

**Billcarol Realty Corp.  
Brownfield Cleanup Program Application  
Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563**



**Legal & Consulting Team:  
Knauf Shaw LLP & Advanced Cleanup Technologies.  
June 2024**

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ATTORNEY AT LAW

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June 20, 2024

**VIA ELECTRONIC MAIL**  
[alexandra.servis@dec.ny.gov](mailto:alexandra.servis@dec.ny.gov)

Site Control Section  
Attn: Alexandra Servis  
Division of Environmental Remediation  
NYS Department of Environmental Conservation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

**RE: Brownfield Cleanup Program Application  
Daisy French Cleaners Site  
C130240**

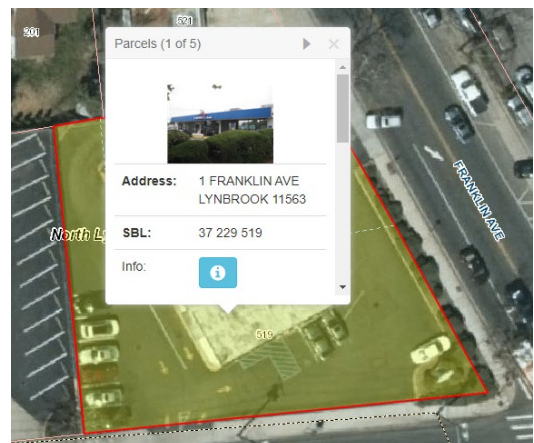
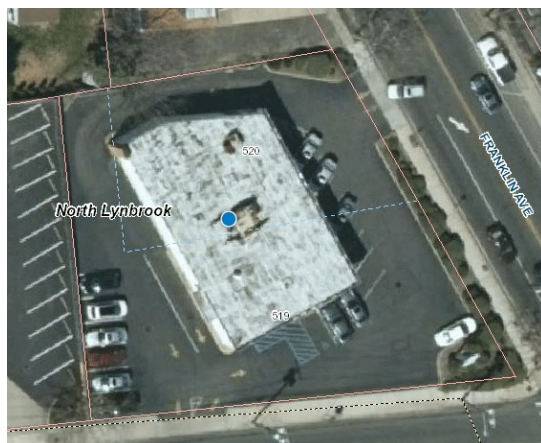
Dear Lexy:

Enclosed please find a revised Brownfield Cleanup Program (“BCP”) Application in response to your Letter of Incompleteness received via email on June 12, 2024. Responses to your comments are provided below:

**Section I: Property Information**

- Exhibit A (Base Map) and Exhibit B (Survey) show two lots comprising the proposed BCP Site. Please revise Section I to reflect that the site consists of two tax lots; or alternately, revise Base Map if that is not the case.

**RESPONSE:** Nassau County uses a concept known as Lot Grouping, where there is one parcel, however, the parcel can consist of multiple lots. Below is a screenshot from the Nassau County Land Map Application of the property, and a screenshot of the legend applicable to the map.





As you can see from the screenshots, there is a red line around the Parcel known as 1 Franklin Avenue (37-229-519) and a blue dashed line indicating Lot 520. When you click on the site, the Application acknowledges the Site as one Parcel. The Lot Grouping is also indicated in the tax assessment of the property. Please see the screenshot below from the Town of Hempstead Assessment Roll.

Section-Block-Lot Lot Grouping Property Address Parcel Size Liber/Page Special Districts	Last Known Owner Name Last Known Mailing Address
37-229- -0514.0 37 HENDRICKSON AVE LYNBROOK .1312 acres LIBER/PAGE 11271/0080	SEEBARAN DARSAN & MARY 37 HENDRICKSON AVENUE LYNBROOK NY 11563
1167 11C 11CA 11D 11E 11F 11N 11P 11R 11T 11W 1204 122 12H 12T 13 147 1L 1V 1X 37-229- -0515.0 31 HENDRICKSON AVE LYNBROOK .1312 acres LIBER/PAGE 12772/0146	HASSOUNIA HASSAN 31 HENDRICKSON AVE LYNBROOK NY 11563
1167 11C 11CA 11D 11E 11F 11N 11P 11R 11T 11W 1204 122 12H 12T 13 147 1L 1V 1X 37-229- -0519.0 519-520 1 FRANKLIN AVE LYNBROOK .4026 acres LIBER/PAGE 10876/0625	BILLCAROL REALTY CORP 11019 BOCA WOODS LANE BOCA RATON FL 33428

Section I of the Application and Support Document have been updated to reflect that the Site consists of one Parcel, but two Lots.

- Item 3 – Please select the radio button to indicate that 0% of the site is located within an En-zone.

**RESPONSE: 0% has been selected.**

- Item 11 – Please revise the response to this question to reflect that this site is currently a Class P Site.

**RESPONSE: The answer to this question has been changed to “yes” and Class “P” has been indicated in the space provided. The Site number 130240, as assigned in the P-letter dated February 29, 2024, and received on March 3, 2024, has been filled in where indicated.**

Section V: Requestor Information

- Please correct the area code in the phone number in this section.

**RESPONSE: The requestor’s phone number in this section has been updated to (516) 680-9243.**

- Please revise the response to Item 3, as the requestor is not an LLC.

**RESPONSE: The response to Item 3 has been corrected to state “N/A” as the requestor is a Domestic Business Corporation and not a Limited Liability Corporation.**





Alexandra Servis  
June 20, 2024  
Page 3

- Please correct the language in the narrative for this section, as the requestor is not a Limited Liability Corporation.

**RESPONSE: The language of this section has been modified to indicate that the requestor is a Domestic Business Corporation.**

Additional Comments

- Attachment F: please correct the applicant/owner's phone number.

**RESPONSE: Exhibit F has been updated to include the owner's correct phone number.**

- In the top section of page 1 of the revised application, please select "yes" to indicate that the submittal is a revised application and include the NYSDEC site code in the space provided.

**RESPONSE: "Yes" has been selected and the NYSDEC site code has been inserted in the space provided.**

Thank you and please let me know if you have any questions.

Sincerely,

**KNAUF SHAW LLP**

A handwritten signature in black ink that reads "Linda R. Shaw".

LINDA R. SHAW, ESQ.

Enclosure

cc: Richard Mustico, NYS DEC  
John Sheehan, NYS DEC  
Girish Desai, NYS DEC  
Craig Elgut, NYS DEC  
Leia Schmidt, NYS DEC  
Kelly Lewandowski, NYS DEC  
David Prowler ([golfdap@aol.com](mailto:golfdap@aol.com))  
Jason Stewart ([jasons@act.earth](mailto:jasons@act.earth))



**SUBMITTAL INSTRUCTIONS:**

1. Compile the application package in the following manner:
  - a. one file in non-fillable PDF of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
  - b. one individual file (PDF) of each previous environmental report; and,
  - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. Compress all files (PDFs) into one zipped/compressed folder.
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

**Please select only ONE submittal method – do NOT submit both email and ground mail.**

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service. (<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “*BCP Application NEW - \*Proposed Site Name\**”
- Email your submission to [DESiteControl@dec.ny.gov](mailto:DESiteControl@dec.ny.gov) – do NOT copy Site Control staff.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:  
Chief, Site Control Section  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

**PROPOSED SITE NAME:** Daisy French Cleaners Site

**Is this an application to amend an existing BCA with a major modification?** Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: \_\_\_\_\_

☐

Yes

☒

No

**Is this a revised submission of an incomplete application?**

If yes, provide existing site number: C130240

☒

Yes

☐

No



BCP App Rev 15 – May 2023

**SECTION I: Property Information**

PROPOSED SITE NAME **Daisy French Cleaners Site**

ADDRESS/LOCATION **1 Franklin Avenue**

CITY/TOWN **Hamlet of North Lynbrook**

ZIP CODE **11563**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **Town of Hempstead**

COUNTY **Nassau**

SITE SIZE (ACRES) **0.41**

LATITUDE

LONGITUDE

40 ° 39 ' 59.256 " -73 ° 40 ' 18.66 "

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, please indicate as such by inserting "p/o" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding acreage column.

**ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.**

Parcel Address	Section	Block	Lot	Acreage
1 Franklin Avenue	37	229	Parcel 519	0.41
Nassau County Lot Grouping	37	229	519-520	

1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/> Y	<input type="radio"/> N
2. Is the required property map included with the application? (Application will not be processed without a map)	<input checked="" type="radio"/> Y	<input type="radio"/> N
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% <input checked="" type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input type="radio"/>	<input type="radio"/> Y	<input checked="" type="radio"/> N
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input type="radio"/> Y	<input checked="" type="radio"/> N
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/> Y	<input checked="" type="radio"/> N
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications:	<input type="radio"/> Y	<input checked="" type="radio"/> N

SECTION I: Property Information (CONTINUED)		Y	N						
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>						
8. 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.		<input type="radio"/>	<input checked="" type="radio"/>						
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>						
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>						
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: <u>130240</u> Class: <u>P</u>		<input checked="" type="radio"/>	<input type="radio"/>						
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><u>Easement/Right-of-Way Holder</u></td> <td style="width: 50%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		<u>Easement/Right-of-Way Holder</u>	<u>Description</u>			<input type="radio"/>	<input checked="" type="radio"/>		
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>								
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):  <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;"><u>Type</u></td> <td style="width: 33%;"><u>Issuing Agency</u></td> <td style="width: 33%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>				<input type="radio"/>	<input checked="" type="radio"/>
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>							
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>						
<b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b>									
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<b>Y</b> <input type="radio"/>	<b>N</b> <input type="radio"/>						
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input type="radio"/>						
17. If you have answered YES to Question 16 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?		<input type="radio"/>	<input type="radio"/>						
<b>NOTE:</b> If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.									
<b>If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.</b> <b>Initials of each Requestor:</b> _____									

## SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

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

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☐ RIWP ☐ RAWP ☐ IRM ☒ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

## SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? Business District

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential ☐ Commercial ☒ Industrial ☐

3. Current use (select all that apply):

Residential ☐ Commercial ☐ Industrial ☐ Recreational ☐ Vacant ☒

4. Please provide 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 by which the site became vacant.  
Is this summary included with the application?

Y ☒ N ☐

5. Reasonably anticipated post-remediation use (check all that apply):

Residential ☐ Commercial ☒ Industrial ☐

If residential, does it qualify as single-family housing?

N/A ☒ ☐ ☐

6. Please provide a statement detailing the specific proposed post-remediation use.  
Is this summary attached?

☒ ☐

7. Is the proposed post-remediation use a renewable energy facility?  
See application instructions for additional information.

☐ ☒

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

☒ ☐

9. Is the proposed use consistent with applicable zoning laws/maps?  
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?  
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

## SECTION IV: Property's Environmental History

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

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Metals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
  - Sample location
  - Date of sampling event
  - Key contaminants and concentration detected
  - For soil, highlight exceedances of reasonably anticipated use
  - For groundwater, highlight exceedances of 6 NYCRR part 703.5
  - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application? ☒ YES ☐ NO

4. Indicate Past Land Uses (check all that apply):

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

Other:



**SECTION V: Requestor Information**

NAME Billcarol Realty Corp.

ADDRESS 17 Pony Circle

CITY/TOWN Roslyn Heights

STATE NY

ZIP CODE 11577

PHONE (516) 680-9243

EMAIL golfdap@aol.com

	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a> . A print-out of entity information from the database must be submitted with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? <b>Documents that are not properly certified will not be approved under the BCP.</b>	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION VI: Requestor Eligibility**

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

## SECTION VI: Requestor Eligibility (CONTINUED)

7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/> Y	<input checked="" type="radio"/> N
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input checked="" type="radio"/>	<input type="radio"/>
12. 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:		
<b>PARTICIPANT</b> <input checked="" type="checkbox"/> <p>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.</p>	<b>VOLUNTEER</b> <input type="checkbox"/> <p>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.</p> <p>NOTE: By selecting this option, 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; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.</p> <p><b>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.</b></p>	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		
Yes <input type="radio"/> No <input type="radio"/> N/A <input checked="" type="radio"/>		

**SECTION VI: Requestor Eligibility (CONTINUED)**

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

☐ Previous Owner ☒ Current Owner ☐ Potential/Future Purchaser ☐ Other: \_\_\_\_\_

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?



Yes



No



N/A

**Note:** A purchase contract or lease agreement does not suffice as proof of site access.**SECTION VII: Requestor Contact Information**

REQUESTOR'S REPRESENTATIVE David Prowler

ADDRESS 17 Pony Circle

CITY Roslyn Heights

STATE NY

ZIP CODE 11577

PHONE (516) 680-9243

EMAIL golfdap@aol.com

REQUESTOR'S CONSULTANT (CONTACT NAME) Jason Stewart, P.E.

COMPANY Advanced Cleanup Technologies (ACT)

ADDRESS 228 Park Avenue S. PMB 34864

CITY New York

STATE NY

ZIP CODE 10003

PHONE (516) 589-4050

EMAIL jasons@act.earth

REQUESTOR'S ATTORNEY (CONTACT NAME) Linda Shaw, Esq.

COMPANY Knauf Shaw LLP

ADDRESS 2600 Innovation Square, 100 S. Clinton Ave.

CITY Rochester

STATE NY

ZIP CODE 14604

PHONE (585) 546-8430

EMAIL lshaw@nyenvlaw.com

**SECTION VIII: Program Fee**

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION IX: Current Property Owner and Operator Information**

CURRENT OWNER Billcarol Realty Corp.

CONTACT NAME David Prowler

ADDRESS 17 Pony Circle

CITY Roslyn Heights

STATE NY

ZIP CODE 11577

PHONE (516) 680-9243

EMAIL golfdap@aol.com

OWNERSHIP START DATE 02/03/1998

CURRENT OPERATOR See Owner Above but Site is Vacant since 2020

CONTACT NAME

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

OPERATION START DATE See Narrative for prior operations before 2020

**SECTION X: Property Eligibility Information**

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>

## SECTION X: Property Eligibility Information (continued)

	Y	N
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>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?            If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents.</p> <p style="text-align: right;">N/A <input checked="" type="radio"/></p>	<input type="radio"/>	<input type="radio"/>
<p>5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?            If yes, please provide the order number: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?            If yes, please provide additional information as an attachment.</p>	<input type="radio"/>	<input checked="" type="radio"/>

## SECTION XI: Site Contact List

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 mailing addresses of the following:

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

## SECTION XII: Statement of Certification and Signatures

(By requestor who is an individual)

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

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

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

(By a requestor other than an individual)

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

Date: APRIL 17, 2024 Signature: David Prowler

Print Name: David Prowler

**PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.**



## 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 15**

Please respond to the questions below and provide additional information and/or documentation as required. <i>Please refer to the application instructions.</i>	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

**From ECL 27-1405(31):**

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

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

375-3.2:

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

“Substantial government assistance” shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

5. 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\*
- \*Selecting this option 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’ household’s 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 homeowners 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.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

6. Is the site a planned renewable energy facility site as defined below?

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

\*Selecting this option will result in a “pending” status. The appropriate documentation 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.

☐ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

**From ECL 27-1405(33) as of April 9, 2022:**

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

**From Public Service Law Article 4 Section 66-p as of April 23, 2021:**

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

☐ Yes - \*Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

☐ No

**From ECL 75-0111 as of April 9, 2022:**

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

# **BCP APPLICATION SUPPORT DOCUMENT**

## **BCP APPLICATION SUPPORT DOCUMENT**

### **Exhibit List**

<b>Exhibit A</b>	Site Location, Street Map and Base Property Map
<b>Exhibit B</b>	Survey and Tax Map
<b>Exhibit C</b>	BOA, Disadvantaged Communities, Environmental Justice and En-Zone Maps
<b>Exhibit D</b>	Flood Map
<b>Exhibit E</b>	Zoning Map
<b>Exhibit F</b>	Previous Owners and Operators
<b>Exhibit G</b>	Site Drawing Spider Maps
<b>Exhibit H</b>	DOS Entity Information
<b>Exhibit I</b>	Corporate Consent and Power of Attorney
<b>Exhibit J</b>	Deed
<b>Exhibit K</b>	Site Contact List
<b>Exhibit L</b>	Repository Letter

#### **ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:**

1. May 2019, Limited Phase II Subsurface Investigation Report prepared by AEI Consultants for Electromatic Equipment Co., Inc. on an adjacent site located at 13 Hendrickson Avenue, which is relevant since potential off-Site migration of vapor was found on this site;
2. August 2023, Phase I Environmental Site Assessment prepared by Cider Environmental for Prospective Purchaser Bolla EM Realty LLC; and
3. September 2023, Phase II Environmental Site Assessment Prepared by Cider Environmental for Prospective Purchaser Bolla EM Realty LLC

## SECTION I – PROPERTY INFORMATION

The Site is located at the following address:

Parcel Address	Tax Parcel Identification No.	Acreage <sup>1</sup>
1 Franklin Avenue	37-229-519	.41
Nassau County Lot Groupings	Lots 519-520	

The Site is located in Hamlet of North Lynbrook, Town of Hempstead, New York 11563 (“Site” or “BCP Site”). Please note that the Site is located at 1 Franklin Street (SBL 37-229-519) which is identified as one parcel, however, the one parcel comprises of two lots (Lots 519-520). In Nassau County, this is referred to as Lot Grouping. The Site Location and Base Property Map are in Exhibit A.

### 1. Site Boundary and Tax Parcel Information

The Site boundary does correspond to the tax lot boundaries. The Tax Boundary Map and a Survey map are provided in Exhibit B.

### 2. Property Map

The Site Location and Base Property Map are in Exhibit A. A Survey map and Tax Map are in Exhibit B.

### 3-5. BOA, Disadvantage Communities, EJ and En-Zone Designations

The Site BOA, Disadvantaged Communities, Environmental Justice, and En-Zone Maps are in Exhibit C. The Site is not located in any of these special zone designations.

### 6-11. Please refer to BCP Application Form.

### 12. Easements and Existing Rights of Way

There are no Easements or Existing Right-of-Ways located on the Site.

### 13. Please refer to BCP Application Form.

### 14. Property Description Narrative

#### A. Site Location

The Site is located at the follow address:

---

<sup>1</sup> Acreages were determined using the Phase I Environmental Report.



Parcel Address	Tax Parcel Identification No.
1 Franklin Avenue	37-229-519
Nassau County Lot Groupings	Lots 519-520

The Site is located in the Hamlet of North Lynbrook, Town of Hempstead, New York 11563. The surrounding area is occupied by residential and commercial properties.

**B. Site Features**

The Site consists of a single, one-story commercial building on slab. The building is currently vacant, and its most recent use was a bank from 1977 until 2020.

The closest water body, South Pond, is located approximately 1 mile from the Site. The Site is not in a flood zone. See Exhibit D, Flood Map.

**C. Current Zoning and Land Use**

The Site is currently located in a commercial Business District and will remain commercially zoned. *See Exhibit E Zoning Map.* The Site has been a vacant occupied by a vacant former bank building since 2020. The surrounding properties include a residential dwelling and warehouse, H&L Irrigation Supply Warehouse, to the north; Franklin Avenue to the east, and beyond by a store, 7-Eleven; a residential dwelling and a gasoline service station, Atlantic Gas, to the south across from Hendrickson Avenue; and a commercial building, Weather Champions, to the west. The nearest residential area directly borders the Site to the north. The Site is 0.5 miles from the Long Island Railroad.

**D. Past Use of the Site**

*See Section IV.4* for a full description of past land uses. The Site was originally used for residential purposes beginning in 1924. The current building was constructed in 1963 and began operating as a dry cleaner until 1976. Various banks occupied the Site from 1977 until 2020. The historical owners and uses associated with the Site are further described below and in Exhibit F, the Previous Owners and Operators List.

**E. Site Geology and Hydrogeology**

The elevation of the Site, according to the United States Geologic Survey (USGS), Lynbrook Quadrangle Map is approximately 23 feet above sea level. The bedrock underlying the Site is Cenozoic era, Quaternary system, Pleistocene series. The geologic age identification is Stratified Sequence. The soil is comprised of Urban Land.

Groundwater is six feet below ground surface (bgs). The groundwater flow runs towards the south-southeast.

**15-17. Regarding Questions 15-17 on the BCP Application:**

There are no responses to question 15-17 on the BCP Application Form because this Site is not located in New York City.

## **SECTION II – PROJECT DESCRIPTION**

**1-3. Please refer to BCP Application Form.**

**4. Short Project Description**

The planned redevelopment of the Site entails a new gas station and convenience store. A prospective purchaser is interested in the Site for this planned reuse.

Schedule – Commencement through COC

Since it is taking approximately six months to enter the BCP, a Brownfield Cleanup Agreement is likely to be executed approximately six months from now in or about October 2024. A Remedial Investigation (“RI”) Work Plan (“RIWP”) is expected to be prepared 30 days thereafter in or about November 2024. The RI should be completed on the Site by early 2025. Site preparation activities, which will include the demolition of the existing building present on the Site, are expected to commence by mid-2025. The Remedial Action Work Plan (“RAWP”) will be completed in mid-2025, and any required remediation may commence in after the removal of the former foundations in late Summer/Fall of 2025. The Certificate of Completion is anticipated to be issued on before December 31, 2025 or in 2026.

## **SECTION III – LAND USE FACTORS**

**1. Current Zoning**

The Site is within the Commercial District. *See* Exhibit E, Zoning Map.

**2. Allowed Uses**

The Commercial zoning district allows for general commercial uses.

**3-4. Current Use**

This Site is currently vacant. It has been vacant since 2020. It was most recently used as a bank.

**5. Intended Use Post Remediation**

After the remediation, the Site will be used for a commercial gas station convenience store.

## **6. Post Remediation Use**

Post remediation use of the Site entails a gas station and convenience store.

## **7. Renewable Energy Facility**

The proposed post-remediation use is not a renewable energy facility.

## **8. Do current historical and/or recent development patterns support the proposed use?**

Yes, current, historical and/or recent development patterns support the proposed use.

## **9. Is the proposed use consistent with applicable zoning laws/maps?**

Yes, the project is consistent with the Town of Hempstead zoning laws and map.

## **10. Consistent with the Master Plan?**

Yes, the project is consistent with the Town of Hempstead's Master Plan.

# **SECTION IV – PROPERTY'S ENVIRONMENTAL HISTORY**

## **1. List of Environmental Reports**

The following is the list of environmental reports for the Site separately attached:

- a. May 2019, Limited Phase II Subsurface Investigation Report prepared by AEI Consultants for Electromatic Equipment Co., Inc. on an adjacent site located at 13 Hendrickson Avenue, which is relevant since potential off-Site migration of vapor was found on this site;
- b. August 2023, Phase I Environmental Site Assessment Prepared by Cider Environmental for Prospective Purchaser Bolla EM Realty LLC; and
- c. September 2023, Phase II Environmental Site Assessment Prepared by Cider Environmental for Prospective Purchaser Bolla EM Realty LLC

## **2. Sampling Data**

*See Exhibit G Spider Maps, which include sampling data summaries, and Section IV.3.*

## **3. Environmental Assessment**

Based on the investigations conducted to date, the primary contaminants of concern are VOCs in groundwater, and VOCs in soil vapor from the former dry cleaning operations. *See Exhibit G Site Drawing Spider Maps.*

Groundwater samples were taken from six multi-depth sample points. Tetrachloroethane (PCE), a dry cleaning related chemical, was detected in all eleven of the groundwater samples, and in nine of these exceeded the AWQS. PCE breakdown chemicals—cis-1,2-dichloroethene, and vinyl chloride—were also detected in several samples.

Eight soil vapor samples were taken. PCE was detected in all eight samples. PCE breakdown products, TCE and cis-1,2-dichloroethene, were detected in multiple samples as well.

Since the dry cleaning operations ceased in 1977, the PCE solvent has migrated down into the groundwater and a source has not yet been detected in the soil.

#### Groundwater:

Analyte > AWQS	Detections > AWQS	Max Detection (µg/L)	AWQS (µg/L)	Sample ID	Max Detection Date
<b>VOCs</b>					
Cis-1,2-Dichloroethene	2	64	5	GW-5	08/17/23
Tetrachloroethene	9	460	5	GW-4	8/17/23
Vinyl Chloride	1	9.1	2	GW-5	8/17/23

#### Soil Vapor:

Analytes	Total Detections	Max Detection (µg/m <sup>3</sup> )	Sample ID	Collection Date	Type
<b>VOCs</b>					
1,1-Dichloroethene	1	235	SG-3	08/17/23	Vapor – Outdoor Air
cis-1,2-Dichloroethene	3	90,300	SG-3	08/17/23	Vapor – Outdoor Air
1,1,1-Trichloroethane	1	8,130	SG-8	08/17/23	Vapor – Outdoor Air
Tetrachloroethene	8	29,000	SG-3	08/17/23	Vapor – Outdoor Air
Trichloroethene	4	1,260	SG-3	08/17/23	Vapor – Outdoor Air

#### **4. Past Land Use**

##### **1. Past Use of the Site**

The Site was first occupied in 1924, when it began being used for residential purposes. The Site maintained its residential use until 1964, when the current building was constructed. Upon completion of the new building, a dry cleaner, Daisy French Cleaners, began operating on-Site. This dry cleaning operation is the likely source of the Site's VOC contamination. The Site was operated as a dry cleaner until 1976. Beginning in 1977, the Site was home to a succession of banks that operated on-Site until 2020. The Site has been vacant since the last bank tenant vacated the Site.

##### **2. Past Investigations Related to Uses and Environmental Conditions that Led to the Submission of this Application.**

In May 2019, a Limited Phase II Subsurface Investigation Report was performed for the adjacent property, located 13 Hendrickson Avenue, by AEI Consultants. This report identified this BCP Site as a Recognized Environmental Condition (REC) in relation to causing off-Site soil vapor migration onto the adjacent 13 Hendrickson Avenue site. AEI stated that the close proximity of a former dry cleaner, located cross-gradient from 13 Hendrickson indicated that it was possible for vapor phase contaminants to migrate there. During soil vapor sampling, this Phase II identified PCE contamination at 13 Hendrickson Avenue, and AEI identified the Site as the likely source. The property owner at this adjacent Site went ahead and installed their own subslab depressurization system (SSDS) to address the off-site soil vapor issue. NYSDEC assigned spill number 1901462 to this BCP Site at this time and assigned site name "Capital One Bldg (Former Drycleaners)".

In August 2023, Cider Environmental prepared a Phase I Environmental Site Assessment (ESA) for Bolla EM Realty LLC, the prospective purchaser of the Site interested in redeveloping the Site into a new gas station convenience store. The ESA identified a single REC in relation to this Site, which is the Site's former use as a dry cleaner. Cider Environmental stated that dry cleaning generally involved the storage and use of chlorinated solvents, including PCE, which is a hazardous substance. Because of this past use, the Site is considered an active spill site by NYSDEC, with Spill number 1901462 and site name "Capital One Bldg (Former Drycleaners)."

The Phase I ESA also identified five de minimis conditions. First, the Site was formerly serviced by a fuel oil burner, which indicates that it is possible that a hereto unknown underground storage tank (UST) may be present. Second, four closed NYSDEC spills were found on adjoining properties. Third, a gasoline filling station was present on the adjoining property to the south from 1951 to 2017, and the adjoining property to the west of the Site, which has maintained a gas tank since 1961. Fourth, three RCRA generators exist near the Site: Steve Lynbrook Service, Jami's Cleaners, and Exxon Div of CFI # 72277. All of these generators are either side gradient or downgradient of the Site, so it is unlikely that any contamination from these properties will likely impact the Site. Fifth, the Site has multiple stormwater drywells that could potentially be impacted by traffic on the Site.

Cider Environmental then completed a Phase II ESA in September 2023, with the purpose of investigating the RECs identified in their Phase I. The remote sensing survey revealed one metal anomaly to the east of the building and another metallic anomaly, believed to be an abandoned 2,500-gallon underground storage tank (UST) outside the northwestern wall of the building. Sediment samples taken revealed multiple SVOC exceedances, although soil samples taken revealed no evidence of impact. Groundwater samples taken detected PCE in all 11 samples, as well as PCE breakdown daughter products in several samples. PCE was also detected in all eight soil vapor samples taken, and PCE breakdown daughter products were also present in multiple soil vapor samples.

Recently, the NYSDEC has assigned to the Site a “P” Potential Superfund Site ID #130240.

## **SECTION V – REQUESTOR INFORMATION**

The Requestor is Billcarol Realty Corp, a New York Domestic Business Corporation, located at 17 Pony Circle, Roslyn Heights, NY 11577. Billcarol Realty Corp. is authorized to do business in the State of New York. *See* Exhibit H, NYSDOS Entity Information. The sole member is Carol Prowler.

The Written Consent provides David Prowler, who has Power of Attorney for Carol Prowler, with authority to sign all Brownfield Cleanup Program (“BCP”) documents on behalf of the Requestor Billcarol Realty Corp. *See* Exhibit I, Corporate Consent.

As further described above in Section I, the Site is located at 1 Franklin Avenue, North Lynbrook, NY 11563 , tax parcel identification no. 37-229-519 (“Site” or “BCP Site”).

Requestor is the owner of the site. *See* Exhibit J, Deeds, and Exhibit B, Survey.

The Requestor is the current owner of the Site. *See* Exhibit F Previous Owners and Operators List. The Requestor’s family operated the dry cleaner, which appears to have caused the contamination of the Site. However, the Requestor’s family was not aware of the contamination until Prospective Purchaser Bolla recently identified the contamination. As soon as the Requestor became aware of the contamination, it has acted as rapidly as possible to organize a team to help the Requestor participate in the Brownfield Cleanup Program.

## **SECTION VI – REQUESTOR ELIGIBILITY INFORMATION**

**1-10. Please refer to BCP Application Form.**

**11. Unregistered bulk storage tanks**

The Phase II ESA completed by Cider Environmental in September 2023 identified two subsurface metallic anomalies. Cider believed that one of these, located outside the northwestern wall of the building, is an abandoned 2,500-gallon UST.



## **SECTION VII- REQUESTOR CONTACT INFORMATION**

**Please refer to the BCP Application Form.**

## **SECTION VIII – PROGRAM FEE**

**Please refer to responses on the BCP Application Form.**

## **SECTION IX- CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

The owner of the Site is Billcarol Realty Corp. *See* Exhibit J Deed for additional information.

The Previous Owner and Operator list is attached in Exhibit F. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestor's relationship to each owner and operator (all of which are "None"). Exhibit F also includes the prior operators' use of the Site.

## **SECTION X - PROPERTY ELIGIBILITY INFORMATION**

**Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirms the site is not ineligible for the BCP.**

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site's eligibility for the BCP.

The Site meets the definition of an eligible "brownfield site" in Environmental Conservation Law § 27-1405(2) as "any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations." Environmental investigation results show evidence of impact from the Site's previous commercial and industrial uses, which can be linked to and caused Site contamination above the applicable cleanup standards. *See* Environmental Reports separately attached and the Spider Maps in Exhibit F, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

## **SECTION XI - CONTACT LIST INFORMATION**

*See* Exhibit K for the Site Contact List. *See* Exhibit L for the Repository Letter.

# **EXHIBIT A**



# BASE MAP

Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

## Legend:

 Site Property Boundary

Corresponding page  
lists adjacent property owners by  
letter A – J



All feature locations are  
approximate. This map is  
intended as a schematic to  
be used in conjunction with  
associated Application and  
Support Information, and  
should not be relied upon  
as a survey for planning  
and other activities.



April 2024

Source: Nassau County LRV Viewer

Scale: 1" = 100' approximately



Number	Property Owner(s) Name(s)	Property Address	Section-Block-Lot
1	Billcarol Realty Corp.	1 Franklin Avenue	37-229-519
2	Billcarol Realty Corp.	1 Franklin Avenue	37-229-520

<b>Letter</b>	<b>Adjacent Property Owner(s) Name(s)</b>	<b>Property Address</b>	<b>Section-Block-Lot</b>
<b>A</b>	13 Hendrickson, LLC	13 Hendrickson Avenue	37-229-111
<b>B</b>	Patrick Cully and Carol Caltleri	6 Edward Street	37-229-203
<b>C</b>	John Gonzalez and Lenora Ochoa	4 Edward Street	37-229-201
<b>D</b>	3 Edward Street LLC	7 Franklin Avenue	37-229-521
<b>E</b>	2 Franklin Avenue LLC	2 Franklin Avenue	37-E-438
<b>F</b>	Robert Rossi	246 Hempstead Avenue	38-086-131
<b>G</b>	Dieman Realty, LLC	1 Lakeview Avenue	38-086-63
<b>H</b>	BB Lynbrook, Inc.	2 Hendrickson Avenue	37-231-366
<b>I</b>	Fatima Hussain and Muhammad Ibrahim	62 North Rockaway Avenue	37-231-360
<b>J</b>	Hayela Klein	61 Rockaway Avenue	37-232-342



# SITE LOCATION MAP



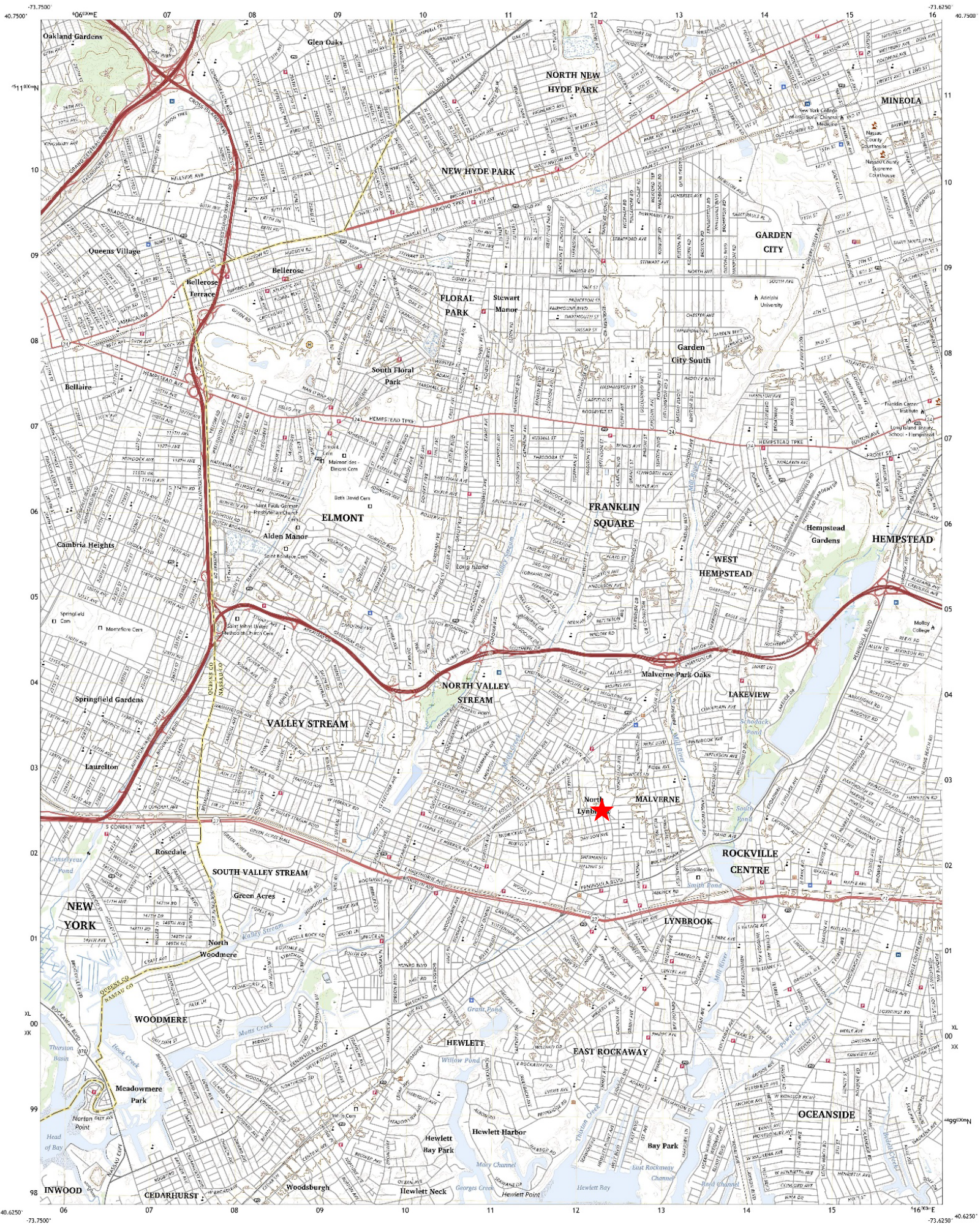
## BCP Site Location



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

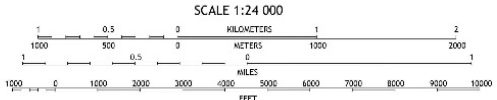
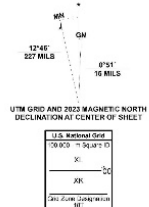


LYNBROOK QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84), Projection and  
1:000-meter scale Universal Transverse Mercator, Zone 18T  
This map is not a legal document. Boundaries may be  
generalized for this map scale. Private lands within government  
restitutions may not be shown. Obtain permission before  
entering private lands.

Imagery.....NAIP, August 2017 - December 2017  
Roads.....U.S. Census Bureau, 2016 - 2016  
Name.....CENS, 1990 - 2023  
Hydrography.....National Hydrography Dataset, 2004 - 2022  
Contour.....National Hydrography Dataset, 2004 - 2022  
Boundaries.....Multiple sources; see metadata file 2021 - 2022  
Wetlands.....FWS National Wetlands Inventory 2004



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

1	2	3
4	5	6
7	8	9

1 Fishing  
2 Sea Cliff  
3 Hicksville  
4 Jamaica  
5 Roseton  
6 Far Rockaway  
7 Lawrence  
8 Jones Inlet

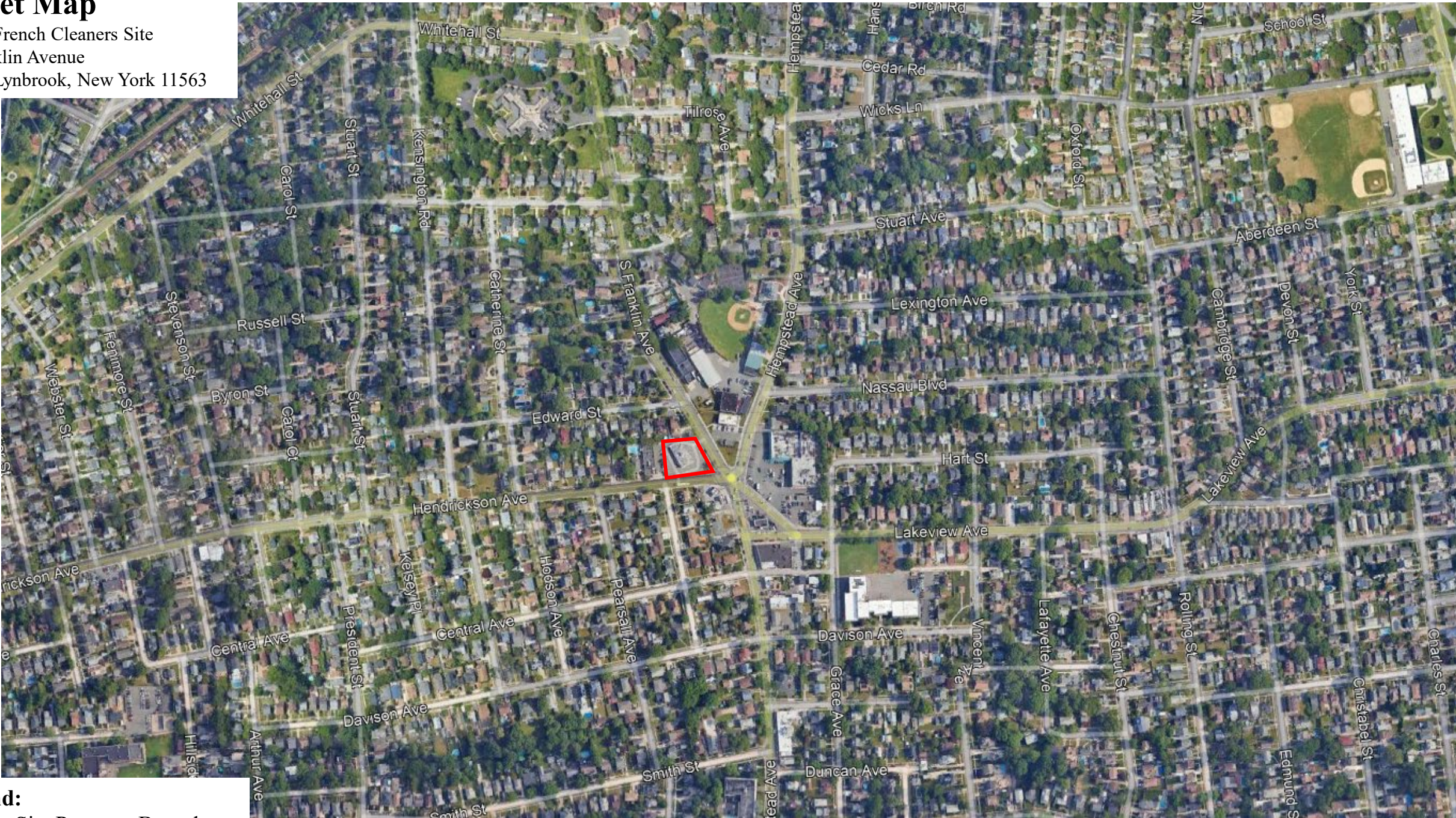
LYNBROOK, NY  
2023





# Street Map

Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563



**Legend:**  
— Site Property Boundary



# **EXHIBIT B**





TAX LOT 201

TAX LOT 521

N 88°59'00" E 107.60'

TAX LOT 111  
N 02°14'00" E 127.87'

1 STORY  
MASONRY  
NO. 1  
(4,295 S.F.)

40'

FRANKLIN AVENUE  
S 21°25'34" E 149.25'

25'

N 87°46'00" W 166.14'  
HENDRICKSON AVENUE

NOTE:

- BUILDING AREA SHOWN MEASURED ALONG THE OUTSIDE PERIMETER AT GROUND LEVEL

**CARMAN-DUNNE, P.C.**  
CONSULTING ENGINEERS & SURVEYORS  
2 Lakeview Ave., Lynbrook, New York 11563  
TEL. (516) 599-5563 FAX (516) 593-4873

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's seal is a violation of Article 134, Section 7209, Subdivision 2, of the New York State Education Law. Copies from the original of this survey map not marked with an original of the Land Surveyor's inked seal or his embossed seal shall not be considered a valid true copy. "Certification indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said Certifications shall run only to the person for whom the survey is prepared and on his behalf to the title company, governmental agency, and lending institution. Certifications are not transferable to additional institutions or subsequent owners. The offsets and dimensions shown hereon are for a specific purpose and use and therefore are not intended to guide the erection of any structure."

MAP SHOWING BUILDING AREA  
PROPERTY AT NORTH LYNBROOK  
NASSAU COUNTY, NEW YORK

CERTIFIED TO:

Date:  
3/2/2015

Plate No.:  
24

Scale:  
1"=20'

Project No.:  
2015026.00



FILED  
MAP

TAX MAP  
NASSAU COUNTY SECTION 37 BLOCK 229 LOTS 519 & 520

NY PLANE COORDINATE SYSTEM



(TREADWELL AVE.)

ST.

FRANKLIN

AVE.

— BCP Site Boundary

+ E 2,090.850

(HUDSON AVE.)  
(WASHINGTON AVE.)

E 2,090,300

[illegible]

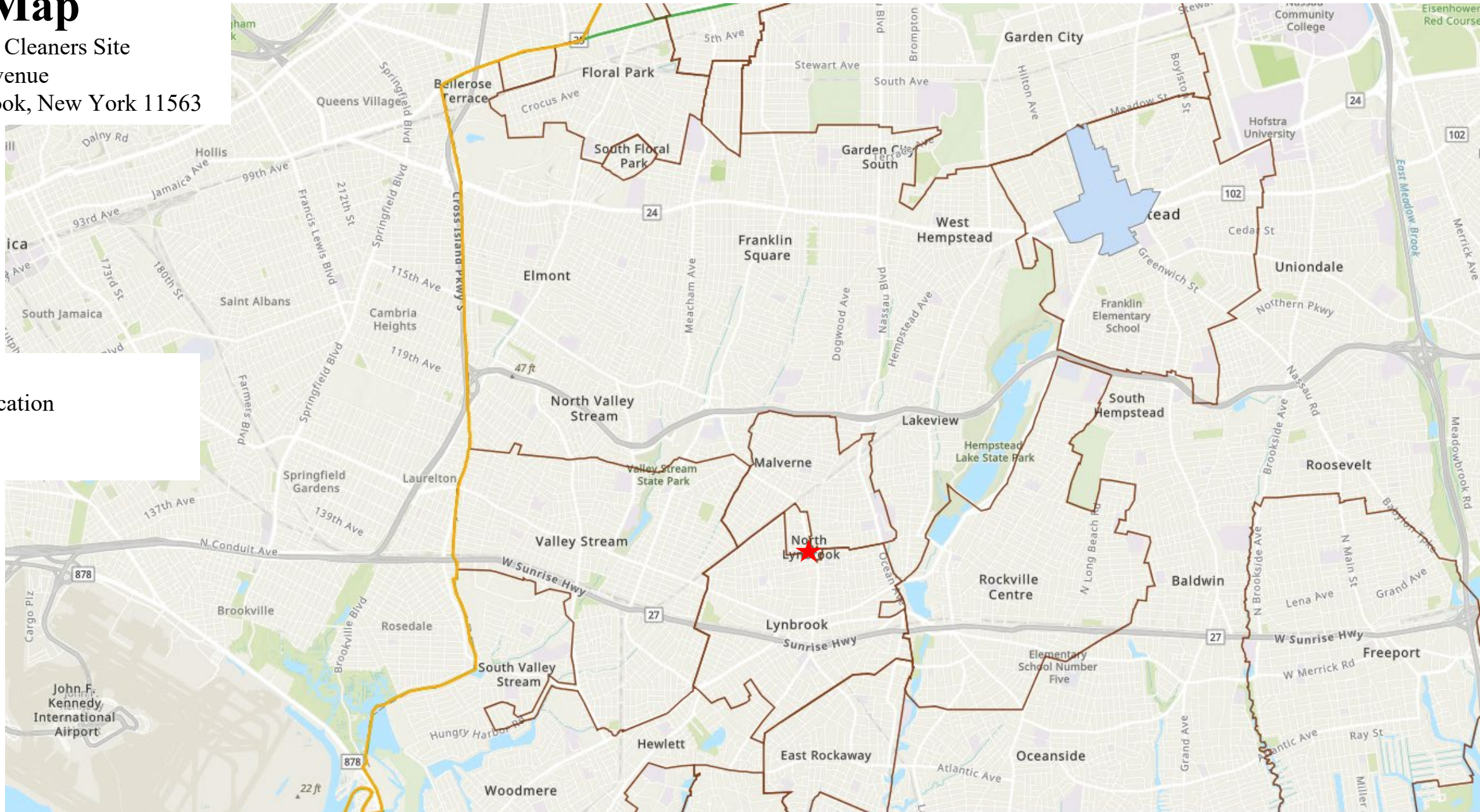
# **EXHIBIT C**



# BOA Map

Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

**Legend:**  
★ Site Location  
BOA



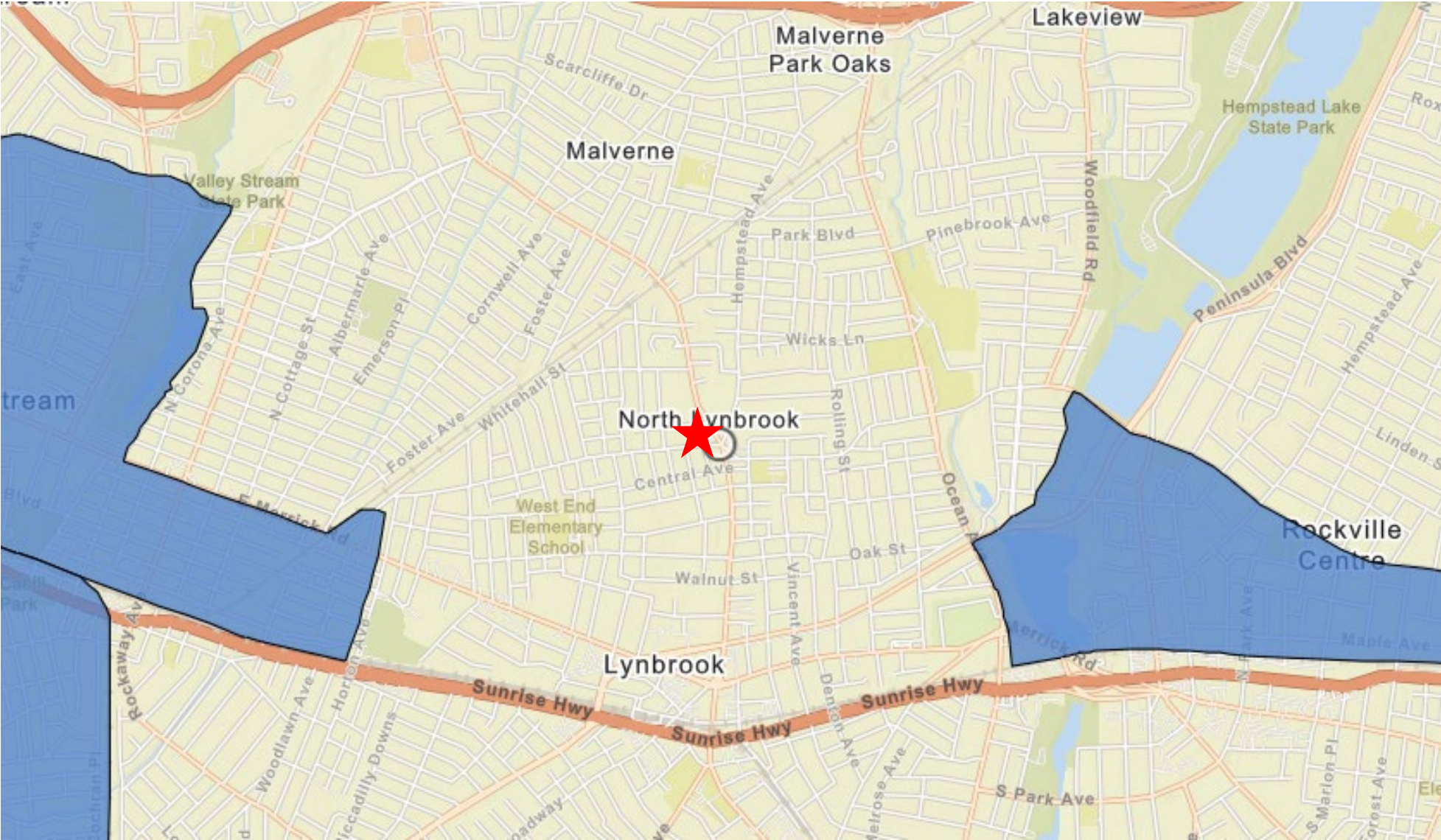
April 2024

Source: NYS DOS Geographic Information Gateway

Scale: 1" = 100' approximately



**Disadvantage**  
**Communities Map**  
Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

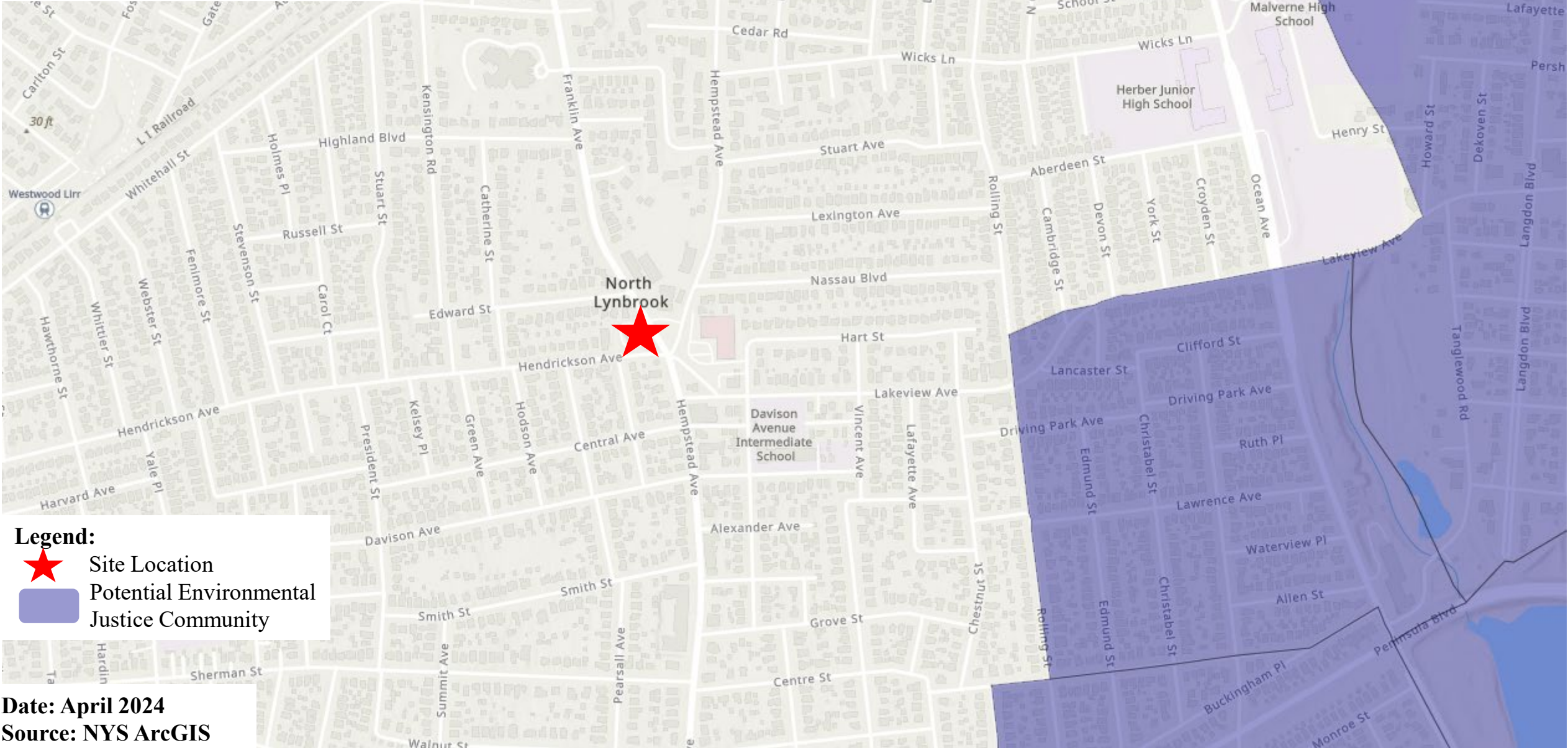


**Legend:**  
★ Site  
■ Disadvantaged Community

**Date: April 2024**  
**Source: NYSERDA**

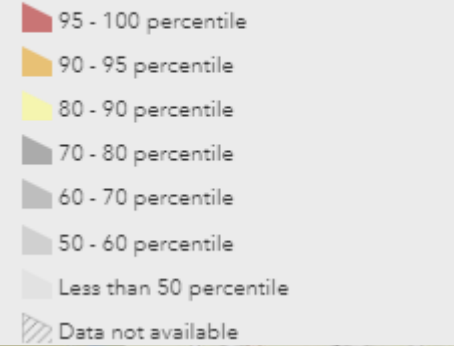


**EJ MAP**  
Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

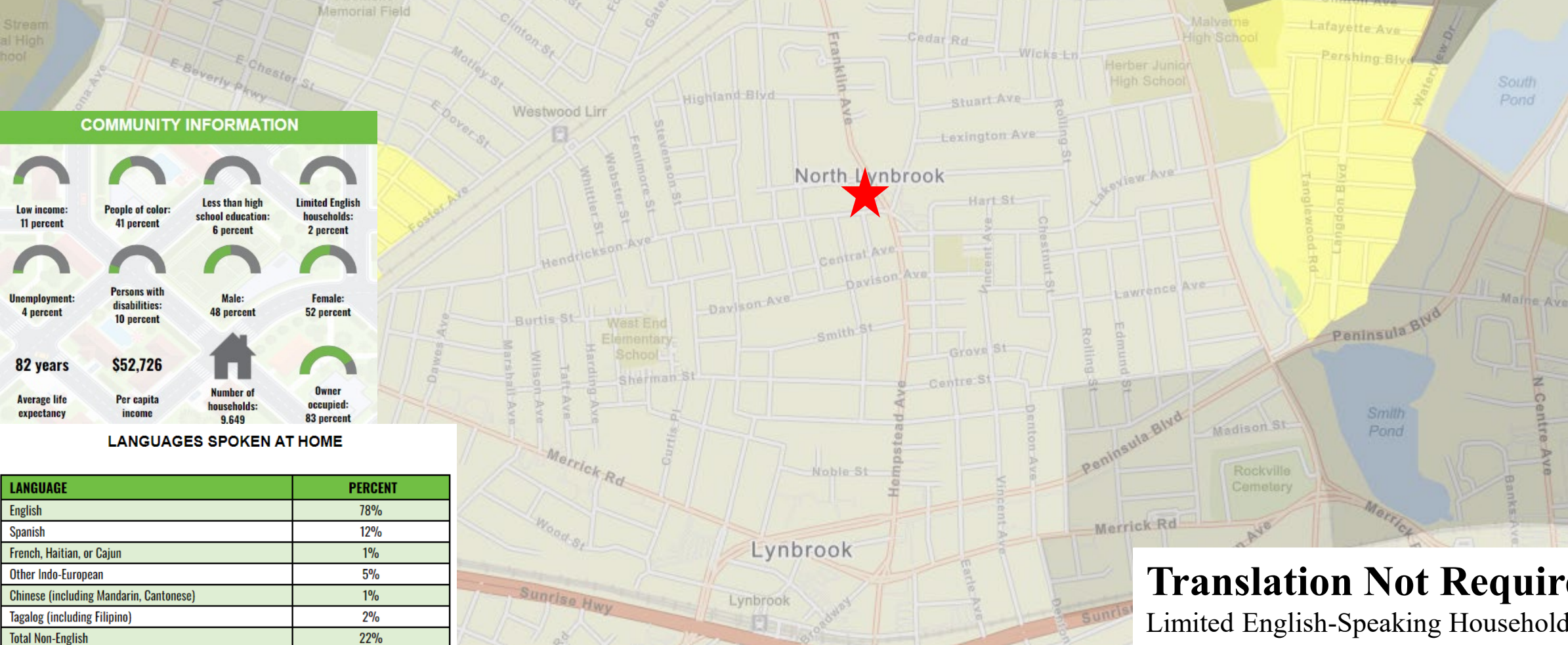




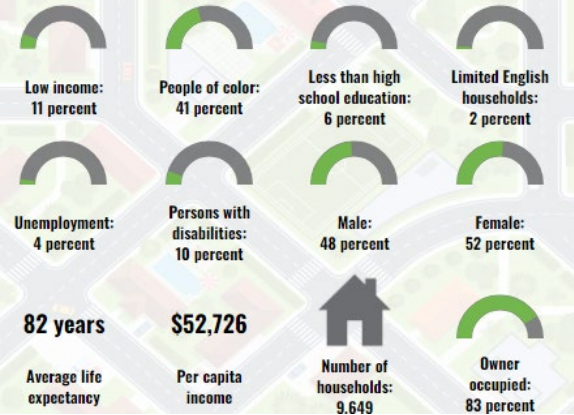
Demographic Index (National Percentiles)



Date: April 2024  
Source: EPA EJ Screen



COMMUNITY INFORMATION



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	78%
Spanish	12%
French, Haitian, or Cajun	1%
Other Indo-European	5%
Chinese (including Mandarin, Cantonese)	1%
Tagalog (including Filipino)	2%
Total Non-English	22%

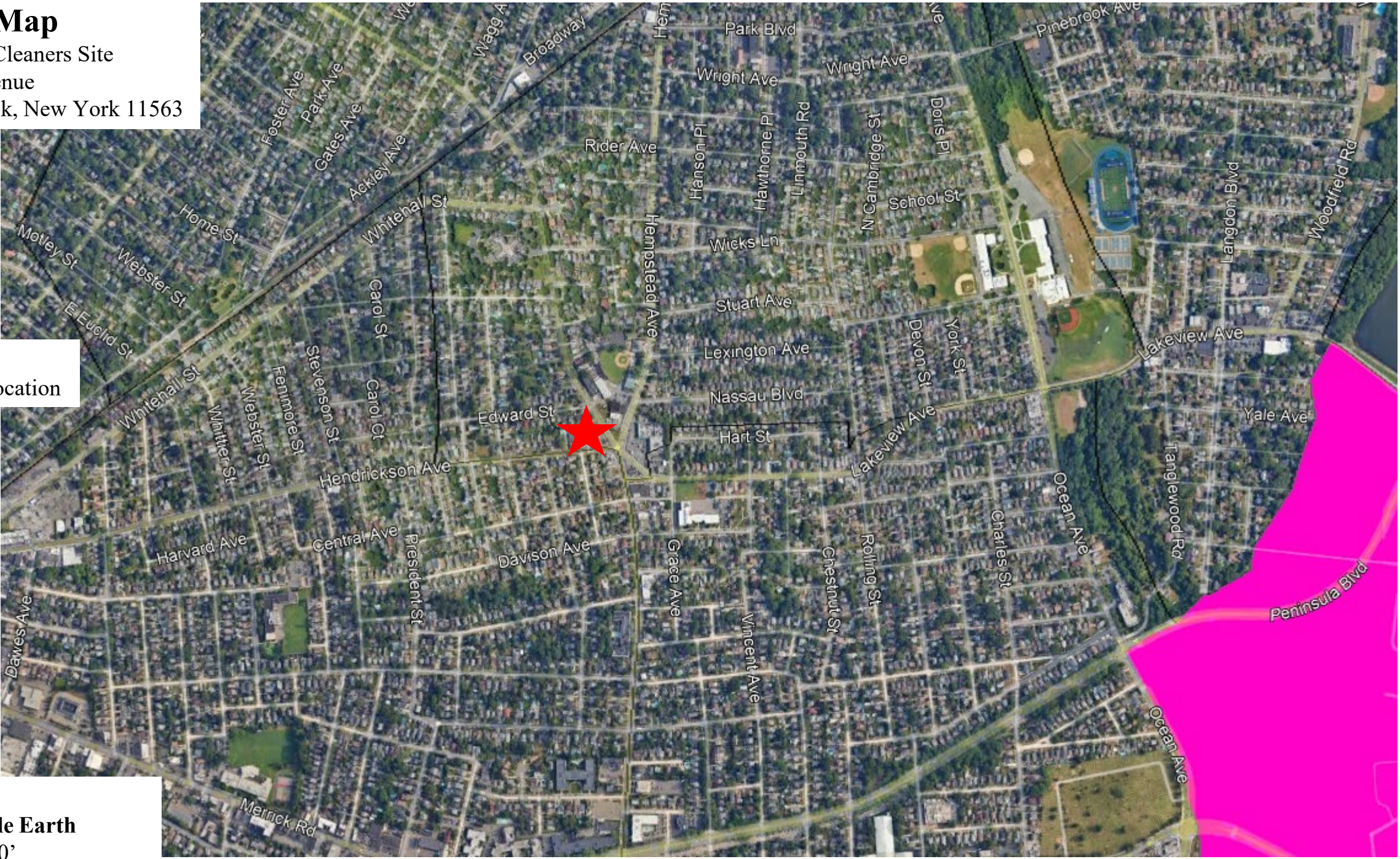
Translation Not Required  
Limited English-Speaking Households 2%



# En-Zone Map

Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

**Legend:**  
★ Site Location



April 2024  
Source: Google Earth  
Scale: 1" = 100'



# **EXHIBIT D**

# FLOOD MAP

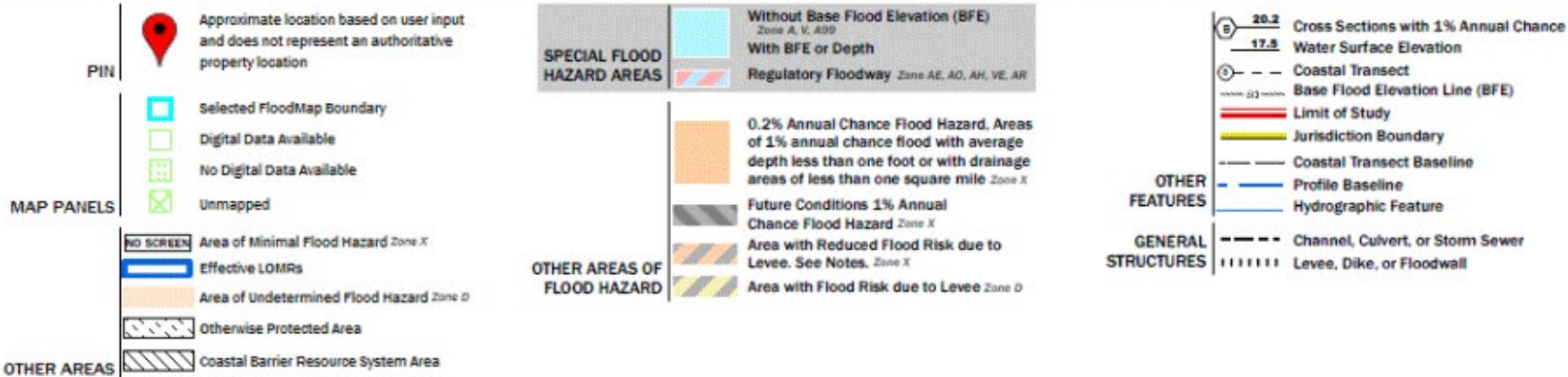
Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

## Legend:

 Site Location

All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

April 2024  
Source: FEMA Flood Map  
Scale: 1" = 100" approximately



# **EXHIBIT E**



# ZONING MAP

Daisy French Cleaners Site  
1 Franklin Avenue  
North Lynbrook, New York 11563

## Legend:

- Site property boundary
- Zoning Districts: Business District (x)



April 2024  
Scale: 1" = 100' approximately

THIS MAP WAS ESTABLISHED AND ADOPTED IN 1929 BY THE TOWN OF LYNBROOK AND PLANNING BOARD. THIS SHEET MAY NOT BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE TOWN OF LYNBROOK. THE ACTUAL ZONING DISTRICTS SHOULD BE EXAMINED AT THE TOWN CLERK'S OFFICE TO DETERMINE IF ANY C.R.'S ENVELOPE THE USE OF APPLICABLE PROPERTY.

# Zoning District: Business District (x) – Town of Hempstead – Building Zone Ordinance – Article XVI X Business Districts

§ 195 Applicability. In a Business District, the following regulations shall apply.

§ 196 Permitted uses. A building may be erected, altered or used and a lot or premises may be used for any of the following purposes, and for no other:

- A. Single-family and two-family detached dwelling.
- B. Club, fraternity house or lodge.
- C. (Reserved)[2]

[2] Editor's Note: Former Subsection C, permitting schools, colleges and universities, was repealed effective 8-30-2007.

- D. (Reserved)[3]

[3] Editor's Note: Former Subsection D, permitting religious uses, was repealed effective 8-30-2007.

- E. Philanthropic use, excluding a correctional institution.
- F. Hospital, sanatorium and dormitory of an educational institution.
- G. Music school or dancing school.
- H. Agriculture, greenhouse and nursery.
- I. Municipal recreational use.
- J. Railway passenger station.
- K. Office, bank, financial institution and telephone exchange.
- L. Store for the sale, at retail, of articles to be used or consumed off the premises, which is not subject to the provisions of § 197 hereof.
- M. Restaurant other than a diner, lunch wagon, drive-in restaurant, drive-in luncheonette, drive-in counter or drive-in refreshment stand.
- N. When approved as a special exception by the Town Board, a public garage, minor garage, battery service station, tire service station, or a combination thereof, motor vehicle repair shop, whether or not operated in connection with new or used motor vehicle sales, boat repair shop, whether or not operated in connection with new or used boat sales, public utility buildings and structures.
- O. Carpenter, hand cabinetmaking, furniture repair or upholstery shop, electrical shop, hand metalworking, blacksmith, tinsmith, new and unused plumbing, pet shop, gas, steam or hot-water fitting shop.
- P. Hand laundry, custom tailoring, hand dressmaking, shoemaking and repairing.
- Q. Sale or repair of jewelry, watches, clocks or optical goods, musical, professional or scientific instruments.
- R. Undertaking and embalming.

§ 197 Special uses. Special uses, when approved by the Board of Appeals pursuant to § 272, are permitted.

§ 198 Excavations. No excavation for purposes other than the construction of a driveway, walk, a permitted wall or building or part thereof or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving said property, shall be made unless approved by the Board of Appeals.

§ 199 Signs. Such signs which are authorized under the provisions of Article XXIV are permitted.

§ 200 Height. No building shall be greater in height than two stories and shall not exceed a maximum height of 30 feet, except that on lots that contain two or more acres and have a lot depth in excess of 100 feet, no building shall exceed four stories in height or a maximum of 60 feet, provided that the Town Board finds, as part of the site plan approval process, that the height of the building would not adversely affect adjacent residential uses.

§ 201 Building area. In the case of any building erected altered or used in whole or in part as a dwelling, the building area shall not exceed 70% of the lot area.

§ 202 Front yards.

- A. Except as otherwise provided in Subsection D of this section, the required front yard depth shall be the same as the average front yard depth of the existing buildings within 200 feet on each side of the lot and within the same use district, or if there are less than two existing buildings on the same side of the street, the average front yard depth of existing buildings within 200 feet on each side directly opposite the lot in the same use district. In any case, no front yard shall be required to have a depth greater than 20 feet.
- B. Except as otherwise provided in Subsection D of this section, in case of a corner lot, a front yard shall be required on each street, and notwithstanding the foregoing, each such front yard shall be not less than 10 feet.
- C. where a building is not controlled by Subsection A or Subsection D of this section, there shall be a front yard, the depth of which shall be at least 10 feet back of the front property line.
- D. [1]Notwithstanding the foregoing, a roof, mansard, awning or similar projection not exceeding 24 inches into the required front yard setback shall be a permitted encroachment. [1] Editor's Note: Former Subsection D was repealed 2-19-1974.

§ 203 Rear yards. [1] There shall be a rear yard of at least 10 feet, provided that if a building is used in whole or in part as a dwelling, there shall be a rear yard, the depth of which shall be at least 15 feet. The depth shall be increased five feet for each 12 feet or portion thereof by which the building exceeds forty (40) feet in height. [1] Editor's Note: Former Sec. X-6.1, which immediately preceded this section, was repealed 10-6-1953.

§ 204 Population density. No dwelling shall be erected or maintained unless the plot on which it is erected shall have an area of at least 1,500 square feet for each family accommodated or intended to be accommodated.

§ 205 Fences. No fence or wall more than six feet in height may be erected without a permit and except when authorized by the Board of Appeals pursuant to Article XXVII hereof.

§ 206 Compliance with other standards. Notwithstanding any other provisions of this article of this ordinance, a single-family or two-family detached dwelling and the lot or premises on which it is erected shall comply with the provisions of Article IX of this ordinance.

# **EXHIBIT F**

# PREVIOUS OWNERS & OPERATORS LIST

Daisy French Cleaners Site

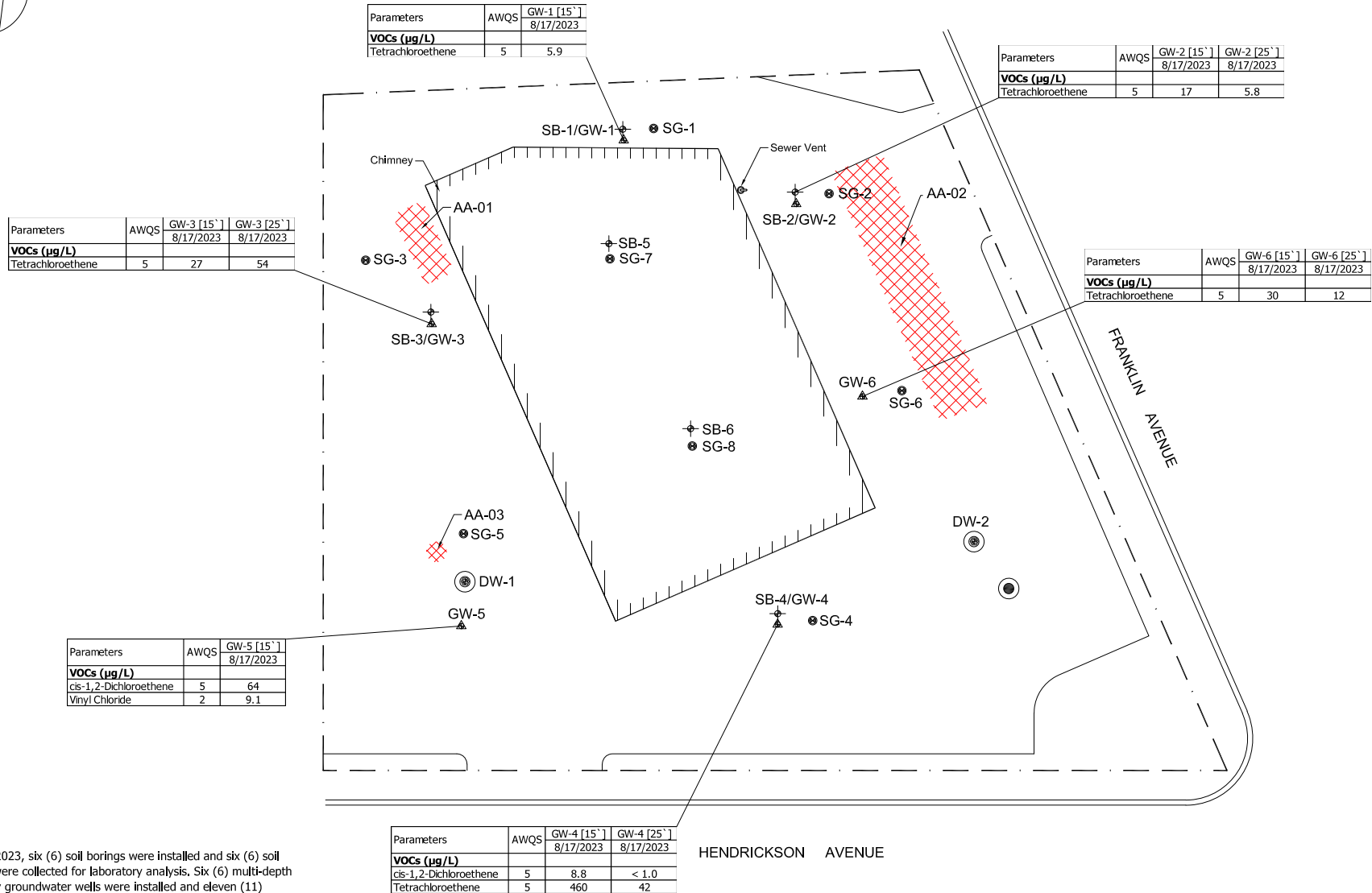
1 Franklin Avenue

North Lynbrook, New York 11563

Year	Contact Information Owners 37-229-519	Status	Relation to Requestor
Pre - 1964	USA Cleaners [Exact date this Dry Cleaner started is not known] Address: Unknown Phone: Unknown	Inactive	N/A
Approx. 1964 - 1992	William Prowler Address: N/A Phone: N/A	Deceased	N/A
1992-1998	William Prowler Trust (William Prowler (deceased) and Carol Prowler as Trustees) Address: 17 Pony Circle Phone: (516) 680-9243 Roslyn Heights, New York 11577	Active	Carol is Sole Shareholder of Requestor
2/3/1998 – Present	Billcarol Realty Corp. Address: 17 Pony Circle Phone: (516) 680-9243 Roslyn Heights, New York 11577	Active	Requestor
<b>Operators</b>			
1924-1961	Dwellings/Residential Use	N/A	N/A
1963	Current Building Constructed	N/A	N/A
1963-1976	Daisy French Cleaners (Dry Cleaners) Address: 17 Pony Circle Phone: (516) 680-9243 Roslyn Heights, New York 11577	Inactive	Owned by Requestor and/or Shareholders
1977-1982	Century Federal Savings and Loan Address: Century Federal Credit Union Phone: (800) 615-2328 4600 Rockside Road, Suite 204 Independence, Ohio 44131	Active	None
1995	Home Savings of America (1998 - Acquired by Washington Mutual/2008 – Acquired by JPMorgan Chase) Address: JPMorgan Chase Headquarters Phone: (212) 270-6000 270 Park Avenue New York, New York 10017	Inactive	None
2005	Greenpoint Bank (2005 – Acquired by North Fork Bank/2010 – Acquired by Capital One Bank) Address: Capital One Bank Headquarters Phone: (877) 383-4802 1680 Capital One Drive McLean, VA 22102	Inactive	None
2010-2020	Capital One Bank Address: Closest Branch Location Phone: (516) 612-0782 750 Sunrise Highway Valley Stream, New York 11581	Active	None
2020 – Present	Vacant	N/A	N/A

# **EXHIBIT G**

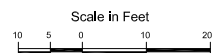




Note:  
On 8/17/2023, six (6) soil borings were installed and six (6) soil samples were collected for laboratory analysis. Six (6) multi-depth temporary groundwater wells were installed and eleven (11) groundwater samples were collected for laboratory analysis. Two (2) sediment samples were collected from on-site stormwater drywells. Eight (8) soil gas samples were collected.

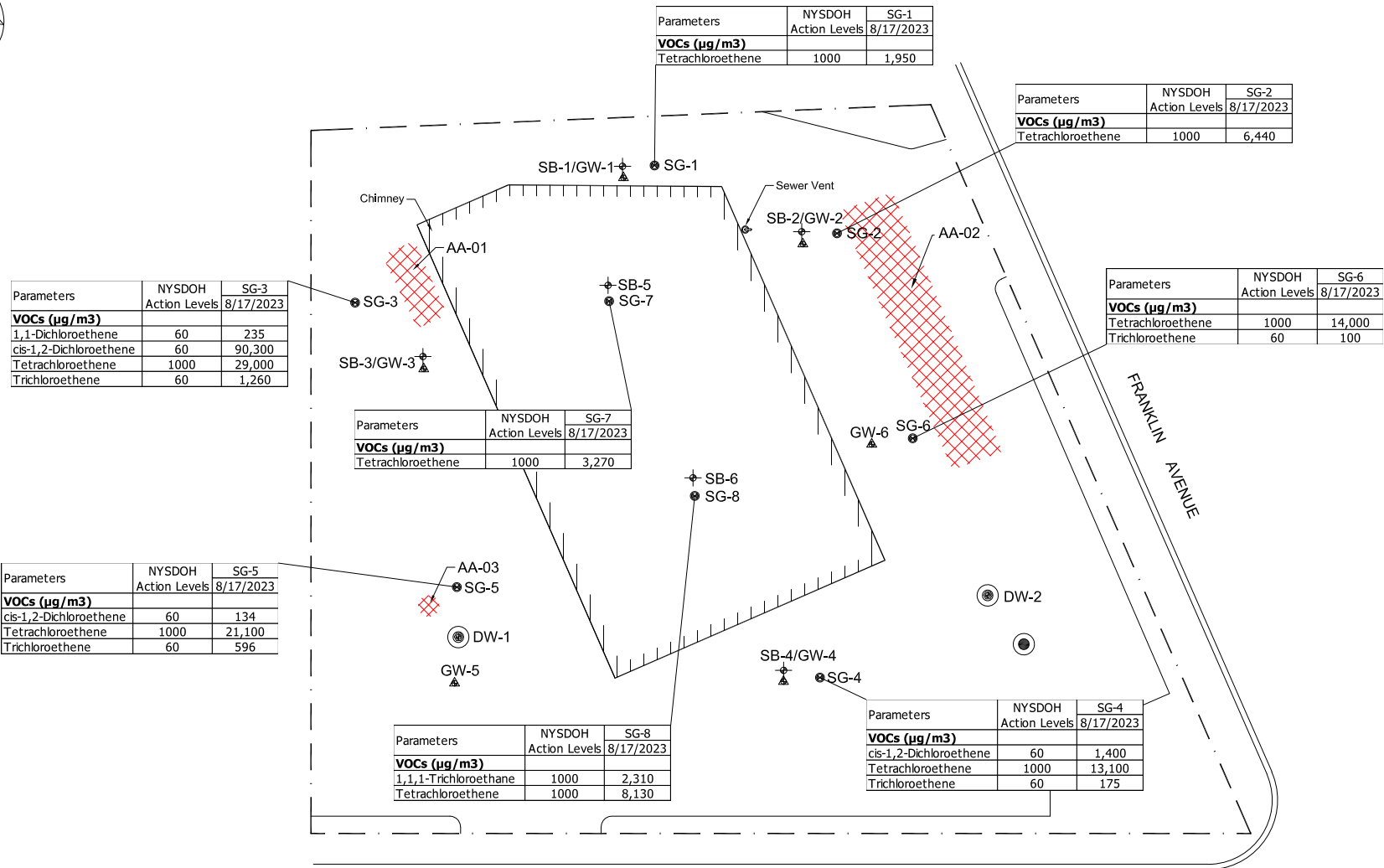
## Legend

- ☉ Dry Well
- ⊕ Sanitary Vent
- ⚠ Groundwater Sampling Point
- ⊕ Soil Sampling Point
- ⊕ Sediment Sampling Point
- ⊕ Soil Gas Sampling Point



The information included on this graphic representation has been compiled from a variety of sources and is subject to change without notice. Cider Environmental makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a land survey product nor is it designed or intended as a construction design document. The use or misuse of the information contained on this graphic representation is at the sole risk of the party using or misusing the information.				TITLE: Summary of Exceedances- Groundwater			
				1 Franklin Avenue, Lynbrook, New York			
DRAWN BY: WF		REVISED BY:		PROJECT No. CE2023-062			
CHECKED BY: JC		REVISED DATE:					
DATE: 8-11-2023		APPROVED BY:		FIGURE No. 07			
SCALE: 1" = 30'		FILE NAME:					

Tel: (831) 616-4000 Fax: (831) 860-7972  
www.CiderEnvironmental.com  
6268 Jericho Tpke, Suite 12, Commack, NY 11725

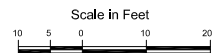


Note:  
On 8/17/2023, six (6) soil borings were installed and six (6) soil samples were collected for laboratory analysis. Six (6) multi-depth temporary groundwater wells were installed and eleven (11) groundwater samples were collected for laboratory analysis. Two (2) sediment samples were collected from on-site stormwater drywells. Eight (8) soil gas samples were collected.

## Legend

- ⊙ Dry Well
- ⊕ Sanitary Vent
- ⊕ Groundwater Sampling Point
- ⊕ Soil Sampling Point
- ⊕ Sediment Sampling Point
- ⊕ Soil Gas Sampling Point

HENDRICKSON AVENUE



The information included on this graphic representation has been compiled from a variety of sources and is subject to change without notice. Cider Environmental makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a land survey product nor is it designed or intended as a construction design document. The use or misuse of the information contained on this graphic representation is at the sole risk of the party using or misusing the information.				TITLE: Summary of Exceedances- Soil Gas			
				1 Franklin Avenue, Lynbrook, New York			
DRAWN BY:	WF	REVISED BY:		PROJECT No. CE2023-062			
CHECKED BY:	JC	REVISED DATE:		FIGURE No. 08			
DATE:	8-11-2023	APPROVED BY:					
SCALE:	1" = 30'	FILE NAME:					



# **EXHIBIT H**

# Department of State

## Division of Corporations

### Entity Information

Return to Results

Return to Search

#### Entity Details

**ENTITY NAME:** BILLCAROL REALTY CORP.  
**DOS ID:** 2216918  
**FOREIGN LEGAL NAME:**  
**FICTITIOUS NAME:**  
**ENTITY TYPE:** DOMESTIC BUSINESS CORPORATION  
**DURATION DATE/LATEST DATE OF DISSOLUTION:**  
**SECTIONOF LAW:** 402 BCL - BUSINESS CORPORATION LAW  
**ENTITY STATUS:** ACTIVE  
**DATE OF INITIAL DOS FILING:** 01/12/1998  
**REASON FOR STATUS:**  
**EFFECTIVE DATE INITIAL FILING:** 01/12/1998  
**INACTIVE DATE:**  
**FOREIGN FORMATION DATE:**  
**STATEMENT STATUS:** CURRENT  
**COUNTY:** NASSAU  
**NEXT STATEMENT DUE DATE:** 01/31/2026  
**JURISDICTION:** NEW YORK, UNITED STATES  
**NFP CATEGORY:**

ENTITY DISPLAY   NAME HISTORY   FILING HISTORY   MERGER HISTORY   ASSUMED NAME HISTORY

#### Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

**Name:** BIILCAROL REALTY CORP,  
**Address:** 11019 BOCA WOODS LN, BOCA RATON, FL, UNITED STATES, 33428

Electronic Service of Process on the Secretary of State as agent: Not Permitted

#### Chief Executive Officer's Name and Address

**Name:** CAROL PROWLER  
**Address:** 11019 BOCA WOODS LN, BOCA RATON, FL, UNITED STATES, 33428

#### Principal Executive Office Address

**Address:** 11019 BOCA WOODS LN, BOCA RATON, FL, UNITED STATES, 33428

#### Registered Agent Name and Address

**Name:**

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share
NO PAR VALUE	200	\$0.00000

# **Exhibit I**

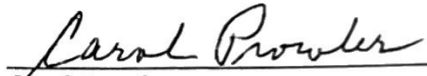
### **CORPORATE AUTHORIZED SIGNATORY CONSENT**

The undersigned, being the Sole Shareholder of Billcarol Realty Corp., does hereby certify as follows:

1. Billcarol Realty Corp. is the prospective remedial party for the prospective Brownfield Cleanup Program (BCP) Site located at 1 Franklin Avenue, Lynbrook, NY 11563 (Tax Section 37 Block 229 Lot 519) (collectively the "BCP Site").

2. The following person, David Prowler, who has Power of Attorney for Carol Prowler, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Billcarol Realty Corp. in relation to the BCP Site.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 19 day of April 2024.



Carol Prowler

Sole Shareholder of Billcarol Realty Corp.

## SECTION XII: Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: APRIL 17, 2024 Signature: David Prowler  
Print Name: DAVID PROWLER

(By a requestor other than an individual)

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

Date: APRIL 17, 2024 Signature: David Prowler  
Print Name: David Prowler

**PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR  
DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.**



DURABLE POWER OF ATTORNEY  
FINANCIAL WITHOUT LIMITATION

ORIGINAL DOCUMENT AT  
LAW OFFICES OF  
STEVEN I. GREENWALD, P.A.  
Boca Palm Professional Plaza  
6971 N. Federal Highway  
Suite 105  
Boca Raton, Florida 33487

I, CAROL PROWLER, of Palm Beach County and State of Florida, do hereby appoint my spouse, WILLIAM PROWLER, as my Attorney-in-Fact; provided, however, that in the event the said WILLIAM PROWLER is unable or unwilling to serve hereunder, then and in such event, my son, DAVID PROWLER, shall serve as successor Attorney-in-Fact, being able to exercise this Durable Power of Attorney without limitation, and in accordance with the following provisions:

1. UNLIMITED GRANT OF AUTHORITY: My Attorney-In-Fact shall have the power to act for me and to sign my name in all matters as freely as I could in the handling of my own affairs, and this power of attorney shall be given the broadest possible interpretation. This power of attorney shall extend to any property in which I may possess an interest, real or personal, tangible or intangible, whether or not my interest is in fee or as a co-tenant. The powers of my Attorney-In-Fact shall include, but shall not be limited to:

A. Banks. The power to open, deposit to, or withdraw from an account (including checking, savings, certificate of deposit, money market, or an account holding U. S. Treasury obligations or commercial paper) in which I may have an interest at any bank, savings and loan, credit union, or similar institution; to endorse or to sign any check, draft, note, or other obligation payable to me or by me in whole or in part; to enter any safe deposit box under my name and deposit or remove any contents; or to take out or modify the terms of any loan and pledge any of my assets as security.

B. Securities. The power to buy, sell, or hold any stock, bond, mutual fund, certificate of ownership, depository receipt, option, commodity, futures contract, limited partnership, or unit trust, or any other security on my account; to open or deal with any securities on a trust, agency, street, or margin account with any bank, trust company or broker; to vote or exercise any proxy or option with regard to any security; to execute stock or bond powers, oral orders to buy or sell any security or enter into any contract regarding the safekeeping, sale or purchase of securities on my behalf; to exercise all my rights with respect to any investment in any mutual fund group, to transfer investments within said group, to other funds, to order redemption by written or oral request, by draft or by wire, to provide for regular periodic withdrawals or reinvestments, or to sign any draft in connection with said fund.

C. Life Insurance, Social Security and Other Accounts. The power to purchase, maintain, withdraw from, convert, or exercise any option, on

CP

DURABLE POWER OF ATTORNEY  
FINANCIAL WITHOUT LIMITATION

ORIGINAL DOCUMENT AT  
LAW OFFICES OF  
STEVEN I. GREENWALD, P.A.  
Boca Raton Professional Plaza  
6971 N. Federal Highway  
Suite 105  
Boca Raton, Florida 33487

I, CAROL PROWLER, of Palm Beach County and State of Florida, do hereby appoint my spouse, WILLIAM PROWLER, as my Attorney-in-Fact; provided, however, that in the event the said WILLIAM PROWLER is unable or unwilling to serve hereunder, then and in such event, my son, DAVID PROWLER, shall serve as successor Attorney-in-Fact, being able to exercise this Durable Power of Attorney without limitation, and in accordance with the following provisions:

1. UNLIMITED GRANT OF AUTHORITY: My Attorney-In-Fact shall have the power to act for me and to sign my name in all matters as freely as I could in the handling of my own affairs, and this power of attorney shall be given the broadest possible interpretation. This power of attorney shall extend to any property in which I may possess an interest, real or personal, tangible or intangible, whether or not my interest is in fee or as a co-tenant. The powers of my Attorney-In-Fact shall include, but shall not be limited to:

A. Banks. The power to open, deposit to, or withdraw from an account (including checking, savings, certificate of deposit, money market, or an account holding U. S. Treasury obligations or commercial paper) in which I may have an interest at any bank, savings and loan, credit union, or similar institution; to endorse or to sign any check, draft, note, or other obligation payable to me or by me in whole or in part; to enter any safe deposit box under my name and deposit or remove any contents; or to take out or modify the terms of any loan and pledge any of my assets as security.

B. Securities. The power to buy, sell, or hold any stock, bond, mutual fund, certificate of ownership, depository receipt, option, commodity, futures contract, limited partnership, or unit trust, or any other security on my account; to open or deal with any securities on a trust, agency, street, or margin account with any bank, trust company or broker; to vote or exercise any proxy or option with regard to any security; to execute stock or bond powers, oral orders to buy or sell any security or enter into any contract regarding the safekeeping, sale or purchase of securities on my behalf; to exercise all my rights with respect to any investment in any mutual fund group, to transfer investments within said group, to other funds, to order redemption by written or oral request, by draft or by wire, to provide for regular periodic withdrawals or reinvestments, or to sign any draft in connection with said fund.

C. Life Insurance, Social Security and Other Accounts. The power to purchase, maintain, withdraw from, convert, or exercise any option, on

any contract of life insurance, annuity, IRA account, Keogh account, any pension profit sharing or employee benefit plan, health, disability, or casualty policy; to claim any policy proceeds or other benefits which are payable to me; to provide for the collection, deposit or otherwise manage any social security benefit or medicare benefit which may be payable to me, as representative payee or otherwise.

D. Real Estate. The power to deal with any real property interests, including my residence, leaseholds or homestead, mortgages, contracts, and mineral rights; to buy, sell, or transfer any such interest on any terms; to enter into purchase, sale, or management contracts; to create, renew, or modify any lease; to mortgage said property or to pay off or modify the terms of any mortgage; to execute deeds, bills of sale or other documents required to exercise these powers.

E. Deal With Obligations and Taxes. The power to claim any monies owed me including notes, utility or other deposits, Federal or State income or other tax refunds, social security, medicare, disability, health, workers compensation or other benefits; to receive on my behalf any gifts, or my interest in any estate or trust; to sue on my behalf to collect any amount owed to me; to pay off, compromise, or adjust any claim against me, or provide for the defense of my interests in any court or before any government agency; to obtain or execute releases; to sign any income, gift, or other tax return on my behalf; to receive confidential information from the Internal Revenue Service or any state tax authority; to appoint an attorney or CPA to represent my interests before the IRS or any state tax authority by completing and signing on my behalf form 2848 or 2848D or any similar form; to represent my interests in any business enterprise; or to modify any contract to which I am a party.

F. Tangible Personal Property. The power to take possession of my tangible personal property; to remove, ship, store, and insure same; to sell same and execute bills of sale or transfer any automobile or boat title certificate; and to purchase or sell precious metals or other tangible investments.

G. Power To Fund. The power to transfer any asset in which I have an interest to the Trustees then serving of the CAROL PROWLER INTER VIVOS TRUST AGREEMENT DATED January 20, 1992.

H. Power To Gift. The power to gift any asset in which I have an interest to any individual or individuals, entities, charitable institutions or other legal entity.

I. To do All Things Necessary. The power to perform all necessary acts, execute any document, issue any warranty, or employ any person required to carry out any transaction on my behalf.

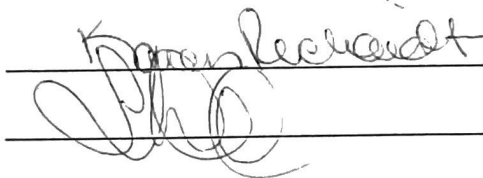
2. PROTECTION OF THIRD PERSONS. The actions taken by my Attorney-In-Fact pursuant to this power shall bind me, my heirs, personal representatives and assigns. Any person who in good faith deals with my Attorney-In-Fact shall not require my consent, or the consent of any court or any other person (including my other Attorney(s)) to any transaction with said Attorney, shall not require proof that I am then alive, shall not require validation or recertification of this document, shall not need to see to the proper disposition of any property delivered to any of my Attorneys, and shall be indemnified and held harmless by me, my heirs, personal representatives, and assigns from reliance upon the authority granted by this document.

3. PHOTOCOPIES-NOTICE. A photocopy of this document shall be as valid as the original. Any person to whom the original or a photocopy of this document is delivered may act upon the authority granted to my Attorney-In-Fact by this document, without regard to its age and without inquiry into any events which may have caused its termination, until such person has received a certificate of my death, my written revocation of this power, or the certified order of a court which terminates this power. All actions taken by any person in reliance upon this document without written notice of the foregoing event are hereby validated and shall bind me, my heirs, personal representatives and assigns.

4. DURABILITY. This instrument shall create a nondelegable durable power of attorney in accordance with Section 709.08 Florida Statutes and the similar provisions of the law of any state in which this power is exercised. This DURABLE POWER OF ATTORNEY SHALL NOT BE AFFECTED BY MY DISABILITY EXCEPT AS PROVIDED BY STATUTE, it being my intent that this power of attorney shall be exercisable from the date of this instrument notwithstanding my later disability.

Executed this 15<sup>th</sup> day of May 2009.

Signed, Sealed and Delivered  
In The Presence Of:

  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
CAROL PROWLER

STATE OF FLORIDA  
COUNTY OF PALM BEACH

We, CAROL PROWLER, Karen Richardt and Steven I. Greenwald, the maker of this Durable Power of Attorney and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, were sworn and declared to the undersigned officer that CAROL PROWLER signed the instrument as CAROL PROWLER Durable Power of Attorney and that CAROL PROWLER signed, and that each of the witnesses, in the presence of CAROL PROWLER and in the presence of each other, signed the instrument as a witness.

Carol Prowler  
CAROL PROWLER

Karen Richardt  
Witness

[Signature]  
Witness

Subscribed and sworn to before me by CAROL PROWLER, the declarant, and by Karen Richardt and Steven I. Greenwald, the witnesses, on the 15<sup>th</sup> day of May 2009, all of whom personally appeared before me. CAROL PROWLER is personally known to me. Karen Richardt is personally known to me, and Steven I. Greenwald is personally known to me.

Cynthia Flynn  
Notary Public, State of Florida

My Commission Expires:



CYNTHIA FLYNN  
MY COMMISSION # DD 778706  
EXPIRES: May 25, 2012  
Bonded Thru Budget Notary Services

# **Exhibit J**

Nassau County Clerk  
RECORDS OFFICE  
RECORDING PAGE

Deed Number (RETT):  
RERE 016290

Type of Instrument: Deed

Control No: 199802101896

WILLIAM TRE  
PROWLER

Recorded: 2/10/1998  
At: 2:03:25 PM  
In Liber: 10876  
Of: Deed Book  
From Page: 0625  
Through Page: 0627

BILLCAROL REALTY CORP

Refers to Liber: 00000  
Of:  
Page: 0000

Location:  
Hempstead (2820)

Section:  
00000037

Block:  
00229-00

Lot: Unit:  
00519 520

EXAMINED AND CHARGED AS FOLLOWS:

Consider Amt \$ .00

Received The Following Fees For Above Instrument

	Exempt		Exempt
Recording \$	24.00 NO	Equal/Cty \$	5.00 NO
GAINS		State Fee \$	4.75 NO
St.Fee/Cty \$	.25 NO	Trans Tax	
Surchg/Cty \$	3.00 NO	Surchg/NYS \$	22.00 NO

Fees  
Paid: \$ 59.00

Deed Number (RETT): RERE 016290

THIS PAGE IS A PART OF THE INSTRUMENT

KSZ001

Karen V. Murphy  
County Clerk, Nassau County



199802101896



THIS INDENTURE, made the 3rd day of February nineteen hundred and ninety eight  
Between WILLIAM PROWLER and CAROL PROWLER, Trustees of the William Prowler Trust, dated January 20, 1992, at 11019 Boca Woods Lane, Boca Raton, Florida 33428

party of the first part, and BILLCAROL REALTY CORP., a domestic corporation, with offices at 11019 Boca Woods Lane, Boca Raton, Florida 33428

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~located~~ at Lynbrook, in the Town of Hempstead, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the new Westerly side of Franklin Avenue, as widened, and the Northerly side of Hendrickson Avenue; running thence North 21 degrees 25 minutes 34 seconds West along the new Westerly side of Franklin Avenue, as widened, 146.25 feet to the land now and formerly of Mariland Corp.; thence South 88 degrees 59 minutes West along said land, 107.60 feet; thence South 2 degrees 14 minutes West, 127.87 feet to the Northerly side of Hendrickson Avenue; running thence South 87 degrees 46 minutes East along the Northerly side of Hendrickson Avenue, 166.14 feet to the corner aforesaid, the point or place of BEGINNING.

Said premises being known as 1 Franklin Avenue, Lynbrook, New York.

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

AND the party of the first part, 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.

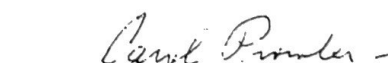
AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

  
WILLIAM PROWLER

  
CAROL PROWLER

SEC. 37  
-LOOK 229  
LOTS:  
5194  
520

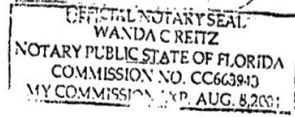
NOMINAL CONSIDERATION



FLORIDA  
STATE OF NEW YORK, COUNTY OF PALM BEACH  
On the 3<sup>rd</sup> day of February 19 98, before me  
personally came  
WILLIAM PROWLER and CAROL PROWLER

to me known to be the individual s described in and who  
executed the foregoing instrument, and acknowledged  
that they executed the same.

*Wanda C. Reitz*



STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me  
personally came  
to me known, who, being by me duly sworn, did depose and  
say that he resides at No.

that he is the  
of

, the corporation described  
in and which executed the foregoing instrument; that he  
knows the seal of said corporation; that the seal affixed to said  
instrument is such corporate seal; that it was so affixed by  
order of the board of directors of said corporation, and  
that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me  
personally came

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged  
that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me  
personally came  
the subscribing witness to the foregoing instrument, with  
whom I am personally acquainted, who, being by me duly  
sworn, did depose and say that he resides at No.

; that he knows  
to be the individual  
described in and who executed the foregoing instrument;  
that he, said subscribing witness, was present and saw

execute the same; and that he, said witness,  
at the same time subscribed his name as witness thereto.

**Warranty Deed**  
With Full Covenants

Title No. \_\_\_\_\_

SECTION 37  
BLOCK 229  
LOT 519 & 520  
COUNTY OR TOWN Nassau/Hempstead

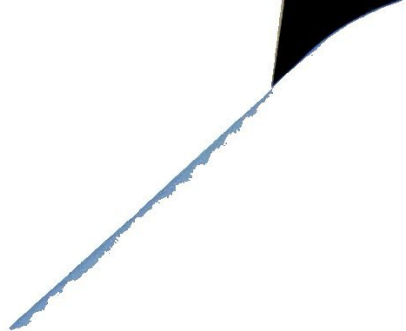
TO

Recorded at Request of  
**U-LIFE TITLE INSURANCE**  
Company of New York  
RETURN BY MAIL TO

Standard Form of New York  
Board of Title Underwriters  
Distributed by  
**U-LIFE TITLE INSURANCE**  
Company of New York

HOROWITZ AND FEINBERG, ESQS.  
320 Hempstead Avenue  
West Hempstead, N.Y. 11552  
Zip No.

RESERVE THIS SPACE FOR  
USE OF RECORDING OFFICE



100

100

# **Exhibit K**

# Site Contact List

Daisy French Cleaners Site

1 Franklin Avenue, North Lynbrook, New York 11563

Name	Title	Address	City	State	Zip
Charles Schumer	U.S. Senator	780 Third Avenue, Suite 2301	New York	NY	10017
Kiresten Gillibrand	U.S. Senator	780 Third Avenue, Suite 2601	New York	NY	10017
Anthony D'Esposito	U.S. House of Representatives, 4th District	229 7th Street, Suite 102	Garden City	NY	11530
Patricia Canzoneri-Fitzpatrick	New York State Senator, 9th District	265 E. Merrick Road, Suite 101	Valley Stream	NY	11580
Bruce Blakeman	Nassau County Executive	1550 Franklin Avenue	Mineola	NY	11501
William Nimmo	Nassau County Department of Planning, Deputy Commissioner	1194 Prospect Avenue	Westbury	NY	11590
Don Clavin	Town of Hempstead, Supervisor	One Washington Street	Hempstead	NY	11550
Craig Mollo	Town of Hempstead Planning and Economic Development	200 N Franklin Street, First Floor	Hempstead	NY	11550
Kate Murrery	Town of Hempstead Town Clerk	One Washington Street, Suite 1	Hempstead	NY	11550
John Reinhardt	Town of Hempstead Water Department	1995 Prospect Avenue	East Meadow	NY	11554
Newsday	Media Outlet	6 Corporate Center Drive	Melville	NY	11747
Robyn Gilloon	The Lynbrook Public Library - Library Director	56 Eldert Street	Lynbrook	NY	11563
Erik Walter	Davison Avenue Intermediate School	49 Davison Avenue	Lynbrook	NY	11563
Leah Murray	Lynbrook West End School	30 Clark Avenue	Lynbrook	NY	11563
Von Braunsberg	Our Lady of Peace School	21 Fowler Avenue	Lynbrook	NY	11563
Kesha Bascombe	Malverne High School	80 Ocean Avenue	Malverne	NY	11565
Stephen Harth	Our Lady of Lourdes School	76 Park Blvd.	Malverne	NY	11565
Edward Tallon	Maurice W. Downing School	55 Acorn Way	Malverne	NY	11565
Yelena Glants	Building Brilliance DayCare	1 Leach Street	Lynbrook	NY	11563
Ambar Nieto- Cuascu	Ms. Ambar Daycare	29 Peninsula Blvd.	Lynbrook	NY	11563
Christine A. Balchaitis	Tiny Tykes Early Learning Center	49 Blake Avenue	Lynbrook	NY	11563
Sandy Perlin and Maxine Veksler	Steps to Success IX	40 Rocklyn Avenue	Lynbrook	NY	11563
Jessica Collado	Little Friends House	56 Ocean Avenue	Lynbrook	NY	11563
Crystal Collado	Laugh and Play Group Family Day Care	496 Lafayette Avenue	Rockville Center	NY	11570
Sujey Tubito	Little House in the Village Daycare	121 Utterby Road	Malverne	NY	11565
Dr. Maria Montessori	Little Minds Montessori Malverne	1 Norwood Avenue	Malverne	NY	11565
13 Hendrickson, LLC	Adjacent Property Owner of 13 Hendrickson Avenue	53 Eimer Avenue	Malverne	NY	11565
Patrick Cully and Carol Caltleri	Adjacent Property Owner/Operator of 6 Edward Street	6 Edward Street	Lynbrook	NY	11563
John Gonzalez and Lenora Ochoa	Adjacent Property Owner/Operator of 4 Edward Street	4 Edward Street	Lynbrook	NY	11563
3 Edward Street LLC	Adjacent Property Owner of 7 Franklin Anveue	7 Franklin Avenue	Lynbrook	NY	11563
2 Franklin Avenue LLC	Adjacent Property Owner of 2 Franklin Avenue	295 Madison Avenue, 2nd Floor	New York	NY	10017
Robert Rossi	Adjacent Property Owner of 246 Hempstead Avenue	246 Hempstead Avenue	Lynbrook	NY	11563
Dieman Realty, LLC	Adjacent Property Owner of 1 Lakeview Avenue	183 Maxine Court	West Hempstead	NY	11510
BB Lynbrook, Inc.	Adjacent Property Owner of 2 Hendrickson Avenue	133 Farnum Blvd.	Franklin Sqaure	NY	11010
Fatima Hussain and Muhammad Ibrahim	Adjacent Property Owner/Operator of 62 North Rockaway Avenue	62 North Rockaway Avenue	Lynbrook	NY	11563
Hayela Klein	Adjacent Property Owner/Operator of 61 Rockaway Avenue	61 Rockaway Avenue	Lynbrook	Ny	11563
Ecological Laboratories Inc.	Adjacent Property Operator of 13 Hendrickson Avenue	13 Hendrickson Avenue	Lynbrook	NY	11563
Weather Champions LTD	Adjacent Property Operator of 13 Hendrickson Avenue	13 Hendrickson Avenue	Lynbrook	NY	11563

H&L Irrigation Supply Warehouse	Adjacent Property Operator of 7 Franklin Avenue	2 Edward Street	Lynbrook	NY	11563
7-Eleven	Adjacent Property Operator of 2 Franklin Avenue	2 S. Franlin Avenue	Lynbrook	NY	11563
Cross Island Fruits	Adjacent Property Operator of 246 Hempstead Avenue	246 Hempstead Avenue	Lynbrook	NY	11563
Jami's Cleaners	Adjacent Property Operator of 246 Hempstead Avenue	240 Hempstead Avenue	Lynbrook	NY	11563
Regina Pizzeria	Adjacent Property Operator of 246 Hempstead Avenue	236 Hempstead Avenue	Lynbrook	NY	11563
Fu Wai - Chinese Restaurant	Adjacent Property Operator of 246 Hempstead Avenue	238 Hempstead Avenue	Lynbrook	NY	11563
Five Corners Service Center	Adjacent Property Operator of 1 Lakeview Avenue	1 Lakeview Avenue	Lynbrook	NY	11563
Atlantic Gas	Adjacent Property Operator of 2 Hendrickson Avenue	2 Hendrickson Avenue	Lynbrook	NY	11563

# **Exhibit L**



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

April 22, 2024

**LINDA R. SHAW**  
ATTORNEY AT LAW

T 585.546.8430  
C 585.414.3122  
lshaw@nyenvlaw.com

**VIA ELECTRONIC MAIL**  
[rgilloon@lynbrooklibrary.org](mailto:rgilloon@lynbrooklibrary.org)

Robyn Gilloon, Library Director  
The Lynbrook Public Library  
56 Eldert Street  
Lynbrook, New York 11563

**RE: Brownfield Cleanup Program – Document Repository  
Daisy French Cleaners Site  
Billcarol Realty Corp.**

Dear Ms. Gilloon:

Our office represents Billcarol Realty Corp. in its anticipated Brownfield Cleanup Program application for the above-referenced site at 1 Franklin Avenue, North Lynbrook, New York 11563. Your library is currently the repository for this project. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent in CD format.


Please sign below and return the executed letter to my paralegal, Rebecca Owten, at [rowten@nyenvlaw.com](mailto:rowten@nyenvlaw.com) if you are able to certify that your library would be willing and able to act as the temporary public repository for this Brownfield Cleanup Program project.

Sincerely,

**KNAUF SHAW LLP**

  
LINDA R. SHAW

Yes, the Lynbrook Public Library is willing and able to act as a document repository for the cleanup of 1 Franklin Avenue, North Lynbrook, New York 11563.

  
Robyn Gilloon, Library Director      *Library Director*      Date Apr. 25, 2024