



## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

☐

Yes

☒

No

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

### PART A (note: application is separated into Parts A and B for DEC review purposes) **BCP App Rev 7**

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #:

NAME 71 New Street Huntington LLC

ADDRESS 52 Elm Street, Suite 7

CITY/TOWN Huntington

ZIP CODE 11743

PHONE 631-923-1700

FAX 631-923-1702

E-MAIL gderosa@g2ddevelopment.com

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

☒

Yes

☐

No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

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

#### Section II. Project Description

1. What stage is the project starting at?

☒

Investigation

☐

Remediation

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

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

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

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

### Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

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

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

\*Please describe: See attached Site Investigation Report and supplement thereto.

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

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

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*

(\*answering No will result in an incomplete application)

☒ Yes ☐ No

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

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input 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: Funeral Home & Professional Office

<b>Section IV. Property Information - See Instructions for Further Guidance</b>				
PROPOSED SITE NAME 71 New Street Project				
ADDRESS/LOCATION 71 New Street				
CITY/TOWN Huntington		ZIP CODE 11746		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Huntington				
COUNTY Suffolk		SITE SIZE (ACRES) 0.31		
LATITUDE (degrees/minutes/seconds) 40 ° 52 ' 06 "		LONGITUDE (degrees/minutes/seconds) 73 ° 25 ' 38 "		
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address		Section No.	Block No.	Lot No.
71 New Street, Huntington, NY		69	5	34
Acreage		0.31		
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach a metes and bounds description of the property.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

#### Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

N/A

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?  
If yes, requestor must answer questions on the supplement at the end of this form. ☐ Yes ☐ No

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

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

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

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

Initials of each Requestor:  \_\_\_\_\_

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

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE <b>Greg DeRosa</b>			
ADDRESS <b>52 Elm Street, Suite 7</b>			
CITY/TOWN <b>Huntington</b>		ZIP CODE <b>11743</b>	
PHONE <b>631-923-1700</b>	FAX <b>631-923-1702</b>	E-MAIL <b>gderosa@g2ddevelopment.com</b>	
NAME OF REQUESTOR'S CONSULTANT <b>GEI CONSULTANTS INC.</b>			
ADDRESS <b>110 Walt Whitman Road</b>			
CITY/TOWN <b>Huntington</b>		ZIP CODE <b>11746</b>	
PHONE <b>631-760-9300</b>	FAX <b>631-760-9301</b>	E-MAIL <b>grozmus@geiconsultants.com</b>	
NAME OF REQUESTOR'S ATTORNEY <b>Brown Sharlow Duke &amp; Fogel, P.C., George Duke, Esq.</b>			
ADDRESS <b>1450 Broadway, 35th Floor</b>			
CITY/TOWN <b>New York</b>		ZIP CODE <b>10018</b>	
PHONE <b>646-915-0236</b>	FAX <b>646-219-2601</b>	E-MAIL <b>gduke@bsdflaw.com</b>	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME <b>Charles and Kathleen Kitzen c/o Robert Flynn, Esq.</b> OWNERSHIP START DATE: <b>June 16, 2000</b>			
ADDRESS <b>6 Hark Drive</b>			
CITY/TOWN <b>Lloyd Harbor</b>		ZIP CODE <b>11743</b>	
PHONE <b>631-421-4400</b>	FAX <b>631-421-4400</b>	E-MAIL <b>robertflynnlaw@aol.com</b>	
CURRENT OPERATOR'S NAME <b>Juris Law Publishing LLC</b>			
ADDRESS <b>71 New Street,</b>			
CITY/TOWN <b>Huntington, NY</b>		ZIP CODE <b>11743</b>	
PHONE <b>631-351-5430</b>	FAX <b>631-673-9117</b>	E-MAIL <b>info@jurispub.com</b>	
<b>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</b> <b>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

## Section VII. Requestor Eligibility Information (continued)

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

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

### ☐ PARTICIPANT

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

### ☒ VOLUNTEER

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

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

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

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

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

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☒ Yes ☐ No

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

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_ ☐ Yes ☒ No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_ ☐ Yes ☒ No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
If yes, please provide: Order # \_\_\_\_\_ ☐ Yes ☒ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
If yes, please provide explanation as an attachment. ☐ Yes ☒ No

## Section IX. Contact List Information

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

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

Section X. Land Use Factors	
<p>1. What is the current zoning for the site? What uses are allowed by the current zoning?  <input checked="" type="checkbox"/> Residential   <input checked="" type="checkbox"/> Commercial   <input type="checkbox"/> Industrial            If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>	
<p>2. Current Use:   <input type="checkbox"/> Residential   <input checked="" type="checkbox"/> Commercial   <input type="checkbox"/> Industrial   <input type="checkbox"/> Vacant   <input type="checkbox"/> Recreational   (check all that apply)  <b>Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.</b></p>	
<p>3. Reasonably anticipated use Post Remediation:   <input checked="" type="checkbox"/> Residential   <input checked="" type="checkbox"/> Commercial   <input type="checkbox"/> Industrial   (check all that apply)   <b>Attach a statement detailing the specific proposed use.</b></p> <p>If residential, does it qualify as single family housing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>	
4. Do current historical and/or recent development patterns support the proposed use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>Yes, the proposed development will include commercial and residential uses which comply with the current zoning designations.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>The site is located in downtown Huntington. Its location is ripe for mixed use redevelopment compatible with the surrounding land use and community character, and is consistent with the vision statement and key initiatives outlined in the Town of Huntington Horizons 2020 Comprehensive Plan, dated December 2008.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

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

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

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

(By a requestor other than an individual)

I hereby affirm that I am Greg De Rosa (title) of 71 New St Huntington LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 8/7/17

Signature: 

Print Name: Greg De Rosa

### SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

**FOR DEC USE ONLY**

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

**BCP APPLICATION- SUPPLEMENTAL INFORMATION**

**71 New Street BCP Site**

**REQUESTOR/VOLUNTEER: 71 New Street Huntington LLC**

**May 12, 2017**

**Section I. Requestor Information**

Requestor Name: 71 New Street Huntington LLC (the "Requestor")

Individual members of LLC include: Greg DeRosa and Mark Hamer

See attached print-out from the New York State Department of State's Corporation & Business Entity Database.

**Section II. Project Description**

4. Overall Development Plan: The existing building will be demolished, and a new approximately 6,300- square foot building will be built on the south side of the property. The structure will extend along the property lines and be three-stories in height with a partial 3,000-square foot basement. The first floor will be approximately 3,300-square feet, and will be used for retail. The second and third stories will overhang the western portion of the parking area, and will be used for approximately 14 apartments. Re-configured parking areas will frame the northern half of the property and continue under the west portion of the building. Landscaped areas will be included which could be used by apartment residents. An on-site storm water recharge unit (i.e. drywell or similar) will likely be installed under the parking area. The remedial program is to projected to start in July 2017 and be completed in October 2017.

**Section IV. Property Information**

10. Property Description and Environmental Assessment:

Location: The site is a 0.31acre parcel located in a mixed commercial and residentially zoned area in the Town of Huntington New York. The site bounded by New Street to the east, and residential and commercial buildings to the south, west, and north.

Site Features: The property is currently occupied by a two-story professional office building with a basement, landscaped lawn, and an asphalt-paved parking area.

Current Zoning and Land Use: The site is zoned for commercial use and the site building is currently utilized as a professional office occupied by Juris Law Publishing. The surrounding parcels are currently utilized for a combination of commercial businesses and residential buildings.

Past Use of the Site: The site building was constructed prior to 1900 and was originally utilized as a single-family residence, then as a funeral parlor before being converted into a professional office building. The former use as a funeral parlor from 1930 until approximately

1977 may have led to the release of chemicals used in the embalming process (formaldehyde, mercury, arsenic) to the subsurface through interior/exterior drainage structures. The site is currently in the investigation and remediation stage.

The Subject Property (Crowin & Mathews Bld) is listed as a State and Tribal Spills site. NYSDEC Spill Number 9111282 was assigned to the Subject Property on February 1, 1992 when a vent overfill occurred. The incident was investigated and remediated to the satisfaction of the NYSDEC and the spill file was closed on February 3, 1992.

Site Geology and Hydrogeology: The soil encountered in borings installed during the site investigation were comprised of silty sand in the upper five feet and medium sand beneath. Depth to water at the site was encountered at approximately 35 feet, and the regional groundwater flow for the vicinity of the site is to the north/northwest.

Environmental Assessment: Based upon investigations conducted to date, the primary contaminants of concern for the site include Formaldehyde, Semi Volatile Organic Compounds (SVOCs) and Metals.

***Soil:***

Former Heating Oil UST - The soil from the 13 to 15-foot depth at SB-2 was collected for laboratory analyses. No volatile organic compounds (VOCs) were detected above CP-51 soil cleanup levels. The analytical results identified two SVOCs marginally exceeding CP-51 soil cleanup levels, benzo(k)flouranthene at 830 micrograms per kilogram ( $\mu\text{g/Kg}$ ) and indeno(1,2,3-cd)pyrene at 660  $\mu\text{g/Kg}$ , compared to their cleanup levels of 800  $\mu\text{g/Kg}$  and 500  $\mu\text{g/Kg}$ , respectively. The detected concentrations do not exceed SCDHS Article 12 action levels for these compounds which are 3,400  $\mu\text{g/Kg}$  and 16,000  $\mu\text{g/Kg}$ , respectively. However, the benzo(k)flouranthene and indeno(1,2,3-cd)pyrene concentrations exceeded their unrestricted use levels of 800  $\mu\text{g/Kg}$  and 500  $\mu\text{g/Kg}$ , respectively, in accordance with 6 NYCRR Part 375 unrestricted soil cleanup objectives (Track 1) under the New York State Brownfield Cleanup Program (BCP).

Suspected Subsurface Drywell along the North Side of Property - The soil analytical results did not identify any VOCs, SVOCs, or metals exceeding SCDHS SOP 9-95 soil cleanup objectives (SCOs). Formaldehyde was detected at 22,000  $\mu\text{g/Kg}$ , above the SCDHS SCO of 1,000  $\mu\text{g/Kg}$ . There is no BCP Track 1 SCO for formaldehyde. Two metals, arsenic at 14.4 mg/Kg and mercury at 0.22 mg/Kg, exceeded their BCP Track 1 SCOs of 13 mg/Kg and 0.18 mg/Kg, respectively.

Basement Drain and Suspected Associated Subsurface Drywell - The soil analytical results did not identify any VOCs, SVOCs, formaldehyde, or metals exceeding SCDHS or BCP Track 1 SCOs.

Exterior Rear Stairway Drain - The soil analytical results did not identify any VOCs, SVOCs, formaldehyde, or metals exceeding SCDHS SCOs. However, two metals, copper at 72.8 mg/Kg and lead at 229 mg/Kg, exceeded their BCP Track 1 SCOs of 50 mg/Kg and 63 mg/Kg, respectively.

***Groundwater:***

*Former Heating Oil UST - Groundwater* sample GW-2 was collected at boring SB-2. The analytical results show no exceedances of VOCs or SVOCs in the sample. Formaldehyde was detected above the New York State (NYS) Regulatory Groundwater Standard of 8 microgram per liter ( $\mu\text{g/L}$ ), at a concentration of 62  $\mu\text{g/L}$ . Eight of the eleven metals analyzed also exceeded the NYS groundwater quality standards. These metals included arsenic, barium, beryllium, cadmium, chromium, copper, lead, and nickel. The exceedances were up to two orders of magnitude above the standards.

*Suspected Subsurface Drywell along the North Side of Property - Groundwater* sample GW-1 was collected from SB-1. The analytical results show no exceedances for VOCs or SVOCs in the sample. Formaldehyde was detected above the AWQV of 8  $\mu\text{g/L}$ , at a concentration of 130  $\mu\text{g/L}$ . Eight of the eleven metals analyzed exceeded AWQVs. These metals included arsenic, barium, beryllium, cadmium, chromium, copper, lead, and nickel.

*Basement Drain and Suspected Associated Subsurface Drywell - Groundwater* sample GW-3 was collected from SB-5. The analytical results show no exceedances of VOCs or SVOCs in the sample. Formaldehyde was detected above the AWQV of 8  $\mu\text{g/L}$ , at a concentration of 120  $\mu\text{g/L}$ . Eight of the eleven metals analyzed exceeded AWQVs. These metals included arsenic, barium, beryllium, cadmium, chromium, copper, lead, and nickel. The exceedances were up to two orders of magnitude above the standards.

***Soil Vapor:*** Not sampled during this investigation.

## **Section VI. Current Property Owner Information**

**Current Owner** - The current owners are Charles Kitzen and Kathleen Kitzen, title acquired by deed from Charles T. Matthews and Robert L. Corwin, dated June 16, 2000 and recorded on June 27, 2000 in Liber 12051 Page 537.

**Requestor's relationship to the current owner** - On December 15, 2016, 71 New Street Huntington LLC, (the "Requestor"), entered into a contract to purchase the site from the current owner, Charles Kitzen and Kathleen Kitzen. There is no relationship, corporate or otherwise, between the Requestor, its members, and the current owner or prior owners or operators at the site.

## **Section VII – Requestor Eligibility as a Volunteer**

On December 15, 2016, 71 New Street Huntington LLC, (the "Requestor"), entered into a contract to purchase the site from the current owner, Charles Kitzen and Kathleen Kitzen. As part of its pre-acquisition due diligence, the Requestor performed all appropriate inquiries consistent with CERCLA by having a Phase I Environmental Site Assessment completed for the site in accordance with ASTM Standard E1527-13 by Middleton Environmental Inc. The Phase I report was conducted in February 2017 and identified Recognized Environmental Conditions (RECs) pertaining to the presence of an abandoned heating oil storage tank and a floor drain in the basement. As a result of the findings and

recommendations within the Phase I report, Requestor retained GEI to perform additional subsurface investigations which were summarized in a Phase II Environmental Subsurface Investigation (ESI) dated February 23, 2017. The findings of the Phase II ESI identified contamination on the site which the Requestor proposes to investigate and remediate, if necessary, pursuant to the New York State Brownfield Cleanup Program, as a Volunteer.

The Requestor has yet to close on the purchase of the property and does not otherwise use or control the site, thus its involvement with the site is subsequent to the disposal or discharge of the identified contamination. Accordingly, the Requestor, 71 New Street Huntington LLC, certifies that it is a volunteer in accordance with ECL 27-1405. (Proof of Access included in Attachment G).

## **Section X. Land Use Factors**

2. Current Use: The site building is currently utilized as a professional office occupied by Juris Law Publishing. The current operations at the building are not suspected to be a source of the contamination observed at the site. The funeral home operations conducted at the site which are suspected to be the source of the contamination are assumed to have ceased circa 1977, prior to change in the buildings site operations as a professional office building.

3. Overall Development Plan: The existing building will be demolished, and a new approximately 6,300-square foot building will be built on the south side of the property. The structure will extend along the property lines and be three-stories in height with a partial 3,000-square foot basement. The first floor will be approximately 3,300-square feet, and will be used for retail. The second and third stories will overhang the western portion of the parking area, and will be used for approximately 14 apartments. Re-configured parking areas will frame the northern half of the property and continue under the west portion of the building. Landscaped areas will be included which could be used by apartment residents. An on-site storm water recharge unit (i.e. drywell or similar) will likely be installed under the parking area. The remedial program is to projected to start in July 2017 and be completed in October 2017.

**BCP APPLICATION- SUPPLEMENTAL INFORMATION**

**71 New Street BCP Site**

**REQUESTOR/VOLUNTEER: 71 New Street Huntington LLC**

**Site: 71 New Street, Huntington, New York (being further known and designated as District 0400, Section 069.00, Block 05.00 and Lot 034.000 on the Suffolk County Tax Assessment Map)**

**June 29, 2017**

**Section VI Current Property Owner Information**

**Current Owner:**

The current owners are Charles Kitzen and Kathleen Kitzen, title acquired by deed from Charles T. Matthews and Robert L. Corwin, dated June 16, 2000 and recorded on June 27, 2000 in Liber 12051 Page 537.

On December 15, 2016, 71 New Street Huntington LLC, (the "Requestor"), entered into a contract to purchase the site from the current owner, Charles Kitzen and Kathleen Kitzen. There is no relationship, corporate or otherwise, between the Requestor, its members, and the current owner or prior owners or operators at the site.

<b>Entity</b>	<b>Owner/Operator</b>	<b>Years of Ownership</b>	<b>Last Known Address &amp; Telephone Number</b>	<b>Status of Entity (Alive, Deceased, Active, Dissolved)</b>	<b>Relationship to Requestor(s)</b>
Charles Kitzen and Kathleen Kitzen	Current Owner	June 16, 2000 - Present	9 Melody Lane, Huntington, New York 11743 (631) 351-5430	Active	Requestor is contract vendee of current contract to purchase the Site
Charles T. Matthews and Robert L. Corwin	Owner, Operator Unknown	January 18, 1990 - June 16, 2000	Charles T. Matthews, 21 Titus Lane, Cold Spring Harbor, New York, and Robert L. Corwin, 209 Southdown Road, Huntington, New York (631) 421-2400	Active	None

Corwin & Matthews Realty Corp.	Owner, Operator Unknown	July 1, 1982 - January 18, 1990	71 New Street, Huntington, New York Tel. Unknown	Inactive (dissolution July 11, 1990)	None
Charles T. Matthews and Robert L. Corwin (as tenants in common and not as joint tenants)	Owner, Operator Unknown	June 30, 1977 - July 1, 1982	Charles T. Matthews, 21 Titus Lane, Cold Spring Harbor, New York, and Robert L. Corwin, 209 Southdown Road, Huntington, New York Tel. Unknown	Unknown	None
O. Caratozzolo & Sons, Inc.	Owner, Operator Unknown	July 16, 1975 - June 30, 1977	70-17 Cooper Avenue, Glendale, Queens, New York Tel. Unknown	Unknown	None
Michael IannaConi	Owner, Operator Unknown	August 17, 1970 - July 16, 1975	2514 New York Ave, Union City, New Jersey Tel. Unknown	Unknown	None
Anthony Macagna and William A. Harris	Owner, Operator Unknown	February 3, 1964 - August 17, 1970	Anthony Macagna 400 East 12 <sup>th</sup> Street, New York, New York, and William A. Harris, 423 Morris Drive, Valley Stream, New York Tel. Unknown	Unknown	None
Christopher Metz and John J. Metz, as tenants in common	Owner, Operator Unknown	Before February 3, 1964	161 Hempstead Avenue, West Hempstead, NY Tel. Unknown	Unknown	None

**BCP APPLICATION  
71 NEW STREET  
HUNTINGTON, NY**

INDEX OF ATTACHMENTS

## **Attachment A:**

NEW YORK STATE DEPARTMENT OF STATE'S  
CORPORATION AND BUSINESS ENTITY  
DATABASE FOR REQUESTOR

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through May 8, 2017.

---

Selected Entity Name: 71 NEW STREET HUNTINGTON LLC

Selected Entity Status Information

**Current Entity Name:** 71 NEW STREET HUNTINGTON LLC

**DOS ID #:** 5034657

**Initial DOS Filing Date:** NOVEMBER 07, 2016

**County:** SUFFOLK

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

MICHAEL GOODMAN  
125 JERICO TPK SUITE 300  
JERICO, NEW YORK, 11753

**Registered Agent**

NONE

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

**\*Stock Information**

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

No Information Available

\*Stock information is applicable to domestic business corporations.

### Name History

Filing Date	Name Type	Entity Name
NOV 07, 2016	Actual	71 NEW STREET HUNTINGTON LLC

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

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

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

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

## **Attachment B:**

PREVIOUS REPORTS



Included Separately

# **Attachment C:**

## **FIGURES**

Soil Sample SB-1	SCDHS Article 12 Soil Cleanup Objective	Part 375 Unrestricted Soil Cleanup Objective	SB-1 12-14'
Compound			Result ug/Kg
Formaldehyde	1,000	Note <sup>2</sup>	22,000
Metals, Total			
Arsenic	30	13	14
Mercury	3.7	0.18	0.22
Groundwater Sample GW-1	NYS Water Quality Guidance Value	GW-1 <sup>1</sup>	
Compound		Result mg/L	
Formaldehyde	8.0	130	
Metals, Total		Result mg/L	
Arsenic	0.025	0.117	
Barium	1	1.32	
Beryllium	0.003	0.009	
Cadmium	0.005	0.012	
Chromium	0.05	0.354	
Copper	0.2	0.34	
Lead	0.025	0.102	
Nickel	0.1	0.342	

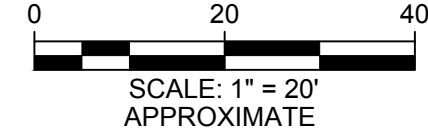
LEGEND:

-  SB-2/ GW-2
- SOIL BORING &  
GROUNDWATER  
SAMPLE LOCATION
-  SOIL SAMPLE LOCATION

Soil Sample Exterior Floor Drain	SCDHS Article 12 Soil Cleanup Objective	Part 375 Unrestricted Soil Cleanup Objective	EXT Floor Drain
Metals, Total			Result ug/Kg
Copper	8500	50	72.8
Lead	2000	63	229

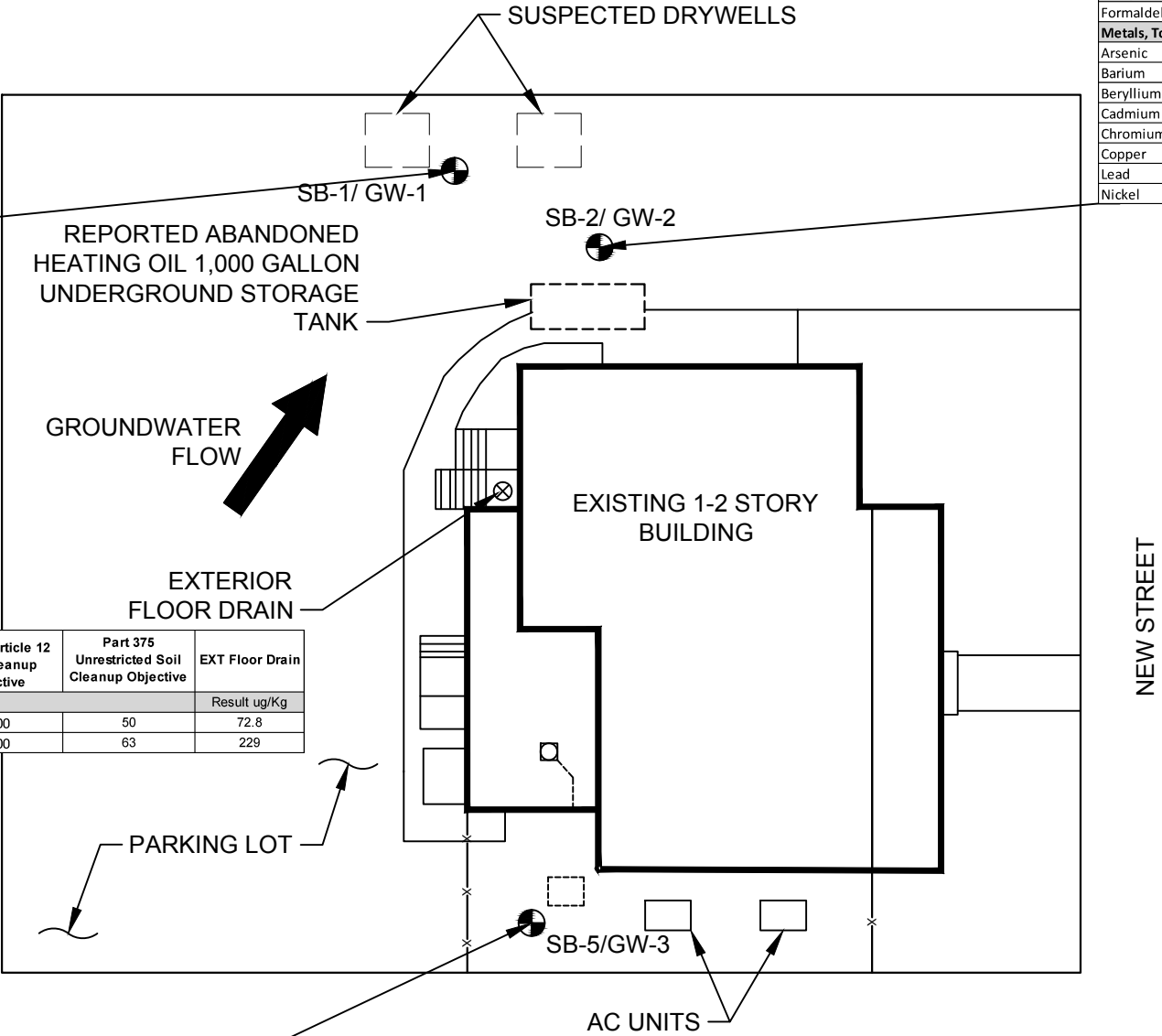
Groundwater Sample GW-3	NYS Water Quality Guidance Value	GW-3 <sup>1</sup>
Compound		Result mg/L
Formaldehyde	8.0	120
Metals, Total		Result mg/L
Arsenic	0.025	0.065
Barium	1	1.54
Beryllium	0.003	0.009
Cadmium	0.005	0.014
Chromium	0.05	1.06
Copper	0.2	0.737
Lead	0.025	0.098
Nickel	0.1	0.512

Soil Sample SB-2	Part 375 Unrestricted Soil Cleanup Objective	CP-51 Soil Cleanup Objective	SB-2 13-15'
Compound			Result ug/Kg
Benzo(k)fluoranthene	800	800	830
Indeno(1,2,3-cd)pyrene	500	500	660
Groundwater Sample GW-2	NYS Water Quality Guidance Value	GW-2 <sup>1</sup>	
Compound		Result mg/L	
Formaldehyde	8.0	62	
Metals, Total		Result mg/L	
Arsenic	0.025	0.117	
Barium	1	1.55	
Beryllium	0.003	0.012	
Cadmium	0.005	0.014	
Chromium	0.05	0.474	
Copper	0.2	0.4	
Lead	0.025	0.103	
Nickel	0.1	0.34	



- NOTE:
- 1. METAL ANALYSES PERFORMED ON UNFILTERED GROUNDWATER SAMPLES
  - 2. NO NYSBCP SCO IS AVAILABLE

**SOURCE:**  
SURVEYED JUNE 7,1977 GUARANTEED TO  
SECURITY TITLE AND GUARANTY CO.




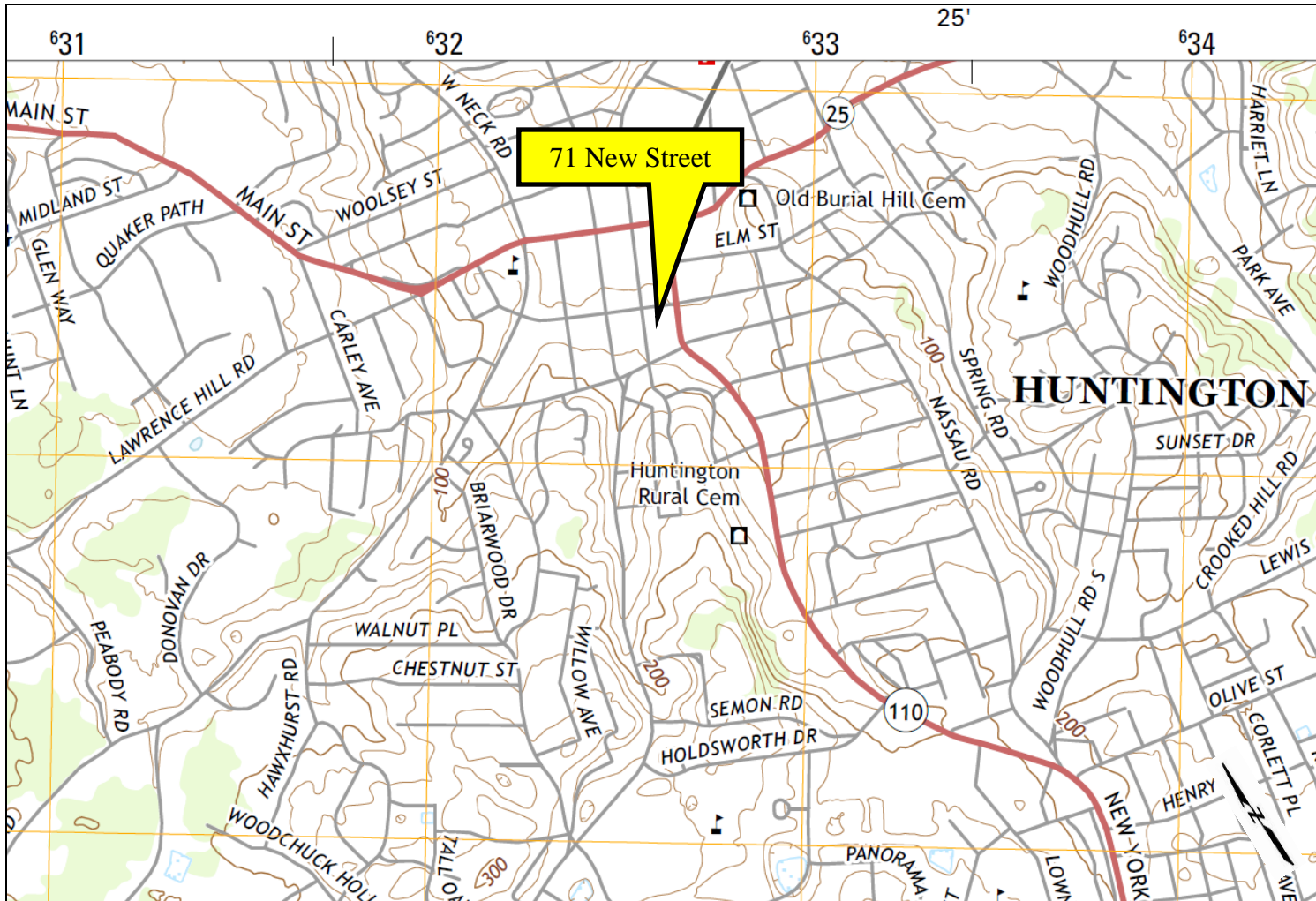
71 NEW STREET HUNTINGTON, NEW YORK		SUMMARY OF REGULATORY CRITERIA EXCEEDANCES	
71 NEW STREET HUNTINGTON LLC		Project 1700841	MARCH 2017

Fig. 2



71 NEW STREET, HUNTINGTON, NEW YORK  
HUNTINGTON QUAD



**SITE LOCATION MAP**

GREGORY DEROSA  
OLD BETHPAGE, NEW YORK

Project 1700841

June 2017

Fig 1



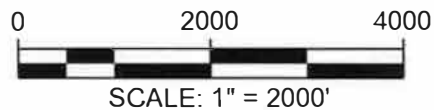
**Operator:** Brady Risk Assessment  
**Owner:** Anna Louise Realty II LLC

PROPERTY BOUNDARY

**Operator:** Kalmar Family Dentistry  
**Owner:** Kalmer & Kalmer LLC

**Operator** Town Parking Lot  
**Owner:** Town of Huntington

**Operator:** New Street Health and Fitness  
**Owner:** 75 New St LLC



71 NEW STREET  
 HUNTINGTON, NEW YORK  
 HUNTINGTON QUAD

GREGORY DEROSA  
 OLD BETHPAGE, NEW YORK



Project 1700841

SITE BASE MAP

JUNE 2017



## **Attachment D:**

TAX MAP/METES AND BOUNDS



THE ADVANTAGE GROUP: ADVANTAGE TITLE • ADVANTAGE FORECLOSURE • ADVANTAGE LEGAL • ADVANTAGE SETTLEMENT • MORTGAGE ADVANTAGE

January 13, 2017

Jodi S. Hoffman, Esq.  
Certilman Balin Adler & Hyman, LLP  
90 Merrick Avenue  
9th Floor  
East Meadow, NY 11554

Re: Title No.: 16-AS-51623  
Premises: 71 New Street, Huntington, NY  
Purchaser: 71 New Street Huntington LLC  
Owner: Charles Kitzen and Kathleen Kitzen

Dear Ms. Hoffman:

Enclosed please find the following in connection with the above referenced title:

- Amended Schedule A
- Amended Schedule B Part 2, as to Exceptions 4 and 6
- Survey Print

Kindly attach same to the report previously sent to you making it a part thereof.

Very truly yours,

*Debra R. Thompson, Esq.*

Debra R. Thompson, Esq.

DRT/ca

cc: Robert J. Flynn, Jr., Esq., Flynn and Flynn, Esqs.

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

BEGINNING at a point on the Westerly side of New Street, where the same is intersected by the Southerly line of land now or formerly of Huntington Federal Savings and Loan Association, said point of beginning being also distant 124.93 feet Southerly from the corner formed by the intersection of the Westerly side of New Street with the Southerly side of Carver Street;

RUNNING THENCE along the Westerly side of New Street, South 07 degrees 20 minutes 20 seconds East, 100 feet to land now or formerly of Patricia M. Pastor;

THENCE along said land, South 83 degrees 10 minutes 10 seconds West, 131.45 feet to land now or formerly of Edna M. Brooking;

THENCE along said land, North 07 degrees 10 minutes 00 seconds West, 100 feet to land now or formerly of Huntington Federal Savings and Loan Association;

THENCE along said land, North 83 degrees 10 minutes 30 seconds East, 131.15 feet to the Westerly side of New Street, at the point or place of BEGINNING.

**FOR  
CONVEYANCING  
ONLY**

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.

**TITLE # 16-AS-51623**



## SCHEDULE B - PART 2 (EXCEPTIONS)

Hereinafter set forth are matters which will appear in our policy as exceptions from coverage unless disposed of to our satisfaction prior to the closing or delivery of policy.

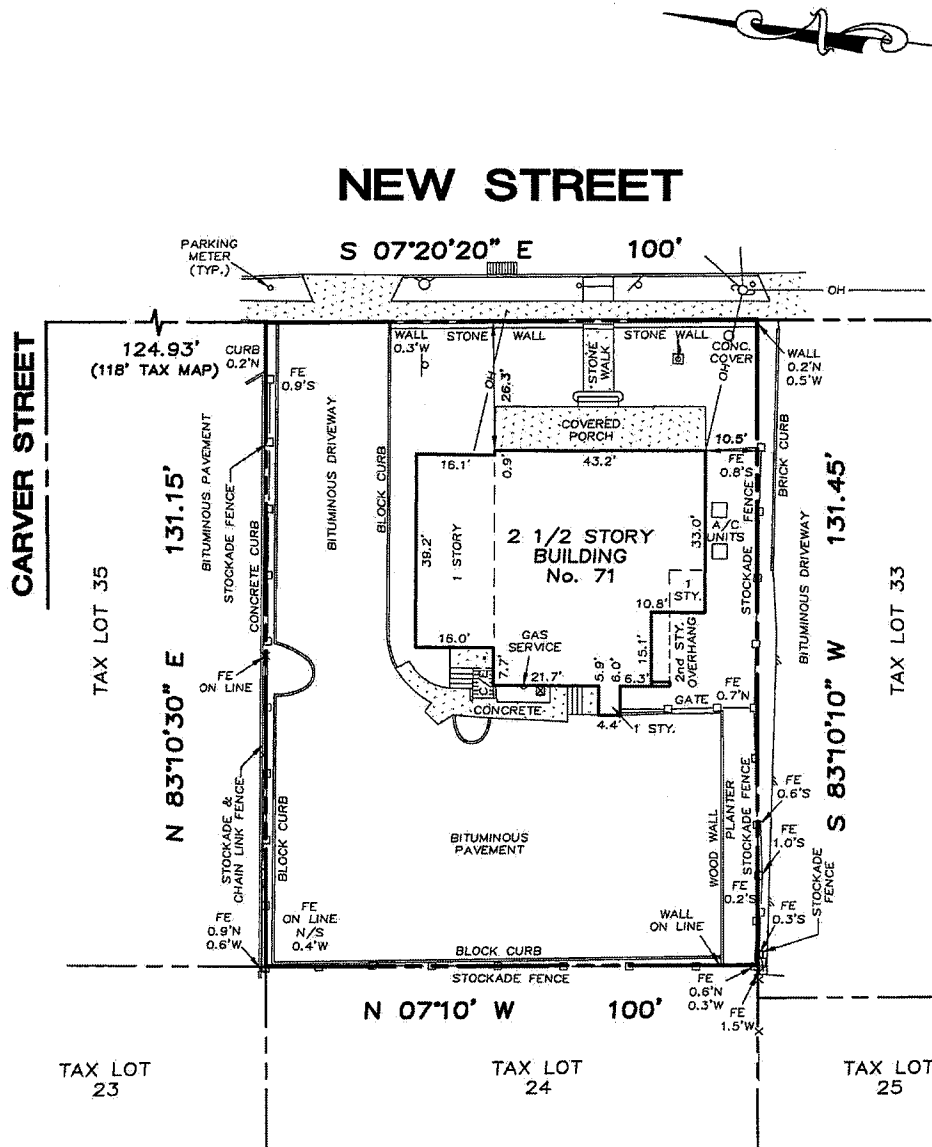
### DISPOSITION

1. Rights of tenants or persons in possession, if any.
2. Taxes, tax liens, sales, water rates, sewer rents and assessments set forth herein.
3. Mortgages returned herein (0). See schedule(s) attached.
- Amended 1-13-2017 4. Survey made by Barrett Bonacci & Van Weele, PC dated January 4, 2017 shows a two and one-half story building with attached one story on north, attached one story and 2<sup>nd</sup> story overhang on south, cellar entrance and stairs on south and covered porch, stairs and slate walk on north. Survey also shows:
  - a. stockade fence varies with the southerly line;
  - b. stockade fence varies with the westerly line;
  - c. stockade and chain link fences vary with the northerly line;
  - d. stone wall lies up to 0.5 feet west of the easterly line;
  - e. driveway extends on to New Street;
  - f. overhead service wires extend southeasterly from building to utility pole in New Street. Policy excepts rights and easements of others by reason thereof.
5. Policy will except any water charges billed and/or entered prior to closing.

NOTE: If the Company is presented with a final water bill that reflects a final reading which final water bill is paid prior to or at closing, this exception will be modified to except water charges billed on or after the date of the final meter reading.
- Omitted 1-13-2017 6. Tax Map varies from record description with respect to the tie-line distance to the southerly side of Carver Street, i.e., 118 feet (Tax Map) and 124.93 feet (description).

NOTE: This appears to be an error on the Tax Map, as the description for adjoining Tax Lot 35 indicates that this dimension is 124.93 feet.

Certifications indicated hereon signify that this plat of the property depicted hereon was made in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. This certification is only for the lands depicted hereon and is not certification of title, zoning or freedom of encumbrances. Said certifications shall run only to the persons and/or entities listed hereon and are not transferable to additional persons, entities or subsequent owners.



LM: SURVEY  
VIEW: SURVEY

DEED REFERENCE: LIBER 12051 PAGE 537

The offsets or dimensions shown from structures to the property lines are for a specific purpose and use, and therefore, are not intended to guide in the erection of fences, retaining walls, pools, patios, planting areas, additions to buildings and any other construction. Subsurface and environmental conditions were not examined or considered as a part of this survey. Easements, Rights-of-Way of record, if any, are not shown. Property corner monuments were not placed as a part of this survey. © 2017 BBV PC

<b>BBV</b> Civil Engineers Surveyors Planners Barrett Bonacci & Van Weele, PC 175A Commerce Drive Hauppauge, NY 11788 T 631.435.1111 F 631.435.1022 www.bbvp.com	Tax Map: DISTRICT 400 SECTION 69 BLOCK 5 LOT 34		
	Map of: DESCRIBED PROPERTY		
	Map Lot: ---	Map Block: ---	
	Filed: ---	No.: ---	County: SUFFOLK
	Situate: HUNTINGTON, TOWN OF HUNTINGTON		
Certified to:  71 NEW STREET HUNTINGTON, LLC ADVANTAGE TITLE AGENCY, INC. JPMORGAN CHASE BANK, N.A., its successors and/or assigns	Title No.: 16-A5-51623  Revision By Date Surveyed by: P.V. Drafted by: J.F. Checked by: C.W. Scale: 1" = 30' Date: JANUARY 4, 2017		
	Unauthorized alteration or addition to this survey is a violation of Section 7209 of New York State Education Law		
	Copies of this survey map not bearing the land surveyor's embossed seal and signature shall not be considered to be a true and valid copy		
	Project No.: A160839		
	K:\De16\A160839\DWG\A160839.dwg, A160839, 1/10/2017 2:54:25 PM, Barrett, Bonacci & Van Weele, P.C., JF		

## **Attachment E:**

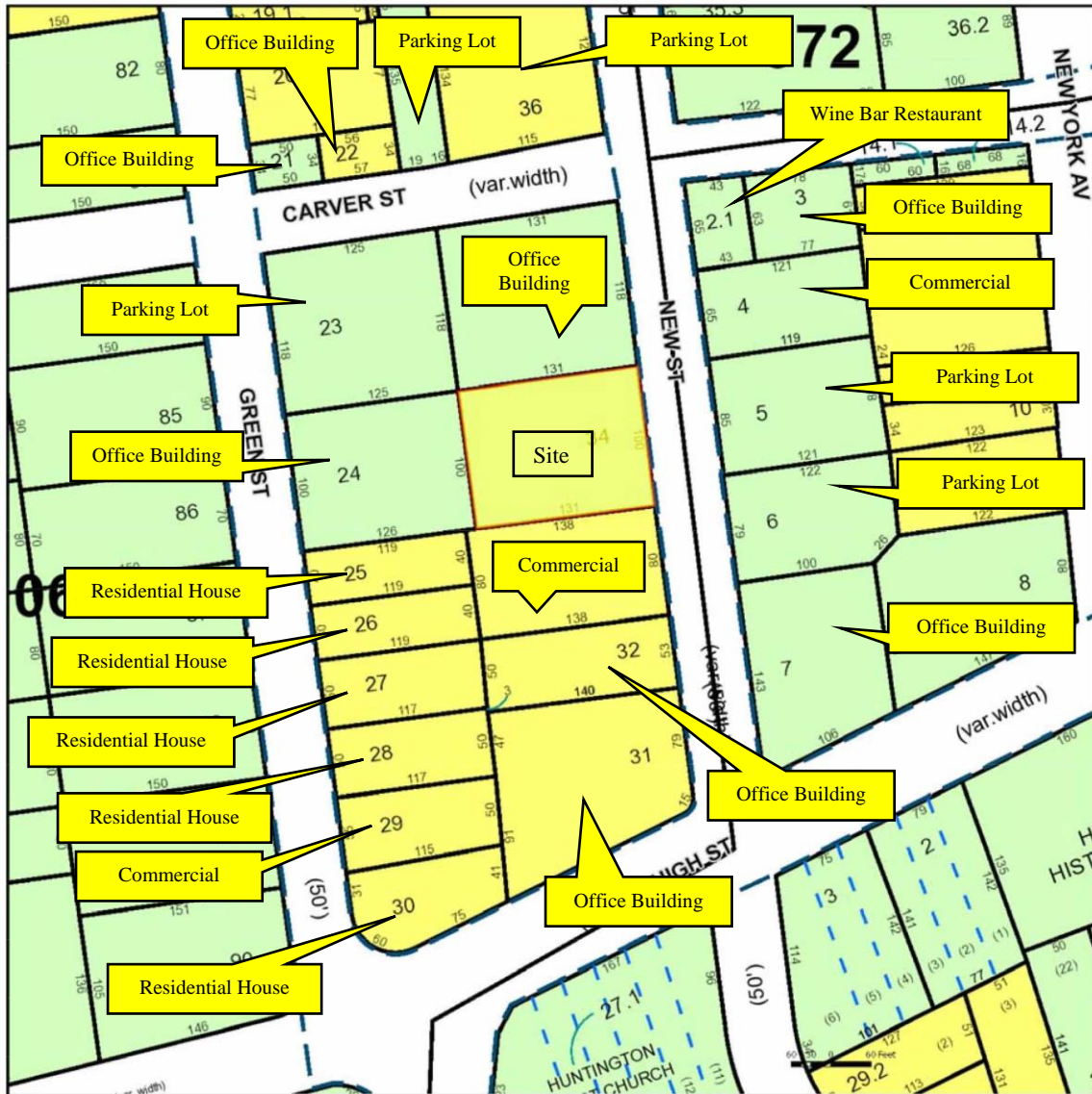
SURROUNDING LAND USAGE  
ADJACENT PROPERTY OWNERS, AND  
FEMA FLOOD ZONE MAPS

COUNTY OF SUFFOLK



REAL PROPERTY TAX SERVICE AGENCY

DISTRICT 0400 - SECTION - 06900 - BLOCK - 0500 - LOT - 034000



71 New Street Tax Map



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3/28/2017

71 NEW STREET, HUNTINGTON, NEW YORK

GREGORY DEROSA  
HUNTINGTON, NEW YORK



Project 1700841

**SURROUNDING  
PROPERTY USAGE  
MAP**

May 2017

Fig 3

**BCP APPLICATION  
71 NEW STREET  
HUNTINGTON, NY**

1. Chief Executive Officer and Planning Board Chairperson for each county:

Suffolk County – Chief Executive Officer – Steven Bellone

H. Lee Dennison Bldg 100 Veterans Memorial Hwy P.O. Box 6100 Hauppauge, NY  
11788

Riverhead County Center County Road 51 Riverhead, NY 11901

2. Planning Board Chairperson:

Suffolk County Planning Commissioner – Town of Huntington - Jennifer Casey  
100 Main St, Huntington, NY 11743

3. Local News Media from which the community typically obtains information

Newsday  
235 Pinelawn Road Melville, New York 11747

4. The Public Water supplier which services the area in which the property is located

Dix Hills Water District – Town of Huntington, Long Island, New York

5. The Administrator of any school or day care facility located on or near the property

St. John's Nursery School (0.17 Miles from the Site) – Jennifer – 631-427-6791  
12 Prospect St, Huntington, NY 11743

St. Patrick's School (0.23 Miles from the Site) Jean Grasso - 631-385-3311  
360 Main St, Huntington, NY 11743

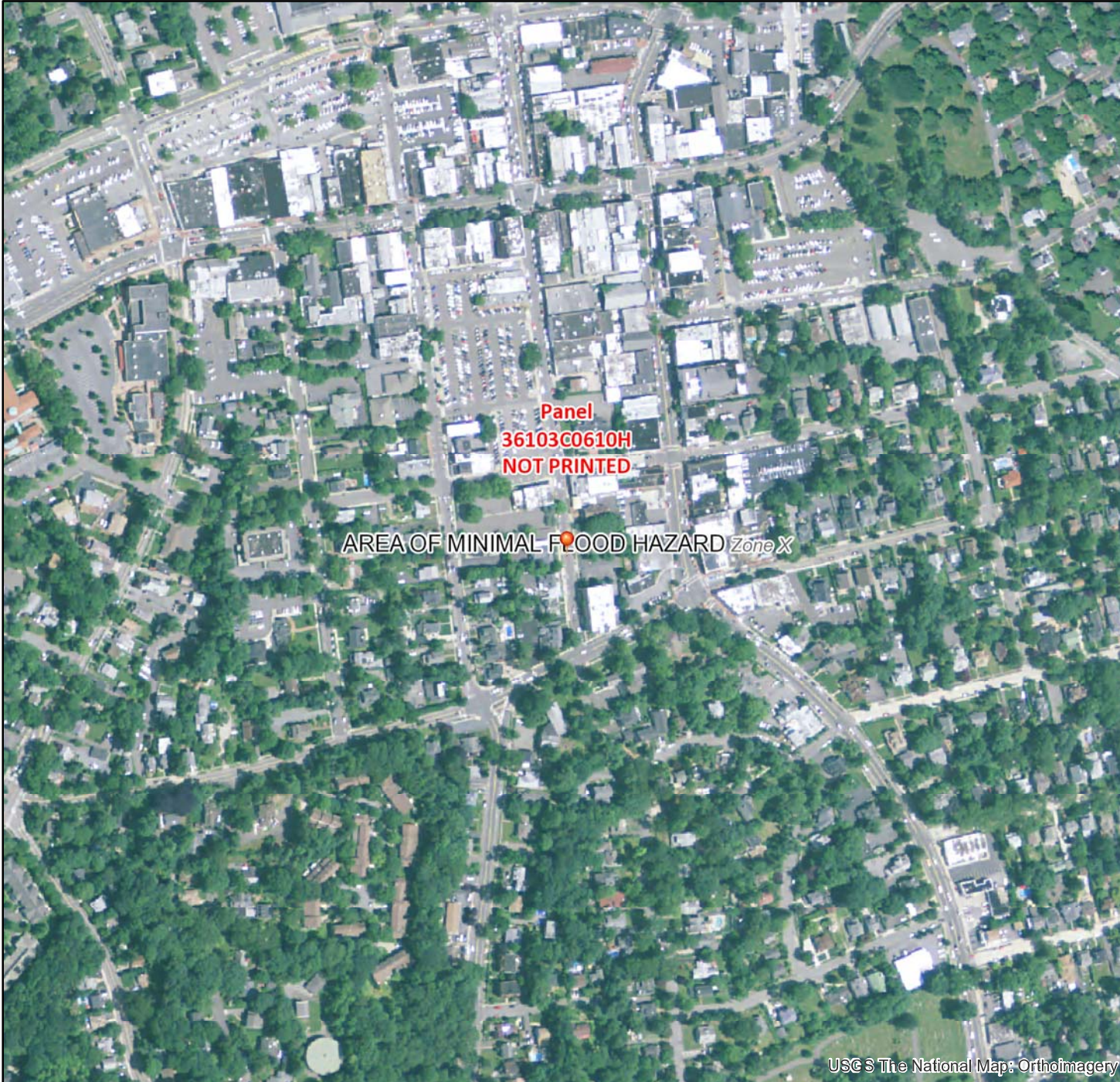
6. Location of a document Repository indicating that it agrees to act as the document repository for the property

Huntington Public Library – 383 Main Street, Huntington, NY 11743  
Joanne Adam, Library Director

# National Flood Hazard Layer FIRMette

40°52'21.03"N

73°25'56.71"W



0 250 500 1,000 1,500 2,000 Feet

USCS The National Map: Orthoimagery

40°51'52.73"N

## Legend

- Cross-Sections
- ~ Base Flood Elevations

### Flood Hazard Zones

- 1% Annual Chance Flood
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee

### LOMRs

- Effective

### Map Panels

- Digital Data
- Unmodernized Maps
- Unmapped



This map complies with FEMA's standards for the use of digital flood maps. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. The base map shown complies with FEMA's base map accuracy standards.

The NFHL is a living database, updated daily, and this map represents a snapshot of information at a specific time.

Flood risks are dynamic and can change frequently due to a variety of factors, including weather patterns, erosion, and new development. FEMA flood maps are continually updated through a variety of processes. Users should always verify through the Map Service Center (<http://msc.fema.gov>) or the Community Map Repository that they have the current effective information.

NFHL maps should not be created for unmapped or unmodernized areas.



# FEMA

Date: 5/9/2017 Time: 5:06:58 PM

## **Attachment F:**

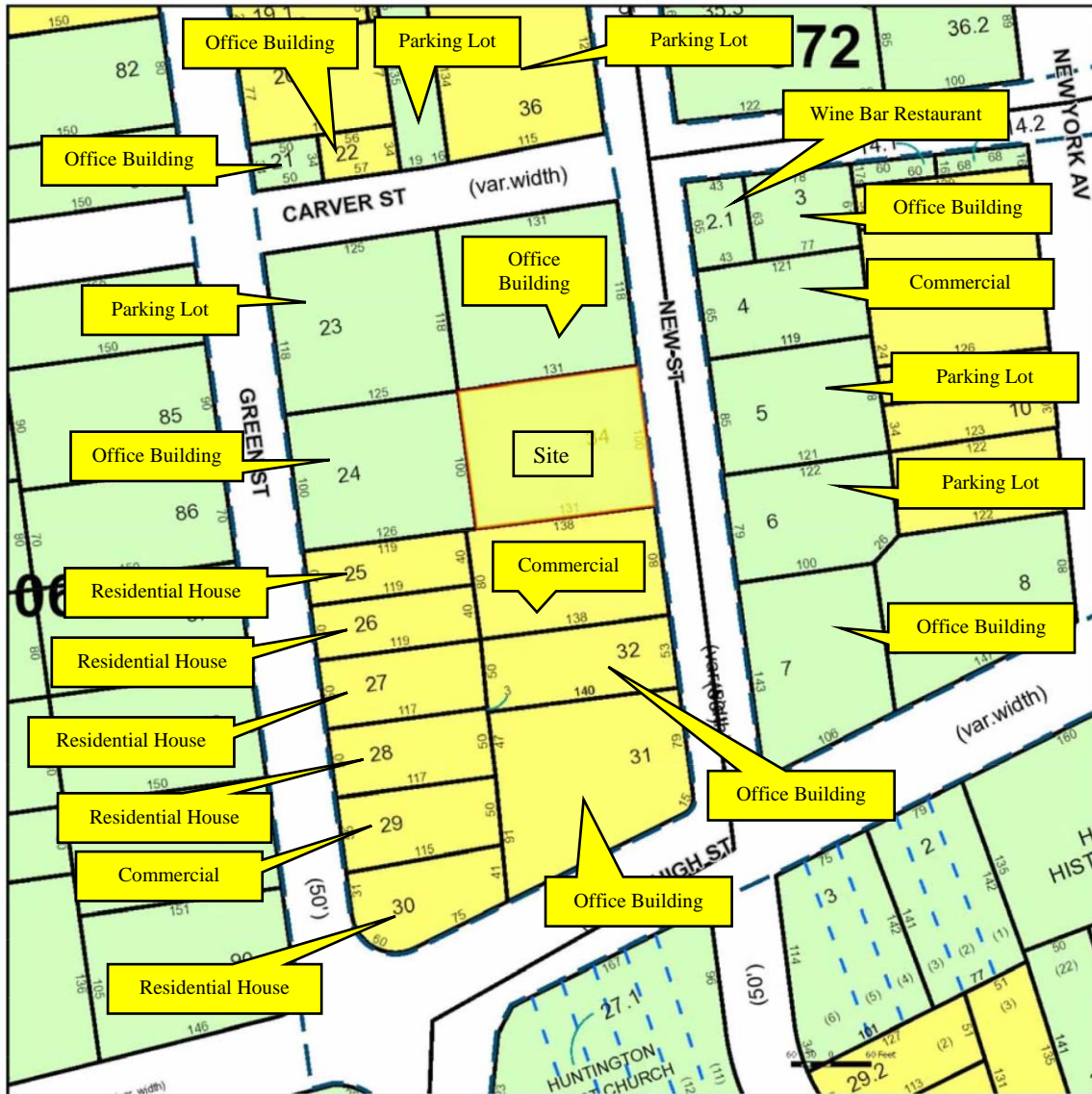
ZONING MAP &  
ADJACENT PROPERTY  
OWNER AND OCCUPANT  
INFO

COUNTY OF SUFFOLK



REAL PROPERTY TAX SERVICE AGENCY

DISTRICT 0400 - SECTION - 06900 - BLOCK - 0500 - LOT - 034000



71 New Street Tax Map



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3/28/2017

71 NEW STREET, HUNTINGTON, NEW YORK

GREGORY DEROSA  
HUNTINGTON, NEW YORK



Project 1700841

**SURROUNDING  
PROPERTY USAGE  
MAP**

May 2017

Fig 3

**71 NEW STREET, HUNTINGTON**

**OWNER NAME & ADDRESS**

<b><u>Lot 34 – Office Building</u></b> <b><u>Occupant</u></b> – Juris Conferences, Juris Publishing 71 New Street, Huntington, NY <b><u>Owner</u></b> - Charles & Kathleen Kitzen 71 New Street Huntington, NY	<b><u>Lot 35 – Office Building</u></b> <b><u>Occupant</u></b> – Office Building 24 New Street, Huntington, NY <b><u>Owner</u></b> - Anna Louise Realty II LLC 24 West Carver Street Huntington, NY
<b><u>Lot 2.1 – Wine Bar Restaurant</u></b> <b><u>Occupant</u></b> – Vitae Wine Bar & Restaurant 54 New Street, Huntington, NY <b><u>Owner</u></b> - 55 Wall Street Realty Inc. 54 New Street Huntington, NY	<b><u>Lot 3 – Office Building</u></b> <b><u>Occupant</u></b> – Office Building 171 Carver Street, Huntington, NY <b><u>Owner</u></b> - 18 West Carver Street co. 18 Carver Street Huntington, NY
<b><u>Lot 4 - Commercial</u></b> <b><u>Occupant</u></b> – Vitae Wine Bar & Restaurant 56 New Street, Huntington, NY <b><u>Owner</u></b> - 55 Wall street Realty Inc. 54 New Street Huntingtin, NY	<b><u>Lot 5 – Parking Lot</u></b> <b><u>Occupant</u></b> – Krabar Realty Corp. 58 New Street, Huntington, NY <b><u>Owner</u></b> - Huntington Realty Associates New Street Huntington, NY
<b><u>Lot 6 – Parking Lot</u></b> <b><u>Occupant</u></b> – Parking Lot 68 New Street, Huntington, NY <b><u>Owner</u></b> - Huntington Green LLC 14 New Street Huntington, NY	<b><u>Lot 7 – Office Building</u></b> <b><u>Occupant</u></b> – Office Building 74 New Street, Huntington, NY <b><u>Owner</u></b> - Huntington Realty Associates 7 High Street Huntington, NY
<b><u>Lot 31 – Office Building</u></b> <b><u>Occupant</u></b> – Naturally Beau Cosmetic Tattoo Studio 81 New Street, Huntington, NY <b><u>Owner</u></b> - Jamtay Realty LLC 25 High Street Huntington, NY	<b><u>Lot 32 – Office Building</u></b> <b><u>Occupant</u></b> – New Street Plastic Surgery 77 New Street, Huntington, NY <b><u>Owner</u></b> - BUMPY Associates LLC 77 New Street Huntington, NY
<b><u>Lot 33 - Commercial</u></b> <b><u>Occupant</u></b> – Commercial Building 75 New Street, Huntington, NY <b><u>Owner</u></b> - 75 New St LLC 75 New Street Huntington, NY	<b><u>Lot 36 – Parking Lot</u></b> <b><u>Occupant</u></b> – Parking Lot 47 New Street, Huntington, NY <b><u>Owner</u></b> - 47 New Street Corp. 47 New Street Huntington, NY
<b><u>Lot 44.1 – Parking Lot</u></b> <b><u>Occupant</u></b> – Parking Lot 159 W Carver Street, Huntington, NY <b><u>Owner</u></b> - Town of Huntington Green & New Street Huntington, NY	<b><u>Lot 22 – Office Building</u></b> <b><u>Occupant</u></b> – VD Electronics 155 W Carver Street, Huntington, NY <b><u>Owner</u></b> - Carver Law Building 155 Carver Street Huntington, NY
<b><u>Lot 21 – Office Building</u></b> <b><u>Occupant</u></b> – Office Building 151 W Carver Street, Huntington, NY <b><u>Owner</u></b> - 151 W Carver Realty LLC 151 Carver Street Huntington, NY	<b><u>Lot 23 – Parking Lot</u></b> <b><u>Occupant</u></b> – Parking Lot 59 Green Street, Huntington, NY <b><u>Owner</u></b> - Town of Huntington 24 West Carver Street Huntington, NY

**71 NEW STREET, HUNTINGTON**

**OWNER NAME & ADDRESS**

<b><u>Lot 24 – Office Building</u></b> <b><u>Occupant</u></b> – Kalmer Family Dentistry & Podiatric Medicine 62 Green Street, Huntington, NY <b><u>Owner</u></b> -- Kalmer & Kalmer LLC 64 Deepdale Drive Huntington, NY	<b><u>Lot 25 – Residential House</u></b> <b><u>Owner</u></b> - Achille & Marian J. Raspantini 68 Green Street Huntington, NY
<b><u>Lot 26 – Residential House</u></b> Kimberly & Terance Monahan 74 Green Street Huntington, NY	<b><u>Lot 27 – Residential House</u></b> 76 Green Street LLC 76 Green Street Huntington, NY
<b><u>Lot 28 - Residential House</u></b> William C. Smith 80 Green Street Huntington, NY	<b><u>Lot 29 Commercial</u></b> Salvatore Tangredi 84 Green Street Huntington, NY
<b><u>Lot 30 – Residential House</u></b> Lisa & Stephen Beyel 88 Green Street Huntington, NY	

71 NEW STREET, HUNTINGTON  
ADJACENT PROPERTY OWNER OPERATOR INFORMATION

Address	Owner	Owner's Address	Operator
75 New Street	75 New St. LLC	164 E. Shore Road, Halesite, NY 11743	New Street Health & Fitness
62 Green Street	Kalmar & Kalmar LLC	62 Green St, Huntington NY 11743	Kalmar Family Dentistry
24 West Carver Street	Anna Louise Realty li LLC	Anna Louise Realty li LLC	Brady Risk Assessment
54 New St	55 Wall Street Realty Inc	55 Wall Street Realty Inc	Wine Bar Restaurant
18 Carver Street	18 West Carver Street Co.	18 West Carver Street Co.	Goldstein, Ronald Partner - Goldstein,Rubinton,Goldstein & Difazio PC
155 Carver Street	Carver Law Building LLC	Carver Law Building LLC	Office Building, Multiple Tennants
54 New St	55 Wall Street Realty Inc.	55 Wall Street Realty Inc.	Vitae Restaurant
175 W Carver St	Post Office Associates In	Post Office Associates In	Gunderman & Gunderman Insurance
14 New Street	14 New Street LLC	14 New Street LLC	Sri Thai Restaurant
7 High Street	Huntington Realty Corp	Huntington Realty Corp	Multi-Tenant Apartments
25 High Street	JAMTAY REALTY LLC	35 PINELAWN RD, MELVILLE NY	R.L. Eaton & Associates, Ltd, Harwood Associates
77 New Street	Bumpy Associates LLC	Bumpy Associates LLC	New Street Plastic Surgery
47 New Street	Town Of Huntington	Town Of Huntington	Govt Parking Lot
151 Carver Street	151 W Carver Realty LLC	151 W Carver Realty LLC	Law office of Patrick Boyle, Esq.
68 Green St	Achille Raspantini/Raspantini Marian J	Achille Raspantini/Raspantini Marian J	Achille Raspantini/Raspantini Marian J
74 Green St	Kimberly & Terance Monahan	Kimberly & Terance Monahan	Kimberly & Terance Monahan
76 Green St	76 Green Street LLC	76 Green Street LLC	2 Family Residence
80 Green Street	Smith William C	Smith William C	Smith William C
84 Green Street	Tangredi Salvatore	Tangredi Salvatore	Dr. Salvatore Tangredi Laser & Cosmetic Family Dentistry
88 Green Street	Beyel Stephen/Beyel Lisa	Beyel Stephen/Beyel Lisa	Beyel Stephen/Beyel Lisa

## **Attachment G:**

PROOF OF SITE ACCESS PERMISSION

CHARLES & KATHLEEN KITZEN  
6 Hawk Drive  
Lloyd Harbor, New York 11743

April 24, 2017

Re: 71 New Street, Huntington, NY  
(Tax Map 69, Block 5, Lot 34) (the "Property")  
Access to the Property to perform obligations under the  
New York State Brownfield Cleanup Program

Dear Sir/Madam:

As owners of the above-referenced Property, Charles Kitzen and Kathleen Kitzen, having an address at 6 Hawk Drive, Lloyd Harbor, New York 11743 (the "Owners"), hereby authorize its contract vendee, 71 New Street Huntington LLC (the "Buyer"), as well as Buyer's agents, contractors and consultants, to access the property to perform any and all obligations under the New York State Department of Environmental Conservation's ("NYSDEC") Brownfield Cleanup Program ("BCP").

Owners further understand that they will also need to provide to the NYSDEC and/or agents, contractors and consultants that the Buyer has hired to perform any and all investigation and remedial activities under the BCP. In addition, Owners shall cooperate, to the extent necessary to complete the remedial program requirements for the Property pursuant to the BCP, to allow placement of institutional and engineering controls on the Property, which may include the granting and recordation of an environmental easement.

If the Contract of Sale, dated December 15, 2016, between the parties is terminated for any reason, then rights granted under this consent letter shall also terminate and the Buyer as well as Buyer's agents, contractors and consultants shall no longer have any right to access the Property without the express consent of the Owners.

Buyer, any party claiming through Buyer, and the NYSDEC, may rely upon a facsimile and/or email or electronically executed copy of this letter on the same basis as if containing an original signature hereon.

Sincerely,

  
CHARLES KITZEN

  
KATHLEEN KITZEN

POA

## **Attachment H:**

DOCUMENT REPOSITORY LETTER



[www.myhpl.org](http://www.myhpl.org)

May 9, 2017

Gary Rozmus  
Senior Consultant  
GEI Consultants, Inc., P.C.  
110 Walt Whitman Road, Suite 204  
Huntington Station, New York 11746

Dear Mr. Rozmus,

The Huntington Public Library will act as the document repository for the proposed Brownfield Cleanup Program (BCP) project at 71 New Street, Huntington, NY. Our library is located at 338 Main Street, Huntington, New York 11743.

If the Library can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Teresa Schwind, Assistant Director  
Phone: 631-427-5165 x202