

May 27, 2025

Steven Wu
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, New York 12233-7016

**Re: Site Management Plan – Periodic Review Report
Reporting Period – May 2024 to April 2025
767 East 133rd Street
Bronx, New York
BCP Site No. C203123
Langan Project No. 170497203**

Dear Mr. Wu:

This Periodic Review Report (PRR) documents ongoing compliance with the December 2022 Site Management Plan (SMP) for the Brownfield Cleanup Program (BCP) site at 767 East 133rd Street in Bronx, New York (the site). The site is located in the Port Morris neighborhood of the Bronx and identified on the Bronx Borough Tax Map as Block 2562, Lot 49. The SMP was approved by the New York State Department of Environmental Conservation (NYSDEC) on December 23, 2022, and NYSDEC issued a BCP Certificate of Completion on December 29, 2022.

The site was remediated in accordance with the June 2021 Decision Document, the NYSDEC-approved June 2021 Remedial Action Work Plan (RAWP), the November 2021 RAWP Addendum No. 1, and the January 2022 Explanation of Significant Difference (ESD). The remedy met Track 4 Restricted Residential Use remediation standards and allows restricted residential, commercial, and industrial uses. Institutional controls and engineering controls are a component of the site remedy and are required to be maintained and monitored in accordance with the SMP. A site location map and site plan are provided as Figures 1 and 2, respectively.

SITE BACKGROUND

The site spans approximately 0.48 acres and is bound by East 134th Street followed by a multi-story industrial/manufacturing building to the north, Willow Avenue followed by a multi-story industrial/manufacturing building to the east, East 133rd Street followed by multi-story industrial/manufacturing buildings to the south, and a two-story residential building and one-story

industrial/manufacturing building to the west. The site is in a neighborhood primarily characterized by multi-story industrial, commercial, and residential buildings.

Available records indicate that the site was developed as early as 1927. Past uses included a piano string manufacturer (circa 1926 to 1927), an automotive parts and equipment company (circa 1976), a marble contracting company (circa 1927 to 2008), and residential use (circa 1908 to 1935). Prior to May 2021, the site was improved with a one-story building used as warehouse space, a three-story building previously used for commercial office space, a storage shed, and an exterior scaffolding equipment storage area.

Remediation conducted between August 17, 2021 and September 1, 2022 included:

- Removal of soil exceeding the NYSDEC Title 6 of the Official Compilation of New York Codes, Rules and Regulations (NYCRR) Part 375 Restricted Use Restricted-Residential (RRU) Soil Cleanup Objectives (SCOs)
- Construction of a support of excavation system as needed to facilitate the Track 4 remediation, including removal of two hot spots containing lead above the Resource Conservation and Recovery Act Hazardous Waste Limit and one hot spot containing semivolatile organic compounds (SVOCs)
- Collection of confirmation soil samples from the base and sidewalls of three hot spot excavations, and collection of documentation samples from the base of the remedial excavation
- Backfilling of excavated areas with clean fill to development grade
- Construction of a cover system consisting of a concrete foundation slab throughout the majority of the site and a 2-foot-thick, clean stone cover near the Willow Avenue site entrance (an engineering control [EC])
- Installation of a secant pile hydraulic cutoff wall along the western site boundary and a portion of the northern site boundary (an EC)
- Installation of a sub-membrane depressurization (SMD) system with a vapor barrier membrane beneath the building (an EC)
- Implementation of long-term institutional controls (ICs) and maintenance and monitoring of ECs via an SMP and Environmental Easement (EE)

SMP COMPLIANCE

Institutional Controls

The ICs are documented in the EE and include the following:

- A requirement for the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of IC/ECs in accordance with 6 NYCRR Part 375-1.8(h)(3)

- Use and development of the controlled property for restricted residential, commercial and industrial uses as defined in 6 NYCRR Part 375-1.8(g) and in accordance with applicable local zoning
- Prohibition of vegetable gardens and farming in residual site soil
- Restriction of groundwater use as a source of potable or process water, without the necessary water quality treatment as determined by New York State Department of Health (NYSDOH) or the New York City Department of Health and Mental Hygiene
- Required compliance with the NYSDEC-approved SMP, including operation, maintenance, monitoring, and inspection of ECs and associated reporting, and protocols for activities that disturb remaining contaminated material

The site is currently in compliance with the ICs documented in the EE and SMP as evidenced by observations made during the PRR site visits on April 16 and 29, 2025. A copy of the EE is included in Appendix A.

Engineering Controls

ECs for the site consist of the following components:

1. A composite site cover system consisting of a 10-inch-thick concrete foundation slab with a vapor barrier, a 4-foot-thick foundation slab, and 24 inches of imported, 1-inch stone
2. An SMD system
3. A secant pile hydraulic cutoff wall.

Langan completed site inspections on April 16 and 29, 2025. A Professional Engineer certification of the PRR is included as Appendix B. Photographs of site conditions during the site inspection are provided as Appendix C. The completed IC/ECs Certification Forms are provided as Appendix D, and the completed site inspection forms, including monthly inspection forms, are included as Appendix E.

Site Cover System

The cover system consists of a 10-inch-thick reinforced concrete foundation slab with a vapor barrier throughout the building footprint, with the exception of a four-foot-thick foundation slab in the elevator pit and mechanical sump pit, and 24 inches of imported, 1-inch stone within the approximately 400-square-foot exterior entrance from Willow Avenue (subsequently covered with concrete pavement). The exterior, approximately 800-square-foot entrance ramp area along Willow Avenue contains a 10-inch-thick concrete slab. The concrete foundation slab is underlain by 8 to 20 inches of 1-inch aggregate for the SMD system, with the exception of the elevator and mechanical pits. The cover system details are provided in the As-Built EC and IC Location Map in Appendix F.

The concrete slabs and pavement and concrete walls (visually observable portions of the site cover system) within the commercial space were in good condition with no water damage or other indicators of slab failure. No breaches in the site cover system were observed. According to building management, no intrusive activities were conducted during the reporting period. The site cover system was observed to be intact and in compliance with the SMP.

Sub-Membrane Depressurization System

As an element of the site remedy, vapor mitigation is provided through operation of an SMD system installed beneath the building slab. The SMD system consists of an 8- to 20-inch-thick sub-membrane collection layer underlying a vapor barrier, with vapor conveyance piping routed to active electric rooftop blowers. The system includes a 12-inch-wide aggregate trench constructed along the inside of the western hydraulic cutoff wall to further mitigate off-site migration of soil vapor onto the western adjoining residential property along East 133rd Street. SMD system as-built drawings are provided in Appendix G.

On April 16, 2025, the SMD system was observed to be operating, and blowers were documented to maintain a flow rate of 168.27 cubic feet per minute (CFM) at Blower A and 213.45 CFM at Blower B, both consistent with the designed flow rate (i.e., a minimum of 75 CFM and 91 CFM at Blowers A and B, respectively). Four vacuum monitoring points (MPA1, MPA2, MPB1, and MPB2) were constructed during the installation of the SMD system. The tenant space containing MPA1 was inaccessible during the April 16, 2025 inspection. The vacuum monitoring reading for MPA1 was collected during a subsequent inspection on April 29, 2025. At the time of the PRR inspections, the vacuum monitoring points were documented to be intact and exhibiting a vacuum range between -0.053 (in MPA2) and -0.139 (in MPB2) inches per water column (IWC), which meets the target threshold of -0.02 IWC.

Hydraulic Cutoff Wall

As an element of the site remedy, a secant pile hydraulic cutoff wall was constructed to prevent further migration of chlorinated volatile organic compound (CVOC)-impacted groundwater onto the site from properties to the north and west; prevent potential off-site migration of residual impacted groundwater; and, in conjunction with the perimeter gas permeable aggregate layer, prevent potential soil vapor migration from the site to the western-adjoining residential properties.

According to Francis Feliz, the on-site building manager, no intrusive activities or penetrations of the cutoff wall were conducted during the reporting period. Langan did not observe indications that the hydraulic cutoff wall had been penetrated or exposed.

RECOMMENDATIONS

The IC/ECs continue to function as designed and in compliance with the SMP. The active SMD system must continue to operate and will not be discontinued unless monitoring data indicates

that the SMD system is no longer required and the Volunteer obtains approval from NYSDEC and NYSDOH to discontinue the system. EC and IC protocols required under the SMP should continue to be followed, including monthly inspections of the SMD system.

CLOSING

The undersigned certifies that based on the annual PRR activities described herein, the site is compliant with the SMP. Should you have any questions, please contact me at (212) 479-5559.

Sincerely,

**Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.**

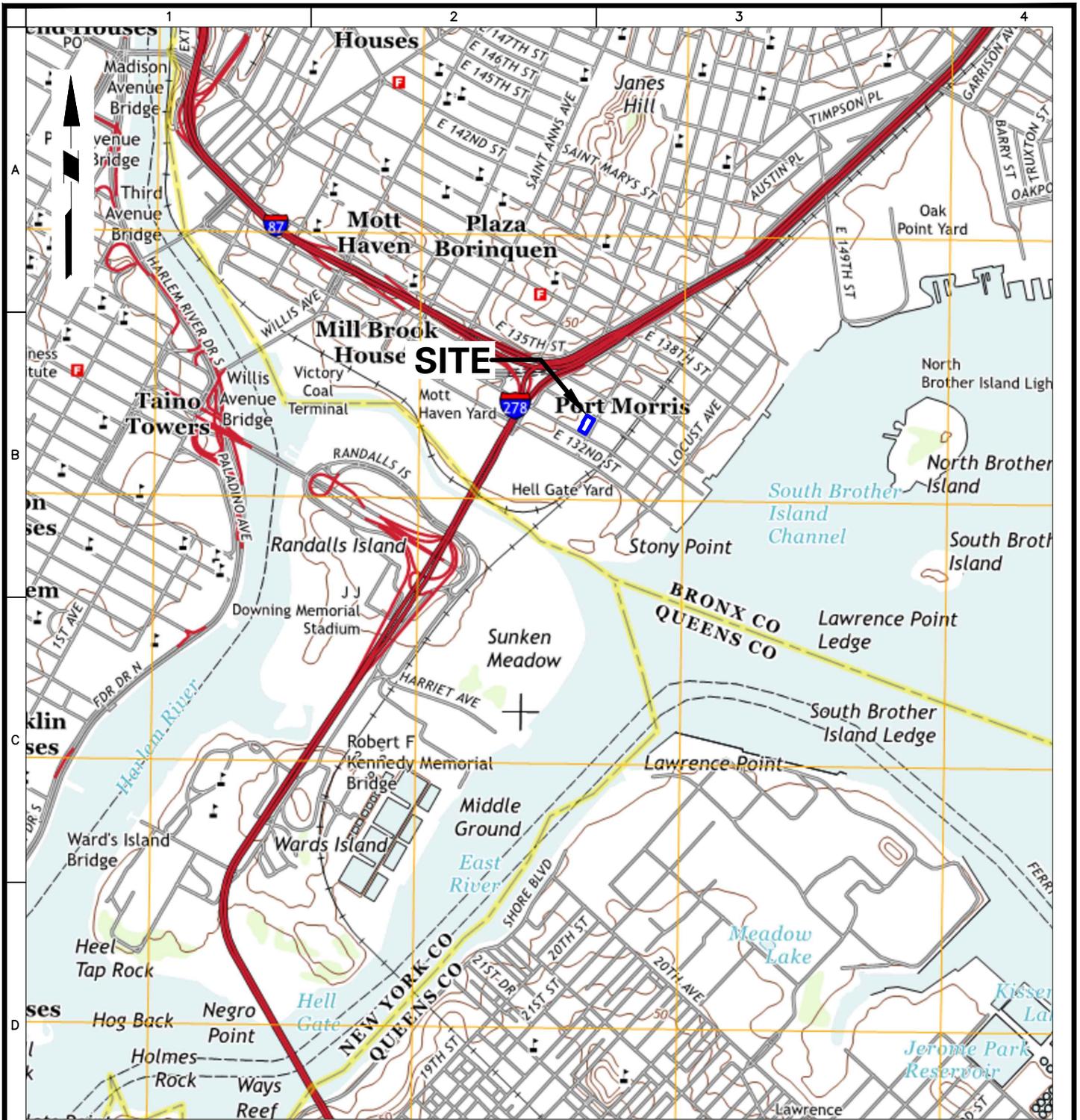


Gerald Nicholls, P.E.
Associate Principal

Enclosure(s): Figure 1 – Site Location Map
 Figure 2 – Site Plan
 Appendix A – Executed Environmental Easement
 Appendix B – PE Certification
 Appendix C – Photographic Documentation
 Appendix D – NYSDEC IC/EC Certification Form
 Appendix E – Site Inspection Forms
 Appendix F – EC and IC Location Map
 Appendix G – SMD As-Builts

cc: J. Weissman (MARKLAND 745 LLC)
 M. Raygorodetsky, S. Knoop, K. Gioia (Langan)

FIGURES

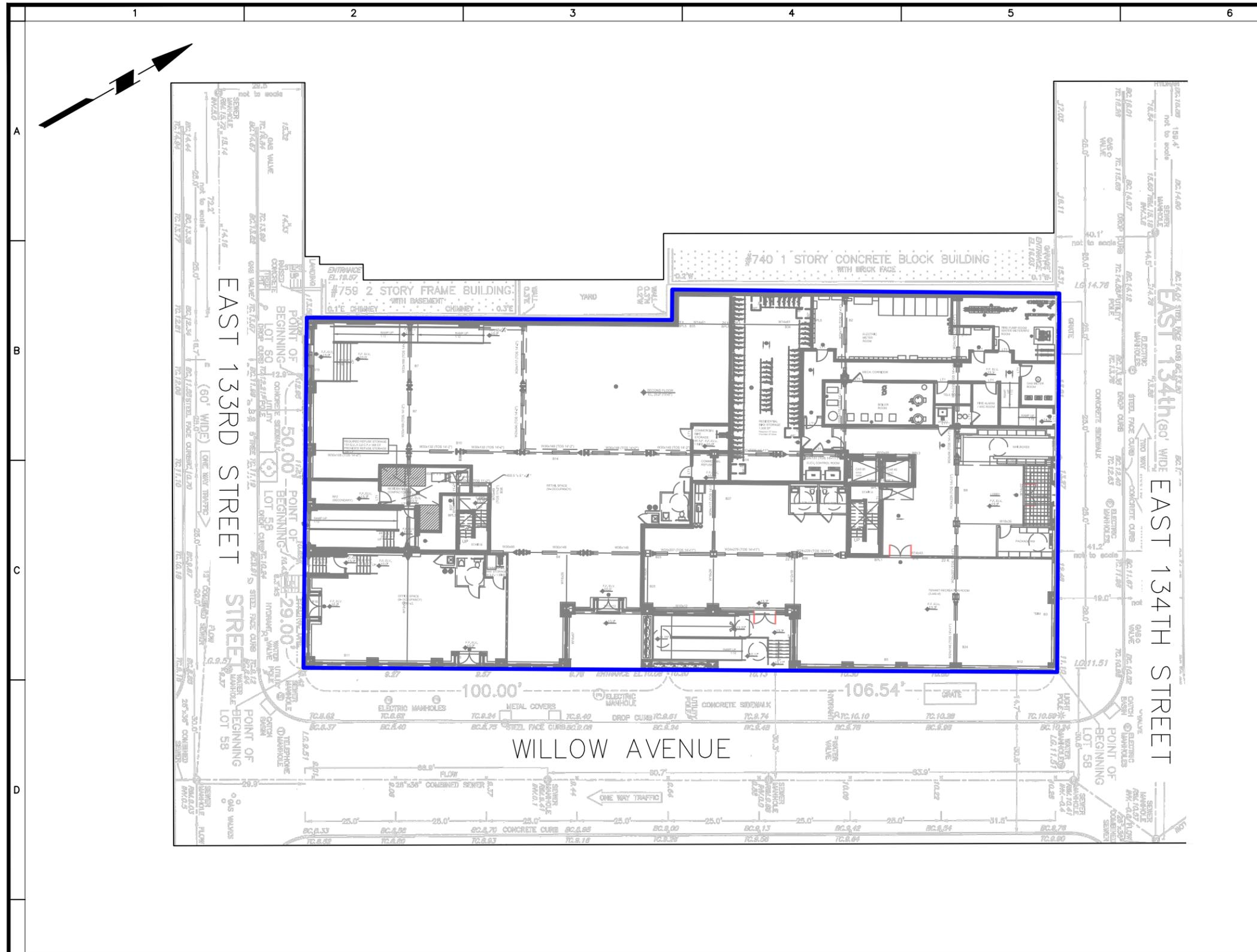


MAP REFERENCE: USGS 7.5-MINUTE JERSEY CITY, N.J., AND BROOKLYN, N.Y. TOPOGRAPHIC QUADRANGLES

LEGEND

— SITE BOUNDARY

<p>LANGAN</p> <p>21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p> <p>Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. Langan Engineering and Environmental Services, Inc. Langan CT, Inc. Langan International LLC Collectively known as Langan</p>	Project	Figure Title	Project No.	Figure
	767 EAST 133RD STREET	SITE LOCATION MAP	170497201	1
	BLOCK No. 2562, LOT No. 49		Date	
	BRONX NEW YORK		8/12/2022	
			Scale	
			NTS	
			Drawn By	Checked By
			KG	TS
				Page 1 of 2

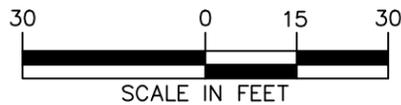


LEGEND:

APPROXIMATE SITE BOUNDARY

NOTES:

1. BASEMAP OBTAINED FROM NYC OASIS MAP ON OCTOBER 17, 2017, LAND SURVEY, BY GERALD T. O'BUCKLEY, DATED APRIL, 6 2018, AND 'SECOND FLOOR FRAMING PLAN - FIRST FLOOR PLAN (S-101.01)', BY NEWMAN DESIGN ARCHITECTS PLLC, DATED JUNE 2, 2021.
2. ALL LOCATIONS ARE APPROXIMATE



WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

LANGAN

Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
767 EAST 133RD STREET
BLOCK No. 2562, LOT No. 49

BRONX NEW YORK

Figure Title
SITE PLAN

Project No. 170497202
Date 8/12/2022
Drawn By KG
Checked By TS

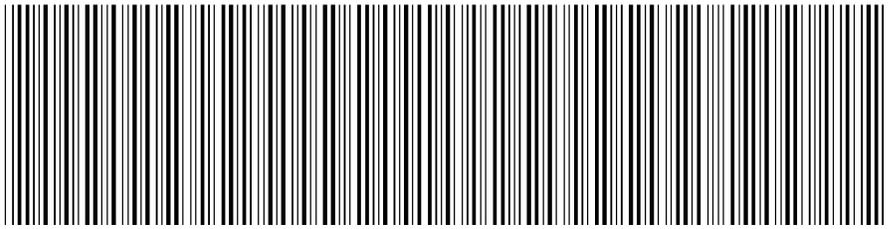
Figure No.
2
Page 2 of 2

APPENDIX A

Executed Environmental Easement

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

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



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RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 12

Document ID: 2022101200261001

Document Date: 09-27-2022

Preparation Date: 10-12-2022

Document Type: EASEMENT

Document Page Count: 10

PRESENTER:

ULTIMATE ABSTRACT OF NEW YORK
1383 VETERANS MEMORIAL HIGHWAY * SUITE 30
UNYRC4528B
HAUPPAUGE, NY 11788
631-501-9100
SARA.ROTH@ULTIMATEABSTRACT.COM

RETURN TO:

ULTIMATE ABSTRACT OF NEW YORK
1383 VETERANS MEMORIAL HIGHWAY * SUITE 30
UNYRC4528B
HAUPPAUGE, NY 11788
631-501-9100
SARA.ROTH@ULTIMATEABSTRACT.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BRONX	2562	49	Entire Lot	750 EAST 134 STREET
Property Type: OTHER Easement				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

HP WILLOW HOUSING DEVELOPMENT FUND
COMPANY INC.
C/O: CRYSTAL KAY, 253 WEST 35TH STREET 3RD
FLOOR

GRANTEE/BUYER:

NYS DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
625 BROADWAY
ALBANY, NY 12233

Additional Parties Listed on Continuation Page

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 87.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 100.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 10-12-2022 16:27

City Register File No.(CRFN):

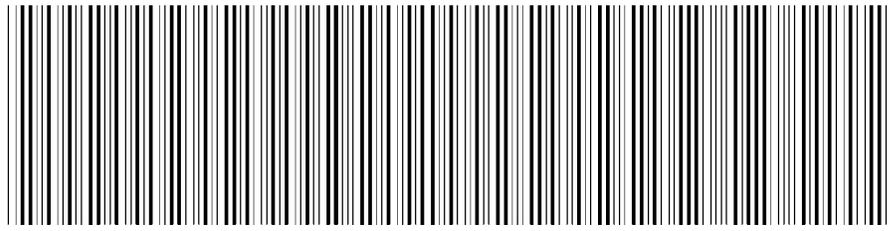
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Annette McMill

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



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RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 12

Document ID: 2022101200261001

Document Date: 09-27-2022

Preparation Date: 10-12-2022

Document Type: EASEMENT

PARTIES

GRANTOR/SELLER:

WILLOW OWNER LLC

C/O: JCAL DEVELOPMENT GROUP LLC, 55

BRUCKNER BOULEVARD

BRONX, NY 10454

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made ^{as of} this 27th day of September, 2022, between Owner(s), HP Willow Housing Development Fund Company, Inc., (the "Grantor Fee Owner") having an office at 253 West 35th Street, 3rd Floor, New York, County of New York, State of New York, and Willow Owner LLC, (the "Grantor Beneficial Owner), having an office at c/o JCAL Development Group, 55 Bruckner Boulevard, Bronx, County of Bronx, State of New York (collectively, the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor Fee Owner, is the owner of real property located at the address of 767 East 133rd Street in the City of New York, County of Bronx and State of New York, known and designated on the tax map of the New York City Department of Finance as tax map parcel number: Block 2562 Lot 49, being the same as that property conveyed to Grantor by deed dated June 30, 2021 and recorded in the City Register of the City of New York as CRFN # 2021000277404. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 0.474 +/- acres, and is hereinafter more fully described in the Land Title Survey dated August 11, 2021 last revised on July 13, 2022 prepared by David A. Shaw of Erlandsen-Crowell & Shaw, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, Grantor Beneficial Owner, is the owner of the beneficial interest in the

Controlled Property being the same as a portion of that beneficial interest conveyed to Grantor Beneficial Owner by means of a Declaration of Interest and Nominee Agreement dated June 30, 2021 and recorded in City Register of the City of New York as CRFN # 2021000277405; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C203123-06-19, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

**Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii),
Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial
as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:
(i) are in-place;
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

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THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: Andrew Guglielmi
Andrew Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 27 day of September, in the year 2022, before me, the undersigned, personally appeared Andrew Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Jennifer Andaloro
Notary Public - State of New York

JENNIFER ANDALORO
Notary Public, State of New York
No. 02AN6098246
Qualified in Albany County 24
Commission Expires January 14, 2024

SCHEDULE "A" PROPERTY DESCRIPTION

All that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of Bronx,

City and State of New York, bounded and described as follows:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 134TH STREET WITH THE WESTERLY SIDE OF WILLOW AVENUE;

RUNNING THENCE WESTERLY AND ALONG THE SAID SOUTHERLY SIDE OF EAST 134TH STREET, A DISTANCE OF 104.00 FEET TO A POINT;

THENCE SOUTHERLY AND PARALLEL WITH WILLOW AVENUE, A DISTANCE OF 106.66 FEET, TO A POINT DISTANT 100.00 FEET NORTHERLY FROM THE NORTHERLY SIDE OF EAST 133RD STREET, AS MEASURED ALONG A LINE DRAWN PARALLEL WITH WILLOW AVENUE;

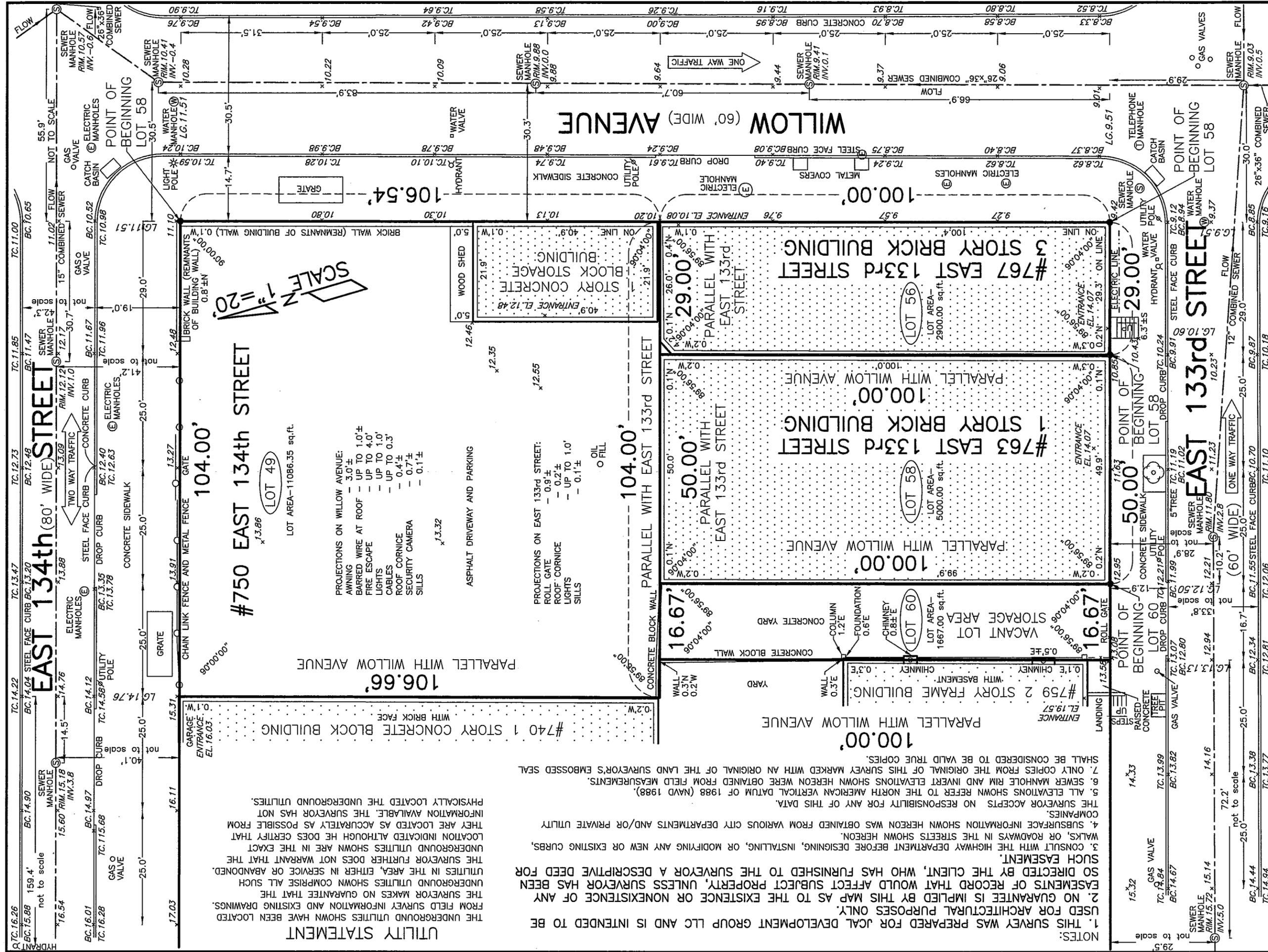
THENCE EASTERLY AND PARALLEL WITH EAST 133RD STREET, 8.33 FEET;

THENCE SOUTHERLY AGAIN PARALLEL WITH WILLOW AVENUE, 100.00 FEET TO THE NORTHERLY SIDE OF EAST 133RD STREET;

THENCE EASTERLY AND ALONG THE NORTHERLY SIDE OF EAST 133RD STREET, 95.67 FEET TO THE WESTERLY SIDE OF WILLOW AVENUE;

THENCE NORTHERLY ALONG THE WESTERLY SIDE OF WILLOW AVENUE, 206.54 FEET TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 0.474 ACRES.



UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

NOTES:

1. THIS SURVEY WAS PREPARED FOR JCAL DEVELOPMENT GROUP LLC AND IS INTENDED TO BE USED FOR ARCHITECTURAL PURPOSES ONLY.
2. NO GUARANTEE IS IMPLIED BY THIS MAP AS TO THE EXISTENCE OR NONEXISTENCE OF ANY EASEMENTS OF RECORD THAT WOULD AFFECT SUBJECT PROPERTY, UNLESS SURVEYOR HAS BEEN SO DIRECTED BY THE CLIENT, WHO HAS FURNISHED TO THE SURVEYOR A DESCRIPTIVE DEED FOR SUCH EASEMENT.
3. CONSULT WITH THE HIGHWAY DEPARTMENT BEFORE DESIGNING, INSTALLING, OR MODIFYING ANY NEW OR EXISTING CURBS, WALKS, OR ROADWAYS IN THE STREETS SHOWN HEREON.
4. SUBSURFACE INFORMATION SHOWN HEREON WAS OBTAINED FROM VARIOUS CITY DEPARTMENTS AND/OR PRIVATE UTILITY COMPANIES.
5. ALL ELEVATIONS SHOWN REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
6. SEWER MANHOLE RIM AND INVERT ELEVATIONS SHOWN WERE OBTAINED FROM FIELD MEASUREMENTS.
7. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

PROJECTIONS ON WILLOW AVENUE:

- AWNING - 3.0'±
- BARRED WIRE AT ROOF - UP TO 1.0'±
- FIRE ESCAPE - UP TO 4.0'
- LIGHTS - UP TO 1.0'
- CABLES - UP TO 0.3'
- ROOF CORNICE - 0.4'±
- SECURITY CAMERA - 0.7'±
- SILLS - 0.1'±

PROJECTIONS ON EAST 133rd STREET:

- ROLL GATE - 0.9'±
- ROOF CORNICE - UP TO 1.0'
- LIGHTS - UP TO 1.0'
- SILLS - 0.1'±

ASPHALT DRIVEWAY AND PARKING

SCALE 1" = 20'

CERTIFIED TO:

NEW YORK CITY DEPARTMENT OF BUILDINGS

DATE SURVEYED: APRIL 6, 2018

GERALD T. O'BUCKLEY
 PROFESSIONAL LAND SURVEYORS
 42-12, 192nd STREET, FLUSHING, NY 11358
 TEL. 718-321-1231, FAX 718-321-8076
 EMAIL: gtobuckley@nyc.rr.com

TAX MAP SECTION BLOCK LOT
 FILED MAP SECTION BLOCK LOT

BOROUGH OF THE BRONX
 COUNTY OF THE BRONX
 STATE OF NEW YORK

TITLE No.

Gerald T. O' Buckley

DRAFTED BY G.S.

GERALD T. O'BUCKLEY, P.L.S.
 NEW YORK LICENSE 039834



APPLICATION FOR APPORTIONMENTS OR MERGERS

Instructions: Please complete this application and *submit in person* to: **Department of Finance, Property Division - Tax Map Office, 66 John Street, 2nd floor, New York, NY 10038.** Please read the instructions for further details before completing this form. Print clearly.

SECTION A: PROPERTY INFORMATION

Borough: Bronx Block: 2562 Present Lot(s): 49, 56, 58, 60

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Merger Apportionment Number of Lots Requested 1

Lot Number: 49

Air Subterranean

Lot(s) Usage: (check one) Residential Building Gross Sq/Ft: 20,647 Commercial Building Gross Sq/Ft: _____ Mix (Residential & Commercial) Building Gross Sq/Ft: _____

1. Property Owner's Name (as per Deed): _____
LAST NAME FIRST NAME

OR

Company Name: Markland 745, LLC.

2. Property Address: 761,763,767 East 133 St. & 750 E 134 St. Bronx NY 10454
NUMBER AND STREET CITY STATE ZIP CODE

3. Filing Representative (if applicable): George E. Berger & Associates, LLC.

SECTION B: CERTIFICATION

1. Architect/Engineer/Applicant's Name: Newman Mitchell
LAST NAME FIRST NAME

2. Address: 210 West Rogues Path Cold Spring Hills NY 11743
NUMBER AND STREET CITY STATE ZIP CODE

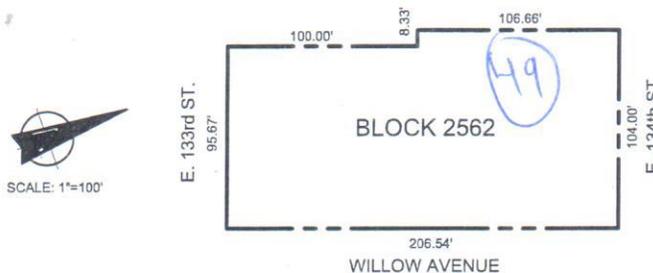
3. Telephone Number: (631) 673-3111 4. Email Address: bnewman@ndarchitects.com

The applicant hereby certifies that, in making this application for merger/apportionment, s/he is the owner, or acting under the direction of the owner.

Signature of Architect/ Engineer/Applicant: [Signature] Date: 10 / 18 / 2017

TAX MAP CHANGE WILL NOT BE MADE UNTIL PRESENTATION OF REQUIRED DOCUMENTS (see reverse for the required documents)

DRAW SKETCH TO SCALE 1" = 50', IF POSSIBLE INDICATE NORTH ARROW



(Architect or Engineer's seal)

Tentative Lot(s) issued: JKRMAN Date: 11.13.17 New Lot(s): - Lot(s) Affected: 49 Lot(s) Dropped: 56, 58, 60

Please note: Map changes will not be made until presentation of all required documents is reviewed and approved by the Specialist. Lots are tentative until final approval is received from the Tax Map Office.

Map Updated: _____ Tax Map Specialist: _____ Date: ____/____/____

APPENDIX B

PE Certification

CERTIFICATION

For each Institutional Control (IC) or Engineering Control (EC) identified for the site, I certify that, to the best of my knowledge, all of the following statements are true:

- The inspection of the site to confirm the effectiveness of the ICs and ECs required by the remedial program was performed under my direction;
- The IC and/or EC employed at this site is unchanged from the date the control was put in place, or last approved by the New York State Department of Environmental Conservation (NYSDEC);
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- Access to the site will continue to be provided to the NYSDEC to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document;
- Use of the site is compliant with the Environmental Easement;
- The EC systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.
- I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I, Gerald Nicholls, PE, of Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C., have been authorized and designated by all site owners/remedial parties to sign this certification for the site.



New York State Professional Engineer No. 092433

05/27/2025

Date

Gerry Nicholls

Signature

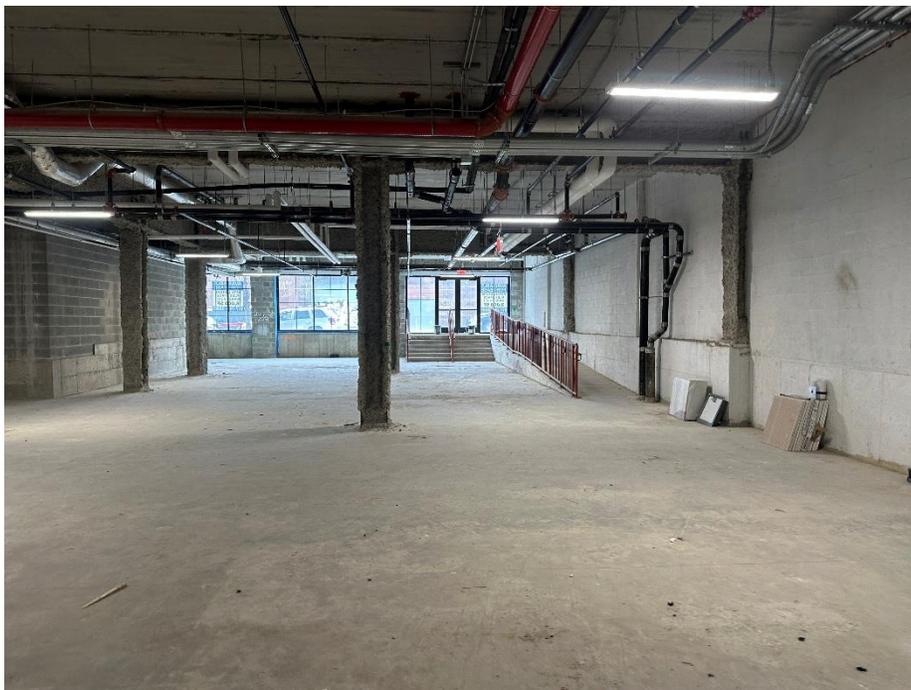
It is a violation of Article 130 of New York State Education Law for any person to alter this document in any way without the express written verification of adoption by any New York State licensed engineer in accordance with Section 7209(2), Article 130, New York State Education Law.

APPENDIX C

Photographic Documentation



Photograph 1: View of site building towards the north along Willow Avenue (04/16/2025)



Photograph 2: General view of the reinforced concrete ground-floor slab in the unoccupied commercial unit (04/16/2025)



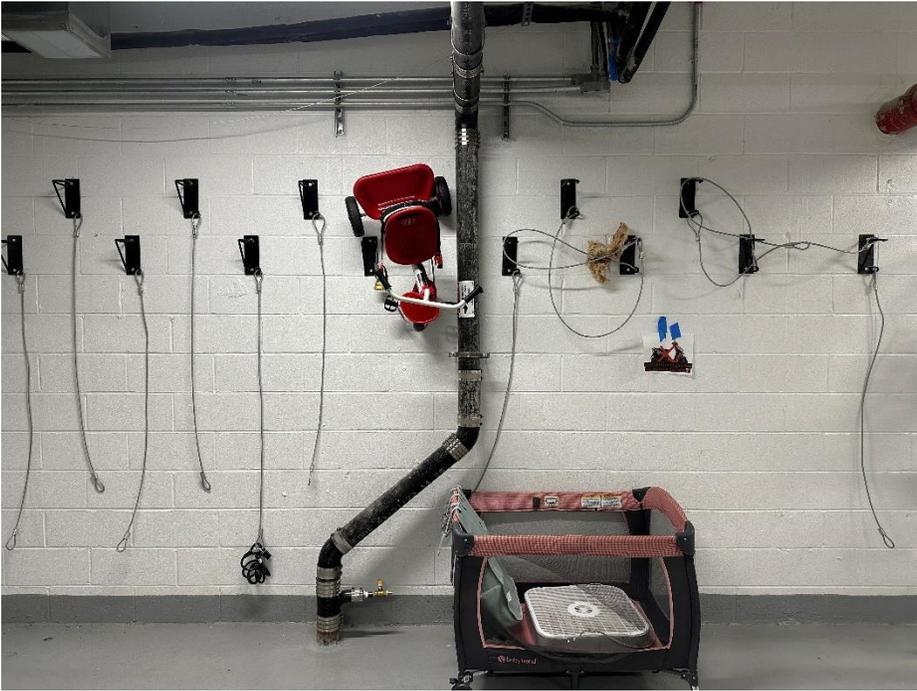
Photograph 3: General view of the reinforced concrete slab in the unoccupied commercial unit (04/16/2025)



Photograph 4: Vacuum monitoring point MPB2 (04/16/2025)



Photograph 5: Riser pipe to Blower A (04/16/2025)



Photograph 6: Riser pipe to Blower B (04/16/2025)



Photograph 7: Blower B on the building roof (04/16/2025)



Photograph 8: Blower A on the building roof (04/16/2025)



Photograph 9: SMD System alarm (04/16/2025)



Photograph 10: Riser pipe visible within telecom closet (04/16/2025)

APPENDIX D

NYSDEC IC/EC Certification Form



**Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form**



	Site Details	Box 1
Site No. C203123		
Site Name 767 East 133rd Street		
Site Address: 767 East 133rd Street	Zip Code: 10454	
City/Town: Bronx		
County: Bronx		
Site Acreage: 0.474		
Reporting Period: April 29, 2024 to April 29, 2025		
		YES NO
1. Is the information above correct?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/> <input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?		<input type="checkbox"/> <input checked="" type="checkbox"/>
		Box 2
		YES NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial		<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all ICs in place and functioning as designed?		<input checked="" type="checkbox"/> <input type="checkbox"/>
IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.		
A Corrective Measures Work Plan must be submitted along with this form to address these issues.		
_____ Signature of Owner, Remedial Party or Designated Representative		_____ Date

SITE NO. C203123

Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
2562-49	HP Willow Housing Development Fund Compa	Monitoring Plan O&M Plan Ground Water Use Restriction Landuse Restriction Site Management Plan IC/EC Plan

1. The property may be used for Restricted-Residential uses as defined in Title 6 New York Codes, Rules and Regulations (6 NYCRR) Part 375-1.8(g)(2)(ii), Commercial uses as defined in 6 NYCRR Part 375-1.8(g)(2)(iii), and Industrial uses as defined in 6 NYCRR Part 375-1.8(g)(2)(iv).
2. The property may not be used for Unrestricted Uses as defined in 6 NYCRR Part 375-1.8(g)(1)(i) or Residential (single family) uses as defined in 6 NYCRR Part 375-1.8(g)(2)(i) without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC.
3. All engineering controls (ECs) must be operated and maintained as specified in this SMP.
4. All ECs must be inspected at a frequency and in a manner defined in the SMP.
5. The use of groundwater underlying the Controlled Property is prohibited without treatment rendering it safe for the intended purpose as approved by the New York State Department of Health (NYSDOH) or the New York City Department of Health and Mental Hygiene (NYCDOHMH) to render it safe for use as drinking water or for industrial purposes, and the Volunteers must first notify and obtain written approval to do so from NYSDOH or NYCDOH.
6. Environmental or public health monitoring must be performed as defined in this SMP.
7. Data and information pertinent to site management for the Controlled Property must be reported at the frequency and in a manner as defined in this SMP.
8. On-site environmental remedial devices, including but not limited to the hydraulic barrier wall and the SMD system equipment, must be protected and replaced as necessary for proper functioning in the manner specified in the SMP.
9. ECs may not be discontinued without an amendment or extinguishment of the Environmental Easement.
10. All future activities on the Controlled Property that will disturb residual contaminated material are prohibited unless they are conducted in accordance with the soil management provisions in the SMP.
11. Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP.
12. Operation, maintenance monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP.
13. Access to the Site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.
14. The potential for vapor intrusion must be evaluated for any buildings developed in the area within the IC boundaries noted on Figure 7, and any potential impacts that are identified must be monitored or mitigated.
15. Vegetable gardens and farming in residual Site soil on the Controlled Property are prohibited.
16. Volunteer must provide all persons who acquire any interest in the Site a complete copy of the SMP that the NYSDEC approves for the Site and all NYSDEC-approved amendments to the SMP.

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
2562-49	Vapor Mitigation Cover System Subsurface Barriers

1. Site Cover System
2. SMD System
3. Hydraulic Cutoff Wall

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted

YES NO

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

(a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. C203123

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Joshua Weissman at 55 Bruckner Blvd Bronx NY 10454,
print name print business address

am certifying as Remedial Party (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Joshua Weissman
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

05.19.2025
Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Gerald Nicholls at 368 Ninth Ave, Fl 8, New York, NY 10001,
print name print business address

I am certifying as a Professional Engineer for the Remedial Party
(Owner or Remedial Party)

Gerry Nicholls



05/27/2025

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

Date

APPENDIX E

Site Inspection Forms

SITE INSPECTION CHECKLIST

Site Name: 111 Willow Avenue Location: 767 East 133rd Street, Bronx, NY Project Number: 170497202

Inspector Name: Morgan McBride Date: 4/16/2025 Weather Conditions: Overcast, 40s

Reason for Inspection (i.e., routine, severe weather condition, etc.): PRR Inspection

Check one of the following:
(Y: Yes N: No NA: Not Applicable)

		Y	N	NA	Normal Situation	Remarks
General						
1	What are the current site conditions?	-	-	-	-	Partially occupied 8-story residential building with commercial units on the first floor. One commercial unit is occupied for a future juice bar.
2	Are all applicable site records (e.g., documentation of construction activity, SMD system maintenance and repair, most current easement, etc.) complete and up to date?	Y			Y	
Environmental Easement						
3	Has site use (restricted-residential) remained the same?	Y			Y	
4	Does it appear that all environmental easement restrictions have been followed?	Y			Y	
Site Cover, SMD System & Secant Pile Hydraulic Cutoff Wall						
5	Are there any indications of a breach in the capping system at the time of this inspection?		N		N	
6	Are there any cracks in the building slabs?		N		N	
7	Are there any cracks in the building walls?		N		N	
8	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included breaching the site cover system, altering the SMD system, or secant pile hydraulic cutoff wall at the time of this inspection?		N		N	
9	If YES to number 8, is there documentation that the Site Management Plan, HASP, and CAMP for the site was/is being followed?			N/A	N/A	

*****If the answer to any of the above questions indicate non-compliance with any ICs/ECs for the site, additional remarks must be provided and, where applicable, documentation should be attached to this checklist detailing additional inspection and repair activities.*****

Additional remarks:

Minimum Inspection Schedule:

- At a minimum, site-wide inspections will be conducted annually, per certification year.
- Additional site-wide inspections will also be conducted immediately following severe storm/weather conditions.
- This checklist will be completed as part of each site-wide inspection event.

SMD SYSTEM INSPECTION CHECKLIST

Site Name: 111 Willow Avenue Location: 767 East 133rd Street, Bronx, NY Project Number: 170497202

Inspector Name: Morgan McBride Date: 4/16/2025 Weather Conditions: Overcast, 40s

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): PRR Inspection

Check one of the following: **Y**: Yes **N**: No **NA**: Not Applicable

		Y	N	NA	Normal Situation	Remarks
Records						
1	Is the Site Management Plan readily available on-site?	Y			Y	
2	Based on site records, when was the last inspection, maintenance, or repair event?					3/29/2025
3	Based on site records, was the system inoperational for any amount of time since the last inspection, maintenance, or repair event? For how long? Provide details.		N		N	
Alarm System						
4	Do the alarm lights indicate that the system is operational?	Y			Y	
General System						
5	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the floor slab, on-site at the time of this inspection?		N		N	Tenant is now occupying southern commercial space. On-site building manager, Francis Feliz, confirmed no floor slab breaching construction/activities have occurred.
6	If YES to number 5, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?			N/A	NA if N to 5/ Y if Y to 5	
7	If YES to number 5, is there documentation that all breaches in the floor slab have been sealed?			N/A	NA if N to 5/ Y if Y to 5	
8	Does all visible SMD system piping appear intact and undamaged?	Y			Y	
9	Have any intake points been constructed at the roof near (less than 10 feet) the SMD system blower discharge point?		N		N	

SMD SYSTEM INSPECTION CHECKLIST

Site Name: 111 Willow Avenue Location: 767 East 133rd Street, Bronx, NY Project Number: 170497202

Inspector Name: Morgan McBride Date: 4/16/2025 Weather Conditions: Overcast, 40s

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): PRR Inspection

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Normal Situation	Remarks
SMD System Blower Unit						
10	Is the SMD system blower operational at the time of the inspection?	Y			Y	
11	What is the VelociCalc Meter reading?					168.27 CFM to Blower A, 213.45 CFM to Blower B
12	Is the SMD system blower expelling air at the discharge point?	Y			Y	
13	Have dust and debris been removed from surface of blower?	Y			Y	
14	Have dirty or clogged filter cartridges been replaced?	Y			Y	
15	Vacuum Monitoring Point Readings	Reading		Sufficient?		Remarks
	MPA1	-0.128		Y		Reading collected on 4/29/2025**
	MPA2	-0.053		Y		PID: 0.0 ppm
	MPB1	-0.093		Y		PID: 0.0 ppm
	MPB2	-0.139		Y		PID: 0.0 ppm

* If the answer to any of the above questions indicate the SMD system is non-operational or malfunctioning, or that this EC is in non-compliance, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.

Additional remarks **The tenant space containing MPA1 was inaccessible during the 4/16/2025 inspection. MPA1 reading was collected on 4/29/2025 during a subsequent site visit.

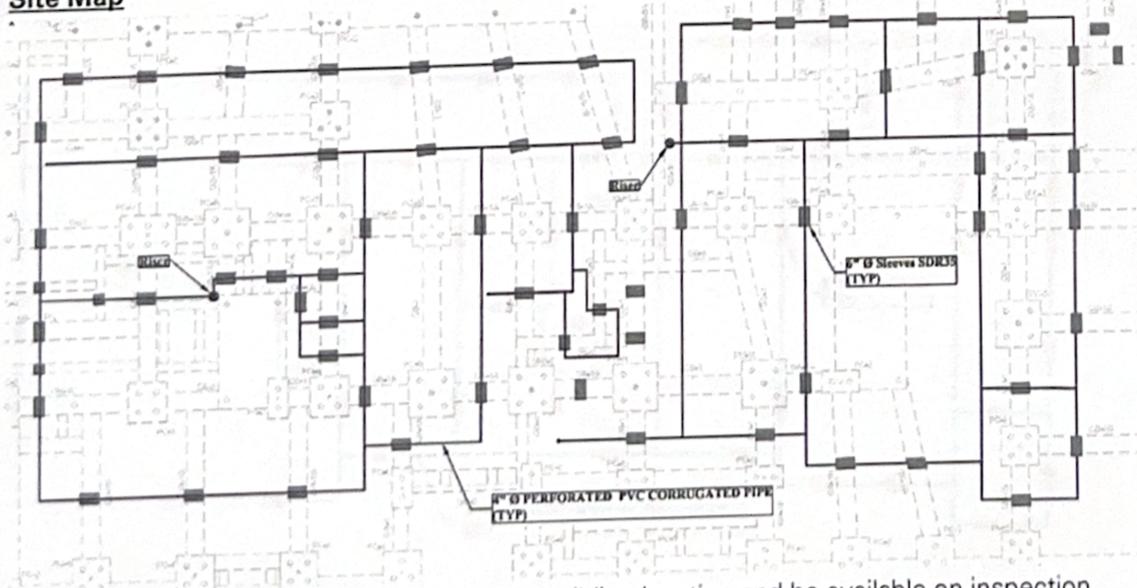
Minimum Inspection Schedule: SMD inspections will be conducted quarterly for the first certification year at a minimum. Additional inspections will also be conducted at times of maintenance, repair, or severe condition events. The minimum schedule will be revised, as necessary, following the first certification year. All inspection events will utilize this checklist.

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: _____ Blower B: _____
Are the system alarms operational?		Yes	If "No," call number below.	
Are the system in-line fans operating?		Yes	If "No," call number below.	
Is air being discharged from the system vents?		Yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	No		If "Yes," call number below.	
Are there any blockages in SMD System piping?	No		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection: FRANCIS FELIX

Signature of Person Performing Inspection: [Signature]

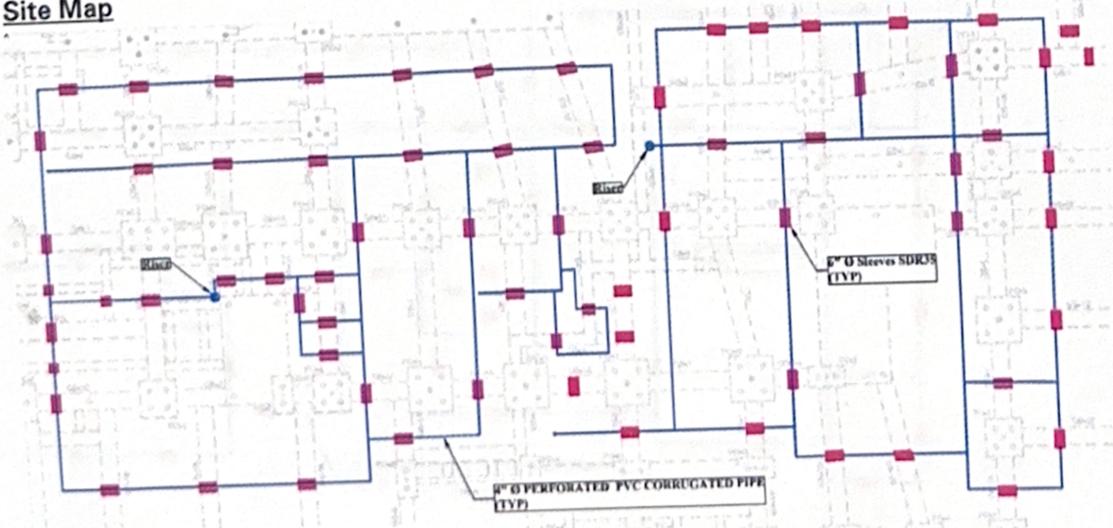
Date of Inspection: 03-25-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		YES	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
Are the system alarms operational?		YES	If "No," call number below.	
Are the system in-line fans operating?		YES	If "No," call number below.	
Is air being discharged from the system vents?		YES	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		YES	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	NO		If "Yes," call number below.	
Are there any blockages in SMD System piping?	NO		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

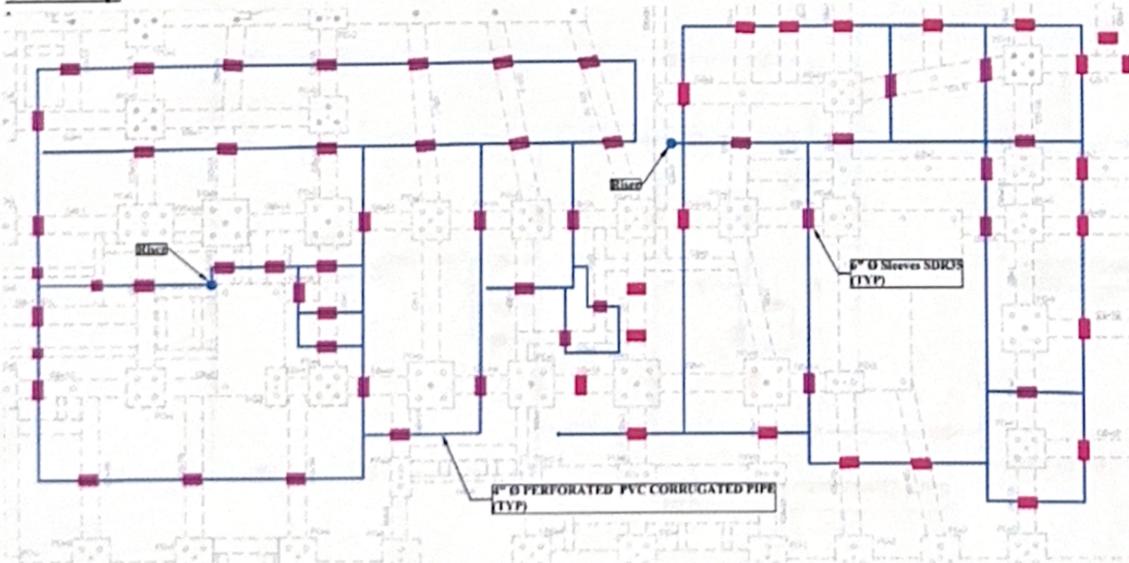
Name of Person Performing Inspection: FRANCIS FELIX
 Signature of Person Performing Inspection: [Signature]
 Date of Inspection: 04-29-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		YES	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: _____ Blower B: _____
Are the system alarms operational?		YES	If "No," call number below.	
Are the system in-line fans operating?		YES	If "No," call number below.	
Is air being discharged from the system vents?		YES	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		YES	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	NO		If "Yes," call number below.	
Are there any blockages in SMD System piping?	NO		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

FRANCIS FELIZ

Signature of Person Performing Inspection:

[Handwritten Signature]

Date of Inspection:

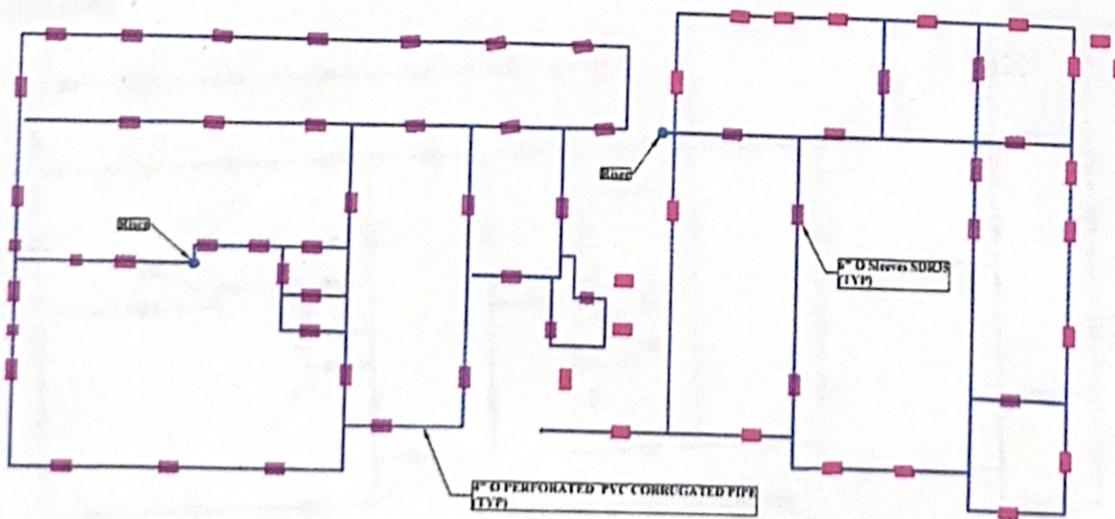
05-31-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
Are the system alarms operational?		Yes	If "No," call number below.	
Are the system in-line fans operating?		Yes	If "No," call number below.	
Is air being discharged from the system vents?		Yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	No		If "Yes," call number below.	
Are there any blockages in SMD System piping?	No		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

FRANCIS FELIZ

Signature of Person Performing Inspection:

[Handwritten Signature]

Date of Inspection:

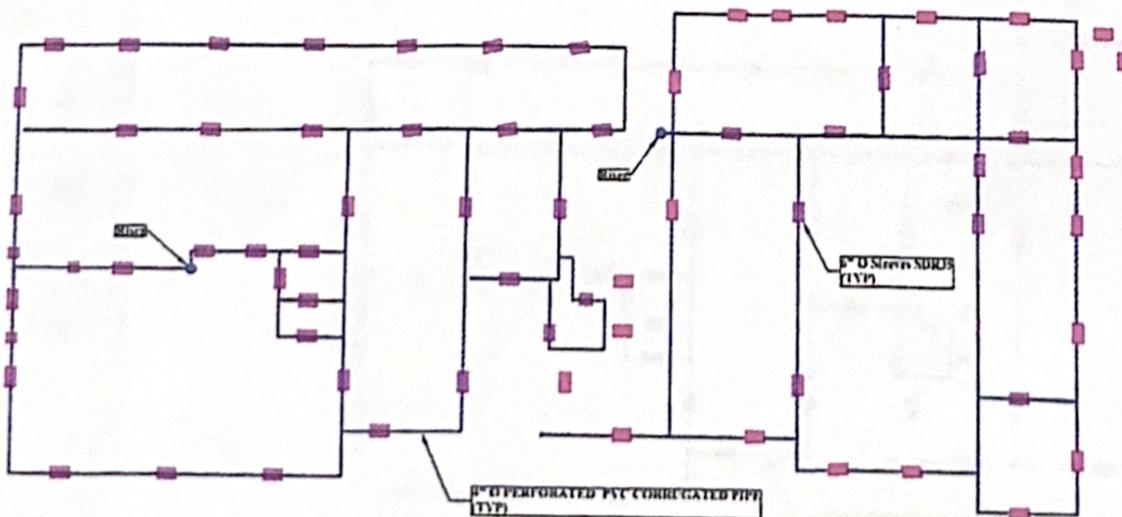
06-31-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
Are the system alarms operational?		Yes	If "No," call number below.	
Are the system in-line fans operating?		Yes	If "No," call number below.	
Is air being discharged from the system vents?		Yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	No		If "Yes," call number below.	
Are there any blockages in SMD System piping?	No		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection: FRANCIS Kalk?

Signature of Person Performing Inspection: [Signature]

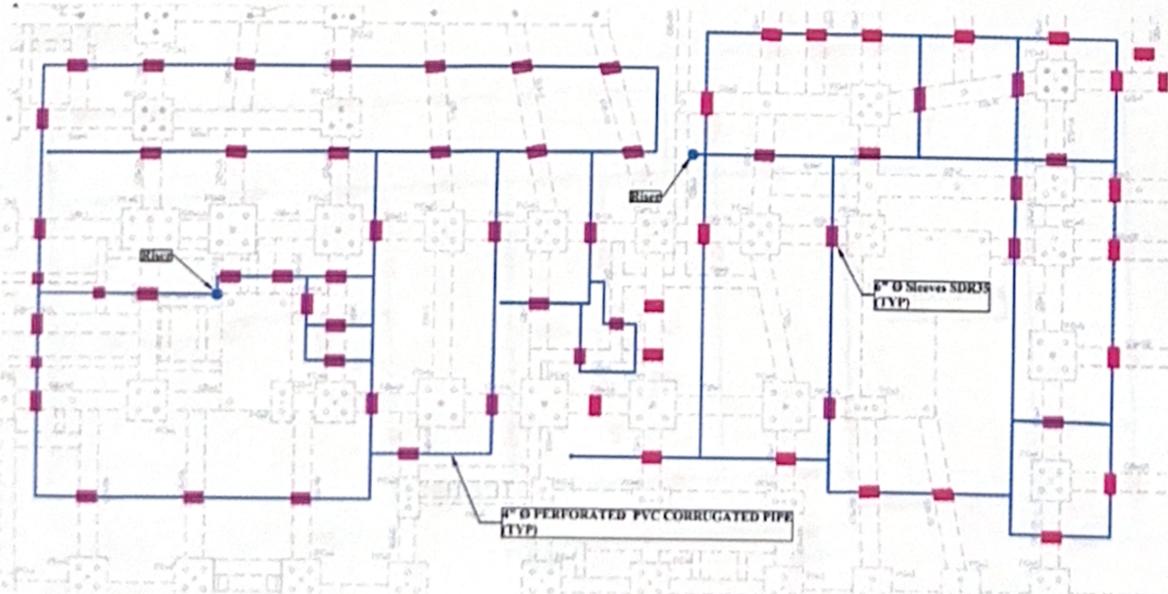
Date of Inspection: 07-31-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
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Is air being discharged from the system vents?		Yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	No		If "Yes," call number below.	
Are there any blockages in SMD System piping?	No		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

FRANCIS P. 1.2

Signature of Person Performing Inspection:

[Handwritten Signature]

Date of Inspection:

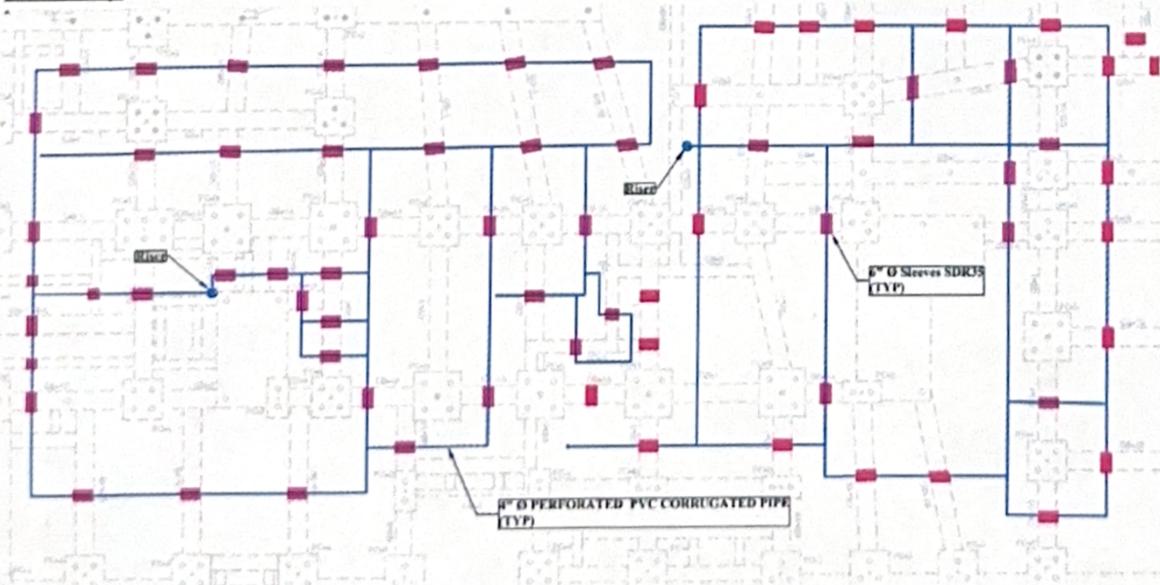
08-31-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
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Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?	No		If "Yes," call number below.	
Are there any blockages in SMD System piping?	No		If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection: FRANCIS FELIZ

Signature of Person Performing Inspection: [Signature]

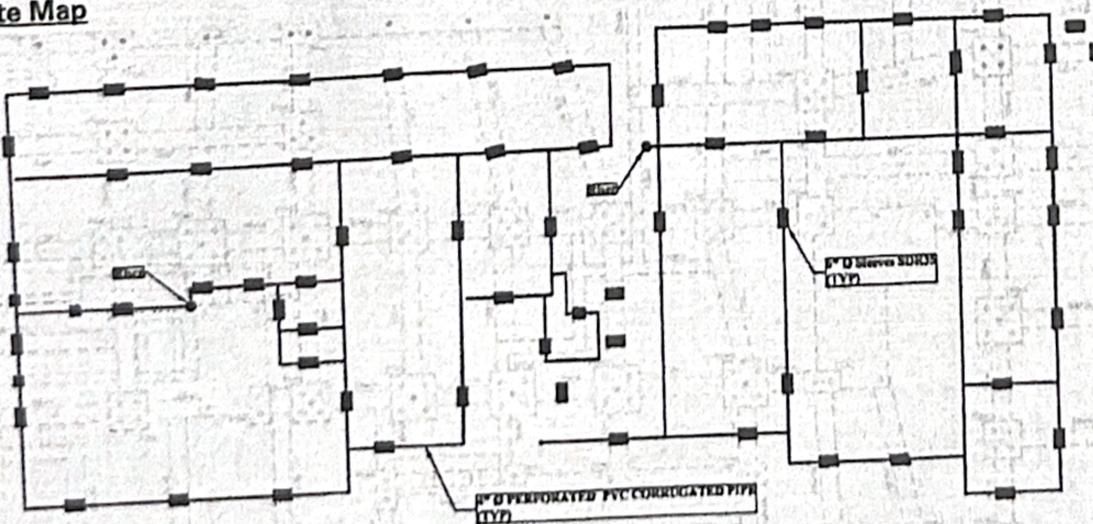
Date of Inspection: 09-31-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
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Are the system in-line fans operating?		Yes	If "No," call number below.	
Is air being discharged from the system vents?		Yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?		No	If "Yes," call number below.	
Are there any blockages in SMD System piping?		No	If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection: Francis Pelic

Signature of Person Performing Inspection: [Signature]

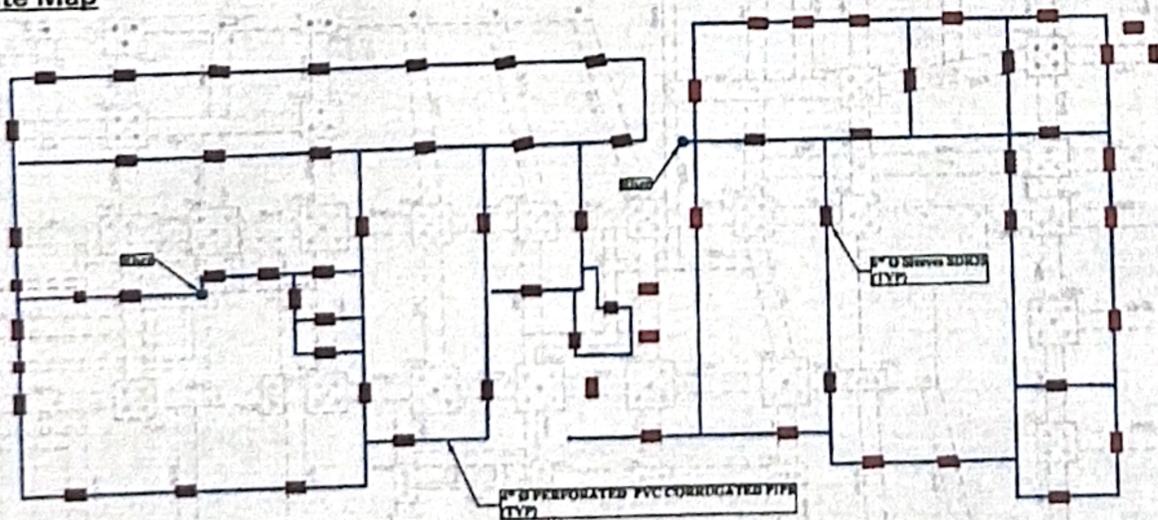
Date of Inspection: 10-29-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
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Are the system in-line fans operating?		Yes	If "No," call number below.	
Is air being discharged from the system vents?		Yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		Yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?		2020	If "Yes," call number below.	
Are there any blockages in SMD System piping?		2020	If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

Signature of Person Performing Inspection:

Date of Inspection:

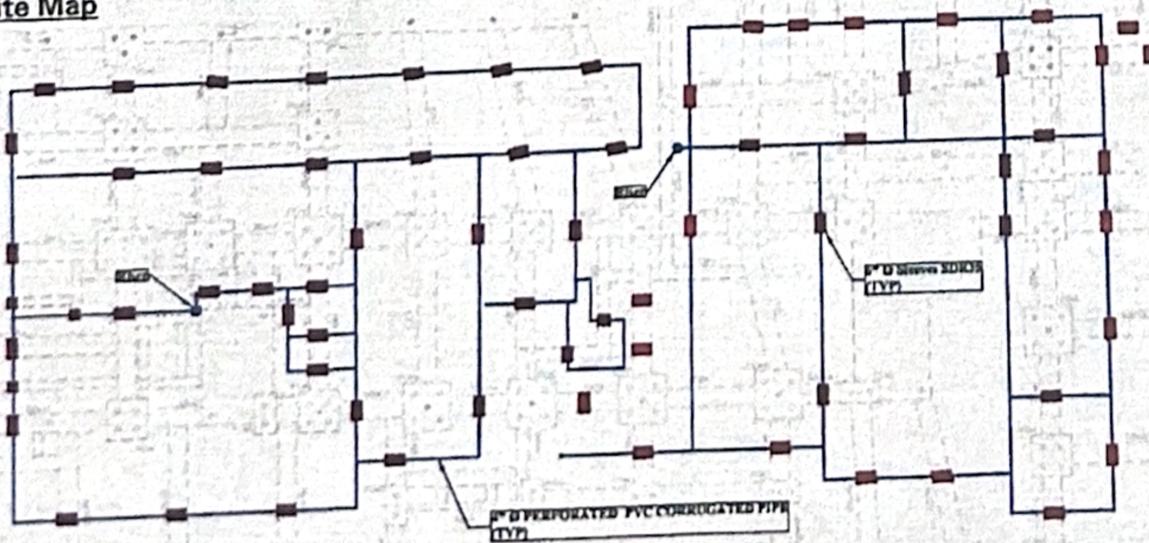
FRANCIS FELIZ
[Signature]
11-30-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
Are the system alarms operational?		yes	If "No," call number below.	
Are the system in-line fans operating?		yes	If "No," call number below.	
Is air being discharged from the system vents?		yes	If "No," call number below.	
Are clamps in system piping properly fastened and seals near the in-line fan intact and properly sealed?		yes	If "No," call number below.	
Are there any holes, cracks, or other physical deficiencies in SMD System piping?		no	If "Yes," call number below.	
Are there any blockages in SMD System piping?		no	If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection: IRVING FELIX

Signature of Person Performing Inspection: [Signature]

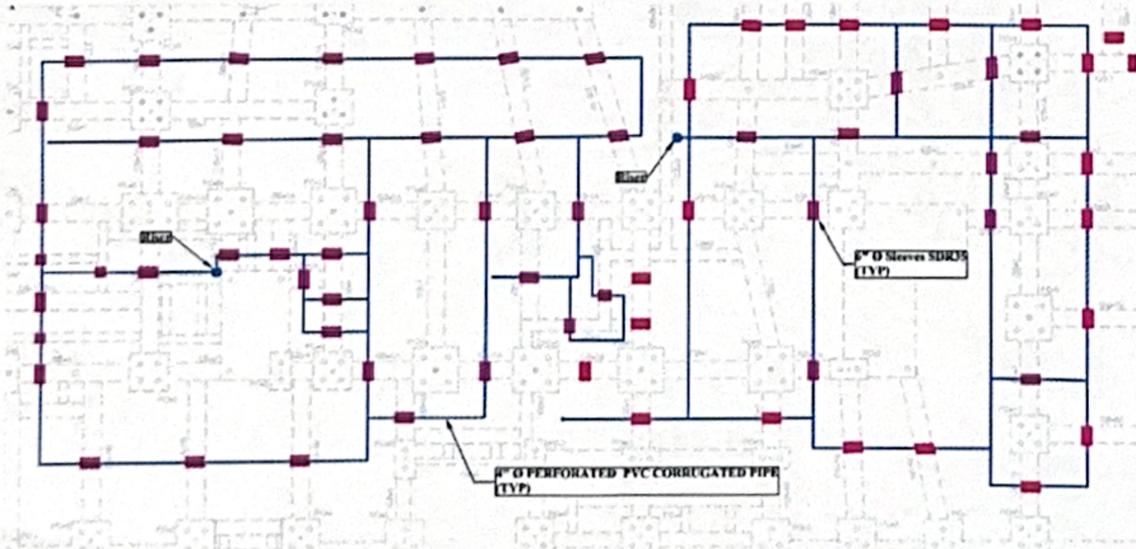
Date of Inspection: 12-30-24

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
What are the vacuum gauges reading?			If reading is below 10 inches of water, ok. If above 10 inches of water call number below.	Blower A: Blower B:
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Are there any holes, cracks, or other physical deficiencies in SMD System piping?		Yes	If "Yes," call number below.	
Are there any blockages in SMD System piping?		Yes	If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

FRANCIS FELIZ

Signature of Person Performing Inspection:

[Handwritten Signature]

Date of Inspection:

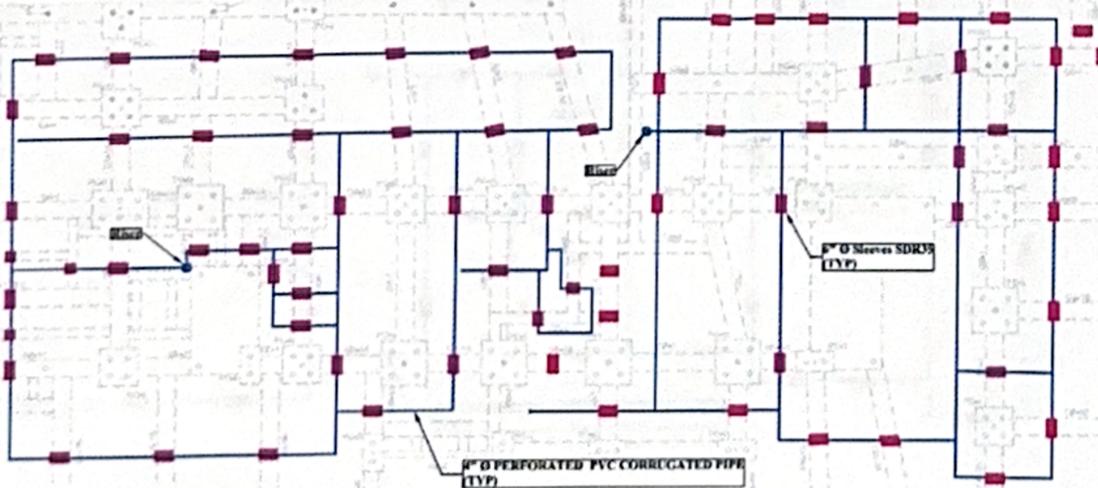
01-29-25

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
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Are there any holes, cracks, or other physical deficiencies in SMD System piping?		No	If "Yes," call number below.	
Are there any blockages in SMD System piping?		No	If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

FRANCIS KOEHLER

Signature of Person Performing Inspection:

[Handwritten Signature]

Date of Inspection:

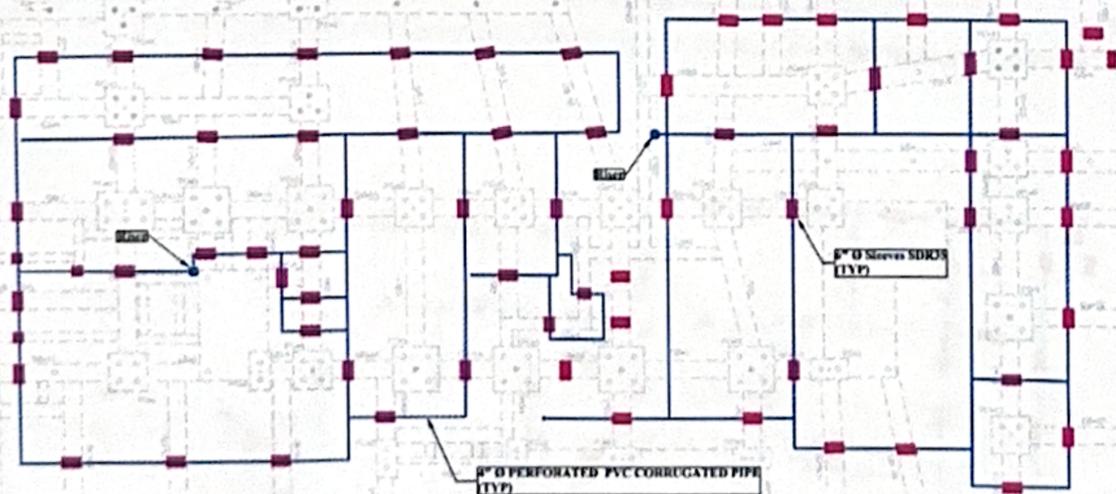
02-28-25

**Sub-Membrane Depressurization (SMD) System
Monthly Inspection Form**
767 East 133rd Street
Bronx, NY

Question	No	Yes	Directions	Comments
Are the system vacuum gauges operational?		Yes	If "No," call number below.	
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Are there any holes, cracks, or other physical deficiencies in SMD System piping?		Yes	If "Yes," call number below.	
Are there any blockages in SMD System piping?		Yes	If "Yes," call number below.	

Contact: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Phone Number: 212-479-5461

Site Map



This form must be signed, kept on file at the building location and be available on inspection.

Name of Person Performing Inspection:

FRANCIS FELIZ

Signature of Person Performing Inspection:

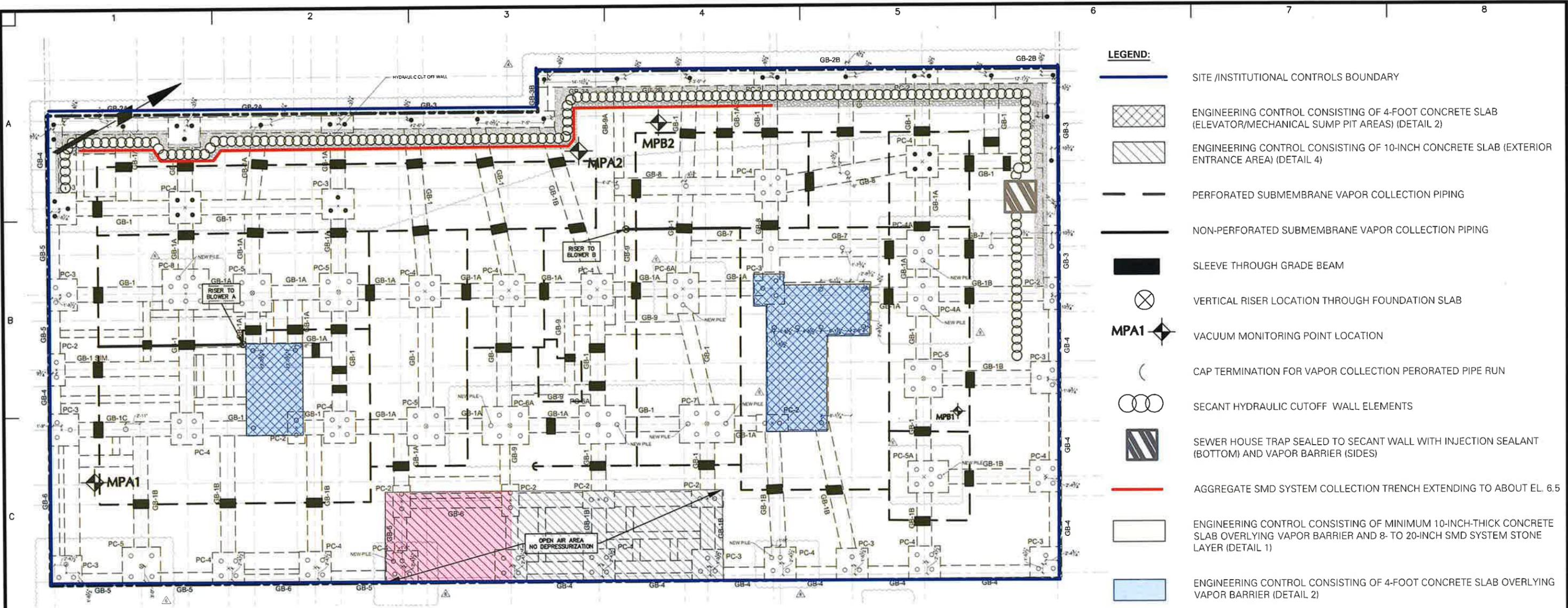
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Date of Inspection:

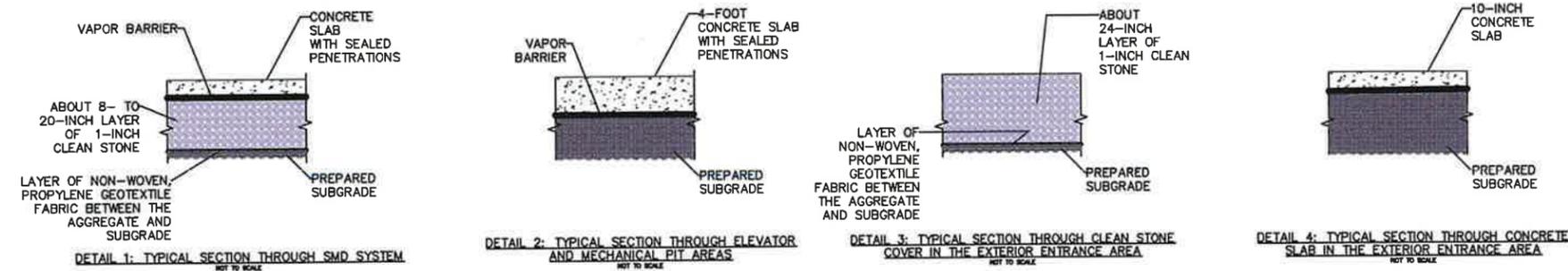
03-29-25

APPENDIX F

EC and IC Location Map

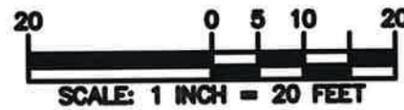


- LEGEND:**
- SITE / INSTITUTIONAL CONTROLS BOUNDARY
 - ENGINEERING CONTROL CONSISTING OF 4-FOOT CONCRETE SLAB (ELEVATOR/MECHANICAL SUMP PIT AREAS) (DETAIL 2)
 - ENGINEERING CONTROL CONSISTING OF 10-INCH CONCRETE SLAB (EXTERIOR ENTRANCE AREA) (DETAIL 4)
 - PERFORATED SUBMEMBRANE VAPOR COLLECTION PIPING
 - NON-PERFORATED SUBMEMBRANE VAPOR COLLECTION PIPING
 - SLEEVE THROUGH GRADE BEAM
 - VERTICAL RISER LOCATION THROUGH FOUNDATION SLAB
 - VACUUM MONITORING POINT LOCATION
 - CAP TERMINATION FOR VAPOR COLLECTION PERORATED PIPE RUN
 - SECANT HYDRAULIC CUTOFF WALL ELEMENTS
 - SEWER HOUSE TRAP SEALED TO SECANT WALL WITH INJECTION SEALANT (BOTTOM) AND VAPOR BARRIER (SIDES)
 - AGGREGATE SMD SYSTEM COLLECTION TRENCH EXTENDING TO ABOUT EL. 6.5
 - ENGINEERING CONTROL CONSISTING OF MINIMUM 10-INCH-THICK CONCRETE SLAB OVERLYING VAPOR BARRIER AND 8- TO 20-INCH SMD SYSTEM STONE LAYER (DETAIL 1)
 - ENGINEERING CONTROL CONSISTING OF 4-FOOT CONCRETE SLAB OVERLYING VAPOR BARRIER (DETAIL 2)
 - ENGINEERING CONTROL CONSISTING OF 24-INCH SITE COVER OF 1-INCH STONE (DETAIL 3)



GENERAL NOTES:

1. BASEMAP OBTAINED FROM PIPE LOCATION PLAN BY NEWMAN DESIGN, UPDATED JANUARY 5, 2022.
2. ALL LOCATIONS ARE APPROXIMATE
3. ELEVATIONS REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988
4. SMD = SUB-MEMBRANE DEPRESSURIZATION



WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



 Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com	Project 767 EAST 133RD STREET BLOCK No. 2562, LOT No. 49 BRONX NEW YORK	Figure Title ENGINEERING AND INSTITUTIONAL CONTROLS LOCATION MAP	Project No. 170497202	Figure No. 7
			Date 08/25/2022	Page 7 of 7
			Drawn By KG	
			Checked By TS	

APPENDIX G

SMD As-Builts

SITWORKS Contracting Corp.

399 S. MacQuesten Parkway
Mount Vernon NY. 10550

LETTER OF TRANSMITTAL

(914) 663-6355 FAX (914) 663-7605

To Alex Rodriquez
Summit JV LLC
Bronx, N.Y., 10454
914 842-9505/914 730-1098

Date	09/14/2022
Re:	The Willow
	750 East 134 th Street
	Bronx, NY, 10454
	arodriguez@touchstone-builders.com

WE ARE SENDING YOU Attached Under separate cover e-mail via _____ The following items:

Shop drawings Prints Plans Samples Specifications

Copy of letter Change Order _____

COPIES	DATE	NO.	DESCRIPTION
		64	Willow Ave, Depressurization System As Built

THESE ARE TRANSMITTED as checked below:

For approval Approved as submitted Resubmi _____ copies for approval

For your use Approved as noted Submit _____ copies for distribution

As requested Returned for corrections Return _____ corrected prints

For review and comment _____

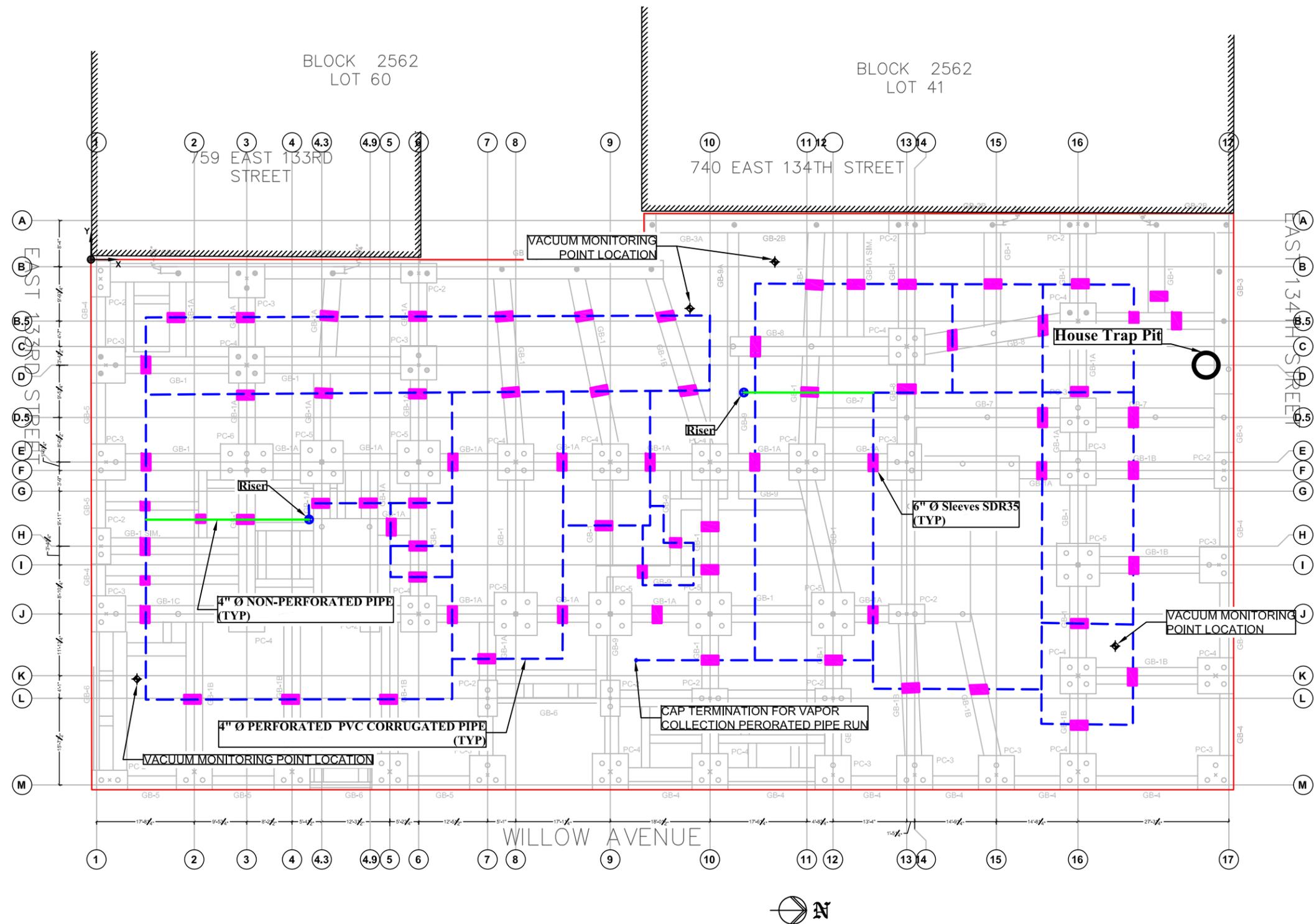
FOR BIDS DUE _____ PRINTS RETURNED AFTER LOAN TO US

Remarks _____

COPY TO File

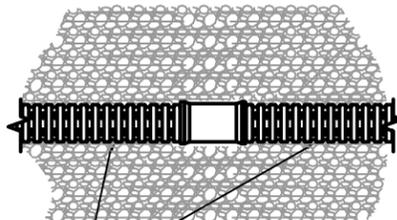
SIGNED: BESJON DODA

If enclosures are not as noted, kindly notify us at once.



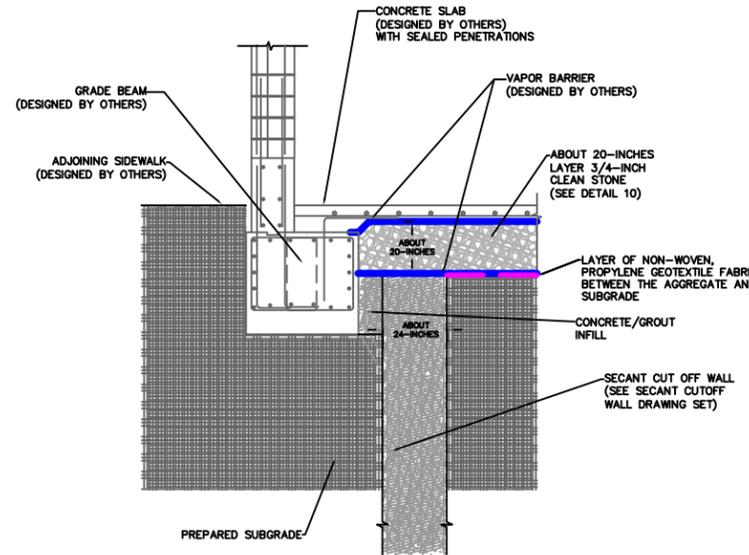
General Notes

No.	Revision/Issue	Date
SUBCONTRACTOR:		
SITWORKS CONTRACTING CORP.		
399 S. MacQuesten Pkwy Mount Vernon, NY 10550		
Project Name and Address:		
750 EAST 134TH ST, BRONX, NY WILLOW AVE		
SHEET NAME:		
DEPRESSURIZATION SYSTEM AS-BUILT		
Project	Sheet	
Date	DS-01	
Scale	09/12/2022	

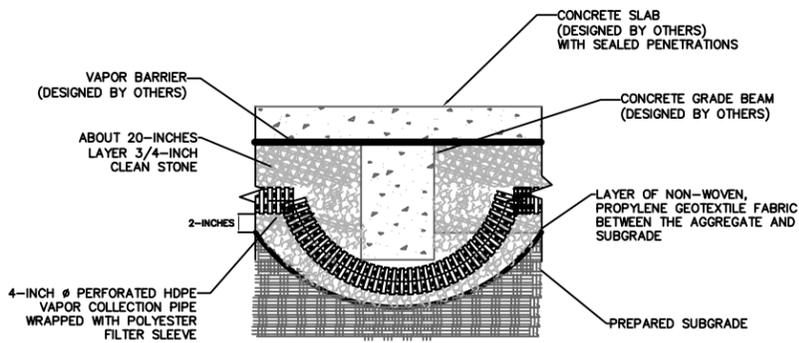
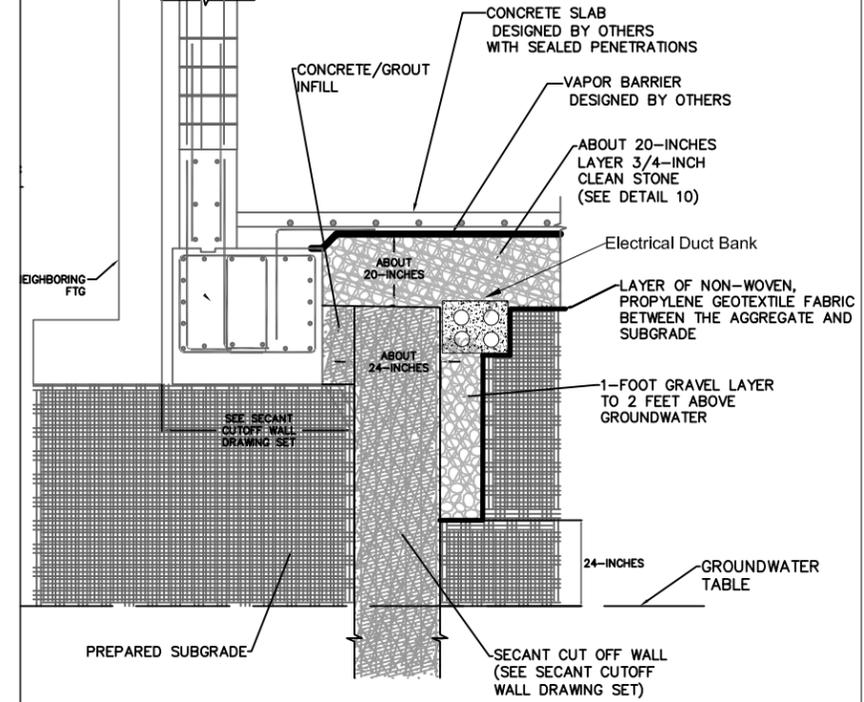


4-INCH Ø PERFORATED HDPE VAPOR COLLECTION PIPE WRAPPED WITH POLYESTER FILTER SLEEVE
 3/4-INCH CLEAN STONE

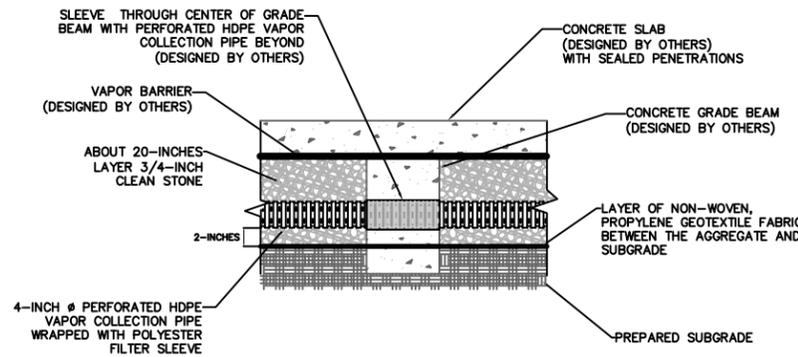
PERFORATED PIPE ENVELOPED IN 3/4" CR STONE.



ADDITIONAL VAPOR BARRIER INSTALLED AT THE BASE OF THE SMDS ALONG THE NORTHERN SITE PERIMETER



VAPOR COLLECTION PIPE, AGGREGATE, AND FABRIC DIPPING BELOW THE GRADE BEAM



VAPOR COLLECTION PIPE, AGGREGATE, AND FABRIC THROUGH CENTER OF GRADE BEAM

No.	Revision/Issue	Date

SUBCONTRACTOR:
SITWORKS CONTRACTING CORP.
 399 S. MacQuesten Pkwy
 Mount Vernon, NY 10550

Project Name and Address:
 750 EAST 134TH ST,
 BRONX, NY
 WILLOW AVE

SHEET NAME:
DEPRESSURIZATION SYSTEM DETAILS AS-BUILT

Project	Sheet
Date	DS-02
Scale	
09/12/2022	