0.0445 acres.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

In addition, the address of the site has been changed by the NYC Department of Buildings to be 586 Gerard Avenue as opposed to the current address of 580 Gerard Avenue.