BROWNFIELD CLEANUP PROGRAM (BCP)
APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

- [ ] Yes
- [x] No

If yes, provide existing site number: __________________

**PART A (note: application is separated into Parts A and B for DEC review purposes)**

**BCP App Rev 11**

<table>
<thead>
<tr>
<th>Section I. Requestor Information - See Instructions for Further Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME</strong> 1941-1959 JEROME AVENUE LLC</td>
</tr>
<tr>
<td><strong>ADDRESS</strong> 450 West 14th Street, 8th Floor</td>
</tr>
<tr>
<td><strong>CITY/TOWN</strong> New York</td>
</tr>
<tr>
<td><strong>ZIP CODE</strong> 10014</td>
</tr>
<tr>
<td><strong>PHONE</strong> 212.620.0500</td>
</tr>
<tr>
<td><strong>FAX</strong> N/A</td>
</tr>
<tr>
<td><strong>E-MAIL</strong> <a href="mailto:jlester@bolivar.nyc">jlester@bolivar.nyc</a></td>
</tr>
</tbody>
</table>

- **Is the requestor authorized to conduct business in New York State (NYS)?**
  - [x] Yes
  - [ ] 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 Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. Please note: If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.**

- **Do all individuals that will be certifying documents meet the requirements detailed below?**
  - [x] Yes
  - [ ] No

  - **Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Documents that are not properly certified will be not approved under the BCP.**

**Section II. Project Description**

1. **What stage is the project starting at?**
   - [x] Investigation
   - [ ] Remediation

   **NOTE:** If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. **If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):**
   - [ ] Yes
   - [x] No
   - Not Applicable as project will be starting at the investigation stage

3. **Please attach a short description of the overall development project, including:**
   - the date that the remedial program is to start; and
   - the date the Certificate of Completion is anticipated.
BROWNFIELD CLEANUP PROGRAM (BCP)
APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

- Yes [ ]
- No [ ]

If yes, provide existing site number: __________________________

**PART A (note: application is separated into Parts A and B for DEC review purposes)**  **BCP App Rev 11**

| Section I. Requestor Information - See Instructions for Further Guidance |
|---|---|
| **NAME** | Bolivar Development LLC |
| **ADDRESS** | 450 West 14th Street, 8th Floor |
| **CITY/TOWN** | New York |
| **ZIP CODE** | 10014 |
| **PHONE** | 212.620.0500 |
| **FAX** | N/A |
| **E-MAIL** | jlester@bolivar.nyc |

**Is the requestor authorized to conduct business in New York State (NYS)?**

- Yes [ ]
- 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 Corporation & Business Entity Database](http://www.dos.nys.gov/corpindex/). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

**Do all individuals that will be certifying documents meet the requirements detailed below?**

- Yes [ ]
- No [ ]

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](http://www.dec.ny.gov/publications/64072.html) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

**Section II. Project Description**

1. **What stage is the project starting at?**

   - Investigation [ ]
   - Remediation [ ]

   **NOTE:** If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. **If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):**

   - Yes [ ]
   - No [ ]

   Not Applicable as project will be starting at the investigation stage

3. **Please attach a short description of the overall development project, including:**

   - the date that the remedial program is to start; and
   - the date the Certificate of Completion is anticipated.
Section III. Property’s Environmental History

All applications must include an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. To the extent that existing information/studies/reports are available to the requestor, please attach the following (please submit the information requested in this section in electronic format only):

1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

<table>
<thead>
<tr>
<th>Contaminant Category</th>
<th>Soil</th>
<th>Groundwater</th>
<th>Soil Gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petroleum</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Chlorinated Solvents</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Other VOCs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SVOCs</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Metals</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Pesticides</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>PCBs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other*</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

*Please describe: Per- and polyfluoroalkyl substances (PFAS)

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

These drawings are to be representative of all data being relied upon to make the case that the site is in need of remediation under the BCP. Drawings should not be bigger than 11” x 17”. These drawings should be prepared in accordance with any guidance provided.

Are the required maps included with the application?*  [ ] Yes  [ ] No

*Answering No will result in an incomplete application

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- [ ] Coal Gas Manufacturing  [ ] Manufacturing  [ ] Agricultural Co-op  [ ] Dry Cleaner
- [ ] Salvage Yard  [ ] Bulk Plant  [ ] Pipeline  [ ] Service Station
- [ ] Landfill  [ ] Tannery  [ ] Electroplating  [ ] Unknown

Other: Automobile repair services and parking uses
### Section IV. Property Information - See Instructions for Further Guidance

**PROPOSED SITE NAME** Jerome Heights  
**ADDRESS/LOCATION**  1941 and 1959 Jerome Avenue  
**CITY/TOWN** Bronx, New York  
**ZIP CODE** 10453  
**MUNICIPALITY (IF MORE THAN ONE, LIST ALL):** New York City

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>The Bronx</th>
<th>SITE SIZE (ACRES)</th>
<th>0.78</th>
</tr>
</thead>
<tbody>
<tr>
<td>LATITUDE</td>
<td>40° 51' 4.5N&quot;</td>
<td>LONGITUDE</td>
<td>73° 54' 36.5W&quot;</td>
</tr>
</tbody>
</table>

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting “P/O” in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

<table>
<thead>
<tr>
<th>Parcel Address</th>
<th>Section No.</th>
<th>Block No.</th>
<th>Lot No.</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1941 Jerome Avenue, Bronx, NY</td>
<td>2862</td>
<td>97</td>
<td></td>
<td>0.35</td>
</tr>
<tr>
<td>1959 Jerome Avenue, Bronx, NY</td>
<td>2862</td>
<td>90</td>
<td></td>
<td>0.43</td>
</tr>
</tbody>
</table>

1. Do the proposed site boundaries correspond to tax map metes and bounds?  
   ✔ Yes  ☐ No

2. Is the required property map attached to the application?  
   ✔ Yes  ☐ No

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?  
   (See DEC’s website for more information)  
   ✔ Yes  ☐ No

   If yes, identify census tract: Bronx Census Tract 217

Percentage of property in En-zone (check one):  
☐ 0-49%  ☐ 50-99%  ✔ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)?  
   ✔ Yes  ☐ No

   If yes, identify name of properties (and site numbers if available) in related BCP applications: ___________________________

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?  
   ✔ Yes  ☐ No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law?  
   Yes  ✔ No

   If yes, attach relevant supporting documentation.

7. Are there any lands under water?  
   ✔ Yes  ☐ No

   If yes, these lands should be clearly delineated on the site map.
### Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
   If yes, identify here and attach appropriate information.  
   □ Yes ☑ No
   
   **Easement/Right-of-way Holder**  
   None
   
   **Description**

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)
   
   **Type**  
   None  
   
   **Issuing Agency**  
   None  
   
   **Description**

10. Property Description and Environmental Assessment – please refer to application instructions for the proper format of each narrative requested.
    
   Are the Property Description and Environmental Assessment narratives included in the prescribed format?  
   ☑ Yes □ No
    
   **Note:** Questions 11 through 13 only pertain to sites located within the five counties comprising New York City.

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits?  
    If yes, requestor must answer questions on the supplement at the end of this form.  
    ☑ Yes □ No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?  
    □ Yes ☑ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?  
    □ Yes ☑ No

**NOTE:** If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

**Initials of each Requestor:**

[Signature]

4
### Section V. Additional Requestor Information

See Instructions for Further Guidance

<table>
<thead>
<tr>
<th>BCP SITE NAME:</th>
<th>BCP SITE #:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NAME OF REQUESTOR’S AUTHORIZED REPRESENTATIVE:** Peter Fine (on behalf of both requestors)

**ADDRESS:**

- 450 West 14th Street, 8th Floor
- 440 Park Avenue South, 7th Floor

**CITY/TOWN:** New York, New York

- New York, New York

**PHONE:** 212.620.0500

**FAX:** N/A

**E-MAIL:** jlester@bolivar.nyc

**NAME OF REQUESTOR’S CONSULTANT:** Deborah Shapiro, QEP, AKRF

**ADDRESS:**

- 350 Fifth Ave, Suite 4640

**CITY/TOWN:** New York, New York

- New York, New York

**PHONE:** 646.388.9544

**FAX:** N/A

**E-MAIL:** dshapiro@akrf.com

**NAME OF REQUESTOR’S ATTORNEY:** Brown Duke & Fogel, P.C., George Duke, Esq.

**ADDRESS:**

- 350 Fifth Ave, Suite 4640

**CITY/TOWN:** New York, New York

- New York, New York

**PHONE:** 646.915.0236

**FAX:** N/A

**E-MAIL:** gduke@bdflegal.com

### Section VI. Current Property Owner/Operator Information – if not a Requestor

**CURRENT OWNER’S NAME:**

**OWNERSHIP START DATE:**

**ADDRESS:**

**CITY/TOWN:**

**ZIP CODE:**

**PHONE:**

**FAX:**

**E-MAIL:**

**CURRENT OPERATOR’S NAME:**

**ADDRESS:**

**CITY/TOWN:**

**ZIP CODE:**

**PHONE:**

**FAX:**

**E-MAIL:**

Provide a list of previous property owners and operators with names, last known addresses and telephone numbers as an attachment. Describe requestor’s relationship, to each previous owner and operator, including any relationship between requestor’s corporate members and previous owner and operator. If no relationship, put “none”.

If requestor is not the current owner, describe requestor’s relationship to the current owner, including any relationship between requestor’s corporate members and the current owner.

### Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

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 subject to an existing order for the investigation, removal or remediation of contamination at the site?  
   - Yes  
   - No

3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.  
   - Yes  
   - No
### Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, 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, DEC 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 DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC?  
   □ 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 REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:**

□ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☑ 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.
**Section VII. Requestor Eligibility Information (continued)**

<table>
<thead>
<tr>
<th>Requestor Relationship to Property (check one):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Owner</td>
</tr>
</tbody>
</table>

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  

First requestor is the current owner who has signed an access agreement with the second requestor (Bolivar Development LLC).  

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

**Section VIII. Property Eligibility Information - See Instructions for Further Guidance**

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
   If yes, please provide relevant information as an attachment.  

- [ ] Yes  
- [ ] No

2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  
   If yes, please provide: Site #_________________ Class #_________________  

- [ ] Yes  
- [ ] No

3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  
   If yes, please provide:  
   - Permit type:__________________  
   - EPA ID Number:______________  
   - Date permit issued:_____________  
   - Permit expiration date:___________  

- [ ] Yes  
- [ ] No

4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.  

- [ ] Yes  
- [ ] No

5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
   If yes, please provide: Order #_________________  

- [ ] Yes  
- [ ] No

6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
   If yes, please provide explanation as an attachment.  

- [ ] Yes  
- [ ] No

**Section IX. Contact List Information**

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:  

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.  
2. Residents, owners, and occupants of the property and properties adjacent to the property.  
3. Local news media from which the community typically obtains information.  
4. The public water supplier which services the area in which the property is located.  
5. Any person who has requested to be placed on the contact list.  
6. The administrator of any school or day care facility located on or near the property.  
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.
## Section X. Land Use Factors

1. **What is the current municipal zoning designation for the site?** [C4-4D](#)  
   What uses are allowed by the current zoning? (Check boxes, below)  
   - [x] Residential  
   - [x] Commercial  
   - [ ] Industrial  
   If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. **Current Use:**  
   - [ ] Residential  
   - [ ] Commercial  
   - [ ] Industrial  
   - [x] Vacant  
   - [ ] Recreational  
   (check all that apply)  
   Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. **Reasonably anticipated use Post Remediation:**  
   - [x] Residential  
   - [ ] Commercial  
   - [ ] Industrial  
   (check all that apply)  
   Attach a statement detailing the specific proposed use.  
   If residential, does it qualify as single family housing?  
   - [ ] Yes  
   - [x] No

4. **Do current historical and/or recent development patterns support the proposed use?**  
   - [x] Yes  
   - [ ] No
   See supplemental materials.

5. **Is the proposed use consistent with applicable zoning laws/maps?**  
   Briefly explain below, or attach additional information and documentation if necessary.  
   - [x] Yes  
   - [ ] No
   See supplemental materials.

6. **Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?**  
   Briefly explain below, or attach additional information and documentation if necessary.  
   - [x] Yes  
   - [ ] No
   See supplemental materials.
XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC’s approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: ________________ Signature: ________________________________________
Print Name: ____________________________________________________________________

(By a requestor other than an individual)

I hereby affirm that I am_____________________(title) of _____________________(entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC’s approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: _______________ Signature: _________________________________________________
Print Name: ____________________________________________________________________

SUBMITTAL INFORMATION:

- Two (2) copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), 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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY
BCP SITE T&A CODE: ______________________ LEAD OFFICE: ______________________
XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC’s approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _______________ Signature: ________________________________________

Print Name:________________________________________________________________________

(By a requestor other than an individual)

I hereby affirm that I am ______________________(title) of _____________________(entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC’s approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: _______________ Signature: _________________________________________________

Print Name:________________________________________________________________________

SUBMITTAL INFORMATION:

- Two (2) copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), 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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY
BCP SITE T&A CODE: __________________________ LEAD OFFICE: __________________________
Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 11**

<table>
<thead>
<tr>
<th>Property is in Bronx, Kings, New York, Queens, or Richmond counties.</th>
<th>Yes ☑️ No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.</td>
<td>Yes ☑️ No ☐</td>
</tr>
</tbody>
</table>

Please answer questions below and provide documentation necessary to support answers.

1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?
   - Please see DEC’s website for more information.
   - Yes ☑️ No ☐

2. Is the property upside down or underutilized as defined below?
   - Upside Down? ☐ Yes ☑️ No ☐
   - Underutilized? ☐ Yes ☑️ No ☐

From ECL 27-1405(31):

"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(l) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)

375-3.2:

   (l) “Underutilized” means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and
   (1) the proposed use is at least 75 percent for industrial uses; or
   (2) at which:
      (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
      (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
      (iii) one or more of the following conditions exists, as certified by the applicant:
         (a) property tax payments have been in arrears for at least five years immediately prior to the application;
         (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or
         (c) there are no structures.

"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.
3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the New York City Department of Housing, Preservation and Development; the New York State Housing Trust Fund Corporation; the New York State Department of Housing and Community Renewal; or the New York State Housing Finance Agency, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- [ ] Project is an Affordable Housing Project - Regulatory Agreement Attached;
- [x] Project is Planned as Affordable Housing, But Agreement is Not Yet Available* (*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- [ ] This is Not an Affordable Housing Project.

**From 6 NYCRR 375- 3.2(a) as of August 12, 2016:**

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ 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.
<table>
<thead>
<tr>
<th><strong>BCP Application Summary (for DEC use only)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site Name:</strong> Jerome Heights</td>
</tr>
<tr>
<td><strong>City:</strong> Bronx, New York</td>
</tr>
<tr>
<td><strong>Zip:</strong> 10453</td>
</tr>
<tr>
<td><strong>Tax Block &amp; Lot</strong></td>
</tr>
<tr>
<td><strong>Section (if applicable):</strong></td>
</tr>
<tr>
<td><strong>Requestor Name:</strong> BOLIVAR DEVELOPMENT LLC</td>
</tr>
<tr>
<td><strong>City:</strong> New York</td>
</tr>
<tr>
<td><strong>Requestor’s Representative (for billing purposes)</strong></td>
</tr>
<tr>
<td><strong>Name:</strong> Peter Fine</td>
</tr>
<tr>
<td><strong>City:</strong> New York, New York</td>
</tr>
<tr>
<td><strong>Requestor’s Consultant</strong></td>
</tr>
<tr>
<td><strong>Name:</strong> Deborah Shapiro, QEP, AKRF</td>
</tr>
<tr>
<td><strong>Zip:</strong> 10016  <strong>Email:</strong> <a href="mailto:dshapiro@akrf.com">dshapiro@akrf.com</a></td>
</tr>
</tbody>
</table>
| **Percentage claimed within an En-Zone:**  | **DER Determination:**
| □ 0%  □ <50%  □ 50-99%  □ 100% | □ Agree  □ Disagree |
| **DER Determination:** | **Requestor’s Requested Status:**
| □ Agree  □ Disagree | **Volunteer Participant** |
| **DER/OGC Determination:** | **DER/OGC Determination:**
| □ Agree  □ Disagree  □ Undetermined | □ Agree  □ Disagree  □ Undetermined |
| **Notes:** | **Notes:** |
| **For NYC Sites, is the Requestor Seeking Tangible Property Credits:**  | **Does Requestor Claim Property is Upside Down:**
| □ Yes  □ No | □ Yes  □ No |
| **DER/OGC Determination:** | **DER/OGC Determination:**
| □ Agree  □ Disagree  □ Undetermined | □ Agree  □ Disagree  □ Undetermined |
| **Notes:** | **Notes:** |
| **Does Requestor Claim Property is Underutilized:**  | **Does Requestor Claim Affordable Housing Status:**
| □ Yes  □ No | □ Yes  □ No  □ Planned, No Contract |
| **DER/OGC Determination:** | **DER/OGC Determination:**
| □ Agree  □ Disagree  □ Undetermined | □ Agree  □ Disagree  □ Undetermined |
| **Notes:** | **Notes:** |
| **Site Name:** Jerome Heights                        | **Site Address:** 1941 and 1959 Jerome Avenue   |
| **City:** Bronx, New York                           | **County:** The Bronx                           |
| **Zip:** 10453                                      | **Zip:** 10014                                   |
| **Tax Block & Lot**                                 | **Requestor Address:** 450 West 14th Street, 8th Floor |
| **Section (if applicable):** Block: 2862             | **Zip:** 10014                                   |
| Lot: 97                                            | **Email:** pfine@bolivar.nyc                     |
| **Requestor Name:** 1941-1959 JEROME AVENUE LLC     | **Requestor Address:** 450 West 14th Street, 8th Floor |
| **City:** New York                                  | **Zip:** 10014                                   |
| **Requestor’s Representative (for billing purposes)**| **Address:** 450 West 14th Street, 8th Floor     |
| **Name:** Peter Fine                                | **Zip:** 10014                                   |
| **City:** New York                                  | **Email:** pfine@bolivar.nyc                     |
| **Requestor’s Attorney**                            | **Address:** 350 Fifth Ave, Suite 4640          |
| **Name:** Brown Duke & Fogel, P.C., George Duke, Esq.| **Zip:** 10118                                   |
| **City:** New York                                  | **Email:** gduke@bdfllegal.com                   |
| **Requestor’s Consultant**                          | **Address:** 440 Park Avenue South, 7th Floor    |
| **Name:** Deborah Shapiro, QEP, AKRF                | **Zip:** 10016                                   |
| **City:** New York                                  | **Email:** dshapiro@akrf.com                     |
| **Percentage claimed within an En-Zone:** 0%        | **<50%**                                         |
| **50-99%**                                         | **100%**                                        |
| **DER Determination:** □ Agree □ Disagree            | **DER/OGC Determination:** □ Agree □ Disagree □ Undetermined |
| **Requestor’s Requested Status:** □ Volunteer □ Participant | **Notes:**                                      |
| **DER/OGC Determination:** □ Agree □ Disagree □ Undetermined | **Notes:**                                      |
| **For NYC Sites, is the Requestor Seeking Tangible Property Credits:** □ Yes □ No | **Does Requestor Claim Property is Upside Down:** □ Yes □ No |
| **DER/OGC Determination:** □ Agree □ Disagree □ Undetermined | **Notes:**                                      |
| **Does Requestor Claim Property is Underutilized:** □ Yes □ No | **Notes:**                                      |
| **DER/OGC Determination:** □ Agree □ Disagree □ Undetermined | **Notes:**                                      |
| **Does Requestor Claim Affordable Housing Status:** □ Yes □ No □ Planned, No Contract | **Notes:**                                      |
| **DER/OGC Determination:** □ Agree □ Disagree □ Undetermined | **Notes:**                                      |
Brownfield Cleanup Program Application Supporting Documentation

PART A

Supplement to Section I – Requestor Information

1. Requestor Information

Contact information and the names of members/owners of the Applicants are set forth below:

<table>
<thead>
<tr>
<th>Entity Name/Applicants</th>
<th>Member/Owner</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1941-1959 Jerome Avenue LLC</td>
<td>Mr. Peter Fine, Managing Partner</td>
<td>1941-1959 Jerome Avenue LLC</td>
</tr>
<tr>
<td>(a New York Limited Liability Company)</td>
<td>(sole member of the requestor entity)</td>
<td>450 West 14th Street, 8th Floor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New York, New York 10014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>212.620.0500</td>
</tr>
<tr>
<td>Bolivar Development LLC</td>
<td>Mr. Peter Fine, Managing Partner</td>
<td>Bolivar Development LLC</td>
</tr>
<tr>
<td>(a New York Limited Liability Company)</td>
<td>(sole member of the requestor entity)</td>
<td>450 West 14th Street, 8th Floor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New York, New York 10014</td>
</tr>
<tr>
<td></td>
<td></td>
<td>212.620.0500</td>
</tr>
</tbody>
</table>

The NYS Department of State’s Corporation and Business Entity Database information for the requestors is included as Attachment A. The entity is herein referred to as (the “Applicants”). The property is currently owned by 1941-1959 Jerome Avenue LLC; therefore, an access agreement between 1941-1959 Jerome Avenue LLC and Bolivar Development LLC is included as Attachment B.

Supplement to Section II - Project Description

The following figures are included in Attachment C:

- Figure 1 – Site Location
- Figure 2 – Site Plan and Previous Sampling Locations
- Figure 3 – En-Zone Boundary Map
- Figure 4 – Tax Map
- Figure 5 – Surrounding Land Use
- Figure 6 – Zoning Map
- Figure 7 – Soil Sample Concentrations Above NYSDEC UUSCOs and RRSCOs
- Figure 8 – Groundwater Sample Concentrations Above NYSDEC AWQSGVs
- Figure 9 – Soil Vapor Sample Concentrations

3. Remedial Investigation Report

A Final Remedial Investigation Report (RIR) is not included with this application. A Phase I Environmental Site Assessment (ESA) and a Phase II Investigation of the property located at 1941 and 1959 Jerome Avenue in the Morris Heights section of the Bronx, New York (the Site) were conducted by AKRF, Inc. (AKRF) in February 2021. A Phase I ESA Report dated March 25, 2021 and a Phase II Investigation Report dated June 2021 are being used to support this Brownfield Cleanup Program (BCP) Application and are included in Attachment D. To supplement the previous investigations completed at the Site, a Remedial Investigation Work Plan (RIWP) is also being submitted with this BCP Application.

During AKRF’s Phase II Investigation, polycyclic aromatic hydrocarbons (PAHs) [a class of semi-volatile organic compounds (SVOCs)], barium, and mercury were detected in soil samples across the Site at concentrations exceeding the Unrestricted Use Soil Cleanup Objectives (UUSCOs), Restricted Residential Use Soil Cleanup Objectives (RRSCOs), and/or Protection of Groundwater Soil Cleanup Objectives (PGWSCOs). The volatile organic compounds (VOCs) 1,2-dichloroethane, 1,3,5-trimethylbenzene, acetone, benzene, ethylbenzene, n-propylbenzene, and total xylenes were detected above the Protection of
Groundwater SCOs (PGWSCOs). In addition, the detected concentrations of barium and mercury may be indicative of the presence of characteristic hazardous waste in the subsurface of the Site. Petroleum-related VOCs, SVOCs, metals, dieldrin (a pesticide), and per- and polyfluoroalkyl substances (PFAS) were detected in groundwater samples across the Site at concentrations exceeding the corresponding guidance values and screening levels. VOCs associated with petroleum—including benzene, toluene, ethylbenzene, and xylenes (collectively referred to as BTEX)—and chlorinated solvent-related VOCs (CVOCs) were also detected in soil vapor beneath the Site.

4. Project Description

The Site, referred to as Jerome Heights, is approximately 33,913 square feet (sf) (0.78-acres), and is identified on the New York City Tax Map as Block 2862, Lots 90 and 97. Currently, the Site comprises an approximately 15,039-sf, two-story parking garage and automobile repair facility at 1941 Jerome Avenue (Lot 97), and a vacant approximately 18,874-sf commercial building that was recently occupied by multiple automobile repair businesses with addresses between 1959 and 1965 Jerome Avenue (Lot 90). While there are multiple addresses associated with Lot 90 due to subdivision of the tenant spaces, the legal address of Lot 90 is 1959 Jerome Avenue. A Site Location Map and Site Plan are included in Attachment C as Figures 1 and 2, respectively. The proposed development for the Site includes demolition of the existing structures and construction of a new 15-story senior supportive housing facility.

The Site is part of the Bronx County Census Tract 217. According to the 2014-2018 American Community Survey (ACS) 5-year Profile data, 28% of the population in Census Tract 217 are living below the poverty line. The unemployment rate for the Bronx is 15% (as of March 2021), compared to the New York City unemployment rate of 8.8% (as of March 2021) and the national unemployment rate of 6.0% (as of March 2021). The Site is located in an En-Zone. The En-Zone boundaries are presented on Figure 3 in Attachment C.

The Applicants plans to enter into the BCP as a Volunteer. Entry into the BCP would facilitate the remediation and redevelopment of the Site into a 15-story senior supportive housing facility. A metes and bounds survey map of the Site is included as Attachment E.

The Applicants plans on conducting all remedial investigation and remedial activities in accordance with Environmental Conservation Law (ECL) Article 27, Title 14, 6 New York Codes, Rules, and Regulations (NYCRR) 375-1.6(a), 375-3.6, and 375-6, and all applicable laws, rules, regulations, and guidance documents.
Estimated Project Schedule:

The remedial program is planned to begin in July 2022 and the Certificate of Completion (COC) is anticipated to be obtained by December 2026. The BCP project will likely include some or all of the activities listed below. This preliminary project schedule is subject to change.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Estimated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submittal of Brownfield Cleanup Program (BCP) Application and Remedial Investigation Work Plan (RIWP)</td>
<td>July 2021</td>
</tr>
<tr>
<td>30-day New York State Department of Environmental Conservation (NYSDEC) Completeness Review</td>
<td>April 2022</td>
</tr>
<tr>
<td>Resubmittal of Final BCP Application and RIWP</td>
<td>April 2022</td>
</tr>
<tr>
<td>30-day Public Notice/Public Comment Period for Application and RIWP</td>
<td>May-June 2022</td>
</tr>
<tr>
<td>NYSDEC Acceptance and Execution of Brownfield Cleanup Agreement</td>
<td>August 2022</td>
</tr>
<tr>
<td>Submittal of Citizen Participation Plan (CPP)</td>
<td>September 2022</td>
</tr>
<tr>
<td>Submittal of Final RIWP and Fact Sheet</td>
<td>December 2022</td>
</tr>
<tr>
<td>Remedial Investigation</td>
<td>February-December 2023</td>
</tr>
<tr>
<td>Submittal of Draft Remedial Investigation Report (RIR)</td>
<td>March 2024</td>
</tr>
<tr>
<td>Submittal of Final RIR</td>
<td>September 2024</td>
</tr>
<tr>
<td>Submittal of Draft Remedial Action Work Plan (RAWP)</td>
<td>January 2025</td>
</tr>
<tr>
<td>45-day Public Comment Period for RAWP</td>
<td>March-May 2025</td>
</tr>
<tr>
<td>NYSDEC Issuance of Decision Document &amp; Remedial/Construction Notice Fact Sheet</td>
<td>June 2025</td>
</tr>
<tr>
<td>Begin Remedial Construction with RAWP implementation</td>
<td>July 2025</td>
</tr>
<tr>
<td>Execution of Environmental Easement</td>
<td>June 2026</td>
</tr>
<tr>
<td>Submittal of Draft Site Management Plan (SMP)</td>
<td>August 2026</td>
</tr>
<tr>
<td>Submittal of Draft Final Engineering Report (FER) and Fact Sheet</td>
<td>October 2026</td>
</tr>
<tr>
<td>Submittal of Final SMP and FER</td>
<td>November 2026</td>
</tr>
<tr>
<td>Certificate of Completion and Fact Sheet</td>
<td>December 2026</td>
</tr>
<tr>
<td>Completion of Building (first occupancy)</td>
<td>July 2028</td>
</tr>
</tbody>
</table>
Supplement to Section III – Property’s Environmental History

The following figures are included in Attachment C:

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

1. Environmental Reports

Copies of the following previous environmental reports for the Site are included as Attachment D (Electronic Copies only):

- Phase I ESA, dated March 25, 2021, prepared by AKRF; and
- Phase II Investigation Report, dated June 2021, prepared by AKRF.

Summaries of previous investigations are provided below. The Applicants believe that there is sufficient information to demonstrate significant contamination for each of the lots comprising the Site, thus warranting remediation under the BCP. The Applicants, as Volunteers under the BCP, seek to enroll in the program to remediate the Site in a timely manner under the oversight of NYSDEC.

*Phase I Environmental Site Assessment - 1941 and 1959 Jerome Avenue, Bronx, New York, AKRF, Inc., March 25, 2021*

AKRF prepared a Phase I ESA for the Site, which identified the following Recognized Environmental Conditions (RECs):

- At the time of the report, 1941 Jerome Avenue operated as an automobile collision repair facility, and 1959 Jerome Avenue was vacant with a majority of the building formerly operated by automobile repair and parking facilities. Chemical and petroleum bulk storage was observed throughout the Site, including: two 275-gallon aboveground storage tanks (ASTs) (one empty and one holding waste motor oil) and two refrigerant recovery stations in the vehicle maintenance area within 1963 Jerome Avenue; an empty 275-gallon AST within the vehicle maintenance area of 1959B Jerome Avenue; nine 2-gallon hydraulic oil ASTs on hydraulic lifts throughout the 1959 Jerome Avenue portion of the Site; and various chemicals associated with automobile repair (such as lubricants, automotive oil, washer fluid, etc.) stored in 1- to 5-gallon plastic containers on shelves and work benches throughout the maintenance areas in all of the commercial spaces. Petroleum-like staining was observed on the floors throughout the interior of the Site buildings, and several floor drains were located within the main repair areas, which apparently discharged into the City sewer, though this could not be verified. Evidence of former sub-grade hydraulic lift components was also observed at the Site (1959 Jerome Avenue). A possible former oil-water separator was identified in a catch basin at 1961 Jerome Avenue.

- The Site was listed in the Petroleum Bulk Storage (PBS) database for three in-service ASTs containing waste oil (two 275-gallon ASTs and one 250-gallon AST), the Resource Conservation and Recovery Information System (RCRIS) database as a Conditionally Exempt Small Quantity Generator (SQG) of undefined waste between 1996 and 2007 and as a SQG of spent halogenated solvents and non-halogenated solvents in 2007, and in the EDR Historic Auto Station database for an automobile repair facility between 1973 and 2014. The Site owner of 1941 Jerome Avenue indicated that a waste oil
AST was located at 1941A Jerome Avenue; however, this could not be verified as the building was not accessible.

- Historical Sanborn maps, regulatory records, and the city directories identified petroleum bulk storage and automobile uses (repair, sales, and parking), including two 550-gallon underground storage tanks (USTs), at the Site between at least 1950 and 2017.

- A review of the historical city directories and Sanborn maps identified numerous automotive, commercial, industrial (film processing, scrap metal, rubbish removal and appliance manufacturing), and dry cleaning/laundry uses and spills on adjacent and surrounding blocks between 1927 and 2017. Properties located to the south of the Site (on the same block) and east-adjacent of the Site (across Jerome Avenue) had automotive uses (most with gasoline USTs) from 1950 until the most recent map available.

The Phase I ESA also identified the following Historical Recognized Environmental Condition (HREC):

- NYSDEC Spill No. 1104807 was reported at the Site (Quality Auto Body, 1941 Jerome Avenue) in July 2011. According to the listing, a gas main was damaged during excavation to repair a water main. Consolidated Edison (Con Ed) contained and remediated the dripping from the gas main, and the spill was closed in September 2011.

Based on the assessment, AKRF recommended a Phase II Investigation.

*Phase II Investigation Report – 1941 and 1959 Jerome Avenue, Morris Heights, Bronx, New York, AKRF, June 2021*

AKRF conducted a Phase II Investigation of the Site between February 22 and May 6, 2021. The investigation included the advancement of 18 soil borings [RI-SB-01 through RI-SB-11, RI-SB-04B (which was advanced immediately adjacent to RI-SB-04 to collect a shallow sample at this location), RI-SB-13, and RI-SB-15 through RI-SB-19] with the collection and laboratory analysis of 31 soil samples, the installation of eight temporary monitoring wells (RI-GW-01, RI-GW-04, RI-GW-07, RI-GW-09, RI-GW-10, RI-GW-13, RI-GW-15 and RI-GW-19) with the collection and laboratory analysis of eight groundwater samples, and the installation of 12 soil vapor points with the collection of 12 soil vapor samples.

The stratigraphy beneath the Site consisted of historic fill (light brown to brown silt and sand with gravel, brick, and concrete) from surface grade to depths ranging between 6 to 10 feet below ground surface (bgs) across the Site. The fill material was generally underlain by dark brown to gray silt, sand, and clay and trace gravel to the terminus of the borings (between 6 to 27 feet bgs). Groundwater was encountered at approximately 10 to 15 feet bgs. Apparent bedrock was encountered at 27 feet bgs. Soil was field screened with a photoionization detector (PID) to measure relative concentrations of organic vapors. Elevated PID readings up to 1,300 parts per million (ppm) and a strong petroleum-like odor were observed between 6 and 18 feet bgs at RI-SB-04 in the northeastern portion of the Site, organic odors and elevated PID readings up to 200 ppm were observed between 10 and 20 feet bgs at RI-SB-02, and a slight petroleum-like odor was observed between 0 and 4 feet below cellar grade at RI-SB-10.

Soil sample analytical results for VOCs, SVOCs, pesticides, polychlorinated biphenyls (PCBs), and metals were compared to the 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Residential Soil Cleanup Objectives (RRSCOs). The analytical results for VOCs were also compared to the Protection of Groundwater Soil Cleanup Objectives (PGWSCOs). PFAS results were compared to the Unrestricted Use Guidance Values (UUGVs) and the Restricted Residential Use Guidance Values (RRGVs) as outlined in the NYSDEC Sampling, Analysis, and Assessment of PFAS guidance dated January 2021. Results of the soil analytical results are summarized below:

- Seven VOCs were detected above their respective UUSCOs and PGWSCOs, but below RRSCOs, in at least one soil sample: 1,2,4-trimethylbenzene (35 ppm), 1,2-dichloroethane (0.11 ppm), 1,3,5-trimethylbenzene [maximum (max.) 14 ppm], benzene (0.064 ppm), ethylbenzene (max. 14 ppm), n-
propylbenzene (max. 5.2 ppm), and total xylenes (max. 36 ppm). Acetone, a common laboratory contaminant, was also detected above its UUSCO and PGWSCO, but below its RRSCO, in seven of the soil samples.

- Eight SVOCs were detected above their respective UUSCOs and RRSCOS in two samples (RI-SB-05_0-2 and RI-SB-06_0-2): benzo(a)anthracene (max. 54 ppm), benzo(a)pyrene (47 ppm), benzo(b)fluoranthene (max. 62 ppm), benzo(k)fluoranthene (18 ppm), chrysene (39 ppm), dibenzo(a,h)anthracene (6.4 ppm), fluoranthene (110 ppm), and indeno(1,2,3-cd)pyrene (max. 30 ppm).

- Eight metals were detected above their respective UUSCOs in one or more of the soil samples: barium (1,180 ppm), cadmium (3.32 ppm), copper (62.9 ppm), lead (max. 147 ppm), mercury (max. 0.936 ppm), silver (max. 6.39 ppm), zinc (208 ppm), and hexavalent chromium (1.22 ppm). Barium was detected above the RRSCO (400 ppm) in sample RI-SB-19_0-2, and mercury was detected above the RRSCO (0.81 ppm) in sample RI-SB-03_0-2. The elevated concentrations of barium and mercury may be indicative of the presence of characteristic hazardous metals in the subsurface in this portion of the Site; however, additional analysis [Toxicity Characteristic Leaching Procedure (TCLP)] would need to be performed to make this determination.

- No PCBs or pesticides were detected above their respective UUSCOs or RRSCOs.

- No PFAS were detected above their respective UUGVs or RRGVs.

Groundwater sample analytical results were compared to the NYSDEC Class GA Ambient Water Quality Standards and Guidance Values (AWQSGVs), and PFAS results were compared to the NYSDEC Screening Levels. The results are summarized below:

- Fourteen VOCs were detected above their respective AWQSGVs in sample RI-GW-04: 1,2,4,5-tetramethylbenzene [16 micrograms per liter (µg/L)], 1,2,4-trimethylbenzene (400 µg/L), 1,3,5-trimethylbenzene (120 µg/L), benzene (3.5 µg/L), chlorobenzene (29 µg/L), cymene (estimated concentration of 9.7 µg/L), ethylbenzene (300 µg/L), isopropylbenzene (39 µg/L), p/m-xylene (680 µg/L), n-butylbenzene (estimated concentration of 5.1 µg/L), n-propylbenzene (51 µg/L), o-xylene (36 µg/L), sec-butylbenzene (estimated concentration of 5.5 µg/L), and toluene (22 µg/L). N-propylbenzene (8 µg/L) and 1,2,4,5-tetramethylbenzene (5.7 µg/L) were also detected above their respective AWQSGVs in sample RI-GW-10.

- Eight SVOCs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, chrysene, indeno(1,2,3-cd)pyrene, and naphthalene] were detected at concentrations above their respective AWQSGVs. Benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene were detected at concentrations ranging from an estimated concentration of 0.01 µg/L to 0.46 µg/L, above their AWQSGV of 0.002 µg/L. Benzo(a)pyrene was detected at concentrations ranging from an estimated 0.03 µg/L to 0.33 µg/L, above the AWQSGV of no detect (ND). Bis(2-ethylhexyl)phthalate was detected at a concentration of 5.2 µg/L, above the AWQSGV of 5 µg/L, and naphthalene was detected at a concentration of 37 µg/L, above the AWQSGV of 10 µg/L.

- Fourteen metals were detected above the AWQSGVs in one or more of the unfiltered groundwater samples analyzed: barium (1,209 µg/L), cadmium (5.57 µg/L), chromium (max. of 213.7 µg/L), copper (233.4 µg/L), iron (max. of 75,400 µg/L), lead (max. of 527.8 µg/L), magnesium (max. of 165,000 µg/L), manganese (max. of 3,594 µg/L), mercury (max. of 2.19 µg/L), nickel (max. of 140.9 µg/L), selenium (max. of 19.3 µg/L), sodium (max. of 108,000 µg/L), thallium (max. of 1.15 µg/L), and zinc (2,361 µg/L).

- Five metals were detected above the AWQSGVs in at least one of the filtered samples analyzed: dissolved antimony (estimated concentration of 3.04 µg/L), dissolved iron (396 µg/L), dissolved
magnesium (39,700 µg/L), dissolved manganese (max. of 1,470 µg/L), and dissolved sodium (max. of 114,000 µg/L).

- No PCBs were detected above laboratory reporting limits in any of the groundwater samples.
- One pesticide, dieldrin (max. of an estimated 0.007 µg/L), was detected in two samples above the AWQSGV of 0.004 µg/L.
- PFOS was detected in all three samples and the blind duplicate sample at concentrations ranging from 20.2 nanograms per liter (ng/L) to 66.5 ng/L, above its NYSDEC Screening Level of 10 ng/L. Perfluorooctanoic Acid (PFOA) was also detected in all three samples and the blind duplicate sample at concentrations ranging from 15.2 ng/L to 33.5 ng/L, above its NYSDEC Screening Level of 10 ng/L. 1,4-dioxane (1,4-Dx), which has no current standard or guidance value, was not detected in the groundwater samples.

Soil vapor samples collected during the RI were compared to the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion matrices dated October 2006 (updated May 2017).

- Thirty VOCs were detected in one or more of the 12 soil vapor samples. VOCs associated with petroleum (including BTEX, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and n-heptane) were detected at variable concentrations ranging from 0.859 micrograms per cubic meter (µg/m³) to 2,240 µg/m³ in one or more of the soil vapor samples analyzed.
- CVOCs were detected at variable concentrations ranging from 1.13 µg/m³ to 19.6 µg/m³ in one or more of the soil vapor samples analyzed. The CVOC 1,1,1-trichloroethane was detected in soil vapor sample RI-SV-07 at a concentration of 1.13 µg/m³. According to the NYSDOH 2006 Guidance for Evaluating Soil Vapor Intrusion Soil Vapor/Indoor Air Matrix B (Matrix B), concentrations less than 100 µg/m³ result in “no further action” or “identify sources and resample or mitigate,” depending upon the indoor air concentrations. PCE was detected in nine of the soil vapor samples collected at concentrations ranging from 1.98 µg/m³ to 19.6 µg/m³. According to Matrix B, concentrations less than 100 µg/m³ result in “no further action” or “identify sources and resample or mitigate,” depending upon the indoor air concentrations. The remaining compounds with matrix values were not detected.
Supplement to Section IV- Property Information

Site Tax Map Information

<table>
<thead>
<tr>
<th>Parcel Address</th>
<th>Block No.</th>
<th>Lot No.</th>
<th>Acreage</th>
</tr>
</thead>
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<tr>
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<td>2862</td>
<td>97</td>
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<td></td>
<td>90</td>
<td>0.43</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total Acreage 0.78</td>
</tr>
</tbody>
</table>

2. Tax Map

A tax map of the Site and adjacent properties is provided as Figure 4 in Attachment C. The Site is identified by the City of New York as Bronx Block 2862, Lots 90 and 97. A survey showing the extents of the BCP Site is included in Attachment E.

8. Easements/Rights of Way

No easement was identified on the survey map of the existing development.

9. Permits Issued by NYSDEC or the United States Environmental Protection Agency (USEPA)

No permits have been issued for the Site by NYSDEC or USEPA to date.

10. Property Description and Environmental Assessment

Location

The Site is located at 1941 and 1959 Jerome Avenue in the Morris Heights section of the Bronx, New York, and is identified on the New York City Tax Map as Block 2862, Lots 90 and 97. The approximately 33,913-sf Site is bounded to the north by West Tremont Avenue, to the east by Jerome Avenue and elevated Metropolitan Transit Authority (MTA) subway tracks, to the south by a one-story homeless shelter (Susan’s Place Health Center), and to the west by a New York City Public School (Bronx School of Young Leaders). A Surrounding Land Use Map is presented as Figure 5 in Attachment C.

Site Features – The 33,913-sf Site proposed for entrance into the BCP consists of Block 2862, Lots 90 and 97. Currently, the Site comprises a vacant approximately 15,039-sf, two-story former parking garage and automobile repair facility at 1941 and 1941A Jerome Avenue (Lot 97), and a vacant approximately 18,874-sf commercial building that was formerly occupied by multiple automobile repair facilities with addresses located at 1959 through 1965 Jerome Avenue (Lot 90).

Current Zoning and Land Use – The Site is currently zoned as C4-4D commercial and residential district. The proposed use is consistent with existing zoning for the Site as part of the Jerome Avenue Neighborhood Plan, which seeks to create opportunities for new affordable housing and community facilities. A Zoning Map is presented as Figure 6 in Attachment C.

Lot 90 was vacant when 1941-1959 Jerome Avenue LLC took ownership of the Site. New York City Department of Buildings (DOB) records indicate that a Vacate Order was issued for Lot 90 in July 2020, following a fire at the facility. The lot was vacated sometime between July 2020 and April 2021 when the Requestor took ownership.

The Volunteers issued an eviction notice to the former operators of Lot 97, Quality Auto Painting and Body at 1941 Jerome Avenue and Excellent Auto Center at 1941A Jerome Avenue, in April 2021. Quality Auto Painting and Body vacated 1941 Jerome Avenue in October 2021. After legal proceedings, the City of New York issued an order to Excellent Auto Center to vacate 1941A Jerome Avenue in December 2021. The business remained on the property until March 30, 2022. The entire lot is now vacant.
Past Use of the Site – Historical records identified automobile repair services and parking uses between 1927 and the present. Around 1959, the Site was developed with the two current buildings and used for automobile repair and parking uses. The Site was also listed on the NYSDEC PBS database with at least three ASTs. On June 25, 2021, the three ASTs were removed from the Site, in accordance with city, state, and federal rules and regulations. Tank closure applications were submitted to NYSDEC on July 23, 2021, and NYSDEC administratively closed the tanks retroactive to June 25, 2021.

Site Geology and Hydrology – Based on the U.S. Geological Survey–Central Park NY-NJ Quadrangle (2013) map, the Site is approximately 50 feet above the North American Vertical Datum of 1988 (NAVD88). Groundwater was encountered between approximately 10 to 15 feet bgs across the Site during AKRF’s 2021 Phase II Investigation. Groundwater is expected to flow west-southwest beneath the Site towards the Harlem River, which is located approximately 0.75 miles from the Site. Actual groundwater flow can be affected by many factors, including geology, past filling activities, subsurface openings or obstructions such as basements or underground utilities, and other factors beyond the scope of this study.

Soil borings, which were advanced to between 4 and 27 feet bgs across the Site during AKRF’s Phase II Investigation, encountered up to 10 feet of historic fill material (light brown to brown silt and sand with gravel, brick, and concrete) underlain by dark brown to gray silt, sand, and clay and trace gravel. Apparent bedrock was encountered at 27 feet bgs.

Environmental Assessment – Based on the investigations conducted to date, the primary contaminants of concern for the Site are petroleum-related VOCs, PAHs, and metals.

Soil – Thirty-one soil samples were collected for laboratory analysis from soil borings RI-SB-01 through RI-SB-11, RI-SB-04B, RI-SB-13, and RI-SB-15 through RI-SB-19. The analytical results for VOCs, SVOCs, PCBs, pesticides, total analyte list (TAL) metals, and Resource Conservation Recovery Act (RCRA) 8 metals were compared to the 6 NYCRR Part 375 UUSCOs and RRSCOs. The analytical results for VOCs were also compared to the PGWSCOs, and the analytical results for PFAS were compared to the UUGVs and RRGVs as outlined in NYSDEC’s Sampling, Analysis, and Assessment of PFAS guidance dated January 2021.

- Thirty VOCs were detected in one or more of the soil samples analyzed, with total concentrations ranging from an estimated value of 0.00023 ppm to 150.31 ppm. Seven VOCs were detected above their respective UUSCOs and PGWSCOs, but below RRSCOs, in at least one soil sample: 1,2,4-trimethylbenzene (35 ppm), 1,2-dichloroethane (0.11 ppm), 1,3,5-trimethylbenzene (max. 14 ppm), benzene (0.064 ppm), ethylbenzene (max. 14 ppm), n-propylbenzene (max. 5.2 ppm), and total xylenes (max. 36 ppm). Acetone, a common laboratory contaminant, was also detected above its UUSCO and PGWSCO, but below its RRSCO, in seven of the soil samples. No VOCs were detected above their respective RRSCOs, and VOCs were not detected in the aqueous trip blanks.

- SVOCs were detected in 23 of the 31 soil samples analyzed during the investigation. Twenty-four SVOCs were detected in one or more of the soil samples analyzed at total concentrations ranging from an estimated concentration of 0.052 ppm to 515.95 ppm. Eight SVOCs were detected above their respective UUSCOs and RRSCOs in two samples (RI-SB-05_0-2 and RI-SB-06_0-2): benzo(a)anthracene (max. 54 ppm), benzo(a)pyrene (47 ppm), benzo(b)fluoranthene (max. 62 ppm), benzo(k)fluoranthene (18 ppm), chrysene (39 ppm), dibenzo(a,h)anthracene (6.4 ppm), fluoranthene (110 ppm), and indeno(1,2,3-cd)pyrene (max. 30 ppm).

- Twenty-three metals were detected in one or more of the soil samples analyzed, and eight metals were detected above their respective UUSCOs in one or more of the soil samples: barium (1,180 ppm), cadmium (3.32 ppm), copper (62.9 ppm), lead (max. 147 ppm), mercury (max. 0.936 ppm), silver (max 6.39 ppm), zinc (208 ppm), and hexavalent chromium (1.22 ppm). Barium was detected above the RRSCO (400 ppm) in sample RI-SB-19_0-2, and mercury was detected above the RRSCO (0.81 ppm).
ppm) in sample RI-SB-03_0-2. The elevated concentrations of barium and mercury may be indicative of the presence of characteristic hazardous metals in the subsurface in this portion of the Site; however, additional analysis [Toxicity Characteristic Leaching Procedure (TCLP)] would need to be performed to make this determination.

- The PCB Aroclor 1254 was detected at an estimated concentration of 0.00611 ppm in soil sample RI-SB-09_0-2, well below the UUSCO and RRSCO for total PCBs. No other PCBs were detected in the soil samples analyzed.

- Six pesticides were detected in one or more soil samples with total concentrations ranging from an estimated concentration of 0.000975 ppm to 0.014 ppm. None of the detected pesticides exceeded their respective UUSCOs or RRSCOs.

- PFOS was detected in the sample analyzed and its associated blind duplicate sample. The detected concentrations of PFOS, an estimated 0.197 ppb and 0.289 ppb, respectively, were below the UUGV of 0.88 ppb. 1,4-Dx was not detected in any of the soil samples.

**Groundwater** – Eight groundwater samples were collected for laboratory analysis from monitoring wells RI-GW-01, RI-GW-04, RI-GW-07, RI-GW-09, RI-GW-10, RI-GW-13, RI-GW-15 and RI-GW-19. Groundwater sample analytical results for VOCs, SVOCs, PCBs, pesticides, and metals (total and dissolved) were compared to the NYSDEC Class GA AWQSGVs, which were developed based on use as a source of drinking water, although groundwater in the Bronx is not used as a source of potable water. The three groundwater samples analyzed for PFAS were compared to the NYSDEC Screening Levels.

- Twenty-seven VOCs were detected in one or more of the groundwater samples analyzed. The following 14 VOCs were detected above their respective AWQSGVs in sample RI-GW-04: 1,2,4,5-tetramethylbenzene (16 µg/L), 1,2,4-trimethylbenzene (400 µg/L), 1,3,5-trimethylbenzene (120 µg/L), benzene (3.5 µg/L), chlorobenzene (29 µg/L), cymene (estimated concentration of 9.7 µg/L), ethylbenzene (300 µg/L), isopropylbenzene (39 µg/L), p/m-xylene (680 µg/L), n-butylbenzene (estimated concentration of 5.1 µg/L), n-propylbenzene (51 µg/L), o-xylene (36 µg/L), sec-butylbenzene (estimated concentration of 5.5 µg/L), and toluene (22 µg/L). N-propylbenzene (8 µg/L) and 1,2,4,5-tetramethylbenzene (5.7 µg/L) were also detected above their respective AWQSGVs in sample RI-GW-10.

- Twenty SVOCs were detected in one or more of the groundwater samples analyzed. Eight SVOCs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, chrysene, indeno(1,2,3-cd)pyrene, and naphthalene] were detected at concentrations above their respective AWQSGVs. Benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene were detected at concentrations ranging from an estimated concentration of 0.01 µg/L to 0.46 µg/L, above their AWQSGV of 0.002 µg/L. Benzo(a)pyrene was detected at concentrations ranging from an estimated 0.03 µg/L to 0.33 µg/L, above the AWQSGV of ND. Bis(2-ethylhexyl)phthalate was detected at a concentration of 5.2 µg/L, above the AWQSGV of 5 µg/L, and naphthalene was detected at a concentration of 37 µg/L, above the AWQSGV of 10 µg/L.

- All 23 metals were detected in the total (unfiltered) groundwater samples. Fourteen metals were detected above the AWQSGVs in one or more of the groundwater samples analyzed: barium (1,209 µg/L), cadmium (5.57 µg/L), chromium (max. of 213.7 µg/L), copper (233.4 µg/L), iron (max. of 75,400 µg/L), lead (max. of 527.8 µg/L), magnesium (max. of 165,000 µg/L), manganese (max. of 3,594 µg/L), mercury (max. of 2.19 µg/L), nickel (max. of 140.9 µg/L), selenium (max. of 19.3 µg/L), sodium (max. of 108,000 µg/L), thallium (max. of 1.15 µg/L), and zinc (2,361 µg/L).

- Twenty metals were detected in the dissolved (filtered) groundwater samples, and five metals were detected above the AWQSGVs in at least one sample: dissolved antimony (estimated concentration of 3.04 µg/L), dissolved iron (396 µg/L), dissolved magnesium (39,700 µg/L), dissolved manganese (max. of 1,470 µg/L), and dissolved sodium (max. of 114,000 µg/L).
• No PCBs were detected above laboratory reporting limits in any of the groundwater samples.

• Four pesticides were detected in one or more of the groundwater samples analyzed. One pesticide, dieldrin (max. of an estimated 0.007 µg/L), was detected in two samples above the AWQSGV of 0.004 µg/L.

• Thirteen PFAS compounds were detected in one or more of the groundwater samples analyzed. PFOS was detected in all three samples and the blind duplicate sample at concentrations ranging from 20.2 nanograms per liter (ng/L) to 66.5 ng/L, above its NYSDEC Screening Level of 10 ng/L. PFOA was also detected in all three samples and the blind duplicate sample at concentrations ranging from 15.2 ng/L to 33.5 ng/L, above its NYSDEC Screening Level of 10 ng/L. 1,4-Dx, which has no current standard or guidance value, was not detected in the groundwater samples.

Soil Vapor – There are currently no standards or guidance values for soil vapor in New York State; however, the May 2017 NYSDOH Soil Vapor Intrusion Decision Matrix Tables A, B, and C list Matrix Values for the following compounds: trichloroethylene (TCE), cis-1,2-dichloroethylene, 1,1-dichloroethylene, carbon tetrachloride, tetrachloroethylene (PCE), 1,1,1-trichlorethane, methylene chloride, and vinyl chloride. The detected VOCs in soil vapor are not compared to the matrix values; however, detections of these compounds are included in the summary below.

• Thirty VOCs were detected in one or more of the 12 soil vapor samples. VOCs associated with petroleum (including BTEX, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and n-heptane) were detected at variable concentrations ranging from 0.859 µg/m$^3$ to 2,240 µg/m$^3$ in one or more of the soil vapor samples analyzed.

• CVOCs were detected at variable concentrations ranging from 1.13 µg/m$^3$ to 19.6 µg/m$^3$ in one or more of the soil vapor samples analyzed. The CVOC 1,1,1-trichloroethane was detected in soil vapor sample RI-SV-07 at a concentration of 1.13 µg/m$^3$. According to the NYSDOH 2006 Guidance for Evaluating Soil Vapor Intrusion Soil Vapor/Indoor Air Matrix B (Matrix B), concentrations less than 100 µg/m$^3$ result in “no further action” or “identify sources and resample or mitigate,” depending upon the indoor air concentrations. PCE was detected in nine of the soil vapor samples collected at concentrations ranging from 1.98 µg/m$^3$ to 19.6 µg/m$^3$. According to Matrix B, concentrations less than 100 µg/m$^3$ result in “no further action” or “identify sources and resample or mitigate,” depending upon the indoor air concentrations. The remaining compounds with matrix values were not detected.

Soil, groundwater, and soil vapor sample results are summarized in Figures 7, 8, and 9 in Attachment C.
PART B

Supplement to Section V – Additional Requestor Information

The additional requestor for the Jerome Heights BCP Application is as follows:

Bolivar Development LLC
450 West 14th Street, 8th Floor
New York, New York 10014
212.620.0500

An access agreement between 1941-1959 Jerome Avenue LLC and Bolivar Development LLC, is included as Attachment B.

Peter Fine is the managing partner and authorized representative of both of the Volunteers (1941-1959 Jerome Avenue LLC and Bolivar Development LLC).

Supplement to Section VI – Previous Property Owners/Operators

Current owner(s):

The current owner (as defined herein) of the proposed BCP Site, located at 1941 and 1959 Jerome Avenue in the Morris Heights neighborhood Bronx, NY, is 1941-1959 Jerome Avenue LLC. The deeds for Lots 90 and 97 are included in Attachment F. Two entities, 1941-1959 Jerome Avenue LLC and Bolivar Development LLC (“the Applicants”), are seeking to enroll the site into the BCP as Volunteers. An access agreement between 1941-1959 Jerome Avenue LLC and Bolivar Development LLC, is included as Attachment B.

1941-1959 Jerome Avenue LLC is a subsidiary of Bolivar Development LLC. Both parties have access to the Site. The access agreement is included in Attachment A.

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

The Applicants anticipate voluntarily investigating and remediating the Site, as required under the BCP, as part of its redevelopment of the Site into a residential building. Previous property owners are not associated with the Applicants. Previous operators and owners are listed below:

Table 1A
Lot 90 Current and Previous Property Owners

<table>
<thead>
<tr>
<th>Lot</th>
<th>Property Owners</th>
<th>Years of Ownership</th>
<th>Status of Entity (Alive, Deceased, Active, Dissolved)</th>
<th>Current/Last Known Address/Phone Number (if available)</th>
<th>Relationship to Requestor(s)</th>
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</thead>
<tbody>
<tr>
<td>90</td>
<td>1941 – 1959 Jerome Avenue LLC</td>
<td>April 2021 to present</td>
<td>Active</td>
<td>450 West 14th Street, 8th Floor, New York, NY 10014</td>
<td>Requestor</td>
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<td>90</td>
<td>Tremont Garage Realty Corp</td>
<td>February 1982 to April 2021</td>
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<td>560 North Avenue, New Rochelle, New York 10801</td>
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<tr>
<td>90</td>
<td>Dan Herb Realty Company</td>
<td>March 1970 to February 1982</td>
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<td>90</td>
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<td>Active</td>
<td>910 Grand Concourse, Bronx, New York 10451</td>
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### Table 1B
Lot 97 Current and Previous Property Owners

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<tr>
<th>Lot</th>
<th>Property Owners</th>
<th>Years of Ownership</th>
<th>Status of Entity (Alive, Deceased, Active, Dissolved)</th>
<th>Current/Last Known Address/Phone Number (if available)</th>
<th>Relationship to Requestor(s)</th>
</tr>
</thead>
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<tr>
<td>97</td>
<td>1941 – 1959 Jerome Avenue LLC</td>
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<td>George Bobotis</td>
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<td>725 Cherry Street, New Milford, New Jersey 07646</td>
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<td>Pauline Berge</td>
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<td>Anita B. Eisenberg.</td>
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<td>4700 Washington Street, Hollywood, Florida 33021</td>
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### Table 1C
Lot 97 Former Property Operators

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<th>Lot</th>
<th>Former Property Operators</th>
<th>Years of Operation</th>
<th>Status of Entity (Alive, Deceased, Active, Dissolved)</th>
<th>Current/Last Known Address/Phone Number (if available)</th>
<th>Relationship to Requestor(s)</th>
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<td>97</td>
<td>Quality Auto Painting and Body</td>
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### Table 1D
Lot 90 Former Property Operators

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<th>Lot</th>
<th>Former Property Operators</th>
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<th>Relationship to Requestor(s)</th>
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<tr>
<td>90</td>
<td>Ellian Auto Glass</td>
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<td>90</td>
<td>Mike’s Repair and Collision Center</td>
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<td>90</td>
<td>Ramos Auto Center</td>
<td>Unknown to April 2021</td>
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<td>1963 Jerome Avenue, Bronx, New York 10453</td>
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### Supplement to Section VII – Requestor Eligibility Information

**Volunteer Status**

The Requestors qualify as Volunteers with respect to the Site because they did not operate the Site in a manner that generated and/or used of hazardous substances, waste, and/or petroleum. The Requestors performed all appropriate inquiries prior to acquiring the Site, i.e., they retained a qualified environmental consultant to conduct a Phase I ESA and subsurface (Phase II) investigation at the Site and are voluntarily applying to be accepted into the BCP to undertake all required investigation and remediation of the Site prior to and/or concurrent with its redevelopment. One of the two Requestors, 1941-1959 Jerome Avenue LLC, purchased and took possession of the Site, which includes lots 90 and 97, on April 20, 2021. Lot 90 was vacant at the time of purchase, however, a holdover tenant remained in the space on Lot 97. 1941-1959 Jerome Avenue LLC immediately pursued eviction proceedings against this tenant and took all possible steps permissible under law to ensure that due care was exercised with respect to the Site.

As to Lot 97, the prior tenants, Quality Auto Painting and Body at 1941 Jerome Avenue and Excellent Auto Center at 1941A Jerome Avenue, were evicted in April 2021. Quality Auto Painting and Body vacated 1941 Jerome Avenue in October 2021. Once vacant, the space was inspected by AKRF, Inc., and no evidence of active spills or leaks was observed. The remaining tenant, Excellent Auto Center refused to vacate, resulting in legal proceedings and the subsequent issuance of an order by the City of New York to vacate 1941A Jerome Avenue in December 2021. The tenant remained on the property until March 30, 2022. Once vacant, the space was inspected by AKRF, Inc., and no evidence of active spills or leaks was observed.

As to Lot 90, this lot was vacant when 1941-1959 Jerome Avenue LLC took ownership of the Site in April 2021. Upon 1941-1959 Jerome Avenue LLC’s acquisition of the Site, the Requestors implemented a spill prevention program within Lot 90, which included removing all chemicals and chemical containers, draining the oil-water separator, and properly disposing of all wastes. Given these circumstances, the Requestors’ potential liability for the contamination on the Site would arise solely from the ownership of the Site, as they performed all appropriate inquiries and exercised appropriate care with respect to the contamination.

**Proof of Access**

An access agreement between the two Applicants, 1941-1959 Jerome Avenue LLC and Bolivar Development LLC, to implement the Remedial Investigation and remediation under the BCP is included as Attachment B.

### Supplement to Section VIII – Property Eligibility Information

#### Registry Listings

b. RCRA Notifiers Listings
The USEPA RCRA Generator Database lists sites that have filed notification forms regarding hazardous waste activity, including treatment, storage and disposal facilities (TSDs); very small-quantity generators (VSQGs), SQGs, and large-quantity generators (LQGs); and non-generators (Non-Gen). USEPA Facility ID NYR000044362 was issued for Quality Auto Body & Painting at 1941 Jerome Avenue. The Site was listed as a VSQG in 2007.

Supplement to Section IX – Contact List Information

1. Local, State, and Federal Officials

<table>
<thead>
<tr>
<th>Hon. Eric Adams</th>
<th>Hon. Brad Lander</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor of New York City</td>
<td>New York City Comptroller</td>
</tr>
<tr>
<td>City of New York</td>
<td>Office of the Comptroller, City of NY</td>
</tr>
<tr>
<td>1 Centre Street</td>
<td>1 Centre Street</td>
</tr>
<tr>
<td>New York, NY 10007</td>
<td>New York, NY 10007</td>
</tr>
<tr>
<td>Jumaane Williams</td>
<td>Ruben Diaz Jr.</td>
</tr>
<tr>
<td>Public Advocate</td>
<td>Bronx Borough President</td>
</tr>
<tr>
<td>1 Centre Street</td>
<td>851 Grand Concourse, 3rd Floor</td>
</tr>
<tr>
<td>New York, NY 10007</td>
<td>Bronx, NY 10451</td>
</tr>
<tr>
<td>Victor M. Pichardo</td>
<td>Fernando Cabrera</td>
</tr>
<tr>
<td>State Assembly District 86</td>
<td>City Council District 14</td>
</tr>
<tr>
<td>2175C Jerome Avenue</td>
<td>2065 Morris Avenue</td>
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<tr>
<td>Bronx, NY 10453</td>
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<tr>
<td>Commissioner</td>
<td>NYC Department of City Planning</td>
</tr>
<tr>
<td>NYC Department of City Planning</td>
<td>Bronx Borough Office</td>
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<tr>
<td>120 Broadway, 31st Floor</td>
<td>17757 Grand Concourse, Suite 503</td>
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<tr>
<td>New York, New York 10271</td>
<td>Bronx, NY 10453</td>
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<tr>
<td>Hon. Charles Schumer</td>
<td>Hon. Kirsten Gillibrand</td>
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<tr>
<td>U.S. Senate</td>
<td>U.S. Senate</td>
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<tr>
<td>780 Third Avenue, Suite 2301</td>
<td>780 Third Avenue, Suite 2601</td>
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<td>New York, NY 10017</td>
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<tr>
<td>Carolyn Maloney</td>
<td>Hon. Governor Kathy Hochul</td>
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<td>U.S. House of Representatives</td>
<td>NYS State Capitol Building</td>
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<tr>
<td>31-19 Newtown Avenue, Astoria, NY 11102</td>
<td>Albany, New York 12224</td>
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<tr>
<td>Mark McIntyre, Director</td>
<td>Mark Chambers, Director</td>
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<tr>
<td>Mayor’s Office of Environmental Remediation</td>
<td>Mayor’s Office of Environmental Sustainability</td>
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<tr>
<td>100 Gold Street, 2nd Floor</td>
<td>253 Broadway, 7th Floor</td>
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<td>New York, NY 10038</td>
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<td>John McLaughlin</td>
<td>Luis M. Diaz, County Clerk</td>
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<td>DEP – Bureau of Environmental Planning and Analysis</td>
<td>County of Bronx Clerks’ Office</td>
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<td>96-05 Horace Harding Expressway</td>
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<tr>
<td>Vincent Sapienza</td>
<td>Gustavo Rivera</td>
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<td>Acting Commissioner, NYC Dept. of Environmental Protection</td>
<td>New York State Senator, 33th District</td>
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<td>59-17 Junction Boulevard</td>
<td>2432 Grand Concourse, Suite 506</td>
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<td>Bronx, NY 10452</td>
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<tr>
<td>Ken Brown</td>
<td>Dr. Bola Omotosho</td>
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<tr>
<td>District Manager, Bronx Community Board 5</td>
<td>Chairperson, Bronx Community Board 5</td>
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<tr>
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<td>Bronx Community College</td>
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<td>University Ave. &amp; West 181st St,</td>
<td>University Ave. &amp; West 181st St,</td>
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<tr>
<td>Bronx, NY 10453</td>
<td>Bronx, NY 10453</td>
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2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site (Tax Block 2862, Lots 90 and 97) is currently owned by 1941-1959 Jerome Avenue LLC, with a mailing address of 450 West 14th Street, 8th Floor, New York, NY 10114. A list of the remaining adjacent properties and owners is provided below:

<table>
<thead>
<tr>
<th>Adjacent to the north:</th>
<th>Adjacent to the east (continued):</th>
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</thead>
<tbody>
<tr>
<td>Block 2863, Lot 1</td>
<td>Block 2853, Lot 17</td>
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<tr>
<td>3 – 15 West Tremont LLC (owner)</td>
<td>Uptown Storage Co. Inc. (owner)</td>
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<tr>
<td>15 West Tremont Avenue</td>
<td>305 North Ave</td>
</tr>
<tr>
<td>Bronx, NY 10453</td>
<td>New Rochelle, NY 10801</td>
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<tr>
<td>True Gospel Tabernacle Church (occupant)</td>
<td>Bronx Taxi School (occupant)</td>
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<tr>
<td>1 West Tremont Avenue</td>
<td>1954 Jerome Avenue</td>
</tr>
<tr>
<td>Bronx, NY 10453</td>
<td>Bronx, NY 10453</td>
</tr>
<tr>
<td></td>
<td>Three Radiator (occupant)</td>
</tr>
<tr>
<td></td>
<td>1950 Jerome Avenue</td>
</tr>
<tr>
<td></td>
<td>Bronx, NY 10453</td>
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<tr>
<td>Adjacent to the south:</td>
<td>Express Muffler (occupant)</td>
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<tr>
<td>Block 2862, Lot 103</td>
<td>1948 Jerome Avenue</td>
</tr>
<tr>
<td>Frank Deleonardis (owner)</td>
<td>Bronx, NY 10453</td>
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<tr>
<td>Susan’s Place Homeless Center (occupant)</td>
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<tr>
<td>1921 Jerome Avenue</td>
<td></td>
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<td>Bronx, NY 10453</td>
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<tr>
<td>Adjacent to the west:</td>
<td>Galaxy Auto Center (occupant)</td>
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<tr>
<td>Block 2862, Lot 14</td>
<td>1942 Jerome Avenue</td>
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<tr>
<td>NYC Department of Education (owner)</td>
<td>Bronx, NY 10453</td>
</tr>
<tr>
<td>Bronx School of Young Leaders (occupant)</td>
<td></td>
</tr>
<tr>
<td>40 W Tremont Avenue</td>
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<tr>
<td>Bronx, NY 10453</td>
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<tr>
<td>Adjacent to the east:</td>
<td>Euro Car, Inc. (occupant)</td>
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<tr>
<td>Block 2853, Lot 22</td>
<td>1940 Jerome Avenue</td>
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<tr>
<td>1956 Jerome Avenue LLC (owner)</td>
<td>Bronx, NY 10453</td>
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<tr>
<td>CS Brown Company Inc.</td>
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<tr>
<td>1956 Jerome Avenue</td>
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<tr>
<td>Block 2853, Lot 11</td>
<td>Otto &amp; Fito LLC</td>
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<td>118 Knickerbocker Avenue</td>
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<td>Bronx, NY 10453</td>
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<tr>
<td>Block 2853, Lot 12</td>
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<tr>
<td>1940 &amp; 1942 Jerome Ave LLC (owner)</td>
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<td>400 E148th St, 3rd Floor</td>
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<tr>
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<tr>
<td>Block 2853, Lot 15</td>
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<tr>
<td>1940 &amp; 1942 Jerome Ave LLC (owner)</td>
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<td>400 E148th St, 3rd Floor</td>
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<td>Bronx, NY 10455</td>
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<td>Otto &amp; Fito LLC</td>
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<tr>
<td>118 Knickerbocker Avenue</td>
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<tr>
<td>Brooklyn, NY 11237</td>
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3. *Local News Media*

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<tr>
<th>New York Post</th>
<th>New York Daily News</th>
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</thead>
<tbody>
<tr>
<td>1211 Avenue of the Americas</td>
<td>4 New York Plaza</td>
</tr>
<tr>
<td>New York, New York 10036</td>
<td>New York, New York 10004</td>
</tr>
<tr>
<td>New York 1 News</td>
<td>La Esquina FM</td>
</tr>
<tr>
<td>75 Ninth Avenue</td>
<td>2160 Anthony Avenue</td>
</tr>
<tr>
<td>New York, NY 10011</td>
<td>Bronx, NY 10457</td>
</tr>
<tr>
<td>Email: <a href="mailto:ny1news@ny1.com">ny1news@ny1.com</a></td>
<td></td>
</tr>
<tr>
<td>New York 1 News</td>
<td>Crosswalks Television Network</td>
</tr>
<tr>
<td>2155 Dr M.LK Jr Boulevard</td>
<td>Millennium Tv USA</td>
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<tr>
<td>Bronx, NY 10453</td>
<td>544 Taylor Avenue</td>
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<tr>
<td></td>
<td>Bronx, NY 10473</td>
</tr>
</tbody>
</table>

4. *Public Water Supply*

Public water is provided by The City of New York, Department of Environmental Protection:

Customer Service Center  
59-17 Junction Boulevard, 13th Floor  
Flushing, New York 11373

5. *Additional Contacts*

All former occupants have vacated the Site. Therefore, there are no additional Site contacts.

6. *Nearby School and Day Care Centers*

**Daycares:**

Animata Family WeeCare  
1800 Davidson Ave #2e  
Bronx, NY 10453  
(908) 869-8610  
Distance: 890 feet south of the Site

Annalise Day Care  
2065 Davidson Ave  
Bronx, NY 10453  
(347) 260-1303  
Distance: 1,000 feet north of the Site

Fun House Group Family ABC Daycare  
1872 Andrews Ave S  
Bronx, NY 10453, Bronx, NY  
(917) 962-9998  
Distance: 0.23 miles west of the Site

Kids Group Family WeeCare  
2055 Harrison Ave  
Bronx, NY 10453  
(551) 230-7696  
Distance: 0.23 miles west of the Site
Mama Cee Cee’s Wee Care
1872 Andrews Ave S
Bronx, NY 10453, Bronx, NY
(917) 451-3862
Distance: 0.25 miles west of the Site

Tracey Day Care
55 W 180th St
Bronx, NY 10453
Distance: 0.25 miles north of the Site

Tracey Day Care
55 W 180th St
Bronx, NY 10453
Distance: 0.25 miles north of the Site

Sweet Kids Group Family Day Care
1770 Townsend Ave
Bronx, NY 10453
(347) 998-8500
Distance: 0.27 miles south of the Site

WeeCare LLC
1775 Walton Ave # 7F
Bronx, NY 10453
(718) 550-3254
Distance: 0.3 miles north of the Site

Schools:

The Bronx School of Young Leaders
40 West Tremont Avenue
Bronx, NY 10453
(718) 583-4146
Ms. Serapha Cruz, Principal
Distance: west-adjacent to the Site

Public School 338
1780 Dr M.L.K Jr Boulevard
Bronx, NY 10453
(718) 299-1390
Distance: 0.7 miles southwest of the Site

St. Margaret Elementary School
121 E 177th St
Bronx, NY 10453
(718) 731-5905
Distance: 1,000 feet east of the Site

Young Women’s Leadership School of the Bronx
1865 Morris Ave
Bronx, NY 10453
(718) 731-2590
7. Document Repositories

Bronx Library Center
310 E Kingsbridge Rd.
Bronx, NY 10458
(718) 579-4244

Bronx Community Board District 5
Ken Brown, District Manager
Bronx Community College
University Ave. & West 181st St
Bronx, NY 10453

Letters signed by representatives of the designated document repositories are included in Attachment G.

8. Local Community Board

Bronx Community Board District 5
Ken Brown, District Manager
Bronx Community College
University Ave. & West 181st St
Bronx, NY 10453

Supplement to Section X – Land Use Factors

1. Zoning

The Site is currently zoned as C4-4D commercial and residential. The proposed use is consistent with existing zoning for the Site as part of the Jerome Avenue Neighborhood Plan, which seeks to create opportunities for new affordable housing and community facilities. A Zoning Map is presented as Figure 6 in Attachment C.

2. Current Site Use

Currently, the Site comprises a vacant approximately 15,039-sf, two-story former parking garage and automobile repair facility at 1941 and 1941A Jerome Avenue (Lot 97), and a vacant approximately 18,874-sf commercial building that was formerly occupied by multiple automobile repair facilities located at 1959 through 1965 Jerome Avenue (Lot 90). Existing land uses are presented in the Surrounding Land Use Map (Figure 5 in Attachment C).

Lot 90 was vacant when 1941-1959 Jerome Avenue LLC took ownership of the Site. New York City Department of Buildings (DOB) records indicate that a Vacate Order was issued for Lot 90 in July 2020, following a fire at the facility. The lot was vacated sometime between July 2020 and April 2021 when the Requestor took ownership.

The Volunteers issued an eviction notice to the former operators of Lot 97, Quality Auto Painting and Body at 1941 Jerome Avenue and Excellent Auto Center at 1941A Jerome Avenue, in April 2021. Quality Auto Painting and Body vacated 1941 Jerome Avenue in October 2021. After legal proceedings, the City of New York issued an order to Excellent Auto Center to vacate 1941A Jerome Avenue in December 2021. The business remained on the property until March 30, 2022. The entire lot is now vacant.
3. Proposed Site Use

The proposed development plan for the Site is in the design stage but is expected to include demolition of the existing buildings and construction of a new 15-story senior supportive housing facility. A metes and bounds survey map is included as Attachment E.

4. Community Master Plans, Local Waterfront Revitalization Plans, and/or Adopted Land Use Plans

The proposed redevelopment Site is located within the neighborhood represented by Bronx Community Board No. 5. The Site is zoned C4-4D, mixed use commercial and residential. C4 districts are mapped in regional commercial centers that are located outside of the central business districts. The proposed use (senior supportive housing) aligns with the Jerome Avenue Neighborhood Plan, which seeks to create opportunities for new affordable housing and community facilities.
ATTACHMENT A

NYS Department of State’s Corporation and Business Entity Database Information
COVID-19 Vaccines

Booster doses are now available for eligible New Yorkers, including New Yorkers age 65 and older who got the Pfizer vaccine.

Department of State
Division of Corporations

Entity Information

Entity Details

ENTITY NAME: BOLINAR DEVELOPMENT LLC
FOREIGN LEGAL NAME: 
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY
SECTION OF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW
DATE OF INITIAL DOS FILING: 08/15/2018
EFFECITIVE DATE INITIAL FILING: 08/15/2018
FOREIGN FORMATION DATE: 
COUNTY: New York
JURISDICTION: New York, United States
DOS ID: 5393549
FICTITIOUS NAME: 
DURATION DATE/LATEST DATE OF DISSOLUTION: 
ENTITY STATUS: Active
REASON FOR STATUS: 
INACTIVE DATE: 
STATEMENT STATUS: CURRENT
NEXT STATEMENT DUE DATE: 09/31/2022
NFP CATEGORY: 

Service of Process Name and Address

Name: GILBRIDE, TUSA, LAST & SPELLANE LLC
Address: 675 THIRD AVENUE, 31ST FLOOR, NEW YORK, NY, United States, 10017

Chief Executive Officer's Name and Address

Name: 
Address: 

Principal Executive Office Name and Address

Name: 
Address: 

Registered Agent Name and Address

Name: 
Address: 

Return to Results  Return to Search
**Entity Primary Location Name and Address**

**Name:**

**Address:**

**Farmcorflag**

**Is The Entity A Farm Corporation:** No

**Stock Information**

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<th>Share Value</th>
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<th>Value Per Share</th>
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<td></td>
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</table>
Department of State

Existing Corporations and Businesses

Corporation & Business Entity Database Search

Selected Entity Name: 1941-1959 JEROME AVENUE LLC

Current Entity Name: 1941-1959 JEROME AVENUE LLC

DOS ID #: 5923089

Initial DOS Filing Date: JANUARY 21, 2021

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

GILBRIDE, TUSA, LAST & SPELLANE LLC
675 THIRD AVENUE, 31ST FLOOR
NEW YORK, NEW YORK, 10017

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by viewing the certificate.

*Stock Information
# of Shares | Type of Stock | $ Value per Share
---|---|---
No Information Available

*Stock information is applicable to domestic business corporations.

**Name History**

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<td>1941-1959 JEROME AVENUE LLC</td>
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</table>

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

**NOTE:** New York State does not issue organizational identification numbers.
ATTACHMENT B

Access Agreement
September 28, 2021

Bolivar Development LLC
450 West 14th Street, 8th Floor
New York, New York 10014

RE: Property access to perform all obligations under the New York State Brownfield Cleanup Program

To Whom It May Concern,

1941-1959 Jerome Avenue LLC currently owns that certain real property located at 1941 and 1959 Jerome Avenue, Bronx, New York, also known as Block 2862, Lots 90 and 97, on the Tax Map of the City of New York, Bronx County (the "Property"). 1941-1959 Jerome Avenue LLC hereby authorizes Bolivar Development LLC to access the Property to perform any and all obligations under the New York State Brownfield Cleanup Program ("BCP"). 1941-1959 Jerome Avenue LLC understands that Bolivar Development LLC will also need to provide access to the New York State Department of Environmental Conservation, the New York State Department of Health, and AKRF, Inc. to perform requisite inspections, sampling, and all requirements under the BCP.

Sincerely,

1941-1959 JEROME AVENUE LLC
a New York limited liability company

By: Mr. Peter Fine, its sole member

By: ________________________________

Name: Mr. Peter Fine
Title: Managing Partner
ATTACHMENT C

Figures
1941 and 1959 Jerome Avenue
Bronx, New York

EN-ZONE BOUNDARY MAP
LEGEND

PROJECT SITE BOUNDARY

1000-FOOT RADIUS BUFFER

ZONING - SPECIAL PURPOSE SUB-DISTRICTS

ZONING DISTRICTS

COMMERCIAL OVERLAY DISTRICTS

SPECIAL PURPOSE DISTRICT

Source: NYC Department of City Planning, Technical Review Division

1941 and 1959 Jerome Avenue
Bronx, New York

ZONING MAP

DATE
6/15/2021
PROJECT NO.
210023
FIGURE
6

440 Park Avenue South, New York, NY 10016
Groundwater Concentrations Above NYSDEC AWQSGVs and/or Screening Levels

**LEGEND**

- **PROJECT SITE BOUNDARY**
- **LOT BOUNDARY AND TAX LOT NUMBER**
- **SOIL BORING/TEMPORARY WELL**

**NYSDAC TOGS Class GA Ambient Water Quality Standard and Guidance Values (AWQSGVs) and/or Screening Levels:**

New York State Department of Environmental Conservation (NYSDAC) Technical and Operational Guidance Series (TOGS) (1.1.1):

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

Exceedances of NYSDEC AWQSGVs and Exceedances of NYSDEC Screening Values are shown in bold font.

The concentration given is an estimated value.

RI-GW-X_20210225: a sample duplicate of sample RI-GW-01_20210224
RI-GW-X_20210227: a duplicate of sample RI-GW-01_20210224

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<tr>
<td>Chloride</td>
<td>10.5</td>
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<td>Fluoride</td>
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<td>Sulfate</td>
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<td>Dissolved Metals</td>
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<td>RI-GW-01_20210227</td>
<td>2/27/2021</td>
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</table>

**Emerging Contaminants**

- Perfluorooctanesulfonic acid
- Perfluorooctanoic acid

**Volatile Organic Compounds**

- Toluene
- Xylenes
- Toluene
- O-Xylene (1,2-Dimethylbenzene)
- N-Butylbenzene
- Isopropylbenzene (Cumene)
- Cymene
- Chlorobenzene
- 1,3,5-Trimethylbenzene (Mesitylene)

**Metals**

- Sodium 20,000
- Nickel 100
- Magnesium 35,000
- Lead 25
- Cadmium 5
- Barium 1,000
- Indeno(1,2,3-c,d)Pyrene 0.002
- Benzo(k)Fluoranthene 0.002
- Benzo(a)Anthracene 0.002
- Xylenes, M,P 5
- Toluene 5
- O-Xylene (1,2-Dimethylbenzene) 5
- N-Butylbenzene 5
- Isopropylbenzene (Cumene) 5
- Cymene 5
- Chlorobenzene 5
- 1,3,5-Trimethylbenzene (Mesitylene) 5

**SOIL BORING/TEMPORARY WELL**

- **SITE INFORMATION**
- **SITE PHOTOGRAPH**
- **GEOLOGICAL SURVEY**
- **GROUNDWATER CONCENTRATIONS**

**Map Source:** NYSDEC-NGD, City Planning GIS Database

**Hazardous Substance:**

1941 and 1959 Jerome Avenue

210023 Blocks

5/14/2021

44 Park Avenue, New York, NY 10016
ATTACHMENT D

Previous Environmental Reports (under separate cover)
ATTACHMENT E
Metes and Bounds Survey Map
ATTACHMENT F
Property Deeds
NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

Document ID: 202104270115001002E14D0
Document Date: 04-20-2021
Preparation Date: 05-07-2021

PRESENTER:
KENSINGTON VANGUARD NATIONAL LAND SERVICES
39 W37TH STREET
TITLE NO.565542-F-NY-CP-KV-B
NEW YORK, NY 10018
212-532-8686

PROPERTY DATA
Borough: BRONX
Block: 2862
Lot: 97
Unit: Entire Lot
Address: 1941 JEROME AVENUE
Property Type: COMMERCIAL REAL ESTATE

RETURN TO:
SAL MELI, ESQ.
GILBRIDE, TUSA, LAST & SPELLANCE LLC
675 THIRD AVENUE, 31ST FLOOR
NEW YORK, NY 10017

CROSS REFERENCE DATA
CRFN or DocumentID or Year Reel Page or File Number

PARTIES
GRANTOR/SELLER:
1941 JEROME AVENUE REALTY CORP.
1941 JEROME AVENUE
BRONX, NY 10453

GRANTEE/BUYER:
1941-1959 JEROME AVENUE LLC
C/O ATLANTIC DEVELOPMENT GROUP, LLC, 450
WEST 14TH STREET, 8TH FLOOR
NEW YORK, NY 10014

FEES AND TAXES
Mortgage: Mortgage Amount: $ 0.00
Taxable Mortgage Amount: $ 0.00
Exemption:
TAXES: County (Basic): $ 0.00
City (Additional): $ 0.00
Spec (Additional): $ 0.00
TASF: $ 0.00
MTA: $ 0.00
NYCTA: $ 0.00
Additional MRT: $ 0.00
TOTAL: $ 0.00
Recording Fee: $ 52.00
Affidavit Fee: $ 0.00
Filing Fee: $ 250.00
NYC Real Property Transfer Tax: $ 181,125.00
NYS Real Estate Transfer Tax: $ 44,850.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK
Recorded/Filed 05-10-2021 08:55
City Register File No.(CRFN): 2021000170545

City Register Official Signature
THIS INDENTURE, made as of the 20th day of April, in the year 2021

BETWEEN

1941 Jerome Avenue Realty Corp., a New York corporation, having an address at 1941 Jerome Avenue, Bronx, New York 10453 party of the first part, and

1941-1959 Jerome Avenue LLC, a New York limited liability company, having an address at c/o Atlantic Development Group, LLC 450 West 14th Street, 8th Floor, New York, New York 10014, party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN ($10.00) dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Bronx, City and State of New York and being more particularly bounded and described in the Schedule A attached hereto and made a part hereof.

SAID premises being more commonly known as 1941 Jerome Avenue, Bronx, New York 10453.

BEING the same premises conveyed to 1941 Jerome Avenue Realty Corp., by deed made by Richard Alan Cisternas, Ronald Guardin, George Bobitis and George Mellides, dated April 30, 1983 and recorded June 3, 1983 in Reel 507, Page 810 in the Office of the Register of Bronx County, State of New York.

This conveyance is made with the unanimous consent of the shareholders of the party of the first part.

This conveyance is made for the purposes of winding up the corporate affairs of the party of the first part.

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 have been encumbered in any way whatever, 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. The word “party” shall be construed as if it read “parties” whenever the sense of this indenture so requires.
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]

Richard Cisternas, President

[Signature]

Ronald Guardin, Vice-President

STATE OF New York

COUNTY OF RICHMOND

On the 29th day of April in the year 2021, before me, the undersigned, personally appeared Richard Cisternas and Ronald Guardin personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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 on behalf of which the individual(s) acted, executed the instrument.

PAUL A. SARCONA
Notary Public-State of New York
No. 02S46082988
Qualified in Richmond County
Commission Expires November 4, 2022

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS
TITLE NO. 565544-F-NY-CP-KV

1941 Jerome Avenue Realty Corp.
TO
1941-1959 Jerome Avenue, LLC

SECTION
BLOCK 2862
LOT 97
COUNTY OR TOWN Bronx

RETURN BY MAIL TO:

Sal Meli, Esq.
Gilbride, Tusa, Last & Spellane L.L.C
675 Third Avenue, 31st Floor
New York, New York 10017
FIRST AMERICAN TITLE INSURANCE COMPANY

Title No.: 565544-F-NY-CP-KV

Schedule A Description

ALL that certain plot, pieces or parcel of land, situate, lying and being in the Borough and County of Bronx, City and State of New York, known and designated as Lots 57, 58, 59, 60, 61 and 62 of Block 28620 on map entitled "Map of property belonging to Burnside Avenue Realty Corporation, dated July 1, 1912" made by John C. Van Horne, C.E. and C.S., filed in the Registers Office of Bronx County on August 20, 1910 under map #350, bounded and described as follows:

BEGINNING at a point on the westerly side of Jerome Avenue, distant 174.85 feet southerly from the corner formed by the intersection of the southerly side of Tremont Avenue with the westerly side of Jerome Avenue;

THENCE westerly, perpendicular to Davidson Avenue, and along lot #57 on said map, 100 feet;

THENCE southerly parallel with Jerome Avenue, and along lots 57, 58, 59, 60, 61 and 62, 150.39 feet;

THENCE easterly perpendicular to Davidson Avenue, and parallel with 1st mentioned course, and along lot #62, 100 feet to the westerly side of Jerome Avenue;

THENCE northerly along the westerly side of Jerome Avenue, 150.39 feet to the point or place of BEGINNING.
### SUPPORTING DOCUMENT COVER PAGE

**Document ID:** 2021042701150001  
**Document Type:** DEED  
**Document Date:** 04-20-2021  
**Preparation Date:** 05-07-2021

**ASSOCIATED TAX FORM ID:** 2021041900247

### SUPPORTING DOCUMENTS SUBMITTED:

<table>
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<th>Document Description</th>
<th>Page Count</th>
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<tr>
<td>DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING</td>
<td>1</td>
</tr>
<tr>
<td>RP - 5217 REAL PROPERTY TRANSFER REPORT</td>
<td>3</td>
</tr>
</tbody>
</table>
**REAL PROPERTY TRANSFER REPORT**
STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES
RP - 5217NYC

**PROPERTY INFORMATION**

<table>
<thead>
<tr>
<th>1. Property Location</th>
<th>1941 JEROME AVENUE</th>
<th>BRONX 10453</th>
</tr>
</thead>
<tbody>
<tr>
<td>STREET NUMBER</td>
<td>STREET NAME</td>
<td></td>
</tr>
<tr>
<td>BOROUGH</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZIP CODE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| 2. Buyer Name | 1941-1959 JEROME AVENUE LLC |
| LAST NAME / COMPANY | FIRST NAME |
| LAST NAME / COMPANY | FIRST NAME |

| 3. Tax Billing Address | Indicate where future Tax Bills are to be sent |
| if other than buyer address (at bottom of form) | |
| LAST NAME / COMPANY | FIRST NAME |
| STREET NUMBER AND STREET NAME | CITY OR TOWN |
| STATE | ZIP CODE |

| 4. Indicate the number of Assessment Roll parcels transferred on the deed | 1 # of Parcels OR Part of a Parcel |
| 4A. Planning Board Approval - N/A for NYC |
| 4B. Agricultural District Notice - N/A for NYC |

| 5. Deed Property Size | X | OR |
| FRONT FEET | DEPTH | ACRES |

| 8. Seller Name | 1941 JEROME AVENUE REALTY CORP. |
| LAST NAME / COMPANY | FIRST NAME |
| LAST NAME / COMPANY | FIRST NAME |

| 9. Check the box below which most accurately describes the use of the property at the time of sale: |
| A One Family Residential | C Residential Vacant Land | E Commercial |
| B 2 or 3 Family Residential | D Non-Residential Vacant Land | F Apartment |
| G Entertainment / Amusement | H Community Service | I Industrial |
| J Public Service |

**SALE INFORMATION**

| 10. Sale Contract Date | 1 / 22 / 2021 |
| Month | Day | Year |

| 11. Date of Sale / Transfer | 4 / 20 / 2021 |
| Month | Day | Year |

| 12. Full Sale Price $ | 690000000 |
| (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount. |

| 13. Indicate the value of personal property included in the sale |

**ASSESSMENT INFORMATION** - Data should reflect the latest Final Assessment Roll and Tax Bill

| 15. Building Class | 6 |

| 16. Total Assessed Value (of all parcels in transfer) | 6408000 |

| 17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s)) | BRONX 2862 97 |

202104190024720102
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

<table>
<thead>
<tr>
<th>BUYER</th>
<th>DATE</th>
<th>BUYER'S ATTORNEY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4-20-21</td>
<td>Meli</td>
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<tr>
<td></td>
<td></td>
<td>Sal</td>
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C/O ATLANTIC DEVELOPMENT GROUP, LLC 450 WEST 14TH STREET, 8TH FLOOR

<table>
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<tr>
<th>STREET NUMBER</th>
<th>STREET NAME (AFTER SALE)</th>
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<tr>
<td></td>
<td>NEW YORK</td>
<td>212</td>
<td>1-92-9600</td>
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<th>CITY OR TOWN</th>
<th>STATE</th>
<th>ZIP CODE</th>
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</thead>
<tbody>
<tr>
<td>NEW YORK</td>
<td>NY</td>
<td>10014</td>
</tr>
</tbody>
</table>

SELLER

SIGNED

2021041900247201
**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

<table>
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<tr>
<th>BUYER</th>
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<td>C/O ATLANTIC DEVELOPMENT GROUP, LLC 450 WEST 14TH STREET, 8TH FLOOR.</td>
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<tr>
<td>STREET NUMBER</td>
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<td>NY</td>
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<td>CITY OR TOWN</td>
<td>STATE</td>
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2021041900247201
The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

(1) Property receiving service: BOROUGH: BRONX
    BLOCK: 2862
    LOT: 97

(2) Property Address: 1941 JEROME AVENUE, BRONX, NY 10453

(3) Owner's Name: 1941-1959 JEROME AVENUE LLC
    Additional Name:

Affirmation:

✓ Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.

B. Original bills for water and/or sewer service will be mailed to the owner, at the property address or to an alternate mailing address. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner: 1941-1959 Jerome Avenue LLC

Signature: By

Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: Manager 4/20/21

BCS-7CRF-ACRIS REV. 8/08

2021041900247101
THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

AFFIDAVIT IN LIEU OF REGISTRATION STATEMENT

County of New York SS:

State of New York

1941-1959 JEROME AVENUE LLC, being duly sworn, deposes and says:

1) I am personally familiar with the real property known by the street address of (insert street address):

1941 JEROME AVENUE

Block 2622, Lot 97

and make this Affidavit as (describe capacity in which affidavit is made) GRANTEE

in connection with a (delete inapplicable description) (deed, lease, memorandum of lease) which transfers an interest in the above real property, that is dated 4/20/2021, and is between 1941 JEROME AVENUE REALTY and 1941-1959 JEROME AVENUE LLC.

2) The statements made in the Affidavit are true of my own knowledge, and I submit this Affidavit in order that this Instrument be accepted for recording without being accompanied by a registration statement, as such is defined by Article 2 of Subchapter 4 of Chapter 2 of Title 27 of the Administrative Code of the City of New York.

3) Exemption from registration is claimed because the Instrument affects neither (a) an entire multiple dwelling as such is defined by §27-2004(a)(7) of Article 1 of Subchapter 1, of Chapter 2 of Title 27 of the Administrative Code of the City of New York and New York State Multiple Dwelling Law §4(7) nor (b) a private dwelling as such is defined by §27-2004 (a) (4) of Article 1 of Subchapter 1 of Chapter 2 of Title 27 of the Administrative Code of the City of New York and of the New York State Multiple Dwelling Law §4(6) that is required to register pursuant to, Article 2 of Subchapter 4 of Chapter 2 of Title 27 of the Administrative Code of the City of New York. The Instrument does not affect a multiple dwelling because it affects the following (check applicable item):

☐ a commercial building
☐ a one-or two family dwelling whose owner or a family member resides in the dwelling
☐ a condominium unit in a multiple dwelling
☐ cooperative corporation shares relating to a single residential unit in a multiple dwelling
☐ mineral, gas, water, air or other similar rights not affecting a multiple dwelling
☐ lease of commercial space in a multiple dwelling
☐ vacant land

4) I am aware that this Affidavit is required by law to be submitted in order that the Instrument be recorded or accepted for recording without being accompanied by a registration statement. I am aware that any false statements made in this Affidavit may be punishable as a felony or misdemeanor under Penal Law Article 210 or as an offense under Administrative Code of the City of New York §10-154.

Sworn To Before Me This 2021

Day of April

Notary Public

Signature

C/O ATLANTIC DEVELOPMENT GROUP, LLC
450 WEST 14TH STREET, 8TH FLOOR
NEW YORK, NY 10014

Address

Telephone # 999-999-9999

2021041900247101
**NYC DEPARTMENT OF FINANCE**
**OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

**RECORDING AND ENDORSEMENT COVER PAGE**

**Document ID:** 2021042701150002001EE494  
**Document Date:** 04-20-2021  
**Preparation Date:** 04-27-2021

<table>
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<th>RETURN TO:</th>
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| KENSINGTON VANGUARD NATIONAL LAND SERVICES  
39 W37TH STREET  
TITLE NO.565542-F-NY-CP-KV-B  
NEW YORK, NY 10018  
212-532-8686 | SAL MELI, ESQ.  
GILBRIDE, TUSA, LAST & SPELLANCE LLC  
675 THIRD AVENUE, 31ST FLOOR  
NEW YORK, NY 10017 |

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<td>90</td>
<td>Entire Lot</td>
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<table>
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<tr>
<th>PARTIES</th>
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| **GRANTOR/SELLER:**  
TREMONT GARAGE REALTY CORP  
305 NORTH AVENUE  
NEW ROCHELLE, NY 10801 |

| **GRANTEE/BUYER:**  
1941-1959 JEROME AVENUE LLC  
C/O: ATLANTIC DEVELOPMENT GROUP LLC, 450 WEST 14TH STREET, 8TH FLOOR  
NEW YORK, NY 10014 |

<table>
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<th>FEES AND TAXES</th>
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<td>Mortgage Amount:</td>
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<tr>
<td>NYC Real Property Transfer Tax:</td>
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<tr>
<td>NYS Real Estate Transfer Tax:</td>
</tr>
</tbody>
</table>

**RECORDED OR FILED IN THE OFFICE**
**OF THE CITY REGISTER OF THE**
**CITY OF NEW YORK**

Recorded/Filed: 05-10-2021 08:55  
City Register File No. (CRFN): 2021000170546

City Register Official Signature
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 20th day of April, 2021,

BETWEEN

TREMONT GARAGE REALTY CORP, a New York Corporation with offices at 305 North Avenue, New Rochelle, NY 10801

party of the first part, and

1941-1959 JEROME AVENUE LLC, a New York Limited Liability Company, having an address at 450 West 14th Street, 8th Floor, New York, NY 10014

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

TEN ($10.00)——— dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough and County of Bronx, City and State of New York, bounded and described as follows:

see Schedule A

Being the same premises conveyed to the grantor by deed from Dan Herb Realty Co., a co partnership dated February 3, 1982 and recorded February 10, 1982 in Reel 456 Page 1779 in the Office of the Register of Bronx County, State of New York.

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 have been encumbered in any way whatever, 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. The word “party” shall be construed as if it read “parties” when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

TREMONT GARAGE REALTY CORP.

BY: RICHARD POGOSTIN, Vice President

Standard N.Y.B.T.U. Form 3202 Bargain and Sale Deed, with Covenant against Grantor's Acts-Uniform Acknowledgment
STATE OF NEW YORK COUNTY OF WESTCHESTER

On the 7th day of APRIL in the year 2021
before me, the undersigned, personally appeared
RICHARD POGSTIN
personally known to me or proved to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) 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)

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign County) of

On the ___ day of ___ in the year ___ 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(s) 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,
exected the instrument, and that such individual made such appearance before me.

(insert the City or other political subdivision)  
(and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

DISTRICT
SECTION
BLOCK 2862
LOT 90
COUNTY OR TOWN BRONX
STREET ADDRESS 1949-1959 JEROME AVENUE
AKA 2-8 WEST TREMONT AVENUE,
BRONX, NY 10453

Record at Request of
RETURN BY MAIL TO:

Gilbrides, Tusa, Last & Spellane LLC
675 Third Avenue, 31st Floor
New York, NY 10017
ATTN: Sel Mell, Esq.

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS
Title No. 665452-F-NY-CP-XV

TERMONT GARAGE REALTY CORP.

TO

1949-1959 JEROME AVENUE LLC

DISTRIBUTED BY

RESERVING THIS SPACE FOR USE OF RECORdING OFFICE.
FIRST AMERICAN TITLE INSURANCE COMPANY

Title No.: 585542-F-NY-CP-KV

Schedule A Description

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of Bronx, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of West Tremont Avenue distant 82.30 feet easterly from the point of intersection of the southerly side of West Tremont Avenue with the easterly side of Davidson Avenue;

RUNNING THENCE easterly along the southerly side of West Tremont Avenue 88.99 feet to a point;

THENCE easterly and commencing along the southerly side of West Tremont Avenue on a curve to the right having a radius of 20 feet, a distance of 38.21 feet to a point;

THENCE southerly along the westerly side of Jerome Avenue, a distance of 174.65 feet to a point;

THENCE westerly at an interior angle of 94 degrees 10 minutes 38 seconds with the westerly side of Jerome Avenue North 86 degrees 35 minutes 15 seconds West at a distance of 100.65 feet to a point;

THENCE northerly at an interior angle of 88 degrees 36 minutes 30 seconds with the last mentioned course North 2 degrees 48 minutes 15 seconds East a distance of 168.13 feet to the southerly side of West Tremont Avenue to the point or place of BEGINNING.
<table>
<thead>
<tr>
<th>SUPPORTING DOCUMENTS SUBMITTED</th>
<th>Page Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING</td>
<td>1</td>
</tr>
<tr>
<td>RP - 5217 REAL PROPERTY TRANSFER REPORT</td>
<td>3</td>
</tr>
</tbody>
</table>
REAL PROPERTY TRANSFER REPORT
STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES
RP - 5217NYC

FOR CITY USE ONLY
C1. County Code [ ]
C2. Date Deed Recorded Month / Day / Year
C3. Book OR
C4. Page
C5. CRFN [ ]

PROPERTY INFORMATION

1. Property Location
1949-1961 JEROME AVENUE
BRONX 10453

2. Buyer Name
1941-1959 JEROME AVENUE LLC

3. Tax Billing Address

4. Indicate the number of Assessment Roll parcels transferred on the deed

5. Deed Property Size

6. Seller Name
TREMONT GARAGE REALTY CORP

7. Ownership Type
Condominium

8. Check the box below which most accurately describes the use of the property at the time of sale:

9. Check one or more of these conditions as applicable to transfer:

SALE INFORMATION

10. Sale Contract Date
4 / 19 / 2021

11. Date of Sale / Transfer
4 / 20 / 2021

12. Full Sale Price $ 1,3,9,2,6,9,6,0

13. Indicate the value of personal property included in the sale [ ]

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class [ ]

16. Total Assessed Value (of all parcels in transfer) 6,1,7,8,5,0

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))

BRONX 2862 90
<table>
<thead>
<tr>
<th>BUYER</th>
<th>4-30-21</th>
<th>Meli</th>
<th>BUYER'S ATTORNEY</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCO: ATLANTIC DEVELOPMENT GROUP LLC 450 WEST 14TH STREET, 3RD FLOOR</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUYER SIGNATURE</td>
<td>DATE</td>
<td>LASTNAME</td>
<td>FIRSTNAME</td>
</tr>
<tr>
<td>STREET NUMBER</td>
<td>STREET NAME (AFTER SALE)</td>
<td>AREA CODE</td>
<td>TELEPHONE NUMBER</td>
</tr>
<tr>
<td>NEW YORK</td>
<td>NY</td>
<td>10014</td>
<td></td>
</tr>
<tr>
<td>CITY OR TOWN</td>
<td>STATE</td>
<td>ZIP CODE</td>
<td>SELLER SIGNATURE</td>
</tr>
</tbody>
</table>
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

C/O: ATLANTIC DEVELOPMENT GROUP LLC 450 WEST 147TH STREET, 8TH FLOOR

BUYER SIGNATURE

DATE

BUYER’S ATTORNEY

LAST NAME

FIRST NAME

AREA CODE

TELEPHONE NUMBER

SELLER

SIGNED: [Signature]

NEW YORK

NY

10014

CITY OR TOWN

STATE

ZIP CODE

SELLER SIGNATURE

DATE

2021041500313201
Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

(1) Property receiving service: BOROUGH: BRONX  BLOCK: 2862  LOT: 90

(2) Property Address: 1949-1961 JEROME AVENUE, BRONX, NY 10453

(3) Owner's Name: 1941-1959 JEROME AVENUE LLC

Affirmation:

☑ Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner’s responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.

B. Original bills for water and/or sewer service will be mailed to the owner, at the property address or to an alternate mailing address. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party’s information.

Owner’s Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned “Customer Billing Information”; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner: 1941-1959 JEROME AVENUE LLC

Signature:  By ___________________________ Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: ___________________________
ATTACHMENT G

Document Repository Letters
June 15, 2021

Mr. Ken Brown
District Manager
Bronx Community Board District 5
Bronx Community College
University Ave. and West 181st St
Bronx, NY 10453

Re: Document Repository for 1941 and 1959 Jerome Avenue, Bronx, New York

Dear Mr. Ken Brown:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application and Remedial Investigation Work Plan (RIWP) on behalf of the project site located at 1941 and 1959 Jerome Avenue in the Bronx, New York. As required by NYSDEC, Bronx Community Board District 5 will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter via email to jdiggins@akrf.com. Please call me at (646) 388-9784 with any questions. Thank you.

Sincerely,
AKRF, Inc.

[Signature]

J. Patrick Diggins
Technical Director

ACKNOWLEDGED AND ACCEPTED:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Ken Brown</td>
<td>District Manager</td>
</tr>
</tbody>
</table>

Signature
September 9, 2021

Ms. Sydney Renwick
Associate Director for Government and Community Affairs
New York Public Library
476 Fifth Avenue
New York, NY 10018

Re: Document Repository for 1941 and 1959 Jerome Avenue, Bronx, New York

Dear Ms. Renwick:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application and Remedial Investigation Work Plan (RIWP) on behalf of the project site located at 1941 and 1959 Jerome Avenue in Bronx, New York. As required by NYSDEC, the Jerome Park Library will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter via email to jdiggins@akrf.com. Please call me at (646) 388-9784 with any questions. Thank you.

Sincerely,
AKRF, Inc.

J. Patrick Diggins
Technical Director

ACKNOWLEDGED AND ACCEPTED:

Ms. Sydney Renwick
Name

Associate Director
Title

Signature

Offices in New York • New Jersey • Pennsylvania • Maryland • Connecticut