



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 10

Section I. Requestor Information - See Instructions for Further Guidance DEC USE ONLY BCP SITE #: NAME 720 E. 216 DEVELOPMENT LLC ADDRESS 38 West 21st Street, 8th Floor CITY/TOWN New York, NY ZIP CODE 10010 PHONE 212-604-1061 FAX E-MAIL msfroning@skfdevelopment.com Is the requestor authorized to conduct business in New York State (NYS)? [X] Yes [] No Do all individuals that will be certifying documents meet the requirements detailed below? [X] Yes [] No

Section II. Project Description 1. What stage is the project starting at? [X] Investigation [] Remediation NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required. 2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): [] Yes [X] No 3. 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). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

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			X
Chlorinated Solvents			X
Other VOCs			
SVOCs	X	X	
Metals	X		
Pesticides	X		
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 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: Residential _____

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME 720 East 216th Street

ADDRESS/LOCATION 720-722 East 216th Street

CITY/TOWN Bronx, NY

ZIP CODE 10467

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

Borough of Bronx

COUNTY Bronx

SITE SIZE (ACRES) 0.256

LATITUDE (degrees/minutes/seconds)

40 ° 52 ' 51.77 "

LONGITUDE (degrees/minutes/seconds)

73 ° 51 ' 47.17 "

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
720-722 East 216th Street		4663	24	0.256

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application? Yes 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) Yes No

If yes, identify census tract : 390

Percentage of property in En-zone (check one): 0-49% 50-99% 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)? Yes 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? Yes 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? Yes No

If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes 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

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

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No

If yes, requestor must answer questions on the supplement at the end of this form.

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 Michael Froning		
ADDRESS 38 West 21st Street, 8th Floor		
CITY/TOWN New York, NY		ZIP CODE 10010
PHONE 212-604-1061	FAX	E-MAIL msfroning@skfdevelopment.com
NAME OF REQUESTOR'S CONSULTANT HydroTech Environmental Engineering and Geology, DPC/Paul Matli		
ADDRESS 15 Ocean Avenue, Suite 2B		
CITY/TOWN Brooklyn, NY		ZIP CODE 11225
PHONE 718-636-0800	FAX 718-636-0900	E-MAIL pmatli@hydrotechenvironmental.com
NAME OF REQUESTOR'S ATTORNEY Brown Duke & Fogel, P.C./George Duke, Esq		
ADDRESS 350 5th Avenue, Suite 4640		
CITY/TOWN New York, NY		ZIP CODE 10118
PHONE 646-915-0236	FAX 464-219-2601	E-MAIL gduke@bdflegal.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME 720 E. 216 DEVELOPMENT LLC		OWNERSHIP START DATE: 1/7/2019
ADDRESS 38 West 21st Street, 8th Floor		
CITY/TOWN New York, NY		ZIP CODE 10010
PHONE 347-615-9235	FAX	E-MAIL msfroning@skfdevelopment.com
CURRENT OPERATOR'S NAME 720 E. 216 DEVELOPMENT LLC		
ADDRESS 38 West 21st Street, 8th Floor		
CITY/TOWN New York, NY		ZIP CODE 10010
PHONE 347-615-9235	FAX	E-MAIL msfroning@skfdevelopment.com

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".

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.

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? Yes No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes 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. Yes 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? Yes No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? Yes No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
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? Yes No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? Yes No
If yes, please provide explanation as an attachment.

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). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? R7A

What uses are allowed by the current zoning? (Check boxes, below)

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.

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.

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)


If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and 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 Authorized Signatory (title) of 720 E. 216 Development LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (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 *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: 2/13/2020 Signature: 

Print Name: Michael S. Froning

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.

BCP App Rev 10

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
From ECL 27-1405(31):	
<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>	
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2:	
<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: 720 East 216th Street
City: Bronx, NY

Site Address: 720-722 East 216th Street
County: Bronx **Zip:** 10467

Tax Block & Lot
Section (if applicable): **Block:** 4663 **Lot:** 24

Requestor Name: 720 E. 216 DEVELOPMENT LLC **Requestor Address:** 38 West 21st Street, 8th Floor
City: New York, NY **Zip:** 10010 **Email:** msfroning@skfdevelopment.com

Requestor's Representative (for billing purposes)
Name: Michael Froning **Address:** 38 West 21st Street, 8th Floor
City: New York, NY **Zip:** 10010 **Email:** msfroning@skfdevelopment.com

Requestor's Attorney
Name: Brown Duke & Fogel, P.C./George Duke, Esq **Address:** 350 5th Avenue, Suite 4640
City: New York, NY **Zip:** 10118 **Email:** gduke@bdflegal.com

Requestor's Consultant
Name: HydroTech Environmental Engineering and Geology, DPC/Paul Matti **Address:** 15 Ocean Avenue, Suite 2B
City: Brooklyn, NY **Zip:** 11225 **Email:** pmatti@hydrotechenvironmental.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:

Supplement to Section I – Requestor Information

The current Property Owner is 720 E. 216 Development LLC. 720 E. 216 Development LLC has been the fee owner of the property since January 7, 2019. 720 E. 216 Development LLC is the Requestor seeking participation in the New York State Brownfield Cleanup Program (“BC”) as a Volunteer.

The members of 720 E. 216 Development LLC are:

- Gerald I. Swartz
- Ayush Kapahi
- Michael S. Froning
- Bronx Development Holding LLC

Mr. Michael Froning is authorized as a managing Member of 720 E. 216 Development LLC to sign the BCP application.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through November 21, 2019.

Selected Entity Name: 720 E. 216 DEVELOPMENT LLC

Selected Entity Status Information

Current Entity Name: 720 E. 216 DEVELOPMENT LLC

DOS ID #: 5438425

Initial DOS Filing Date: NOVEMBER 06, 2018

County: ALBANY

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

C/O SKF DEVELOPMENT LLC
38 WEST 21ST STREET 8TH FLOOR
NEW YORK, NEW YORK, 10010

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this

information is not recorded and only available by
[viewing the certificate.](#)

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
NOV 06, 2018	Actual	720 E. 216 DEVELOPMENT LLC

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

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

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**720 E. 216 DEVELOPMENT LLC AUTHORIZATION
TO COMPLETE REMEDIAL REQUIREMENTS**

The undersigned, being all of the members of 720 E. 216 Development LLC, a New York limited liability company (the "Company") hereby certify as of February __, 2020, as follows and adopt the following resolutions and authorize the Company to authorize and direct Michael Froning (the "Authorized Signatory") to take the following actions on behalf of the Company:

WHEREAS, the Company desires to authorize the Authorized Signatory to undertake actions necessary to redevelop 720 E. 216 Street, Bronx County, Bronx, NY 10467; Block 4663, Lots 24, 26 (the "Property" or the "Site").

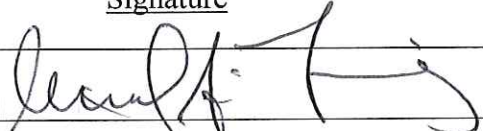
WHEREAS, in connection with the redevelopment of the Property, the Company has or will prepare and submit an application to participate in the New York State Brownfield Cleanup Program ("BCP") and, if accepted into the BCP, enter into a Brownfield Cleanup Agreement ("BCA"); file related documents with the New York State Department of Environmental Conservation ("DEC") to participate in the BCP; and undertake certain environmental remediation work related thereto consistent with applicable laws, regulations and guidance under the BCP (collectively referred to as the "Remedial Program Requirements");

NOW THEREFORE, BE IT

RESOLVED, the Authorized Signatory be, and hereby is, authorized and directed, in the name of and on behalf of the Company, to execute and to deliver all applications, documents and instruments required to effectuate the BCA (including execution of the BCA), and make any filings required to comply with the BCA consistent with the Remedial Program Requirements; and be it further;

RESOLVED, that this Authorization may be signed in any number of counterparts, including but not limited to electronic, and shall become effective as of the date herein below written when each person named below shall have signed a copy hereof; and

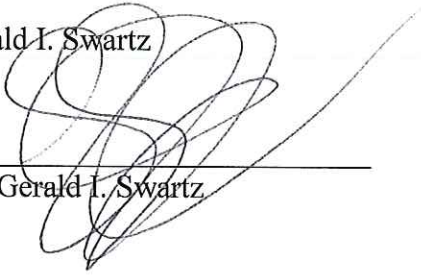
RESOLVED, The Authorized Signatory is authorized to bind the Company as an Authorized Signatory for the purposes set forth in this Authorization, the signature set forth opposite his name below is his actual signature:

<u>Authorized Signatory</u>	<u>Signature</u>
Michael Froning	

IN WITNESS WHEREOF, the undersigned have signed and sealed this Member Consent on February 13, 2020.

MEMBERS:

Gerald I. Swartz




By: Gerald I. Swartz

Bronx Development Holding LLC



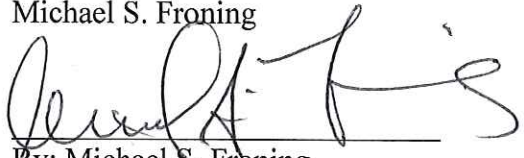
By: Ayush Kapahi

Ayush Kapahi



By: Ayush Kapahi

Michael S. Froning



By: Michael S. Froning

Supplement to Section II - Project Description

Project Description:

Purpose and Scope - The purpose of the project is to address known contamination at the Site in anticipation of a proposed new residential development, which will include at least 30% affordable units. The project includes the investigation and remediation of contamination identified on the Site under the New York State Brownfields Program. The Requestor plans on conducting a remedial investigation consistent with an approved Remedial Investigation Work Plan 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. After the Remedial Investigation Work Plan has been implemented, the Requestor plans on submitting a summary report and work plan proposing a remedial action.

Estimated Project Schedule -

The Estimated Project Schedule is as follows:

March 2020	Brownfield Cleanup Agreement Signed
March 2020	Submit Citizen Participation Plan (CPP)
March/ April 2020	Approval of RIWP
March/ April 2020	Implementation RIWP
April/May 2020	Submit RIR/RAWP
June 2020	Fact Sheet Announcing 45-day Public Comment Period for RAWP
July/ August 2020	NYSDEC RAWP Approval/Issuance of Decision Document
July/ August 2020	Begin Implementation of Remedial Action
October/November 2020	Submittal of FER and SMP
December 2020	Issuance of COC

Supplement to Section III – Property’s Environmental History

Previous environmental reports performed at the Site included the following:

- Phase I Environmental Site Assessment (ESA), 720 & 722 East 216th Street, Bronx, NY, September 29, 2018, Middleton Environmental Inc.
- Phase II Investigation, 720 East 216th Street, Bronx, NY, September 30, 2019, HydroTech Environmental Engineering and Geology, DPC.

According to the 2019 Phase II investigation, SVOCs consisting of polyaromatic hydrocarbons (PHAs) and identified as benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene exceeded their Restricted Residential Use SCOs in shallow soil in the eastern portion of the Site. Pesticides including 4,4'-DDD and 4,4'-DDT were detected at concentrations exceeding Unrestricted Use SCOs in shallow soil collected beneath the northeastern and southwestern portions of the Site. Metals including arsenic and lead exceeded their Restricted Residential Use SCOs in soil collected beneath the northeastern and southeastern portions of the Site. **Figure 1** provides a map showing contaminants of concern in soil.

One SVOC, pentachlorophenol was detected in the groundwater sample collected beneath the northwestern of the Site at a concentration in exceedance of the groundwater quality standards (GQS). No chlorinated VOCs were detected in this groundwater sample. Filtered metals detected at concentrations exceeding GQS include manganese and sodium. Emerging contaminants detected in groundwater sample included trace concentrations of PFOS and PFOA and their derivatives. The compound 1,4-dioxane was not detected in the groundwater sample. **Figure 2** provides a map of showing contaminants of concern in groundwater.

VOCs associated with both petroleum (such as xylene and toluene) and chlorinated solvents (such as tetrachloroethylene) are present in soil vapor. **Figure 3** provides a map showing contaminants of concern in soil gas.

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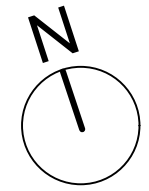
PROJECT NAME AND ADDRESS
 720 EAST 216TH STREET BRONX, NY

PROJECT FIGURE
 FIGURE 1: MAP OF SVOCs, METALS, AND PESTICIDES OF CONCERN IN SOIL

PROJECT NO. 190040	DATE 01/16/20
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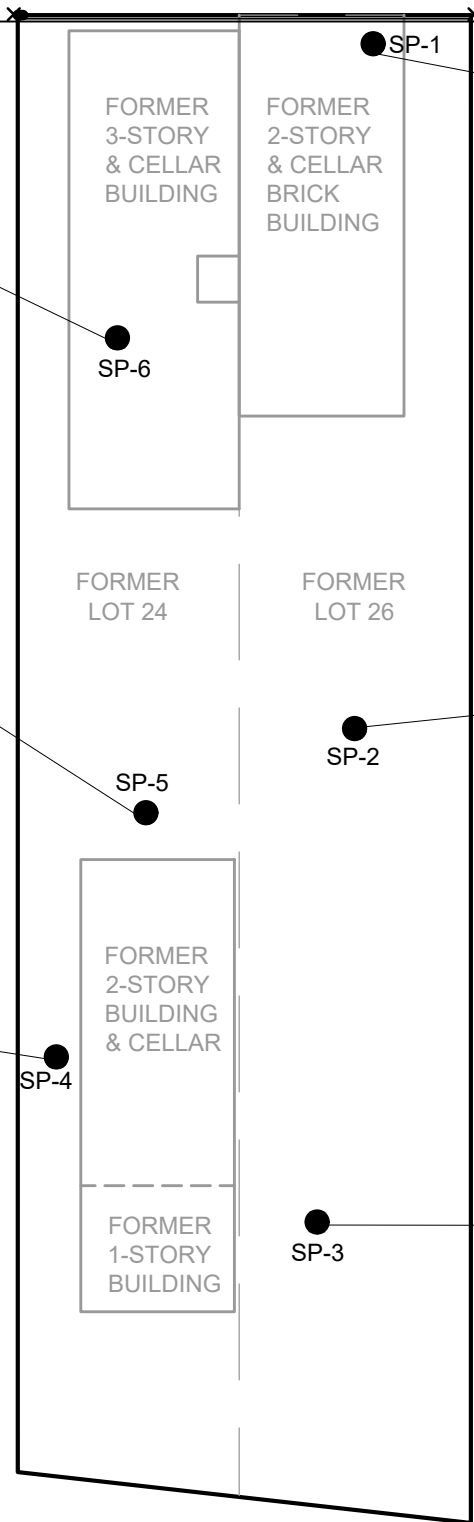
DRAWN BY A.R.	REVIEWED BY P.M.
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SCALE (11X17) NOT TO SCALE	APPROVED BY P.M.
-------------------------------	---------------------



EAST 216TH STREET

SIDEWALK



SP-6				
Depth	0-2'	4-6'	USCO	RRSCO
Elevation	113-111'	109-107'		
SVOC (mg/kg)				
Di-n-octyl phthalate	0.604	0.721	NS	NS
Metals (mg/kg)				
Arsenic	2.68	ND	13	16
Barium	80	73.7	350	400
Chromium, Trivalent	28.1	17.3	30	180
Copper	27.3	30.7	50	270
Lead	23.6	3.45	63	400
Mercury	0.0593	ND	0.18	0.81
Nickel	20.7	24.3	30	310
Zinc	53	41.1	109	10000
Pesticides (mg/kg)				
ND				

SP-5				
Depth	0-2'	2-4'	USCO	RRSCO
Elevation	123-121'	121-119'		
SVOC (mg/kg)				
Di-n-octyl phthalate	0.137	0.587	NS	NS
Metals (mg/kg)				
Barium	170	376	350	400
Copper	35.9	89.9	50	270
Lead	NAS	20.9	63	400
Nickel	33.4	38.9	30	310
Zinc	81.6	195	109	10000
Pesticides (mg/kg)				
ND				

SP-4				
Depth	0-2'	2-3'	USCO	RRSCO
Elevation	127-125'	125-124'		
SVOC (mg/kg)				
Di-n-octyl phthalate	0.109	0.143	NS	NS
Metals (mg/kg)				
Copper	166	35.7	50	270
Lead	380	8.25	63	400
Mercury	0.453	0.0527	0.18	0.81
Nickel	ND	36.4	30	310
Zinc	370	40.9	109	10000
Pesticides (mg/kg)				
4,4'-DDD	0.0113	ND	0.0033	1.3
4,4'-DDT	0.0402	ND	0.0033	7.9

SP-1				
Depth	0-2'	2-3'	USCO	RRSCO
Elevation	114-112'	112-111'		
SVOC (mg/kg)				
Indeno(1,2,3-cd)pyrene	0.612	0.0526	0.5	0.5
Metals (mg/kg)				
Copper	96.7	39.2	50	270
Lead	506	53.1	63	400
Mercury	0.415	0.0443	0.18	0.81
Nickel	39.6	26.6	30	310
Zinc	487	65	109	10000
Pesticides (mg/kg)				
4,4'-DDT	0.00935	ND	0.0033	7.9

SP-2				
Depth	0-2'	3-5'	USCO	RRSCO
Elevation	126-124'	123-121'		
SVOC (mg/kg)				
Benzo(a)pyrene	1.25	ND	1	1
Benzo(b)fluoranthene	1.18	ND	1	1
Benzo(k)fluoranthene	1.12	ND	0.8	3.9
Chrysene	1.04	ND	1	3.9
Indeno(1,2,3-cd)pyrene	1.07	ND	0.5	0.5
Metals (mg/kg)				
Copper	43.7	58.4	50	270
Lead	310	6.89	63	400
Mercury	0.308	ND	0.18	0.81
Zinc	245	52.600	109	10000
Pesticides (mg/kg)				
ND				

SP-3				
Depth	0-2'	4-6'	USCO	RRSCO
Elevation	128-126'	125-123'		
SVOC (mg/kg)				
Benzo(a)pyrene	1.09	0.0595	1	1
Benzo(b)fluoranthene	1.05	0.0517	1	1
Benzo(k)fluoranthene	0.99	0.0486	0.8	3.9
Indeno(1,2,3-cd)pyrene	0.94	0.051	0.5	0.5
Metals (mg/kg)				
Arsenic	35.3	ND	13	16
Barium	381	105	350	400
Copper	85.2	46	50	270
Lead	594	13	63	400
Mercury	0.387	ND	0.18	0.81
Nickel	24.7	33.5	30	310
Zinc	302	59.2	109	10000
Pesticides (mg/kg)				
ND				

LEGEND:

- SOIL PROBE LOCATION (SP-) SAMPLED MAY 7 2019
- DEPTH FEET BELOW GRADE SURFACE
- ELEVATION FEET ABOVE MEAN SEA LEVEL
- SVOCs SEMIVOLATILE ORGANIC COMPOUNDS
- NAS NOT ABOVE STANDARD
- ND NOT DETECTED
- mk/kg MILLIGRAMS PER KILOGRAM
- USCO UNRESTRICTED USE SOIL CLEANUP OBJECTIVES
- RRSCO RESTRICTED RESIDENTIAL USE SOIL CLEANUP OBJECTIVES
- VALUES EXCEED USCO STANDARDS
- VALUES EXCEED RRSCO STANDARDS
- FORMER BUILDING PRESENT DURING SITE INVESTIGATION

EAST 216TH STREET



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BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS

720 EAST 216TH STREET
 BRONX, NY

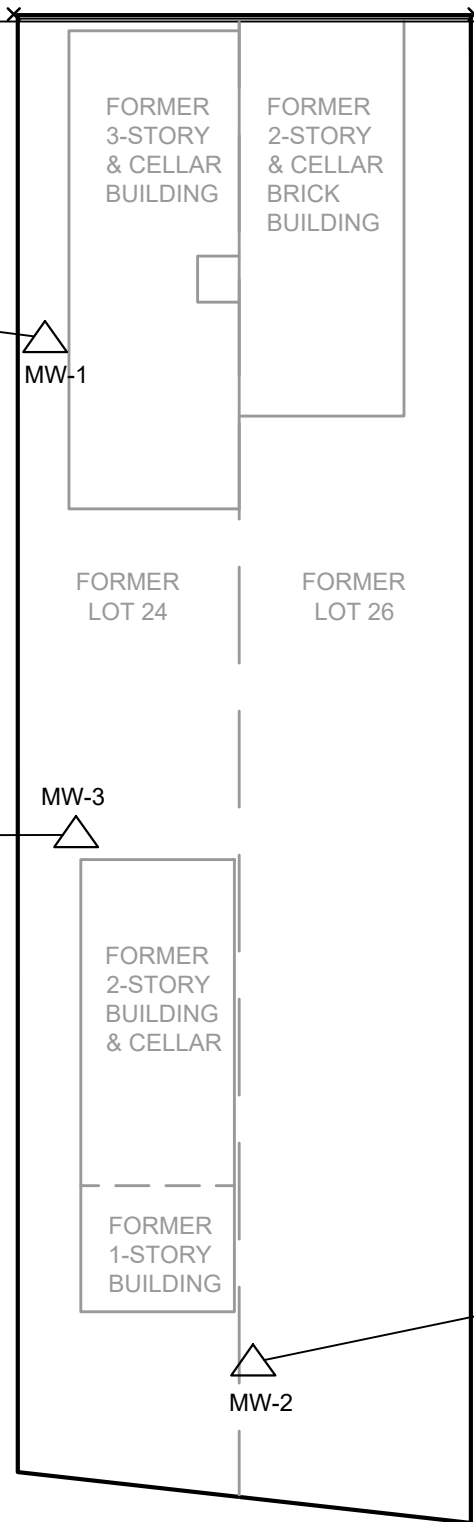
PROJECT FIGURE

FIGURE 2: MAP OF SVOCs, DISSOLVED METALS, PFOS, PFOA, AND 1-4 DIOXANE OF CONCERN IN GROUNDWATER

PROJECT NO. 190040	DATE 1/16/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) NOT TO SCALE	APPROVED BY P.M.

MW-1		
COMPOUND	ug/L	NYSDEC TOGS Standards and Guidance Values - GA
SVOCs (ug/L)		
Pentachlorophenol	2.220	1
Metals (ug/L)		
Manganese	540	300
Sodium	29,300	20000
PFOA/PFOS (ng/L)		
PERFLUOROOCTANESULFONIC ACID (PFOS)	0.0175	NS
PERFLUOROOCTANOIC ACID (PFOA)	0.0285	NS
1,4-DIOXANE (ug/L)		
1,4-DIOXANE		ND

DRY



DRY

LEGEND:

- ug/L MICROGRAMS PER LITER
- NYSDEC TOGS STANDARDS AND GUIDANCE VALUES - GA NEW YORK STATE DEPARTMENT OF TECHNICAL & OPERATIONAL GUIDANCE SERIES STANDARDS AND GUIDANCE VALUES FOR CLASS GA (GROUNDWATER)
- VALUES EXCEED NYSDEC TOGS STANDARDS AND GUIDANCE VALUES - GA
- MONITORING WELL (MW) SAMPLED ON MAY 16, 2019
- ND NOT DETECTED
- NS NO REGULATORY LIMIT HAS BEEN ESTABLISHED FOR THIS ANALYTE
- FORMER BUILDING PRESENT DURING SITE INVESTIGATION

EAST 216TH STREET



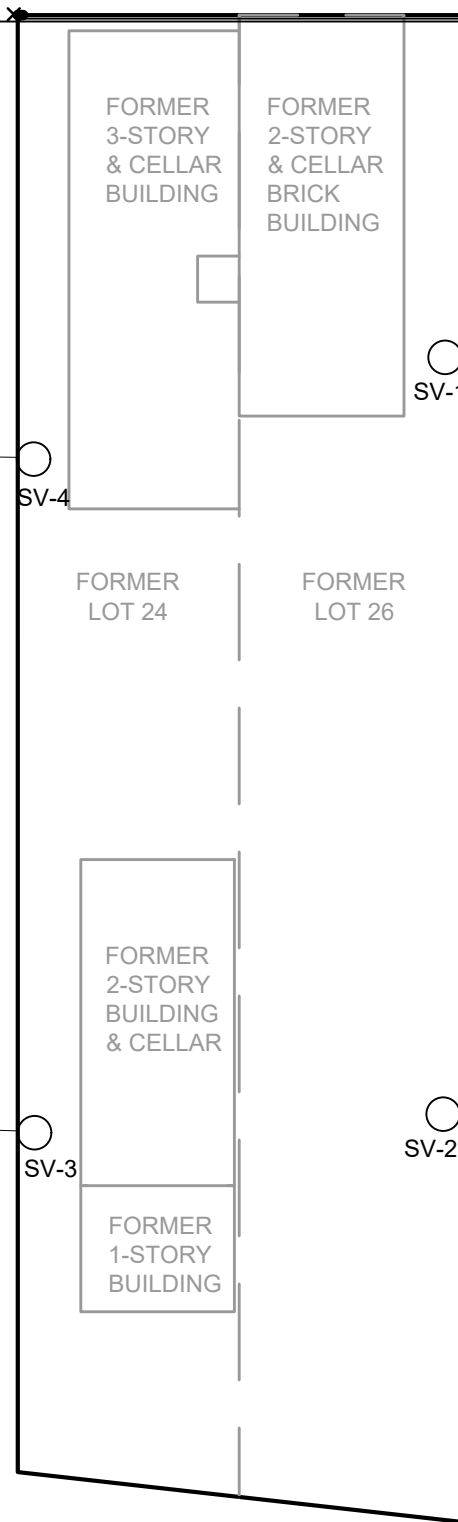
SIDEWALK

SV-4	
Depth	5'
Elevation	118'
VOC (ug/m3)	
Benzene	1.80
Ethyl Benzene	1.20
o-Xylene	1.50
p- & m- Xylenes	5.30
Tetrachloroethylene	0.45
Toluene	10

SV-3	
Depth	3'
Elevation	125'
VOC (ug/m3)	
Tetrachloroethylene	0.450
Toluene	0.750
Trichlorofluoromethane (Freon 11)	1.40

SV-1	
Depth	3'
Elevation	120'
VOC (ug/m3)	
Benzene	0.52
Carbon tetrachloride	0.41
cis-1,2-Dichloroethylene	0.19
Methylene chloride	4
p- & m- Xylenes	2.30
p-Ethyltoluene	0.95
Tetrachloroethylene	0.77
Trichloroethylene	0.52
Trichlorofluoromethane (Freon 11)	2.90

SV-2	
Depth	6'
Elevation	122'
VOC (ug/m3)	
Benzene	2
Ethyl Benzene	0.90
o-Xylene	0.90
p- & m- Xylenes	3.10
Tetrachloroethylene	0.98
Toluene	8.90



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FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS

720 EAST 216TH STREET
 BRONX, NY 10467

PROJECT FIGURE

FIGURE 3: MAP OF VOCs OF CONCERN IN
 SOIL VAPORS

PROJECT NO.
 190040

DATE
 11/20/19

DRAWN BY
 G.T.

REVIEWED BY
 P.M.

SCALE (11X17)
 NOT TO SCALE

APPROVED BY
 P.M.

LEGEND:

- ug/m3 MICROGRAMS PER CUBIC METER
- DEPTH FEET BELOW GRADE SURFACE
- ELEVATION FEET ABOVE MEAN SEA LEVEL
- FORMER BUILDING PRESENT DURING SITE INVESTIGATION
- SOIL VAPOR PROBE LOCATIONS (SV-)-SAMPLED ON MARCH 28, 2019

Supplement to Section IV(10) - Property Description

Property Description

Location

The Site consists of one parcel identified as 720 East 216th Street and located at 720-722 East 216th Street, on the southern side of East 216th Street between Barns Avenue to the east and White Plains Road to the west in the in the Williamsbridge section of the Borough of Bronx, New York. The Site is identified as Block 4663 and Lot 24 on the New York City Tax Map. Previously, the Site consisted of two individual parcels addressed as 720 East 216th Street and 722 East 216th Street and was identified as Block 4663 and Lots 24 and 26 on the New York City Tax Map. The former two tax Lots 24 and 26 were merged most recently into one Tax Lot 24. The Site is bordered by five 2- to 4-story residential buildings to the west, south and east.

Site Features

The Site is 11,181 square feet in area and currently consists of a vacant parcel with no developments. It is covered by bare soil and demolition debris and is surrounded by a plywood fence along the bounding street to the north and five adjacent properties to the west south and east.

Current Zoning and Land Use

The Site is zoned R7A (residential district).

Past Use of the Site

According to Sanborn maps, the Site has been historically developed with residential buildings since 1908. Until most recently, the property at 720 East 216th Street consisted of a 3-story residential building in the northern portion along East 216th Street and a 2-story residential building in the rear southern portion. The property at 722 East 216th Street consisted of a 2-story residential building in the northern portion and a vacant land covered with vegetation in the southern portion. All three buildings at the Site had full basements with a side alley and a rear yard covered with concrete. The three buildings at the Site were demolished during August

2019. The basement areas of the former building were backfilled with demolition debris and were leveled to surrounding grade elevations.

Site Geology and Hydrology

The topography at the Site is irregular with an average surface elevation of 120 feet above mean sea level (asl). The stratigraphy of the Site, from the surface down, consists of silty sand with stones ranging in thickness from 0 to 6 feet bgs. This silty layer is underlain by a shallow bedrock which was encountered at shallow depths ranging between approximately 3 and 6 feet bgs at elevations between approximately 125 feet and 111 feet asl. Groundwater was only intercepted beneath the northwestern portion of the Site at a depth of 13 feet below grade surface at an elevation of 106 feet asl. With one groundwater monitoring well installed, the exact groundwater flow direction beneath the Site could not be established. However, local groundwater flow gradient is expected to follow surface topography, which declines in the Site vicinity toward the west.

Environmental Assessment

Based upon a Phase II investigation dated August 2019, the primary contaminants of concern for the Site include SVOCs and metals that were detected at concentrations exceeding restricted residential regulatory standards in shallow samples collected at 722 East 216th Street in the eastern portion of the Site. These SVOCs included among other compounds benzo(a)pyrene (max. 1.25 mg/kg), benzo(b)fluoranthene (max. 1.18 mg/kg) and indeno(1,2,3-cd)pyrene (max. 1.07 mg/kg). Metals included among other compounds arsenic (max. 35.3 mg/kg) and lead (max. 594 mg/kg). One individual chlorinated VOC consisting of methylene chloride was detected in a deep soil sample at a concentration below the soil regulatory cleanup objectives. Two pesticides were detected in shallow soil in the northeastern and southwestern portions of the Site at concentrations exceeding the unrestricted soil cleanup objectives.

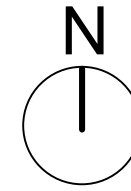
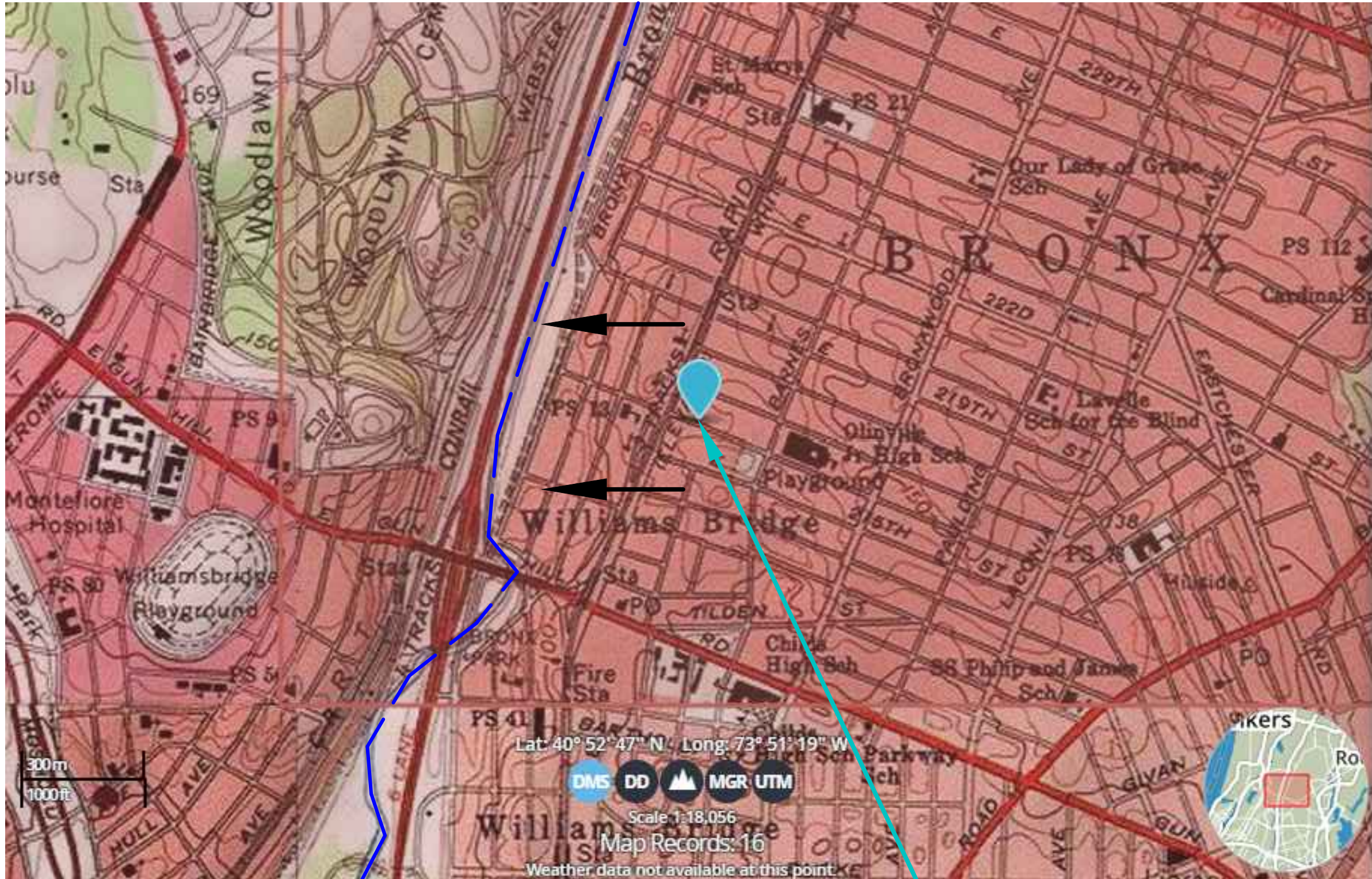
One SVOC and two metals were detected at concentrations exceeding regulatory standards in a groundwater sample collected beneath the northwestern portion of the Site. The SVOC consisted of pentachlorophenol (2.22 mg/L). No VOCs were detected at concentrations exceeding regulatory standards. Filtered metals detected in groundwater at concentrations

exceeding regulatory standards include manganese (540 mg/L) and sodium (29,300 mg/L). Emerging contaminants consisting of PFOS (0.0285 ng/L) and PFOA (0.0175 ng/L) were detected at trace concentrations in groundwater sample.

VOCs associated with both petroleum compounds such as benzene, xylenes ethylbenzene and toluene (max total 19.8 $\mu\text{g}/\text{m}^3$) and chlorinated solvents such as tetrachloroethylene (max 0.98 $\mu\text{g}/\text{m}^3$), trichloroethylene (max 0.52 $\mu\text{g}/\text{m}^3$) and methylene chloride (max 4 $\mu\text{g}/\text{m}^3$) are present in soil vapor.

Maps

- Figure 4 - Regional Groundwater Flow Map
- Figure 5 - Tax Map
- Figure 6 - Surrounding Land Use Map
- Figure 7 - USGS Topographic Map
- Figure 8 - Adjacent Property Map



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 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
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 BRONX, NY

PROJECT FIGURE
 FIGURE 4 - REGIONAL GROUNDWATER FLOW MAP

PROJECT NO. 190040	DATE 02/17/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) NOT TO SCALE	APPROVED BY P.M.

LEGEND:
 EXPECTED REGIONAL GROUNDWATER FLOW DIRECTION IN THE VICINITY OF THE SUBJECT PROPERTY TOWARDS THE BRONX RIVER
 BRONX RIVER

SUBJECT PROPERTY
 720 EAST 216TH STREET
 BRONX, NY

NOTE: REGIONAL GROUNDWATER FLOW GRADIENT FOLLOWS TOPOGRAPHIC SLOPE, WHICH DECLINES IN THE SITE VICINITY TOWARD THE WEST



SUBJECT PROPERTY
 720 EAST 216TH STREET
 BRONX, NY 10467

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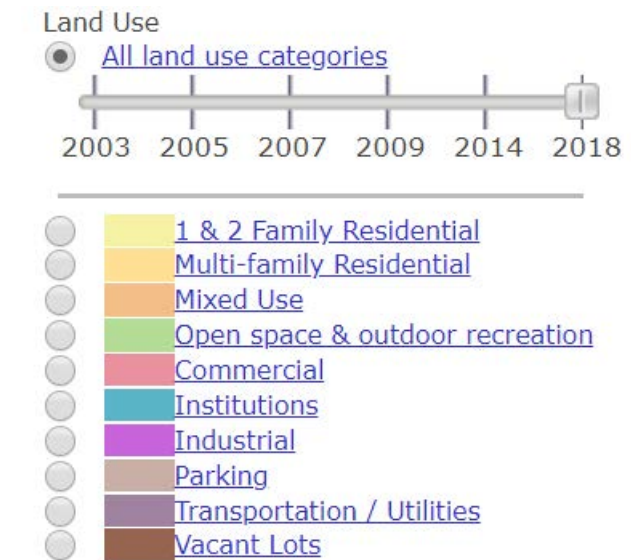
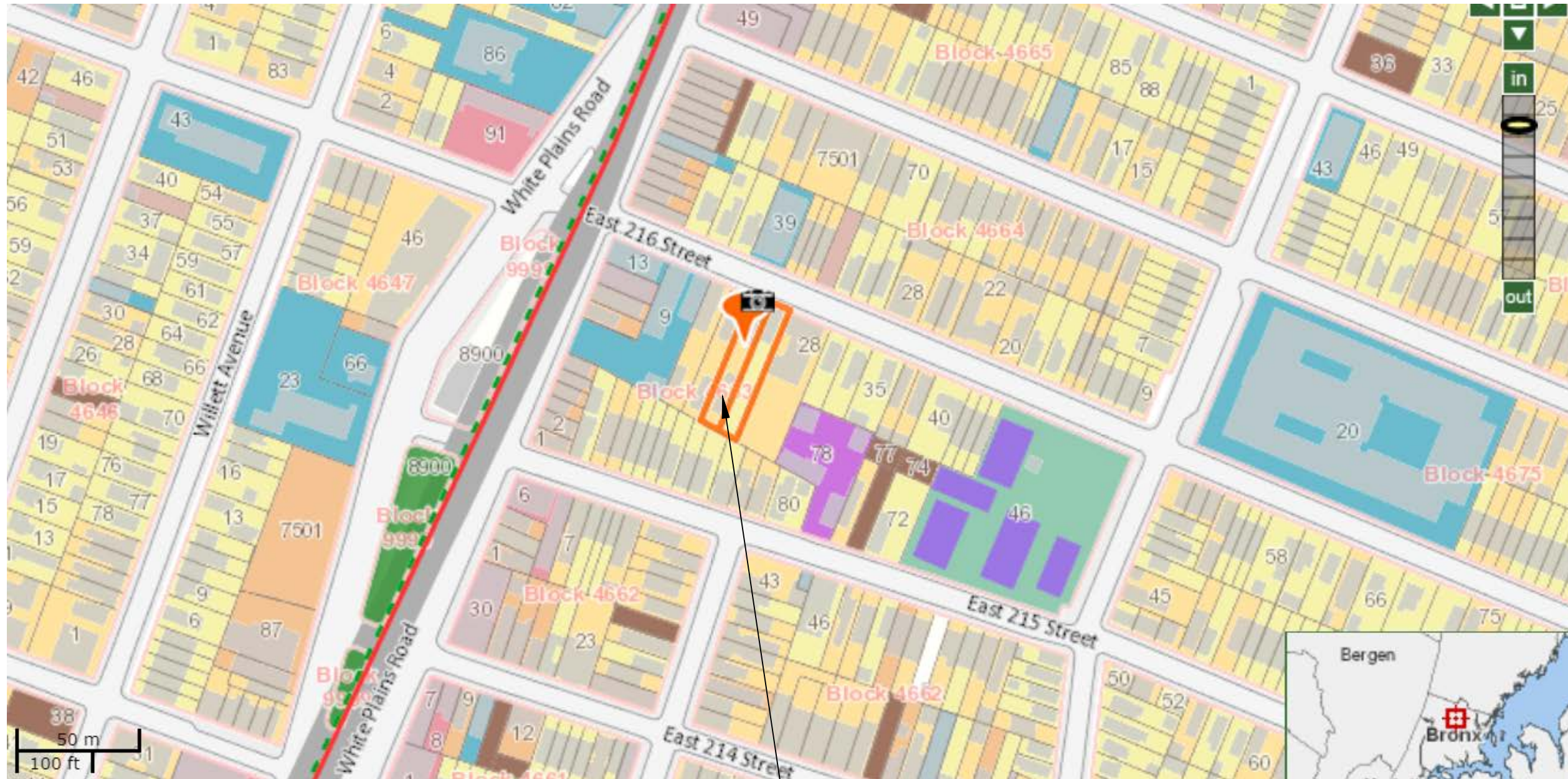
PROJECT NAME AND ADDRESS

720 EAST 216TH STREET
 BRONX, NY 10467

PROJECT FIGURE

FIGURE 5: TAX MAP

PROJECT NO. 190040	DATE 11/20/2019
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS NOTED	APPROVED BY T.K.



SUBJECT PROPERTY
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 BRONX, NY 10467

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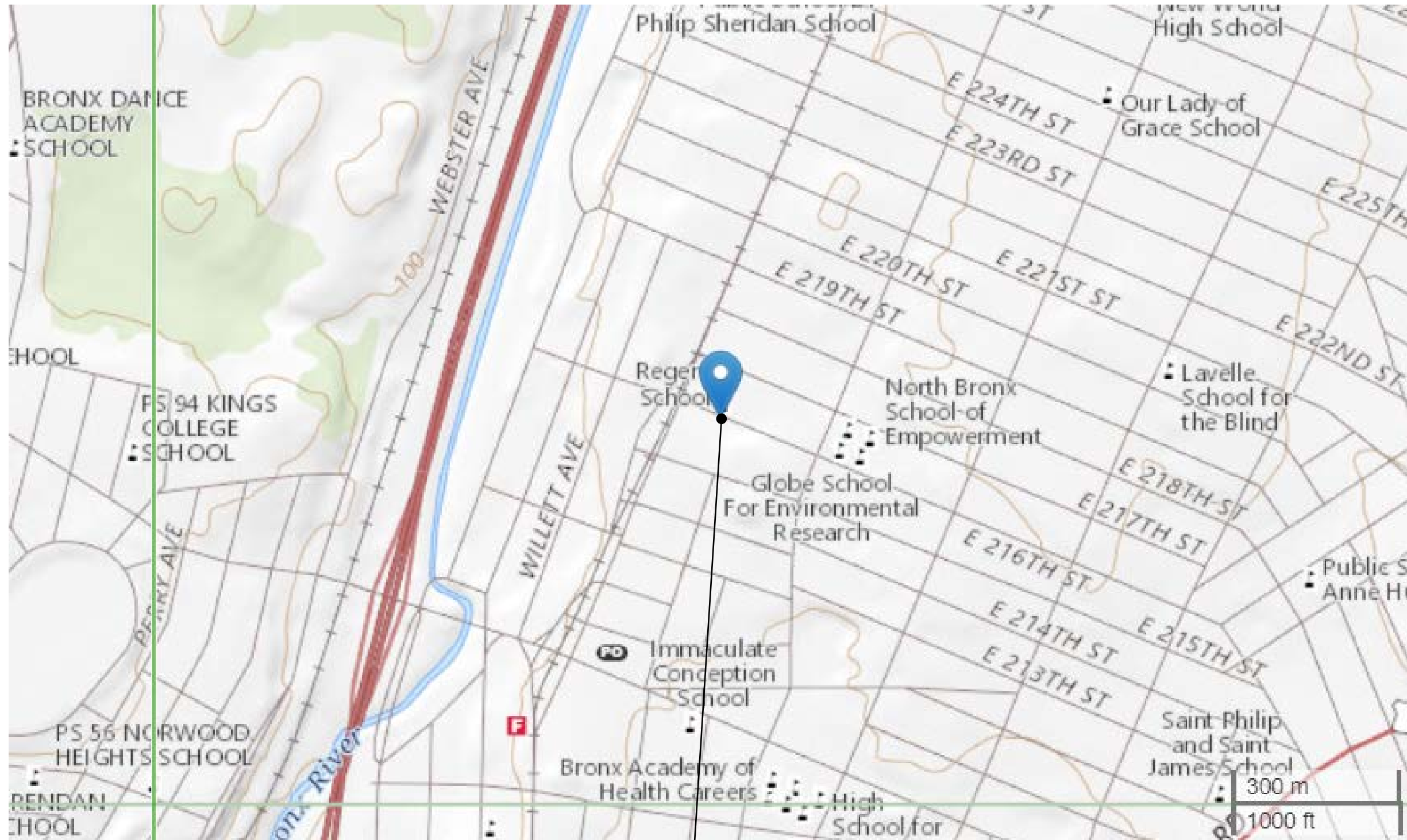
HYDROTECH ENVIRONMENTAL ENGINEERING AND GEOLOGY, DPC
 77 ARKAY DRIVE, SUITE K
 HAUPPAUGE, NY 11788
 15 OCEAN AVENUE, SUITE 2B BROOKLYN,
 NY 11225
 TEL: (631) 462-5866
 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 720 EAST 216TH STREET
 BRONX, NY 10467

PROJECT FIGURE
 FIGURE 6: SURROUNDING LAND USE MAP

PROJECT NO. 190040	DATE 11/20/19
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS NOTED	APPROVED BY T.K.



SUBJECT PROPERTY
 720 E. 216TH DEVELOPMENT LLC
 BRONX, NY 10467

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 TEL: (631) 462-5866
 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 720 EAST 216TH STREET
 BRONX, NY 10467

PROJECT FIGURE
 FIGURE 7: USGS TOPOGRAPHIC MAP

PROJECT NO. 190040	DATE 11/20/2019
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS NOTED	APPROVED BY T.K.



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HAUPPAUGE, NY 11788
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TEL: (631) 462-5866
FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
720 EAST 216 STREET
BRONX, NY 10467

PROJECT FIGURE
FIGURE 8: SITE AND ADJACENT PROPERTIES MAP

PROJECT NO. 190040	DATE 11/21/19
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS NOTED	APPROVED BY T.K.

Supplement to Section VI – Current Property Owner Information – If Not Requestor

Property Owner Information – The current Property Owner is 720 E. 216 Development LLC. 720 E. 216 Development LLC has been the fee owner of the property since January 7, 2019. Mr. Michael Froning is a managing Member of 720 E. 216 Development LLC and is authorized to sign the BCP application.

The following provides a list of historical and current owners available on NYC Department of Finance ACRIS Database for the addresses 720 East 216th Street (after 1973) and 722 East 216th Street (after 1970):

Name	Address	Date of Deed Registration	Phone	Relationship to Requestor
720 East 216th Street or Former Lot 24				
Calabrese Alexander E	720 E 216 th St, Bronx, NY	Prior to 1/26/1973	Unknown	None
Thomas J Palumbo	2902 Bruckner Blvd., Bronx, NY	1/26/1973	Unknown	None
Mascar Properties, Inc.	1250 East Gun Hill Rd, Bronx, NY	2/23/1973	Unknown	None
Tommie Wigfall	1056 Boston Rd, Bronx, NY	12/16/1975	Unknown	None
Charles Wigfall	720 E 216 th St, Bronx, NY	4/4/2005	Unknown	None
Leonardo Prainito	3770 White Plains Rd, Bronx, NY	8/10/2005	Unknown	None
Eshree Etwaroo	2514 Seymore Ave, Bronx, NY	1/30/2006	Unknown	None
JP2 PM Equities LLC	720 E 216 th St, Bronx, NY	8/15/2008	Unknown	None
720 E. 216 Development LLC	38 W 21 st St, 8 th Floor, New York, NY	1/7/2019	212-254-1600	Current Owner

Name	Address	Date of Deed Registration	Phone	Relationship to Requestor
722 East 216th Street or Former Lot 26				
Cox Anthony	722 E 216 th St, Bronx, NY	Prior to 1970	Unknown	None
Franklin Williams	164 St. Nicholas Ave, New York, NY	7/14/1970	Unknown	None
Debra A. Williams	72-82 Henry St, Apt. 14C, Jersey City, NJ	8/27/2008	Unknown	None
Longfellow Ave Holdings INC.	242 Austin Rd, Mahopac, NY	5/19/2017	Unknown	None
722 East 216th LLC	1030 Morris Park Ave, Bronx, NY	1/4/2018	Unknown	None
720 E. 216 Development LLC	38 W 21 st St, New York, NY	1/7/2019	212-254-1600	Current Owner

The following provides a list of historical and current operators available in the City Directory Search Database for the addresses 720 East 216 Street (after 1927) and 722 East 216 Street (after 1949)

Name	Phone	Years of Operation	Relationship to Requestor
720 East 216th Street or Former Lot 24			
Residential tenants	Unknown	1949-1993	None
720 E. 216 Development LLC	212-254-1600	2019	Current Owner
722 East 216th Street or Former Lot 26			
Residential Tenants	Unknown	1927-2005	None
Helpful Hearts Daycare	Unknown	2010-2014	None
720 E. 216 Development LLC	212-254-1600	2019	Current Owner

Supplement to Section VII - Requestor Eligibility as a Volunteer

The Requestor/Property Owner, 720 E. 216 Development LLC qualifies as a Volunteer 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 Requestor performed all appropriate inquiry prior to its acquisition of the Site, i.e., they retained a qualified environmental consultant to conduct a Phase I Environmental Site Assessment (ESA) of the Site. The Requestor acted with due care since acquiring the property by subsequently entering into the New York City Office of Environmental Remediation Voluntary Cleanup Program as a Volunteer. Requestor now seeks entry 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.

Supplement to Section VIII.6 - Property Eligibility Information

Available records from environmental assessments performed at the project Site indicate the presence of soil contamination in exceedance of the Restricted Residential Soil Cleanup Objectives for SVOCs and metals. Requestor is requesting to further investigate and remediate the property under the New York State Brownfields Program 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.

Supplement to Section IX - Site Contact List

1. LOCAL AND STATE OFFICIALS

Bronx Borough President
Borough President Ruben Diaz, Jr.
851 Grand Concourse, 3rd Floor
Bronx, NY 10451

New York City Department of City Planning – Bronx Borough Office:
Borough Director Carol Samol
One Fordham Plaza, 5th Floor
Bronx, NY 10458

New York City Mayor's Office
Bill De Blasio, Mayor
City Hall
New York, NY 10007

NYC Chair:
Commissioner; NYC Dept. Of Planning
22 Read Street
New York, NY 10007

Council Member Andy King
District 12
940 East Gun Hill Road,
Bronx, NY 10469

District Manager George Torres
Bronx Community Board 12
4101 White Plains Road,
Bronx, NY 10466

NYS DOH-Albany
Justin Deming, BEEI
Empire State Plaza Corning Tower
Albany, NY 12237

Deputy Director Shaminder Chawla
NYC Office of Environmental Remediation
100 Gold Street, 2nd Floor
New York, NY 10038

NYC Chair Carl Weisbrod
Commissioner; NYC Dept. Of Planning
22 Read Street
New York, NY 10007

Nilda Mesa
NYC Office of Environmental Coordination
253 Broadway - 7th Floor
New York, NY 10007.

John Wuthenow
Office of Environmental Assessment & Planning
NYC Dept. of Environmental Protection
96-05 Horace Harding Expressway
Flushing, NY 11373

Hon. Victor M. Pichardo
NYS Assembly member
2175C Jerome Ave
Bronx, NY 10453

Hon. Charles Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

BY EMAIL:

NYC MOER
Mark McIntyre, Director
Email: MMcIntyre@cityhall.nyc.gov

NYC DOHMH
Nathan Graber, MD, MPH
Email: Ngraber1@health.nyc.gov

NYC DOHMH
Christopher D'Andrea
Email: cdandrea@health.nyc.gov

NYC DOS
Thomas Milora
Email: tmilora@dsny.nyc.gov

NYS DEC Region 2
Jane O'Connell
Email: jane.oconnell@dec.ny.gov
Sondra.martinkat@dec.ny.gov
Paul.john@dec.ny.gov
Thomas.Panzone@dec.ny.gov

NYSDEC-Albany
Bob Cozzy
Email: robert.cozzy@dec.ny.gov

George Torres, District Manager
Bronx Community Board 12
Email: gtorres@cb.nyc.gov

NYS DOH-Albany
Michael J. Hughes
Email: mjh03@health.state.ny.us

NYSDEC
Dennis Farrar
Email: djfarrar@gw.dec.state.ny.us

2. OWNERS, RESIDENTS, AND OCCUPANTS ON OR ADJACENT TO THE SITE

716 East 216 LLC
716 East 216th Street, Bronx, NY 10467

724 E 216 Street Department of Housing Preservation and Development
724 East 216th Street, Bronx, NY 10467

Arc Holding and Realty Corp.
719 East 216th Street, Bronx, NY 10467

SAMUEL WEISS
723 EAST 216 STREET, BRONX 10467

Lorna Powell
721 East 216th Street, Bronx, NY 10467

Arlene Armstrong
725 East 216th Street, Bronx, NY 10467

Cyndy Mattis
721 East 215th Street, Bronx, NY 10467

Debbie A. Genus
723 East 215th Street, Bronx, NY 10467

BNMA Acquisitions Inc.
727 East 215th Street, Bronx, NY 10467

3. LOCAL NEWS MEDIA

New York Post
1211 Avenue of Americas
New York, New York 10036-8790
Phone: 212-930-8000

4. PUBLIC WATER SUPPLIER

NYC Department of Environmental Protection
Bureau of Water Supply
59-17 Junction Blvd. Flushing,
NY 11373

5. ANY PERSON, COMMUNITY BASED ORGANIZATION, BOA GROUP, OR LOCAL MEDIA WHO HAS REQUESTED TO BE PLACED ON THE CONTACT LIST.

None.

6. ADMINISTRATOR/OPERATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE SITE.

Regent School
719 East 216th Street,
Bronx, NY 10467

Little Diamonds Daycare and Learning Center
721 East 215th Street,
Bronx, NY 10467

7. DOCUMENT REPOSITORY

Attn: Ms. Shanty Allbright
New York Public Library - Wakefield
Library
4100 Lowerre Place, Bronx, NY 10466

Attn: George Torres
Bronx Community Board 12
4101 White Plains Road
The Bronx, NY 10466

Paul Matli

From: Torres, George (CB) <GTorres@cb.nyc.gov>
Sent: Monday, November 25, 2019 5:09 PM
To: Paul Matli
Cc: Greene, Ursula (CB)
Subject: Re: Request to house a Document Repository for NYSDEC Brownfield Cleanup Program (BCP) Site located at 720 E 216th Street, Bronx, NY

Good afternoon, yes you can use Community Board 12 to house the documents.

Best,
George

Get [Outlook for iOS](#)

From: Paul Matli <pmatli@hydrotechenvironmental.com>
Sent: Monday, November 25, 2019 5:03:10 PM
To: Torres, George (CB) <GTorres@cb.nyc.gov>
Cc: Greene, Ursula (CB) <UGreene@cb.nyc.gov>
Subject: RE: Request to house a Document Repository for NYSDEC Brownfield Cleanup Program (BCP) Site located at 720 E 216th Street, Bronx, NY

Dear George –

Could you please send me your response to my message below. As I explained to you over the phone last week, we can share with your office a link that you can in turn share it with interested residents of your community to view the documents repository for this the BCP site.

I appreciate if you can expedite sending me your response. Your response is needed as it is required a part of the BCP application that we need to submit to NYSDEC very soon.

Regards,

Paul I. Matli, Ph.D., P.G.
Vice President



HydroTech Environmental
ENGINEERING AND GEOLOGY, DPC

15 Ocean Avenue, Suite 2B, Brooklyn, NY 11225
Cell: 631-241-7165 | Tel: 718-622-2835 Ext 110 | Fax: 718-636-0900

Email: pmatli@hydrotechenvironmental.com

Website: www.hydrotechenvironmental.com

Please consider the environment before printing this email

From: Paul Matli
Sent: Friday, November 15, 2019 2:11 PM

To: ugreene@cb.nyc.gov

Cc: gtorres@cb.nyc.gov

Subject: Request to house a Document Repository for NYSDEC Brownfield Cleanup Program (BCP) Site located at 720 E 216th Street, Bronx, NY

Dear Ms. Green,

Attached, please find a letter requesting your approval to use Bronx Community Board 12 as a documents repository for the above reference property. This property will be enrolled in the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) for remediation. This documents repository is intended to house, for community review, all principal documents generated prior and during the remediation of this site under the BCP per the requirements of the NYSDEC.

I appreciate your approval of this request by sending me a signed copy of attached letter in PDF. Your response is required to be submitted to NSYDEC as part of the BCP application for this site.

If you require any additional information regarding my request, please feel free to contact me at (718) 636-0800.

Regards,

Paul I. Matli, Ph.D., P.G.

Vice President



HydroTech Environmental
ENGINEERING AND GEOLOGY, DPC

15 Ocean Avenue, Suite 2B, Brooklyn, NY 11225

Cell: 631-241-7165 | Tel: 718-622-2835 Ext 110 | Fax: 718-636-0900

Email: pmatli@hydrotechenvironmental.com

Website: www.hydrotechenvironmental.com

Please consider the environment before printing this email



HydroTech Environmental
ENGINEERING AND GEOLOGY, DPC

NYC Office
15 Ocean Avenue, Suite 2B
Brooklyn, New York 11225
T (718) 636-0800 ; F (718) 636-0900

Long Island Office
77 Arkay Drive, Suite K
Hauppauge, New York 11788
T (631) 462-5866 ; F (631) 462-5877

WWW.HYDROTECHENVIRONMENTAL.COM

November 15, 2019

Ms. Shantay Allbright
New York Public Library - Wakefield Library
4100 Lowerre Place, Bronx, NY 10466

Re: Document Repository for Brownfield Cleanup Program (BCP)
Site Address: 720 East 216th Street, Bronx, NY

Dear Ms. Allbright;

This letter is intended to seek your approval to use New York Public Library - Wakefield Branch located at above referenced address as a document repository for the upcoming remedial development at above referenced property. This document repository is intended to house for community review all principal documents generated prior and during the Brownfield Cleanup Program (BCP) at this site as per the requirements of the New York State Department of Environmental Conservation (NYSDEC).

Should you acknowledge this agreement that your community board office will act as a document repository for this upcoming PCP project, I appreciate if you can sign this letter and return to my attention for my record and NYSDEC record.

If you require any additional information, please feel free to contact me directly at (718) 636-0800.

Very Truly Yours,
Hydro Tech Environmental Engineering and Geology, DPC.

Paul I. Matli
Senior Project Manager

New York Public Library - Wakefield Library

Name

Shantay Allbright

Date

11/18/2019

Encs
cc: Hydro Tech File # 190124

Supplement to Section X - Land Use Factors

Current Use

The property is identified as 720 East 216th Street and is located at 720-722 East 216th Street in Bronx NY, is 11,181 square feet in area. This property has been vacant since December 18, 2018. It is currently covered by bare soil and demolition debris and is surrounded by a plywood fence along the north-bounding street and along five adjacent residential properties. The Site is zoned "R7A" residential district, which permits residential uses.

Anticipated Uses Post Remediation

It is anticipated that the subject Site will be developed into an 8-story residential building with at least 30% affordable units. The structure will contain a slab on-grade garage space beneath the building and in the open rear yard once the investigation and remediation are complete. This anticipated future use of the Site is consistent with the current zoning.

Applicable Zoning Laws/Maps and Plans

The Site is currently zoned as "R7A" residential district. The surrounding areas within a 500 feet radius of the Site, consist of a variety of land uses including: residential (multi-story residential apartments), commercial, day care and public recreational uses. Properties located within a 1/4-mile radius of the Site are zoned R5, R5A and R6A (general residential districts). The current uses appear consistent with applicable zoning. The applicable zoning map is attached hereto. The proposed post-remediation use as an 8-story residential building with a slab on-grade garage space is consistent with applicable zoning and the comprehensive community plans in the vicinity of the Site. R7A district is subject to contextual Quality Housing regulations with 7- to 9- story buildings and off-street parking requirement for 50 percent of a building's dwelling units or lower for income-restricted housing units. The anticipated uses for the Site will be consistent with borough-wide efforts at revitalization and support efforts to remediate properties so that they can be redeveloped into the highest and best uses consistent with local land use and zoning.



SUBJECT PROPERTY
 720 EAST 216TH STREET
 BRONX, NY 10467

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 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 720 EAST 216TH STREET
 BRONX, NY 10467

PROJECT FIGURE
 FIGURE 9: ZONING MAP

PROJECT NO. 190040	DATE 11/20/2019
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS NOTED	APPROVED BY T.K.

Legend

Points of Interest

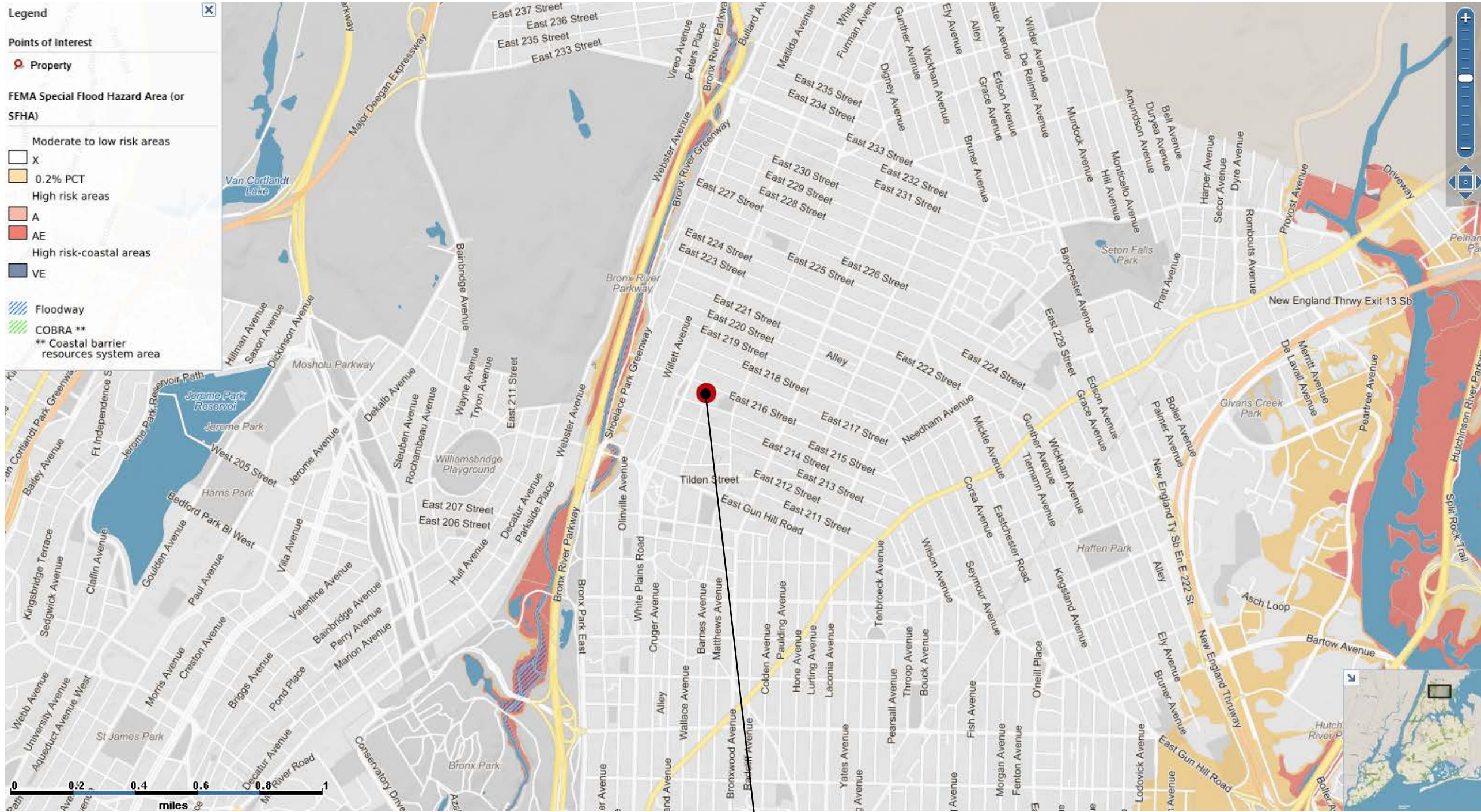
- Property

FEMA Special Flood Hazard Area (or SFHA)

- Moderate to low risk areas
 - X
 - 0.2% PCT
- High risk areas
 - A
 - AE
- High risk-coastal areas
 - VE

Floodway

COBRA **
** Coastal barrier resources system area



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BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 720 EAST 216TH STREET
 BRONX, NY 10467

PROJECT FIGURE
 FIGURE 10: FLOOD MAP

PROJECT NO. 190040	DATE 11/20/2019
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS NOTED	APPROVED BY T.K.