



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 12*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME **Nostrand Green LLC**

ADDRESS **826 Broadway, 11th Floor**

CITY/TOWN **New York**

ZIP CODE **10003**

PHONE **718-473-9663**

FAX

E-MAIL **jkohlriggs@hudsoninc.com**

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](#). 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. **See Attached Supporting Document: Part A, Section I**

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](#) 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

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

- the date that the remedial program is to start; and **See Attached Supporting Document: Part A, Section II**
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental HistorySee Attached Supporting
Document: Part A, Section III

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. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			X
Chlorinated Solvents	X		X
Other VOCs			
SVOCs	X		
Metals	X		
Pesticides	X		
PCBs			
Other*			

*Please describe: _____

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?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

See Attachments B and
C of the Supporting
Documents

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

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input checked="" type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: parking garage with gas tanks, wholesale textile warehouse, auto repair facility, printers, dry cleaners

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 975 Nostrand Avenue				
ADDRESS/LOCATION 975 Nostrand Avenue				
CITY/TOWN Brooklyn		ZIP CODE 11225		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York City, Borough of Brooklyn				
COUNTY Kings		SITE SIZE (ACRES) 1.369		
LATITUDE (degrees/minutes/seconds) 40 ° 39 ' 53 "		LONGITUDE (degrees/minutes/seconds) 73 ° 57 ' 01 "		
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. See Attachment C of the Supporting Documents				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
975 Nostrand Avenue		1309	6	1.369
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> <div style="text-align: right;">If yes, identify census tract : <u>319</u></div> <div style="margin-top: 10px;"> Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100% </div>				
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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

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**? **See Attached Supporting Document: Part A, Section IV**

☒ 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? ☒ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

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 ☐ Not Applicable

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: _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Mr. Joseph Kohl Riggs			
ADDRESS 826 Broadway, 11th Floor			
CITY/TOWN New York		ZIP CODE 10003	
PHONE 718-473-9663	FAX _____	E-MAIL jkohlriggs@hudsoninc.com	
NAME OF REQUESTOR'S CONSULTANT Mr. Axel Schwendt/AKRF, Inc.			
ADDRESS 440 Park Avenue South, 7th Floor			
CITY/TOWN New York		ZIP CODE 10016	
PHONE 917-596-8992	FAX 2112-726-0942	E-MAIL aschwendt@akrf.com	
NAME OF REQUESTOR'S ATTORNEY Mr. David S. Yudelson/Sive, Paget & Riesel, P.C.			
ADDRESS 560 Lexington Avenue, 15th Floor			
CITY/TOWN New York		ZIP CODE 10022	
PHONE 646-378-7219	FAX _____	E-MAIL dyudelson@sprlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor Requestor is Owner/Operator			
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.			
See Attached Supporting Document: Part B, Section VI			
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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

See Attached Supporting Document: Part B, Section VII

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

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 ☐ Not Applicable

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? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
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? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

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? R7-1, C2-3

What uses are allowed by the current zoning? (Check boxes, below)

☒ Residential ☒ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☒ Vacant ☐ Recreational (check all that apply)

Former supermarket closed and Site vacant since July 2021

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: ☒ 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 ☒ No

4. Do current historical and/or recent development patterns support the proposed use?

☒ Yes ☐ No

See Attached Supporting Document: Part A, Section II

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See Attached Supporting Document: Part A, Section II

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.

☒ Yes ☐ No

See Attached Supporting Document: Part A, Section II. Community master plans (of any) are not available.

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 Authorized Signatory (title) of Nostrand Green LLC (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: 9/24/21

Signature: _____

Print Name: Joseph Kohl Riggs

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

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
From ECL 27-1405(31):	
<p>"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.</p>	
<p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p>	
<p>375-3.2:</p> <p>(I) "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</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(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</p> <p>(c) there are no structures.</p> <p>"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.</p>	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

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;
- ☒ 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.

BCP Application Summary (for DEC use only)

Site Name: 975 Nostrand Avenue
City: Brooklyn

Site Address: 975 Nostrand Avenue
County: Kings **Zip:** 11225

Tax Block & Lot
Section (if applicable):

Block: 1309 **Lot:** 6

Requestor Name: Nostrand Green LLC
City: New York

Requestor Address: 826 Broadway, 11th Floor
Zip: 10003 **Email:** jkohlriggs@hudsoninc.com

Requestor's Representative (for billing purposes)

Name: Mr. Joseph Kohl Riggs
City: New York

Address: 826 Broadway, 11th Floor
Zip: 10003

Email: jkohlriggs@hudsoninc.com

Requestor's Attorney

Name: Mr. David S. Yudelson/Sive, Paget & Riesel, P.C.
City: New York

Address: 560 Lexington Avenue, 15th Floor
Zip: 10022

Email: dyudelson@sprlaw.com

Requestor's Consultant

Name: Mr. Axel Schwendt/AKRF, Inc.
City: New York

Address: 440 Park Avenue South, 7th Floor
Zip: 10016

Email: aschwendt@akrf.com

Percentage claimed within an En-Zone: ☐ 0% ☐ <50% ☐ 50-99% ☒ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree
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

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☒ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

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 in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

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SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings and **data summary tables** requested in Section III, #3 of the BCP application form. **Data summary table instructions are attached.**

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

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SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

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SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

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**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

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.

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SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

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DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **If this 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, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

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DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

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DATA SUMMARY TABLES

Data summary tables should include the following columns. Example tables are provided on the following page.

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m ³) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e. "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m³) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

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Brownfield Cleanup Program Application Attachments

ATTACHMENTS

- Attachment A – New York State Department of State's Corporation and Business Entity Database Listing
- Attachment B – Environmental Reports (provided separately on a CD-ROM):
- *Phase I Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, EBI Consulting, November 2, 2020.*
 - *Phase II Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, EBI Consulting, December 22, 2020.*
 - *Phase I Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, AKRF, Inc., July 2021.*
 - *Limited Subsurface Investigation Letter Report, 975 Nostrand Avenue, Brooklyn, NY, AKRF, Inc. August 2021.*
- Attachment C – Figures:
- *Figure 1 – Site Location Map*
 - *Figure 2 – Site Plan and Sample Locations*
 - *Figure 3 – Tax Map*
 - *Figure 4 – Existing Land Use*
 - *Figure 5 – Zoning Map*
 - *Figure 6 – Soil Sample Concentrations Above NYSDEC UUSCOs and/or RRSCOs*
 - *Figure 7 – Soil Vapor Sample Concentrations*
 - *Figure 8 – En-Zone Boundary Map*
- Attachment D – Property Survey and Metes and Bounds Description
- Attachment E – Executed Document Repository Acknowledgement Letters

Brownfield Cleanup Program Application Supporting Documentation

PART A

SECTION I. Requestor Information

Nostrand Green LLC is the Requestor for this application. The NYS Department of State's Corporation and Business Entity Database listing for the Requestor entity, Nostrand Green LLC, is included as Attachment A.

1. Member/Owner Info

NYC Hudson Multifamily Green Fund LLC
826 Broadway, 11th Floor
New York, NY 100%
Ownership: 100%
Contact Person: Joseph Kohl Riggs, jkohlriggs@hudsoninc.com

SECTION II. Project Description

2. Remedial Investigation Report (RIR)

The project is seeking to enter the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) at the investigation stage. Although an initial investigation has been completed, a Remedial Investigation (RI) will be completed to further delineate subsurface impact at the site.

This BCP Application is being submitted concurrently with a Draft Remedial Investigation Work Plan (RIWP) and Draft Interim Remedial Measures Work Plan (IRMWP). The RI, to be completed in accordance with the RIWP after approval by the New York State Department of Environmental Conservation (NYSDEC), will be conducted in compliance with ECL Article 27-1415(2); and all applicable federal, state, and local regulations.

3. Description of Development Project

The "975 Nostrand Avenue" project site (the "Site") is located in the Crown Heights neighborhood of Brooklyn, New York. The 59,634-square feet (1.369-acre) Site is comprised of one vacant single-story former commercial-use building built on a portion of the Site, with the remainder being used as an asphalt-paved parking lot. The Site is also identified as Brooklyn Tax Block 1309, Lot 6. A Site Plan and Tax Map are included as Figures 2 and 3, respectively, included in Attachment C.

The Site lies entirely within an EnZone and is part of Census Tract 319. Specific construction details regarding the proposed redevelopment project are pending; however, the project will consist of approximately 327 units (including 98 affordable housing units), approximately 25,983-square feet of local commercial and retail space, and approximately 38,014-square feet of parking space. The Applicant's plan is to remediate the Site in conjunction with construction of the proposed new building. The remedial action will begin in June 2022 and the Certificate of Completion (COC) will be obtained in December 2023. The preliminary project schedule, shown in Table 1, is subject to change.

Table 1
Proposed Project Schedule

Activity	Estimated Date
BCP application, draft RIWP, and draft IRMWP submitted to NYSDEC.	September 2021
NYSDEC completeness check of BCP application and determination that application is complete/incomplete.	September/October 2021
NYSDEC Issues BCP Application Letter of Completeness	October 2021
30-day Public Comment Period Initiated (Environmental News Bulletin, Newspaper)	October 2021
Execute BCP Agreement (BCA)	November 2021
Citizen Participation Plan (CPP) Submitted to NYSDEC	November 2021
Receive NYSDEC comments to draft RIWP and draft IRMWP.	December 2021/January 2022
Submit revised RIWP and IRMWP, and NYSDEC approves both documents.	January/February 2022
Conduct Remedial Investigation (RI) in the exterior areas	February 2022
Building demolition	February-March 2022
Conduct Remedial Investigation (RI) within the former building footprint area	April 2022
Prepare and submit draft Remedial Investigation Report and the draft Remedial Action Work Plan (RAWP)	April 2022
45-day Public Comment Period (Environmental News Bulletin, Newspaper).	May 2022
Receive comments on Draft RAWP and RIR.	May 2022
Start installation of Support of Excavation (SOE) and removal of contaminated hot-spots under the NYSDEC-approved IRMWP, and collect soil waste characterization samples	May/June 2022
Submit revised RIR and RAWP, and NYSDEC approves both documents, and issues Decision Document (DD)	July 2022
Issue Remedial/Construction Notice Fact Sheet	July 2022
Begin Redevelopment (Construction) with Implementation of RAWP	July 2022
Submittal of Environmental Easement Package	By July 1, 2023
Draft Site Management Plan (SMP) Submitted to NYSDEC	By September 1, 2023
Draft Final Engineering Report (FER) and Fact Sheet	By October 1, 2023
NYSDEC and NYSDOH Approval of FER and SMP	By November 30, 2023
Issue Certificate of Completion (COC)	December 2023

SECTION III. Environmental History

The following figures are included in Attachment C:

Figure 1 – Site Location Map

Figure 2 – Site Plan and Sample Locations

Figure 3 – Tax Map

Figure 4 – Existing Land Use

Figure 5 – Zoning Map

Figure 6 – Soil Sample Concentrations Above NYSDEC RRSCOs

Figure 7 – Soil Vapor Sample Concentrations

I. Environmental Reports

Copies of the following previous environmental reports for the Site are included as Attachment B (reports are provided separately on a CD-ROM):

- *Phase I Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, EBI Consulting, November 2, 2020.*
- *Phase II Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, EBI Consulting, December 22, 2020.*
- *Phase I Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, AKRF, Inc., July 2021.*
- *Limited Subsurface Investigation Letter Report, 975 Nostrand Avenue, Brooklyn, New York, AKRF, Inc., August 2021.*

Summaries of the reports are provided below.

Phase I Environmental Site Assessment – 975 Nostrand Avenue, Brooklyn, NY, EBI Consulting, November 2020

EBI Consulting performed a Phase I ESA for the Property in November 2020. The Property was improved with a single-story Associated Supermarket, with a gross area of approximately 15,932 square feet. There was a basement present beneath the existing structure. The existing improvements were reportedly constructed in 1970.

The following RECS were identified:

- Based upon a review of historical resources, prior to construction of the existing commercial structure in the early 1970s, the Property was developed with a single-story structure situated on the western half of the Property. This building was constructed in 1925, and was originally configured with small stores/commercial units fronting Nostrand Avenue, and a parking garage for 150 cars at the rear of the building. Fire insurance maps, dated 1932 and 1951, depicted two buried gasoline tanks located within a small courtyard area at the west central portion of the building. It is presumed that the gasoline tanks were utilized for fueling operations associated with the parking garage. By the 1960s, the parking garage was occupied by a wholesale textiles warehouse, and the gasoline tanks were no longer depicted on the fire insurance maps. No documentation regarding closure of the former UST system, or documentation regarding previous soil and/or groundwater investigation at this location, was identified during this assessment. This portion of the Property currently consists of paved surface parking. Based upon the absence of closure documentation, the potential exists that the USTs remain in the ground and have impacted subsurface conditions at the Property.

- Review of historical resources also indicated that the area to the east of the former retail/garage building consisted of a paved parking area until around the 1960s, at which time a single-story auto repair facility was constructed. This auto repair facility was located on the central portion of the property. Based upon review of historical fire insurance maps and New York City Department of Buildings records, the Property includes a range of municipal addresses, specifically 969 to 983 Nostrand Avenue. Review of historical street directories for the full address range identified the following potentially environmentally concerning tenants:
 - 1934 - Windsor Printers (977 Nostrand Avenue), Schmidt WM & Melham Printers (981 Nostrand Avenue), Cut Rate Hand Laundry (983 Nostrand Avenue)
 - 1940 - Garfinkel I Cleaner and Dyer (979 Nostrand Avenue)
 - 1945 - Liberty Hand Laundry (975 Nostrand Avenue), Windsor Printers (977 Nostrand Avenue), Garfinkel I Cleaner and Dyer (979 Nostrand Avenue)
 - 1949 - Liberty Hand Laundry (975 Nostrand Avenue), Garfinkel I Cleaner and Dyer (979 Nostrand Avenue)
 - 1960 and 1965 - Liberty Hand Laundry (975 Nostrand Avenue).
- Based upon the time periods, it is likely that these former tenants occupied retail units within the western portion of the former retail/garage structure. The exact operations of these former tenants are unknown. Based on the nature of these businesses (i.e., auto repair facility, printers, cleaners and dyers, and laundry facilities), these former tenants may have handled, generated, stored, and/or disposed of hazardous substances and/or petroleum products as a part of daily operations. The portions of the Property where the former retail units and auto repair facility were located currently consist of paved surface parking. Although these historical uses predate construction of the existing commercial building in the early 1970s, the potential for the operations of these former tenants to have impacted subsurface conditions at the Property cannot be ruled out.

In addition, the following consideration outside the scope of ASTM Practice E 1527-13 was identified in connection with the Property:

- A limited visual screening survey for the presence of asbestos-containing materials (ACM) at the Property was conducted. Friable suspect ACM in the form of sheetrock/joint compound composite material and 2'x4' white perforated acoustical ceiling tile and non-friable suspect ACM in the form of vinyl floor tile and associated mastic, various construction mastics and caulking and roofing materials was identified. These materials were observed to be undamaged and in good condition at the time of assessment. Please note that this survey was limited to visual observations of accessible areas and that the scope of work for this assessment did not include the collection and laboratory analysis of bulk samples of suspect ACM. Additional suspect ACM may be present in inaccessible areas, including, but not limited to, roofs, pipe chases behind solid walls and ceilings, concealed floor coverings, the interior of machinery or equipment, or water and sewer systems. Based on the condition of suspect ACM, these materials do not currently pose a significant environmental threat to the occupants of the Subject Property. Suspect ACM do not present a problem when maintained in good condition. However, additional sampling, removal, and disposal arrangements may be necessary should building construction or renovation activities be conducted.
- The Phase I had the following recommendations:
- A limited subsurface investigation should be conducted at the Property in order to evaluate potential environmental impacts from the USTs depicted on historical fire insurance maps on the west-central portion of the Property, and the historical occupants (i.e., auto repair facility, printers, cleaners and dyers, and laundry facilities) formerly located on the Property; and

- The development and implementation of an Asbestos Operations and Maintenance (O&M) Plan for the Property. This O&M Plan provides the procedures and guidelines that, when used during facility cleaning, maintenance, and general operations, will minimize human exposure to asbestos fibers and minimize release of asbestos fibers to the environment. This O&M Plan is a long term management approach; and
- A comprehensive asbestos inspection be conducted prior to significant renovation or demolition of the building.

Phase II Environmental Site Assessment – 975 Nostrand Avenue, Brooklyn, NY, EBI Consulting, December 2020

Based on the results of the November 2020 Phase I ESA, EBI Consulting conducted a Phase II ESA of the Property in December 2020. The Phase II included the advancement of 9 soil borings with the collection of 15 soil samples and the installation of 6 sub-slab samples with the collection of 6 soil vapor samples. Soil samples were slated for laboratory analysis of volatile organic compounds (VOCs) by EPA Method 8260, polycyclic aromatic hydrocarbons (PAHs) by EPA Method 8270, and lead by EPA Method 6010. Soil vapor samples were analyzed for VOCs by EPA Method TO-15. The results of the investigations indicated the following:

- The soil analytical results revealed that concentrations of VOCs, PAHs and lead were detected above laboratory detection limits in the soil samples, with some concentrations above the NYSDEC Restricted Residential Soil Cleanup Objectives (RRSCOs).
- The soil vapor analytical results revealed that low level concentrations of VOCs were detected at levels above the laboratory detection limits in the soil vapor samples.
- EBI Consulting concluded that the Property has been impacted with low concentrations of VOCs, PAHs and lead above laboratory method detection limits that appear characteristic of the presence of historic and urban fill material. No further testing or remediation was recommended by EBI Consulting at that time.

Phase I Environmental Site Assessment, 975 Nostrand Avenue, Brooklyn, New York, AKRF, Inc., July 2021

A Phase I ESA was completed for the Site by AKRF in July 2021 in general accordance with the ASTM Standard E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice. The following evidence of on-site Recognized Environmental Conditions (RECs) were identified:

- Historical Sanborn maps indicated that the Property contained two gasoline tanks in the western portion of the Property, along Nostrand Avenue, between 1932 and 1951. The Property was not registered in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database and no evidence of vent pipes or fill ports were observed during the reconnaissance. The tanks may not have been removed during demolition of the former buildings and may still be present beneath the Property.
- Historic Sanborn maps and City Directories indicated that the Property was occupied by a printing facility between 1932 and 1951, and an auto repair shop between 1963 and 1965. Such uses may have affected the subsurface conditions beneath the Property.
- The Property building contains one hydraulic freight elevator and two hydraulic trash and cardboard compactors. Suspect historic staining was observed in the elevator machine room and around the compactors. It is unknown whether the hydraulic fluid contains polychlorinated biphenyls (PCBs). The sump within the elevator machine room is reportedly connected to the municipal sewer system.

- Sanborn maps and City Directories identified proximal automotive, industrial, and dry cleaning uses between 1908 and 2007, including: a brass foundry, a sheet metal works, an auto greasing facility, a machine shop, filling stations, a furniture manufacturer, a printing facility, auto repair shops, and a car wash. Some of these uses were also identified in the EDR Historic Auto Station, NY SPILLS, Resource Conservation and Recovery Act (RCRA), Petroleum Bulk Storage (PBS), and Registered/Historic Dry Cleaner databases, with documented impacts to subsurface soil.

The following considerations outside the scope of ASTM Practice E 1527-13 were also identified.

- Based on the age of the Property building, ACM, PCBs and/or LBP could be present within building components.
- Given the ages of former structures on the Property, potential fill material and/or demolition debris beneath the Property could contain suspect ACM, LBP, and/or PCBs. Fill material is of unknown origin.

Limited Subsurface Investigation Letter Report, 975 Nostrand Avenue, Brooklyn, New York, AKRF, Inc., August 2021

AKRF conducted a Limited Subsurface Investigation (SI) included the advancement of eight soil borings on a portion (parking lot) of the Site and collection of 24 soil samples for laboratory analysis to evaluate soil quality. Soil beneath the Site consisted of fill material (sand, gravel, silt, concrete, brick, ash, glass, asphalt) to boring termination. Groundwater was not encountered during the investigation. The laboratory results identified concentrations of VOCs, SVOCs, pesticides, and metals above Unrestricted Use Soil Cleanup Objectives (UUSCOs) and/or RRSCOs. The chlorinated VOC, PCE, was detected at a concentration of 10 milligrams per kilograms (mg/kg) exceeding its UUSCO of 1.3 mg/kg, but was well below its RRSCO of 19 mg/kg. All other detected VOCs were below their respective UUSCOs. Seven SVOCs [benzo(a)anthracene (maximum concentration of 9.1 mg/kg), benzo(a)pyrene (maximum concentration of 9.8 mg/kg), benzo(b)fluoranthene (maximum concentration of 10 mg/kg), benzo(k)fluoranthene (maximum concentration of 4.7 mg/kg), chrysene (maximum concentration of 8.6 mg/kg), dibenzo(a,h)anthracene (maximum concentration of 1.7 mg/kg), and indeno(1,2,3-cd)pyrene (maximum concentration of 6.9 mg/kg)] were detected at concentrations above UUSCOs and/or RRSCOs in 13 of the 24 samples. Three pesticides (4,4'-DDD, 4,4'-DDE, and 4,4'-DDT) were detected in the soil samples at concentrations above UUSCOs, but below RRSCOs. Total PCBs were detected in one sample, SB-107_0-2_20210806, at a concentration of 0.066 mg/kg, well below the UUSCO of 0.1 mg/kg. Six metals (arsenic, copper, lead, mercury, nickel, and zinc) were detected above UUSCOs in the samples. Lead (maximum concentration of 443 mg/kg) and mercury (concentration of 2.6 mg/kg) were also detected at concentrations above RRSCOs.

Based on the results of the investigation and the history of the Site, AKRF concluded that the identified soil contaminants appear to be associated with historic fill. However, some influence from past on-site operations cannot be ruled out.

2. Sampling Data

Laboratory data from EBI's December 2020 Phase II ESA and AKRF's Limited Subsurface Sampling in August 2021 indicates that petroleum-related and chlorinated VOCs, PAHs, PCBs, pesticides, and metals were detected in soil samples across the Site. Of these detections, VOCs, PAHs, pesticides, and metals were reported at concentrations above their respective Restricted Residential Soil Cleanup Objectives (RRSCOs) and/or Unrestricted Use Soil Cleanup Objectives (UUSCOs) in one or more samples. Specifically, PCE was detected at a concentration above its UUSCO but well below its RRSCO in one sample; seven PAHs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene] were detected at concentrations above their respective UUSCOs and/or RRSCOs; three pesticides [4,4'-DDD, 4,4'-DDE,

and 4,4'-DDT] were detected at concentrations above their UUSCOs; and six metals [arsenic, copper, lead, mercury, nickel, and zinc] were detected at concentrations above their UUSCOs, and lead and mercury were also detected above their RRSCOs.

Additionally, petroleum-related VOCs and chlorinated VOCs were detected above the laboratory method detection limits in soil vapor samples. Groundwater samples were not collected during EBI's December 2020 Phase II ESA or AKRF's August 2021 Limited Subsurface Investigation. The laboratory analytical reports are included as Appendices to both EBI's December 22, 2020 Phase II ESA Report and AKRF's August 2021 Limited Subsurface Investigation Report included in Attachment B of this document.

The soil contaminants appear to be associated with Site-wide historic fill material and former uses at the Site. The soil vapor contaminants could be attributed to historic on-site and/or surrounding uses. Figures showing the soil sample concentrations above NYSDEC RRSCOs and soil vapor detections are provided as Figures 6 and 7, respectively, in Attachment C.

SECTION IV. Property Information

1. Metes and Bounds

A survey of the Site and the metes and bounds description are included in Attachment D.2. *Tax Map*

The Site includes Brooklyn Tax Block 1309, Lot 6, which corresponds to the New York City Tax Map. A Tax Map is provided as Figure 3 in Attachment C.

10. Property Description and Environmental Assessment

Location

The Site is located at in the Crown Heights neighborhood of Brooklyn, New York and is identified on the New York City Tax Map as Brooklyn Tax Block 1309, Lot. The Site lies at an approximate elevation of 85 feet above mean sea level (AMSL), is bounded to the north by a vacant lot; to the east by Clove Road, followed by multi-family residential buildings; to the south by mixed residential and commercial uses; and to the west by Nostrand Avenue followed by mixed residential and commercial uses and Sullivan Place. The surrounding area was primarily residential and commercial in use, with some institutional uses including a public school (P.S. 161) and religious institutions.

Site Features

The 59,634-square feet (1.369-acre) Site and is comprised of one single-story former commercial-use (supermarket) building constructed on a portion of the Site, with the remainder being used as an asphalt-paved parking lot. The supermarket was closed in July 2021 and the Site is currently vacant.

Current Zoning and Land Use

The Site formerly operated as a supermarket and is zoned as R7-1 and C2-3 (residential and commercial). The supermarket was closed and the Site has been vacant since July 2021. The proposed development complies with the current zoning of the Site and would provide affordable housing units on the Site as part of the goals of the Mayor's *Housing New York: A Five-Borough, Ten-Year Plan*. It will also better integrate into the surrounding neighborhood by creating a street wall with ground floor uses that activate the streetscape. A Zoning Map showing the zoning of the Site and surrounding area is attached as Figure 5 in Attachment C.

The current zoning designation is C2-3 and R7-1 (commercial and residential).

Past Uses of the Site

According to historic Sanborn fire insurance maps, the Site was developed with a trucking company as early as 1908. At the time, a portion of an unspecified road intersected the eastern portion of the Property in a north-south direction. Prior to the construction of the current building, the Site was occupied by various uses including stores, a parking garage, a printing facility, upholstery facility, and a carpenter, an auto repair shop, and an auto school.

Additionally, historical city directories identified a printer and multiple dry cleaners that operated with addresses associated with the Site between 1934 and 1965. Based upon the time periods, it is likely that these former tenants occupied retail units within the western portion of the former retail/garage structure.

The identified Site contamination could be attributed to historical on-site uses, including the parking garage with gasoline tanks, auto repair facility, wholesale textile warehouse, printer, and dry cleaners.

Site Geology and Hydrogeology

Topography across the Site generally slopes down toward the south. Based on the U.S. Geological Survey Brooklyn, New York quadrangle map, the Site is approximately 85 feet above mean sea level. Based on USGS mapping, groundwater is estimated to be approximately 70 feet below grade and flow in a southerly to southwesterly direction toward Prospect Park Lake. However, actual water table depth and groundwater flow direction can be affected by many factors including subsurface openings or obstructions such as basements, utilities and subway tunnels, current or past pumping of groundwater, past filling, bedrock geology, subway tunnels, and other factors beyond the scope of this assessment. Groundwater in Brooklyn is generally not used as a source of potable water.

Based on the previous subsurface investigations completed at the Site, the stratigraphy beneath the Site consisted of fill material (comprising sand, gravel, silt, concrete, brick, ash, glass, asphalt) down to approximately 15 feet below grade. Bedrock and groundwater were not encountered in any of the borings advanced during this investigation.

Environmental Assessment

Based on the findings of the Phase II ESA Report prepared by EBI and the Limited Subsurface (Phase II) Letter Report prepared by AKRF, the primary contaminants of concern (COC) for the Site, based on the proposed future use, include PCE, PAHs, pesticides, lead, and mercury in soil, and low-level petroleum-related and chlorinated VOCs in soil vapor. The COCs, with the exception of PCE, were identified uniformly across the entire site. PCE was only detected in one soil sample on the southern portion of the Site.

Soil

The VOCs, acetone, benzene, and toluene were detected above the laboratory method detection limits in soil, but below their respective RRSCOs and/or UUSCOs. PCE was detected at 10 mg/kg in one sample (SB-105_13-15), above UUSCO.

The PAHs benzo(a)anthracene [max. concentration 9.1 mg/kg], benzo(a)pyrene [max. 9.8 mg/kg], benzo(b)fluoranthene [max. 10 mg/kg], benzo(k)fluoranthene [max. 4.7 mg/kg], chrysene [max. 8.6 mg/kg], dibenzo(a,h)anthracene [max. 1.7 mg/kg], and indeno[1,2,3-cd]pyrene [max. 6.9 mg/kg] were detected at concentrations above their respective RRSCOs and/or UUSCOs in one or more samples.

The pesticides 4,4'-DDD [max. 0.0061 mg/kg], 4,4'-DDE [max. 0.0069 mg/kg], and 4,4'-DDT [max. 0.022 mg/kg] were detected at concentrations above their UUSCOs.

The metals, arsenic, copper, lead, mercury, nickel, and zinc were detected at concentrations above their respective UUSCOs; lead [max. 700 mg/kg] and mercury [max. 2.6 mg/kg] were also detected at concentrations above their respective RRSCO's.

PCE, PAHs, pesticides, and metals exceeded the RRSCO's and/or UUSCO's throughout the Site and at both shallow and deeper sample intervals between surface grade and 15 feet bgs.

Groundwater

Groundwater samples were not collected as part of subsurface investigations. Based on USGS mapping, groundwater is estimated to be approximately 70 feet below grade and is not anticipated to be encountered during proposed redevelopment.

Soil Vapor

Petroleum and chlorinated-solvent related VOCs were detected at concentrations above the laboratory method detection limits. Petroleum-related compounds, including benzene [max. 11.5 $\mu\text{g}/\text{m}^3$ at SV-5], toluene [max. 26.8 $\mu\text{g}/\text{m}^3$ at SV-5], ethylbenzene [max. 9.6 $\mu\text{g}/\text{m}^3$ at SV-6], and xylenes [max. 32.4 $\mu\text{g}/\text{m}^3$ at SV-6] (collectively referred to as BTEX), were detected in one or more samples. The chlorinated VOC, PCE [max. 52.8 $\mu\text{g}/\text{m}^3$ at SV-5], was also detected in one or more samples.

PART B

Section VI. Previous Property Owners/Operators

The Requestor is the current Site owner.

The Site was purchased by the current Site owner on August 25, 2021.

Table 2
Property Owners

Property Owners	Years of Ownership	Status of Owner	Current/Last Known Address	Relationship to Requestor
Nostrand Green LLC	08/25/2021-Present	Active	826 Broadway, 11 th Floor, New York, NY 10003	Requestor
Usnor Realty LLC	11/12/2015-08/25/2021	Active	430 Park Avenue, Suite 505, New York, NY 10022	None Known
Nostrand 975 LLC	11/12/2015-08/25/2021	Active	300 Long Beach Boulevard, Stratford, CT 06615	None Known
Jay J. Meltzer	11/11/2015-11/12/2015	Unknown	38 Paddington Road, Scarsdale, NY 10582	None Known
Laurence Meltzer	11/11/2015-11/12/2015	Unknown	7491 State Route 8, brant Lake, NY 12815	None Known
Nostrand Associates	06/11/1970-08/25/2021	Active	430 Park Avenue, Suite 505, New York, NY 10022	None Known
Joseph Angelone	03/10/1967-06/11/1970	Unknown	178-08 Croydon Road, Jamaica Estates, NY 11432	None Known
YZX Realty Corp.	02/14/1967-03/10/1967	Unknown	278 Wyckoff Avenue, Brooklyn, NY 11227	None Known
Lillian H. Ashe/ Jacob S. Hurwitz/ Nathaniel H. Hurwitz	Prior to 02/14/1967	Unknown	32 West 82 nd Street, New York, NY/ 990 Clark Place, Woodmere, NY/ 33A Nassau Drive, Great Neck, NY	None Known

Table 3
Property Operators

Property Operator	Years of Operation	Status of Operator*	Current/Last Known Address	Relationship to Requestor
Nostrand Green LLC	08/25/2021-Present	Active	826 Broadway, 11 th Floor, New York, NY 10003	Requestor
Associated Supermarket	1997-July 2021	Active	99 Seaview Blvd, Port Washington, NY 11050	None Known
Jesaban's Meat Corp.	1994-2017	Unknown	Unknown	None Known
A&P Tea Co./A&P Food Stores	1973-1992	Inactive	Unknown	None Known
Nostrand Auto School	1970	Unknown	Unknown	None Known
Joseph Angelone	03/10/1967-06/11/1970	Inactive	178-08 Croydon Road, Jamaica Estates, NY 11432	None Known

Property Operator	Years of Operation	Status of Operator*	Current/Last Known Address	Relationship to Requestor
Nostrand Auto School	1949-1970	Unknown	Unknown	None Known
YZX Realty Corp.	02/14/1967-03/10/1967	Inactive	278 Wyckoff Avenue, Brooklyn, NY 11227	None Known
Lillian H. Ashe/ Jacob S. Hurwitz/ Nathaniel H. Hurwitz	Prior to 02/14/1967	Inactive	32 West 82 nd Street, New York, NY/ 990 Clark Place, Woodmere, NY/ 33A Nassau Drive, Great Neck, NY	None Known
Liberty Hand Laundry	1945-1965	Unknown	Unknown	None Known
Various commercial uses: upholsterer, garage, printers, press, grocery	1928-1949	Unknown	Unknown	None Known

SECTION VII. Requestor Eligibility Information

The Requestor is the current owner of the Site as 08/25/2021, and, therefore, qualifies as a BCP Volunteer because as recent purchaser they have performed the required due diligence before acquisition, and thus qualify for the bona fide prospective purchaser defense and as a volunteer.

Volunteer Statement

Nostrand Green LLC (“Requestor”) is a Volunteer as defined in ECL 27-1405(1)(b). Neither the Requestors, or its corporate members nor their authorized representatives, have any connection to the current owner or any past owner of the Site or any portion of the Site and did not cause any disposal on the Site. Requestor has exercised appropriate care by undertaking a Phase I Environmental Site Assessment, followed by a limited subsurface testing of the Site, and applying for admission into the Brownfield Cleanup Program.

SECTION IX. Contact List Information.

1. Local, State, and Federal Officials

Mayor Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007-1200	Scott M. Stringer New York City Comptroller Office of the Comptroller, City of New York 1 Centre Street New York, NY 10007
Eric Adams Brooklyn Borough President Brooklyn Borough Hall 209 Joralemon Street Brooklyn, New York 11201	Zellnor Myrie NY State Senator, 20 th District 1077 Nostrand Avenue, Ground Floor Brooklyn, NY 11225

Laurie A. Cumbo New York City Council District 35 55 Hanson Pl, Suite 778 Brooklyn, NY 11217	Diana C. Richardson NY State Assembly member, District 43 330 Empire Boulevard, 1st Floor Brooklyn, NY 11225
Department of City Planning Brooklyn Borough Office 16 Court Street, 7th Fl. Brooklyn, NY 11241	Department of City Planning City Government Office 120 Broadway, 31 st Floor New York, NY 10271
Governor Kathy Hochul NYS State Capitol Building Albany, New York 12224	NYSDEC, Division of Environmental Remediation 625 Broadway Albany, New York 12233
Yvette D. Clarke U.S. House of Representatives, District 9 222 Lenox Road, Suites 1 & 2 Brooklyn, NY 11226	Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510
Kirsten Gillibrand U.S. Senate 478 Russell Senate Office Building Washington, DC 20510	Mark McIntyre, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site, Brooklyn Borough Block 1309, Lot 6, is currently owned by Nostrand Green LLC at 826 Broadway, 11th Floor, New York, NY 100003. A list of adjacent properties and their owners and occupants is provided below:

<u>Adjacent to the North:</u>	<u>Adjacent to the South:</u>
<u>Block 1309, Lot 17</u> Minortico Realty Corp. (Owner) 961-971 Nostrand Avenue Brooklyn, NY 11225 <i>Current Occupant(s)/(Operator)</i> <i>Vacant</i>	<u>Block 1309, Lot 1</u> Sarah & Associates, Inc. (Owner) c/o Raj Ramsaran 1314 Fulton Street Brooklyn, NY 11216 <i>Current Occupant(s)/(Operator)</i> <i>Western Union Bank</i> <i>1009 Nostrand Ave</i> <i>Brooklyn, NY 11225</i> <i>Gloria's Takeout</i> <i>987 Nostrand Avenue</i> <i>Brooklyn, NY 11225</i>

<u>Adjacent to the East:</u>	<u>Adjacent to the South (continued):</u>
<p><u>Block 1309, Lot 26</u></p> <p>Sheldon Daniels (Owner) 319 Flatbush Avenue Brooklyn, NY 11217</p> <p><i>Current Occupant(s)</i> <i>Private Residence</i> 442 Montgomery Street Brooklyn, NY 11225</p>	<p><u>Block 1309, Lot 147</u></p> <p>Greater NY Corp of Seventh Day Adventists 7 Shelter Rock Road Manhasset, NY 11030</p> <p><i>Current Occupant(s)/(Operator)</i> <i>Private Offices</i> 353 Empire Boulevard Brooklyn, NY 11225</p>
<p><u>Block 1309, Lot 28</u></p> <p>Eva Tabanpour (Owner) 444 Montgomery Street Brooklyn, NY 11225</p> <p><i>Current Occupant(s)</i> <i>Private Residence</i> 444 Montgomery Street Brooklyn, NY 11225</p>	<p><u>Block 1309, Lot 138</u></p> <p>Greater NY Corp of Seventh Day Adventists (Owner) 7 Shelter Rock Road Manhasset, NY 11030</p> <p><i>Current Occupant(s)/(Operator)</i> <i>Gethsemane Seventh Day Adventist Church</i> 357 Empire Boulevard Brooklyn, NY 11225</p>
<p><u>Block 1309, Lot 30</u></p> <p>Shmuel Judkin (Owner) 448 Montgomery Street Brooklyn, NY 11225</p> <p><i>Current Occupant(s)</i> <i>Private Residence</i> 448 Montgomery Street Brooklyn, NY 11225</p>	<p><u>Block 1309, Lot 136</u></p> <p>New Life Church of God, Inc. (Owner) 4014 Church Avenue Brooklyn, NY 11203</p> <p><i>Current Occupant(s)/(Operator)</i> <i>New Life Church of God</i> 379 Empire Blvd Brooklyn, NY 11225</p>
<p><u>Block 1309, Lot 63</u></p> <p>Clove/Malbone Associates LLC (Owner) c/o Salon, Marrow & Dyckman 685 Third Avenue New York, NY 10017</p> <p><i>Current Occupant(s)</i> <i>Private Residences (condos)</i> 460-478 Malbone Street Brooklyn, NY 11225</p>	<p><u>Adjacent to the West:</u></p> <p><u>Block 1308, Lot 36</u></p> <p>300 Sullivan Place LLC (Owner) 300 Sullivan Place Brooklyn, NY 11225</p> <p><i>Current Occupant(s)/(Operator)</i> <i>Private Residences</i> 300 Sullivan Place Brooklyn, NY 11225</p> <p><i>Names Shoes Inc.</i> 988 Nostrand Avenue Brooklyn, NY 11225</p>

<u>Adjacent to the East (continued):</u>	<u>Adjacent to the West (continued):</u>
<u>Block 1309, Lot 130</u>	<u>Block 1305, Lot 40</u>
397 Empire LLC (Owner) 730 Eastern Parkway Brooklyn, NY 11213	Nostrand Group LLC (Owner) 958-980 Nostrand Avenue Brooklyn, NY 11225
<i>Current Occupant(s)/Operator</i> <i>Buggy TLC Car Rentals</i> <i>445 Empire Boulevard</i> <i>Brooklyn, NY 11225</i>	<i>Current Occupant(s)/(Operator)</i> <i>Anchor Home Health Care</i> <i>958 Nostrand Avenue</i> <i>Brooklyn, NY 11225</i>

3. Local News Media

Brooklyn Reporter 16 Court Street, 30th Floor Brooklyn, NY 11241	The New York Times 229 West 43 rd Street New York, NY 10036
WNBC News 4 30 Rockefeller Plaza New York, NY 10012	WNYW Fox 5 205 East 67 th Street New York, NY 10021
New York 1 News 75 Ninth Avenue New York, NY 10011	1010 Wins – CBS Radio 888 7 th Avenue, 10 th Floor New York, NY 10106

4. Public Water Supply

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

Customer Service Center
59-17 Junction Boulevard, 13th Floor
Flushing, New York 11373
Vincent Sapienza
Commissioner, NYCDEP
59-17 Junction Boulevard
Flushing, NY 11373

5. Additional Contacts

None

6. Nearby Schools and Day Care Centers

Daycares:

Associated Beth Rivkah School 310 Crown Street Brooklyn, New York 11225 (718) 735-0400 Distance: 396 feet northeast of the Site Contact: Rabbi Sholom Goldstein	P.S. 161 The Crown 330 Crown Street Brooklyn, New York 11225 (718) 756-3100 Distance: 422 feet northeast of the Site Contact: Michael Johnson, Principal
Ella Baker Charles Romain CDC of Medgar Evers 1150 Carroll Street Brooklyn, New York 11225 (718) 270-6018 Distance: 768 feet northwest of the Site Contact: Janet McIntosh	Bambi DCC, Inc. 300 Rogers Avenue Brooklyn, New York 11225 (718) 771-1603 Distance: 900 feet northwest of the Site
All My Children Daycare – FCC Program/All My Children # 11 317 Rogers Avenue Brooklyn, New York 11225 (347) 708-7827 Distance: 708 feet south of the Site	All My Children Day Care & Nursery School 420 Lefferts Avenue Brooklyn, New York 11225 (718) 576-6170 Distance: 967 feet southeast of the Site
Miller Evangelical Christian Union Church of the Churches of Christ in the Christian Union 1110 President Street Brooklyn, New York 11225 (718) 363-7160 Distance: 1,336 feet northwest of the Site	Beth Rivkah School/Associated Beth Rivkah Schools 470 Lefferts Avenue Brooklyn, New York 11225 (718) 735-0400 Distance: 1,223 feet southeast of the Site Contact: Rabbi Sholom Goldstein
Little Red Riding Hood 237 Lefferts Avenue Brooklyn, New York 11225 (718) 953-0900 Distance: 874 feet southwest of the Site	

Schools:

Beth Rivkah High School 310 Crown Street Brooklyn, New York 11225 Distance: 396 feet northeast of the Site (718) 735-0400 Contact: Rabbi Sholom Goldstein	Success Academy Crown Heights (Brooklyn 7)/Success Academy Charter School 330 Crown Street Brooklyn, New York 11225 Distance: 422 feet northeast of the Site (646) 790-2129 Contact: Hannah Chapman, Principal
Medgar Evers College Preparatory School 1186 Carroll Street Brooklyn, New York 11225 Distance: 720 feet northwest of the Site (718) 703-5400 Contact: Dr. Michael Wiltshire, Principal	GED Plus-Jobs for Youth/Medger Evers CC-AHSEP 1155 Carroll Street Brooklyn, New York 11225 Distance: 808 feet north of the Site

Gan Academy 440 Crown Street Brooklyn, New York 11225 Distance: 1,500 feet east of the Site (718) 676-8088 Contact: Mrs. Esther Betesh	St. Mark's Day School 1346 President Street Brooklyn, New York 11225 Distance: 1,629 feet west of the Site (718) 756-6602 Contact: Rev. Kino Vitet
M.S. 061 Dr. Gladstone H. Atwell 400 Empire Boulevard Brooklyn, New York 11225 Distance: 368 feet southeast of the Site (718) 774-1002 Contact: Dewana Dadds, Principal	St. Francis of Assisi Catholic Aca 400 Lincoln Road Brooklyn, New York 11225 Distance: 1,047 feet south of the Site (718) 778-3700 Contact: Ms. Lorraine Pierre

7. Document Repositories

Brooklyn Public Library - Crown Heights Branch 560 New York Ave. at, Maple Street Brooklyn, NY 11225 Managing Librarian: Janelle Welch (718) 773-1180 janellewelch@nypl.org	NYC Brooklyn Community Board 9 890 Nostrand Avenue Brooklyn, NY 11225 Chairperson: Fred P. Baptiste (718) 778-9279 bk09-1@cb.nyc.gov
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The executed document repository acknowledgment letters are included in Attachment E.

8. Local Community Board

NYC Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, NY 11225
Chairperson: Fred P. Baptiste
(718) 778-9279
bk09-1@cb.nyc.gov

SECTION X. Land Use Factors

1. Zoning

The Site is located within C2-3 commercial and residential district (residential equivalent, R7-1). C2-3 district is primarily residential with commercial uses on the street level. The commercial uses are usually typical commercial uses for residential areas including retail, restaurants, and services for the day to day needs of a residential neighborhood. The proposed development of the Site includes the construction of a new mixed-use residential and commercial building with affordable housing units. The proposed end use of the Site is consistent with the needs of the Crown Heights neighborhood of Brooklyn and the current zoning of the Site. A Zoning Map showing the zoning of the Site and surrounding area is attached as Figure 5 in Attachment C. Community master development plans, if any, were not available.

2. Current Site Use

Currently, the 59,634-square feet (1.369-acre) Site comprises one single-story former commercial-use (supermarket) building constructed on a portion of the Site, with the remainder being used as an asphalt-paved parking lot. The supermarket was closed in July 2021 and the Site is currently vacant. An Existing Land Use map is included as Figure 4 in Attachment C.

3. Proposed Site Use

Specific details regarding the proposed redevelopment project have yet to be determined; however, the Applicant's plan is to remediate the Site in conjunction with construction for a proposed new mixed-use residential and commercial building with affordable housing. The remedial action will begin in June 2022 and the Certificate of Completion (COC) will be obtained in December 2023. The current zoning designation is C2-3 and R7-1 (commercial and residential). The proposed use is consistent with existing zoning for the Site.

The Site lies at an approximate elevation of 85 feet above mean sea level (AMSL), is bounded to the north by a construction site; to the east by Clove Road, followed by multi-family residential buildings; to the south by mixed residential and commercial uses; and to the west by Nostrand Avenue followed by mixed residential and commercial uses and Sullivan Place. The surrounding area was primarily residential and commercial in use, with some institutional uses including a public school (P.S. 161) and religious institutions. A Site Location Map is provided as Figure 1 in Attachment C. A Site survey and a metes and bounds description is provided in Attachment D.

The Site lies within an EnZone and is part of Census Tract 319, see Figure 8 in Attachment C. According to the 2014-2018 American Community Survey (ACS) Profile Survey Data, 22.1% of the population in Census Tract 319 is living below the poverty line (2014-2018), compared to the New York State poverty rate of 14.6% (2014-2017) and the national poverty rate of 14.1% (2014-2018). The unemployment rate for Census Tract 319 is 6.9% (2014-2018), compared to the New York State unemployment rate of 6.0% (2014-2018) and the national unemployment rate (2014-2018) of 5.9% (June 2021).

ATTACHMENT A
NEW YORK STATE DEPARTMENT OF STATE'S CORPORATION AND
BUSINESS ENTITY DATABASE LISTING

Department of State
Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details



ENTITY NAME:	DOS ID:
NOSTRAND GREEN LLC	6036415
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE:	DURATION DATE/LATEST DATE OF DISSOLUTION:
DOMESTIC LIMITED LIABILITY COMPANY	
SECTIONOF LAW:	ENTITY STATUS:
203 LLC - LIMITED LIABILITY COMPANY LAW	Active
DATE OF INITIAL DOS FILING:	REASON FOR STATUS:
06/15/2021	
EFFECTIVE DATE INITIAL FILING:	INACTIVE DATE:
06/15/2021	
FOREIGN FORMATION DATE:	STATEMENT STATUS:
	CURRENT
COUNTY:	NEXT STATEMENT DUE DATE:
New York	06/30/2023
JURISDICTION:	NFP CATEGORY:
New York, United States	

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process Name and Address

Name: C/O THE HUDSON COMPANIES

Address: 826 BROADWAY 11TH FLOOR, NEW YORK, NY, United States, 10003

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

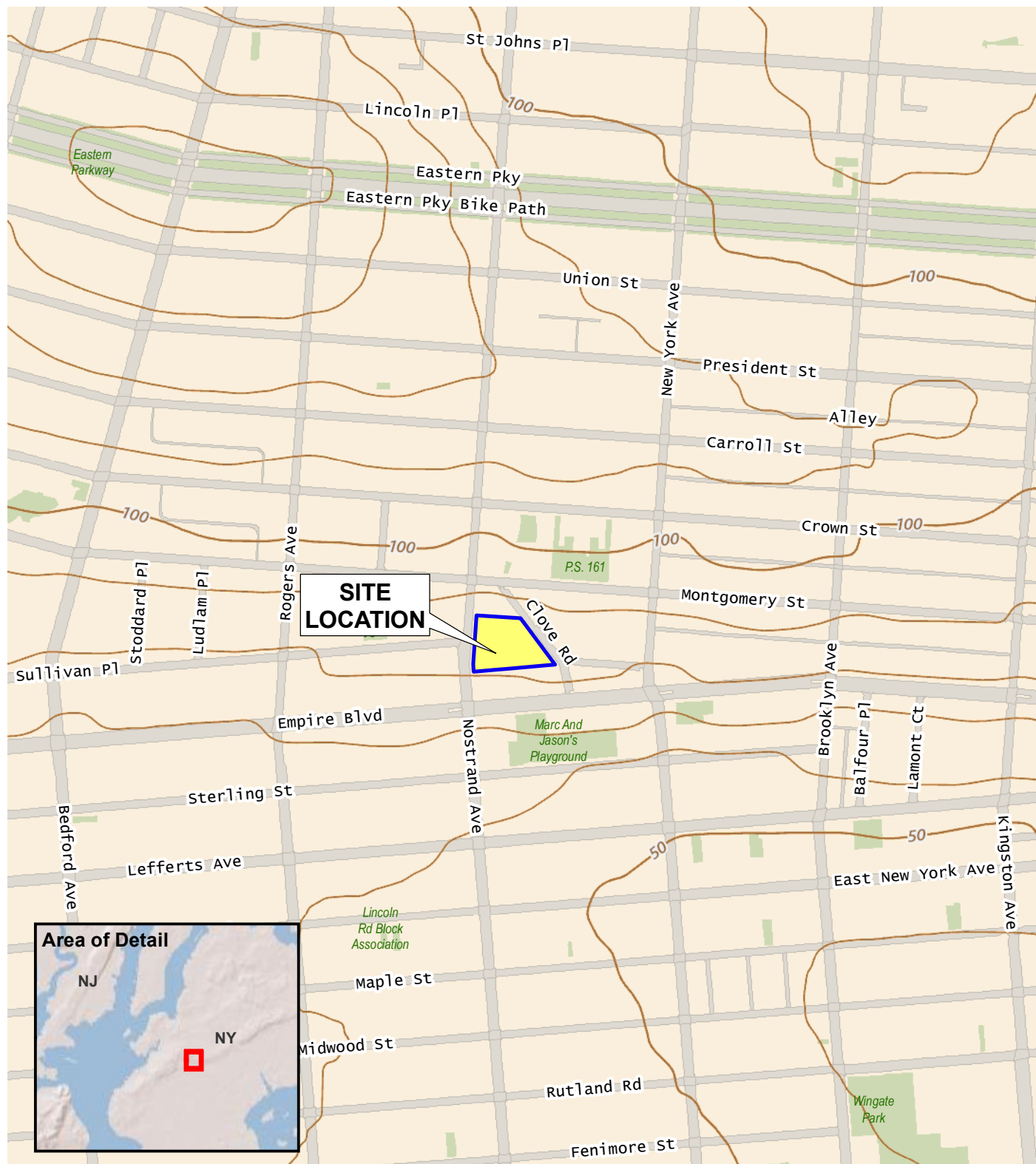
Share Value	Number Of Shares	Value Per Share

ATTACHMENT B

ENVIRONMENTAL REPORTS (PROVIDED SEPARATELY ON A CD-ROM):

ATTACHMENT C
FIGURES

© 2021 AKRF W:\Projects\210225 - 975 Nostrand Avenue\Technical\GIS and Graphics\210225 Figure 1 Site Location map.mxd 8/18/2021 9:53:05 AM jszalus



Service Layer Credits: USGS The National Map: 3d Elevation Program, Data Refreshed July, 2021



440 Park Avenue South, New York, NY 10016

975 Nostrand Avenue
Brooklyn, New York

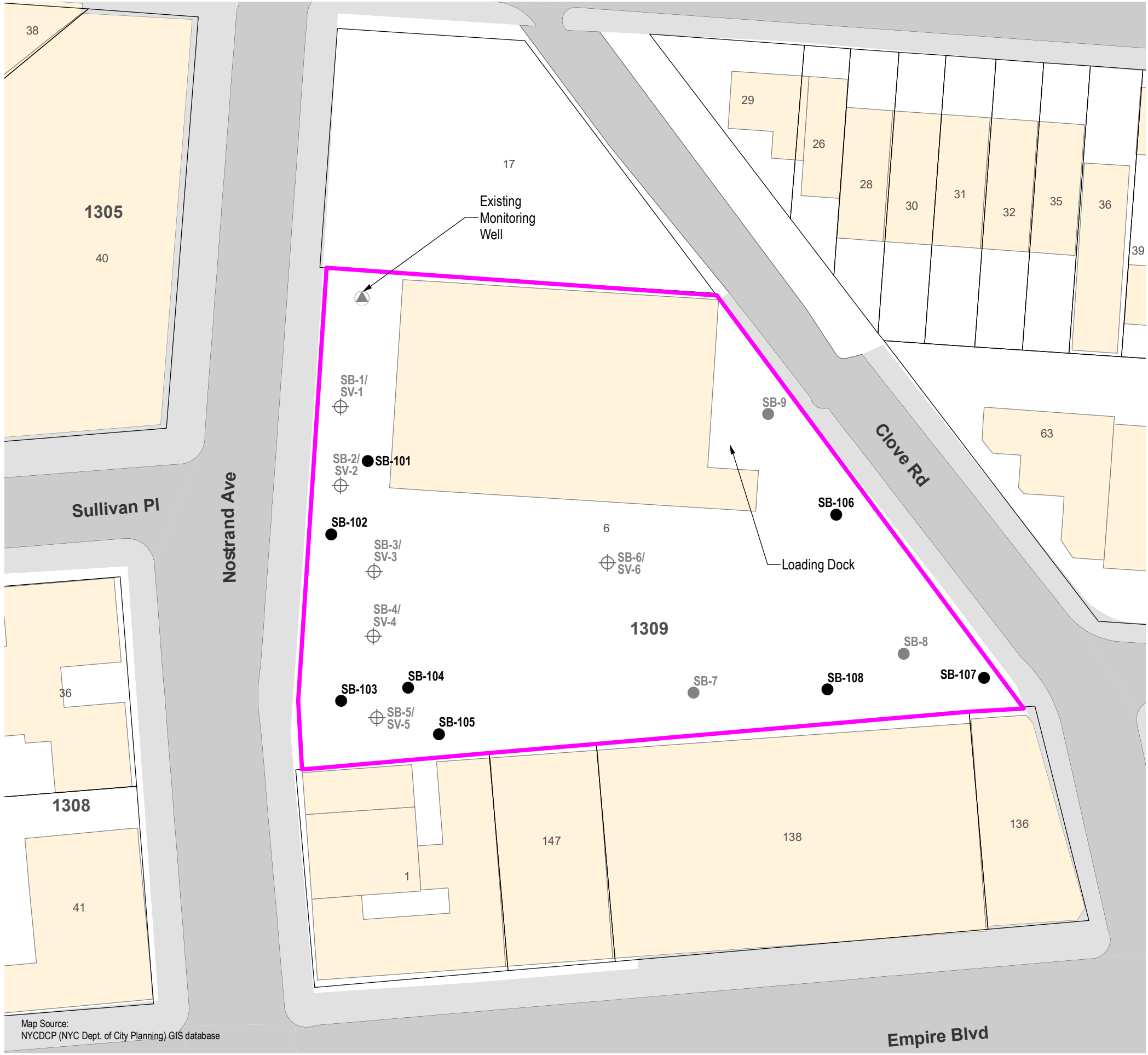
SITE LOCATION

DATE
8/18/2021

PROJECT NO.
210225

FIGURE
1

© 2021 AKRF W:\Projects\210225 - 975 NOSTRAND AVENUE\Technical\GIS and Graphics\SAR\limited ph 11210225 Figure 2 Site Plan and Sample locations.mxd8/18/2021 10:01:28 AM iszalus



LEGEND

- PROJECT SITE BOUNDARY
- 6 LOT BOUNDARY AND TAX LOT NUMBER
- 1309** BLOCK NUMBER
- BUILDING
- PREVIOUS SOIL BORING (EBI CONSULTING, 2020)
- PREVIOUS SOIL BORING/SOIL VAPOR POINT (EBI CONSULTING, 2020)
- EXISTING MONITORING WELL
- SOIL BORING LOCATION (AKRF, 2021)

0 25 50 100



SCALE IN FEET



975 Nostrand Avenue
Brooklyn, New York



440 Park Avenue South, New York, NY 10016

SITE PLAN AND SAMPLING LOCATIONS

DATE

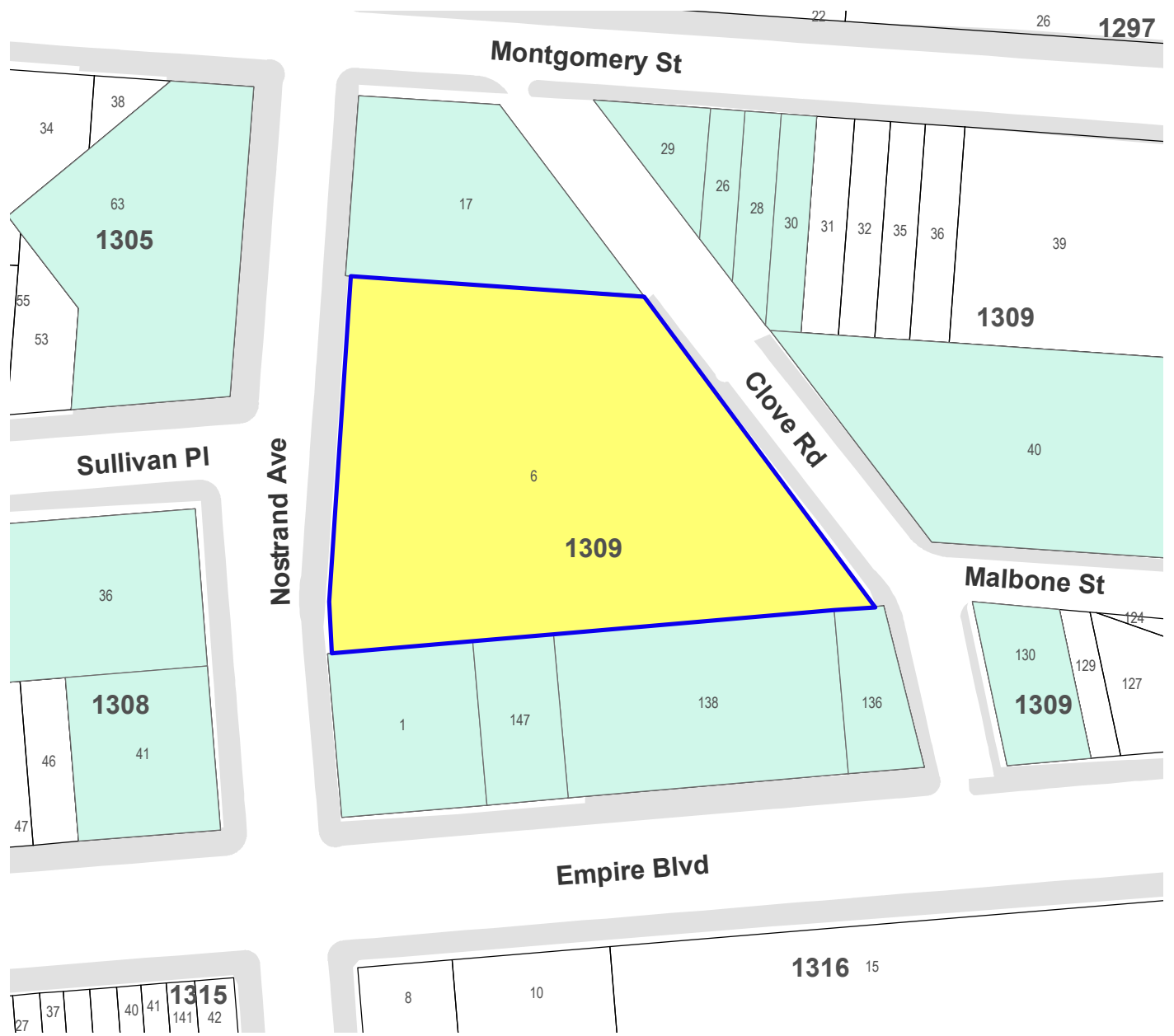
8/18/2021

PROJECT NO.

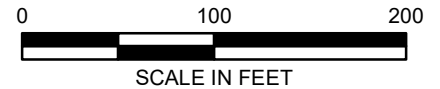
210225

FIGURE

2



Adjacent Property Owners		
Block	Lot	OwnerName
1305	63	Unavailable Owner
1309	6	NYC Transit
1309	29	Lewis, Kristina
1309	138	Greater New York Corp
1308	36	300 Sullivan Place
1309	1	Saran & Associates Inc
1309	28	Tabanpour, Nemotollah
1309	30	Judkin, Zalman
1309	136	New Life Church Of God Inc
1309	40	Unavailable Owner
1308	41	The Basil C. Hewitt
1309	17	LIRR
1309	26	Daniels, Sheldon
1309	147	Greater Ny Corp Of Seventh Day Adventist S
1309	130	397 Empire Llc



LEGEND

- PROJECT SITE BOUNDARY
- 16 LOT BOUNDARY AND TAX LOT NUMBER
- 2389** BLOCK NUMBER
- ADJACENT PROPERTY



Map Source:
NYC DCP (NYC Dept. of City Planning) GIS database

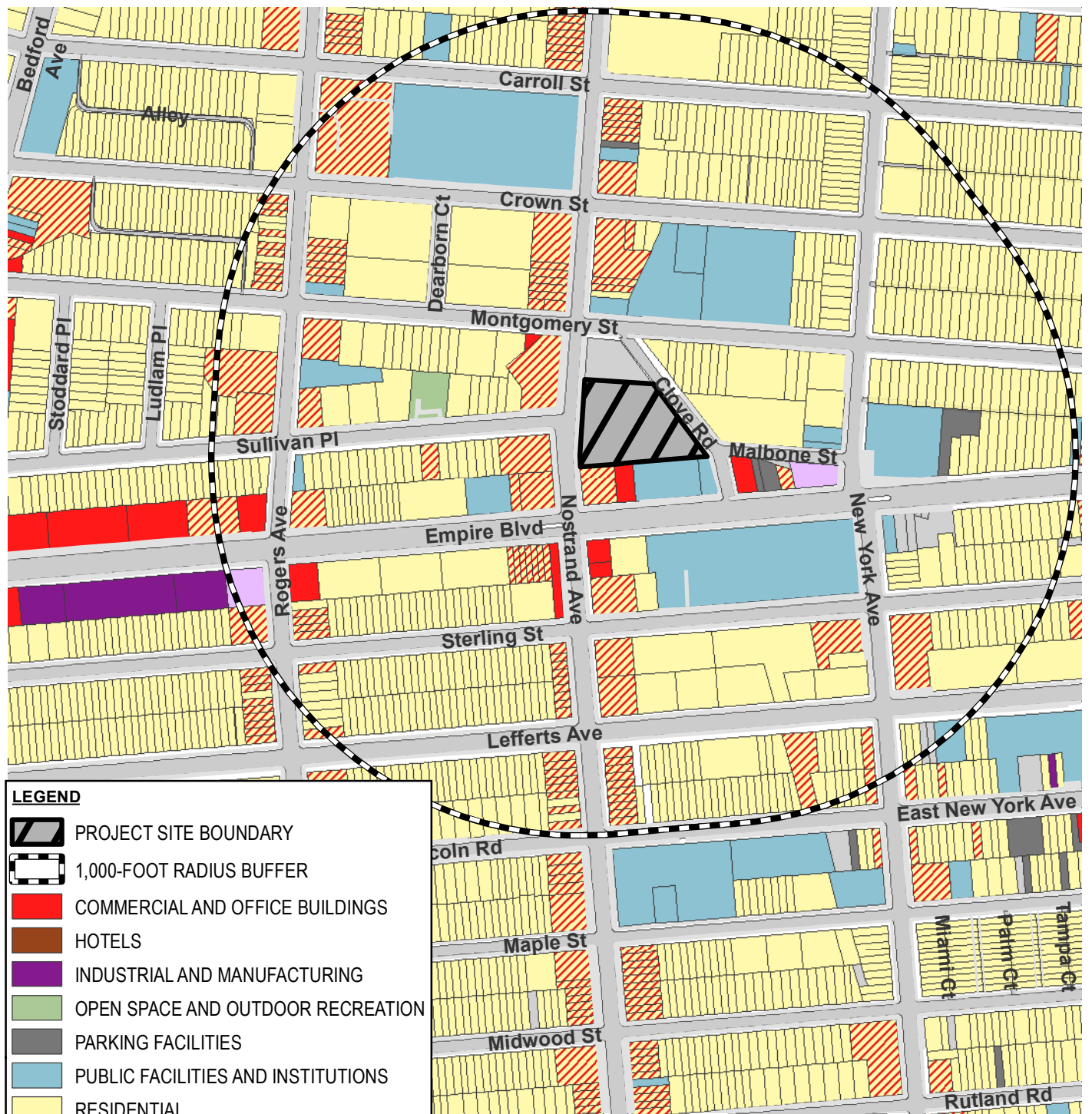


440 Park Avenue South, New York, NY 10016

975 Nostrand Avenue
Brooklyn, New York

TAX MAP

DATE 8/19/2021
PROJECT NO. 210225
FIGURE 3



Map Source:
NYCDP (NYC Dept. of City Planning) GIS database

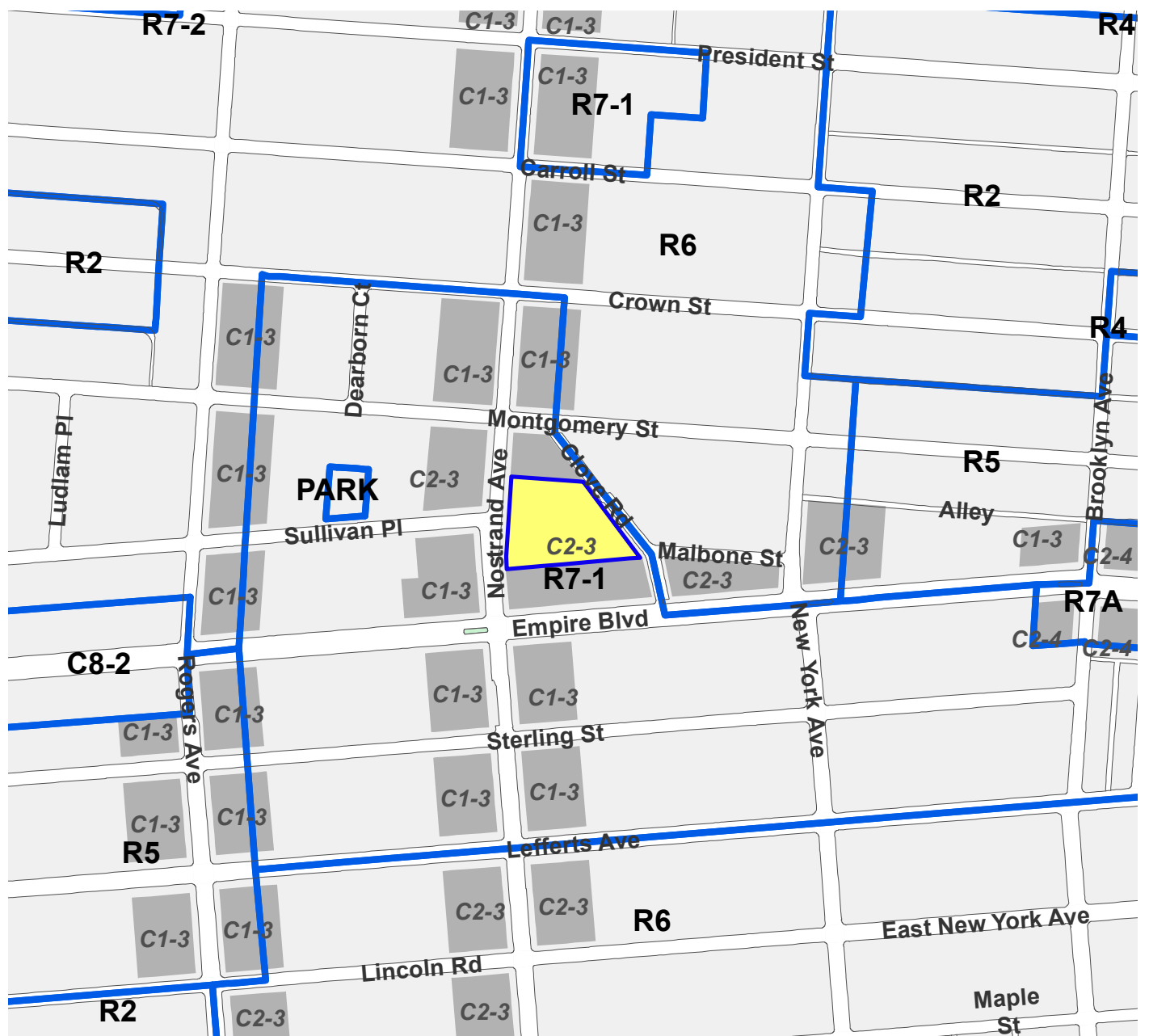


440 Park Avenue South, New York, NY 10016

975 Nostrand Avenue
Brooklyn, New York




SITE PLAN AND EXISTING LAND USE

DATE 8/18/2021
PROJECT NO. 210225
FIGURE 4



Source:
NYC Department of City Planning, Technical Review Division

LEGEND

-  PROJECT SITE BOUNDARY
-  ZONING DISTRICTS
-  COMMERCIAL OVERLAY DISTRICTS



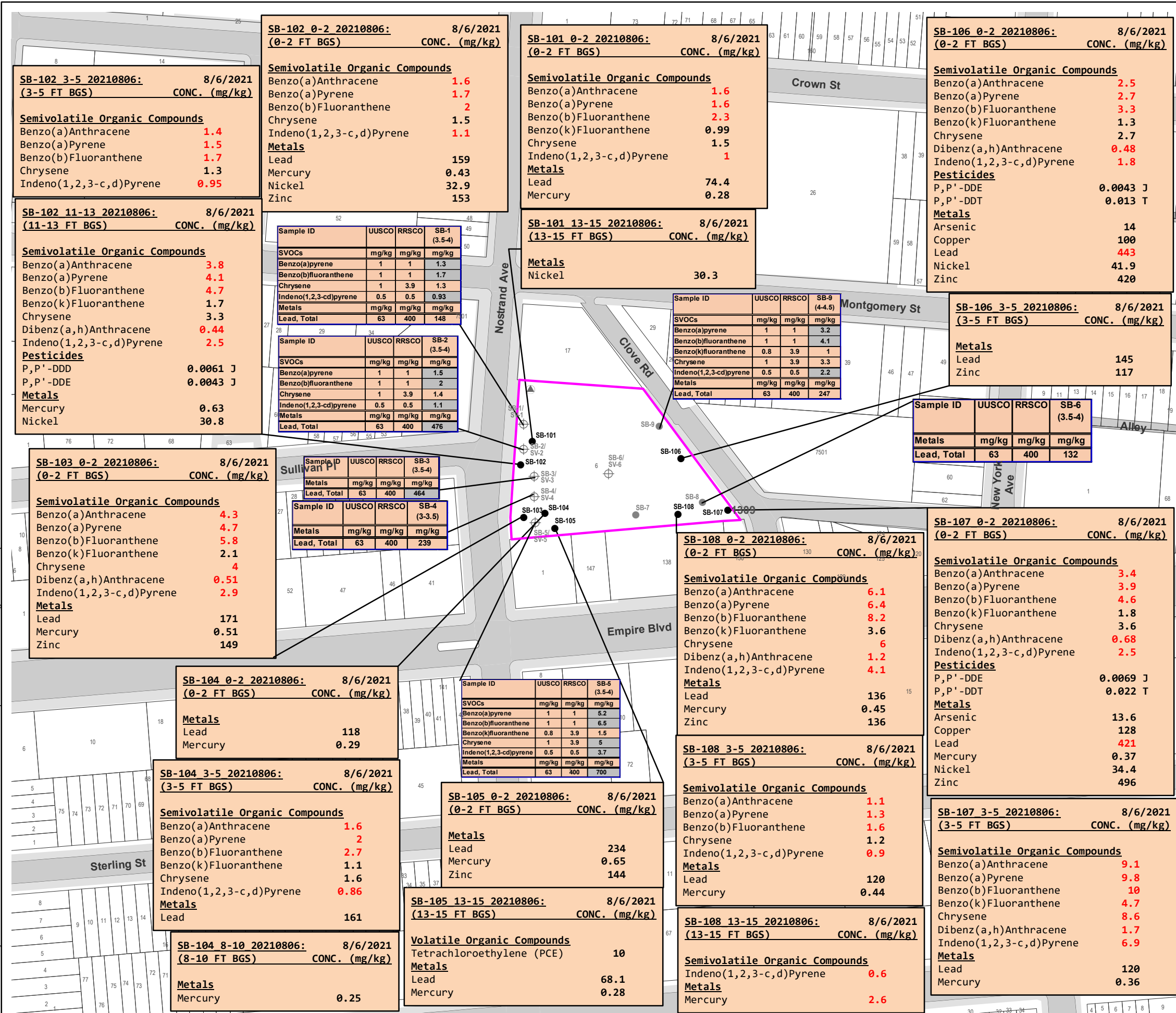
440 Park Avenue South, New York, NY 10016

975 Nostrand Avenue
Brooklyn, New York

ZONING MAP

DATE 8/18/2021
PROJECT NO. 210225
FIGURE 5

©2021 AKRF W:\Projects\210225 - 975 NOSTRAND AVENUE\Technical\GIS and Graphics\SAR\BCP\210225 Figure 6 Soil Samples Concentrations Above NYSDEC UUSCOs and RRSCOs.mxd8/30/2021 12:13:09 PM dcclombini



LEGEND

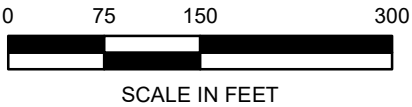
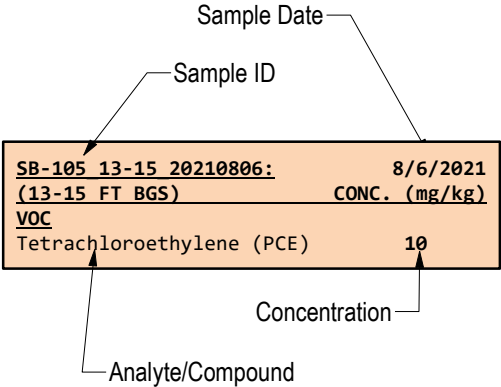
- PROJECT SITE BOUNDARY
- LOT BOUNDARY AND TAX LOT NUMBER
- BLOCK NUMBER
- EXISTING MONITORING WELL
- PREVIOUS SOIL BORING (EBI CONSULTING, 2020)
- PREVIOUS SOIL BORING/SOIL VAPOR POINT (EBI CONSULTING, 2020)
- SOIL BORING LOCATION (AKRF,

Part 375 Soil Cleanup Objectives (SCOs): SCOs listed in the New York State Department of Environmental Conservation (NYSDEC) "Part 375" Regulations (6 NYCRR Part 375).

Exceedances of NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs) are presented in bold font.

Exceedances of NYSDEC Restricted Residential Soil Cleanup Objectives (RRSCOs) AKRF borings are presented in red and EBI's in grey shading.

	PART 375 RESTRICTED RESIDENTIAL mg / kg	PART 375 UNRESTRICTED mg / kg
Volatile Organic Compounds		
Tetrachloroethylene (PCE)	19	1.3
Semivolatile Organic Compounds		
Benzo(a)Anthracene	1	1
Benzo(a)Pyrene	1	1
Benzo(b)Fluoranthene	1	1
Benzo(k)Fluoranthene	3.9	0.8
Chrysene	3.9	1
Dibenz(a,h)Anthracene	0.33	0.33
Indeno(1,2,3-c,d)Pyrene	0.5	0.5
Pesticides		
P,P'-DDD	13	0.0033
P,P'-DDE	8.9	0.0033
P,P'-DDT	7.9	0.0033
Metals		
Arsenic	16	13
Copper	270	50
Lead	400	63
Mercury	0.81	0.18
Nickel	310	30
Zinc	10000	109



Map Source:
NYDCDP (NYC Dept. of City Planning) GIS database

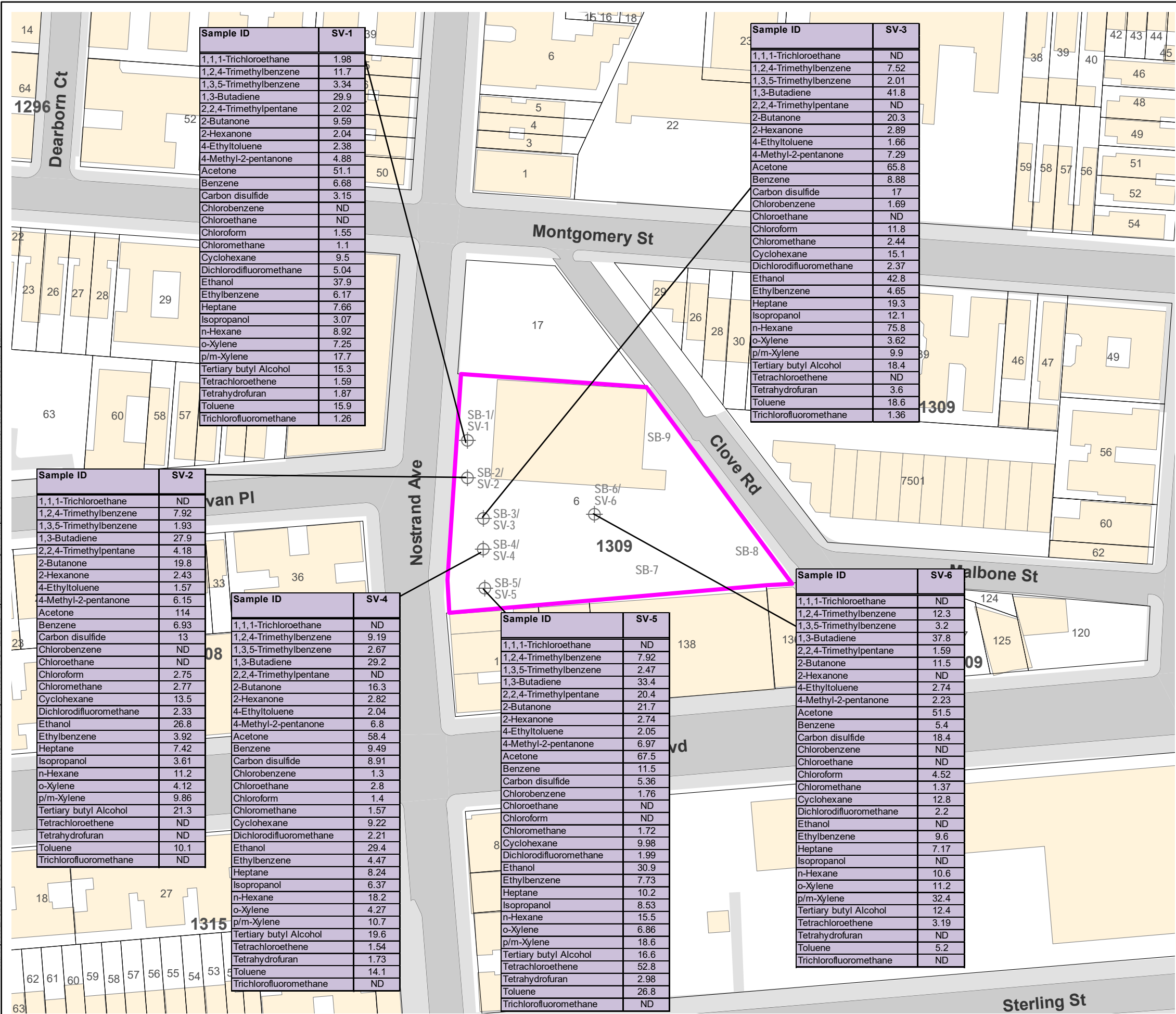
975 Nostrand Avenue
Brooklyn, New York

AKRF
440 Park Avenue South, New York, NY 10016

Soil Samples Concentrations Above NYSDEC UUSCOs and RRSCOs

DATE
8/30/2021
PROJECT NO.
210225
FIGURE
6

©2021 AKRF W:\Projects\210225 - 975 NOSTRAND AVENUE\Technical\GIS and Graphics\SBAR\BCP\210225 Figure 7 Soil Vapor Sample Concentrations.mxd 8/19/2021 9:44:23 AM jszalus



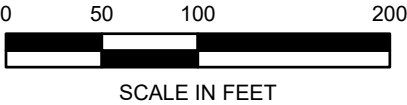
LEGEND

- PROJECT SITE
- LOT BOUNDARY AND TAX LOT NUMBER
- 1309** BLOCK NUMBER
- BUILDING
- PREVIOUS SOIL BORING/SOIL VAPOR POINT (EBI CONSULTING, 2020)

SOIL VAPOR

µg/m³- micrograms per cubic meter

ND: Not Detected



Map Source:
NYCDP (NYC Dept. of City Planning) GIS database



975 Nostrand Avenue
Brooklyn, New York



440 Park Avenue South, New York, NY 10016

SOIL VAPOR SAMPLE CONCENTRATIONS

DATE

8/19/2021

PROJECT NO.

210225

FIGURE

7

Subsurface (Phase II) Investigation**Soil Data Summary Tables**

975 Nostrand Avenue

Brooklyn, New York

Analytes > RRSCOs	Detections > RRSCOs	Maximum Detection (ppm)	RRSCO (ppm)	Depth (ft bgs)
Benzo(a)Anthracene	11	9.1	1	3-5
Benzo(a)Pyrene	15	9.8	1	3-5
Benzo(b)Fluoranthene	15	10	1	3-5
Benzo(k)Fluoranthene	1	4.7	3.9	3-5
Chrysene	4	8.6	3.9	3-5
Dibenz(a,h)Anthracene	6	1.7	0.33	3-5
Indeno(1,2,3-c,d)Pyrene	16	6.9	0.5	3-5
Lead	5	700	400	3.5-4
Mercury	1	2.6	0.81	13-15

Subsurface (Phase II) Investigation**Soil Vapor Data Summary Tables**

975 Nostrand Avenue

Brooklyn, New York


Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
1,1,1-Trichloroethane	1	1.98	soil vapor
1,2,4-Trimethylbenzene	6	12.3	soil vapor
1,3,5-Trimethylbenzene	6	3.34	soil vapor
1,3-Butadiene	6	41.8	soil vapor
2,2,4-Trimethylpentane	4	20.4	soil vapor
2-Butanone	6	21.7	soil vapor
2-Hexanone	5	2.89	soil vapor
4-Ethyltoluene	6	2.74	soil vapor
4-Methyl-2-pentanone	6	7.29	soil vapor
Acetone	6	114	soil vapor
Benzene	6	11.5	soil vapor
Carbon disulfide	6	18.4	soil vapor
Chlorobenzene	3	1.76	soil vapor
Chloroethane	1	2.8	soil vapor
Chloroform	5	11.8	soil vapor
Chloromethane	6	2.77	soil vapor
Cyclohexane	6	15.1	soil vapor
Dichlorodifluoromethane	6	5.04	soil vapor
Ethanol	5	42.8	soil vapor
Ethylbenzene	6	9.6	soil vapor
Heptane	6	19.3	soil vapor
Isopropanol	5	12.1	soil vapor
n-Hexane	6	75.8	soil vapor
o-Xylene	6	11.2	soil vapor
p/m-Xylene	6	32.4	soil vapor
Tertiary butyl Alcohol	6	21.3	soil vapor
Tetrachloroethene	4	52.8	soil vapor
Tetrahydrofuran	4	3.6	soil vapor
Toluene	6	26.8	soil vapor
Trichlorofluoromethane	2	1.36	soil vapor





LEGEND

 PROJECT SITE BOUNDARY

 LOT BOUNDARY AND TAX LOT

 CRITERIA A, Y - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 20% AND UNEMPLOYMENT RATE OF AT LEAST 125% THE STATEWIDE UNEMPLOYMENT RATE." "Y" INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA

 CRITERIA B, Y - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 2 TIMES THE POVERTY RATE FOR THE COUNTY." "Y" INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA.

 CRITERIA AB, Y - INDICATOR THAT THE CENSUS TRACT MEETS BOTH CRITERIA A AND B. "Y" INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA



Map Source:
NYCDCP (NYC Dept. of City Planning) GIS database



440 Park Avenue South, New York, NY 10016

975 Nostrand Avenue
Brooklyn, New York

EN-ZONE BOUNDARY MAP

DATE
9/24/2021

PROJECT NO.
210225

FIGURE
8

ATTACHMENT D
PROPERTY SURVEY AND METES AND BOUNDS DESCRIPTION

Schedule A

Legal Description

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

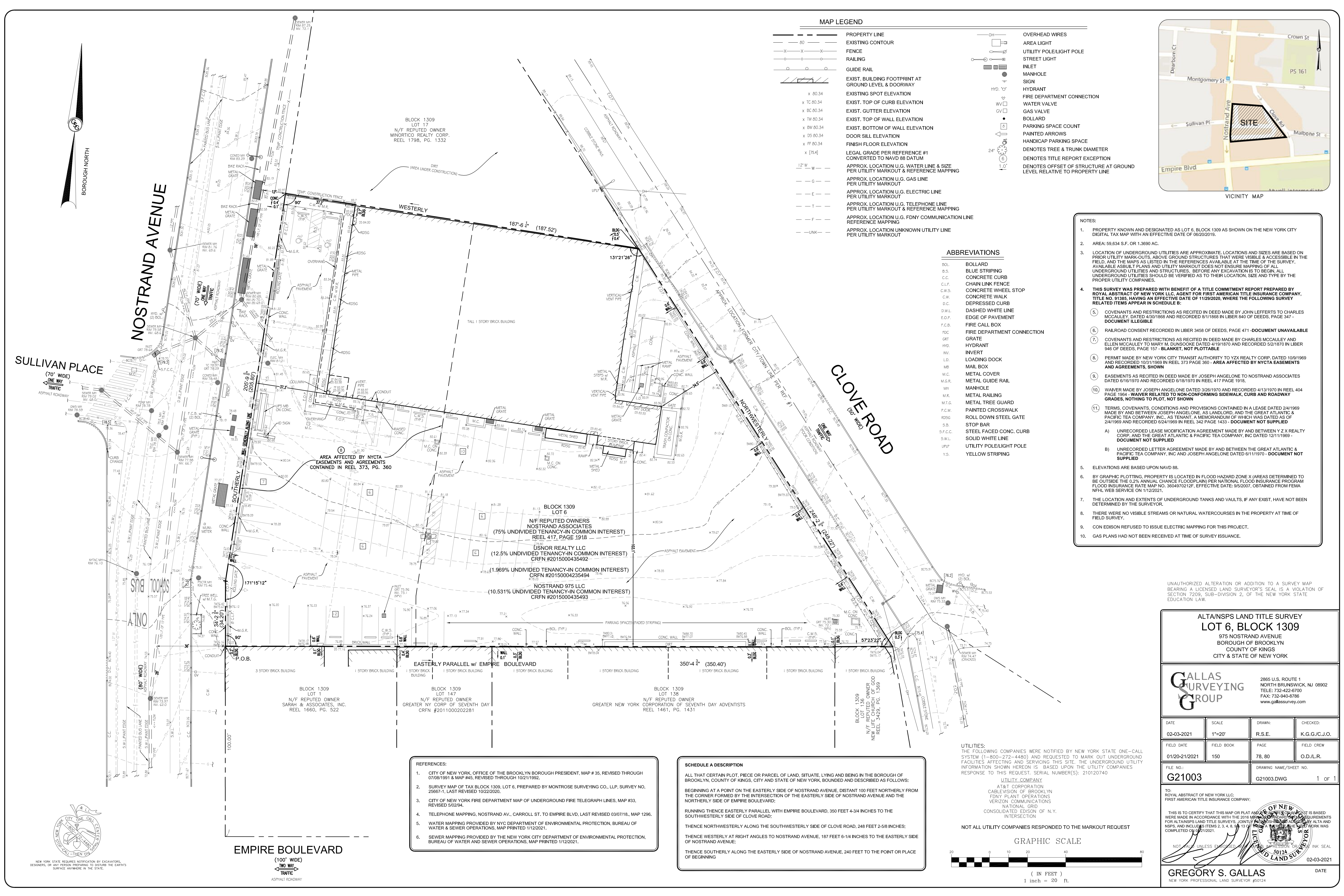
BEGINNING at a point on the easterly side of Nostrand Avenue distant 100 feet northerly from the corner formed by the intersection of the easterly side of Nostrand Avenue and the northerly side of Empire Blvd.;

RUNNING THENCE easterly parallel with Empire Blvd., 350 feet 4-3/4 inches to the southwesterly side of Clove Road;

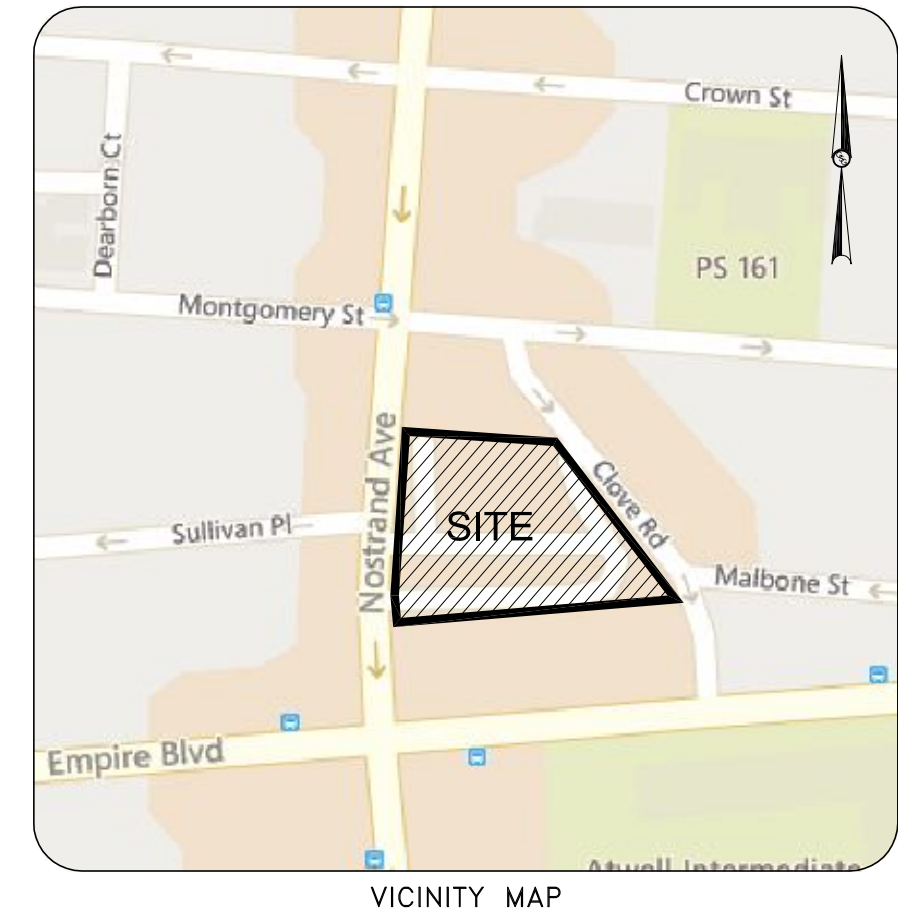
THENCE northwesterly along the southwesterly side of Clove Road, 248 feet 2-5/8 inches;

THENCE westerly at right angles to Nostrand Avenue, 187 feet 6-1/4 inches to the easterly side of Nostrand Avenue;

THENCE southerly along the easterly side of Nostrand Avenue, 240 feet to the point or place of BEGINNING.



- MAP LEGEND
- PROPERTY LINE
 - EXISTING CONTOUR
 - FENCE
 - RAILING
 - GUIDE RAIL
 - EXIST. BUILDING FOOTPRINT AT GROUND LEVEL & DOORWAY
 - EXIST. TOP OF CURB ELEVATION
 - EXIST. GUTTER ELEVATION
 - EXIST. TOP OF WALL ELEVATION
 - EXIST. BOTTOM OF WALL ELEVATION
 - DOOR SILL ELEVATION
 - FINISH FLOOR ELEVATION
 - LEGAL GRADE PER REFERENCE #1
 - CONVERTED TO NAVD 88 DATUM
 - APPROX. LOCATION U.G. WATER LINE & SIZE PER UTILITY MARKOUT & REFERENCE MAPPING
 - APPROX. LOCATION U.G. GAS LINE PER UTILITY MARKOUT
 - APPROX. LOCATION U.G. ELECTRIC LINE PER UTILITY MARKOUT
 - APPROX. LOCATION U.G. TELEPHONE LINE PER UTILITY MARKOUT & REFERENCE MAPPING
 - APPROX. LOCATION U.G. FDNV COMMUNICATION LINE REFERENCE MAPPING
 - APPROX. LOCATION UNKNOWN UTILITY LINE PER UTILITY MARKOUT
- ABBREVIATIONS
- BOL. BOLLARD
 - B.S. BLUE STRIPING
 - C.C. CONCRETE CURB
 - C.C.F. CHAIN LINK FENCE
 - C.W.S. CONCRETE WHEEL STOP
 - C.W. CONCRETE WALK
 - D.W.L. DASHED WHITE LINE
 - E.O.P. EDGE OF PAVEMENT
 - F.C.B. FIRE CALL BOX
 - FDC FIRE DEPARTMENT CONNECTION
 - GRK GRATE
 - HYD. HYDRANT
 - INV. INVERT
 - L.D. LOADING DOCK
 - MB MAIL BOX
 - M.C. METAL COVER
 - M.G.R. METAL GUIDE RAIL
 - MH MANHOLE
 - M.R. METAL RAILING
 - M.T.G. METAL TREE GUARD
 - P.C.W. PAINTED CROSSWALK
 - R.D.S.G. ROLL DOWN STEEL GATE
 - S.B. STOP BAR
 - S.F.C.C. STEEL FACED CONC. CURB
 - S.W.L. SOLID WHITE LINE
 - UPJ UTILITY POLE/LIGHT POLE
 - Y.S. YELLOW STRIPING
- NOTES:
- PROPERTY KNOWN AND DESIGNATED AS LOT 6, BLOCK 1309 AS SHOWN ON THE NEW YORK CITY DIGITAL TAX MAP WITH AN EFFECTIVE DATE OF 06/20/2019.
 - AREA: 59,634 S.F. OR 1.3690 AC.
 - LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON PRIOR UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
 - THIS SURVEY WAS PREPARED WITH BENEFIT OF A TITLE COMMITMENT REPORT PREPARED BY ROYAL ABSTRACT OF NEW YORK LLC, AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE NO. 91385, HAVING AN EFFECTIVE DATE OF 11/29/2020, WHERE THE FOLLOWING SURVEY RELATED ITEMS APPEAR IN SCHEDULE B:
 - COVENANTS AND RESTRICTIONS AS RECITED IN DEED MADE BY JOHN LEFFERTS TO CHARLES MCCAULEY, DATED 4/30/1868 AND RECORDED 8/1/1868 IN LIBER 840 OF DEEDS, PAGE 347 - DOCUMENT ILLEGIBLE
 - RAILROAD CONSENT RECORDED IN LIBER 3458 OF DEEDS, PAGE 471 - DOCUMENT UNAVAILABLE
 - COVENANTS AND RESTRICTIONS AS RECITED IN DEED MADE BY CHARLES MCCAULEY AND ELLEN MCCAULEY TO MARY M. DUNSCOKE DATED 4/19/1870 AND RECORDED 5/2/1870 IN LIBER 946 OF DEEDS, PAGE 157 - BLANKET, NOT PLOTTABLE
 - PERMIT MADE BY NEW YORK CITY TRANSIT AUTHORITY TO Y2X REALTY CORP. DATED 10/9/1969 AND RECORDED 10/9/1969 IN REEL 373 PAGE 360 - AREA AFFECTED BY NYCTA EASEMENTS AND AGREEMENTS, SHOWN
 - EASEMENTS AS RECITED IN DEED MADE BY JOSEPH ANGELONE TO NOSTRAND ASSOCIATES DATED 6/16/1970 AND RECORDED 6/18/1970 IN REEL 417 PAGE 1918
 - WAIVER MADE BY JOSEPH ANGELONE DATED 3/26/1970 AND RECORDED 4/13/1970 IN REEL 404 PAGE 1964 - WAIVER RELATED TO NON-CONFORMING SIDEWALK, CURB AND ROADWAY GRADES, NOTHING TO PLOT, NOT SHOWN
 - TERMS, COVENANTS, CONDITIONS AND PROVISIONS CONTAINED IN A LEASE DATED 2/4/1969 MADE BY AND BETWEEN JOSEPH ANGELONE, AS LANDLORD, AND THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC., AS TENANT, A MEMORANDUM OF WHICH WAS DATED AS OF 2/4/1969 AND RECORDED 6/24/1969 IN REEL 342 PAGE 1433 - DOCUMENT NOT SUPPLIED
 - UNRECORDED LEASE MODIFICATION AGREEMENT MADE BY AND BETWEEN Y Z REALTY CORP. AND THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC DATED 12/11/1969 - DOCUMENT NOT SUPPLIED
 - UNRECORDED LETTER AGREEMENT MADE BY AND BETWEEN THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC AND JOSEPH ANGELONE DATED 6/11/1970 - DOCUMENT NOT SUPPLIED
 - ELEVATIONS ARE BASED UPON NAVD 88.
 - BY GRAPHIC PLOTTING, PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 3604970212F, EFFECTIVE DATE: 9/5/2007, OBTAINED FROM FEMA NFHL WEB SERVICE ON 1/12/2021.
 - THE LOCATION AND EXTENTS OF UNDERGROUND TANKS AND VAULTS, IF ANY EXIST, HAVE NOT BEEN DETERMINED BY THE SURVEYOR.
 - THERE WERE NO VISIBLE STREAMS OR NATURAL WATERCOURSES IN THE PROPERTY AT TIME OF FIELD SURVEY.
 - CON EDISON REFUSED TO ISSUE ELECTRIC MAPPING FOR THIS PROJECT.
 - GAS PLANS HAD NOT BEEN RECEIVED AT TIME OF SURVEY ISSUANCE.



VICINITY MAP

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

ALTANSPS LAND TITLE SURVEY
LOT 6, BLOCK 1309
975 NOSTRAND AVENUE
BOROUGH OF BROOKLYN
COUNTY OF KINGS
CITY & STATE OF NEW YORK

GALLAS SURVEYING GROUP

2865 U.S. ROUTE 1
NORTH BRUNSWICK, NJ 08902
TELE: 732-422-8700
FAX: 732-940-8786
www.gallasurvey.com

DATE	SCALE	DRAWN	CHECKED
02-03-2021	1"=20'	R.S.E.	K.G.G./C.J.O.
FIELD DATE	FIELD BOOK	PAGE	FIELD CREW
01/20-21/2021	150	78, 80	O.D./L.R.
FILE NO.:	DRAWING NAME/SHEET NO.		
G21003	G21003.DWG 1 OF 1		
TO: ROYAL ABSTRACT OF NEW YORK LLC; FIRST AMERICAN TITLE INSURANCE COMPANY;			
THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND ANY INFORMATION IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD REQUIREMENTS FOR ALTANSPS LAND TITLE SURVEYS, JOINTLY DEVELOPED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 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ATTACHMENT E

EXECUTED DOCUMENT REPOSITORY ACKNOWLEDGEMENT LETTERS



AKRF, Inc.
Environmental, Planning, and Engineering Consultants
440 Park Avenue South, 7th Floor
New York, NY 10016
tel: (212) 696-0670
fax: (212) 213-3191
www.akrf.com

July 15, 2021

NYC Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, NY 11225

Re: Document Repository
975 Nostrand Avenue (Block 1309, Lot 6)
Brooklyn, New York 11225

To Whom It May Concern:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Nostrand Green LLC for the project site "975 Nostrand Avenue", located at 975 Nostrand Avenue (Block 1309, Lot 6) in Brooklyn, NY. As required by the NYSDEC, the NYC Brooklyn Community 9 will be the repository to which all pertinent 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 asharma@akrf.com. Please call me at 646-388-9865 with any questions. Thank you.

Preferred Method of Document Receipt:

☐ Hard Copies ☒ Electronic Copies ☐ CD

Sincerely,
AKRF, Inc.

Ashutosh Sharma
Technical Director

ACKNOWLEDGED AND ACCEPTED:

Dante B. Arnwine

Name

District Manager

Title

Signature



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Sincerely,
AKRF, Inc.

Ashutosh Sharma
Technical Director

ACKNOWLEDGED AND ACCEPTED:

Jennifer Coffaro	Library Information Supervisor	
Name	Title	Signature