



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 5**

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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.

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

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No

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

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish 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).

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

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

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

Coal Gas Manufacturing
Salvage Yard
Landfill

Manufacturing
Bulk Plant
Tannery

Agricultural Co-op
Pipeline
Electroplating

Dry Cleaner
Service Station
Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN		ZIP CODE		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY		SITE SIZE (ACRES)		
LATITUDE (degrees/minutes/seconds) ° ' "		LONGITUDE (degrees/minutes/seconds) ° ' "		
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach a metes and bounds description of the property.			Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)			Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)			Yes	No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one): 0-49% 50-99% 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No				
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?			Yes	No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.			Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			Yes	No

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**?

Yes

No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?

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

Yes

No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?

Yes

No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?

Yes

No

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.

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			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
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. 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".			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? Yes No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site? Yes No

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

PARTICIPANT

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

VOLUNTEER

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

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

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

Section VII. Requestor Eligibility Information (continued)

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

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

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

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

Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?
If yes, please provide: Site # _____ Class # _____

Yes No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
 Date permit issued: _____ Permit expiration date: _____

Yes No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____

Yes No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment.

Yes No

Section IX. Contact List Information

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

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

Section X. Land Use Factors	
1. What is the current zoning for the site? What uses are allowed by the current zoning? <div style="display: flex; justify-content: space-around;"> Residential Commercial Industrial </div> 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) 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
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.	Yes No
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

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. 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 General Partner (title) of Peninsula Rockaway Limited Partnership (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 to execute a BCA within 60 days of the date of DEC's approval letter. 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: 6/26/17 Signature: [Signature]

Print Name: Alex Arker

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in 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

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 5

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	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.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p>From ECL 27-1405(31):</p> <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 July 1, 2015: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>(I) "Underutilized" means, as of the date of application, real property:</p> <p>(1) on which a building or buildings, can be certified by the municipality in which the site is located, to have for at least five years used no more than fifty percent of the permissible floor area under the applicable base zoning immediately prior to the application which has been in effect for at least five years;</p> <p>(2) at which the proposed development is solely for a use other than residential or restricted residential;</p> <p>(3) which could not be developed without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(4) which is subject to one or more of the following conditions, as certified by the municipal department responsible for such determinations of the municipality in which the site is located:</p> <p>(i) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(ii) contains a building that 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>(iii) the proposed use is in whole or in substantial part for industrial uses.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, or land purchase cost exemption or waiver, from a governmental entity; or for properties to be developed in whole or in part for industrial uses, a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or a tax credit, from a governmental entity, or a low-cost loan from an industrial fund managed by the municipality and partner financial institutions.</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:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage of site within an En-Zone:****0%****<50%****50-99%****100%****Requestor's Requested Status:****Volunteer****Participant**

**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..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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.

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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.

BCP APPLICATION SUPPORT DOCUMENT
Former Peninsula Hospital Site
51-15 Beach Channel Drive and 50-04 Rockaway Beach Boulevard
Far Rockaway, Queens, NY

Figures, tables and other supporting information referenced in the following sections are included on a CD with the BCP Application. Hard copies of select supporting documents are also included in Attachments A or B in the order discussed in the Application and as noted below.

SECTION I - REQUESTOR INFORMATION

The Requestor is Peninsula Rockaway Limited Partnership, which is owned by the principals of The Arker Companies. A printout of the Entity Information from the NYS Department of State Corporation & Business Entity Database is included in Attachment A.

The Arker Companies have been in business for over 65 years. They have been one of the most active developers in the ownership, construction, preservation and management of affordable housing in the City of New York for three generations. The Arker Companies have developed or restored over 6,000 units and nearly a million square feet of commercial/retail space, with a total investment of over \$1 billion in development projects exclusively within the five boroughs of New York City. The Arker Companies have successfully conducted several BCP projects, including the Former Shell Service Station (C203031, now the White Plains Courtyard), the Former Dico G Auto and Truck Repair Site (C203039, 3001-3035 White Plains Road), the Uniforms for Industry Site (C241103, now Richmond Hill Senior Housing and Richmond Place), and 34-11 Beach Channel Drive (C2411411). The Arker Companies is owned and managed by its four principals: Sol Arker, Allan Arker, Alex Arker, and Dan Moritz.

SECTION II – PROJECT DESCRIPTION

This project is starting at the investigation stage, although some investigation work has been conducted, as described below. The project includes redevelopment of a property that includes the former Peninsula Hospital campus, located at 51-15 Beach Channel Drive (Block 15843, Lot 1) and an associated parking lot at 50-04 Rockaway Beach Boulevard (Block 15842, Lot 1) in the Far Rockaway neighborhood of Queens, NY, referred to herein collectively as the Former Peninsula Hospital Site (Site). These lots are presently being merged.

The development team, working in conjunction with the City of New York, is planning to rezone/ULURP the Site for additional density. The owner of the Site, and the applicant for the ULURP application, will be Peninsula Rockaway Limited Partnership. The development plan is to allow the Site to support 16 newly-constructed buildings containing affordable residential units and significant ground floor commercial, medical, and community facility space. The Site's residential units will be affordable to families and seniors (62+ years) with mixed incomes up to 100% of the Area Median Income. For Mandatory Inclusionary Housing (MIH) purposes, as defined by the NYC zoning code, the project will fulfill the option to have at least 25% of the units at 60% AMI. This plan will be developed within the City's large-scale planning efforts to redevelop the community of Far Rockaway. A schematic site plan showing the general proposed layout on the Site is included in Attachment A.

The redevelopment Site, which is on approximately 2 city block/lots, has a total lot area of

approximately 8.76 acres. There are no deed restrictions on the Site. The Site is currently zoned R5 (1.25 FAR) with a C1-2 and C8-1 Commercial Overlay. The plan is to rezone under Large Scale General Development with C4-4 assumed for FAR and parking. This equates to a 4.6 FAR and 5.01 FAR with seniors. The following actions will be requested under the DCP rezoning application:

1. Zoning map amendment from R5, R5/C1-2, and C8-1 to C4-4
2. Special permit pursuant to Section 74-74 of the Zoning Resolution for a large-scale general development
3. Special permit pursuant to Section 74-743 of the Zoning Resolution to allow variations in the height and setback regulations within the large-scale general development
4. Zoning text amendment to Appendix F of the Zoning Resolution to establish a mandatory inclusionary housing designated area with Community District 14, Queens
5. Zoning text amendment to Section 23-154 of the Zoning Resolution to establish that all R7 districts in Mandatory Inclusionary Housing Areas are allowed a maximum residential FAR of 4.6 and maximum AIRS FAR of 5.01.

Each of the newly-constructed buildings will be financed separately and have its own construction closing. Sources of financing include, but are not limited to:

- NYC HDC Tax Exempt Bond Financing
- NYC HDC Loans/Subsidy
- NYC HPD Loans/Subsidy
- NYS HFA Tax Exempt Bond Financing
- NYS HCR Loans/Subsidy
- 4% Low Income Housing Tax Credits (associated with Tax Exempt Bond Financing)
- 9% Low Income Housing Tax Credits
- New Market Tax Credits
- Brownfields Tax Credits
- Federal Home Loan Bank Loans/Subsidy
- NYSEDA
- Deferred Developer Fee/Developer Equity
- Federal Project Based Vouchers – Rental Assistance
- NYC/NYS Funding for Social Services

Schedule Information

The remedial program is anticipated to start in early 2017 and the Certificate of Completion is anticipated within approximately 5 years of the 2018 commencement of construction. Below is an estimate of the construction phasing of the 16 buildings and associated roads. The phasing is an estimate and subject to change based on availability of financing and site logistics.

#	Buildings	# of Units	Resi. GSF	Retail GSF	Medical GSF	Financing	Phase/Year
1	A1	65	60,000	20,573	-	9%	2018
2	A2	94	73,794	-	-	4% bonds	2018
3	A3	135	106,288	-	-	4% bonds	2018
4	A4	270	173,475	-	-	4% bonds	2018
5	D1	65	71,132	50,770	-	9%	2019
6	D2	206	162,297	-	-	4% bonds	2019
7	D3	148	119,311	-	-	4% bonds	2020

#	Buildings	# of Units	Resi. GSF	Retail GSF	Medical GSF	Financing	Phase/Year
8	B1	146	115,683	-	-	4% bonds	2020
9	B2	65	66,147	38,045	-	9%	2020
10	B3	123	145,003	-	-	4% bonds	2021
11	B4	182	104,261	-	-	4% bonds	2020
12	C1	221	159,830	-	100,455	4% Bonds	2022
13	C2	65	67,008	-	-	4% Bonds	2022
14	C3	111	88,932	-	-	9%	2023
15	C4	174	138,637	-	-	4% Bonds	2023
16	C5	65	67,546	-	-	Bonds	2023

SECTION III – PROPERTY’S ENVIRONMENTAL HISTORY

III.1: Reports

The following reports are available for the parcels that comprise the Former Peninsula Hospital Site and are included in Attachment B:

Block 15843, Lot 1 (former hospital):

- Phase I Environmental Site Assessment, PVE Sheffler/Lawrence Environmental Group, October 21, 2015
- Phase II Environmental Site Assessment, PVE Sheffler/Lawrence Environmental Group, November 24, 2015
- Phase II Environmental Site Assessment, FPM Group, Ltd., August 30, 2016
- Tank Removal Report (draft), FPM Group, Ltd.
- Phase II Environmental Site Assessment, FPM Group, Ltd, June 26, 2017

Block 15842, Lot 1 (former hospital parking lot):

- Phase I Environmental Site Assessment, FPM Group, Ltd., March 2016
- Phase II Environmental Site Assessment, FPM Group, Ltd., April 12, 2016
- Phase II Environmental Site Assessment, FPM Group, Ltd, June 26, 2017

III.2: Sampling Data

The laboratory reports containing the available sampling data for the Site are included in the reports in Attachment B.

III.3: Site Drawings showing Impacted Media

A site drawing showing all of the sampling locations is included in Attachment B. Two site plans showing the sampling results that exceeded applicable regulatory criteria, including the sampling locations and dates, key contaminants and concentrations, and exceedances of regulatory criteria are also included in Attachment B.

III.4: Past Land Uses

The Former Peninsula Hospital Site includes two tax lots (presently being merged) with different use histories, including hospital and parking uses. Sanborn fire insurance maps depicting the use histories are included in Attachment B.

The portion of the Site that includes the hospital tax lot is developed with a large hospital building constructed circa 1957-1962 that is now vacant. The south wing includes the boiler room and hazardous materials and paint storage areas. This portion of the Site also includes the former #6 fuel oil underground storage tanks (USTs) formerly used to supply fuel to the hospital boiler room and a large paved parking lot. A small maintenance building was formerly present on the southwest corner of the Site from 1983 until it was removed (between 1994 and 2003). Prior to the hospital use, this portion of the Site was undeveloped except for the southwestern corner, which was formerly occupied successively by a small hotel (from prior to 1912 until sometime before 1933), several residences, and three small stores (by 1951).

The portion of the Site that includes the former hospital parking lot was undeveloped until circa 1957-1962 when the current parking lot was constructed in conjunction with the development of the hospital.

SECTION IV - PROPERTY INFORMATION

Tax Parcel Information

The Former Peninsula Hospital Site presently includes a tax lot identified by the following Queens County Tax Map Designation: Block 15843, Lot 1 (former hospital) and a tax lot identified by the following Queens County Tax Map Designation: Block 15842, Lot 1 (former parking lot). Copies of digital tax maps from the NYS Department of Finance showing each lot with its Block/Lot identifier are included in Attachment A. These tax lots are presently being merged.

It should be noted that the portion of Queens County Tax Map Designation: Block 15843, Lot 1 noted as "unclassified" on the digital tax map is actually part of the lot. A copy of the deed that includes this lot is included in Attachment A; the metes and bounds description noted in Schedule A of the deed includes the "unclassified" land. The Requestor is having the Queens County Tax Map information updated.

A copy of the USGS 7.5-minute quad map showing the Site location is also included in Attachment A.

A scaled property Base Map showing the Site boundaries, the adjacent streets, and adjoining property owners is included in Attachment A.

The Site is located in Census Tract 972.04, which is not in an En-zone, based on the 2013 En-Zone maps.

Remediation

A limited amount of remediation has been conducted on the portion of the Former Peninsula Hospital Site that includes the former hospital, including removal of the identified USTs and removal of some of the associated petroleum-impacted soil. A draft tank removal report included in Attachment B documents this work.

Property Description Narrative

Location: The Site is located in an urban area of Far Rockaway, Queens County, New York. The Site is bounded by Beach Channel Drive to the north, Beach 53rd Street to the west, a nursing home to the northeast, Beach 50th Street to the east, and Rockaway Beach Boulevard to the south.

Site Features: The Site includes a vacant building formerly used as the Peninsula Hospital, and an adjoining paved parking lot to the southeast of the hospital building.

Zoning and Land Use: The Site is currently inactive and is zoned R5 (1.25 FAR) with a C1-2 and C8-1 Commercial Overlay. The surrounding parcels are used for a combination of commercial, light industrial, and transportation uses. The Site has previously been fully developed and remains nearly completely paved or covered with buildings; minimal vegetation is present.

Past Use of the Site: The portion of the Site that includes the hospital building was developed with the hospital use circa 1957-1962; this use continued until the hospital closed in 2012. A small maintenance building was formerly present on the southwest corner of the Site from 1983 until it was removed (between 1994 and 2003). Prior to the hospital use this Site was undeveloped except for the southwestern corner, which was formerly occupied successively by a small hotel (from prior to 1912 until sometime before 1933), several residences, and three small stores (by 1951).

The development of this portion of the Site and the hospital use resulted in several sources of contamination, including petroleum USTs with an associated release of #6 fuel oil (spill #1508760) on the central portion of the Site, floor drains suspected in the hospital boiler room on the west side of the Site, maintenance practices that used chlorinated solvents (1,1,1-trichloroethane, tetrachloroethene, and trichloroethene), and placement of historic fill for which remedial measures will be needed.

The tax lot that includes this portion of the Site is identified as PBS 2-316660, and included two 10,000-gallon #6 FO USTs installed 12/1/1957 and closed in place 11/1/1998; one 550-gallon diesel UST closed in place 11/1/1998; one 5,000-gallon #2 FO AST installed 6/1/2007 listed as in service; and one 600-gallon diesel AST listed as in service. The two 10,000-gallon #6 fuel oil USTs were located on the Site. Three NYSDEC Spills are noted for this parcel, including #9104015 (tank test failure of 550-gallon diesel UST), #1311139 (electrical fire with non-PCB dielectric fluid release), and #1508760 (#6 FO soil contamination identified on the Site). This parcel is also identified as a RCRA hazardous waste generator between at least 1989 and 2012 (D001, D002, D003, F001 through F005, U044, U122, and U188). Three Phase II ESAs have been performed (2015, 2016, and 2017) and the petroleum storage tanks on the Site have been located and removed (2016). Spill #1508760 remains open and a limited amount of petroleum-impacted soil and free-phase product have been removed from the Site (2016) to address this spill.

The portion of the Site that includes the former hospital parking lot was undeveloped until circa 1957-1962 when the current parking lot was constructed in conjunction with the development of the hospital property. The development of this parcel included placement of historic fill with associated contamination. Two Phase II ESAs have been performed (2016 and 2017).

Site Geology and Hydrogeology: The Former Peninsula Hospital Site has a topographic elevation of approximately 5 to 10 feet above mean sea level (MSL) and its surface is generally flat. A review of historic topographic maps indicates that the ground surface at the Site and vicinity has been modified from its original configuration (former marsh with an elevation near sea level) by the placement of fill. Beneath the historic fill, the Site is underlain by Upper Glacial Formation sand, silt, and clay outwash plain deposits (USGS, 1966). The Gardiners Clay, consisting of clay with interbedded silt and sand, is present below the Upper Glacial Formation.

Based on boring logs from the Phase II ESAs, groundwater was encountered between 4 and 8 feet below grade. The regional groundwater flow direction in the property vicinity (USGS, 2009) is generally to the north and the water table elevation beneath the property is approximately 1 to 2 feet above MSL, which is consistent with the boring log information.

Environmental Assessment: Based on investigations conducted to date on the parcels that comprise the Site, the primary contaminants of concern for the Site include petroleum, chlorinated solvents, metals, and semivolatile organic compounds (SVOCs).

Soil – Petroleum impacts, including volatile organic compounds (VOCs) and SVOCs are found in soil in proximity to the former #6 fuel oil USTs (now removed) on the portion of the Site that includes the former hospital. Some of the SVOC impacts exceed the restricted residential use soil cleanup objectives (SCOs). SVOCs and metals (including arsenic, cadmium, copper, chromium, lead, nickel, and zinc) are present in historic fill beneath the Site; some of these impacts exceed the restricted residential use SCOs and arsenic exceeds the commercial use SCOs in the southwestern portion of the Site. Additional soil investigation is needed to delineate the identified impacts and to test for additional analyte groups.

Groundwater – Free-phase product was identified on the water table surface in proximity to the former #6 fuel oil USTs on the portion of the Site that includes the former hospital. Groundwater sampling has been performed for VOCs only. Additional groundwater investigation is needed for additional analyte groups.

Soil Vapor - 1,1,1-TCA has been identified in soil vapor in proximity to the former hospital boiler room, PCE and TCE have been identified in soil vapor on the southwest portion of the Site in proximity to a former maintenance building location, and carbon tetrachloride has been identified in proximity to the former hospital building at levels for which mitigation for SVI may be needed, depending on the levels of these VOCs in indoor air. Additional investigation is needed to located potential sources of these vapors.

SECTION VI – PROPERTY OWNER INFORMATION

The current owner of the Site is Peninsula Rockaway Limited Partnership, which purchased Block 15843, Lot 1 and 15842, Lot 1 on 5/5/16.

The following information pertains to previous owners of the tax lots that comprise the Former Peninsula Hospital Site. There are no relationships between any of the requestor's corporate members and any previous owners.

Queens Tax Map Block 15843, Lot 1:

- Congregation Zichron Yitzchok Vmoshe Eliyahu, 12/16/13 to 5/5/16, Contact: Yosef Brunner, 1801 59th Street, Brooklyn, NY 11204
- Beach Drive Holdings, LLC, 5/8/2013 to 12/16/2013, Address: 390 Berry Street, Suite 200, Brooklyn, NY 11249
- The City of New York, 12/20/1977 to 5/8/2013
- Peninsula General Nursing Home, 3/16/1971 to 12/20/1977, 50-15 Beach Channel Drive, Far Rockaway, NY 11691 (718-734-2000)
- Peninsula General Hospital, 8/14/1968 to 3/16/1971, 50-15 Beach Channel Drive, Far Rockaway, NY 11691 (718-734-2000)
- Andes Foundation, Inc., prior to 8/14/1968

Queens Tax Map Block 15842, Lot 1:

- Congregation Zichron Yitzchok Vmoshe Eliyahu, 12/16/13 to 5/5/16, Contact: Yosef Brunner, 1801 59th Street, Brooklyn, NY 11204
- Beach Drive Holdings, LLC, 5/8/2013 to 12/16/2013, Address: 390 Berry Street, Suite 200, Brooklyn, NY 11249
- New York City Industrial Development Agency, 12/1/1998 to 5/8/2013
- Peninsula Hospital Center, prior to 12/1/1998, 50-15 Beach Channel Drive, Far Rockaway, NY 11691 (718-734-2000)

The following information pertains to known previous operators of the tax lots that comprise the Former Peninsula Hospital Site. There are no relationships between any of the requestor's corporate members and any previous operators.

Queens Tax Map Block 15843, p/o Lot 1 (former Peninsula Hospital):

- Peninsula General Hospital, 50-15 Beach Channel Drive, Far Rockaway, NY 11691 (718-734-2000), circa 1960 until the hospital closed in 2012

Queens Tax Map Block 15842, Lot 1 (former Peninsula Hospital parking lot):

- Beach Drive Holdings, LLC, 5/8/2013 to 12/16/2013, Address: 390 Berry Street, Suite 200, Brooklyn, NY 11249
- New York City Industrial Development Agency, 12/1/1998 to 5/8/2013
- Peninsula Hospital Center, prior to 12/1/1998, 50-15 Beach Channel Drive, Far Rockaway, NY 11691 (718-734-2000)

SECTION VII – REQUESTOR ELIGIBILITY INFORMATION

The Requestor is a Volunteer whose liability arises solely as a result of its recent acquisition of the Site, which occurred well after the disposal of hazardous waste or discharge of petroleum. The Requestor never had any relationship with the prior owner(s) or operator(s) of the Site. Since acquiring the Site, the Requestor has exercised appropriate care of the Site by taking reasonable steps to stop discharges, prevent potential future releases, and prevent/limit exposure. These steps have included securing portions of the Site, removing fuel oil USTs, and removing product and contaminated soil.

SECTION IX - CONTACT LIST INFORMATION

1. Queens Borough Contacts:

Melinda Katz
Queens Borough President
Queens Borough Hall
120-55 Queens Boulevard
Kew Gardens, NY 11424
(718) 286-3000

Mr. Eric Ulrich
Queens Borough Council Member, District 32
114-12 Beach Channel Drive, Suite 1
Rockaway Park, NY 11694
(718) 738-1083

Department of City Planning, City of New York
Queens Borough Office
120-55 Queens Blvd., Room 201
Kew Gardens, NY 11424
(718) 520-2100

2. Residents, owners, and occupants of the Site and properties adjacent to the Site:

The Requestor is the owner of the parcels comprising the Site, which are presently unoccupied. The Requestor is also the owner of one property to the south. The owners of adjoining properties are shown on the Base Map in Attachment A. The owners and occupants are as follows:

<u>Adjoining Property Location</u>	<u>Owner/Occupant</u>
➤ <u>Adjoining South</u>	
Commercial Property (electrical substation) Block 15891, Lot 10	Long Island Light Co. (owner and occupant) C/o Brooklyn Union Gas Co. 333 Earle Ovington Blvd., Suite 403 Uniondale, NY 11553 (516) 222-7700

Adjoining Property Location**Owner/Occupant**➤ **Adjoining South**

Solid Rock SDA Church
Block 15891, Lot 21
52-05 Rockaway Beach Boulevard
Far Rockaway, NY 11691-1134
(718) 634-1622

Northeastern Conference
of the Seventh Day Adventists
(owner and occupant of the church)

Royal Seafood, Inc. (wholesale)
Block 15857, Lots 7 & 40
50-01 Rockaway Beach Boulevard
Far Rockaway, NY 11691
(718) 318-8658

Rockware Industrial, LLC (owner)
619 Palisades Ave.
Engelwood Cliffs, NJ 07632
(occupant is the seafood wholesaler noted at left)

Commercial/Industrial Property
Block 15857, Lot 42

Peggy Shapiro, LLC (owner)
1 Maiden Lane, 5th Floor
New York, NY 10038

All Star Document & Paper Shredding (occupant)
49-15 Rockaway Beach Boulevard
Far Rockaway, NY 11691

➤ **Adjoining East (across Beach 50th Street)**

Parking Lot for MTA Bus depot
Block 15841, Lots 10 & 14
49-19 Rockaway Beach Blvd.

49-19 Rockaway Beach, LLC (owner)
60 Hempstead Ave., Suite 718
West Hempstead, NY 11552

MTA Bus (occupant)
2 Broadway
New York, NY 10004-2207

Parking Lot/Commercial Property
Block 15841, Lot 19

Y-M-G-Y Development Group (owner)
86-25 Lefferts Blvd.
Richmond Hill, NY 11418

DDK Auto Corp. (occupant)
517 West 45th Street, Floor 1
New York, NY 10036-3400

➤ **Adjoining Northeast**

Peninsula General Nursing Home
Block 15842, Lot 100
53-01 Beach Channel Drive
Far Rockaway, NY 11691

Beach 50th Street, LLC (owner)
Mark Zafrin
c/o Michelman & Robinson, LLP
800 Third Ave., 24th Floor
New York, NY 10022
Occupant is the nursing home noted at left.

Adjoining Property Location**Owner/Occupant**

➤ Adjoining North (across Beach Channel Drive)

Multi-Family Residential Properties
Block 16001, Lot 2

NYC Housing Authority (owner)
250 Broadway, 9th Floor
New York, NY 10007
(718) 657-8300

Residents (multiple, occupants)
409 Beach 51st Street
Far Rockaway, NY 11691

Residents (multiple, occupants)
51-32 Beach Channel Drive
Far Rockaway, NY 11691

Residents (multiple occupants)
51-24 Beach Channel Drive
Far Rockaway, NY 11691

Residents (multiple occupants)
410 Beach 54th Street
Far Rockaway, NY 11961

PS 105 (The Bay School) &
Conch Playground (occupant)
Block 15974, Lot 3
420 Beach 51st Street
Far Rockaway, NY 11691
(718) 474-8615

NYC Dept. of Parks & Board of Ed. (owners)
Parks: The Arsenal
Central Park
830 Fifth Avenue
New York, NY 10065

➤ Adjoining West (across Beach 53rd Street)

Multi-Family Residential Properties
Block 15890, Lots 64, 66, 69
Ocean Bay Apartments

NYC Housing Authority (owner)
250 Broadway, 9th Floor
New York, NY 10007
(718) 657-8300

Residents (multiple, occupants)
Ocean Bay Apartments
53-05 Beach Channel Drive
Far Rockaway, NY 11691

Residents (multiple, occupants)
Ocean Bay Apartments
53-01 Beach Channel Drive
Far Rockaway, NY 11691

Adjoining Property Location**Owner/Occupant**

➤ Adjoining West (across Beach 53rd Street)

Lawrence Nursing Care Center
Block 15890, Lot 42
350 Beach 54th Street
Far Rockaway, NY 11692
(718) 945-0400

CAR Investments, LLC (owner)
PO Box 290
Zeeland, MI 49464-0290
(occupant is nursing home noted at left)

Lawrence Nursing Care Parking Lot
Block 15890, Lot 84

Lawrence Nursing Care (owner and occupant)
350 Beach 54th Street
Far Rockaway, NY 11692
(718) 945-0400

Multi-Family Residential Property
Block 15890, Lot 30

Beach Street Housing Dev. Fund Corp. (owner)
C/o Development Associates, Inc.
167 Jefferson Ave.
Island Park, NY 11558

Residents (multiple occupants)
334 Beach 54 Street
Far Rockaway, NY 11961

Multi-Family Residential Property
Block 15890, Lot 97

Beach 53rd, LLC (owner)
311 Blackheath Road
Lido Beach, NY 11561

Residents (multiple occupants)
3-09 Beach 53 Street
Far Rockaway, NY 11961

Vacant Property (no occupant)
Block 15890, Lot 8

Wavebrook Assoc., LLC (owner)
30-64 Whitestone Expressway
College Point, NY 11354

3. Local news media from which the community typically obtains information:

NY Daily News
4 New York Plaza, New York, NY 10004
(212) 210-2100

Queens Examiner
45-23 47th Street, Woodside, NY 11377
(718) 639-7000

4. The public water supplier that services the area where the site is located:

NYC Department of Environmental Protection
59-17 Junction Boulevard, 13th Floor, Flushing, NY 11373
(212) 504-4115

5. Any person who has requested to be placed on the site contact list:

No person has yet requested to be placed on the Site contact list.

6. The administrator of any school or day care facility located on or near the site:

The Site is located in an area historically used for mixed purposes, including residential, commercial and industrial uses. The NYC Office of Environmental Remediation SPEED database was searched and three schools and three day care centers were identified within one-half mile of the Site, as follows:

- PS 105 (The Bay School), 420 Beach 51st Street, Far Rockaway, NY 11691, (718) 474-8615 Administrator: Ms. Laurie Shapiro
- JHS 198 (Benjamin N. Cardozo Junior High School), 365 Beach 56th Street, Arverne, NY 11692, (718) 945-3300 Administrator: Ms. Angela Logan
- Goldie Maple Academy (pre-K through 8), 3-65 Beach 56th Street, Arverne, NY 11692, (718) 945-3300 Administrator: Ms. Angela Smith
- Blanche Community Progress Day Care Service, 44-02 Beach Channel Drive, Far Rockaway, NY 11691, (718) 471-7881 Administrator: Ms. Florence Williams
- Bethel Mission Loving Day Care, 338 Beach 56th Street, Arverne, NY 11692 (718) 474-8618 Administrator: Ms. Dolores Paul
- Lucille Rose Day Care Center, 148 Beach 59th Street, Arverne, NY 11692 (718) 634-0331 Administrator: Ms. Elaine Short

7. The location of a document repository for the project (e.g., local library):

The Archives at Queens Library (89-11 Merrick Boulevard, Jamaica, NY 11432, 718-990-0700) has been identified as a document repository for the Site. A letter requesting repository status is included in Attachment A, together with a response from the library agreeing to be a document repository. The Queens Community Board #14 (1931 Mott Avenue, Far Rockaway, NY 11691, 718-471-7300) has also been identified as a document repository for the Site. A letter requesting repository status is included in Attachment A. The Community Board has not provided a written response and has not responded to a phone call requesting a response.

8. The Community Board for the site vicinity:

Queens Community Board #14
1931 Mott Avenue
Far Rockaway, NY 11691
(718) 471-7300

SECTION X - LAND USE FACTORS

1. Current Zoning:

The Site is currently zoned R5 (1.25 FAR) with a C1-2 and C8-1 Commercial Overlay. As described in Section II above, the plan is to rezone under Large Scale General Development with C4-4 assumed for FAR and parking.

2. Current Use:

The most recent use of the Former Peninsula Hospital Site was for hospital and related parking purposes; this use ceased in 2012. Possible contaminant sources include historic fill, petroleum (USTs) with an associated release of #6 fuel oil (spill #1508760), floor drains suspected in the boiler room of the hospital building, and maintenance practices that used chlorinated solvents.

3. Reasonably anticipated use post remediation:

The development plan is to allow for the Site to support 16 newly-constructed buildings containing affordable residential units and significant ground floor commercial, medical, and community facility space.

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

Yes. Recent redevelopment projects in this area have included a mix of residential and commercial uses.

5. Is the proposed use consistent with applicable zoning laws/maps?

The redevelopment plans will be consistent with the City's large-scale planning efforts to redevelop the community of Far Rockaway.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?

Yes. The redevelopment plans will be consistent with the City's large-scale planning efforts to redevelop the community of Far Rockaway.

Attachments:

- A** Supporting Information
- B** Environmental Reports

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through September 16, 2016.

Selected Entity Name: PENINSULA ROCKAWAY LIMITED PARTNERSHIP

Selected Entity Status Information

Current Entity Name: PENINSULA ROCKAWAY LIMITED PARTNERSHIP

DOS ID #: 4828215

Initial DOS Filing Date: OCTOBER 01, 2015

County: NASSAU

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED PARTNERSHIP

Current Entity Status: ACTIVE

Selected Entity Address Information

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

PENINSULA ROCKAWAY LIMITED PARTNERSHIP

15 VERBENA AVNEUE, SUITE 100

FLORAL PARK, NEW YORK, 11001

Registered Agent

NONE

*Stock Information

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
OCT 01, 2015	Actual	PENINSULA ROCKAWAY LIMITED PARTNERSHIP

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

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

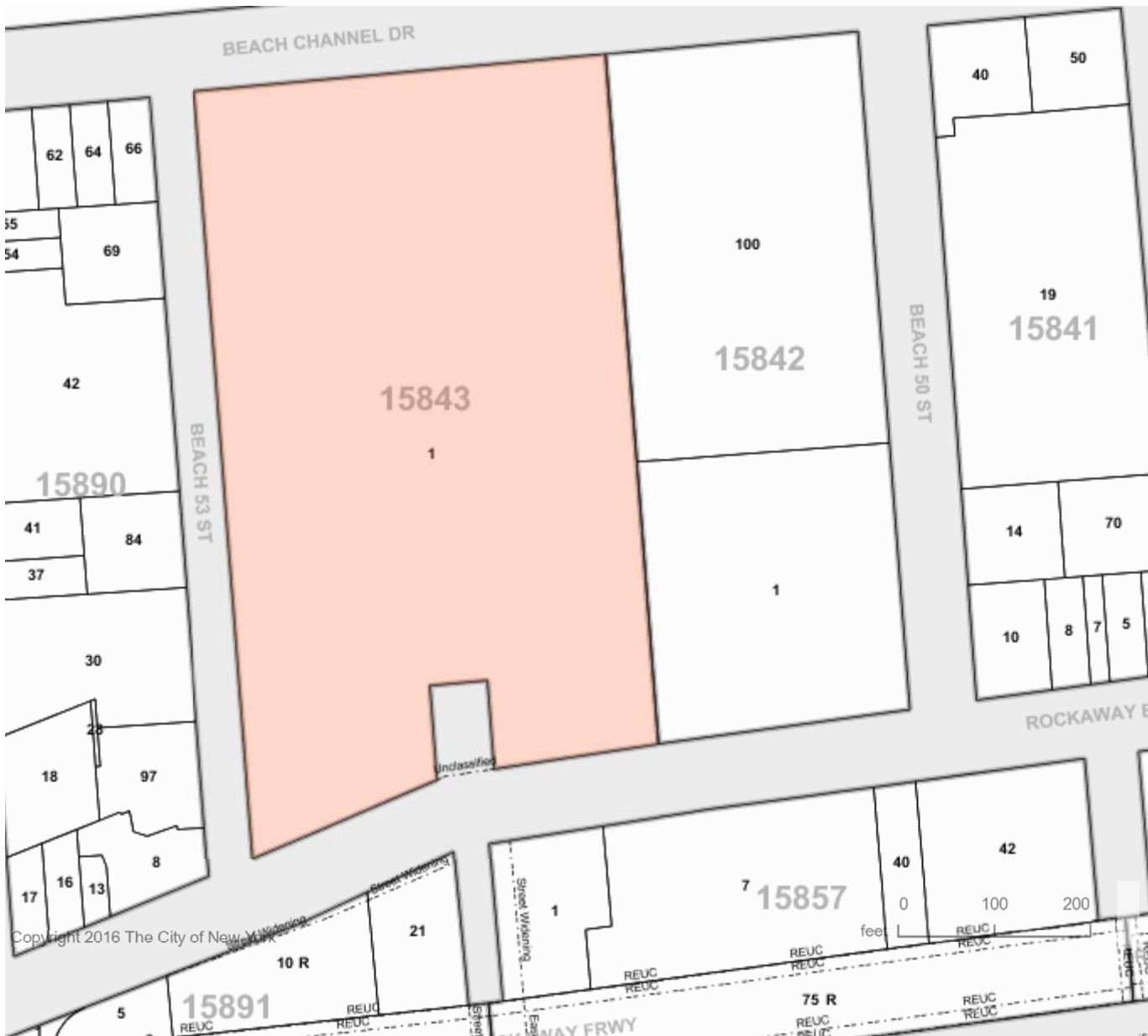
[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS Homepage](#) | [Contact Us](#)

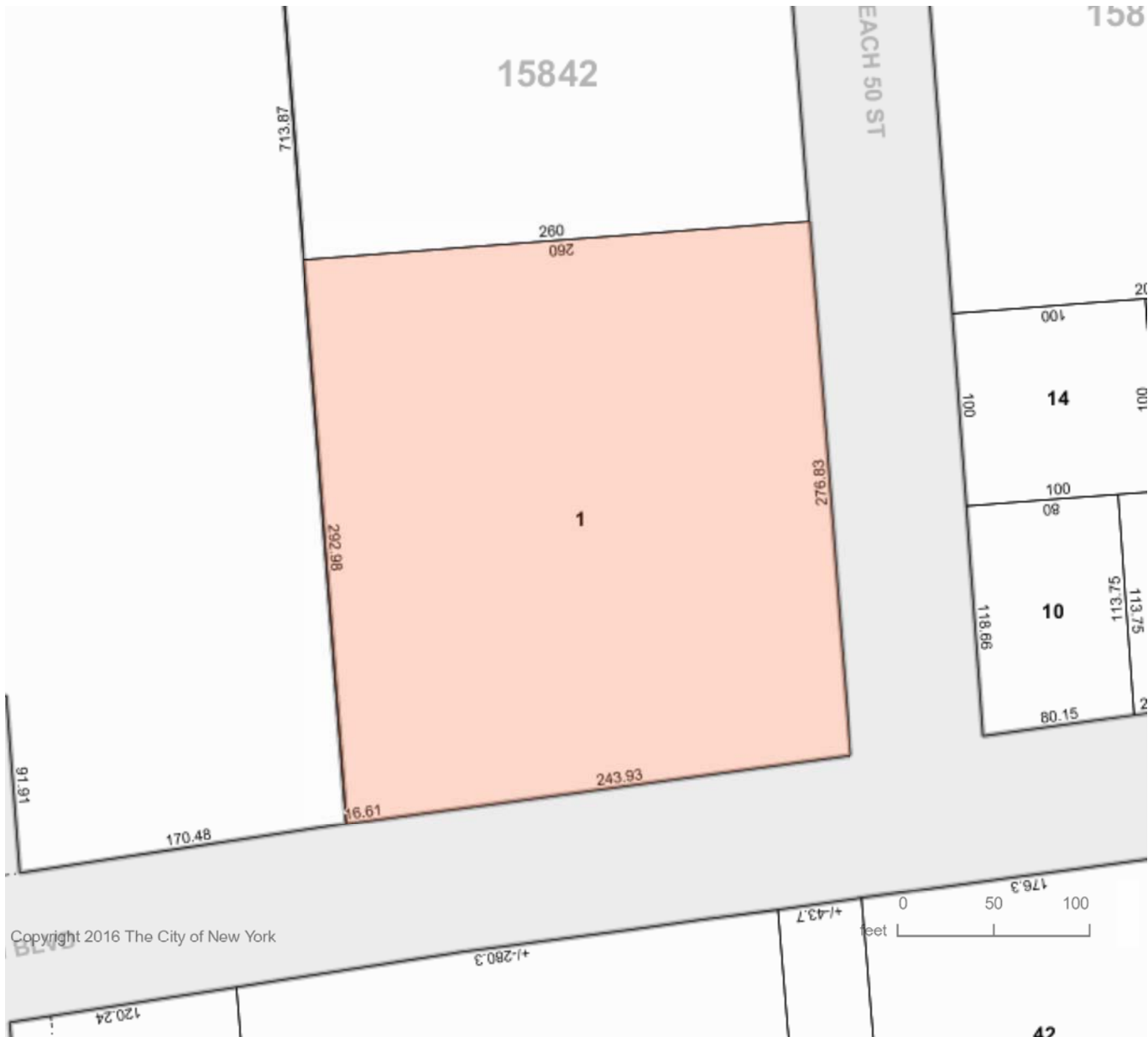
SCHEMATIC SITE PLAN

FORMER PENINSULA HOSPITAL SITE



Queens Tax Map Block 15843, Lot 1 - Digital Tax Map - New York City Dept. of Finance (11/30/2016)

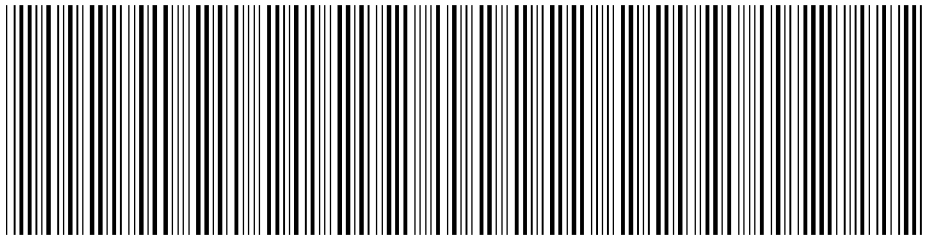
	Borough Boundary	C50	Condo Flag/Condo Number
	Tax Block Boundary	A50	Air Right Flag/Lot Number
50	Tax Block Number	S50	Subterranean Right Flag/Lot Number
	Tax Lot Boundary	R	REUC Flag
50	Tax Lot Number		Under Water Tax Lot Boundary
	Condo FKA Tax Lot Number		Other Boundary
50.5	Tax Lot Dimension		Possession Hook
+/-5.5	Approximate Tax Lot Dimension	Misc	Miscellaneous Text
	Condo Units Range Label		Small Tax Lot Dimension
	Building Footprint		Surface Water

Block 15842 Lot 1 - Digital Tax Map - New York City Dept. of Finance (12/7/2016)

--- Borough Boundary	C50 Condo Flag/Condo Number
--- Tax Block Boundary	A50 Air Right Flag/Lot Number
50 Tax Block Number	S50 Subterranean Right Flag/Lot Number
--- Tax Lot Boundary	R REUC Flag
50 Tax Lot Number	---- Under Water Tax Lot Boundary
-50- Condo FKA Tax Lot Number	---- Other Boundary
50.5 Tax Lot Dimension	↓ Possession Hook
+/-5.5 Approximate Tax Lot Dimension	Misc Miscellaneous Text
1500 - 1550 Condo Units Range Label	○ Small Tax Lot Dimension
█ Building Footprint	█ Surface Water

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

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



2016050901390003001ED7CB

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 4

Document ID: 2016050901390003

Document Date: 05-05-2016

Preparation Date: 05-10-2016

Document Type: DEED

Document Page Count: 3

PRESENTER:

KENSINGTON VANGUARD
39 WEST 37TH ST TITLE NO. 822971(S-NY-CP-EM) A
HOLD/ PICKUP SEARCH NY
NEW YORK, NY 10018
212-532-8686
chrisc@KVNATIONAL.COM

RETURN TO:

SEIDEN & SCHEIN
570 LEXINGTON AVENUE, 14TH FLOOR
ATTN: DAVID SHEMSHOVICH
NEW YORK, NY 10022

PROPERTY DATA

Borough	Block	Lot	Unit	Address
QUEENS	15842	1	Entire Lot	N/A ROCKAWAY BEACH BLVD

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
QUEENS	15843	1	Entire Lot	51-15 ROCKAWAY BEACH BLVD

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

CONGREGATION ZICHRON YITZCHOK VMOSHE
ELIYAHU
1801 59TH STREET
BROOKLYN, NY 11219

GRANTEE/BUYER:

PENINSULA ROCKAWAY HOUSING DEVELOPMENT
FUND CORP.
132 RALPH AVENUE
BROOKLYN, NY 11233

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 54.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 76,000.00

RECORDED OR FILED IN THE OFFICE

OF THE CITY REGISTER OF THE

CITY OF NEW YORK

Recorded/Filed 05-19-2016 12:08

City Register File No.(CRFN):

2016000172285



Annette McMill

City Register Official Signature

BARGAIN AND SALE DEED

THIS DEED made the 5th day of May, 2016,

BETWEEN Congregation Zichron Yitzchok Vmoshe Eliyahu, a New York religious corporation, having an address at 1801 59th Street, Brooklyn, NY 11219, party of the first part, and Peninsula Rockaway Housing Development Fund Corp., a New York not-for-profit corporation, having an address at 132 Ralph Avenue, Brooklyn, NY 11233, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Nineteen Million and No/100 (\$19,000,000.00) Dollars and other valuable consideration paid by the party of the second part, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

See attached Schedule A.

THIS deed is being made with the unanimous consent of all of the trustees of the grantor corporation and is in accordance with an Order of the Supreme Court of the State of New York, Queens County, dated March 18, 2016 under Index Number 2597/16.

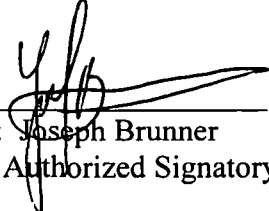
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

Party of the first part covenants that it has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

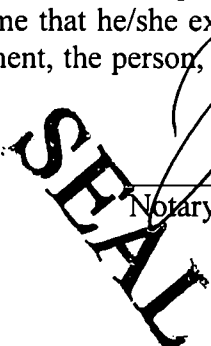
Congregation Zichron Yitzchok Vmoshe Eliyahu

By: 
Name: Joseph Brunner
Title: Authorized Signatory

STATE OF NEW YORK)
) ss.:
COUNTY OF Kings)

On the 3 day of May, in the year 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared Joseph Brunner, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

JAMES J. HUNTER
Notary Public, State of New York
No.01HU5005744
Qualified in Nassau County
Commission Expires December 14, 2018



Notary Public

SCHEDULE A

B-15842

L-1

6-2
B-15843

L-1

Record and Return to:

Seiden + Schein
570 Lexington Avenue
14th Floor
NY, NY 10022

Attn: David Shenshovich

Title Number: 822971(S-NY-CP-EM)A

**SCHEDULE A
DESCRIPTION**

The land referred to in this Certificate of Title is described as follows:

BLOCK: 15842 LOT: 1

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

BEGINNING at the corner formed by the intersection of the northerly side of Rockaway Beach Boulevard, with the westerly side of Beach 50th Street;

RUNNING THENCE northerly along the westerly side of Beach 50th Street, 276.83 feet;

THENCE westerly at right angles to said Beach 50th Street, 260.00 feet;

THENCE southerly at right angles to the last mentioned course, 292.98 feet to the northerly side of Rockaway Beach Boulevard;

THENCE easterly along the northerly side of Rockaway Beach Boulevard, 16.61 feet;

THENCE continuing easterly, along the northerly side of Rockaway Beach Boulevard, 243.93 feet to the corner first above mentioned, at the point or place of **BEGINNING**.

BLOCK: 15843 LOT: 1

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

BEGINNING at the corner formed by the intersection of the southerly side of Beach Channel Drive, with the easterly side of Beach 53rd Street;

RUNNING THENCE easterly along the southerly side of Beach Channel Drive, 430.06 feet;

THENCE southerly along a line forming an interior angle of 89 degrees 05 minutes 53 seconds with the southerly side of Beach Channel Drive, 713.87 feet to the northerly side of Rockaway Beach Boulevard;

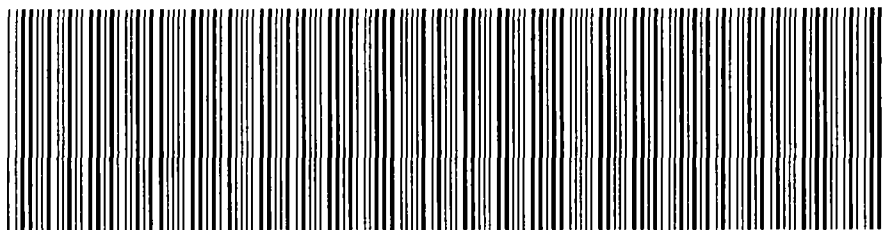
THENCE westerly along the northerly side of Rockaway Beach Boulevard, 223.38 feet actual (223.42 feet deed) to an angle point;

THENCE southwesterly along the northerly side of Rockaway Beach Boulevard, 162.34 feet;

THENCE still southwesterly along the northerly side of Rockaway Beach Boulevard, 56.49 feet to the corner formed by the intersection of the northwesterly side of Rockaway Beach Boulevard, with the easterly side of Beach 53rd Street;

THENCE northerly along the easterly side of Beach 53rd Street, 794.23 feet to the corner first above mentioned, at the point or place of **BEGINNING**.

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



2016050901390003001S194A

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2016050901390003

Document Date: 05-05-2016

Preparation Date: 05-10-2016

Document Type: DEED

ASSOCIATED TAX FORM ID: 2016050200438

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING

2

RP - 5217 REAL PROPERTY TRANSFER REPORT

2



The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: QUEENS BLOCK: 15842 LOT: 1
- (2) Property Address: N/A ROCKAWAY BEACH BLVD, QUEENS, NY 00000
- (3) Owner's Name: PENINSULA ROCKAWAY HOUSING DEVELOPMENT FUND CORP.

Additional Name:

Affirmation:



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

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

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

Print Name of Owner: Peninsula Rockaway Housing Development Fund Corp

Signature: *[Handwritten Signature]*

Date (mm/dd/yyyy) 05/03/2016

Name and Title of Person Signing for Owner, if applicable: *[Handwritten Signature]* President

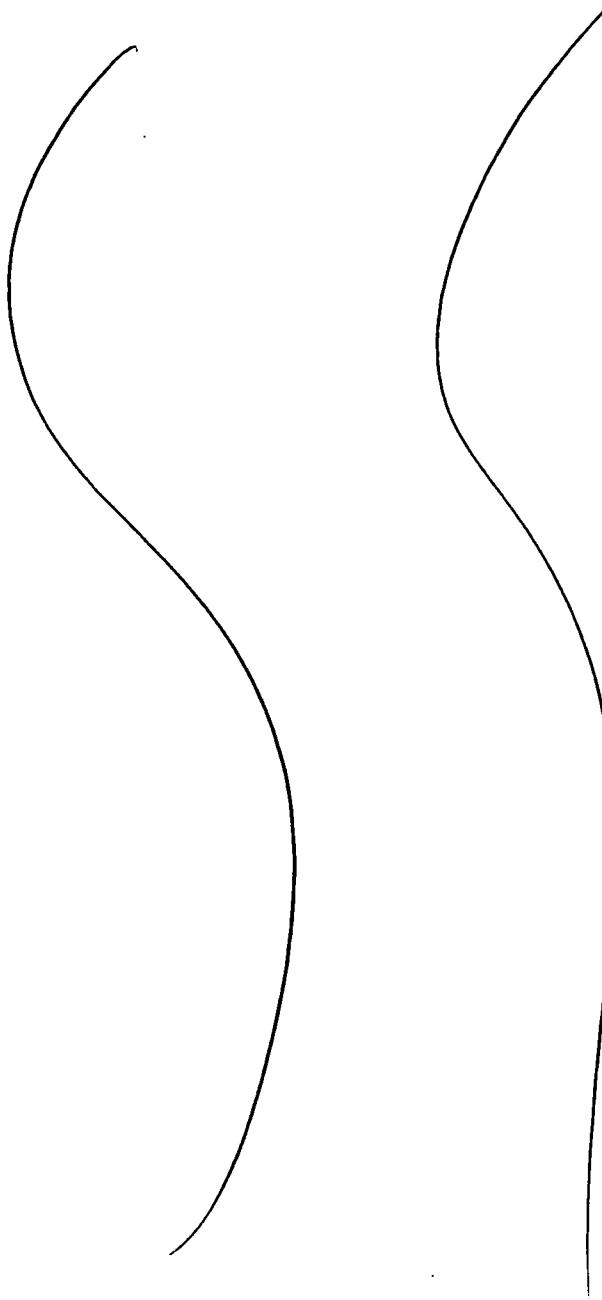
SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
QUEENS	15843	1	51-15 ROCKAWAY BEACH BLVD	NY	NY	11691



CITY REGISTER

FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 C3. Book OR C4. Page MAY 13 2014
 C5. CRFN



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location N/A ROCKAWAY BEACH BLVD QUEENS 00000
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name PENINSULA ROCKAWAY HOUSING DEVELOPMENT FUND
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY

FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)
 LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME

CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 2 # of Parcels OR ☐ Part of a Parcel

4A. Planning Board Approval - N/A for NYC

4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐7. New Construction on Vacant Land ☐

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

8. Seller Name CONGREGATION ZICHRON YITZCHOK VMOSHE ELIYAH
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY

FIRST NAME

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

A ☐ One Family ResidentialC ☐ Residential Vacant LandE ☒ CommercialG ☐ Entertainment / AmusementI ☐ IndustrialB ☐ 2 or 3 Family ResidentialD ☐ Non-Residential Vacant LandF ☐ ApartmentH ☐ Community ServiceJ ☐ Public Service

SALE INFORMATION

10. Sale Contract Date 8 / 18 / 2015
 Month Day Year

11. Date of Sale / Transfer 5 / 5 / 2016
 Month Day Year

12. Full Sale Price \$ 1 9 0 0 0 0 0 0
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

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

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

- A ☐ Sale Between Relatives or Former Relatives
 B ☐ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates
 H ☐ Sale of Business is Included in Sale Price
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
 J ☒ None

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

15. Building Class G 7 16. Total Assessed Value (of all parcels in transfer) 1 4 5 5 1 2 0 0

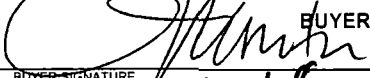
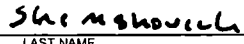
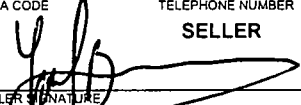
17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))

QUEENS 15842 1

QUEENS 15843 1

CERTIFICATION

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

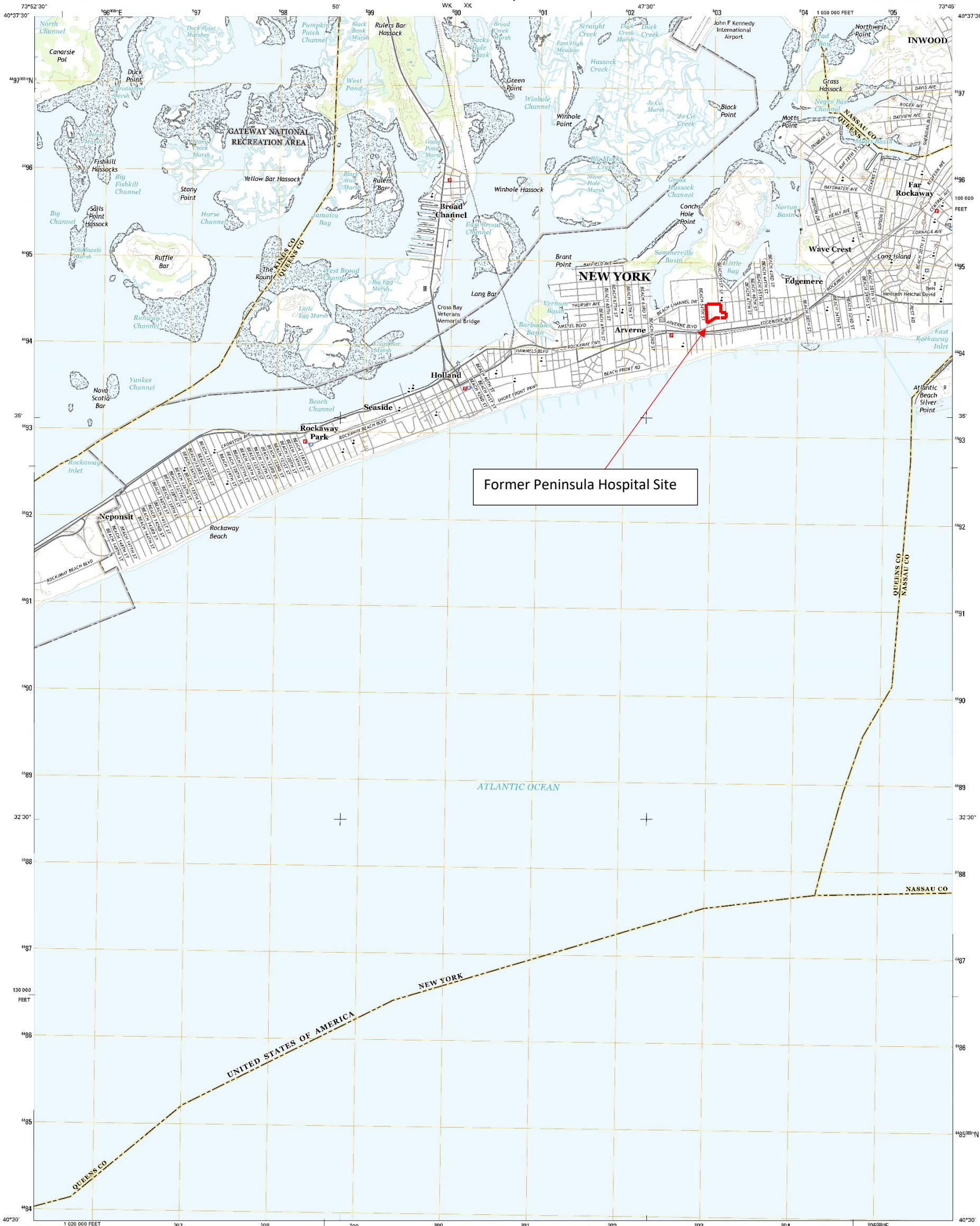
 <small>BUYER SIGNATURE</small>		<small>BUYER</small> 5/8/12 <small>DATE</small>	 <small>BUYER'S ATTORNEY</small>		<small>BUYER'S ATTORNEY</small> David <small>FIRST NAME</small>
132 RALPH AVENUE <small>STREET NUMBER</small>		by Jeffrey Donsker, President <small>STREET NAME (AFTER SALE)</small>	212 <small>AREA CODE</small>	935 1400 <small>TELEPHONE NUMBER</small>	
BROOKLYN <small>CITY OR TOWN</small>		NY <small>STATE</small>	11233 <small>ZIP CODE</small>	 <small>SELLER</small>	
			by Joseph Bruner Authorized Signatory <small>SELLER SIGNATURE</small>	5/3/12 <small>DATE</small>	



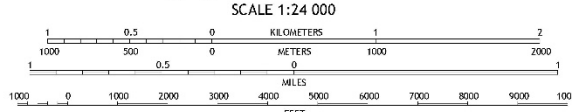
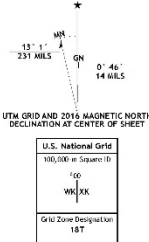
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



FAR ROCKAWAY QUADRANGLE
NEW YORK
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84), Projection and
1 000-meter grid: Universal Transverse Mercator, Zone 18T
10 000-foot ticks: New York Coordinate System of 1983 (long
island zone)
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.
Imagery.....NAIP, June 2013
Roads.....U.S. Census Bureau, 2013 - 2016
Names.....GNIS, 2016
Hydrography.....National Hydrography Dataset, 2013
Contours.....National Elevation Dataset, 2015
Boundaries.....Multiple sources; see metadata file 1972 - 2016
Wetlands.....FWS National Wetlands Inventory 1977 - 2014



CONTOUR INTERVAL 5 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.19



1	2	3	1 Brooklyn
4	5	6	2 Jamaica
7	8	9	3 Lynbrook
10	11	12	4 Coney Island
13	14	15	5 Lawrence
16	17	18	6 Sandy Hook East
19	20	21	7
22	23	24	8

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	4WD
Interstate Route	US Route
	State Route

FAR ROCKAWAY, NY
2016



Ocean Bay Apartments
Block 15890, Lots 64, 66, 69 &
Block 16001, Lot 2
NYC Housing Authority

Lawrence Nursing Care Center
Block 15890, Lot 42
Car Investments, LLC

Parking Lot
Block 15890, Lot 84
Lawrence Nursing Care

Block 15890, Lot 30
Beach Street Housing
Development Fund Corp.

Block 15890, Lot 97
Beach 53rd, LLC

Block 15890, Lot 8
Wavebrook Assoc., LLC

Block 15891, Lot 10
Long Island Light Co.

Solid Rock SDA Church
Block 15891, Lot 21
Northeastern Conference of
the Seventh Day Adventists

Beach 51st Street

Beach Channel Drive

Beach 53rd Street

Former Peninsula Hospital Site

Rockaway Beach Boulevard

Beach 52nd Street

Rockaway Freeway Drive

Edgemere Avenue

Peninsula Rockaway Limited Partnership
Block 15857, Lot 1

PS 105 & Conch Playground
Block 15974, Lot 3
NYC Dept. of Parks & NYC Board of Ed.

Peninsula General Nursing Home
Block 15842, Lot 100
Beach 50th Street. LLC

Block 15841, Lot 19
Y-M-G-Y Development Group

Parking Lot for MTA Bus
Block 15841, Lots 14 & 10
49-19 Rockaway Beach, LLC

Block 15857, Lot 42
Peggy Shapiro, LLC

Royal Seafood, Inc.
Block 15857, Lots 7 & 40
Rockware Industrial, LLC

100 Feet

North

Site Boundary

Google earth

FPM Group, Ltd.
FPM Engineering Group, P.C.
formerly Fanning, Phillips and Molnar

CORPORATE HEADQUARTERS
909 Marconi Avenue
Ronkonkoma, NY 11779
631/737-6200
Fax 631/737-2410

VIA EMAIL

March 8, 2017

Mr. Jonathan Gaska, District Manager
Queens Community Board 14
1931 Mott Avenue, Room 311
Far Rockaway, NY 11691

Re: **Brownfield Cleanup Program Sites**
Applicant: Peninsula Rockaway Limited Partnership
Site Names: Former Peninsula Hospital East, North and West Sites
Site Addresses: 51-15 Beach Channel Drive, 50-04, 51-15, and 51-17 Rockaway Beach
Boulevard, Far Rockaway, NY
FPM File No. 1214g-16-01

Dear Mr. Gaska:

We represent the Applicant in the Brownfield Cleanup Program applications for the above-referenced sites in Far Rockaway. It is a requirement of the New York State Department of Environmental Conservation (NYSDEC) that we provide them with a letter confirming that the local Community Board is willing to serve as a public repository for documents pertaining to the investigation and cleanup of these sites. Please sign below and return to the undersigned via fax (631-737-2410) or email (s.davis@fpm-group.com) to confirm that your Community Board office will be willing to act as the public document repository for these Brownfield Cleanup Program sites.

Thank you very much for your assistance in this matter.

Very truly yours,



Stephanie O. Davis, CPG
Senior Project Manager
Vice President

Yes, the Queens Community Board 14 is willing to be a public repository for documents related to the investigation and cleanup of the above-referenced sites in Far Rockaway under the NYSDEC Brownfield Cleanup Program.

Name:

Title:

Date:

S:\PeninsulaRockaway-Arker\Far Rockaway\BCP Application\Repository\Ltr2.doc

FPM Group, Ltd.
FPM Engineering Group, P.C.
formerly Fanning, Phillips and Molnar

CORPORATE HEADQUARTERS
909 Marconi Avenue
Ronkonkoma, NY 11779
631/737-6200
Fax 631/737-2410

VIA EMAIL

March 8, 2017

Library Director
Queens Library – Far Rockaway
1637 Central Avenue
Far Rockaway, NY 11691

Re: **Brownfield Cleanup Program Sites**
Applicant: Peninsula Rockaway Limited Partnership
Site Names: Former Peninsula Hospital East, North and West Sites
Site Addresses: 51-15 Beach Channel Drive, 50-04, 51-15, and 51-17 Rockaway Beach
Boulevard, Far Rockaway, NY
FPM File No. 1214g-16-01

Dear Library Director:

We represent the Applicant in the Brownfield Cleanup Program applications for the above-referenced sites in Far Rockaway. It is a requirement of the New York State Department of Environmental Conservation (NYSDEC) that we provide them with a letter confirming that the local library is willing to serve as a public repository for documents pertaining to the investigation and cleanup of these sites. Please sign below and return to the undersigned via fax (631-737-2410) or email (s.davis@fpm-group.com) to confirm that your library will be willing to act as the public document repository for these Brownfield Cleanup Program sites.

Thank you very much for your assistance in this matter.

Very truly yours,



Stephanie O. Davis, CPG
Senior Project Manager
Vice President

Yes, the Queens Library – Far Rockaway is willing to be the public repository for documents related to the investigation and cleanup of the above-referenced sites in Far Rockaway under the NYSDEC Brownfield Cleanup Program.

Name:

Title:

Date:



Queens Library

Enrich your life

May 3, 2017

FPM Group, Ltd.
Corporate Headquarters
909 Marconi Avenue
RONKONKAMA, NY
11779

Dear Stephanie O. Davis:

The Archives at Queens Library will act as the document repository for the proposed Brownfield Cleanup Program Sites: 51-15 Beach Channel Drive, 50-04, 51-15 and 51-17 Rockaway Beach Boulevard, Far Rockaway, NY.

If we can be of further assistance, please let me know.

Sincerely,

Judith Todman
Manager
The Archives at Queens Library
Unique Services