

August 1, 2008

**1800 SOUTHERN BOULEVARD  
BRONX, NEW YORK**

**NYSDEC BROWNFIELD CLEANUP  
PROGRAM APPLICATION**

*Prepared for*

**SB1800 LLC  
100 Park Avenue  
Suite 1600  
New York, New York 11717**

**ROUX ASSOCIATES, INC.**  
*Environmental Consulting & Management*

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*209 Shafter Street, Islandia, New York 11749 ♦ 631-232-2600*



NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



**BROWNFIELD CLEANUP PROGRAM (BCP)**

ECL ARTICLE 27 / TITLE 14

07/07

DEPARTMENT USE ONLY  
BCP SITE #: \_\_\_\_\_

**Section I. Requestor Information**

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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, the requestor 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.

Requestor Relationship to Property (check one):

Previous Owner

Current Owner

Potential /Future Purchaser

Other \_\_\_\_\_

If requestor is not the site owner, requestor will have access to the property throughout the BCP project.

Yes

No

(Note: proof of site access must be submitted for non-owners) See access letter attached as Attachment "A"

**Section II- Property Information Summary Sheet**

PROPERTY NAME: 1800 Southern Boulevard

ADDRESS/LOCATION (See Attachment "B") CITY/TOWN Bronx ZIP CODE 10460

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Bronx Borough, City of New York

COUNTY Bronx SITE SIZE (ACRES) 0.27

LATITUDE (degrees/minutes/seconds) 40 ° 50 ' 17 " LONGITUDE (degrees/minutes/seconds) -73 ° 53 ' 13.5 "

HORIZONTAL COLLECTION METHOD: ☐ SURVEY ☐ GPS ☒ MAP HORIZONTAL REFERENCE DATUM: NAD 83FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)  
Parcel Address (See Attachment "B") Parcel No. Section No. Block No. Lot No. Acreage

1776 - 1778 Southern Boulevard N/A 2 2984 1 0.15

1800 - 1808 Southern Boulevard N/A 2 2984 7 0.12

1. Do the property boundaries correspond to tax map metes and bounds? ☒ Yes ☐ No  
If no, please attach a metes and bounds description of the property.
2. Is the required property map attached to the application? (application will not be processed without map) ☒ Yes ☐ No
3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)? ☒ Yes ☐ No

For more information go to: [http://www.nylovesbiz.com/BrownField\\_Redevelopment/default.asp](http://www.nylovesbiz.com/BrownField_Redevelopment/default.asp).

If yes, identify area (name) Census Tract 161 (Part A)

☐ 50% ☒ 100% of the site is in the En-zone (check one)

PROPERTY DESCRIPTION NARRATIVE: See Attachment "C"

List of Existing Easements (type here or attach information)

<u>Easement Holder</u>	<u>Description</u>
None Known	

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

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
None Known		

Initials of each Requestor:   *W*

**Section III. Current Site Owner/Operator Information**

OWNER'S NAME (if different from requestor) SoBRO Development Corporation

ADDRESS 555 Bergen Avenue

CITY/TOWN Bronx, New York

ZIP CODE 10455

PHONE 718.292.3113

FAX 718.292.4625

E-MAIL npariser@sobro.org

OPERATOR'S NAME (if different from requestor or owner) Vacant

ADDRESS

CITY/TOWN

ZIP CODE 10018

PHONE

FAX

E-MAIL

**Section IV. Requestor Eligibility Information (Please refer to ECL § 27-1407)**

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☒ No
2. Is the requestor subject to an existing order relating to contamination at the site? ☐ Yes ☒ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? ☐ Yes ☒ No
4. Has the requestor been determined to have violated any provision of ECL Article 27? ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? ☐ Yes ☒ No
8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(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

**Section V. Property Eligibility Information (Please refer to ECL § 27-1405)**

1. Is the property listed on the National Priorities List? ☐ Yes ☒ No
2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_ ☐ Yes ☒ No
3. Is 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. 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
5. 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 VI. Project Description**What stage is the project starting at? ☐ investigation ☒ remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project See Attachment "D"
- Estimated project schedule

## Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

**1. Environmental Reports** See Attachment "E"

A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): ☐ Yes ☒ No

**2. Sampling Data: Indicate known contaminants and the media which are known to have been affected:**

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

\*Please describe: \_\_\_\_\_

**3. Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:**

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

\*Please describe: \_\_\_\_\_

**4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:**

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Above Ground Pipeline or Tank | <input type="checkbox"/> Lagoons or Ponds            | <input checked="" type="checkbox"/> Underground Pipeline or Tank | <input checked="" type="checkbox"/> Surface Spill or Discharge |
| <input type="checkbox"/> Routine Industrial Operations | <input type="checkbox"/> Dumping or Burial of Wastes | <input type="checkbox"/> Septic tank/lateral field               | <input type="checkbox"/> Drums or Storage Containers           |
| <input type="checkbox"/> Adjacent Property             | <input type="checkbox"/> Seepage Pit or Dry Well     | <input type="checkbox"/> Foundry Sand                            | <input type="checkbox"/> Electroplating                        |
| <input type="checkbox"/> Coal Gas Manufacture          | <input type="checkbox"/> Industrial Accident         | <input type="checkbox"/> Unknown                                 |  |

Other: \_\_\_\_\_

**5. INDICATE PAST LAND USES:**

- |   |   |   |                                      |   |                                     |
|---|---|---|--------------------------------------|---|-------------------------------------|
| <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 checked="" type="checkbox"/> Service Station | <input type="checkbox"/> Landfill           | <input type="checkbox"/> Tannery     | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown    |

Other: Auto Repair Shop, Metal Polishing, Car Wash, Paint Supply, Upholstery Shop

**6. Owners**

A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none"). See Attachment "F"

**7. Operators**

A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none"). See Attachment "F"

### Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following: See Attachment "G"

1. The chief executive officer and planning board/dept. chair 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 a letter sent to the repository acknowledging that it agrees to act as the document repository for the property. See Attachment "H"

### Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

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

Intended Use: ☐ Unrestricted ☒ Residential ☒ Commercial ☐ Industrial (check all that apply)

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals. See Attachment "I"

Yes No

1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)

☒ ☐

2. Is the proposed use consistent with applicable zoning laws/maps? See Attachment "I"

☒ ☐

3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?

☒ ☐

4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).

☐ ☒

5. Are there any federal or state land use designations relating to this site?

☐ ☒

6. Do the population growth patterns and projections support the proposed use?

☒ ☐

7. Is the property accessible to existing infrastructure?

☒ ☐

8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile? See Attachment "J"

☒ ☐

9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile? See Attachment "J"

☒ ☐

10. Are there floodplains within ½ mile? See Attachment "J"

☒ ☐

11. Are there any institutional controls currently applicable to the property?

☐ ☒

12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. See Attachment "K"

13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas. See Attachment "K"

14. Describe on attachment the geography and geology of the site. See Attachment "K"

### Statement of Certification and Signatures

(By requestor who is an individual)

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 an requestor other than an individual)

I hereby affirm that I am Principal (title) of SB1800 LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: 7/21/08 Signature: [Signature] Print Name: MICHAEL CALLAGHAN

### SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, 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

- One (1) paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.ny.gov/about/776.html>

### FOR DEPARTMENT USE ONLY

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

**Attachment "A"**  
**Letter From SOBRO**





SoBRO Development Corporation  
555 Bergen Avenue  
Bronx, New York 10455

Neil W. Pariser  
npariser@sobro.org

Tel (718) 292-3113  
Fax (718) 292-4625

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July 25, 2008

Mr. Michael Callaghan  
SB 1800 LLC  
c/o Exact Capital  
100 Park Ave  
Suite 1600  
New York, NY 10017

Re: 1776-1778 and 1800-1808 Southern Boulevard, Bronx, NY  
("Brownfield Site")

Dear Mr. Callaghan:

In connection with the Brownfield Cleanup Program application ("BCP Application") that SB 1800 LLC will be submitting to the New York State Department of Environmental Conservation ("NYSDEC"), this letter shall confirm that the SB 1800 LLC shall have access to the Brownfield Site to perform the investigation and remediation required by NYSDEC under the Brownfield Cleanup Program (BCP).

Very truly yours,

A handwritten signature in black ink, appearing to be "Neil Pariser", written over a horizontal line. The signature is fluid and cursive.

Neil Pariser

**Attachment "B"**

**Property Address / Location**

The property is known by the following street addresses (also see Tax Map Information in Section II of the Application):

1776 – 1778 Southern Boulevard

AND

1800 – 1808 Southern Boulevard

**Horizontal Collection Method**

USEPA TRI siting tool. The geographic coordinate determination method is based on a digital map source (i.e., TIGER).

Horizontal reference datum: 1983 North American Datum (NAD 83)

## **Attachment "C"**

### **Property Description Narrative**

The site is a triangular shaped parcel of land situated at the southern tip of a city block where Boston Road and Southern Boulevard fork to the east and west, respectively. Currently, the site is an approximately 6,723 square foot fenced lot improved with a vacated gas station (Lot 1), abutted to the north by an approximately 5,204 square foot vacant and fenced lot largely overgrown with vegetation (Lot 7).

All or portions of the site historically hosted car repair, gas station, car wash, upholstery shop, paint supply company and metal polishing businesses. Periods of occupancy are detailed in Appendix "F."

## **Attachment D**

### **Project Description and BCP Eligibility**

The proposed project consists of construction of a ten-story low-income/mixed use development with total buildable floor area of approximately 111,508 gross square feet with consisting of approximately 78,350 square feet of residential apartments and approximately 8,090 square feet for commercial retail ground floor space. The project will have approximately 98 units of low and moderate income housing (Majority units at 80% AMI; others at 90% AMI), 10 below grade parking spaces, residential storage, a community room and 8,090 square feet of commercial space fronting Southern Boulevard. The estimated project costs are approximately \$32 million and the estimated remediation costs are approximately \$1.7 million. The project will employ approximately 50 construction workers and a dozen full-time employees once the retail operations commence. The project will utilize a number of green building/ sustainable design features to the extent feasible. This project will serve as the anchor for revitalizing this area of the Bronx and has the strong of local residents, Community Board #3, businesses and non-profit organizations and private developers in the area.

The presence of contamination complicates the redevelopment of the Site in a number of ways. The remediation of the contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be construction delays and other scheduling impacts associated with soil sampling and excavation site constraints that will extend the timeframes customarily required for traditional site excavation.

As an affordable housing development, the project has very thin margins. The costs, delays and other uncertainties associated with the contamination and the cleanup further exacerbate the financial viability of the project. Moreover, because of the current credit conditions, tax credit investors are not providing the levels of financial support as in the past. Thus, the tax credits available under the brownfield cleanup program are more important than ever since they will help plug the financial gaps.

Finally, as a condition of the construction loan commitment, the construction lender requires that applicant obtain a certificate of completion with a covenant not to sue from the NYSDEC. Since the site is not on the NYSDEC Registry of Inactive Hazardous Waste Sites and NYSDEC does not have a voluntary cleanup program, the BCP is the only administrative program available to applicant to perform a remediation under NYSDEC oversight that will enable the applicant to obtain a NFA letter and therefore satisfy its loan obligations.

A predecessor of BP Amoco operated the former gas station and is a potential responsible party that could, in theory, remediate the Site. However, the Applicant believes it is in the public interest for the application to be admitted into the Brownfield Cleanup Program notwithstanding the potential liability of BP Amoco for the following reasons:

First, BP Amoco has failed to make any significant progress on remediating the contamination. There is no assurance that the responsible party will implement the remediation in the timeframe required by this Applicant. Second, the responsible party has not agreed or committed to implementing the more extensive cleanup that would be required for the proposed residential use. Third, even if the responsible party was willing to implement a residential-level cleanup instead of a remediation to commercial use, the remediation will have to be coordinated with construction activities and there is no assurance that the responsible party will be willing to commit to the accelerated remediated schedule that will be required to accommodate the construction of the project. The costs associated with the logistical delays if the responsible party was to have primary responsibility for remediating the Site would render the project financially unfeasible.

For the foregoing reasons, the redevelopment of the Site will not occur unless the Site is admitted into the BCP. The Applicant is willing to implement a more costly and comprehensive cleanup than would likely be proposed or acceptable to the responsible party and at an aggressively accelerated pace. The Applicant can only do this by taking control over the implementation of the remediation, and taking on the costs and complications to the proposed project caused by the contamination at the Site. The Brownfield Cleanup Program will not only make the redevelopment feasible but also enable the applicant to implement a more comprehensive and expeditious cleanup. Accordingly, it is in the best interests of the public to have the Site admitted into the Brownfield Cleanup Program

The following is a summary of the estimated remediation and construction schedule for the 1800 Southern Boulevard Project.

<b>TASK</b>	<b>Estimated Start Date</b>	<b>Estimated Completion Date</b>
Submittal of BCP Application	8/1/2008	-
ENB Notice	8/20/2008	-
Public Comment Period	8/20/2008	10/6/2008
Acceptance into BCP Program	11/6/2008	-
Approval of RAWP	11/6/2008	-
Mobilization /Site Clearing / Demolition	12/1/2008	1/1/2009
Excavation of Soil / Dewatering / Community Air Monitoring.	1/1/2009	2/15/2009
Foundation Construction	2/15/2009	4/15/2009
Building Construction	4/15/2009	7/1/2010
Submittal of Final Engineering Report	6/15/2009	-
Installation of Monitoring Wells	5/1/2010	-
Start of Periodic Groundwater Sampling	5/1/2010	2/28/2012
Start of Vapor Intrusion Assessment	5/1/2010	-
Building Opening	8/15/2010	-

## **Attachment E**

### **Environmental Reports Attached**

- ATC Associates, Inc. Draft Phase I Environmental Site Assessment – 1772-1808 Southern Blvd., Bronx, New York. October 18, 2007.
- Roux Associates, Inc. Remedial Investigation Report, 1800 Southern Boulevard, Bronx, New York. August 1, 2008.
- Roux Associates, Inc. Remedial Action Work Plan, 1800 Southern Boulevard, Bronx, New York. July 22, 2008.

## **Attachment "F"**

### Previous Ownership of the Site - No Relationships to Current Owner

#### **Lot 1**

Circa 12/2003 – 5/2008      Southern Boston Management, LLC  
1776 Southern Boulevard  
Bronx, NY 10460

Circa 12/2003      Zocoop Realty, LLC  
54 West 39<sup>th</sup> Street  
New York, NY 10018

Circa 9/2003 – 12/2003      Southern Boston Management Corp.  
54 West 39<sup>th</sup> Street  
New York, NY 10018

Circa 5/1986 – 9/2003      Boston & Southern Gas Corporation  
9 Ravine Drive  
Hastings-on-Hudson, NY 10706

3/1983 – 5/1986      Realty Potentials Corporation  
9 Ravine Road  
Hastings-on-Hudson, NY 10706

? to Circa 3/1983      Leonard Mallimson  
9 Ravine Drive  
Hastings-on-Hudson, New York

Joseph Mallimson  
150 West End Avenue  
New York, New York

David Mallimson  
270-32V Grand Central Parkway  
Floral Park, New York

#### **Lot 2**

Circa 11/2002 – 5/2008      1800 Southern Boulevard, LLC  
800 Central Park Avenue  
Scarsdale, NY 10583

Circa 1/2002 – 11/2002      1800 LLC  
5600A Broadway  
Bronx, NY 10463



Circa 5/1986 – 1/2002	Fat Boy Beansprouts, Inc 90-51 Sutphin Boulevard Queens, New York
Circa 3/1974 – 5/1986	Anna Hans 2116 Matthews Avenue Bronx, New York  Ada Goldstein 79-31 268 <sup>th</sup> Street Floral Park, New York  Jacob Tanzman 1580 East 102 <sup>nd</sup> Street Brooklyn, New York  Ethel Teplitzky 239-30 65 <sup>th</sup> Avenue Little Neck, New York
? – 3/1974	Morris Tanzman 1511 Sheridan Avenue Bronx, New York  Anna Hans (as Executrix) 2116 Matthews Avenue Bronx, New York  Ada Goldstein and Nathan Tanzman (as Executors) 79-31 268 <sup>th</sup> Street Floral Park, New York

Known Previous Operators - No Relationships to Current Owner

The following is a list of the known previous operators and/or generic uses at the site, with approximate periods of operation.

**Lot 1**

2002 TO Present	Vacant
1988 TO 2002	Amoco Oil Company <i>No known forwarding address or telephone number</i>

1972 TO 1988	Getty Oil Company (Eastern Operations), Inc. <i>No known forwarding address or telephone number</i>
1958 TO 1972	Getty Oil Company <i>No known forwarding address or telephone number</i>
1940 TO 1958	Auto Repair Facility and Filling Station <i>No known forwarding address or telephone number</i>
Prior to 1940	Undeveloped
<b>Lot 7</b>	
1993 TO Present	Vacant
1956 TO 1993	Car wash <i>No known forwarding address or telephone number</i>
1940 TO 1956	Car wash, filling station, metal polishing facility, upholstery shop, paint supply company <sup>1</sup> <i>No known forwarding address or telephone number</i>
Prior to 1940	Undeveloped

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<sup>1</sup> The location of the metal polishing facility, upholstery shop and paint supply company on Lot 1 or 7 remains to be determined.

## Attachment "G"

### Contact List Information

#### 1. Government Representatives

Hon. Mayor Michael R. Bloomberg  
The City of New York, Mayor's Office  
City Hall  
New York, New York 10007  
Telephone (212) NEW-YORK or 311 within New York City  
Fax (212) 788-2460

Amanda M. Burden  
Chair of the City Planning Commission and  
Director of the Department of City Planning  
New York City Planning Commission  
22 Reade Street  
New York, New York 10007-1216  
Telephone (212) 720-3300  
Fax (212) 720-3219

Robert Kulikowski, Ph.D.  
Director of the Mayor's Office of Environmental Coordination  
253 Broadway – 14<sup>th</sup> Floor  
New York, New York 10007  
Telephone (212) 788-9956  
Fax (212) 788-2941

Office of Bronx Borough President Adolfo Carrión, Jr.  
851 Grand Concourse  
Bronx, New York 10451  
Telephone (718) 590-3557

Carol Samol  
Director, NYC Planning Commission – Bronx Borough Office  
One Fordham Plaza, 5<sup>th</sup> Floor  
Bronx, New York 10458-5891  
Telephone (718) 220-8500  
Fax (718) 584-8628

John Dudley  
District Manager  
Bronx Community Board 3  
1426 Boston Road  
Bronx, New York 10456  
Telephone (718) 378-8054  
Fax (718) 378-8188

Joel Rivera  
New York City Council Member – District 15  
1901 Southern Boulevard  
Bronx, New York 10460  
Telephone (718) 842-8100  
Fax (718) 842-6280

Asm. Michael Benjamin  
79<sup>th</sup> Assembly District  
1494 Boston Road  
Bronx, New York 10460  
Telephone (718) 589-6324

Senator Rev. Ruben Diaz, Sr.  
Senatorial District: 32  
1733 East 172<sup>nd</sup> Street  
Bronx, New York 10472  
Telephone (718) 991-3161  
Fax (718) 991-0309

Rep. José E. Serrano  
Congressional District: 16  
788 Southern Boulevard  
Bronx, New York 10455  
Telephone (212) 620-0084  
Fax (718) 620-0658

Jane O'Connell  
New York State Department of Environmental Conservation – Region 2  
1 Hunter's Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, New York 11101  
Telephone (718) 482-4973

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

a. **Occupants of the Site**

Vacant

b. **Owners of the Properties Adjacent to the Site**

North of Site

Vacant  
Block: 2984  
Lot: 7  
Owner: 1800 Southern Boulevard LLC  
Address: PO Box 196  
New City, New York 10956

Block: 2984  
Lot: 10  
Operator: Storage Deluxe  
Address: 1810 Southern Boulevard  
Bronx, New York 10460

West of Site

Block: 2940  
Lot: 38  
Owner: Don Quixote Redevelopment Associates, L.P.  
Address: 1816 Crotona Park East  
Bronx, New York 10460

Note 1: This property is improved with a five-story walk-up apartment building. Considering the large amount of tenants (i.e., 25 units), and since update information on current tenants resides with the building owner/manager (i.e., Don Quixote Redevelopment Associates, L.P.), same will be contacted to arrange for the distribution of all pertinent Brownfield Program related documentation (e.g., Notices, Fact Sheets), as well as the display of such documentation in public area(s).

Block: 2940  
Lot: 38  
Owner: Mid Bronx Desperadoes Community Housing Corporation  
Address: 1762 Boston Road  
Bronx, New York 10460

Block: 2940  
Lot: 37 & 40  
Owner: Southern Boulevard Contracting Corporation  
Address: 1779 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 36  
Owner: Southern Boulevard Contracting Corporation  
Address: 1810 Crotona Park East  
Bronx, New York 10460

Note 2: The two properties listed above are improved with a six-story walk-up apartment building and a 2½-story two-family home. Considering the large total amount of tenants, and since updated information on current tenants resides with the building owner/manager (i.e., Southern Boulevard Contracting Corporation), same will be contacted to arrange for the distribution of all pertinent Brownfield Program related documentation (e.g., Notices, Fact Sheets), as well as the display of such documentation in public area(s).

Block: 2940  
Lot: 40  
Owner: MJ Parking  
Address: 1779 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 42  
Occupant: Square Family Discount Furniture or Current Occupant  
Address: 1775 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 42  
Occupant: Total Blend Restaurant or Current Occupant  
Address: 1773 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 42  
Occupant: Bronx Hardware or Current Occupant  
Address: 1771 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 42  
Occupant: US Convenient Store or Current Occupant  
Address: 1769 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 45  
Owner: Sicbaldi Style LLC  
Address: Attention: Peter Bourbeau  
3092 Hull Avenue  
Bronx, New York 10467

Block: 2940  
Lot: 47  
Occupant: Southern Supermarket or Current Occupant  
Address: 1761 Southern Boulevard  
Bronx, New York 10460

Block: 2940  
Lot: 47  
Occupant: International Restaurant or Current Occupant  
Address: 1757 Southern Boulevard  
Bronx, New York 10460

Block: 2942  
Lot: East end of Lot No. 1  
Owner: New York City Parks and Recreation  
Address: Attention: Adrian Benepe, Commissioner  
The Arsenal  
Central Park  
830 5<sup>th</sup> Avenue  
New York, New York 10021

**South and East of Site**

Block: 2991  
Lot: 3  
Owner: Mid Bronx Desperadoes Community Housing Corporation  
Address: 1762 Boston Road  
Bronx, New York 10460

Block: 2991  
Lot: 1  
Occupant: SA Grocery & Tobacco  
Address: 927 East 174<sup>th</sup> Street  
Bronx, New York 10460

Block: 2991  
Lot: 1  
Owner: Delta Assoc. LLC  
Address: 71A Cuttermill Road  
Great Neck, New York 10007-1307

Block: 2991  
Lot: 5  
Owner: High Hawk LLC c/o PWC  
Address: 340 East 204<sup>th</sup> Street  
Bronx, New York 10467

Block: Not Applicable  
Lot: Not Applicable  
Operator: MTA New York City Transit  
c/o Howard H. Roberts Jr., President  
Address: 2 Broadway  
New York, New York 10004

3. Local News Media from which the Community Typically Obtains Information

Bronx Times Reporter, Inc.  
P.O. Box 905  
Bronx, New York 10465  
Telephone (718) 597-1116

Hoy Nueva York  
330 West 34th Street  
17th Floor  
New York, New York 10001  
Telephone (917) 339-080

Television – 1  
News 12 The Bronx  
930 Soundview Avenue  
Bronx, New York 10473  
Telephone (718) 861-6810

Television – 2  
New York 1 News  
75 Ninth Avenue  
New York, New York 10011  
Telephone (212) 379-3311

4. Public Water Supplier

New York City Department of Environmental Protection  
Bureau of Water and Sewer Operations  
59-17 Junction Boulevard, 17<sup>th</sup> Floor  
Flushing, New York 11373  
Telephone (212) NEW-YORK or 311 within the City of New York only.



5. Persons Requesting to be on the Contact List

No persons have requested to be on the contact list.

6. School/Day Care Administration Near the Site

Saint Thomas Aquinas School  
1909 Daly Avenue  
Bronx, New York 10460  
Telephone (718) 893-7600

Searbury Day Care Center  
1680 Southern Boulevard  
Bronx, New York 10460  
Telephone (718) 991-1500

The Institutes of Applied Human Dynamics, Inc.  
% Stanley E. Silverstein, Executive Director  
1680 Southern Boulevard  
Bronx, New York 10460  
Telephone (718) 483-7600

East Bronx Academy For The Future  
% Sarah Scrogin, Principal  
1716 Southern Boulevard  
Bronx, New York 10460  
Telephone (718) 861-8641

Madison Square Boys & Girls Club  
% Frank B. Noboa, Unit Director  
1665 Hoe Avenue  
Bronx, New York 10460  
Telephone (718) 328-3900

Public School 10 – P817  
% Maura Haggerty, Unit Coordinator  
1680 Hoe Avenue  
Bronx, New York 10460  
Telephone (718) 589-9650

Junior High School 098 Herman Ridder  
% Claralee Irobunda, Principal  
1619 Boston Road  
Bronx, New York 10460  
Telephone (718) 589-8200

Tremont-Monterey Day Care Center  
% Brenda Nowell, Director  
887 Crotona Park North  
Bronx, New York 10460  
Telephone (718) 617-2211

Tremont Crotona Day Care Center  
% Patrick Rodriques, Director  
1600 Crotona Parkway East  
Bronx, New York 10460  
Telephone (718) 378-5600

7. Document Repository for the Project

The New York Public Library  
Morrisania Branch Library  
% Colbert Nembhard, Branch Manager  
610 East 169<sup>th</sup> Street  
Bronx, NY 10456

**Attachment “H”**

**Letter from Library**

**SB 1800 LLC**  
c/o Exact Capital  
100 Park Ave  
Suite 1600  
New York, NY 10017  
July 25, 2008

Mr. Colbert Nembhard, Branch Manager  
Morrisania Branch of the New York Public Library  
610 East 169<sup>th</sup> Street  
Bronx, NY 10456

Re: Brownfield Cleanup Program Application  
1776-1808 Southern Blvd.  
Bronx, New York

Dear Mr. Nembhard:

I am writing on behalf of SB 1800 LLC in connection with the above-referenced Brownfield Cleanup Program (BCP) application that is being submitted to the New York State Department of Environmental Conservation (NYSDEC).

The NYSDEC requires BCP applicants to arrange for a copy of the BCP application to be placed in a local library to ensure that community members have an opportunity to review the application if they desire during the public comment period. BCP applicants are also required to provide proof that the local library has agreed to be the repository for the application.

Accordingly, I am writing to ask that the Morrisania Branch of the New York Public Library serve as the document repository for the above-referenced Brownfield Cleanup Program (BCP) application.

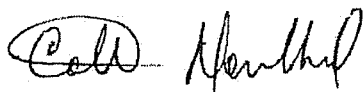
Please indicate your agreement to serve as the document repository by signing below. You may call me at (212)300-2184 should you have any questions.

We greatly appreciate your help on this matter.

Very Truly Yours,

Michael Callaghan

Agreed:



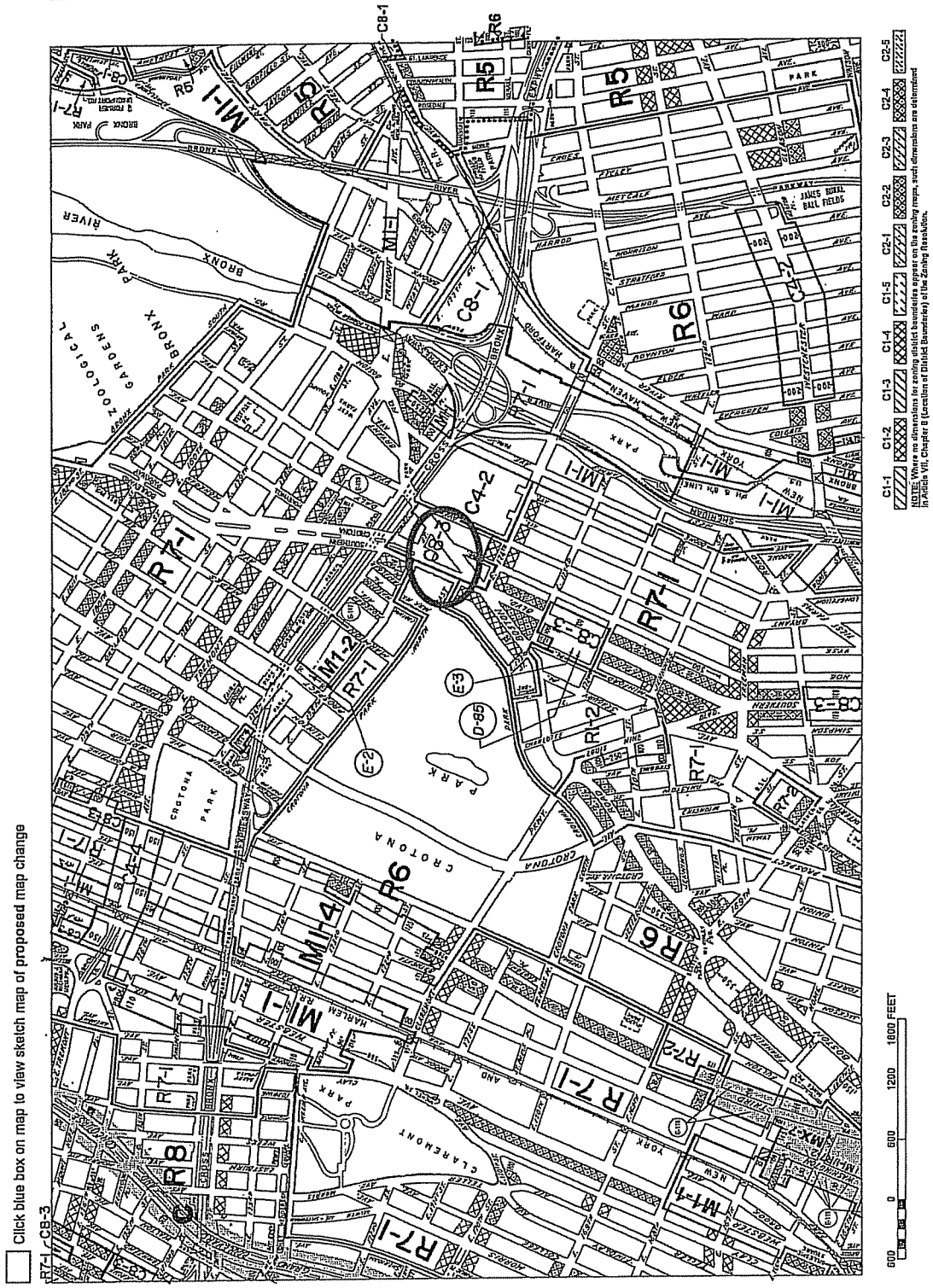
Date:

7/28/08

**Attachment “I”**

**Zoning Map**

**NOTE:** Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 720-5291.



## Attachment "J"

### Item 8 - Important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile

Herman Ridder Junior High School (Public School 98)

1619 Boston Road

Bronx, NY 10460

New York City Landmark Preservation Commission – Designation List 230; LP-1628

The following New York City landmark is located approximately ½-mile to the west of the site:

Crotona Pool Complex and Bath House

Crotona Park, between East 172<sup>nd</sup> Street and East 173<sup>rd</sup> Street.

### Item 9 – Wetlands Map Findings

Source: Fish and Wildlife Service National Wetlands Index (NWI) data

NWI hardcopy map: Central Park

<u>Name</u> (Approximate)	<u>Code and Description</u> <sup>1</sup>	<u>Distance</u>
Indian Pond	[P]Palustrine [UB]Unconsolidated Bottom [H] Permanently Flooded [x]Excavated	West 1,800 feet
Bronx River	[E] Estuarine [1] Subtidal [UB] Unconsolidated Bottom [L] Subtidal	East 1,850 feet

### Item 9 – Endangered Species

Source: Endangered Species Protection Program Database, US Environmental Protection Agency.

<u>Name</u>	<u>Distribution</u>
Bat, Indiana ( <i>Myotis sodalis</i> )	Entire State of New York

### Item 10 – Floodplains

Source: Federal Emergency Management Administration (FEMA) flood data

Flood Plain panel: 3604970084F

The site is located outside the 500-year flood zone.

100-year and 500-year flood zones are present along the Bronx River, approximately 1,800 feet to the east of the site.

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<sup>1</sup> See Wetland Classification System for additional information.

# Wetlands Map - NWI Data



## Legend

CONUS\_wet\_scan

0  
1

Out of range

Interstate

Major Roads

Other Road

Interstate

State highway

US highway

Roads

Cities

USGS Quad Index 24K

Lower 48 Wetland Polygons

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

Lower 48 Available Wetland Data

Non-Digital

Digital

No Data

Scan

NHD Streams

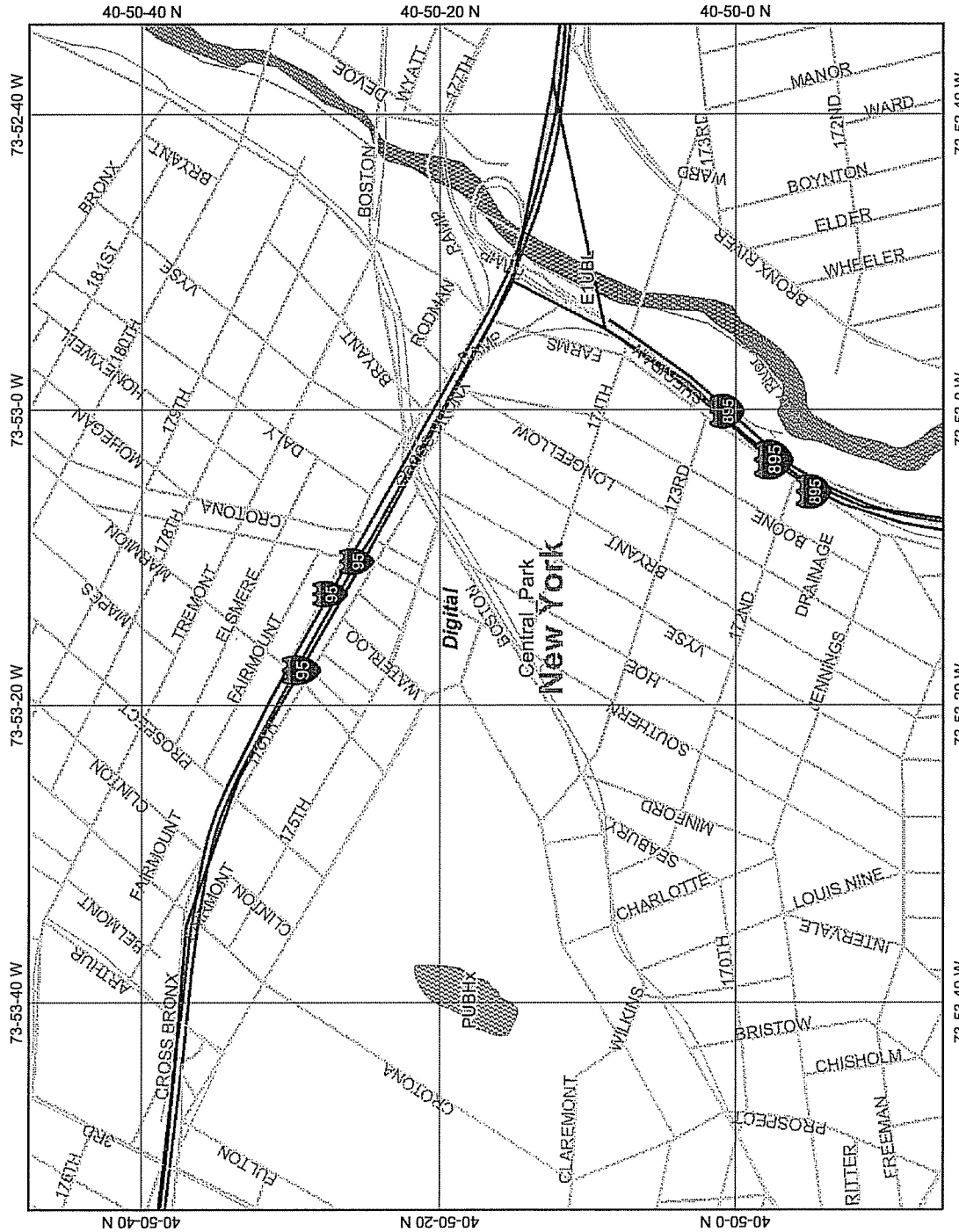
Counties 100K

States 100K

South America

North America

Scale: 1:13,326



Map center: 40° 50' 17" N, 73° 53' 14" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



## **Attachment “K”**

### **Surrounding Land Use**

Surrounding land use is shown on the included Site Area Map (Plate 1). Immediately north of the site is the storage warehouse known as Storage Deluxe. The city block to the southwest of the site, across Southern Boulevard, is mainly improved with apartment buildings and street-level offices and stores. Mixed-use commercial and residential property neighbors the site to the south and east, across Boston Road. The Montefiore Medical Center laundry facility follows further east, fronting on Hoe Avenue. Crotona Park adjoins the site to the west. Elevated subway tracks of Lines 2 and 5 run along Boston Road, with the 174<sup>th</sup> Street station located at the intersection of Boston Road and Southern Boulevard, just south of the site.

### **Potential Vulnerability of Groundwater to Contamination**

The attached technical reports document the existence of soil and groundwater contamination at the site. Soil borings and groundwater monitoring dated 2003 have indicated petroleum and MTBE contamination of onsite soil and groundwater. Offsite groundwater contamination is possible based on the small size of the property, but not confirmed. Potable water in the area of the site is provided by the municipal system from upstate reservoirs. There are no known wellhead protection or groundwater recharge areas in the vicinity of the site.

### **Geographic and Geologic Setting**

The site is a triangular shaped parcel of land situated at the southern tip of a city block where Boston Road and Southern Boulevard fork to the east and West, respectively. The site topography slopes gently north-northeast with an elevation of approximately 65 feet above mean sea level. Most of the surface runoff enters the municipal system in storm drains along Boston Road and Southern Boulevard.

Based on the attached technical reports, the site contains shallow occurring bedrock present at approximately 24 feet below land surface. Unconsolidated deposits of sand, silt and clay, typical of glacial till<sup>1</sup>, complete the stratigraphy to land surface.

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<sup>1</sup> Surficial Geologic Map of New York. Donald H. Cadwell et al. 1989



#### LEGEND

- APARTMENT BUILDING OR DWELLING WITH STREET LEVEL STORES
- STORAGE BUILDING OR WAREHOUSE
- SCHOOL
- PARK/PLAYGROUND
- CHURCH/SYNAGOGUE/CHAPEL

- RESIDENTIAL
- COMMERCIAL (e.g. STORE/OFFICE) BUILDING
- PARKING LOT
- FACTORY
- VACANT

- (A) STORAGE DELUXE
- (B) PARKING LOT OWNED BY HIGH HAWK LLC C/O PWC
- (C) MBD COMMUNITY HOUSING CORPORATION
- (D) DELTA ASSOCIATES LLC
- (E) APARTMENT BUILDINGS OWNED BY DON QUIXOTE REDEVELOPMENT, L.P. AND SOUTHERN BLVD. CONTRACTING CORP.

#### SITE AND SURROUNDING AREA MAP

SOUTHERN BOULEVARD  
BROWNFIELD CLEAN UP APPLICATION

Prepared for

EXACT CAPITAL

**ROUX**  
ROUX ASSOCIATES, INC.  
Environmental Consulting  
& Management

Compiled by: J.D.	Date: 2/24/2010	PLATE
Prepared by: G.M.	Scale: AS SHOWN	
Project Mgr: M.R.	Office: NY	
File No: SAC0110001 CDR	Project No: 134101Y	