



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 9*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME 3500 Park Apts. Housing Development Fund Company, Inc. and 3500 Park Apts. L.P.

ADDRESS 290 Lenox Avenue

CITY/TOWN New York

ZIP CODE 10027

PHONE 212.633.3000

FAX 212.663.3181

E-MAIL CGordon@thebridgeny.org

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			X
Other VOCs			X
SVOCs	X		
Metals	X		
Pesticides			
PCBs			
Other*			

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

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

<input type="checkbox"/> Coal Gas Manufacturing	<input checked="" 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: Previous refrigeration, and metals works with spray booth facilities.

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 3500 Park Avenue Apartments				
ADDRESS/LOCATION 3500 Park Ave				
CITY/TOWN Bronx		ZIP CODE 10456		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Bronx				
COUNTY Bronx		SITE SIZE (ACRES) 0.35		
LATITUDE (degrees/minutes/seconds) 40 ° 49 ' 53.4 "		LONGITUDE (degrees/minutes/seconds) -73 ° 54 ' 28.0 "		
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.
3500 Park Ave			2389	20
				.35
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 DEC's website for more information) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, identify census tract : 145 Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" 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

none

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)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Carole Gordon			
ADDRESS 290 Lenox Avenue			
CITY/TOWN New York		ZIP CODE 10027	
PHONE 212.663.3000	FAX 212.663.3181	E-MAIL cgordon@thebridgeny.org	
NAME OF REQUESTOR'S CONSULTANT Deborah Shapiro, AKRF			
ADDRESS 440 Park Avenue South			
CITY/TOWN New York		ZIP CODE 10016	
PHONE 646.388.9544	FAX	E-MAIL dshapiro@akrf.com	
NAME OF REQUESTOR'S ATTORNEY Karen Sherman, Esq.			
ADDRESS 1140 Broadway, Suite 904			
CITY/TOWN New York		ZIP CODE 10001	
PHONE (212) 302-9456	FAX	E-MAIL karen@shermanlaw.net	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE: Aug. 17, 2016	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site?		<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

1. What is the current zoning for the site? What uses are allowed by the current zoning?

☒ Residential ☒ Commercial ☐ Industrial

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

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

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☒ Residential ☐ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☒ No

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

☒ Yes ☐ No

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

The proposed redevelopment plan includes a new residential building with a partial cellar that will contain a combination of both affordable and supportive housing units. In 2010, the Site was rezoned by 3500 Park Avenue LLC to R7-1 with a C2-4 overlay and extended the C2-4 overlay onto six adjacent lots (Block 2389, Lots 26, 27, 28, 31, 32 and p/o 33). The proposed redevelopment conforms to the current zoning. The zoning analysis is included with the proposed redevelopment plans in Attachment B.

☒ Yes ☐ No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

There are no formally adopted land use plans for the property. The proposed redevelopment plan includes a new residential building with a partial cellar that will contain a combination of both affordable and supportive housing units. In 2010, the Site was rezoned by 3500 Park Avenue LLC to R7-1 with a C2-4 overlay and extended the C2-4 overlay onto six adjacent lots (Block 2389, Lots 26, 27, 28, 31, 32 and p/o 33). The proposed redevelopment conforms to the current zoning.

☒ Yes ☐ No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Assistant Secretary (title) of 3500 Park Apts. Housing Development Fund Company, Inc. (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *Proposed DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 7/25/17 Signature: Carole Gordon

Print Name: Carole Gordon

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: _____

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Assistant Secretary (title) of 3500 Park Apts. L.P. (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the Proposed DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 6/23/17 Signature: Carole Gordon

Print Name: Carole Gordon

SUBMITTAL INFORMATION:

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

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>From ECL 27-1405(31):</p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

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

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☒ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: 3500 Park Avenue Apartments
City:

Site Address: 3500 Park Ave
County:

Zip: 10456

Tax Block & Lot

Section (if applicable):

Block: 2389

Lot: 20

Requestor Name:

City:

Requestor Address:

Zip:

Email:

Requestor's Representative (for billing purposes)

Name: Carole Gordon

Address: 290 Lenox Avenue

City:

Zip:

Email: cgordon@thebridgeny.org

Requestor's Attorney

Name: Karen Sherman, Esq.

Address: 1140 Broadway, Suite 904

City:

Zip:

Email: karen@shermanlaw.net

Requestor's Consultant

Name: Deborah Shapiro, AKRF

Address: 440 Park Avenue South

City: New York

Zip: 10016

Email: dshapiro@akrf.com

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

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree

Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

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

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**3500 Park Apts Housing Development Fund Company, Inc.
% The Bridge
290 Lenox Avenue
New York, NY 10027**

July 17, 2017

Susan Wiviott
3500 Park Apts. L.P.
% 290 Lenox Avenue
New York, NY 10027

RE: Property access to perform all obligations under the New York State Brownfield
Cleanup Program

Dear Ms. Wiviott,

3500 Park Apts. Housing Development Fund Company Inc. (HDFC) currently owns the property located at 3500 Park Avenue in the Bronx, New York (collectively referred to herein as the "Property"). HDFC hereby authorizes 3500 Park Apts. L.P. to access the Property to perform any and all obligations under the New York State Brownfield Cleanup Program ("BCP"). HDFC understands that 3500 Park Apts. L.P. will also need to provide access to the New York State Department of Environmental Conservation and qualified Environmental Professionals that 3500 Park Apts. L.P. has/have hired to perform a Remedial Investigation as required under the BCP as well as possible next steps, including but not limited to, all necessary sampling, investigation and remedial work required under the BCP.

Sincerely,

3500 Park Apts. Housing Development Fund Company, Inc.

By: 
Carole Gordon
Assistant Secretary

Brownfield Cleanup Program Application Supporting Documentation

PART A

Supplement to Section I. – Requestor Information

1. Requestor Information

Contact information and the names of members/owners of the Applicants are set forth below:

Entity Name/Applicant	Members	Contact Information
3500 Park Apts. Housing Development Fund Company, Inc.	The Bridge, Inc. sole member	%The Bridge Attn: Carole Gordon 290 Lenox St New York, NY 10027 Tel: 212.663.3000 Fax:
3500 Park Apts. L.P.	No members	%The Bridge 209 Lenox Avenue, 3 rd Floor New York, NY 10027 Tel: 212.663.3000 Fax:

The NYS Department of State’s Corporation and Business Entity Database information for each requestor is included as *Attachment A*. The two entities are herein collectively referred to as (the “Applicants”).

Supplement to Section II - Project Description

3. Remedial Investigation Report

A Remedial Investigation (RI) was conducted and a Remedial Investigation Report (RIR) was prepared in accordance with a New York City Office of Environmental Remediation (OER)-approved Phase II Work Plan. The RIR is the document being used to support this Brownfield Cleanup Program (BCP) Application. The RIR is included in *Attachment C*.

4. Project Description

The Applicants plan to enter into the BCP as a Volunteer. The Site consists of an approximately 15,207-square foot parcel located at 3500 Park Avenue in the Morrisania section of the Bronx, New York. The Site is identified by the City of New York as Borough of the Bronx, Block 2389, Lot 20. Currently, the Site consists of a parking lot with a small mobile attendant shed on the southwestern portion. The surrounding area comprises predominantly residential and commercial uses with two auto repair shops and an electrical equipment repair shop on the southern portion of the Site Block. A Site Location map and Site Plan are included in *Attachment B* as *Figures 1* and *2*, respectively.

The Site is part of the Bronx Census Tract 145, which is 100% located within an EnZone. According to the 2010-2014 American Community Survey (ACS) Profile data, 50.1% of the

population in Census Tract 145 is living below the poverty line. The unemployment rate for Census Tract 145 is 9.8%, compared to the New York City unemployment rate of 4.4% (as of December 2016) and the national unemployment rate of 4.4% (as of April 2017).

Entry into the BCP would facilitate the remediation and redevelopment of the Site by the Applicants into the proposed project named 3500 Park Avenue Apartments. The development project consists of the construction of a 115-unit multi-story mixed use building, which will provide housing for low income families, seniors and singles (46 units), and supportive housing (69 units) for homeless veterans with disabilities, homeless frail/disabled seniors, and homeless adults with serious mental illness ready to live more independently in the community. One partial cellar level will house building utilities. Rents for the low income units will be set at 60% of the Area Mean Income (AMI). Rent for the 69 rent subsidized special needs studios will be set at fair market rent levels with the tenants paying 30% of annual income as rent.

The Applicants are working with the New York City Department of Housing Preservation and Development (NYC HPD), New York State (NYS) Homeless Housing and Assistance Program (HHAP), and NYS Homes and Community Renewal (HCR) for financing that will include NYC HPD Supportive Housing Loan Program, HHAP, Supportive Housing Opportunity Program (SHOP), 4% low income housing tax credits and tax exempt bonds. The Applicants received an award from the new Empire State Supportive Housing Initiative (ESSHI) that will provide an annual contract for rental subsidies and services for the supportive tenants at \$25,000 per bed per year.

The building will have front desk coverage 24 hours a day, seven days a week. Support staff will provide case management and link supported housing residents to the services they need, and will work with these residents to assure that they receive these services on an ongoing basis. The Volunteer has established linkage agreements with local organizations and hospitals (i.e., St. Barnabas, Lincoln) that will offer medical, emergency, mental health, substance abuse, education, jobs training and other services to residents.

During construction, it is expected that the project would create an estimated 50 construction jobs; during operations, it is expected to have 15 new positions available including professional, paraprofessional and maintenance (full time superintendent and porters). The Applicants plan to make positions available to qualified community members.

The proposed redevelopment plans are included in *Attachment B*. The Applicants plan on conducting all remedial investigation and remedial activities in accordance with ECL Article 27, Title 14, 6 NYCRR 375-1.6(a), 375-3.6, and 375-6, and all applicable laws, rules, regulations, and guidance documents.

Estimated Project Schedule:

The remedial program is planned to begin in January 2018 and the Certificate of Completion (COC) is anticipated to be obtained in December 2019. The BCP project will likely include some or all of the activities listed below. This preliminary project schedule is subject to change.

Activity	Time To Complete
Submittal of BCP Application and Draft Remedial Investigation Work Plan (RIWP)	June 2017
Completeness Review	June/July 2017
30-day Public Notice/Public Comment Period is Initiated	July 2017
BCA Execution	August 2017
Submittal and Approval of Citizen Participation Plan and Final RIWP	August 2017
Remedial Investigation	August/September 2017
Draft Remedial Investigation Report (RIR) and Draft Remedial Action Work Plan (RAWP) Submitted to NYSDEC	October 2017
45-day Public Comment Period for RIR and RAWP is Initiated	November 2017
Public Comment Period for RIR and RAWP Ends	December 2017
Final RIR and RAWP Submitted/DEC Approves and Issues Decision Document	December 2017/January 2018
Issue Remedial/Construction Notice Fact Sheet	January 2018
Begin Redevelopment (Construction) with Implementation of RAWP	January 2018
Execution of Environmental Easement (if required)	July 2019
Draft Site Management Plan (SMP) Submitted to NYSDEC	October 1, 2019
Draft Final Engineering Report and Fact Sheet	October 2019
Certificate of Completion and Fact Sheet	December 2019
Completion of Building	December 2020

Supplement to Section III – Property Environmental History

The following figures are included in *Attachment B*:

- Figure 1 – Site Location
- Figure 2 – Site Plan
- Figure 3 – Tax Map
- Figure 4 – Surrounding Land Use
- Figure 5 – Zoning Map
- Figure 6 – Soil Sample Concentrations Above NYSDEC UUSCOs and RRSCOs
- Figure 7 – Soil Vapor Sample Concentrations Above AGVs

1. *Environmental Reports*

Copies of the following previous investigation reports for the Site are included as *Attachment C* (Electronic Copies only):

1. Phase I Environmental Site Assessment, 3500 Park Avenue, Bronx, NY, prepared by LandAmerica Assessment Corporation, dated June 2006
2. Phase I Environmental Site Assessment, 3500 Park Avenue, Bronx, NY, prepared by AKRF, Inc., dated June 2016
3. Phase II Work Plan (Short Form) for 3500 Park Avenue, Bronx, NY, prepared by AKRF, Inc., dated May 2016
4. Remedial Investigation Report, 3500 Park Avenue, Bronx, NY, prepared by AKRF, Inc., dated June 2016

Summaries of previous investigations are provided below. The Applicants believe that there is sufficient information to proceed expeditiously with this BCP application. The Applicants, as Volunteers under the BCP, seek to enroll in the program to remediate the Site in a timely manner under the oversight of NYSDEC.

Phase I Environmental Site Assessment, 3500 Park Ave, Bronx, NY, LandAmerica Assessment Corporation, June 2006

LandAmerica Assessment Corporation conducted a Phase I Environmental Site Assessment (ESA) of the Site in June 2006. The Phase I ESA identified the following:

- Historical records including Sanborn Maps, City Directories, and local regulatory records indicated that the Site was utilized for industrial/manufacturing purposes from 1945 to 1995, and operated as a wood working facility with a spray booth, BiltRite Fixture Company, Servrite Refrigeration Company, and a parking lot.
- Regulatory records identified the following: The NYC Board of Education located across East 168th Street at 1245 Washington Avenue as a Resource Conservation and Recovery Act (RCRA) Small Quantity Generator (SQG) and Underground Storage Tank (UST) facility; Evangelical Church of God located southeast-adjacent at 1205 Washington Avenue as a NYS Spill Site and UST facility; 3494 Park Avenue located south-adjacent to the Site as a UST facility; and Manhole 63 at East 168th Street and Park Avenue located north-adjacent to the Site as a NYS Spill Site.

Phase I Environmental Site Assessment, 3500 Park Ave, Bronx, NY, AKRF, Inc., June 2016

AKRF, Inc. conducted a Phase I Environmental Site Assessment (ESA) of the Site in May 2016 (Final Report dated June 2016). The Phase I ESA identified the following:

- Historic uses of the Site included: an advertising display and woodworking manufacturer with a spray booth and paint vault, East Coast Aeronautics Inc., Progressive Tool Works, Weskup Manufacturing Jewelry Co., Kingston Manufacturing Corp. Biltrite/Biltbite Fixture Company, and Servrite Refrigeration Inc. from 1949 to 1993, and an automobile garage from 1927 and 1940. It was reported that undocumented releases from these historic industrial uses may have affected subsurface conditions of the Site. An elevated shed containing a 15-gallon drum with approximately 8 gallons of diesel fuel used for the forklift was observed in the southwestern portion of the Site, adjacent to the attendant

shed. Staining was observed throughout the parking lot, reported to be likely from drips and minor spills associated with parked vehicles.

- According to a Conditional Negative Declaration issued in September 2010 (CEQR No.08DCP022X), a Restrictive Declaration (RD) for hazardous materials was recorded on January 22, 2010 and an (E) Designation for noise (E-259) was mapped on the Site.
- Historic Sanborn maps identified The New York Department of Water Supply garage abutting the Site to the south from 1951 to 1986, and a gasoline station with buried tanks and an auto repair shop north of the Site across East 168th Street in 1951. Additionally, historic auto repair shops, garages, filling stations, dry cleaning and laundry facilities, metal works facilities, and various manufacturing facilities were noted in the surrounding area from 1896 to 2007. Such uses were reported to have potentially affected area soil and/or groundwater quality.
- Although no painted surfaces or suspect asbestos-containing materials (ACMs) were observed during the time of AKRF's site visit, the report noted that the potential existed for building materials from former on-site structures and debris to be within the historical fill. Based on the age of the former structures, it was noted that these materials could have contained lead-based paint and/or ACM.

Based on the findings of the Phase I ESA, AKRF recommended conducting a Subsurface (Phase II) Investigation at the Site to determine whether the subsurface conditions had been affected by former and/or current on- and off-site uses.

Phase II Work Plan (Short Form) for 3500 Park Ave, Bronx, NY, AKRF, Inc., May 2016

AKRF, Inc. prepared a Phase II Work Plan to investigate subsurface conditions at the Site in response to the findings of the 2016 Phase I ESA and a meeting with OER. The planned Phase II scope of work included the following:

- A geophysical survey, including ground-penetrating radar (GPR) and a magnetometer survey, to investigate and confirm the potential presence and location of USTs, underground utilities, drums, or other geophysical irregularities.
- Advancement of a minimum of five soil borings and collection and laboratory analysis of at least ten soil samples. Borings were to be advanced to the groundwater interface or bedrock, whichever was encountered first. One sample per boring was proposed for collection from the two-foot interval at the surface, with one additional sample per boring collected from an interval of contamination (if observed) or from the anticipated excavation depth.
- Installation of three temporary groundwater monitoring wells and collection and laboratory analysis of three groundwater samples.
- Installation of four temporary soil vapor probes and collection and laboratory analysis of three soil vapor samples. The soil vapor implants were proposed to be set at a depth of approximately 12 feet below grade. For quality assurance/quality control (QA/QC) purposes and to establish background conditions, one ambient air sample was proposed to be collected concurrently with the soil vapor samples.

- Soil and groundwater samples would be analyzed for volatile organic compounds (VOCs) by U.S. Environmental Protection Agency (EPA) Method 8260, semivolatile organic compounds (SVOCs) by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls (PCBs) by EPA Method 8082, and Target Analyte List (TAL) metals by EPA Method 6010 and 7471 (filtered and unfiltered analysis for groundwater). Soil vapor samples would be analyzed for VOCs by EPA Method TO-15.

Remedial Investigation Report, 3500 Park Ave, Bronx, NY, by AKRF, Inc., June 2016

AKRF conducted a Remedial Investigation (RI) at the Site in May 2016 in accordance with the OER-approved Phase II Work Plan. The investigation consisted of: a Site inspection to identify AOCs and physical obstructions; a subsurface geophysical survey; the advancement of 5 soil borings with the collection and laboratory analysis of 14 soil samples; and the installation of four temporary soil vapor points with the collection and laboratory analysis of four soil vapor samples and one ambient air sample. The geophysical survey did not identify any anomalies at the Site. A track-mounted, direct-push drill rig equipped with a stainless steel macrocore sampler was used to advance the soil borings, collect soil samples, and install soil vapor points.

Observations of the five soil boring cores indicated that subsurface soils consisted of historic fill material, including sand, silt, gravel, asphalt, rock, brick, and wood. Soil samples were screened for volatile organic compounds with a photoionization detector (PID). PID readings ranged from 0.2 parts per million (ppm) in soil sample SB-3(9-10) to 220 ppm in SB-1(1-2). Limited staining and a slight petroleum-like odor were observed in SB-4 from 1 to 2 feet below grade. Geoprobe refusal occurred between 12 and 19 feet below grade on presumed bedrock. Groundwater was not encountered above presumed bedrock. Results of the soil sample analysis were as follows:

- One discreet soil sample was collected from each boring in a shallow interval, and one discrete soil sample was collected from a deep interval between 10 and 12 feet below grade, with the remaining four samples taken from intermediate depths in SB-1, SB-2, and SB-4 and SB-5. Soil sample results were compared to the NYSDEC 6 New York City Rules and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs).
- Up to 13 VOCs were detected in each of the 14 soil samples. One VOC, acetone, a common laboratory contaminant, was detected at a concentration of 0.14 ppm in one soil sample, slightly above its UUSCO but below its RRSCO. Acetone was also detected in the laboratory blank; therefore, the presence of acetone is not representative of Site conditions. No other VOCs were detected at concentrations above their respective UUSCOs or RRSCOs.
- Up to 21 SVOCs were detected in 13 of the 14 soil samples, with a maximum concentration of 33 ppm of benzo(b)fluoranthene in SB-1(4-6). Up to seven SVOCs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene] were detected in soil samples SB-1(4-6), SB-1(10-12), SB-2(0-2), SB-3(0-2), SB-4(0-2), SB-4(6-8), SB-5(0-2) at concentrations exceeding their respective NYSDEC UUSCOs and RRSCOs. Benzo(a)anthracene was detected in seven samples at concentrations ranging from 0.14 ppm to 28 ppm, above the UUSCO of 1 ppm and RRSCO of 1 ppm. Benzo(a)pyrene was detected in six samples at an estimated concentration of 0.6 ppm to 30 ppm, above the UUSCO and RSCO of 1 ppm. Benzo(b)fluoranthene was detected in six samples at

concentrations ranging from 2.1 ppm to 33 ppm, above the UUSCO of 1 ppm and RRSCO of 1 ppm. Benzo(k)fluoranthene was detected in six samples at concentrations ranging from 0.85 ppm to 13 ppm, above the UUSCO of 0.8 ppm and RRSCO of 3.9 ppm. Chrysene was detected in six samples at concentrations ranging from 1.7 ppm to 29 ppm, above the USCO of 1 ppm and RRSCO of 3.9 ppm. Dibenzo(a)anthracene was detected in five samples at concentrations ranging from 0.35 ppm to 4.5 ppm, above the UUSCO and RSCO of 0.33 ppm. Indeno(1,2,3-cd)pyrene was detected in seven samples at an estimated concentration of 0.6 ppm to 21 ppm, above the UUSCO and RRSCO of 0.5 ppm.

- Metals were detected in each of the 14 soil samples. Mercury, zinc, lead, and copper were detected in nine soil samples at concentrations above their respective UUSCOs. Of the metals that exceeded UUSCOs, mercury (maximum concentration of 2.2 mg/kg) and copper (maximum concentration of 410 mg/kg) were detected at concentrations above their respective RRSCOs in two soil samples.
- Pesticides were detected in 9 of the 14 soil samples. Four pesticides (p,p'-DDE, p,p'-DDT, p,p'-DDD, and dieldrin) were detected at concentrations up to 0.09 ppm, above their respective UUSCOs, but below the RRSCOs. PCBs were detected in 4 of the 14 soil samples. One PCB (Aroclor 1248) was detected in soil sample SB-3 (0-2) and its blind duplicate sample SB-X (0-2) at concentrations of 0.111 ppm and 0.403 ppm, respectively, above the total PCB UUSCO of 0.1 mg/kg but below the RRSCO.

Results of the soil vapor sample analyses were as follows:

- Soil vapor sample analytical results were compared to the October 2006 New York State Department of Health (NYSDOH) Air Guidance Values (AGVs) of the Final Guidance for Evaluating Soil Vapor Intrusion, the September 2013 NYSDOH Fact Sheet update for tetrachloroethylene (PCE), and the August 2015 Fact Sheet update for trichloroethylene (TCE).
- VOCs associated with petroleum/gasoline (n-hexane, 1,3-butadiene, 2-butanone, toluene, 2-hexanone) were detected at concentrations up to 60.6 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) in the soil vapor samples. 1,1,1-Trichloroethane was detected in three soil vapor samples at concentrations ranging from $4.05 \mu\text{g}/\text{m}^3$ to $7.69 \mu\text{g}/\text{m}^3$. The NYSDOH has established AGVs for three of the VOCs analyzed [methylene chloride, PCE, and trichloroethene (TCE)]. PCE was detected in all four soil vapor samples at concentrations ranging from $5.28 \mu\text{g}/\text{m}^3$ to $136 \mu\text{g}/\text{m}^3$. One of the four soil vapor samples (SV-3) exhibited PCE at a concentration of $136 \mu\text{g}/\text{m}^3$, greater than the AGV of $30 \mu\text{g}/\text{m}^3$. TCE remained undetected in all four soil vapor samples at laboratory detection limits that are greater than the AGV of $2 \mu\text{g}/\text{m}^3$. Methylene chloride remained undetected in all four soil vapor samples at laboratory detection limits that were greater than the AGV of $60 \mu\text{g}/\text{m}^3$. These laboratory detection limits were similar to the respective AGVs and are considered as undetected concentrations. VOCs detected in the ambient air sample, AA-1, were all below the established AGVs.

2. Sampling Data

AKRF's 2016 Remedial Investigation Report concluded that contaminated soil and soil vapor were present at the Site. Soil beneath the Site was reported to be contaminated with SVOCs,

metals, and pesticides. The elevated concentrations of metals and SVOCs in soil were detected primarily in soil samples collected from the fill layer. The chlorinated solvent PCE was detected in soil vapor beneath the Site. The detections of PCE in soil vapor appeared to be related to historic manufacturing operations at the Site. Figures indicating soil sample concentrations above NYSDEC UUSCOs and RRSCOs and soil vapor concentrations above NYSDOH AGVs from this RI are provided as *Figures 6 and 7* respectively.

Supplement to Section IV- Property Information

2. Tax Map

A tax map of the Site and adjacent properties is provided as *Figure 3*. The Site is identified by the City of New York as Block 2389, Lot 20.

10. Property Description and Environmental Assessment

Location – The Site is located at 3500 Park Avenue in an urban area in the Morrisania neighborhood of the Bronx, New York. The Site is bordered by: 168th Street to the north, followed by Public School (PS) 132 and commercial and residential buildings further north; an industrial yard, vacant lot, residential and commercial buildings to the east; Webster Beverage Wholesale Restaurant Supply facility to the south; and Park Avenue, followed by Metro North Railroad tracks at approximately 20 feet below ground surface, to the west.

Site Features – The Site consists of a 15,207-square foot asphalt-paved parking lot with a small mobile storage container on the southwestern portion of the lot, which served as an attendant shed. The Site has been vacant or a parking lot since approximately 1995.

Current Zoning and Land Use – The Site is currently a parking lot. In 2010, the Site was rezoned by 3500 Park Avenue LLC to R7-1 with a C2-4 overlay and extended the C2-4 overlay onto six adjacent lots (Block 2389, Lots 26, 27, 28, 31, 32 and p/o 33). The surrounding area is composed of predominantly residential and commercial uses with two auto repair shops and an electrical equipment repair shop on the southern portion of the Site Block. The proposed redevelopment complies with the current zoning for the Site.

Past Use of the Site – AKRF's May 2016 Phase I Environmental Site Assessment (ESA) indicated that the Site was developed historically with a one-story building. Previous Site uses included: an advertising display and woodworking manufacturer with a spray booth and paint vault, East Coast Aeronautics Inc., Progressive Tool Works, Weskup Manufacturing Jewelry Co., Kingston Manufacturing Corp. Biltrite/Biltbite Fixture Company, and Servrite Refrigeration Inc. from 1949 to 1993; and an automobile garage in 1927 through 1940. The Site has been vacant or utilized as an automobile parking lot circa 1995.

Site Geology and Hydrology – Based on reports compiled by the U.S. Geological Survey Yonkers Quadrangle map, the Site lies at an elevation of approximately 30 to 40 feet above the National Geodetic Vertical Datum of 1988 (an approximation of mean sea level) and slopes slightly to the west. Presumed bedrock was encountered at the Site between 12 and 19 feet below sidewalk grade. Groundwater was not encountered above bedrock, but based on topography and local hydrogeology, groundwater would be expected to flow in a south-southeast direction.

During the 2016 RI, historic fill materials including gravel, brick, wood, and silt were observed in each soil boring down to 12 feet below the sidewalk grade.

Environmental Assessment – Based on the investigations conducted to date, the primary contaminants of concern for the Site are polycyclic aromatic hydrocarbons (PAHs) and metals.

Soil - Soil sample analytical results obtained during the May 2016 remedial activities were compared to 6NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (USCOs) and Restricted Residential Use (RSCOs). One volatile organic compound (VOC), acetone, was detected at a concentration of 0.14 parts per million (ppm), above its USCO in soil sample SB-5(0-2). Acetone was detected in the laboratory method blank; therefore, the presence of acetone is not representative of Site conditions. Tetrachloroethene (PCE) was detected in two soil samples [SB-4(6-8) and SB-4(10-12)] at trace, low-level concentrations. No VOCs were detected at concentrations exceeding RSCOs. Up to 21 polycyclic aromatic hydrocarbons (PAHs) were detected in 13 of the 14 soil samples with a maximum concentration of 33 ppm in shallow soil sample SB-1 (4-6). Up to seven SVOCs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene] were detected in soil samples SB-1(4-6), SB-1(10-12), SB-2(0-2), SB-3(0-2), SB-4(0-2), SB-4(6-8), SB-5(0-2) at concentrations exceeding their respective NYSDEC USCOs and RSCOs. Benzo(a)anthracene was detected in seven samples at concentrations ranging from 0.14 ppm to 28 ppm, above the USCO of 1 ppm and RSCO of 1 ppm. Benzo(a)pyrene was detected in six samples at an estimated concentration of 0.6 ppm to 30 ppm, above the USCO and RSCO of 1 ppm. Benzo(b)fluoranthene was detected in six samples at concentrations ranging from 2.1 ppm to 33 ppm, above the USCO of 1 ppm and RSCO of 1 ppm. Benzo(k)fluoranthene was detected in six samples at concentrations ranging from 0.85 ppm to 13 ppm, above the USCO of 0.8 ppm and RSCO of 3.9 ppm. Chrysene was detected in six samples at concentrations ranging from 1.7 ppm to 29 ppm, above the USCO of 1 ppm and RSCO of 3.9 ppm. Dibenz(a)anthracene was detected in five samples at concentrations ranging from 0.35 ppm to 4.5 ppm, above the USCO and RSCO of 0.33 ppm. Indeno(1,2,3-cd)pyrene was detected in seven samples at an estimated concentration of 0.6 ppm to 21 ppm, above the USCO and RSCO of 0.5 ppm.

Nineteen of the 23 metals analyzed were detected in 1 or more of the 14 soil samples analyzed. Mercury (maximum concentration of 2.2 ppm), zinc (maximum concentration of 480 ppm), lead (maximum concentration of 400 ppm), and copper (maximum concentration of 410 ppm) were detected in soil samples SB-1(0-2), SB-1(4-6), SB-2(0-2), SB-3(0-2), SB-4(0-2), SB-4(6-8), SB-4(10-12), SB-5(0-2), and SB-5(4-6) at concentrations exceeding their respective NYSDEC USCOs. Copper (maximum concentration of 410 ppm) and mercury (maximum concentration of 2.2 ppm) were detected in samples SB-1(0-2) and SB-1(4-6) at concentrations exceeding the applicable NYSDEC RSCOs. One PCB, Aroclor 1248, was detected in shallow soil sample SB-3 (0-2) and its associated blind duplicate sample SB-X (0-2), at a concentration of 0.111 ppm and 0.403 ppm, respectively, which is slightly above the NYSDEC USCO of 0.1 ppm.

Soil Vapor - Soil vapor sample analytical results were compared to the NYSDOH 2006 Guidance for Evaluating Soil Vapor Intrusion Air Guidance Values (AGVs) and the September 2013 NYSDOH Fact Sheet update for PCE.

Twelve VOCs were detected in one or more of the soil vapor samples. VOCs associated with petroleum/gasoline (n-hexane, 1,3-butadiene, 2-butanone, toluene, 2-hexanone) were detected at concentrations up to 60.6 $\mu\text{g}/\text{m}^3$ in the soil vapor samples. 1,1,1-trichloroethane was detected in three soil vapor samples at concentrations ranging from 4.05 $\mu\text{g}/\text{m}^3$ to 7.69 $\mu\text{g}/\text{m}^3$. The NYSDOH has established AGVs for three of the VOCs analyzed (methylene chloride, PCE, and

TCE). PCE was detected in all four soil vapor samples at concentrations ranging from 5.28 $\mu\text{g}/\text{m}^3$ to 136 $\mu\text{g}/\text{m}^3$. One of the four soil vapor samples (SV-3) exhibited PCE at a concentration of 136 $\mu\text{g}/\text{m}^3$, greater than the AGV of 60 $\mu\text{g}/\text{m}^3$ but below the NYSDOH immediate action level for PCE of 300 $\mu\text{g}/\text{m}^3$. TCE remained undetected in all four soil vapor samples at laboratory detection limits that are greater than the AGV of 2 $\mu\text{g}/\text{m}^3$. Methylene chloride remained undetected in all four soil vapor samples at laboratory detection limits that are greater than the AGV of 60 $\mu\text{g}/\text{m}^3$. These laboratory detection limits were similar to the respective AGVs and are considered as undetected concentrations. VOCs detected in the ambient air sample, AA-1, were all below the established AGVs.

Soil and soil vapor sample results are summarized in *Figures 6 and 7*.

PART B

Supplement to Section VI. – Previous Property Owners/Operators

Current owner(s):

The current owner of the Site (as defined herein), on which the proposed Brownfield Cleanup Program Site is located is 3500 Park Apts. HDFC, Inc.. The Site that is the subject of this application is 3500 Park Avenue (Block 2389, Lot 20).

Prior owner(s), known corporate members, and relationship to Requestor(s):

The Applicants anticipate voluntarily investigating and remediating the Site, as required under the Brownfield Cleanup Program, as part of its redevelopment of the Site into affordable and supportive housing.

Table 2
Previous Property Owners/Operators

Property Owners/ Operators	Years of Ownership	Status of Entity (Alive, Deceased, Active, Dissolved)	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor(s)	Owner/ Operator
3500 Park Apts. HDFC, Inc.	Sept 2016 – Present	Active	290 Lenox Avenue, NY, NY 10027	Requestor	Current owner. No current operations
3500 Park Avenue, LLC	Jul 2006 – Sept 2016	Active	%Volmar Construction Inc. 4400 2 nd Ave. Brooklyn, NY 11232	None	Owner
Volmar-Galaxy LLC	Nov 2009 – Sept 2016	Active	4400 2 nd Ave. Brooklyn, NY 11232	None	Operator
3500 Park, Inc.	Sept 1994 – Jul 2006	Active	2447 Third Ave. Bronx, NY 10451	None	Owner
Jiminex Parking Lot	2000–2008	Unknown	Unknown	None	Operator
1281 Washington Ave, Inc.	Mar 1988 – Sept 1994	Dissolved	% Milton Gottlieb, Esq. 457 West 151 st St. NY, NY 10031	None	Owner
Bilrite Fixture Company Inc.	1961-1983	Unknown	Unknown	None	Operator

Property Owners/ Operators	Years of Ownership	Status of Entity (Alive, Deceased, Active, Dissolved)	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor(s)	Owner/ Operator
Servrite Refrigeration Inc.	1961-1971	Unknown	Unknown	None	Operator
Progressive Tool Works	1959 – Mar 1988	Unknown	Unknown	None	Owner and Operator
Progressive Tool Works	1949–1959	Unknown	Unknown	None	Operator
Kingston Manufacturing Corp.	1956	Unknown	Unknown	None	Operator
Weskup Manufacturing Jewelry Co.	1949	Unknown	Unknown	None	Operator
East Coast Aeronautics Inc.	1949	Unknown	Unknown	None	Operator
Lenruth Garage Inc.	1940	Unknown	Unknown	None	Operator
Pincus Garage, Up to Date Garage Inc.	1927	Unknown	Unknown	None	Operator
Unknown	1927–1959	Unknown	Unknown	None	Owner
Unknown	Prior to 1927	Unknown	Unknown	Unknown	Owner and Operator

Supplement to Section VII. – Requestor Eligibility Information

Volunteer Status

The Applicants qualify as Volunteers with respect to the Site because they have not owned or operated the Site at the time of the disposal of hazardous waste, if any, or discharge of petroleum, if any. The Applicants performed all appropriate inquiry prior to its involvement as developers of the Site, i.e., they retained a qualified environmental consultant to conduct a Phase I Environmental Site Assessment of the Site consistent with the most recent ASTM standards (E 1527-13) and 40 CFR 312 and are voluntarily applying to be accepted into the New York State Brownfield Cleanup Program to undertake all required investigation and remediation of the Site prior to and/or concurrent with its redevelopment into affordable/supportive housing.

Proof of access from the Site Owner is included in Attachment A.

Supplement to Section IX. – Contact List Information

1. Local, State, and Federal Officials

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street New York, NY 10007
Hon. Ruben Diaz, Jr. Bronx Borough President 851 Grand Concourse, 3 rd Floor Bronx, New York 10451	Hon. Ruben Diaz, Sr. NY State Senator, District 32 900 Rogers Place Bronx, NY 10459
Hon. Michael Blake State Assembly District 79 780 Concourse Village West Bronx, New York 10451	Hon. Vanessa L. Gibson City Council District 16 1377 Jerome Ave. Bronx, NY 10452
Commissioner NYC Department of City Planning 120 Broadway, 31 st Floor New York, New York 10271	NYC Department of City Planning Bronx Borough Office One Fordham Plaza, 5 th Floor Bronx, New York 10458-5891
Hon. Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510	Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, New York 10017
Hon. Jose E. Serrano U.S. House of Representatives 1231 Lafayette Avenue, 4 th Floor Bronx, New York 10474	Hon. Governor Andrew M. Cuomo NYS State Capitol Building Albany, New York 12224
Daniel Walsh, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038	Nilda Mesa, Director Mayor's Office of Environmental Sustainability 253 Broadway, 7 th Floor New York, New York 10007
Julie Stein DEP – Office of Environmental Assessment & Planning 96-05 Horace Harding Expressway Flushing, New York 11373	Bronx County Clerk Bronx County Clerks' Office 851 Grand Concourse, Room 118 Bronx, New York 10451

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

The Site, Block 2389, Lot 20, is currently owned by 3500 Park Apts. HDFC, Inc., located at 290 Lenox Avenue, New York, NY 10027. A list of adjacent properties and owners is provided below:

<p><u>Adjacent to the north:</u></p> <p><u>Block 2390, Lot 1</u> Owner: Mitchell Silver, Commissioner, New York City Department of Parks & Recreation 830 Fifth Avenue New York, NY, 10065</p> <p>Occupants: Anissa Reilly Garret A. Morgan Public School (PS) 132 1245 Washington Avenue Bronx, NY 10456</p> <p>Morgan Playground 1241 Washington Avenue Bronx, NY 10456</p>	<p><u>Adjacent to the south:</u></p> <p><u>Block 2389, Lot 16</u> Owner: Webster Candy, LLC c/o James Schuman 50 Ledge Crest Road Scarsdale, NY 10583</p>
<p><u>Adjacent to the east:</u></p> <p><u>Block 2389, Lot 26</u> Owner: Chinyere Ajah 1 Trusdale Drive Old Westbury, NY 11568</p> <p>Occupants: Majen NCA LLC 90-24 Sutphin Boulevard Jamaica, NY 11435</p> <p>Grand African American Restaurant 454 E 168th St Bronx, NY 10456</p> <p><u>Block 2389, Lot 31</u> Owner: No contact name on Deed 1211 Washington Avenue HDFC 1211 Washington Avenue Bronx, NY 10456</p> <p><u>Block 2389, Lot 32</u> Owner: Hubert Irons DonLee Realty Corp. 1209 Washington Avenue Bronx, NY 10456</p>	<p><u>Adjacent to the west:</u></p> <p><u>Block 2393, Lot 26</u> Owner: Thomas F. Prendergast Metropolitan Transit Authority 347 Madison Avenue New York, NY 10017</p> <p><u>Block 2395, Lot 26</u> Owner: Thomas F. Prendergast Metropolitan Transit Authority 347 Madison Avenue New York, NY 10017</p>

Block 2389, Lot 33 Owner: No contact name on Deed Evangelical Church of God, Inc. 1205 Washington Avenue Bronx, NY 10456	
--	--

3. Local News Media

New York Post 1211 Avenue of the Americas New York, New York 10036	New York Daily News 4 New York Plaza New York, New York 10004
New York 1 News 75 Ninth Avenue New York, NY 10011 Email: ny1news@ny1.com	Times-Ledger Newspapers 40-02 Bell Boulevard, 2 nd Floor Bayside, New York 11361
The Bronx Times 3604 East Tremont Avenue Bronx, New York 10465	The Bronx Chronicle 25 Westchester Square, Suite 1 Bronx, New York 10462
The Bronx Free Press 5030 Broadway, Suite 801 New York, New York 10034	News 12 The Bronx 930 Soundview Avenue Bronx, New York 10473
Bronx Press-Review 6052 Riverdale Avenue Bronx, New York 10471	

4. Public Water Supply

Public water is provided by The City of New York, Department of Environmental Protection (Customer Service Center, 59-17 Junction Boulevard, 13th Floor, Flushing, New York 11373).

5. Additional Contacts

None

6. Nearby School and Day Care Centers

Daycares:

Elizabeth Wilson, Director
Louis A Fickling Child Development Center
1240 Webster Avenue
Bronx, NY 10456
(718) 538-7135
Distance: 300 feet north-west of the Site

No Contact Name
Community Center
421 E 168th St #1
Bronx, NY 10456
(718) 538-9665
Distance: 200 feet north-west of the Site

No Contact Name
Ready Set Learn Childcare Center
3467 Third Avenue
Bronx, NY 10456
(718) 665-1234
Distance: 600 south-east of the Site

Claremont Neighborhood Centers
489 E 169th Street
Bronx, NY 10456
Abraham Jones, Executive Director
(718) 588-1740
Distance: 900 feet north-east of the Site

Silvana Cowden
Good Counsel Day Care Center
1157 Fulton Avenue
Bronx, NY 10456
(718) 378-0341
Distance: 900 feet south-east of the Site

Schools:

Garret A. Morgan Public School 132
1245 Washington Avenue
Bronx, NY 10456
Anissa Reilly, Principal
(718) 681-6455
Distance: 300 feet north-east of the Site

Harriet Tubman Charter School Elementary Academy
3565 Third Avenue
Bronx, NY 10456
Cleveland Person, Principal
(718) 537-9912
Distance: 650 feet north-east of the Site

South Bronx Classical Charter School III
3490 Third Avenue
Bronx, NY 10456
Rebecca Geary, School Director
(929) 285-3025
Distance: 600 feet east of the Site

Frederick Douglass Academy III Secondary School
3630 Third Avenue
Bronx, NY 10456

Jumel Carlos, Principal
(718) 538-9726
Distance: 1200 feet north-east of the Site

I.S. 219 New Venture School
3630 Third Avenue
Bronx, NY 10456
Dominic Cipollone, Principal
(718) 681-7093
Distance: 1200 feet north-east of the Site

Bronx Center for Science and Mathematics
1363 Fulton Avenue
Bronx, NY 10456
Edward Tom, Principal
(718) 992-7089
Distance: 1200 feet north-east of the Site

DreamYard Project
1085 Washington Avenue
Bronx, NY 10456
Jason Duchin & Tim Lord, Co-Executive Directors
(718) 588-8007
Distance: 1200 feet south of the Site

P.S. 053 Basheer Quisim
360 E 168th St
Bronx, NY 10456
Collin Wolfe, Principal
(718) 681-7276
Distance: 1200 feet west of the Site

7. Document Repositories

Morrisania Library
610 East 169th Street
Bronx, New York 10456
Colbert Nembhard, Library Manager
(718) 589-9268

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

Letters signed by representatives of the designated document repositories are included in *Attachment B*.

8. Local Community Board

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

Supplement to Section X. – Land Use Factors

1. Zoning

In 2010, the Site was rezoned by 3500 Park Avenue LLC to R7-1 with a C2-4 overlay and extended the C2-4 overlay onto six adjacent lots (Block 2389, Lots 26, 27, 28, 31, 32 and p/o 33). The proposed use of the Site is residential. The proposed development complies with the current zoning. The zoning analysis demonstrating compliance with current zoning is included in Attachment B.

2. Current Site Use

The Site is an asphalt-paved parking lot with a small mobile attendant shed on the southwestern portion; it has been vacant or used as a parking lot since approximately 1995. The Site was developed historically as an advertising display and woodworking manufacturer with a spray booth and paint vault, East Coast Aeronautics Inc., Progressive Tool Works, Weskup Manufacturing Jewelry Co., Kaytes Robt. Associates, Kingston Manufacturing Corp. Biltrite/Biltbite Fixture Company, and Servrite Refrigeration Inc. from 1949 to 1993, and an automobile garage in 1927 through 1940. Date for when operations at the Site ceased is unknown. An Existing Land Use map is included as *Figure 4* in *Attachment B*.

3. Proposed Site Use

The proposed redevelopment plan includes a new residential building with a partial cellar that will contain a combination of both affordable and supportive housing units.

ATTACHMENT A

**NYS DEPARTMENT OF STATE
CORPORATION AND ENTITY DATABASE**

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through May 16, 2017.

Selected Entity Name: 3500 PARK APTS. HOUSING DEVELOPMENT FUND COMPANY, INC.

Selected Entity Status Information

Current Entity Name: 3500 PARK APTS. HOUSING DEVELOPMENT FUND COMPANY, INC.

DOS ID #: 4986478

Initial DOS Filing Date: AUGUST 02, 2016

County: BRONX

Jurisdiction: NEW YORK

Entity Type: DOMESTIC NOT-FOR-PROFIT CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

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

THE BRIDGE, INC.

248 WEST 108TH ST.

NEW YORK, NEW YORK, 10025

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, 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
AUG 02, 2016	Actual	3500 PARK APTS. HOUSING DEVELOPMENT FUND COMPANY, INC.

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.

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NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through June 5, 2017.

Selected Entity Name: 3500 PARK APTS. L.P.

Selected Entity Status Information

Current Entity Name: 3500 PARK APTS. L.P.

DOS ID #: 5142540

Initial DOS Filing Date: MAY 24, 2017

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED PARTNERSHIP

Current Entity Status: ACTIVE

Selected Entity Address Information

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

3500 PARK APTS. L.P.

C/O THE BRIDGE, INC.

290 LENOX AVENUE, 3RD FL

NEW YORK, NEW YORK, 10027

Registered Agent

NONE

*Stock Information

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

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
MAY 24, 2017	Actual	3500 PARK APTS. L.P.

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.

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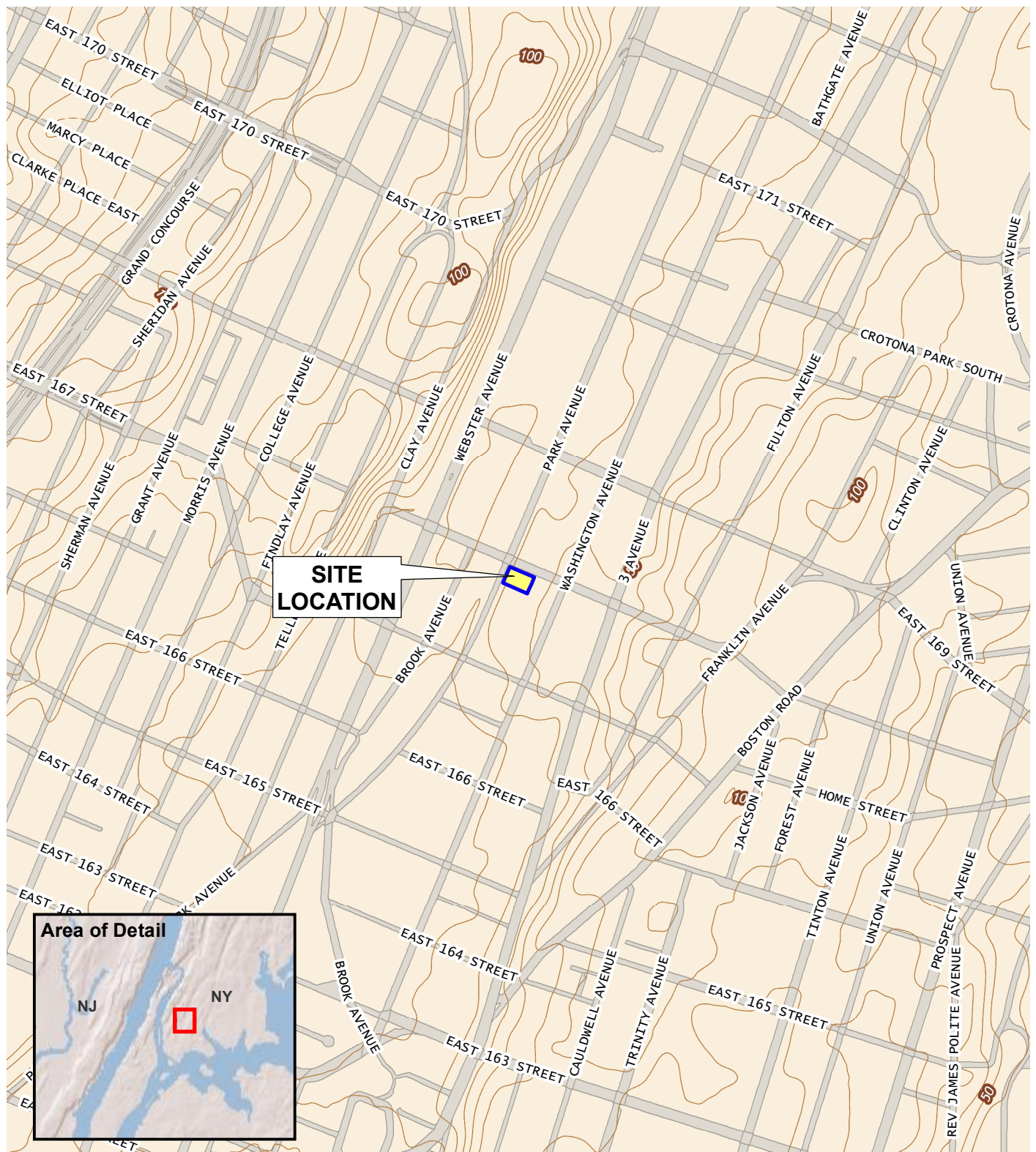
ATTACHMENT B

FIGURES

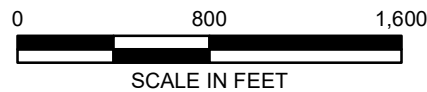
**PROPOSED REDEVELOPMENT PLANS
CONDITIONAL NEGATIVE DECLARATION
DOCUMENT REPOSITORY LETTERS**

FIGURES

©2017 AKRF W:\Projects\12477 - 3500 PARK AVENUE\Technical\GIS and Graphics\hazmat\12477 Fig 1 Site Location BCP.mxd 5/17/2017 3:51:39 PM iszalus



Map Source: USGS Topo base map service from The National Map



440 Park Avenue South, New York, NY 10016

3500 Park Avenue
Bronx, New York

SITE LOCATION

DATE

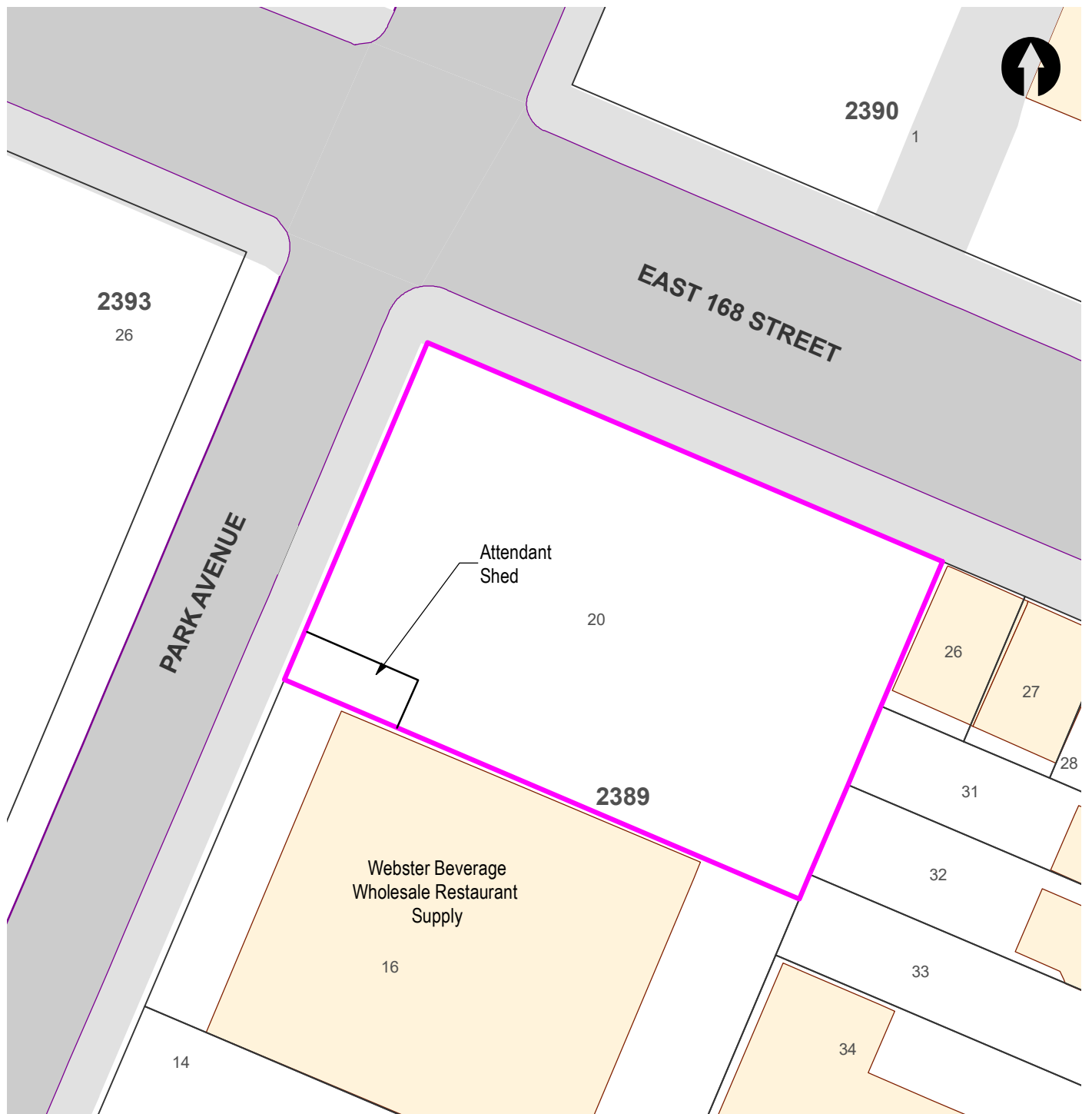
5/17/2017

PROJECT NO.

12477

FIGURE

1



LEGEND

- PROJECT SITE BOUNDARY
- 20 LOT BOUNDARY AND TAX LOT NUMBER
- 2389** TAX BLOCK NUMBER
- BUILDING

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

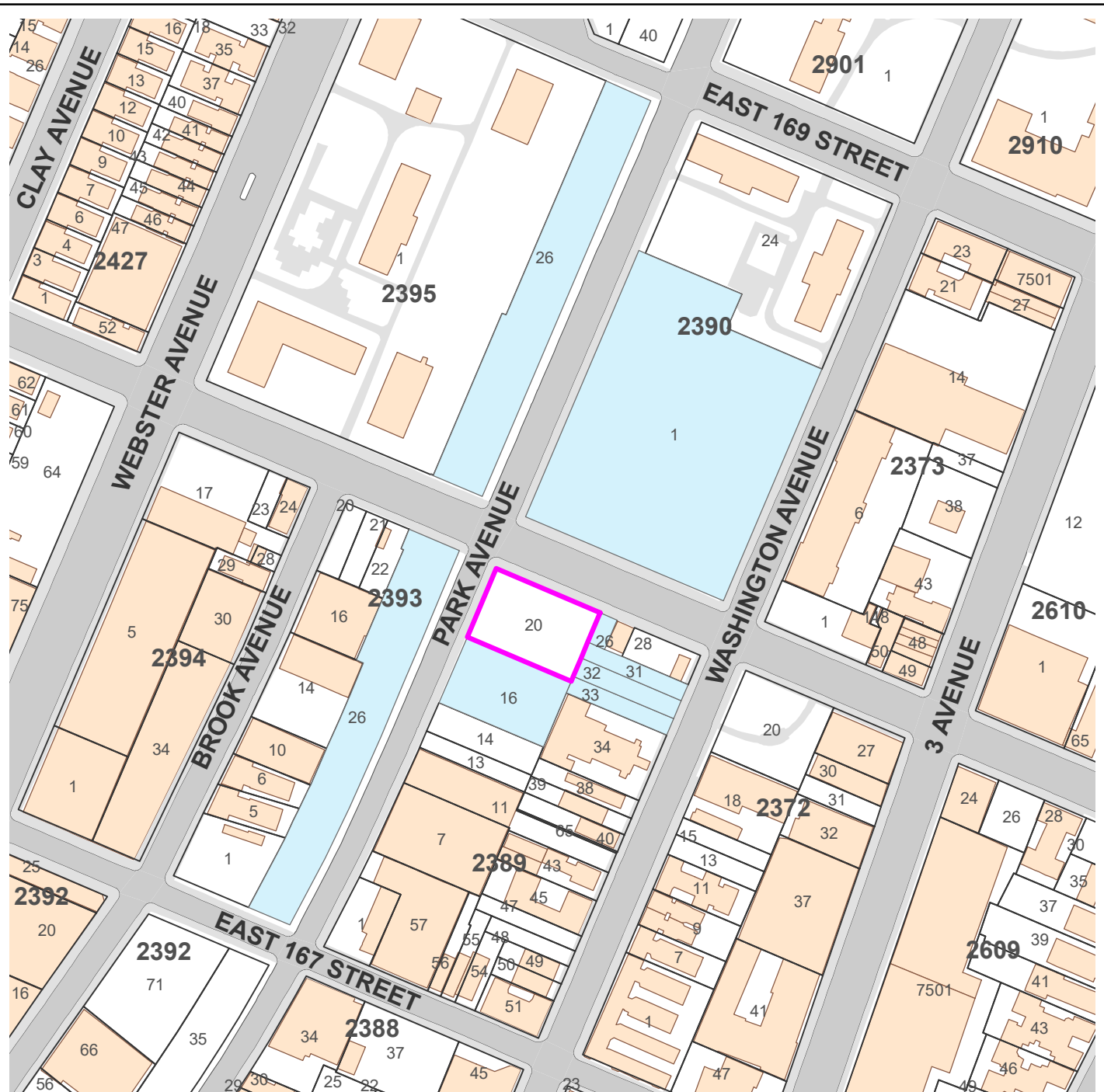


440 Park Avenue South, New York, NY 10016

3500 Park Avenue
Bronx, New York

SITE PLAN

DATE 6/21/2017
PROJECT NO. 12477
FIGURE 2



Adjacent Property Owners		
Block	Lot	Owner Name
2393	26	Metropolitan Transit Authority
2395	26	Metropolitan Transit Authority
2390	1	Public School PS 132
2389	26	Majen NCA LLC
2389	31	1211 Washington Ave HDFC
2389	32	Don Lee Realty Corp
2389	33	Evangelical Church of God, Inc.
2389	16	Webster Candy, LLC

LEGEND

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



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

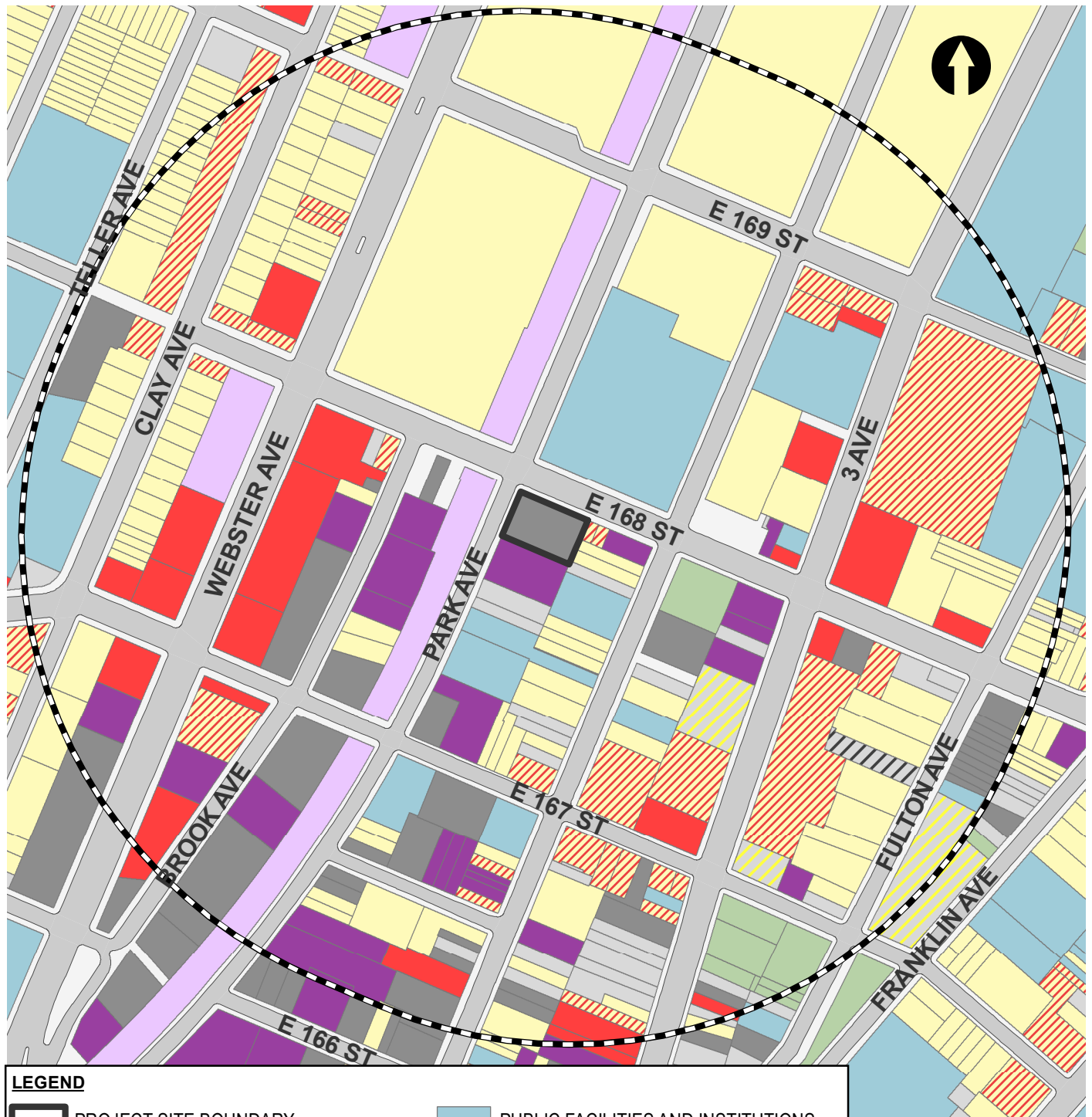


440 Park Avenue South, New York, NY 10016















3500 Park Avenue
Bronx, New York

TAX MAP

DATE 5/17/2017
PROJECT NO. 12477
FIGURE 3



LEGEND

- | | | | |
|---|-----------------------------------|---|------------------------------------|
|  | PROJECT SITE BOUNDARY |  | PUBLIC FACILITIES AND INSTITUTIONS |
|  | 1000-FOOT RADIUS |  | RESIDENTIAL |
|  | COMMERCIAL AND OFFICE BUILDINGS |  | RESIDENTIAL WITH COMMERCIAL BELOW |
|  | HOTELS |  | TRANSPORTATION AND UTILITY |
|  | INDUSTRIAL AND MANUFACTURING |  | VACANT LAND |
|  | OPEN SPACE AND OUTDOOR RECREATION |  | VACANT BUILDING |
|  | PARKING FACILITIES |  | UNDER CONSTRUCTION |

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

0 300

SCALE IN FEET

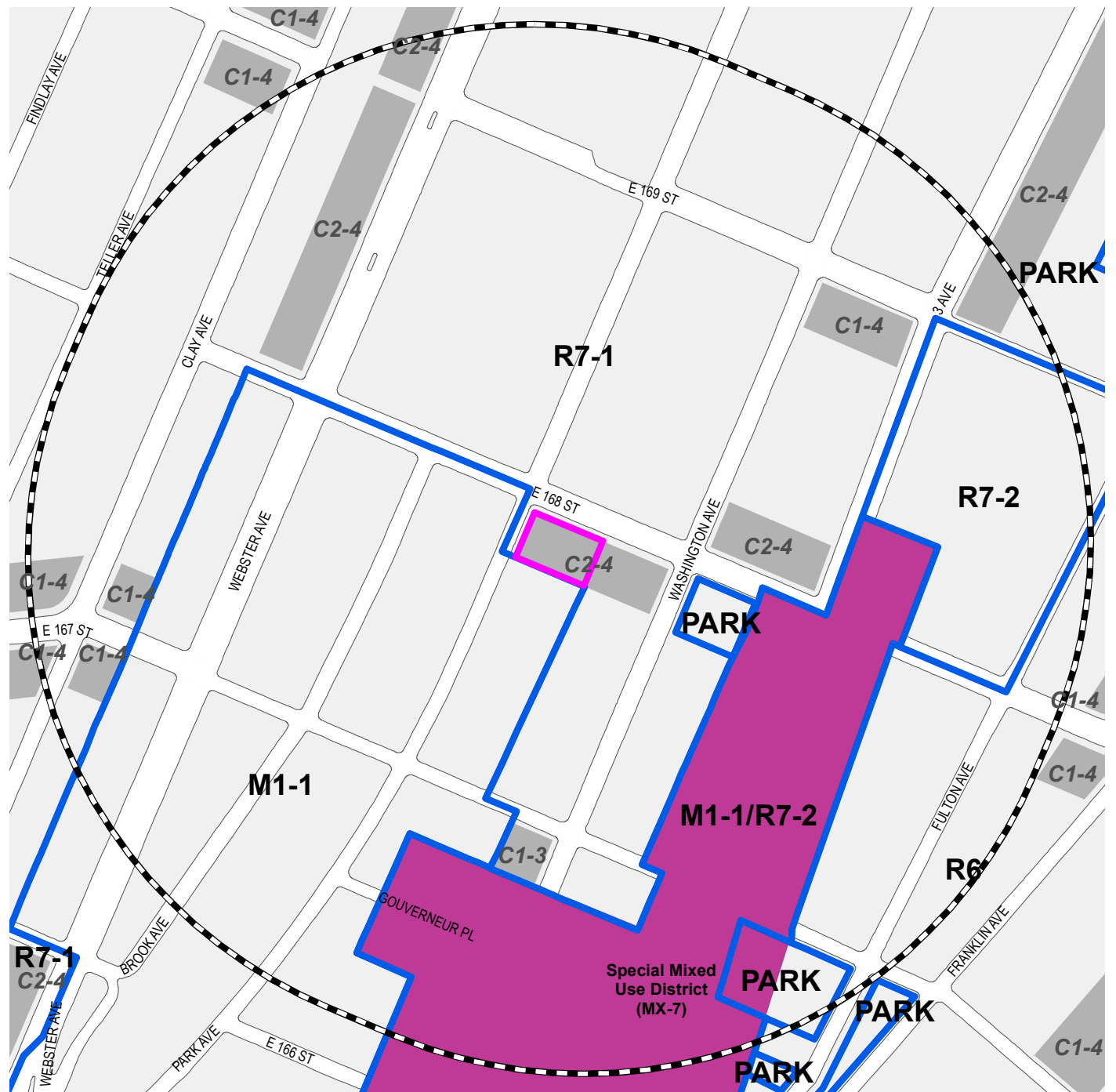


440 Park Avenue South, New York, NY 10016

3500 Park Avenue
Bronx, New York






SURROUNDING LAND USE

DATE 5/17/2017
PROJECT NO. 12477
FIGURE 4



Source:
NYC Department of City Planning, Technical Review Division

LEGEND

-  PROJECT SITE BOUNDARY
-  1000-FOOT RADIUS
-  ZONING DISTRICTS
-  SPECIAL PURPOSE DISTRICT
-  COMMERCIAL OVERLAY DISTRICTS



440 Park Avenue South, New York, NY 10016

3500 Park Avenue
Bronx, New York

ZONING MAP

DATE 5/17/2017
PROJECT NO. 12477
FIGURE 5

Location Lab ID Date Sampled Unit	Part 375 Unrestricted	Part 375 Restricted Residential	SB-1 (0-2) 051116 L1614196-01 5/11/2016 mg/kg	SB-1 (4-6) 051116 L1614196-02 5/11/2016 mg/kg	SB-1 (10-12) 051116 L1614196-03 5/11/2016 mg/kg
Benzo(A)Anthracene	1	1	NE	28	2.1
Benzo(A)Pyrene	1	1	NE	30	1.8
Benzo(B)Fluoranthene	1	1	NE	33	2.4
Benzo(K)Fluoranthene	0.8	3.9	NE	13	1
Chrysene	1	3.9	NE	29	2.3
Copper	50	270	410	65	NE
Dibenz(A,H)Anthracene	0.33	0.33	NE	4.5	0.35
Dieldrin	0.005	0.2	NE	0.0150 P	NE
Indeno(1,2,3-C,D)Pyrene	0.5	0.5	NE	21	1.2
Lead	63	400	67	400	NE
Mercury	0.18	0.81	0.50	2.2	NE
P,P'-DDT	0.0033	7.9	NE	0.0240 PI	0.0120
Zinc	109	10000	480	260	NE

Location Lab ID Date Sampled Unit	Part 375 Unrestricted	Part 375 Restricted Residential	SB-5 (0-2) 051216 L1614196-15 5/12/2016 mg/kg	SB-5 (4-6) 051216 L1614196-16 5/12/2016 mg/kg	SB-5 (10-12) 051216 L1614196-17 5/12/2016 mg/kg
Acetone	0.05	100	0.14	NE	NE
Benzo(A)Anthracene	1	1	2.7	NE	NE
Benzo(A)Pyrene	1	1	2.7	NE	NE
Benzo(B)Fluoranthene	1	1	3.5	NE	NE
Benzo(K)Fluoranthene	0.8	3.9	1.4	NE	NE
Chrysene	1	3.9	2.7	NE	NE
Dibenz(A,H)Anthracene	0.33	0.33	0.49	NE	NE
Indeno(1,2,3-C,D)Pyrene	0.5	0.5	2	NE	NE
Lead	63	400	89	82	NE
Mercury	0.18	0.81	0.41	0.50	NE
P,P'-DDD	0.0033	13	0.00634	NE	NE
P,P'-DDE	0.0033	8.9	0.00702	NE	NE
Zinc	109	10000	230	NE	NE

Location Lab ID Date Sampled Unit	Part 375 Unrestricted	Part 375 Restricted Residential	SB-4 (0-2) 051116 L1614196-10 5/11/2016 mg/kg	SB-4 (6-8) 051116 L1614196-11 5/11/2016 mg/kg	SB-4 (10-12) 051116 L1614196-12 5/11/2016 mg/kg
Benzo(A)Anthracene	1	1	3.7	1.6	NE
Benzo(A)Pyrene	1	1	3.1	1.7	NE
Benzo(B)Fluoranthene	1	1	4.2	2.1	NE
Benzo(K)Fluoranthene	0.8	3.9	1.5	0.85	NE
Chrysene	1	3.9	3.6	1.7	NE
Copper	50	270	NE	54	NE
Dibenz(A,H)Anthracene	0.33	0.33	0.48 J	NE	NE
Indeno(1,2,3-C,D)Pyrene	0.5	0.5	2.1	1.2	NE
Lead	63	400	200	86	NE
Mercury	0.18	0.81	0.55	0.33	NE
P,P'-DDD	0.0033	13	0.0357	0.0108	NE
P,P'-DDE	0.0033	8.9	0.0189	0.00653 P	NE
Zinc	109	10000	150	150	110

Location Lab ID Date Sampled Unit	Part 375 Unrestricted	Part 375 Restricted Residential	SB-3 (0-2) 051116 L1614196-07 5/11/2016 mg/kg	SB-X 051116 L1614196-08 5/11/2016 mg/kg	SB-3 (10-12) 051116 L1614196-09 5/11/2016 mg/kg
Benzo(A)Anthracene	1	1	3.1	19	NE
Benzo(A)Pyrene	1	1	3.4	20	NE
Benzo(B)Fluoranthene	1	1	4.4	32	NE
Benzo(K)Fluoranthene	0.8	3.9	1.5	9.6	NE
Chrysene	1	3.9	3.4	22	NE
Copper	50	270	270	1400	NE
Dibenz(A,H)Anthracene	0.33	0.33	0.62	4.3	NE
Dieldrin	0.005	0.2	0.0116	0.00785 PI	NE
Indeno(1,2,3-C,D)Pyrene	0.5	0.5	2.6	17	NE
Lead	63	400	78	180	NE
Mercury	0.18	0.81	0.24	0.54	NE
P,P'-DDD	0.0033	13	0.0163	0.0900	NE
P,P'-DDE	0.0033	8.9	0.0103 P	0.0284	NE
P,P'-DDT	0.0033	7.9	0.0201	0.0172	NE
Polychlorinated Biphenyl (PCBs)	0.1	1	0.126 J	0.443 J	NE

Location Lab ID Date Sampled Unit	Part 375 Unrestricted	Part 375 Restricted Residential	SB-2 (0-2) 051116 L1614196-04 5/11/2016 mg/kg	SB-2 (4-6) 051116 L1614196-05 5/11/2016 mg/kg	SB-2 (10-12) 051116 L1614196-06 5/11/2016 mg/kg
Copper	50	270	NE	NE	57
Indeno(1,2,3-C,D)Pyrene	0.5	0.5	0.6 J	NE	NE
Lead	63	400	65	NE	NE
P,P'-DDD	0.0033	13	0.198	NE	NE
P,P'-DDE	0.0033	8.9	0.0902	NE	NE
P,P'-DDT	0.0033	7.9	0.0570 JPI	NE	NE
Zinc	109	10000	160	NE	NE

LEGEND

- PROJECT SITE BOUNDARY
- SAMPLE LOCATIONS
- SB-1 ● SOIL BORING LOCATION
- SV-1 ⊕ SOIL VAPOR POINT LOCATION
- AA-1 ⊞ AMBIENT AIR SAMPLE LOCATION
- 20

LOT BOUNDARY AND TAX LOT NUMBER
- 2389** TAX BLOCK NUMBER
-
- BUILDING

Location Lab ID Date Sampled Unit	Part 375 Unrestricted	Part 375 Restricted Residential	SB-2 (0-2) 051116 L1614196-04 5/11/2016 µg/kg	SB-2 (10-12) 051116 L1614196-06 5/11/2016 mg/kg	SB-2 (4-6) 051116 L1614196-05 5/11/2016 mg/kg
Copper	50	270	NE	57	NE
Indeno(1,2,3-C,D)Pyrene	500	500	600 J	NE	NE
Lead	63	400	65	NE	NE
P,P'-DDD	3.3	13,000	198	NE	NE
P,P'-DDE	3.3	8,900	90.2	NE	NE
P,P'-DDT	3.3	7,900	57 JPI	NE	NE
Zinc	109	10,000	160	NE	NE

GENERAL

- NS : No soil cleanup objective listed.
- NA : Not applicable
- NE : No exceedance.
- U : The analyte was not detected at the indicated concentration.
- J : The concentration given is an estimated value.
- I : The lower value of the two columns has been reported due to obvious interference.
- P : The RPD between the results for the two columns exceeds the method-specific criteria.
- TS : Value represents a sum total standard.

SOIL

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

mg/kg : milligrams per kilogram = parts per million (ppm)

µg/L : micrograms per Liter = parts per billion (ppb)

Metals

*** : Standard listed is for Trivalent, not total, Chromium.

Parent sample of blind duplicate soil sample "SB-X" is "SB-3(0-2)".
Exceedances of Part 375 Unrestricted Soil Cleanup Objectives are highlighted in bold font.
Exceedances of Part 375 Restricted Residential Soil Cleanup Objectives are highlighted in gray.



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

3500 Park Avenue
Bronx, New York



440 Park Avenue South, New York, NY 10016

SOIL SAMPLE CONCENTRATIONS ABOVE NYSDEC UUSCOs AND RRSCOs

DATE

5/17/2017

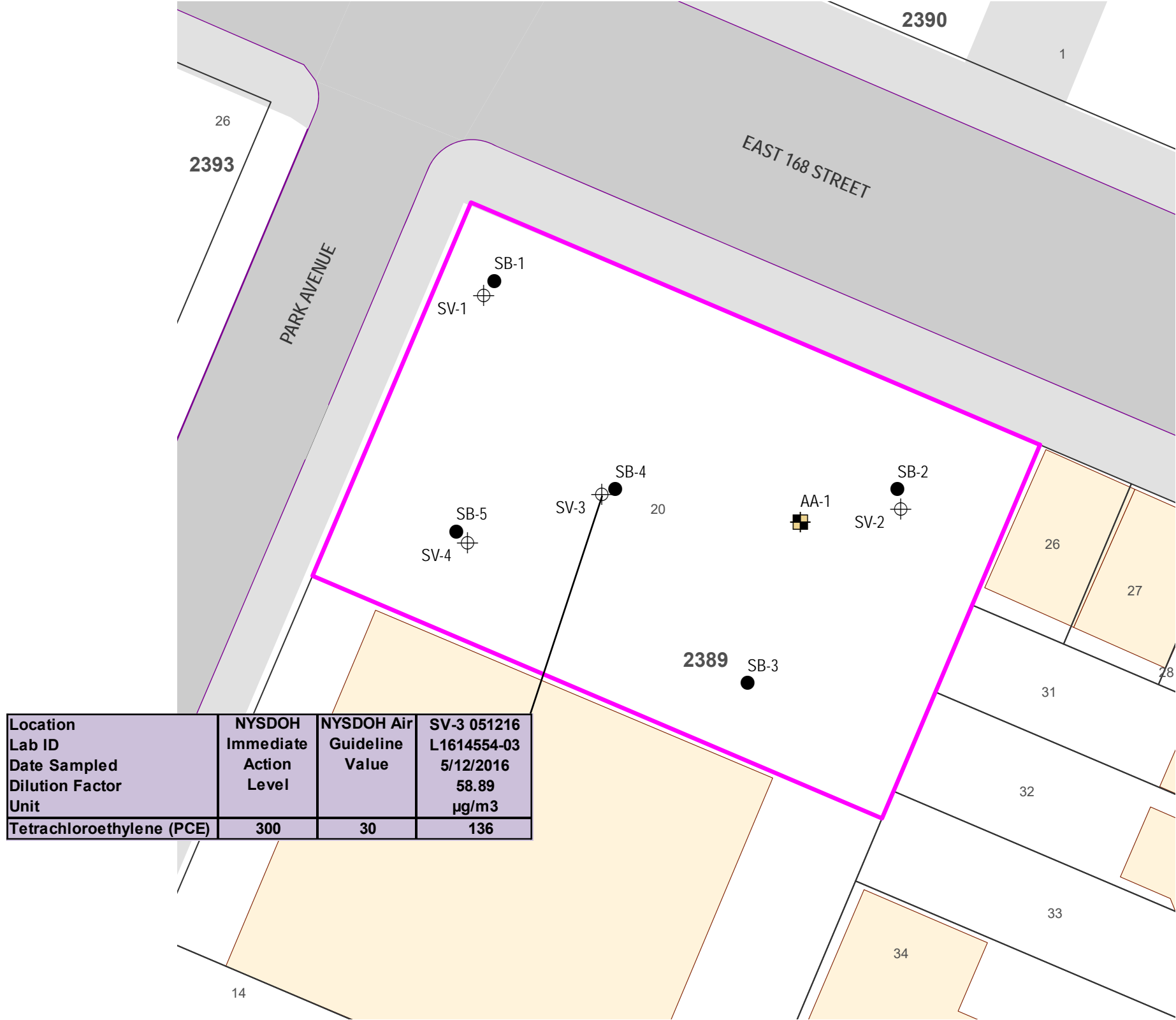
PROJECT NO.

12477

FIGURE

6

©2017 AKRF W:\Projects\12477 - 3500 PARK AVENUE\Technical\GIS and Graphics\hazmat\12477 Fig 7 Soil Vapor Sample Concentrations BCP.mxd5/17/2017 4:13:35 PM iszalus



Location Lab ID Date Sampled Dilution Factor Unit	NYSDOH Immediate Action Level	NYSDOH Air Guideline Value	SV-3 051216 L1614554-03 5/12/2016 58.89 µg/m3
Tetrachloroethylene (PCE)	300	30	136

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

- LEGEND**
- PROJECT SITE BOUNDARY
 - SB-1 SOIL BORING LOCATION
 - SV-1 SOIL VAPOR POINT LOCATION
 - AA-1 AMBIENT AIR SAMPLE LOCATION
 - 20 LOT BOUNDARY AND TAX LOT NUMBER
 - 2389 TAX BLOCK NUMBER
 - BUILDING

Location Lab ID Date Sampled Dilution Factor Unit	NYSDOH Immediate Action Level	NYSDOH Air Guideline Value	SV-3 051216 L1614554-03 5/12/2016 58.89 µg/m3
Tetrachloroethylene (PCE)	300	30	136

Sample ID

Sample Date

Compound in Soil Vapor

Concentration in Soil Vapor

GENERAL

NS : No soil cleanup objective listed.

NA : Not applicable

NE : No exceedance.

U : The analyte was not detected at the indicated concentration.

J : The concentration given is an estimated value.

I : The lower value of the two columns has been reported due to obvious interference.

P : The RPD between the results for the two columns exceeds the method-specific criteria.

TS : Value represents a sum total standard.

SOIL VAPOR

NYSDOH Soil Vapor Intrusion Air Guidance Value


NYSDOH Air Guideline Values (AGVs) and Table 3.3 Matrix 1 and 2 Chemicals presented in the Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated October 2006 ("NYSDOH Vapor Intrusion Guidance Document"), updated September 2013 for change of AGV for PCE and August 2015 for TCE.

µg/m³ : micrograms per cubic meter of air

Exceedances of NYSDOH Soil Vapor Intrusion Air Guidance Values are highlighted in bold font.

Exceedances of NYSDOH Soil Vapor Intrusion Air Guidance Matrix Values are highlighted in gray.





440 Park Avenue South, New York, NY 10016

3500 Park Avenue
Bronx, New York

SOIL VAPOR SAMPLE CONCENTRATIONS ABOVE AGVS

DATE
5/17/2017

PROJECT NO.
12477

FIGURE
7

PROPOSED REDEVELOPMENT PLANS

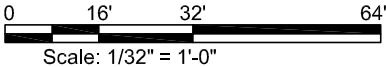
Bridge
3500 Park Avenue, Bronx

Address	3500 Park Avenue			
Borough	Bronx, NY			
Block	2389			
Lot	20			
Zoning Map	3d			
Zoning District	R7-1 w/C2-4 overlay		little e	for noise & contamination
Community District	Bronx 3		not eligible for Inclusionary	
Lot Dimensions	100.0' x 151.73'			
Lot Area	15,173	sf	from survey	
Street Width	Park Ave = N	168 St = W	from survey	
<150' to MTA tracks	yes		from survey	
Transit Zone	no			

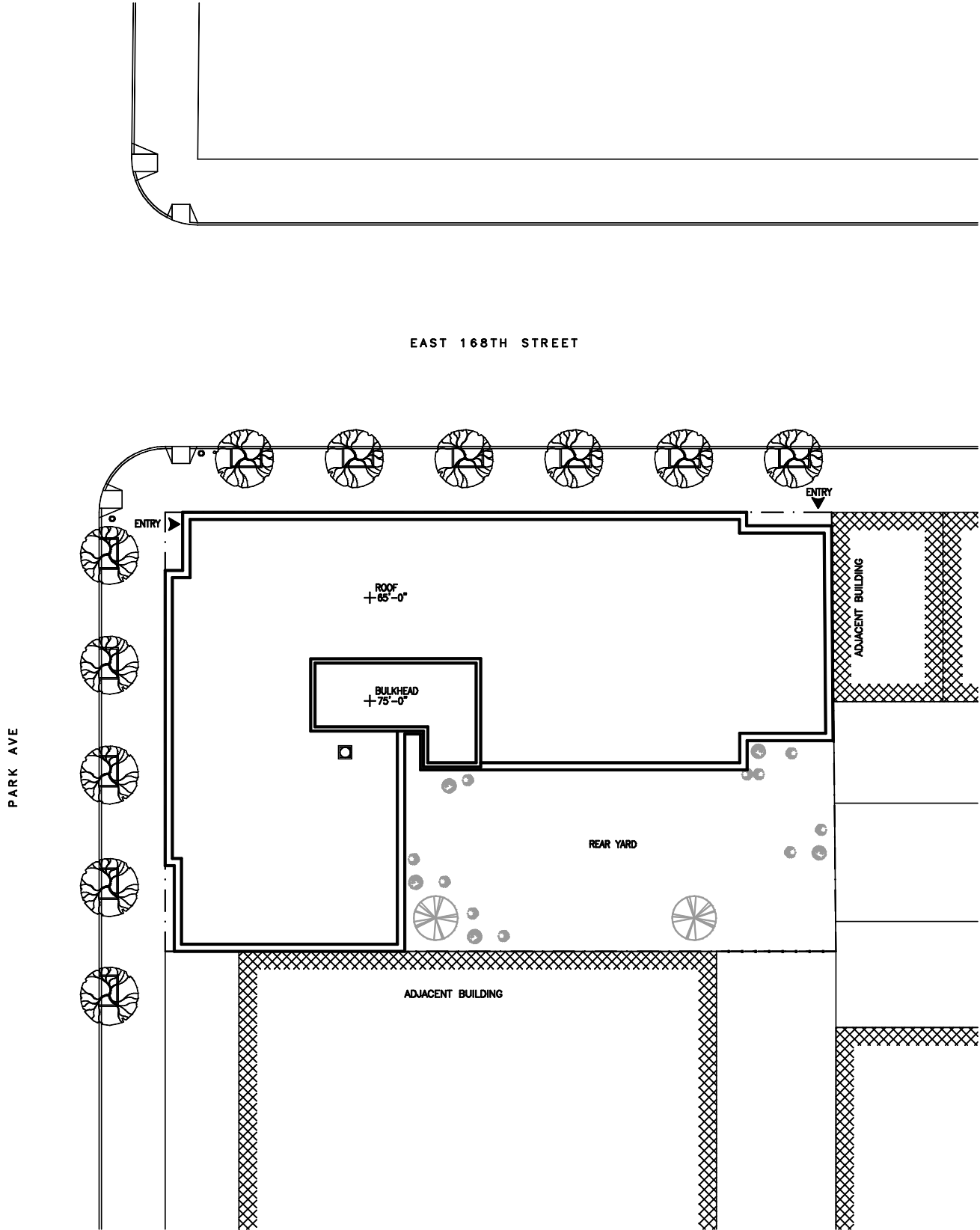
ITEM	Permitted/ Required	Proposed/ New	Z R	Complies	Notes
Use Group					
Supportive Housing w/ sleeping	3	yes		yes	min 60%
Multiple Family Residence	2	yes		yes	QH look alike
AIRSeniors	2	yes		yes	QH look alike
Community Facility	4	no		no	no sleeping
Commercial	varies	no		no	
FAR					
Residential	4.00	yes	23-153	yes	
AIRS (Affordable Independent Residences for Seniors)	5.01	yes	23-155	yes	
Comm Fac.w/sleeping	3.44	yes	24-111	yes	
Max allowable Floor Area (sf)					
Residential	60,692	33,297		yes	see calculations *
AIRS	76,017	13,711		yes	see calculations *
Comm Fac.w/sleeping	52,195	20,532		yes	see calculations *
Max Permitted	76,017	67,540		yes	
Residential Density Factor: sf/unit	680	832	23-22	yes	Residential ZFA = 33,297/40 Residential DU = 832 sf/unit
Max Units Permitted				yes	
Yards					
Front Yard	Not Req.	0'		yes	
Rear Yard	30'	>30'	23-47	yes	(beyond 100' of corner)
Side Yard	Not Req./8 '	0'	23-46	yes	
Permitted Obstacles in Yard	<10' high shed	NONE	23-44.b.7	yes	permitted RY obstruction
Street Walls; AIRS		yes	23-664.a	yes	>20% AIRS
Max Base Height	75'	75'	23-664 tb 1	yes	
Max Bld Height (wide)	105' (10s)	75'	23-664 tb 1	yes	qualifying GF
Max Bld Height (narrow)	95' (9s)	75'	23-664 tb 1	yes	qualifying GF
Setback @ narrow street	15'	0'	23-662.c	yes	
Setback @wide street	10'	0'	23-662.c	yes	
Recess	3'	3'	23-661.c	yes	<50% @ ea level
Dormer	permitted	na		yes	
Car Parking					
Residential, Income restricted Housing Units	6	0	25-251		15% of affordable units: 40 affordable units x 15% = 6
AIRS	0	0	25-252		none required
Community Fac. w/ sleeping	3	0	25-31		1/20 beds: 46 beds/20 = 2.3
Total Required	7	0	25-261	yes	Parking waived if less than 15 spaces required
Bicycle Parking			25-811		
Residences	20				1 per 2 dwellings: 40 Residential DU/2 = 20
AIRS	2				1 per 10,000sf: 13,711 sf/10,000 sf = 1.3
Comm. Fac. w/ sleeping	3				1 per 10,000sf: 20,532 sf/10,000 sf = 2.5
Total Required	25	25		yes	
Street Trees	10	10	26-41	yes	1 street tree per every 25' of street frontage: 251' street frontage/25' = 10 trees

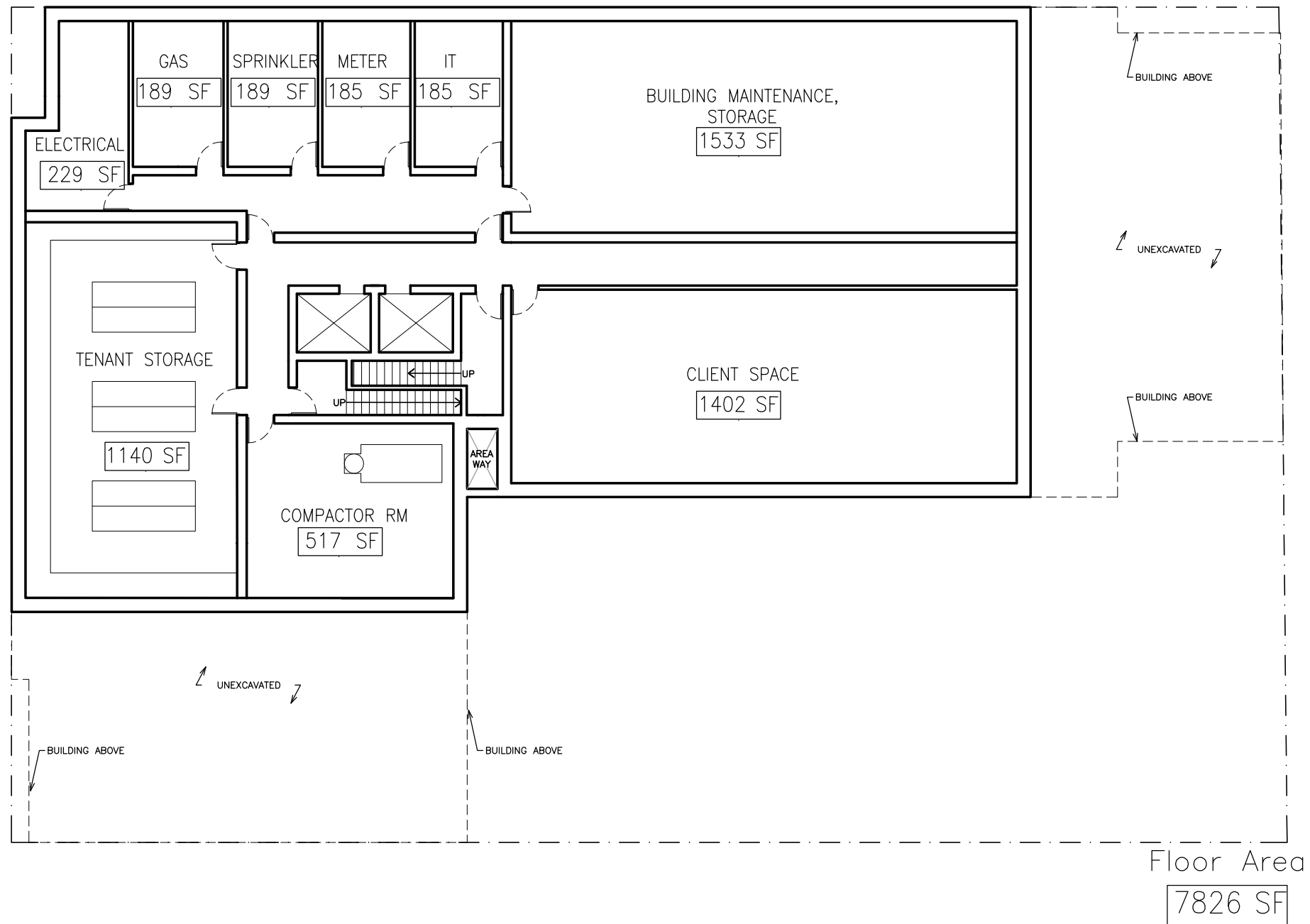
3500 Park Ave												
Block: Lots:												
Preliminary Scheme 4.0 (w/ AIRS zoning bonus)												
27-Sep-16												
	3BR	2BR	1BR	0BR Studio	Gross FA	ZFA deduction: QH	ZFA deduction: Green & Mech	ZFA	Utility Floor Area	floor height	elevation	Gross Floor Area
roof					744		744	0		10.00	65.00	744
7		5	2	11	10,855	450	450	9,955		10.00	65.00	10,855
6		5	2	11	10,855	450	450	9,955		10.00	55.00	10,855
5		5	2	11	10,855	450	450	9,955		10.00	45.00	10,855
4		5	2	11	10,855	450	450	9,955		10.00	35.00	10,855
3		5	2	11	10,855	450	450	9,955		10.00	25.00	10,855
2		5	2	11	10,855	450	450	9,955		10.00	15.00	10,855
1		1			10,121	450	450	9,221		13.00	2.00	10,121
Cellar 1					7,826		7,826	0		10.00	-8.00	7,826
Totals	0	31	12	66	83,821		11,720	68,951	0	0		83,821
New Building Total Floor Area (Inc. parking)							83,821 sf					
New Building Total Zoning Floor Area							68,951 sf					
Total CF w/ sleeping Units							109					
Total beds							140					
Req parking:												
CF/sleeping	ZR36-21			none								
affordable	ZR25-251			15%								
seniors	ZR25-252			none								
Waived parking				15 waived								
Total Park provided							0					
Zoning District												
		R7-1		w/ C2-4 overlay								
Lot Area		15,173 sf										
Max RZsf QH		4.00			60,692		sf		ZR 23-153			
Max CFZsf w/sleepi		3.44			52,195		sf		ZR 24-111			
Max Rw/AIRS		4.60			69,796		sf		ZR 35-012.3.ii			
C2-4												
Max CFZsf		3.44			52,195		sf					
Available FA					-8,259							
Overview												
1. This scheme assumes approximately 20% AIRS and some affordable apartments												
2. It currently only has 1 supers apartment on the ground floor, but more could be added.												
3. The roof is not used as a terrace.												

01 ZONING ANALYSIS

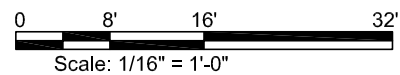


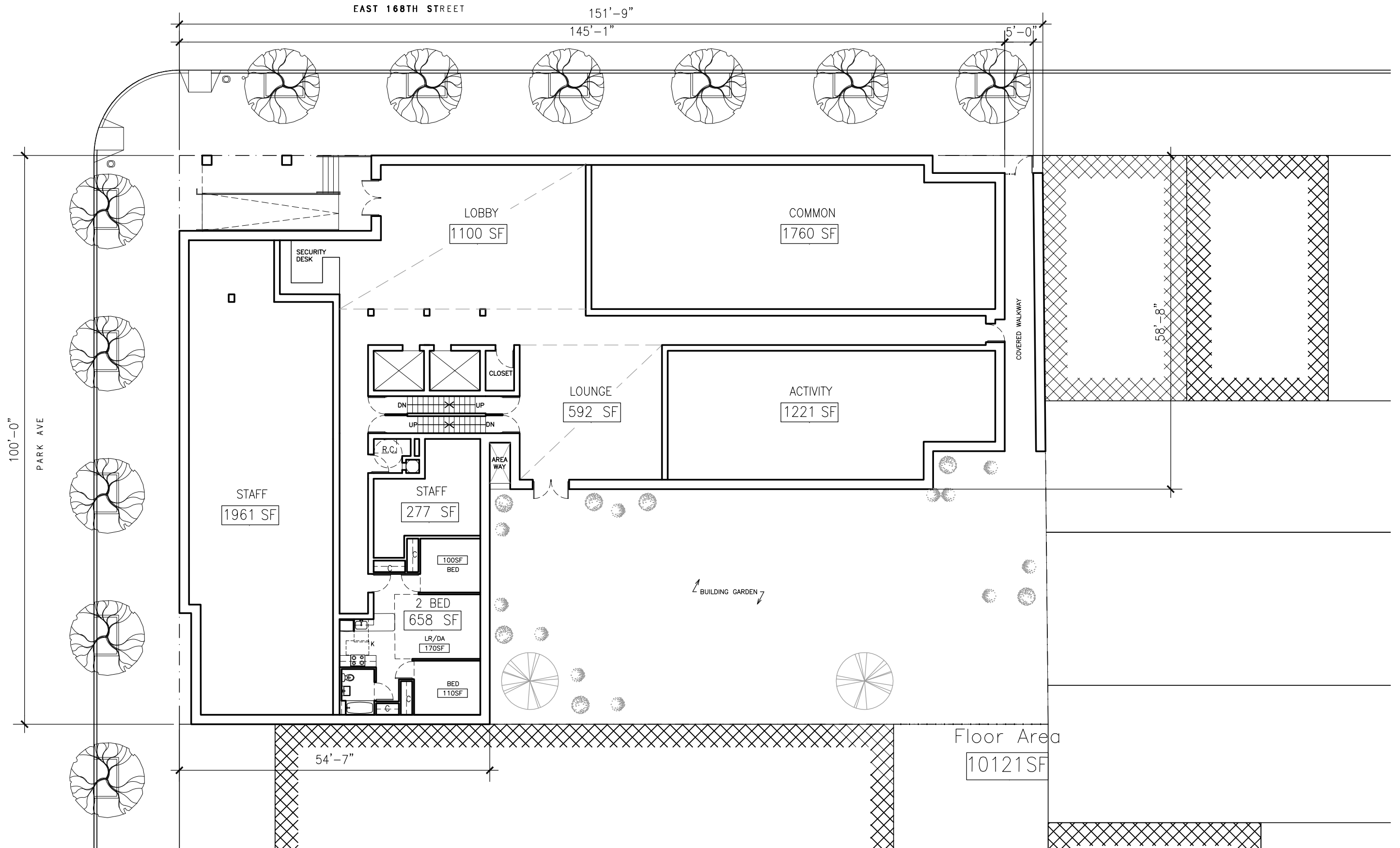
02 SITE PLAN
SCALE: 1/32" = 1'-0"





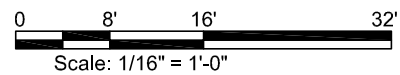
01 CELLAR FLOOR PLAN
SCALE: 1/16" = 1'-0"





01

GROUND FLOOR PLAN
SCALE: 1/16" = 1'-0"

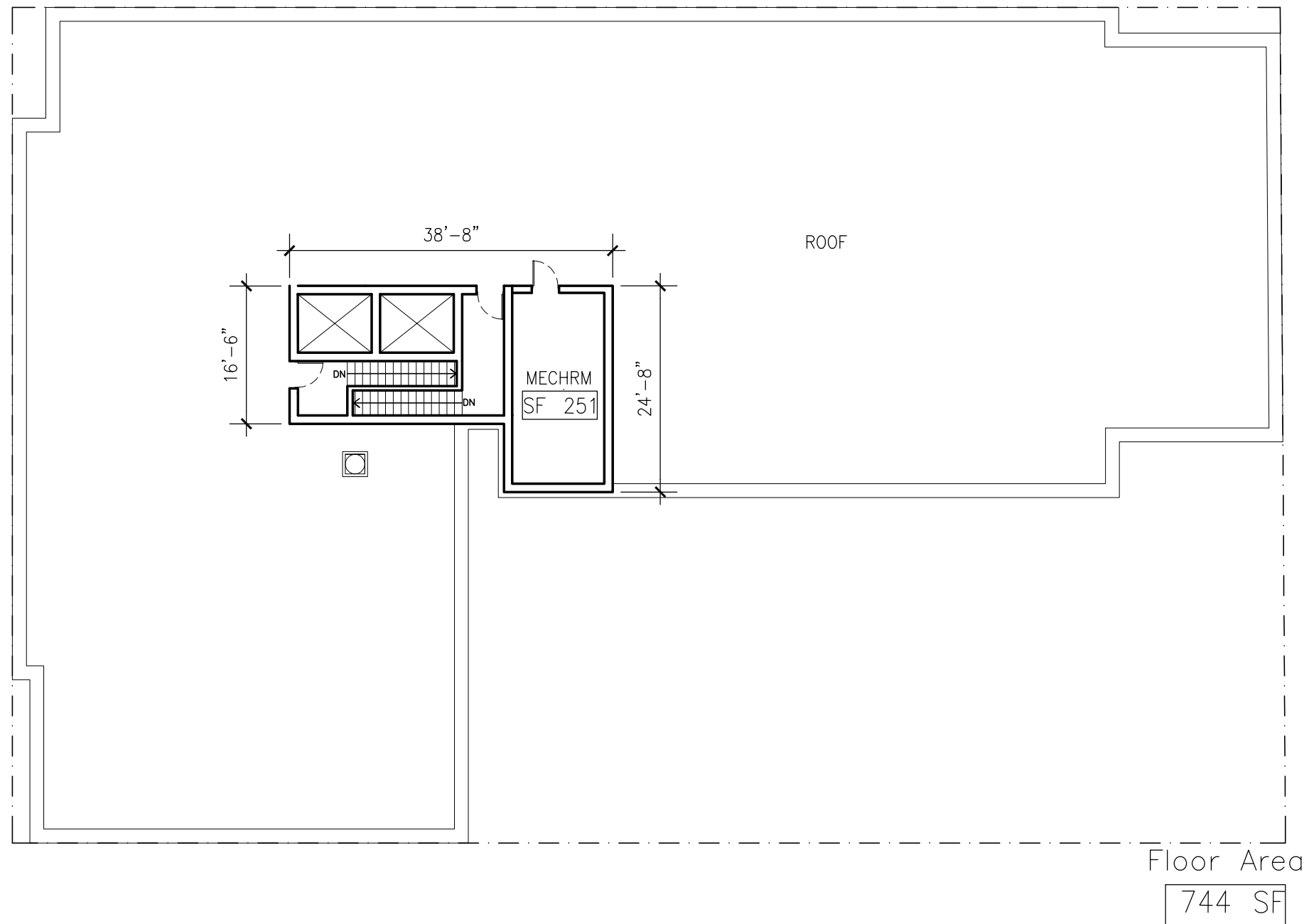


3500 PARK AVE BRONX NY

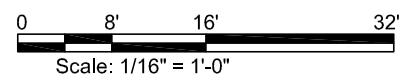
LAYOUT 4.0
SEPTEMBER 27th 2016

EDELMAN SULTAN KNOX WOOD / ARCHITECTS

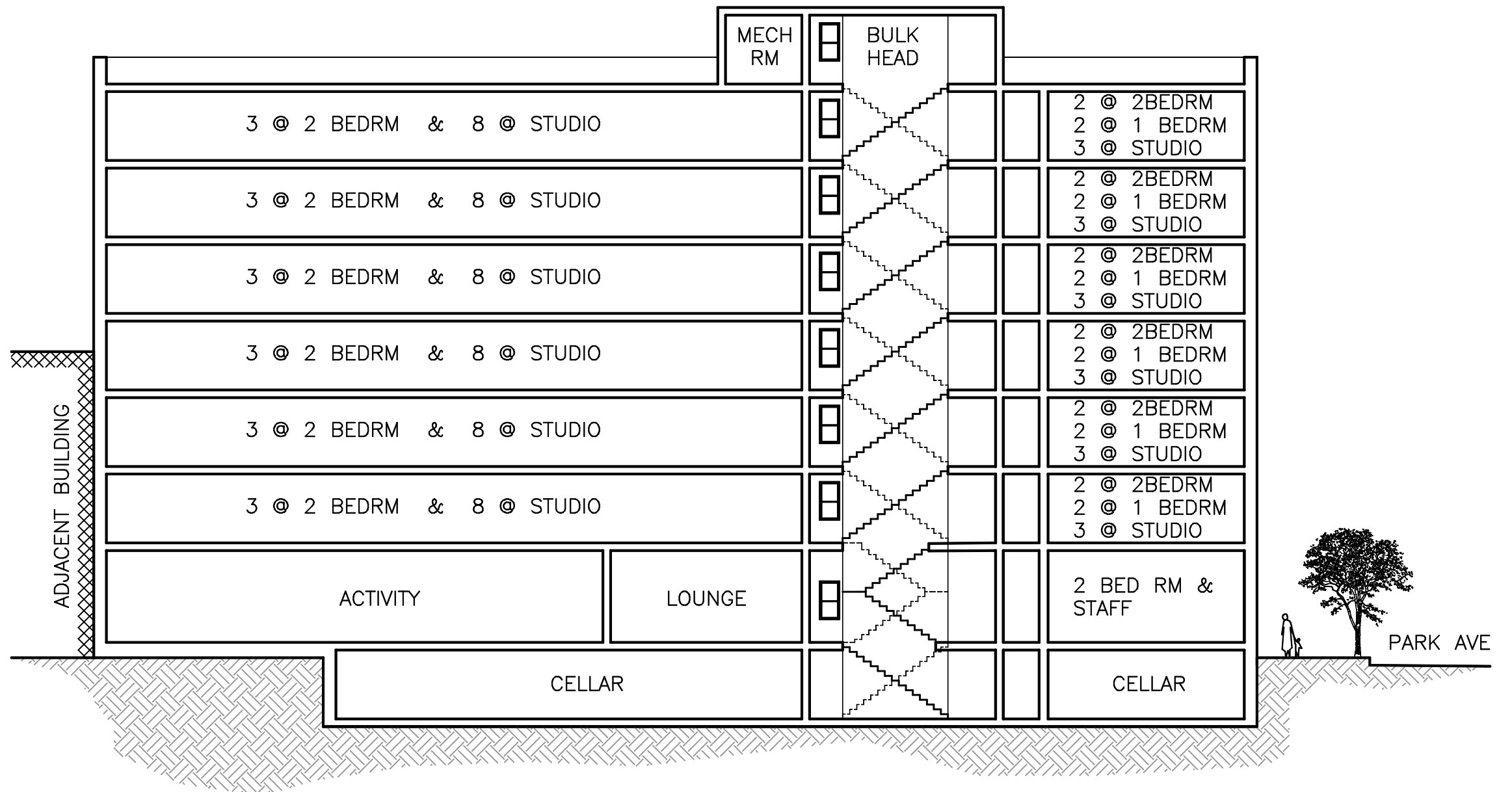




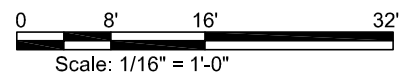
01 ROOF PLAN
SCALE: 1/16" = 1'-0"



- PROPOSED BUILDING HEIGHT
EL. : 85'-0"
- ROOF FLOOR T.O. PLANK
EL. : 75'-0"
- SEVENTH FLOOR T.O. PLANK
EL. : 65'-0"
- SIXTH FLOOR T.O. PLANK
EL. : 55'-0"
- FIFTH FLOOR T.O. PLANK
EL. : 45'-0"
- FOURTH FLOOR T.O. PLANK
EL. : 35'-0"
- THIRD FLOOR T.O. PLANK
EL. : 25'-0"
- SECOND FLOOR T.O. PLANK
EL. : 15'-0"
- FIRST FLOOR T.O. PLANK
EL. : 2'-0"
- CELLAR FLOOR T.O. PLANK
EL. : -8'-0"



01 SECTION
SCALE: 1/16" = 1'-0"



CONDITIONAL NEGATIVE DECLARATION

E-259



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

September 13, 2010

CONDITIONAL NEGATIVE DECLARATION

Project Identification

CEQR No. 08DCP022X
ULURP No. 080129ZMX
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal

3500 Park Avenue Rezoning

The applicant, 3500 Park Avenue LLC, is proposing a zoning map amendment to rezone the southern block-front of East 168th Street between Park Avenue and Washington Avenue in the Bronx, Community District 3. The proposed action would rezone one lot (Block 2389, Lot 20) from M1-1 to R7-1 with a C2-4 overlay and extend the C2-4 overlay onto six adjacent lots (Block 2389, Lots 26, 27, 28, 31, 32 and p/o 33) already zoned R7-1. Since the applicant is seeking financing with the New York City Housing Development Corporation (NYCHDC), a coordinated review was conducted with NYCHDC.

The proposed action would facilitate a proposal by the applicant to develop, under the Quality Housing provisions of the Zoning Resolution, an eight-story, 58, 221 sq. ft residential building (containing 61 low-income dwelling units) with ground floor retail and/or community facility use, and a twenty below-grade parking space garage at 3500 Park Avenue (Block 2389, Lot 20). In addition the proposed action could result in the development of a property located at 1217 Washington Avenue (Block 2389, Lot 28) with a 3,900 sq. ft commercial building. This property is not under the control of the applicant.

The projected development site (Block 2389, Lot 20), currently developed with an automobile parking lot, is zoned M1-1, which allows Use Groups 5 through 14, 16, 17 at an FAR of 1.0, and Use Group 4 at an FAR of 2.4. The proposed rezoning would establish an R7-1 zone over the site, permitting residential uses with an FAR of 3.44 (4.0 under the Quality Housing Option if situated on a wide street) and community facility uses with an FAR of 4.8. In addition, the proposed C2-4 zone would allow commercial uses to occupy the ground floor of a mixed-use building.

The adjacent sites contain three-story residential buildings with nonconforming ground floor retail uses (Block 2389, Lots 26 and 27), four-story residential buildings (Block 2389, Lots 31 and 32) and a nonconforming parking lot (Block 2389, Lot 28). These sites are currently zoned R7-1, which allows residential uses with an FAR of 4.0 (under the Quality Housing provisions of the

Amanda M. Burden, FAICP, *Chair*
22 Reade Street, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
<http://www.nyc.gov/planning>

Zoning Resolution) and community facility uses at an FAR of 4.8. The proposed rezoning would map a C2-4 overlay on the entire blockfront, permitting local service commercial uses (Use Groups 5 through 9) at an FAR of 2.0.

To avoid any potential significant adverse impacts, the applicant has entered into a Restrictive Declaration for hazardous materials, and an (E) designation (E-259) for air quality and noise would be mapped as part of the rezoning, as described below.

To avoid any potential significant adverse air quality impacts, an (E) designation for air quality would be mapped on Block 2389, Lot 28. The text of the (E) designation for air quality is as follows:

Bronx Block 2389, Lot 28

Any new commercial development on the above-referenced property must ensure that the heating, ventilation and air conditioning stack(s) are located at least 30 feet from the lot lines facing East 167th Street, and at least 30 feet from the lot line facing Park Avenue, regardless of fuel type, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designation for air quality, no impacts related to air quality are expected and no further assessment is warranted.

To avoid any potential significant adverse noise impacts, an (E) designation for noise would be mapped on Block 2389, Lot 20. The text of the (E) designation for noise is as follows:

Bronx Block 2389, Lot 20

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

With the placement of the (E) designation for noise, no impacts related to noise are expected and no further assessment is warranted.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated June 4, 2010, prepared in connection with the ULURP Application (No. 08DCP022X). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

3500 Park Avenue Rezoning
CEQR No. 08DCP022X
Conditional Negative Declaration

1. The applicant agrees via a restrictive declaration to prepare a Phase II Environmental Assessment Statement (ESA), hazardous materials sampling protocol and health and safety plans, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plans.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. A Phase I Environmental Site Assessment (ESA) was prepared for the project site. The Phase I ESA was reviewed by DEP's Office of Environmental Planning and Assessment, and pursuant to a letter dated April 30, 2009 a Phase II Environmental Assessment Statement (ESA), hazardous materials sampling protocol and health and safety plan were recommended due to the potential presence of hazardous materials on the site as a result of past on-site and/or surrounding area land uses. As such, the applicant has entered into a restrictive declaration to ensure that a detailed Phase II testing would occur, and hazardous materials sampling protocol including a health and safety plan would be prepared, and is binding upon the property's successors and assigns. The declaration serves as a mechanism to assure the potential for hazardous material contamination that may exist in the subsurface soils and groundwater on the project site would be characterized prior to any site disturbance (i.e., site grading, excavation, demolition, or building construction). The restrictive declaration was executed on December 17, 2009 and submitted for recording on January 22, 2010. Pursuant to a letter from DEP dated January 28, 2010, DEP is in receipt of a signed copy of a DEP-approved restrictive declaration with proof of recording for the site. Consequently, no significant adverse impacts related to hazardous materials will occur.
2. The (E) designation for air quality would ensure that the proposed action would not result in significant adverse impacts due to air quality.
3. The (E) designation for noise would ensure that the proposed action would not result in significant adverse impacts due to noise.
4. No other significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.

It is fully agreed and understood that if the foregoing conditions, modification, and alterations are not fully incorporated into the proposed action, this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

This Conditional Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

I, the Undersigned, as the applicant or authorized representative for this proposal, hereby affix my signature in acceptance of the above conditions to the proposed action.

Judith M. Gallent, Esq.
Signature of Applicant or Authorized Representative

Date: June 4, 2010

Judith M. Gallent, Esq.
Name of Applicant or Authorized Representative

Celeste Evans
Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: 6/4/2010

Amanda M. Burden
Amanda M. Burden, FAICP, Chair
City Planning Commission

Date: 9/13/10

DOCUMENT REPOSITORY LETTERS



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

May 16, 2017

Colbert Nembhard
New York Public Library Morrisania Branch
610 East 169th Street
Bronx, New York 10456

Re: Document Repository for 3500 Park Avenue, Bronx, New York

Dear Mr. Nembhard:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of 3500 Park Apartments HDFC and 3500 Park Apartments LP for the project site located at 3500 Park Avenue in the Bronx, New York. As required by NYSDEC, the Morrisania Branch of the New York Public Library will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter using either the envelope provided or via email to dshapiro@akrf.com. Please call me at 646-388-9544 with any questions. Thank you.

Sincerely,

Deborah Shapiro, QEP
Vice President

ACKNOWLEDGED AND ACCEPTED:

Lib. Manager

Name

Title

Signature



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

May 16, 2017

John Dudley
Bronx Community Board District 3
1426 Boston Road
Bronx, New York 10456

Re: Document Repository for 3500 Park Avenue, Bronx, New York

Dear Mr. Dudley:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of 3500 Park Apartments HDLC and 3500 Park Apartments LP for the project site located at 3500 Park Avenue in the Bronx, New York. As required by NYSDEC, the Bronx Community Board District 3 office will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter using either the envelope provided or via email to dshapiro@akrf.com. Please call me at 646-388-9544 with any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Shapiro".

Deborah Shapiro, QEP
Vice President

ACKNOWLEDGED AND ACCEPTED:

A handwritten signature in cursive script, appearing to read "E. Ritter".

Name

PAA, Level III

Title

A handwritten signature in cursive script, appearing to read "E. Ritter".

Signature

ATTACHMENT C
ENVIRONMENTAL REPORTS (CD)