

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

FORMER MILL SANITARY WIPING CLOTH SITE
40 BRUCKNER BOULEVARD
SECTION 2 BLOCK 2295 LOT 51
BRONX, NEW YORK, 10454

PREPARED FOR
40 BRUCKNER REALTY LLC
199 LEE AVENUE, SUITE 1088
BROOKLYN, NY 11211



Haley & Aldrich of New York
237 W 35th Street
16th Floor
New York, NY 10123
Tel: 646.277.5686

22 April 2021
File No. 0200734-001

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, New York 12233

Subject: Brownfield Cleanup Program Application
40 Bruckner Boulevard Site
Bronx, NY 10454

Ladies and Gentlemen,

Haley & Aldrich of New York, on behalf of 40 Bruckner Realty LLC has prepared the enclosed Brownfield Cleanup Program Application for the above referenced Site pursuant to the Pre-Application Meeting on 17 February 2021. Also enclosed in this package is a USB drive which contains a Phase I Environmental Site Assessment dated January 2019 completed for 40 Bruckner LLC and a Limited Phase II Subsurface Investigation dated December 2020 completed for JCS Realty.

Should you have any questions, please do not hesitate to contact me at (646) 277-5686 or via email at jbellew@haleyaldrich.com.

Thank you.

A handwritten signature in blue ink that reads 'James M. Bellew'.

James M. Bellew
Senior Associate

Enclosed copies provided via email to:

Jacob Schwimmer (40 Bruckner Realty LLC)
Frank Bifera (Barclay Damon LLP)
Gerard Burke (NYSDEC)
Jane O'Connell (NYSDEC)
Patrick Foster (NYSDEC)

Email: jschwimmer@jcsrealtyny.com
Email: fbifera@barclaydamon.com
Email: gerard.burke@dec.ny.gov
Email: jane.oconnell@dec.ny.gov
Email: patrick.foster@dec.ny.gov





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 *See Attachment A for Supplemental Information*

DEC USE ONLY
BCP SITE #:

NAME 40 Bruckner Realty LLC

ADDRESS 199 Lee Avenue, Suite 1088

CITY/TOWN Brooklyn, New York

ZIP CODE 11211

PHONE (718) 701-5680

FAX (718) 701-5681

E-MAIL jschwimmer@jcsrealtyny.com

Is the requestor authorized to conduct business in New York State (NYS)? Yes No

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

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

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

Section II. Project Description

1. What stage is the project starting at? Investigation Remediation

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 No *N/A*

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.

See Attachment B for Supplemental Information on project description and schedule

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).** See Provided Data Stick for Reports in PDF Form

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

See Attachment C, Section III.2 for supplemental information on sampling data

| Contaminant Category | Soil | Groundwater | Soil Gas |
|----------------------|------|-------------|----------|
| Petroleum | no | no | no |
| Chlorinated Solvents | yes | no | no |
| Other VOCs | no | no | no |
| SVOCs | yes | no | no |
| Metals | yes | no | no |
| Pesticides | no | no | no |
| PCBs | no | no | no |
| Other* | no | no | no |

*Please describe: _____

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

See Attachment C, Section III.3 for supplemental figures regarding sampling data

- 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):

See Attachment C, Section III.4 and Section D, Section IV for supplemental information on past land uses

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Rag Laundry, Sanitary Wipe manufacturing and Auto-related purposes

See Attachment D for supplemental property information

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME Former Mill Sanitary Wiping Cloth Site

ADDRESS/LOCATION 40 Bruckner Boulevard

CITY/TOWN Bronx ZIP CODE 10454

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Bronx

COUNTY Bronx SITE SIZE (ACRES) 0.95

LATITUDE (degrees/minutes/seconds) 40 ° 48 ' 23.56 " LONGITUDE (degrees/minutes/seconds) 73 ° 55 ' 38.81 "

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 |
|-----------------------|-------------|-----------|---------|---------|
| 40 Bruckner Boulevard | 2 | 2295 | 51 | 0.95 |
| | | | | |

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 : 19
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) **None**

Type

Issuing Agency

Description

See Attachment D, Section IV.5 for supplemental information regarding environmental assessment

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 #: _____ |
|--|---|

See Attachment E for additional information on Requestor
 NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE **Jacob Schwimmer**

ADDRESS **199 Lee Avenue, Suite 1088**

CITY/TOWN **Brooklyn** ZIP CODE **11211**

PHONE **(718) 701-5680** FAX **(718) 701-5681** E-MAIL **Jschwimmer@jcsrealtyny.com**

NAME OF REQUESTOR'S CONSULTANT **James Bellew, Haley & Aldrich of New York**

ADDRESS **237 W 35th Street, 16th Floor**

CITY/TOWN **New York** ZIP CODE **10123**

PHONE **646-277-5686** FAX **N/A** E-MAIL **jbellew@haleyaldrich.com**

NAME OF REQUESTOR'S ATTORNEY **Frank V. Bifera, Barclay Damon, LLP**

ADDRESS **80 State Street**

CITY/TOWN **Albany** ZIP CODE **12207**

PHONE **(518) 429-4224** FAX **(518) 427-3487** E-MAIL **FBifera@barblaydamon.com**

See Attachment F, Section VI for additional information on current owner and operator
Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME **40 Bruckner LLC** OWNERSHIP START DATE: **10/6/2011**

ADDRESS **280 Madison Avenue**

CITY/TOWN **New York** ZIP CODE **10016**

PHONE **(212) 532-1497** FAX _____ E-MAIL **peter2@dombenrealty.com**

CURRENT OPERATOR'S NAME _____

ADDRESS _____

CITY/TOWN _____ ZIP CODE _____

PHONE _____ FAX _____ E-MAIL _____

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".

See Attachment F, Section VI for additional information on past owners and operators

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.

See Attachment G, Section VI for supplemental information on Requestor eligibility
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

What appears to be an encased heating oil bulk storage tank of less than 1100 gallons was observed on 23 February 2021

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)

See Attachment F for a copy of recorded Memo of Lease for 99-Year Lease and of Long Term Remedial Access and License Agreement

Requestor Relationship to Property (check one):

- Previous Owner Current Owner Potential /Future Purchaser Other Holds a 99-year Lease Agreement

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

- 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
- 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 # _____
- 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: _____
- 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
- 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 # _____
- 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 See Attachment H for Site Contact List and Acknowledgment of Repositories

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:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and properties adjacent to the property.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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 See Attachment I for supplemental information on Land Use Factors

1. What is the current municipal zoning designation for the site? M1-5/R8A

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

Yes, recent development in the neighborhood has been predominantly residential.

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

Yes No

Yes, the current zoning is M1-5/R8A. M1-5 districts contain light industrial use buildings and warehouses paired with residence districts. R8A districts contain high lot coverage apartment buildings of about 12 to 14 stories. This zoning district allows for both industrial and residential use buildings.

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 hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *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 Managing Member (title) of 40 Bruckner Realty 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: 3/16/21 Signature: _____

Print Name: Jacob Schwimmer

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 See Attachment J for supplemental information on the Site qualifying for the tangible property credit

| | |
|--|--|
| 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: Former Mill Sanitary Wiping Cloth Site **Site Address:** 40 Bruckner Boulevard
City: Bronx **County:** Bronx **Zip:** 10454

Tax Block & Lot
Section (if applicable): 2 **Block:** 2295 **Lot:** 51

Requestor Name: 40 Bruckner Realty LLC **Requestor Address:** 199 Lee Avenue, Suite 1088
City: Brooklyn, New York **Zip:** 11211 **Email:** jschwimmer@jcsrealtyny.com

Requestor's Representative (for billing purposes)
Name: Jacob Schwimmer **Address:** 199 Lee Avenue, Suite 1088
City: Brooklyn **Zip:** 11211 **Email:** jschwimmer@jcsrealtyny.com

Requestor's Attorney
Name: Frank V. Bifera, Barclay Damon, LLP **Address:** 80 State Street
City: Albany **Zip:** 12207 **Email:** FBifera@barclaydamon.com

Requestor's Consultant
Name: James Bellew, Haley & Aldrich of New York **Address:** 237 W 35th Street, 16th Floor
City: New York **Zip:** 10123 **Email:** jbellew@haleyaldrich.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:

ATTACHMENT A

Section I: Requestor Information

SECTION I: REQUESTOR INFORMATION

The application requestor is 40 Bruckner Realty LLC.

The requestor currently holds a 99-year lease of the property located at 40 Bruckner Boulevard, Section 2, Block 2295, Lot 51, Bronx, New York comprising the Site, and has full access to implement a Brownfield Site Remedial Program, including to investigate, remediate, and redevelop the Site. The contact information for the requestor is:

40 Bruckner Realty LLC

Owner: 40 Bruckner JS DT LLC

Owner 1: Jacob Schwimmer – 50% Member and Sole Managing Member

Owner 2: David Templar – 50% Member

199 Lee Avenue, Suite 1088

Brooklyn, New York 11211

Phone: 718-701-5680

Fax: N/A

Email: jschwimmer@jcsrealtyny.com

A printout of the entity information from the NYS Department of state's Corporation & Business Entity Database is included in this attachment.

All documents will be certified by Haley & Aldrich of New York and/or 40 Bruckner Realty LLC in accordance with DER-10 Section 1.5.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 25, 2021.

Selected Entity Name: 40 BRUCKNER REALTY LLC

Selected Entity Status Information

Current Entity Name: 40 BRUCKNER REALTY LLC

DOS ID #: 5730605

Initial DOS Filing Date: MARCH 20, 2020

County: KINGS

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)

40 BRUCKNER REALTY LLC
199 LEE AVENUE, SUITE 1088
BROOKLYN, NEW YORK, 11211

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

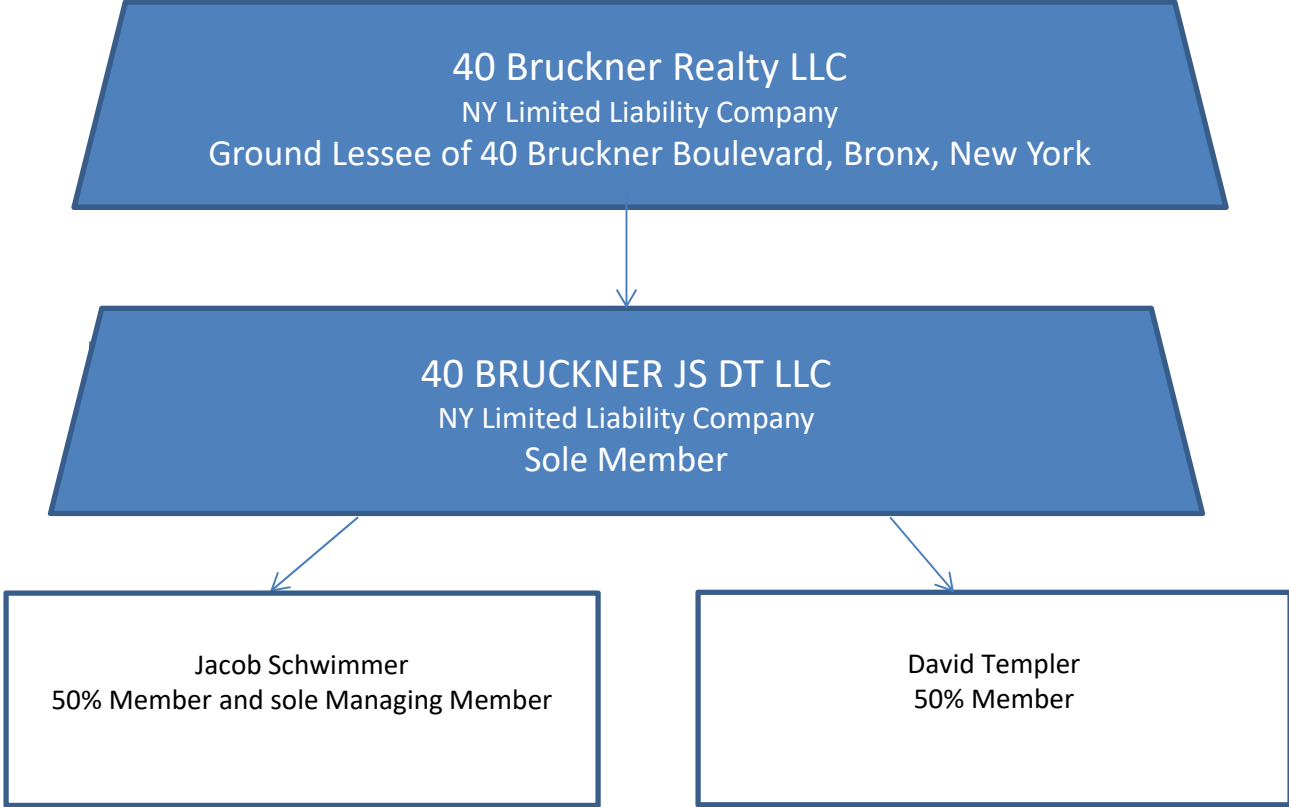
| Filing Date | Name Type | Entity Name |
|--------------------|------------------|------------------------|
| MAR 20, 2020 | Actual | 40 BRUCKNER REALTY LLC |

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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40 Bruckner Realty LLC
NY Limited Liability Company
Ground Lessee of 40 Bruckner Boulevard, Bronx, New York

40 BRUCKNER JS DT LLC
NY Limited Liability Company
Sole Member

Jacob Schwimmer
50% Member and sole Managing Member

David Templer
50% Member

ATTACHMENT B

Section II: Project Description

SECTION II: PROJECT DESCRIPTION

The requestor seeks to enter the Brownfield Cleanup Program (BCP) of the New York State Department of Environmental Conservation (NYSDEC) at the investigation stage for the Site located at 40 Bruckner Boulevard, Bronx, NY. A Phase I Environmental Site Assessment (Phase I) was completed by Roux Associates in January 2019 for 40 Bruckner LLC, and a Limited Phase II Subsurface Investigation (Phase II) was completed by Environmental Business Consultants (EBC) in December 2020 for JCS Realty. The Phase I and Phase II reports are included in electronic format.

Upon review of the analytical results of the Phase II, the project was referred to the NYSDEC due to, among other things, elevated levels of chlorinated VOCs, metals, and polyaromatic hydrocarbons (PAHs) in soil. While the Phase II helped characterize the soil at the Site, it did not determine the nature and extent of contamination. Additionally, no sampling was completed of groundwater and soil vapor. Requestor is, therefore, also submitting for NYSDEC approval a Draft Remedial Investigation Work Plan along with this BCP Application.

Once NYSDEC approves requestor's BCP Application as being ready for public comment and requestor's Draft Remedial Investigation Work Plan as being potentially sufficient to determine the nature and extent of contamination at the Site, requestor asks that public comment be solicited upon the Draft Remedial Investigation Work Plan simultaneously with comment upon its BCP Application.

The proposed project also includes, if necessary, a remediation, and redevelopment of the Site. While the development plans are conceptual at this time, the anticipated project will consist of a 12-story residential building with a one-level cellar encompassing the entire Site footprint and extending approximately 20 feet below current grade.

Project Schedule:

It is anticipated that once the Requestor is accepted into the BCP and the Remedial Investigation Work Plan is approved by the Department, the remedial investigation will commence within 2-3 months. The design and implementation of the remedy would start within six to 12 months following acceptance of the Remedial Investigation Report by NYSDEC. It is anticipated that the remedial program will be completed by late-2022. A tentative projected schedule is below.

| Task | Duration | Start | End | 2022 | | | | | | | | | | | | | | | | | | | |
|---------------------------------------|----------|-----------|-----------|-------|-------|-----|------|------|-----|------|-----|-----|-----|-----|-----|-------|-------|-----|------|------|-----|------|-----|
| | | | | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct |
| Application Execution, Permitting | | | | | | | | | | | | | | | | | | | | | | | |
| Remedial Investigation, Remedy Design | 270 | 3/1/2022 | 1/1/2022 | | | | | | | | | | | | | | | | | | | | |
| Remedy Implementation | 180 | 1/1/2022 | 6/1/2022 | | | | | | | | | | | | | | | | | | | | |
| Preparation of FER and SMP | 60 | 6/1/2022 | 7/1/2022 | | | | | | | | | | | | | | | | | | | | |
| NYSDEC & NYSDOH Review of FER & SMP | 45 | 7/1/2022 | 8/15/2022 | | | | | | | | | | | | | | | | | | | | |
| NYSDEC Issues COC | 30 | 8/15/2022 | 9/15/2022 | | | | | | | | | | | | | | | | | | | | |

ATTACHMENT C

Section III: Property's Environmental History

SECTION III - PROPERTY'S ENVIRONMENTAL HISTORY

SECTION III.1: Reports

The Phase I Environmental Site Assessment prepared by Roux Associates in January 2019 and the Limited Phase II Subsurface Investigation prepared by Environmental Business Consultants (EBC) in December 2020, are included herewith in electronic format in Section III.1.

As found during the Phase I Environmental Site Assessment, the Site was developed as early as 1891 with a repair shop in the southwest corner and a machine shop in the east corner of the subject Site, while the rest of the Site remained vacant. Train tracks ran on a curve along the south, southeast and east side of the property. By 1908, the subject Site was developed with an office and a milk company next to the machine shop, and this transitioned to "Borden's Farm Product" with a wagon house, stable, and lumber yard by 1935. In 1944, the former machine shop and repair shop had been razed and the former "Borden's Farm Product" space became a scrap and rubber storage facility. From the mid-1940s to the late 1980s the Site was used for various industrial purposes including the sorting and bailing rags, a rag stage, a rag laundry, a paper stage, and by 1968, a wastepaper facility began operations in the east corner of the Site. Additionally, in the mid-1960s, the train tracks running along the south, southeast and east sides of the property were no longer present. In 1965, the Site is listed in City Directories as "Mill Sanitary Wiping Cloth Corp" and is listed as this facility until the mid-1990s. The Site remained relatively unchanged until the early-1990s when the former buildings labeled "Sorting and Bailing Rags" and "Wastepaper Facility" were converted to auto repair shops. The subject Site then remained relatively unchanged through the mid-2000s. From the mid-to late-2000s, several commercial operations were run at the Site including, NYC Water Works Inc. Today, the subject Site is vacant.

Section III.1: Enclosed Reports

**January 2019 Phase I Environmental Site Assessment and December
2020 Phase II Limited Environmental Site Investigation**

SECTION III.2: Sampling Data

See Application Section III.2 for overview tables of the sampling data from the Phase II conducted on June 10th, 2020. The findings of the Phase II investigation are as follows:

Soil: One chlorinated VOC, tetrachloroethene (PCE), was detected above the New York State Department of Environmental Conservation (NYSDEC) 6NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs), but not above Restricted-Residential Use Soil Cleanup Objectives (RRSCOs) in the soil sample EBC3 (0-2') at 2,500 µg/kg. PCE was detected in several other soil samples but not exceeding UUSCOs. Additionally, several petroleum-related VOCs were detected in multiple shallow soil samples but did not exceed UUSCOs. Several SVOCs were detected above both UUSCOs and RRSCOs in multiple shallow soil samples including, benzo(a)anthracene (maximum 13,000 µg/kg), benzo(a)pyrene (maximum 12,000 µg/kg), benzo(b)fluoranthene (9,600 µg/kg), benzo(k)fluoranthene (maximum 6,200 µg/kg), chrysene (maximum 12,000 µg/kg), dibenzo(a,h)anthracene (1,400 µg/kg), and indeno(1,2,3-cd)pyrene (maximum 6,000 µg/kg). The metal barium was detected above the RRSCO in sample EBC8 (0-2') at 686 mg/kg. Additionally, cadmium was detected above the RRSCO at EBC4 (0-2') at 4.36 mg/kg. Several metals were detected in multiple shallow and deep soil samples, including copper (maximum 508 mg/kg), lead (maximum 1,350 mg/kg), and mercury (maximum 2.28 mg/kg) above both UUSCOs and RRSCOs, and zinc (maximum 2,690 mg/kg) above UUSCOs. Two pesticides were detected above UUSCOs but not RRSCOs, including 4,4'-DDE in EBC8 (0-2') at 4 µg/kg and 4,4'-DDT in EBC8 (0-2') and EBC9 (0-2') at a maximum concentration of 19 µg/kg. No PCBs were detected in any soil samples.

See attached Analytical results from the Phase II (Tables 1 through 4). Please also refer to the attached USB drive containing the full Phase II.

Section III.2: Sampling Data

**Analytical Results from December 2020 Phase II (Tables 1 through 4 –
extracted from the Phase II)**

Table 1
40 Bruckner Boulevard
Bronx, New York
Soil Analytical Results
Volatile Organic Compounds

| COMPOUND | NYSDEC Part 375.6 Unrestricted Use Soil Cleanup Objectives | NYDEC Part 375.6 Restricted Residential Soil Cleanup Objectives* | EBC1 | | EBC2 | | EBC3 | | | | EBC4 | | EBC5 | | EBC6 | | | | EBC7 | | EBC8 | | | | | | EBC9 | | | | EBC10 | | EBC11 | | | |
|----------------------------------|--|---|------------|-----|-------------|------|------------|------|-----------|-----|------------|------|-----------|-----|------------|-----|-----------|-----|-----------|-----|------------|-----|------------|------|-----------|------|-----------|-----|------------|-----|-----------|-----|-----------|-----|-------|-----|
| | | | (0-2) | | (0-3) | | (0-2) | | (10-12) | | (0-2) | | (0-2) | | (0-2) | | (6-8) | | (0-2) | | (0-2) | | (5-7) | | (10-12) | | (0-2) | | (8-10) | | (0-2) | | (0-2) | | | |
| | | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | | |
| | | | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | µg/Kg | RL | | |
| 1,1,1,2-Tetrachloroethane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 2.3 | 2.3 | < 1.9 | 1.9 | < 1.8 | 1.8 | < 4.8 | 4.8 | < 2.2 | 2.2 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 2.7 | 2.7 | | |
| 1,1,1-Trichloroethane | 680 | 100,000 | < 5.8 | 5.8 | 0.79 | 6.7 | 72 | 330 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,1,2,2-Tetrachloroethane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,1-Trichloroethane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,1-Dichloroethane | 270 | 26,000 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,1-Dichloroethane | 330 | 100,000 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,1-Dichloropropene | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2,3-Trichlorobenzene | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2,3-Trichloropropane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2,4-Trichlorobenzene | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2,4-Trichloropropane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2,4-Trimethylbenzene | 3,600 | 62,000 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | 30 | 280 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 |
| 1,2-Dibromo-3-chloropropane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2-Dibromoethane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,4-Methyl-2-pentanone | 1,100 | 100,000 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2-Dichloroethane | 20 | 3,100 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,2-Dichloropropane | 8,400 | 100,000 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,3,5-Trimethylbenzene | 2,400 | 52,000 | 3.9 | 5.8 | < 4.90 | 4.90 | < 3.90 | 3.90 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,3-Dichlorobenzene | 2,400 | 4,900 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,3-Dichloropropane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,4-Dichlorobenzene | 1,800 | 13,000 | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 1,4-Dioxane | | | < 86 | 86 | < 100 | 100 | < 100 | 100 | < 7.7 | 7.7 | < 7.6 | 7.6 | < 100 | 100 | < 86 | 86 | < 7.1 | 7.1 | < 66 | 66 | < 7.2 | 7.2 | < 84 | 84 | < 66 | 66 | < 7.4 | 7.4 | < 7.4 | 7.4 | < 7.7 | 7.7 | < 100 | 100 | | |
| 2,2-Dichloropropane | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 2-Chlorotoluene | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 2-Hexanone (Methyl Butyl Ketone) | | | < 29 | 29 | < 34 | 34 | < 40 | 40 | < 26 | 26 | < 26 | 26 | < 34 | 34 | < 29 | 29 | < 24 | 24 | < 22 | 22 | < 24 | 24 | < 28 | 28 | < 22 | 22 | < 25 | 25 | < 25 | 25 | < 26 | 26 | < 33 | 33 | | |
| 2-Isopropyltoluene | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 4-Chlorotoluene | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 3.90 | 3.90 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 4.70 | 4.70 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| 4-Methyl-2-pentanone | | | < 29 | 29 | < 34 | 34 | < 40 | 40 | < 26 | 26 | < 26 | 26 | < 34 | 34 | < 29 | 29 | < 24 | 24 | < 22 | 22 | < 24 | 24 | < 28 | 28 | < 22 | 22 | < 25 | 25 | < 25 | 25 | < 26 | 26 | < 33 | 33 | | |
| Acetone | 50 | 100,000 | 13 | 29 | < 34 | 34 | 9.1 | 40 | < 26 | 26 | 7.1 | 26 | < 34 | 34 | 8.4 | 29 | < 24 | 24 | 16 | 22 | 8.2 | 24 | 7.3 | 28 | 26 | 27 | 10 | 26 | 8.2 | 26 | < 26 | 26 | < 33 | 33 | | |
| Acrolein | | | < 5.8 | 5.8 | < 6.7 | 6.7 | < 7.9 | 7.9 | < 5.2 | 5.2 | < 5.1 | 5.1 | < 6.8 | 6.8 | < 5.7 | 5.7 | < 4.7 | 4.7 | < 4.4 | 4.4 | < 4.8 | 4.8 | < 5.6 | 5.6 | < 4.4 | 4.4 | < 4.9 | 4.9 | < 4.9 | 4.9 | < 5.1 | 5.1 | < 6.6 | 6.6 | | |
| Acrylonitrile | | | < 23 | 23 | < 27 | 27 | < 32 | 32 | < 21 | 21 | < 20 | 20 | < | | | | | | | | | | | | | | | | | | | | | | | |

Table 2
40 Bruckner Boulevard
Bronx, New York
Soil Analytical Results
Semi-Volatile Organic Compounds

| COMPOUND | NYDEC Part 375.6 Unrestricted Use Soil Cleanup Objectives | NYDEC Part 375.6 Restricted Residential Soil Cleanup Objectives* | EBC1 | | EBC2 | | EBC3 | | EBC4 | | EBC5 | | EBC6 | | EBC7 | | EBC8 | | EBC9 | | EBC10 | | EBC11 | | | | | | | | | |
|-------------------------------|---|---|--------------|-----|-----------|-----|--------------|-----|-----------|-----|---------------|-------|------------|-----|------------|-----|------------|-----|------------|-----|------------|-----|-----------|-----|-----------|-----|------------|-----|------------|-----|-----------|-----|
| | | | (0-2) | | (0-3) | | (0-2) | | (10-12) | | (0-2) | | (0-2) | | (0-2) | | (6-8) | | (0-2) | | (0-2) | | (5-7) | | (10-12) | | (0-2) | | (0-2) | | (0-2) | |
| | | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | |
| | | | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL |
| 1,2,4,5-Tetrachlorobenzene | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 1,2,4-Trichlorobenzene | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 1,2-Dichlorobenzene | | | < 350 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 1,2-Diphenylhydrazine | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 1,3-Dichlorobenzene | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 1,4-Dichlorobenzene | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2,4,5-Trichlorophenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2,4,6-Trichlorophenol | | | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 200 | 200 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 170 | 170 | | |
| 2,4-Dichlorophenol | | | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 200 | 200 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 170 | 170 | | |
| 2,4-Dimethylphenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2,4-Dinitrophenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2,4-Dinitrophenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2-Chloronitrobenzene | | | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 200 | 200 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 170 | 170 | | |
| 2-Chloronaphthalene | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2-Chlorophenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2-Methylpthalene | | | < 250 | 250 | < 250 | 250 | 240 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2-Methylphenol (o-cresol) | 330 | 100,000 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 2-Nitroaniline | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 4-Chloro-3-methylphenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 3,4-Methylphenol (m,p-cresol) | 330 | 100,000 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 3,3'-Dichlorobenzidine | | | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 200 | 200 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 180 | 180 | < 180 | 180 | < 180 | 180 | < 170 | 170 | < 170 | 170 | | |
| 3-Nitroaniline | | | < 350 | 350 | < 370 | 370 | < 360 | 360 | < 360 | 360 | < 370 | 370 | < 400 | 400 | < 370 | 370 | < 350 | 350 | < 370 | 370 | < 350 | 350 | < 360 | 360 | < 370 | 370 | < 350 | 350 | < 350 | 350 | | |
| 4,6-Dinitro-2-methylphenol | | | < 210 | 210 | < 220 | 220 | < 220 | 220 | < 220 | 220 | < 220 | 220 | < 240 | 240 | < 210 | 210 | < 220 | 220 | < 210 | 210 | < 220 | 220 | < 220 | 220 | < 220 | 220 | < 210 | 210 | < 210 | 210 | | |
| 4-Bromophenyl phenyl ether | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 4-Chloro-3-methylphenol | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 4-Chlorophenyl phenyl ether | | | < 350 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| 4-Nitroaniline | | | < 350 | 350 | < 370 | 370 | < 360 | 360 | < 360 | 360 | < 370 | 370 | < 400 | 400 | < 370 | 370 | < 350 | 350 | < 370 | 370 | < 350 | 350 | < 360 | 360 | < 370 | 370 | < 350 | 350 | < 350 | 350 | | |
| 4-Nitrophenol | | | < 350 | 350 | < 370 | 370 | < 360 | 360 | < 360 | 360 | < 370 | 370 | < 400 | 400 | < 370 | 370 | < 350 | 350 | < 370 | 370 | < 350 | 350 | < 360 | 360 | < 370 | 370 | < 350 | 350 | < 350 | 350 | | |
| Acenaphthene | 20,000 | 100,000 | 230 | 250 | < 250 | 250 | 420 | 250 | < 250 | 250 | 190 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| Acenaphthylene | 100,000 | 100,000 | 220 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | 1,500 | 250 | < 250 | 250 | 140 | 250 | < 250 | 250 | 280 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| Acetophenone | | | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| Aniline | | | < 250 | 250 | < 300 | 300 | < 280 | 280 | < 280 | 280 | < 320 | 320 | < 290 | 290 | < 250 | 250 | < 250 | 250 | < 280 | 280 | < 270 | 270 | < 280 | 280 | < 290 | 290 | < 280 | 280 | < 280 | 280 | | |
| Anthracene | 100,000 | 100,000 | 650 | 250 | < 250 | 250 | 620 | 250 | < 250 | 250 | 1,900 | 250 | < 250 | 250 | 230 | 280 | 280 | 280 | < 250 | 250 | < 300 | 300 | < 320 | 250 | < 250 | 250 | < 250 | 250 | < 250 | 250 | | |
| Benz(a)anthracene | 1,000 | 1,000 | 2,000 | 250 | < 250 | 250 | 1,100 | 250 | < 250 | 250 | 13,000 | 2,000 | 250 | 280 | 800 | 260 | 170 | 250 | 140 | 260 | 890 | 250 | < 240 | 240 | < 250 | 250 | 620 | 250 | 190 | 260 | < 240 | 240 |
| Benidine | | | < 250 | 250 | < 370 | 370 | < 360 | 360 | < 360 | 360 | < 370 | 370 | < 400 | 400 | < 370 | 370 | < 350</ | | | | | | | | | | | | | | | |

Table 3
40 Bruckner Boulevard
Bronx, New York
Soil Analytical Results
Pesticides PCBs

| COMPOUND | NYSDEC Part 375.6 Unrestricted Use Soil Cleanup Objectives | NYDEC Part 375.6 Restricted Residential Soil Cleanup Objectives* | EBC1 | | EBC2 | | EBC3 | | | | EBC4 | | EBC5 | | EBC6 | | | | EBC7 | | EBC8 | | | | EBC9 | | | EBC10 | | EBC11 | | | | |
|--------------------|--|--|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-----|-----------|-------|-----------|-------|-----------|-----|-----------|--|
| | | | (0-2) | | (0-3) | | (0-2) | | (10-12) | | (0-2) | | (0-2) | | (0-2) | | (6-8) | | (0-2) | | (0-2) | | (5-7) | | (10-12) | | (0-2) | | (8-10) | | (0-2) | | (0-2) | |
| | | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | |
| | | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | | µg/Kg | |
| 4,4'-DDD | 3.3 | 13,000 | <2.1 | 2.1 | <2.3 | 2.3 | <2.2 | 2.2 | <2.2 | 2.2 | <2.4 | 2.4 | <2.2 | 2.2 | <2.1 | 2.1 | <2.2 | 2.2 | <2.1 | 2.1 | <2.1 | 2.1 | <2.2 | 2.2 | <2.2 | 2.2 | <2.1 | 2.1 | <2.1 | 2.1 | <2.1 | 2.1 | | |
| 4,4'-DDE | 3.3 | 8,000 | <3.3 | 3.3 | <3.3 | 3.3 | <2.2 | 2.2 | <2.2 | 2.2 | <2.4 | 2.4 | <2.2 | 2.2 | <2.1 | 2.1 | <2.2 | 2.2 | <2.1 | 2.1 | <2.2 | 2.2 | <2.2 | 2.2 | <2.1 | 2.1 | <2.1 | 2.1 | <2.1 | 2.1 | <2.1 | 2.1 | | |
| 4,4'-DDT | 3.3 | 7,900 | <2.1 | 2.1 | <2.3 | 2.3 | <2.2 | 2.2 | <2.2 | 2.2 | <2.4 | 2.4 | <2.2 | 2.2 | <2.1 | 2.1 | <2.2 | 2.2 | <2.1 | 2.1 | <2.2 | 2.2 | <2.2 | 2.2 | <2.1 | 2.1 | <2.1 | 2.1 | <2.1 | 2.1 | <2.1 | 2.1 | | |
| a-BHC | 20 | 480 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| α-Chlordane | 94 | 4,200 | <3.5 | 3.5 | <3.8 | 3.8 | <3.6 | 3.6 | <3.6 | 3.6 | <3.7 | 3.7 | <3.9 | 3.9 | <3.6 | 3.6 | <3.5 | 3.5 | <3.7 | 3.7 | <3.5 | 3.5 | <3.4 | 3.4 | <3.5 | 3.5 | <3.6 | 3.6 | <3.5 | 3.5 | <3.5 | 3.5 | | |
| Aldrin | 5 | 97 | <3.5 | 3.5 | <3.8 | 3.8 | <3.6 | 3.6 | <3.6 | 3.6 | <3.7 | 3.7 | <3.9 | 3.9 | <3.6 | 3.6 | <3.5 | 3.5 | <3.7 | 3.7 | <3.5 | 3.5 | <3.4 | 3.4 | <3.5 | 3.5 | <3.6 | 3.6 | <3.5 | 3.5 | <3.5 | 3.5 | | |
| b-BHC | 36 | 360 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Chlordane | | | <3.5 | 3.5 | <3.8 | 3.8 | <3.6 | 3.6 | <3.6 | 3.6 | <3.7 | 3.7 | <3.9 | 3.9 | <3.6 | 3.6 | <3.5 | 3.5 | <3.7 | 3.7 | <3.5 | 3.5 | <3.4 | 3.4 | <3.5 | 3.5 | <3.6 | 3.6 | <3.5 | 3.5 | <3.5 | 3.5 | | |
| d-BHC | 40 | 100,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Dieldrin | 5 | 200 | <3.5 | 3.5 | <3.8 | 3.8 | <3.6 | 3.6 | <3.6 | 3.6 | <3.7 | 3.7 | <3.9 | 3.9 | <3.6 | 3.6 | <3.5 | 3.5 | <3.7 | 3.7 | <3.5 | 3.5 | <3.4 | 3.4 | <3.5 | 3.5 | <3.6 | 3.6 | <3.5 | 3.5 | <3.5 | 3.5 | | |
| Endosulfan I | 2,400 | 24,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Endosulfan II | 2,400 | 24,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Endosulfan sulfate | 2,400 | 24,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Endrin | 14 | 11,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Endrin aldehyde | | | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Endrin ketone | | | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| γ-BHC | | | <1.4 | 1.4 | <1.5 | 1.5 | <1.4 | 1.4 | <1.5 | 1.5 | <1.5 | 1.5 | <1.6 | 1.6 | <1.4 | 1.4 | <1.5 | 1.5 | <1.4 | 1.4 | <1.4 | 1.4 | <1.4 | 1.4 | <1.4 | 1.4 | <1.5 | 1.5 | <1.4 | 1.4 | <1.4 | 1.4 | | |
| γ-Chlordane | | | <3.5 | 3.5 | <3.8 | 3.8 | <3.6 | 3.6 | <3.6 | 3.6 | <3.7 | 3.7 | <3.9 | 3.9 | <3.6 | 3.6 | <3.5 | 3.5 | <3.7 | 3.7 | <3.5 | 3.5 | <3.4 | 3.4 | <3.5 | 3.5 | <3.6 | 3.6 | <3.5 | 3.5 | <3.5 | 3.5 | | |
| Heptachlor | 42 | 2,100 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Heptachlor epoxide | | | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| Methoxychlor | | | <3.5 | 3.5 | <3.8 | 3.8 | <3.6 | 3.6 | <3.6 | 3.6 | <3.7 | 3.7 | <3.9 | 3.9 | <3.6 | 3.6 | <3.5 | 3.5 | <3.7 | 3.7 | <3.5 | 3.5 | <3.4 | 3.4 | <3.5 | 3.5 | <3.6 | 3.6 | <3.5 | 3.5 | <3.5 | 3.5 | | |
| Toxaphene | | | <140 | 140 | <150 | 150 | <140 | 140 | <150 | 150 | <150 | 150 | <160 | 160 | <140 | 140 | <150 | 150 | <140 | 140 | <140 | 140 | <140 | 140 | <140 | 140 | <150 | 150 | <140 | 140 | <140 | 140 | | |
| PCB-1016 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1221 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1232 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1242 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1245 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1254 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1260 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1262 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |
| PCB-1268 | 100 | 1,000 | <7.1 | 7.1 | <7.5 | 7.5 | <7.2 | 7.2 | <7.3 | 7.3 | <7.4 | 7.4 | <7.3 | 7.3 | <7.1 | 7.1 | <7.3 | 7.3 | <7.1 | 7.1 | <6.9 | 6.9 | <7.1 | 7.1 | <7.2 | 7.2 | <7.3 | 7.3 | <7.0 | 7.0 | <7.0 | 7.0 | | |

Notes:

* - 6 NYCRR Part 375.6 Remedial Program Soil Cleanup Objectives

RL - Reporting Limit

Bold/highlighted- Indicated exceedance of the NYSDC UUSCO Guidance Value

Bold/highlighted- Indicated exceedance of the NYSDC RRSCO Guidance Value

Table 4
40 Bruckner Boulevard
Bronx, New York
Soil Analytical Results
Metals

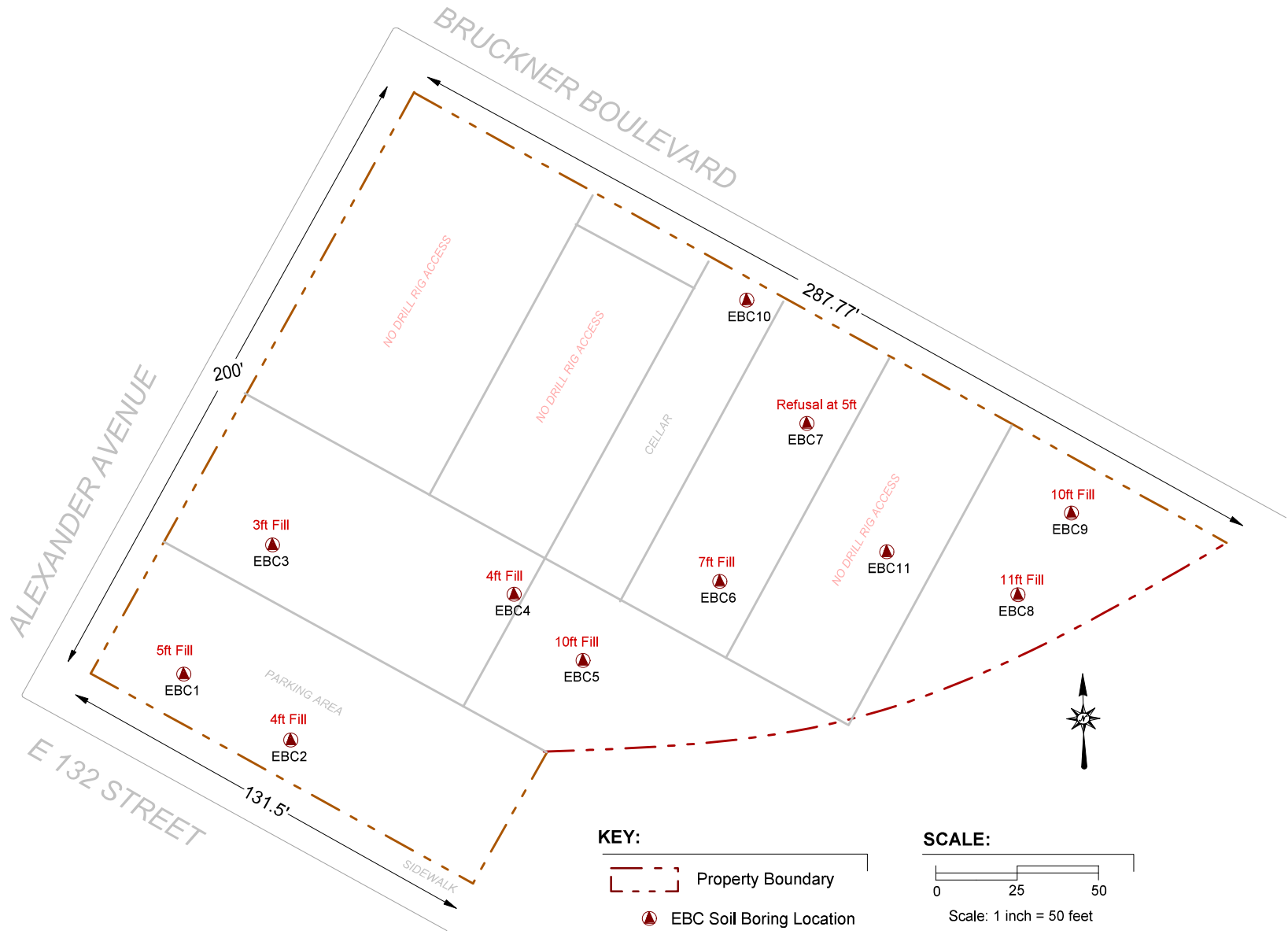
| COMPOUND | NYSDEC Part 375.6 Unrestricted Use Soil Cleanup Objectives | NYDEC Part 375.6 Restricted Residential Soil Cleanup Objectives* | EBC1 | | EBC2 | | EBC3 | | | | EBC4 | | EBC5 | | EBC6 | | | | EBC7 | | EBC8 | | | | | | EBC9 | | EBC10 | | EBC11 | | | | | |
|-----------|--|---|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|-----------|------|--------|------|-------|----|
| | | | (0-2) | | (0-3) | | (0-2) | | (10-12) | | (0-2) | | (0-2) | | (0-2) | | (0-2) | | (0-2) | | (5-7) | | (10-12) | | (0-2) | | (8-10) | | (0-2) | | (0-2) | | | | | |
| | | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | 6/10/2020 | | | | | |
| | | | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | Result | RL | | | | |
| Aluminum | | | 8,670 | 36 | 1,010 | 3.6 | | | 8,890 | 34 | 3,820 | 36 | 7,990 | 38 | 3,910 | 40 | 8,480 | 34 | 7,310 | 34 | 8,600 | 40 | 10,300 | 34 | 6,060 | 31 | 9,320 | 33 | 6,170 | 35 | 5,320 | 38 | 9,020 | 38 | 8,010 | 37 |
| Antimony | | | 2.97 | 3.6 | 2.24 | 3.6 | 4.28 | 3.4 | 2.17 | 3.6 | 7.1 | 3.6 | 6.2 | 3.6 | 2.95 | 4.0 | 6.78 | 3.4 | 2.22 | 4.0 | 8.04 | 3.4 | 2.72 | 3.1 | 3.11 | 3.3 | 11.5 | 3.5 | 6.23 | 3.5 | 1.54 | 3.5 | 1.57 | 3.7 | | |
| Arsenic | 13 | 16 | 2.97 | 0.72 | 2.24 | 0.72 | 4.28 | 0.69 | 2.17 | 0.71 | 7.1 | 0.75 | 6.2 | 0.80 | 2.95 | 0.69 | 6.78 | 0.69 | 2.22 | 0.79 | 8.04 | 0.68 | 2.72 | 0.62 | 3.11 | 0.68 | 9.39 | 0.70 | 6.23 | 0.75 | 1.54 | 0.75 | 1.57 | 0.75 | | |
| Barium | 350 | 400 | 96.7 | 0.7 | 131 | 0.7 | 84.1 | 0.7 | 21.7 | 0.7 | 106 | 0.8 | 75.9 | 0.8 | 90.1 | 0.8 | 163 | 0.7 | 55.9 | 0.8 | 666 | 0.7 | 29.3 | 0.8 | 54.6 | 0.7 | 339 | 0.7 | 104 | 0.8 | 49.2 | 0.8 | 107 | 0.7 | | |
| Beryllium | 7.2 | 72 | 0.48 | 0.29 | 0.39 | 0.29 | 0.57 | 0.27 | 0.39 | 0.29 | 0.55 | 0.30 | 0.33 | 0.32 | 0.45 | 0.27 | 0.43 | 0.28 | 0.61 | 0.32 | 0.5 | 0.27 | 0.34 | 0.25 | 0.39 | 0.27 | 0.42 | 0.28 | 0.38 | 0.30 | 0.39 | 0.30 | 0.33 | 0.30 | | |
| Cadmium | 2.5 | 4.3 | 1.06 | 0.36 | 0.41 | 0.36 | 0.67 | 0.34 | 0.36 | 0.36 | 4.36 | 0.36 | 0.61 | 0.40 | 0.81 | 0.34 | 1.12 | 0.34 | 0.51 | 0.40 | 1.89 | 0.34 | 0.5 | 0.31 | 1.47 | 0.33 | 2.19 | 0.35 | 1.26 | 0.38 | 0.55 | 0.38 | 0.59 | 0.37 | | |
| Calcium | | | 32,300 | 36 | 915 | 3.6 | 28,200 | 34 | 1,080 | 3.6 | 36,100 | 38 | 4,270 | 40 | 17,700 | 34 | 3,100 | 3.4 | 26,400 | 40 | 27,200 | 34 | 1,040 | 3.1 | 658 | 3.3 | 14,800 | 36 | 5,280 | 3.8 | 7,590 | 3.8 | 35,500 | 37 | | |
| Chromium | 30 | 180 | 31.6 | 0.36 | 4.04 | 0.36 | 15 | 0.34 | 7.75 | 0.36 | 15.9 | 0.38 | 12.1 | 0.40 | 21.5 | 0.34 | 19 | 0.34 | 13.2 | 0.40 | 34.5 | 0.34 | 12.9 | 0.31 | 13.4 | 0.33 | 21.7 | 0.35 | 15 | 0.38 | 15.5 | 0.38 | 19.9 | 0.37 | | |
| Cobalt | | | 7.8 | 0.36 | 3.06 | 0.36 | 7.91 | 0.34 | 3.63 | 0.36 | 6.71 | 0.38 | 5.38 | 0.40 | 7.01 | 0.34 | 6.18 | 0.34 | 4.81 | 0.40 | 10.4 | 0.34 | 4.68 | 0.31 | 6.06 | 0.33 | 7.64 | 0.35 | 6.69 | 0.38 | 4.89 | 0.38 | 8.74 | 0.37 | | |
| Copper | 50 | 270 | 85.8 | 0.7 | 24.4 | 0.7 | 31.3 | 0.7 | 9.9 | 0.7 | 42.9 | 0.8 | 137 | 0.8 | 54.1 | 0.7 | 62.8 | 0.7 | 15.2 | 0.8 | 88.7 | 0.7 | 96.7 | 0.6 | 27.2 | 0.7 | 508 | 7.0 | 147 | 7.5 | 13.8 | 0.8 | 27.9 | 0.7 | | |
| Iron | | | 15,500 | 36 | 8,870 | 3.6 | 15,200 | 34 | 6,720 | 3.6 | 16,900 | 38 | 14,300 | 40 | 16,400 | 34 | 23,500 | 34 | 11,200 | 40 | 45,600 | 34 | 13,300 | 31 | 17,000 | 33 | 22,100 | 36 | 20,000 | 38 | 11,500 | 38 | 14,900 | 37 | | |
| Lead | 63 | 400 | 104 | 0.7 | 282 | 0.7 | 96.7 | 0.7 | 1.8 | 0.7 | 167 | 0.8 | 449 | 0.8 | 80.5 | 0.7 | 1,350 | 0.8 | 51.7 | 0.8 | 809 | 0.8 | 59 | 0.6 | 59.6 | 0.7 | 748 | 7.0 | 408 | 0.8 | 20.9 | 0.8 | 47.2 | 0.7 | | |
| Magnesium | | | 7,800 | 36 | 99 | 3.6 | 7,180 | 34 | 1,610 | 3.6 | 10,500 | 38 | 1,400 | 4.0 | 4,010 | 3.4 | 2,590 | 3.4 | 4,480 | 4.0 | 7,290 | 3.4 | 1,950 | 3.1 | 1,660 | 3.3 | 3,170 | 3.5 | 4,060 | 3.8 | 2,320 | 3.8 | 4,260 | 3.7 | | |
| Manganese | 1,600 | 2,000 | 283 | 3.6 | 34.1 | 0.36 | 315 | 3.4 | 109 | 0.36 | 349 | 3.8 | 161 | 4.0 | 233 | 3.4 | 617 | 3.4 | 302 | 4.0 | 353 | 3.4 | 205 | 3.1 | 261 | 3.3 | 270 | 3.5 | 247 | 3.8 | 200 | 3.8 | 176 | 3.7 | | |
| Mercury | 0.18 | 0.81 | 0.58 | 0.14 | 0.82 | 0.14 | 0.37 | 0.13 | 0.03 | 0.03 | 0.35 | 0.07 | 1.61 | 0.15 | 0.12 | 0.03 | 2.28 | 0.06 | 0.34 | 0.06 | 0.34 | 0.03 | 0.15 | 0.03 | 0.07 | 0.06 | 0.58 | 0.06 | 0.39 | 0.07 | 0.04 | 0.03 | 0.13 | 0.07 | | |
| Nickel | 30 | 310 | 23.8 | 0.36 | 7.43 | 0.36 | 14.3 | 0.34 | 6.7 | 0.36 | 13.7 | 0.38 | 12.7 | 0.40 | 16.4 | 0.34 | 12.3 | 0.34 | 9.82 | 0.40 | 22.1 | 0.34 | 10.5 | 0.31 | 13.7 | 0.33 | 24 | 0.35 | 15.9 | 0.38 | 10.3 | 0.38 | 16.3 | 0.37 | | |
| Potassium | | | 1,850 | 7 | 125 | 7 | 1,550 | 6.7 | 693 | 7 | 1,800 | 8 | 569 | 8 | 1,710 | 7 | 843 | 7 | 1,300 | 8 | 2,460 | 7 | 695 | 6 | 464 | 7 | 989 | 8 | 662 | 8 | 875 | 8 | 2,870 | 7 | | |
| Selenium | 3.9 | 180 | <0.4 | 1.4 | <1.4 | 1.4 | <0.34 | 1.4 | <1.4 | 1.4 | <0.35 | 1.5 | <1.6 | 1.6 | <1.4 | 1.4 | <1.4 | 1.4 | <0.34 | 1.4 | <0.34 | 1.4 | <0.31 | 1.2 | <1.3 | 1.3 | <1.4 | 1.4 | <1.5 | 1.5 | <1.5 | 1.5 | <1.5 | 1.5 | | |
| Silver | <0.36 | 0.36 | <0.36 | 0.36 | <0.36 | 0.36 | <0.34 | 0.34 | <0.36 | 0.36 | <0.38 | 0.38 | <0.40 | 0.40 | <0.34 | 0.34 | <0.34 | 0.34 | <0.40 | 0.40 | <0.34 | 0.34 | <0.31 | 0.31 | <0.33 | 0.33 | 0.57 | 0.35 | <0.38 | 0.38 | <0.38 | 0.38 | <0.37 | 0.37 | | |
| Sodium | 2 | 180 | 448 | 7 | 67 | 7 | 818 | 7 | 103 | 7 | 884 | 8 | 71 | 8 | 790 | 7 | 220 | 7 | 771 | 8 | 623 | 7 | 120 | 6 | 73 | 7 | 480 | 7 | 128 | 8 | 144 | 8 | 502 | 7 | | |
| Thallium | <1.4 | 1.4 | <1.4 | 1.4 | <1.4 | 1.4 | <1.4 | 1.4 | <1.4 | 1.4 | <1.5 | 1.5 | <1.6 | 1.6 | <1.4 | 1.4 | <1.4 | 1.4 | <1.6 | 1.6 | <1.4 | 1.4 | <1.2 | 1.2 | <1.3 | 1.3 | <1.4 | 1.4 | <1.5 | 1.5 | <1.5 | 1.5 | <1.5 | 1.5 | | |
| Vanadium | | | 28 | 0.36 | 8.07 | 0.36 | 25.6 | 0.34 | 10.1 | 0.36 | 21.7 | 0.38 | 19 | 0.40 | 28.4 | 0.34 | 17.6 | 0.34 | 16.5 | 0.40 | 52.6 | 0.34 | 13.4 | 0.33 | 14.6 | 0.33 | 22.3 | 0.35 | 19.7 | 0.38 | 18.9 | 0.38 | 24.4 | 0.37 | | |
| Zinc | 109 | 10,000 | 96.7 | 0.7 | 224 | 0.7 | 55.7 | 0.7 | 12.9 | 0.7 | 2,690 | 7.6 | 76.2 | 0.8 | 86.6 | 0.7 | 270 | 0.7 | 44.7 | 0.8 | 517 | 0.8 | 45.6 | 0.6 | 483 | 0.6 | 396 | 7.0 | 258 | 0.8 | 38.4 | 0.8 | 49.8 | 0.7 | | |

Notes:
* - 8 NYCRR Part 375-6 Remedial Program Soil Cleanup Objectives
RL - Reporting Limit
Bold/highlighted- Indicated exceedance of the NYSDEC UUSCO Guidance Value
Bold/highlighted- Indicated exceedance of the NYSDEC RRSCO Guidance Value

SECTION III.3: Sampling Data

For the impacted soil above, see the attached Figures below from the Phase II which include detailed information requested in Application Section III.3.

Figures from December 2020 Phase II for impacted soil which includes all information requested in Application Section III.3 (Figure 1 & 2)



KEY:

- Property Boundary
- EBC Soil Boring Location
- EBC10

SCALE:

Scale: 1 inch = 50 feet

| NYCRR Part 375 Unrestricted and Restricted Residential SCOs | | | |
|---|-------|-------------------|------------------|
| Analyte | Units | NY- ResRestricted | NY- Unrestricted |
| 4,4'-DDE | ug/kg | 8,900 | 3.3 |
| 4,4'-DDT | ug/kg | 7,900 | 3.3 |
| Benzo(a)anthracene | ug/kg | 1,000 | 1,000 |
| Benzo(a)pyrene | ug/kg | 1,000 | 1,000 |
| Benzo(b)fluoranthene | ug/kg | 1,000 | 1,000 |
| Benzo(k)fluoranthene | ug/kg | 3,900 | 800 |
| Chrysene | ug/kg | 3,900 | 1,000 |
| Dibenzo(a,h)anthracene | ug/kg | 330 | 330 |
| Indeno(1,2,3-cd)pyrene | ug/kg | 500 | 500 |
| Tetrachloroethene | ug/kg | 19,000 | 1,300 |
| Barium | mg/kg | 400 | 350 |
| Cadmium | mg/kg | 4.3 | 2.5 |
| Chromium | mg/kg | 180 | 30 |
| Copper | mg/kg | 270 | 50 |
| Lead | mg/kg | 400 | 63 |
| Mercury | mg/kg | 0.81 | 0.18 |
| Zinc | mg/kg | 10,000 | 109 |

| EBC4 (0-2') | Result |
|------------------------|--------|
| Benzo(a)anthracene | 13,000 |
| Benzo(a)pyrene | 12,000 |
| Benzo(b)fluoranthene | 9,600 |
| Benzo(k)fluoranthene | 6,200 |
| Chrysene | 12,000 |
| Dibenzo(a,h)anthracene | 1,400 |
| Indeno(1,2,3-cd)pyrene | 6,000 |
| Cadmium | 4.36 |
| Lead | 167 |
| Mercury | 0.35 |
| Zinc | 2,690 |

| EBC6 (0-2') | Result |
|------------------------|--------|
| Indeno(1,2,3-cd)pyrene | 650 |
| Copper | 54.1 |
| Lead | 80.5 |

| EBC6 (6-8') | Result |
|-------------|--------|
| Copper | 62.8 |
| Lead | 1,350 |
| Mercury | 2.28 |
| Zinc | 270 |

| EBC9 (0-2') | Result |
|-------------|--------|
| 4,4'-DDT | 4.6 |
| Copper | 508 |
| Lead | 748 |
| Mercury | 0.58 |
| Zinc | 396 |

| EBC9 (8-10') | Result |
|--------------|--------|
| Copper | 147 |
| Lead | 408 |
| Mercury | 0.39 |
| Zinc | 258 |

| EBC3 (0-2') | Result |
|------------------------|--------|
| Tetrachloroethene | 2,500 |
| Benzo(a)anthracene | 1,100 |
| Chrysene | 1,200 |
| Indeno(1,2,3-cd)pyrene | 550 |
| Lead | 96.7 |
| Mercury | 0.37 |

| EBC5 (0-2') | Result |
|------------------------|--------|
| Indeno(1,2,3-cd)pyrene | 1,100 |
| Copper | 137 |
| Lead | 449 |
| Mercury | 1.61 |

| EBC8 (0-2') | Result |
|------------------------|--------|
| Indeno(1,2,3-cd)pyrene | 600 |
| 4,4'-DDE | 4 |
| 4,4'-DDT | 19 |
| Barium | 686 |
| Chromium | 34.5 |
| Copper | 88.7 |
| Lead | 809 |
| Mercury | 0.34 |
| Zinc | 517 |

| EBC8 (5-7') | Result |
|-------------|--------|
| Copper | 96.7 |

| EBC8 (10-12') | Result |
|---------------|--------|
| Zinc | 483 |

| EBC1 (0-2') | Result |
|------------------------|--------|
| Benzo(a)anthracene | 2,000 |
| Benzo(a)pyrene | 1,800 |
| Benzo(b)fluoranthene | 1,500 |
| Benzo(k)fluoranthene | 1,400 |
| Chrysene | 1,900 |
| Indeno(1,2,3-cd)pyrene | 940 |
| Chromium | 31.6 |
| Copper | 85.8 |
| Lead | 104 |
| Mercury | 0.58 |

| EBC2 (0-3') | Result |
|-------------|--------|
| Lead | 282 |
| Mercury | 0.92 |
| Zinc | 224 |

Notes:
 1. All locations are approximate
 2. Samples collected on 10 June 2020



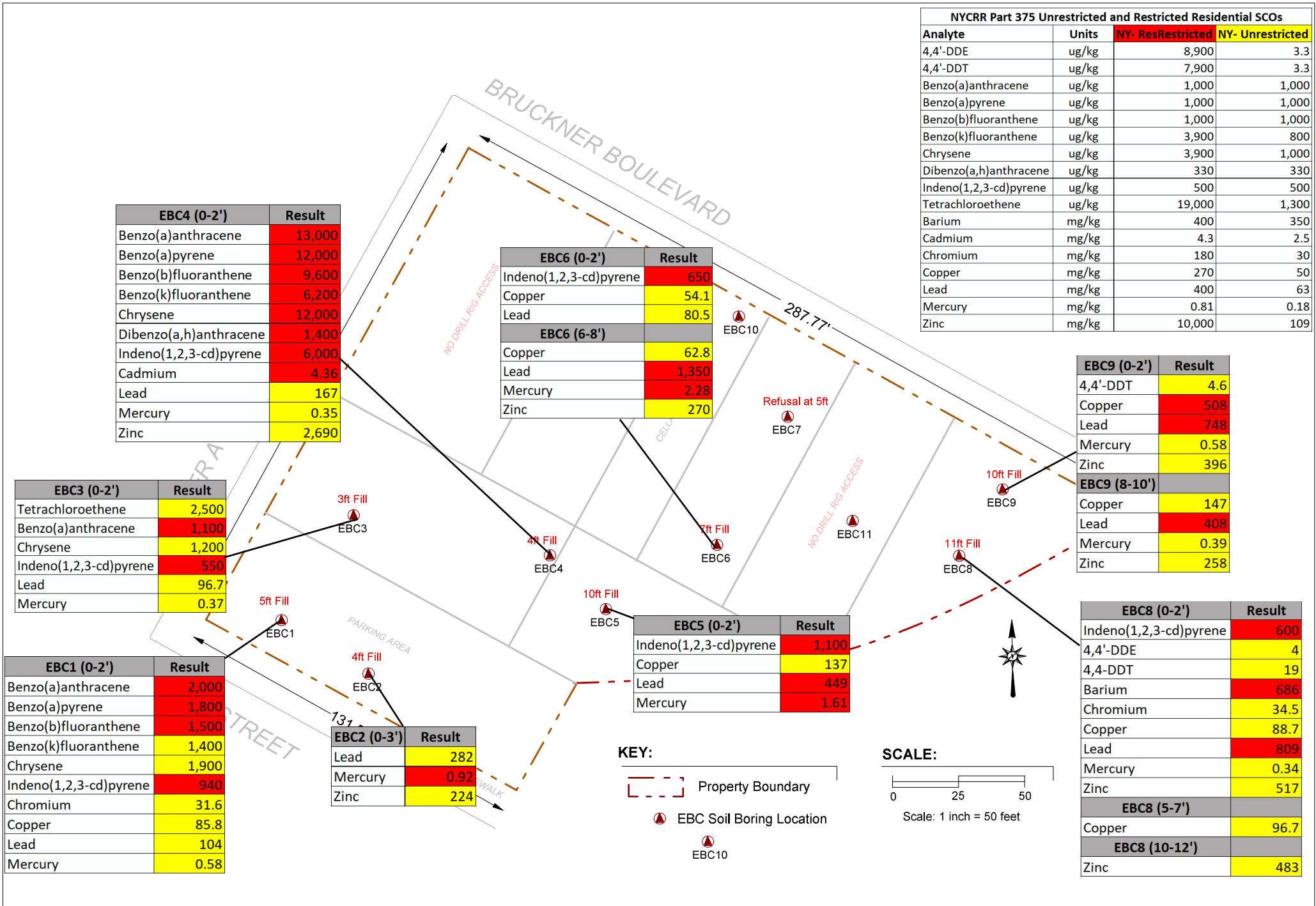
FIGURE 2

40 BRUCKNER BOULEVARD, BRONX, NEW YORK

MAP OF SOIL CHEMISTRY

*Note: All soil samples collected by Environmental Business Consultants (EBC)

January 2021



SECTION III.4: Past Land Uses

The site was developed as early as 1891 with a repair shop and a machine shop, with train tracks running along the south, southeast and east sides of the subject Site. By 1908, an office and milk company were built adjacent to the machine shop and this transitioned to “Borden’s Farm Product” by 1935 and contained a wagon house, stable, and lumber yard. In 1944, “Borden’s Farm Product” was no longer in operation and became a scrap and rubber storage facility. From the mid-1940s to the late-1980s, the Site was used for various industrial purposes and included a sorting and bailing rags facility, a rag stage, a rag laundry, and a paper stage. Additionally, a wastepaper facility began operations in 1968 where the former machine shop was located. The Site is listed in City Directories as “Mill Sanitary Wiping Cloth Corp” from 1965 to the mid-1990s. The Site remained relatively unchanged until the former buildings labeled “sorting and bailing rags” and the “wastepaper facility” were converted to auto repair shops in the early-1990s. The Site then remained relatively unchanged until the mid-2000s when several commercial operations began running at the Site, including NYC Waterworks. Today, the subject Site is vacant.

ATTACHMENT D

Section IV: PROPERTY INFORMATION

Section IV: PROPERTY DESCRIPTION NARRATIVE

Proposed Site Name

The Site name for this project will be the “Former Mill Sanitary Wiping Cloth Site”

Site Location

The Site’s address is 40 Bruckner Boulevard, Bronx, NY 10454. The Site is located in the Bronx, New York and is identified as Bronx Section 2, Block 2295 Lot 51. The Site is located in an industrial area of the Mott Haven neighborhood of the Bronx, NY on the southwest side of Bruckner Boulevard between Alexander Avenue and Willis Avenue and approximately 600 ft north of the Harlem River. The legal description is as follows:

BEGINNING at the corner formed by the southwesterly side of Bruckner Boulevard (as now open and in use) and the south easterly side of Alexander Avenue (as now open and in use);

RUNNING THENCE southeasterly along the southwesterly side Bruckner Boulevard, 287.77 ft;

THENCE southerly and westerly along a curve to the right having a radius of 345.00 feet, a distance of 220.44 feet;

THENCE continuing southerly and westerly along a curve to the right having a radius of 450.00 feet, a distance of 5.20 feet;

THENCE southwesterly and parallel with the southeasterly side of Alexander Avenue, 42.91 feet to the northeasterly side of East 132 Street (as now open and in use);

THENCE northwesterly along the northeasterly side of East 132 Street, 131.50 feet to the southeasterly side of Alexander Avenue;

THENCE northeasterly along the southeasterly side of Alexander Avenue 200.00 feet to the southwesterly side of Bruckner Boulevard, to the Point or Place of BEGINNING.

The memorandum of lease recorded on 21 May 2020 is attached below. A site location map is included in the **Figure 3**. An aerial photograph of the Site is included in **Figure 4**. A tax map of the Site and surrounding properties is included as **Figure 5**.

Site Size

The Site is 41,240 square feet or 0.95 acres in size.

Site Features

The site is currently an irregular-shaped developed lot containing a one-story warehouse located on the northwest portion of the Site, a three-story building with a cellar formerly occupied by various commercial tenants, a one-story building formerly used as a tire shop, and an unpaved material storage and parking area.

Past Land Use

The site was developed as early as 1891 with a repair shop and a machine shop, with train tracks running along the south, southeast and east sides of the subject Site. By 1908, an office and milk

company were built adjacent to the machine shop and this transitioned to “Borden’s Farm Product” by 1935 and contained a wagon house, stable, and lumber yard. In 1944, “Borden’s Farm Product” was no longer in operation and became a scrap and rubber storage facility. From the mid-1940s to the late-1980s, the Site was used for various industrial purposes and included a sorting and bailing rags facility, a rag stage, a rag laundry, and a paper stage. Additionally, a wastepaper facility began operations in 1968 where the former machine shop was located. The Site is listed in City Directories as “Mill Sanitary Wiping Cloth Corp” from 1965 to the mid-1990s. The Site remained relatively unchanged until the former buildings labeled “sorting and bailing rags” and the “wastepaper facility” were converted to auto repair shops in the early-1990s. The Site then remained relatively unchanged until the mid-2000s when several commercial operations began running at the Site, including NYC Waterworks. Today, the subject Site is vacant.

Current Zoning and Land Use

The Site is currently vacant and contains a warehouse previously used for industrial purposes, a three-story building formerly used for commercial purposes, a one-story building formerly used as a tire shop, and an unpaved material storage and parking area, and is zoned for industrial and residential use. The Site was vacated in 2020. The surrounding properties are currently used for industrial, commercial, and residential purposes. The nearest residential building is immediately adjoining the Site to the east.

Site Geology and Hydrogeology

The stratigraphy of the Site from the surface down consists of historic fill material consisting of brown silty sand with pieces of asphalt, concrete, brick, and wood to depths ranging from 3 to 11 feet below ground surface (ft bgs). Historic fill material is underlain by sandy-silts and coarse sands. Depth to groundwater is approximately 8 ft bgs.

Section IV.3: En-zone

The Site is located in Census Tract 19 which is En-Zone Type A since the poverty rate is 42.8%. The requestor, therefore, seeks a determination that the Site is eligible for tangible property tax credits. EN-Zone Type A eligibility is illustrated in the figure which is included as Attachment J.

Section IV.5: Environmental Assessment

Based on the findings of the October 2020 investigation as indicated in the Phase II report, the primary contaminants of concern for the Site are chlorinated VOCs, SVOCs (polyaromatic hydrocarbons), pesticides, and metals.

Soil:

One chlorinated VOC, tetrachloroethene (PCE), was detected above the New York State Department of Environmental Conservation (NYSDEC) 6NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs), but not above Restricted-Residential Use Soil Cleanup Objectives (RRSCOs) in the soil sample EBC3 (0-2’) at 2,500 µg/kg. PCE was detected in several other soil samples but not exceeding UUSCOs. Additionally, several petroleum-related VOCs were detected in multiple shallow soil samples but did not exceed UUSCOs. Several SVOCs were detected above both UUSCOs and RRSCOs in multiple shallow soil samples including, benzo(a)anthracene (maximum 13,000 µg/kg), benzo(a)pyrene (maximum 12,000 µg/kg), benzo(b)fluoranthene (9,600 µg/kg), benzo(k)fluoranthene (maximum 6,200 µg/kg), chrysene (maximum 12,000 µg/kg), dibenzo(a,h)anthracene (1,400 µg/kg), and indeno(1,2,3-cd)pyrene (maximum

6,000 µg/kg). The metal barium was detected above the RRSCO in sample EBC8 (0-2') at 686 mg/kg. Additionally, cadmium was detected above the RRSCO at EBC4 (0-2') at 4.36 mg/kg. Several metals were detected in multiple shallow and deep soil samples, including copper (maximum 508 mg/kg), lead (maximum 1,350 mg/kg), and mercury (maximum 2.28 mg/kg) above both UUSCOs and RRSCOs, and zinc (maximum 2,690 mg/kg) above UUSCOs. Two pesticides were detected above UUSCOs but not RRSCOs, including 4,4'-DDE in EBC8 (0-2') at 4 µg/kg and 4,4'-DDT in EBC8 (0-2') and EBC9 (0-2') at a maximum concentration of 19 µg/kg.

Metals, SVOCs, and pesticides identified in shallow soils are consistent with urban fill found throughout the New York City area. Summaries of the analytical data are demonstrated in **Table 1 through Table 4** provided in Attachment C. Sample locations and map of soil chemistry are shown on **Figure 1 and Figure 2** provided in Attachment C. Based on the analytes detected in the soil during the Phase II at elevated concentrations above UUSCOs and RRSCOs, the contamination must be addressed for the proposed residential use to proceed.

Based solely upon the results of the Phase II sampling, it is uncertain whether the chlorinated VOCs detected in soil could have potentially originated from former industrial uses of the Site. One of the primary goals of the proposed Remedial Investigation Work Plan is to determine if there is an on-Site source of chlorinated VOC contamination and determine if groundwater and soil vapor have also been impacted by contamination.



GIS FILE PATH: \\haleyaldrich.com\share\CFF\Projects\2007\34\GIS\Maps\2021_01\02\00734_001_0001_PROJECT_LOCUS.mxd — USER: ajpspe — LAST SAVED: 1/27/2021 9:41:28 PM



MAP SOURCE: ESRI
SITE COORDINATES: 73°55'38"W 40°48'23"N

**HALEY
ALDRICH**

40 BRUCKNER BOULEVARD
BRONX, NEW YORK

PROJECT LOCUS

APPROXIMATE SCALE: 1 IN = 2000 FT
JANUARY 2021

FIGURE 3

GIS FILE PATH: C:\ajspes\Projects\0200734\Maps\2021_01\0200734_001_0002_SITE_PLAN.mxd — USER: ajspes — LAST SAVED: 1/28/2021 9:30:57 PM



ALEXANDER AVENUE

BRUCKNER BOULEVARD

SECTION 2
BLOCK 2295
LOT 51

E 132nd STREET

LEGEND

 APPROXIMATE SITE BOUNDARY



NOTE
AERIAL IMAGERY SOURCE: ESRI



**HALEY
ALDRICH**

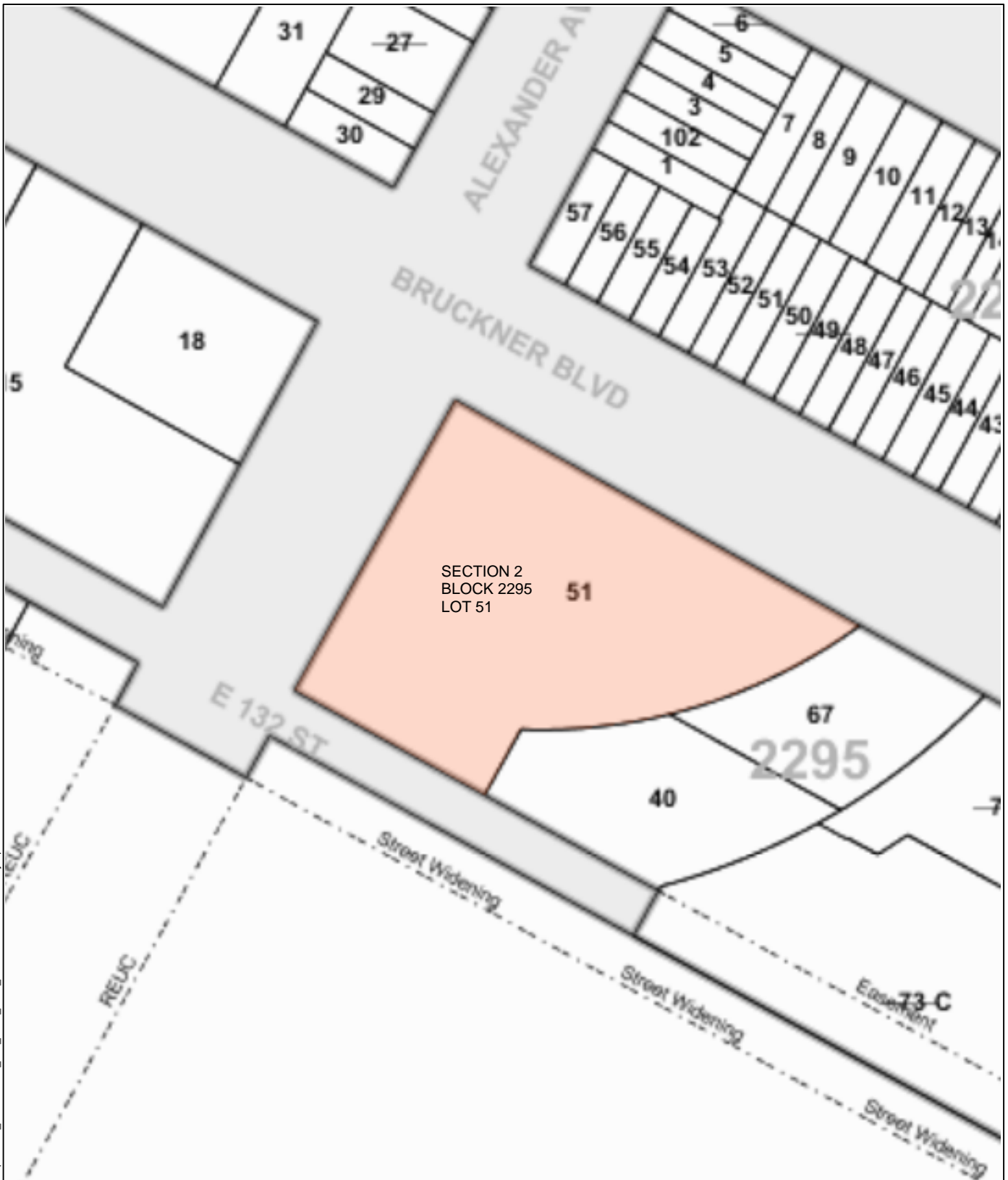
40 BRUCKNER BOULEVARD
BRONX, NEW YORK

SITE MAP

JANUARY 2021

FIGURE 4

GIS FILE PATH: C:\ajspes\Projects\0200734\Maps\2021_01\0200734_001_0002_SITE_PLAN.mxd — USER: ajcspe — LAST SAVED: 1/28/2021 9:30:57 PM



LEGEND

 TAX PARCEL BOUNDARY



0 40 80
SCALE IN FEET

NOTES

1. PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF FINANCE DIGITAL TAX MAP.

**HALEY
ALDRICH**

40 BRUCKNER BOULEVARD
BRONX, NEW YORK

TAX MAP

JANUARY 2021

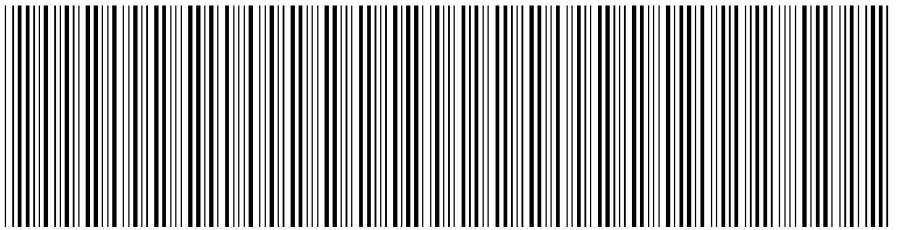
FIGURE 5

ATTACHMENT E

Section V: ADDITIONAL REQUESTOR INFORMATION

**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.



2020052000484002004EEC41

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 5

Document ID: 2020052000484002 Document Date: 05-08-2020 Preparation Date: 05-20-2020
Document Type: MEMORANDUM OF LEASE
Document Page Count: 4

| | |
|--|---|
| PRESENTER: EXECUTIVE ABSTRACT GROUP, INC. 16 ISRAEL ZUPNICK DRIVE, SUITE 117 EAG-3230 MONROE, NY 10950 845-782-2400 MAIL@EXECUTIVE-ABSTRACT.COM | RETURN TO: TREFF & LOWY PLLC MARK SCHLANGER, ESQ. 481 WYTHE AVENUE, 2ND FLOOR BROOKLYN, NY 11249 |
|--|---|

| PROPERTY DATA | | | | |
|---|-------|-----|------------|-----------------------|
| Borough | Block | Lot | Unit | Address |
| BRONX | 2295 | 51 | Entire Lot | 40 BRUCKNER BOULEVARD |
| Property Type: INDUSTRIAL BUILDING | | | | |

CROSS REFERENCE DATA


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

| PARTIES | |
|--|--|
| LESSOR: 40 BRUCKNER LLC 280 MADISON AVENUE, SUITE 900 NEW YORK, NY 10016 | LESSEE: 40 BRUCKNER REALTY LLC 199 LEE AVENUE, SUITE 1088 BROOKLYN, NY 11211 |

| FEES AND TAXES | | | |
|--------------------------|----|--------------------|---------------------------------|
| Mortgage : | | Filing Fee: | |
| Mortgage Amount: | \$ | 0.00 | \$ 100.00 |
| Taxable Mortgage Amount: | \$ | 0.00 | NYC Real Property Transfer Tax: |
| Exemption: | | | \$ 0.00 |
| TAXES: County (Basic): | \$ | 0.00 | NYS Real Estate Transfer Tax: |
| City (Additional): | \$ | 0.00 | \$ 209,950.00 |
| Spec (Additional): | \$ | 0.00 | |
| TASF: | \$ | 0.00 | |
| MTA: | \$ | 0.00 | |
| NYCTA: | \$ | 0.00 | |
| Additional MRT: | \$ | 0.00 | |
| TOTAL: | \$ | 0.00 | |
| Recording Fee: | \$ | 57.00 | |
| Affidavit Fee: | \$ | 0.00 | |

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

Recorded/Filed 05-21-2020 09:16
City Register File No.(CRFN):
2020000152826



Annette McMill
City Register Official Signature

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Mark Schlanger, Esq.
Treff & Lowy PLLC
481 Wythe Avenue, 2nd Floor
Brooklyn, NY 11249

MEMORANDUM OF LEASE

| | |
|------------------|--|
| Lease | Lease Agreement between Landlord and Tenant dated May 8, 2020 |
| Landlord | 40 BRUCKNER LLC, a New York limited liability company, having an address at c/o Peter P Benedetto II, Dom Ben Realty Corp., 280 Madison Avenue, Suite 900 New York, New York 10016 |
| Tenant | 40 BRUCKNER REALTY LLC, a New York limited liability company, having an address at 199 Lee Avenue, Suite 1088, Brooklyn, New York 11211 |
| Premises | As described on Exhibit A |
| Premises Address | As described on Exhibit A |

This Memorandum of Lease (this "Memorandum") is made and entered into this 8th day of May, 2020, by and between 40 BRUCKNER LLC, a New York limited liability company, ("Lessor"), and 40 BRUCKNER REALTY LLC, a New York limited liability company ("Lessee").

1. Lessor and Lessee entered into a Lease Agreement (the "Lease") on the 8th day of May, 2020, for premises located upon land lying and situate in Bronx County, New York, and more particularly described in Exhibit A attached hereto (the "Premises").

2. The term of the Lease commenced on the Rent Commencement Date (as defined in the Lease) and continues for ninety nine (99) years.

Exhibit A

Title Number EAG-3230

Page 1

ALL that certain piece or parcel of land situate, lying and being at the Bronx, County of Bronx, City and State of New York, more particularly bounded and described as follows:

BEGINNING at the corner formed by the southwesterly side of Bruckner Boulevard (as now open and in use) and the south easterly side of Alexander Avenue (as now open and in use);

RUNNING THENCE southeasterly along the southwesterly side Bruckner Boulevard, 287.77 feet;

THENCE southerly and westerly along a curve to the right having a radius of 345.00 feet, a distance of 220.44 feet;

THENCE continuing southerly and westerly along a curve to the right having a radius of 450.00 feet, a distance of 5.20 feet;

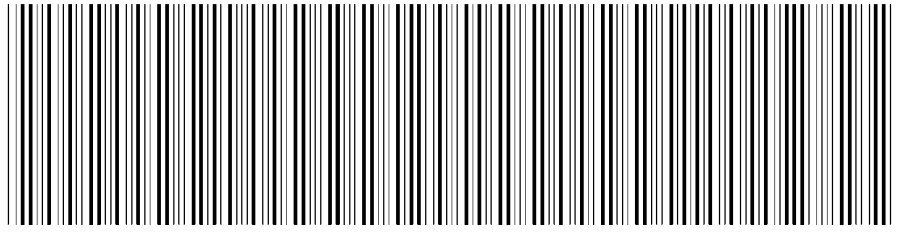
THENCE southwesterly and parallel with the southeasterly side of Alexander Avenue, 42.91 feet to the northeasterly side of East 132 Street (as now open and in use);

THENCE northwesterly along the northeasterly side of East 132 Street, 131.50 feet to the southeasterly side of Alexander Avenue;

THENCE northeasterly along the southeasterly side of Alexander Avenue, 200.00 feet to the southwesterly side of Bruckner Boulevard, to the Point or Place of BEGINNING.

FOR information only: Said premises also known as: 40 Bruckner Boulevard, Bronx, NY; Block 2295 Lot 51.

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2020052000484002004S22C0

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2020052000484002

Document Date: 05-08-2020

Preparation Date: 05-20-2020

Document Type: MEMORANDUM OF LEASE

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING
SMOKE DETECTOR AFFIDAVIT

1
2

**AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York }
County of } SS.:

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at
40 BRUCKNER BOULEVARD

| | | | | |
|---------|--------------------------|-------|-----|-------------------|
| | Street Address Unit/Apt. | | | |
| BRONX | New York, | 2295 | 51 | (the "Premises"); |
| Borough | | Block | Lot | |

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

PETER P. Benedetti
Name of Grantor (Type or Print)

[Handwritten Signature]
Signature of Grantor

Name of Grantee (Type or Print)

Signature of Grantee

Sworn to before me
this 11th day of May 20 20

W. CHRISTIAN DREWES
Notary Public, State of New York
No. 02DR4833838
Qualified in Nassau County
Commission Expires May 9, 2022

Sworn to before me
this day of 20

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

**AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York }
County of } SS.:

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

40 BRUCKNER BOULEVARD

Street Address Unit/Apt.

BRONX

Borough

New York,

2295

Block

51

Lot

(the "Premises");

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Name of Grantor (Type or Print)

Signature of Grantor

Sworn to before me
this _____ day of _____ 20

Jacob Schwimmer

Name of Grantee (Type or Print)

Signature of Grantee

Sworn to before me
this 7th day of May 2020

MENDY ROSNER
Notary Public, State of New York
No. 01-RO6390130
Qualified in Kings County
Commission Expires 04/08/2023

M. Rosner

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

ATTACHMENT F

Section VI: ADDITIONAL INFORMATION WHERE REQUESTOR IS NOT PROPERTY OWNER

Section VI: Additional Information Where Requestor is Not Property Owner

Section VI: Current Owner and Operator

The current owner is 40 Bruckner LLC. The requestor, 40 Bruckner Realty LLC, currently holds a 99-year lease of the Site and seeks to remediate and redevelop the Site for residential purposes. The Site is currently developed and contains a one-story warehouse, a three-story building occupied by commercial tenants, a tire repair shop, and an unpaved material storage and parking area.

Section VI: Previous Owners and Operators

List of Previous Owners and Operators of 40 Bruckner Boulevard.

| Date(s) | Owner per Deed | Address | Relationship to Requestor | Operators (as per city directories) | Relationship to Requestor |
|-------------------|-------------------|--|---------------------------|---|---------------------------|
| 10/6/2011-Present | 40 Bruckner LLC | 280 Madison Avenue, New York, NY 10016 | None | 2014- Famous Deli, Foley P J, NYC Water Works Inc., Theresa DeValle | None |
| Unknown-10/6/2011 | D. Benedetto Inc. | 280 Madison Avenue, New York, NY 10016 | None | 2010- Famous Deli, Foley P J, NYC Water Works Inc. 2005- Famous Deli 1 R, Metropolitan Water Svc Corp, NYC Water Works, Quality Credit Card, Rose King 1 R 2000- Coastal Bus Svc, NYC Wtr Works Inc, Zucker Wtr Svc Crp 1993- General Wiper Supply Co, H D J Auto Inc, Mill Sanitary Wiping Cloth Corp, Mill Wiping Rags Inc, Uniform Rental Service 1983- General Wiper Supply Co, Mill Sanitary Wiping Cloth Corp, Paper Fibres Corp, Uniform Rental Svce 1971- Mill Sanitary Wiping Cloth Corp, Paper Fibres Corp, Uniform Rental Svce 1965- Mill Sanitary Wiping Cloth Corp, Paper Fibres Corn, Ti Dee Uniform Svce | None |

Long Term Remedial Access and License Agreement

This access and License Agreement ensures Requestor’s access to the site independent of the 99-Year Lease to implement a BCP cleanup through site management.

REMEDIAL ACCESS AND LICENSE AGREEMENT

THIS REMEDIAL ACCESS AND LICENSE AGREEMENT (the “**Agreement**”) is made and entered into as of the _ day of March, 2021 by and between **40 Bruckner LLC**, a New York limited liability company having an address of c/o Peter P. Benedetto II, Dom Ben Realty Corp., 280 Madison Avenue, Suite 900, New York, New York 10016 (“**LICENSOR**”) and **40 Bruckner Realty LLC**, a New York limited liability company having an address at 199 Lee Avenue, Suite 1088, Brooklyn, New York 11211 (“**LICENSEE**”).

RECITALS

WHEREAS, LICENSOR owns real property commonly known as 40 Bruckner Blvd., Bronx, New York, which real property is more particularly described in Exhibit A attached hereto, incorporated herein; and illustrated in the drawing attached hereto and incorporated herein as Figure 1; and which real property is designated as tax map parcel number Section 2, Block 2295, Lot 51 (collectively the “**Property**”);

WHEREAS, the historic and current uses of the Property include industrial and auto related uses and the Property has historically been used for various industrial uses, including a machine shop, repair shop, dairy product manufacturer, scrap rubber storage, rag laundry, train, yard, and wastepaper storage;

WHEREAS, soil sampling performed on behalf of Jacob Schwimmer (JCS Realty) by Environmental Business Consultants has detected hazardous substance contamination, including without limitation the presence of tetrachloroethene (“**PCE**”), a chlorinated volatile organic compound at a concentration greater than the Unrestricted Use Soil Cleanup Objectives (“**SCOs**”) (6 NYCRR Part 375-6.8(a)), mercury and lead (“**Metals**”) at levels above Restricted Residential SCO’s (6 NYCRR Part 375-6.8(b)), and semivolatile organic compounds primarily in the form of polycyclic aromatic hydrocarbons (“**PAHs**”) detected at levels above Restricted Residential SCO’s (6 NYCRR Part 375-6.8(b));

WHEREAS, on May 8, 2020, the LICENSOR and LICENSEE entered into a lease agreement with an initial term of 99 years (“**99-Year Lease**”) for the Property, together with all buildings and improvements then existing, which Lease, among other things, grants the LICENSEE the right at any time and from time to time during the term of the Lease, and at its sole cost and expense, to make such changes, alterations, additions, replacements or improvements as the LICENSEE may elect (in its sole discretion); a copy of the Memorandum of Lease for the 99-Year Lease entered into between the LICENSOR and the LICENSEE on May 8, 2020 is attached hereto and incorporated herein as Exhibit B;

WHEREAS, on February 9, 2021, on behalf of the Licensee, James M. Bellew of Haley and Aldrich of New York filed a Pre-Application Worksheet with the New York State Department of Environmental Conservation (“**NYSDEC**”), and requested a Pre-Application Meeting, which was granted and held with members of NYSDEC on February 17, 2021, for the purpose of discussing the LICENSEE’s forthcoming application to the Brownfield Cleanup Program (Environmental Conservation Law Article 27, Title 14) (“**BCP**”), and if that BCP application is approved, to enter into a Brownfield Cleanup Agreement (“**BCA**”) with NYSDEC

and promptly and diligently implement a remedy to address those on-site soils containing PCE, PAHs and Metals in excess of the applicable SCOs to the satisfaction of the NYSDEC, including without limitation the conduct of additional site investigations interim remedial measures and/or site management (the “**Remedy**”);

WHEREAS, in order to apply to NYSDEC for the BCP, enter into a BCA and implement the Remedy, the LICENSEE needs a license to access, enter, disturb, construct and occupy the Property, and LICENSOR is willing to provide LICENSEE with a license to access, enter, disturb, construct and occupy the Property for as long as it takes to implement the Remedy for the Site to the satisfaction of the NYSDEC.

NOW, THEREFORE, LICENSEE and LICENSOR, for good and valuable mutual consideration that includes the foregoing recitals, the receipt and sufficiency whereof is hereby acknowledged, do hereby agree to abide by the following terms and conditions:

GENERAL TERMS & CONDITIONS

1. **Access to Implement Remedy.** LICENSOR hereby represents to LICENSEE that it has the requisite authority and right to grant the license provided for in this Agreement, and hereby grants, to LICENSEE and its successors and permitted assigns the right, privilege, permission and authority pursuant to this license as set out in this Agreement for LICENSEE, and its members, environmental consultants, agents, officers, employees, representatives, contractors and subcontractors requiring access to implement the Remedy, and for the NYSDEC, the New York State Department of Health and any other identified State agency (collectively, the “**Remediation Team**”) to enter upon, access, disturb, construct, and occupy the Property and execute any and all actions necessary or desirable in connection with the entry of the Property into the BCP, the execution and performance of a BCA, and the implementation of the Remedy, subject to and in accordance with the terms and conditions of the 99-Year Lease. The license provided to the Remediation Team, includes its use on the Property of the equipment, vehicles, materials, tools, accessories and other items necessary to complete the Remedy. This license is not revocable by LICENSOR, and is granted to the LICENSEE in order to facilitate the completion of all the requirements of the BCP and BCA, including but not limited to the Remedy and a site management plan.

2. **Authority and Cooperation.**

A. **Authority.** LICENSOR hereby acknowledges and affirms that, by the unanimous written consent of its members, and execution of this Agreement, LICENSOR has authorized and empowered LICENSEE to apply to NYSDEC for entry of the Property into the BCP and to execute and perform a BCA, and to apply for the necessary permits and approvals to implement the BCA, and to execute such documents as may be requested in connection with such BCA, permits and approvals, with respect to the Property.

B. **Cooperation.** LICENSOR agrees to execute such documents as may be reasonably requested by LICENSEE in connection with the BCP and BCA, such as an environmental easement in the form required by NYSDEC as part of the Remedy (“**Environmental Easement**”). LICENSOR shall take reasonable efforts so as not to disturb the

Remediation Team's devices, materials and/or equipment temporarily present or installed as part of the Remedy and the implementation of the BCA. LICENSEE shall conduct all activity on the Property in accordance with all applicable environmental, health and worker safety laws.

C. **Timing of Entry.** The Remediation Team shall enter the Property at such times as coordinated with LICENSEE and only in accordance with this Agreement. After expiration of the 99-Year Lease, LICENSEE shall give notice to LICENSOR of any contemplated entry onto the Property for any activities involving subsurface disturbance to the relevant utility authority or company, and locate, identify and avoid all subsurface improvements, including all water and gas, and all surface electric and other utility lines

D. **Sampling Results, Reports and Air Sampling.** LICENSEE shall provide LICENSOR with a copy of the analytical results of LICENSEE's groundwater and soil sampling promptly after they have been validated. LICENSEE will also copy LICENSOR on each monthly progress report or other report or work plan submitted to NYSDEC pursuant to the Remedy.

E. **Insurance.** LICENSEE shall obtain insurance in accordance with the terms of the 99-Year Lease.

F. **Environmental Easement.** Should the Remedy require the placement of an Environmental Easement (if needed) on the Property in order to satisfy NYSDEC, the LICENSEE may direct LICENSOR to put in place with respect to the Property an Environmental Easement, consistent with the NYSDEC form, that would run with the land and bind LICENSEE, LICENSOR and subsequent owners, operators and tenants of the Property and which may include without limitation implementation of one or more NYSDEC-approved institutional and engineering controls, such as restrictions on use and restrictions on excavating or otherwise disturbing the surface of the Property through a site management plan.

3. **Duration and Revocation.** This Agreement and the license granted under it shall terminate upon the completion of the Remedy to NYSDEC's satisfaction (the "**Expiration**"), shall be binding and inure to the benefit of the respective heirs, executors, administrators, legal representatives, successors and assigns of the undersigned parties, and shall be a covenant running with the land. This Agreement may not be terminated by LICENSOR before Expiration.

4. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties with respect to matters addressed in this Agreement, and, with the exception of the 99-Year Lease, this Agreement supersedes and replaces any prior agreements, either oral or written, with respect to those matters. The terms, representations, warranties, covenants, and conditions set forth in this Agreement shall be binding upon and inure to the benefit of any successors or assigns of the undersigned parties. Notwithstanding anything to the contrary contained in this Agreement, this Agreement is not intended to modify nor amend the terms of the 99-Year Lease and in the event of any conflict or ambiguity the 99-Year Lease shall control.


5. **Headings and Captions.** The captions in this Agreement are for convenience of reference only and are not intended to limit or otherwise affect the meaning of this Agreement.

IN WITNESS WHEREOF, each Party has caused this Agreement to be duly executed as of the day and year first above written.


LICENSEE:

40 Bruckner Realty LLC

By: 40 Bruckner JS DT LLC

By: 

Jacob Schwimmer, Managing Member



Witness
Jamal Krolowitz

LICENSOR:

40 Bruckner LLC

By: 

Peter P. Benedetto II, President



Witness A. Andrew West

Exhibit A

Title Number **EAG-3230**

Page **1**

ALL that certain piece or parcel of land situate, lying and being at the Bronx, County of Bronx, City and State of New York, more particularly bounded and described as follows:

BEGINNING at the corner formed by the southwesterly side of Bruckner Boulevard (as now open and in use) and the south easterly side of Alexander Avenue (as now open and in use);

RUNNING THENCE southeasterly along the southwesterly side Bruckner Boulevard, 287.77 feet;

THENCE southerly and westerly along a curve to the right having a radius of 345.00 feet, a distance of 220.44 feet;

THENCE continuing southerly and westerly along a curve to the right having a radius of 450.00 feet, a distance of 5.20 feet;

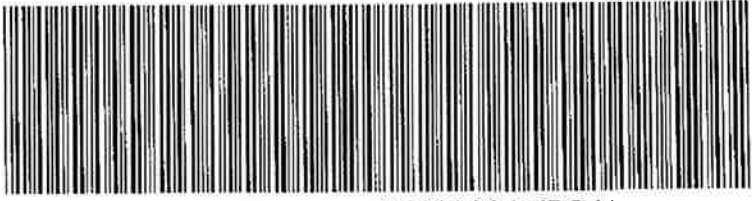

THENCE southwesterly and parallel with the southeasterly side of Alexander Avenue, 42.91 feet to the northeasterly side of East 132 Street (as now open and in use);

THENCE northwesterly along the northeasterly side of East 132 Street, 131.50 feet to the southeasterly side of Alexander Avenue;

THENCE northeasterly along the southeasterly side of Alexander Avenue, 200.00 feet to the southwesterly side of Bruckner Boulevard, to the Point or Place of BEGINNING.

FOR information only: Said premises also known as: 40 Bruckner Boulevard, Bronx, NY; Block 2295 Lot 51.

EXHIBIT B

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---------------------------------|--------------------|-----------------------|------------------|---------|------|-----------|--------------------------|-----------------------|---------------------------------|--|------------|--|--|---------|-------------------------------|---------|-------------------------------|--|--------------------|---------|--|---------------|--------------------|---------|--|--|-------|---------|--|--|------|---------|--|--|--------|---------|--|--|-----------------|---------|--|--|---------------|---------|--|--|----------------|----------|--|--|----------------|---------|--|--|--|
| <p>NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER</p> <p>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.</p> |  <p>2020052000484002004EEC41</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| RECORDING AND ENDORSEMENT COVER PAGE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PAGE 1 OF 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Document ID: 2020052000484002 Document Date: 05-08-2020 Preparation Date: 05-20-2020</p> <p>Document Type: MEMORANDUM OF LEASE</p> <p>Document Page Count: 4</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>PRESENTER: EXECUTIVE ABSTRACT GROUP, INC. 16 ISRAEL ZUPNICK DRIVE, SUITE 117 EAG-3230 MONROE, NY 10950 845-782-2400 MAIL@EXECUTIVE-ABSTRACT.COM</p> | <p>RETURN TO: TREFF & LOWY PLLC MARK SCHLANGER, ESQ. 481 WYTHE AVENUE, 2ND FLOOR BROOKLYN, NY 11249</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROPERTY DATA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width:100%;"> <tr> <td style="width:15%;">Borough</td> <td style="width:15%;">Block</td> <td style="width:15%;">Lot</td> <td style="width:15%;">Unit</td> <td style="width:40%;">Address</td> </tr> <tr> <td>BRONX</td> <td>2295</td> <td>51</td> <td>Entire Lot</td> <td>40 BRUCKNER BOULEVARD</td> </tr> </table> <p align="center">Property Type: INDUSTRIAL BUILDING</p> | Borough | Block | Lot | Unit | Address | BRONX | 2295 | 51 | Entire Lot | 40 BRUCKNER BOULEVARD | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Borough | Block | Lot | Unit | Address | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BRONX | 2295 | 51 | Entire Lot | 40 BRUCKNER BOULEVARD | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CROSS REFERENCE DATA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CRFN _____ or DocumentID _____ or Year _____ Reel _____ Page _____ or File Number _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PARTIES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>LESSOR: 40 BRUCKNER LLC 280 MADISON AVENUE, SUITE 900 NEW YORK, NY 10016</p> | <p>LESSEE: 40 BRUCKNER REALTY LLC 199 LEE AVENUE, SUITE 1088 BROOKLYN, NY 11211</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FEES AND TAXES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width:100%;"> <tr> <td colspan="2">Mortgage :</td> <td>Filing Fee:</td> <td></td> </tr> <tr> <td>Mortgage Amount:</td> <td>\$ 0.00</td> <td></td> <td>\$ 100.00</td> </tr> <tr> <td>Taxable Mortgage Amount:</td> <td>\$ 0.00</td> <td>NYC Real Property Transfer Tax:</td> <td></td> </tr> <tr> <td>Exemption:</td> <td></td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td>TAXES: County (Basic):</td> <td>\$ 0.00</td> <td>NYS Real Estate Transfer Tax:</td> <td></td> </tr> <tr> <td>City (Additional):</td> <td>\$ 0.00</td> <td></td> <td>\$ 209,950.00</td> </tr> <tr> <td>Spec (Additional):</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>TASF:</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>MTA:</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>NYCTA:</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>Additional MRT:</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>TOTAL:</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> <tr> <td>Recording Fee:</td> <td>\$ 57.00</td> <td></td> <td></td> </tr> <tr> <td>Affidavit Fee:</td> <td>\$ 0.00</td> <td></td> <td></td> </tr> </table> | Mortgage : | | Filing Fee: | | Mortgage Amount: | \$ 0.00 | | \$ 100.00 | Taxable Mortgage Amount: | \$ 0.00 | NYC Real Property Transfer Tax: | | Exemption: | | | \$ 0.00 | TAXES: County (Basic): | \$ 0.00 | NYS Real Estate Transfer Tax: | | City (Additional): | \$ 0.00 | | \$ 209,950.00 | Spec (Additional): | \$ 0.00 | | | TASF: | \$ 0.00 | | | MTA: | \$ 0.00 | | | NYCTA: | \$ 0.00 | | | Additional MRT: | \$ 0.00 | | | TOTAL: | \$ 0.00 | | | Recording Fee: | \$ 57.00 | | | Affidavit Fee: | \$ 0.00 | | | <p align="center">RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK</p> <p>Recorded/Filed 05-21-2020 09:16 City Register File No.(CRFN): 2020000152826</p>  <p><i>Annette McMill</i> City Register Official Signature</p> |
| Mortgage : | | Filing Fee: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mortgage Amount: | \$ 0.00 | | \$ 100.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Taxable Mortgage Amount: | \$ 0.00 | NYC Real Property Transfer Tax: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Exemption: | | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TAXES: County (Basic): | \$ 0.00 | NYS Real Estate Transfer Tax: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| City (Additional): | \$ 0.00 | | \$ 209,950.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Spec (Additional): | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TASF: | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MTA: | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NYCTA: | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Additional MRT: | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL: | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recording Fee: | \$ 57.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Affidavit Fee: | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Mark Schlanger, Esq.
Treff & Lowy PLLC
481 Wythe Avenue, 2nd Floor
Brooklyn, NY 11249

MEMORANDUM OF LEASE

| | |
|------------------|--|
| Lease | Lease Agreement between Landlord and Tenant dated May 8, 2020 |
| Landlord | 40 BRUCKNER LLC, a New York limited liability company, having an address at c/o Peter P Benedetto II, Dom Ben Realty Corp., 280 Madison Avenue, Suite 900 New York, New York 10016 |
| Tenant | 40 BRUCKNER REALTY LLC, a New York limited liability company, having an address at 199 Lee Avenue, Suite 1088, Brooklyn, New York 11211 |
| Premises | As described on Exhibit A |
| Premises Address | As described on Exhibit A |

This Memorandum of Lease (this "Memorandum") is made and entered into this 8th day of May, 2020, by and between 40 BRUCKNER LLC, a New York limited liability company, ("Lessor"), and 40 BRUCKNER REALTY LLC, a New York limited liability company ("Lessee").

1. Lessor and Lessee entered into a Lease Agreement (the "Lease") on the 8th day of May, 2020, for premises located upon land lying and situate in Bronx County, New York, and more particularly described in Exhibit A attached hereto (the "Premises").

2. The term of the Lease commenced on the Rent Commencement Date (as defined in the Lease) and continues for ninety nine (99) years.

3. This Memorandum shall apply with respect to Lessor, Lessee and each of their respective successors and permitted assigns. This Memorandum is not intended to modify the terms of the Lease and in the event of any ambiguity the Lease shall control.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Memorandum of Lease the day and year first above written.

LESSEE:

40 BRUCKNER REALTY LLC, a New York limited liability company

By: _____
Name: _____
Title: _____

STATE OF NEW YORK)
) SS:
COUNTY OF Kings)

On the 6th day of May in the year 2020 before me, the undersigned, personally appeared Jacob Schwimmer, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

M. Rosner
Notary Public

My Commission Expires: 4/8/2020

[SEAL]
MENDY ROSNER
Notary Public, State of New York
No. 01-RO8390130
Qualified in Kings County
Commission Expires 04/08/2023

Exhibit A

Title Number **EAG-3230**

Page **1**

ALL that certain piece or parcel of land situate, lying and being at the Bronx, County of Bronx, City and State of New York, more particularly bounded and described as follows:

BEGINNING at the corner formed by the southwesterly side of Bruckner Boulevard (as now open and in use) and the south easterly side of Alexander Avenue (as now open and in use);

RUNNING THENCE southeasterly along the southwesterly side Bruckner Boulevard, 287.77 feet;

THENCE southerly and westerly along a curve to the right having a radius of 345.00 feet, a distance of 220.44 feet;

THENCE continuing southerly and westerly along a curve to the right having a radius of 450.00 feet, a distance of 5.20 feet;

THENCE southwesterly and parallel with the southeasterly side of Alexander Avenue, 42.91 feet to the northeasterly side of East 132 Street (as now open and in use);

THENCE northwesterly along the northeasterly side of East 132 Street, 131.50 feet to the southeasterly side of Alexander Avenue;

THENCE northeasterly along the southeasterly side of Alexander Avenue, 200.00 feet to the southwesterly side of Bruckner Boulevard, to the Point or Place of BEGINNING.

FOR information only: Said premises also known as: 40 Bruckner Boulevard, Bronx, NY; Block 2295 Lot 51.

FIGURE 1



GIS FILE PATH: C:\haley\Projects\200734\Mapa\2021_01\02200734_001_0002_SITE_PLAN.mxd — USER: m000e — LAST SAVED: 1/28/2021 9:30:57 PM

LEGEND

 APPROXIMATE SITE BOUNDARY



NOTE
AERIAL IMAGERY SOURCE: ESRI



**HALEY
ALDRICH**

40 BRUCKNER BOULEVARD
BRONX, NEW YORK

SITE MAP

JANUARY 2021

FIGURE 1

ATTACHMENT G

Section VII: REQUESTOR ELIGIBILITY INFORMATION

Section VII – REQUESTOR ELIGIBILITY INFORMATION

The requestor is currently the tenant of the property in a 99-year lease on the property that allows Site redevelopment. The fee owner and landlord of the property, 40 Bruckner LLC, has agreed to allow the Requestor to pursue the NYSDEC Brownfield Cleanup Program as stipulated in the Long Term Access and License Agreement appended to this section.

The requestor qualifies as a “Volunteer” in the BCP because it has no connection with any prior owner or operator, including no connection with the fee owner and landlord other than the 99-Year Lease, and therefore, did not cause, contribute, or permit the disposal of any contaminants at the Site, and did not control the Site when such contamination occurred. The requestor did not observe and is not aware of any continuing release; upon taking a leasehold interest in the Site, on 08 May 2020 in the COVID Pandemic, Requestor will take the necessary steps to secure the property and prevent any threatened future release, and prevent and limit human, environmental or natural resource exposure to any previously released contamination at the Site. As such, the requestor qualifies as a Volunteer as designed in ECL 27-1405(1)(b).

ATTACHMENT H

Section IX: CONTACT LIST INFORMATION AND ACKNOWLEDGEMENT FROM REPOSITORY

Section IX – CONTACT LIST INFORMATION

SITE CONTACT LISTS

Executive:

| Role | Name | Phone | Mailing Address | Email |
|---|-------------------------|--------------|---|---|
| NYC Mayor | Mayor William De Blasio | 212-NEW-YORK | City Hall New York, NY 10007 | https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page |
| NYC Department of City Planning Chairperson | Marisa Lago | 212-720-3300 | 120 Broadway 31st Floor New York, NY 10271 | https://www1.nyc.gov/site/planning/about/email-the-director.page |
| Bronx Borough President | Ruben Diaz Jr. | 718-590-3557 | 851 Grand Concourse, 3 rd Floor, Bronx, NY 10451 | webmail@bronxbp.nyc.gov |
| Bronx Community Board 1 District Manager | Cedric Loftin | 718-585-7117 | 3030 3 rd Avenue, Bronx, NY 10455 | Brxcb1@optonline.net |
| NY Senate District 29 Senator | Jose M. Serrano | 212-828-5829 | 1916 Park Avenue, Suite 202, New York, NY 10037 | serrano@nysenate.gov |
| NY State Assembly District 84 Member | Amanda Septimo | 718-292-2901 | 384 E 149 th Street, Suite 202, Bronx, NY 10455 | septimoa@nyassembly.gov |

Owners, Residents, Occupants:

The Site is currently vacant.

| Tenant | Contact Name | Phone | Mailing Address | Email |
|------------------------|-----------------|----------------|--|--|
| 40 Bruckner Realty LLC | Jacob Schwimmer | (718) 701-5680 | 199 Lee Avenue, Suite 1088 Brooklyn, NY 11211 | jschwimmer@jcsrealtyny.com |

| Owner | Contact Name | Phone | Mailing Address | Email |
|-----------------|--------------------|----------------|--|--|
| 40 Bruckner LLC | Peter Benedetto II | (212) 532-1497 | 280 Madison Avenue New York, New York 10016 | Peter2@dombenrealty.com |

Adjacent Properties:

Below is a list of the adjoining properties which are also detailed on **Figure 6**.

| Owner/Entity Name | Contact Name | Site Use | Property Address | Owner Mailing Address |
|---|-------------------|---------------------------------|-----------------------------------|---|
| 70 Bruckner Housing Development Fund Co. Inc. | Peter Fine | Multi-family elevator buildings | 70 Bruckner Boulevard | 155 Avenue of the Americas, 3 rd Floor, New York, NY 10013 |
| 329 East 132 nd Street JV LLC | Neill Weissman | Multi-family elevator buildings | 329 East 132 nd Street | 55 Bruckner Boulevard, Bronx, NY 10454 |
| 26 Bruckner LLC | Bradford N. Sweet | Commercial and office buildings | 26 Bruckner Boulevard | 210 East 86 th Street, Suite 404, New York, NY 10028 |

| | | | | |
|--------------------------|----------------|---|-----------------------|--|
| 36 Bruckner Associates | Jerome Yates | Industrial and manufacturing | 36 Bruckner Boulevard | 36 Bruckner Boulevard, Bronx, NY 10454 |
| Con Edison | Unknown | Miscellaneous | East 132 Street | Cooper Station P.O. Box 138, New York, NY 10276 |
| Bruckner Lofts LLC | Unknown | Mixed residential and commercial buildings | 39 Bruckner Boulevard | 55 W. 47 th Street, Suite 340, New York, NY 10036 |
| Bruck Equities LLC | Iskyo Aronov | Mixed residential and commercial buildings | 41 Bruckner Boulevard | 116-55 Queens Boulevard, Suite 206, Forest Hills, NY 11375 |
| Brates, Eva | Eva Brates | Mixed residential and commercial buildings | 43 Bruckner Boulevard | 60 Garlen Road, Katonah, NY 10536 |
| Brates, Adam | Adam Brates | Mixed residential and commercial buildings | 45 Bruckner Boulevard | 60 Garlen Road, Katonah, NY 10536 |
| Brates, Arthur | Arthur Brates | Mixed residential and commercial buildings | 47 Bruckner Boulevard | 60 Garlen Road, Katonah, NY 10536 |
| Garcia, Ida | Ida Garcia | Mixed residential and commercial buildings | 49 Bruckner Boulevard | 168 Longview Terrace, Yonkers, NY 10710 |
| 51 Bruckner LLC | David Aaron | Mixed residential and commercial buildings | 51 Bruckner Boulevard | 4925 Collins Avenue #11E, Miami, FL 33140 |
| Badillo, Oscar | Oscar Badillo | Mixed residential and commercial buildings | 53 Bruckner Boulevard | 70 Farrington Road, Matawan, NJ 07747 |
| Unavailable owner | Unknown | Mixed residential and commercial buildings | 55 Bruckner Boulevard | Unknown |
| Vasquez, Hector | Hector Vasquez | Mixed residential and commercial buildings | 57 Bruckner Boulevard | 1806 Bedford Avenue, Merrick, NY 11566 |
| 134 Street Holding Corp. | Unknown | Mixed residential and commercial buildings | 59 Bruckner Boulevard | 65 Bruckner Boulevard, Bronx, NY 10454 |
| MPM 61 LLC | Moshe Altmark | Mixed residential and commercial buildings | 61 Bruckner Boulevard | 2447 3 rd Avenue, Bronx, NY 10451 |
| MPM 63 LLC | Adi Altmark | Multi-family walk-up buildings | 63 Bruckner Boulevard | 360 Lexington Avenue, 12 th Floor, New York, NY 10017 |
| MPM 65 LLC | Adi Altmark | Mixed residential and commercial properties | 65 Bruckner Boulevard | 2447 Third Avenue, Bronx, NY 10451 |
| Creative Lifestyles | Unknown | Commercial and office buildings | 67 Bruckner Boulevard | 67 Bruckner Boulevard, Bronx, NY 10454 |
| MPM 67, LLC | Paul Esposito | Mixed residential and commercial buildings | 69 Bruckner Boulevard | 2447 Third Avenue, Bronx, NY 10451 |

Local News and Media:

| Owner/Entity Name | Type | Address | Phone | Website |
|-------------------|------------|---------------------------------------|--------------|---|
| Mott Haven Herald | Online | N/A | N/A | http://www.motthavenherald.com/ |
| Spectrum 1 News | Television | 75 Ninth Avenue New York, NY 10011 | 212-379-3311 | https://www.ny1.com/nyc/bronx |

Public Water Supply:

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

| Owner/Entity Name | Contact | Address | Phone | Email |
|--|-------------------------------------|---|--------------|--|
| NYCDEP | Vincent Sapienza - Commissioner | 59-17 Junction Blvd. Flushing, NY 11373 | 718-595-6565 | ltcp@dep.nyc.gov |
| NYC Municipal Water Finance Authority | Olga Chernat- Executive Director | 255 Greenwich Street 6th Floor New York, NY 10007 | 212-788-5889 | N/A |

Additional Requests:

We are unaware of any requests to be included on the contact list for the 40 Bruckner Boulevard Site.

School or Day Care located on or proximal to the site:

There are no schools or daycares located on the Site. The following schools or day care facilities are located within ½-mile radius to the site:

| School/Day Care Name | Approximate distance from Site in feet and (directional) | Administrator | Phone | Address |
|---|---|------------------|--------------|---|
| Bruckner Forever Young Social Adult Day Care | 299' (east) | N/A | 917-891-8753 | 80 Bruckner Boulevard, Bronx, NY 10454 |
| Learning through Play Pre-K Center | 528' (east) | N/A | 718-401-0510 | 105 Willis Ave, Bronx, NY 10454 |
| South Bronx Classical Charter School II | 1056' (northeast) | Ariel Amaya | 718-292-9526 | 333 E 135 th Street, Bronx, NY 10454 |
| Zeta Charter School Bronx 1 | 1056' (northeast) | Emily A. Kim | 929-376-9987 | 222 Alexander Avenue, Bronx, NY 10454 |
| Bronx Elementary School 43 | 2112' (east) | Rafael Alvarez | 718-292-4502 | 165 Brown Place, Bronx, NY 10454 |
| Mott Haven Academy Charter School | 2112' (east) | Jessica Nauiokas | 718-292-7015 | 170 Brown Place, Bronx, NY 10454 |
| New York City Montessori Charter School | 2640' (northeast) | N/A | 347-226-9094 | 423 E 138 th Street, Bronx, NY 10454 |
| Stars of Tomorrow Daycare Center Inc. | 2112' (north) | N/A | 917-473-6455 | 423 E 138 th Street, Bronx, NY 10454 |
| Amy's Family WeeCare | 2640' (east) | N/A | 646-956-4501 | 520 E 137 th Street, Bronx, NY 10454 |

Document Repository:

Bronx Community Board 1 and the Mott Haven Library were notified on 17 February 2021 via email

regarding utilizing their space as document repositories. Documentation of the outreach to Bronx Community Board 1 is attached below. Multiple attempts by phone and email were made to request confirmation. Documentation of the outreach and confirmation from Mott Haven Library is attached below. The repository information is detailed below:

| Owner/Entity Name | Contact | Address | Phone | Email |
|-------------------------|-------------------|--|--------------|--|
| Bronx Community Board 1 | Cedric Loftin | 3030 3 rd Avenue, Bronx, NY 10455 | 718-585-7117 | Brxcb1@optonline.net |
| Mott Haven Library | Kathleen Carrasco | 321 E 140 th Street, Bronx, NY 10454 | 718-665-4878 | kathleencarrasco@nypl.org |

Community Board:

| Owner/Entity Name | Contact | Address | Phone | Email |
|-------------------------|---------------|---|--------------|--|
| Bronx Community Board 1 | Cedric Loftin | 3030 3 rd Avenue, Bronx, NY 10455 | 718-585-7117 | Brxcb1@optonline.net |



36 Bruckner Boulevard
Block 2308 Lot 18
Industrial and
manufacturing
Owner: 36 Bruckner
Associates

Multiple Owners
Mixed residential and
commercial buildings

26 Bruckner Boulevard
Block 2308 Lot 15
Commercial and office
buildings
Owner: 26 Bruckner LLC.

BLOCK 2295
LOT 51



70 Bruckner Boulevard
Block 2295 Lot 67
Multi-family elevator
buildings
Owner: 70 Bruckner
Housing Development
Fund Co. Inc.

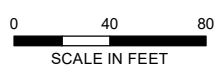
East 132nd Street
Block 2260 Lot 62
Miscellaneous
Owner: Con Edison

329 E 132nd Street
Block 2295 Lot 40
Multi-family elevator
buildings
Owner: 329 East 132nd
Street JV LLC.

GIS FILE PATH: C:\ajasppe\Projects\0200734\Maps\2021_01\0200734_001_0002_SITE_PLAN.mxd — USER: ajasppe — LAST SAVED: 1/28/2021 9:30:57 PM

LEGEND

-  APPROXIMATE SITE BOUNDARY
-  TAX PARCEL BOUNDARY



NOTES

1. PARCEL DATA SOURCE: NY GIS CLEARINGHOUSE
2. AERIAL IMAGERY SOURCE: ESRI

**HALEY
ALDRICH**

40 BRUCKNER BOULEVARD
BRONX, NEW YORK

ADJACENT SITE INFORMATION

JANUARY 2021

FIGURE 6

Request to Bronx Community Board 1 to Act as Document Repository

Commisso, Sarah

From: Commisso, Sarah
Sent: Tuesday, February 23, 2021 1:39 PM
To: brxcb1@optonline.net
Cc: Conlon, Mari; Bellew, James
Subject: RE: NYSDEC Brownfield Cleanup Program- Document Repository Request- 40 Bruckner Boulevard
Attachments: 2021-0217-HANY-40 Bruckner Blvd- CB1 Repository Letter.pdf

Good afternoon,

I wanted to follow up on the previous email I sent regarding the use of the Bronx Community Board 1 as a document repository during the investigation and remediation of the property located at 40 Bruckner Boulevard, Bronx, NY.

Attached please see the letter indicating that the Bronx Community Board 1 would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,
Sarah

Sarah Commisso
Geologist

Haley & Aldrich, Inc.
237 West 35th Street, 16th Floor
New York, NY 10123
T: (646) 277-5693
C: (516) 317-9861
www.haleyaldrich.com

From: Commisso, Sarah
Sent: Wednesday, February 17, 2021 1:06 PM
To: brxcb1@optonline.net
Cc: Conlon, Mari <MConlon@haleyaldrich.com>; Bellew, James <JBellew@haleyaldrich.com>
Subject: NYSDEC Brownfield Cleanup Program- Document Repository Request- 40 Bruckner Boulevard

Good afternoon,

Haley & Aldrich of New York is formally requesting permission to include the Bronx Community Board 1 as a document repository during the investigation and remediation of the property located at 140 Bruckner Boulevard, Bronx, NY. It is anticipated that over the course of the next 1-2 years several documents (electronic version on CD) related to the environmental investigation and remediation will be delivered to the Community Board. The proposed investigation and remediation will be done in coordination with the New York State Department of Environmental Conservation.

Upon delivery it is requested that these documents be made available for public review. If hard copies are a preferred alternative to CD please advise. Kindly respond if the Bronx Community Board 1 is amenable to be utilized as a repository for these documents.

Attached please see the letter indication that the Bronx Community Board 1 would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,
Sarah

Sarah Commisso
Geologist

Haley & Aldrich, Inc.
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**Acknowledgement From Mott Haven Library Agreeing to Act as
Document Repository**

Commisso, Sarah

From: Kathleen Carrasco <kathleencarrasco@nypl.org>
Sent: Thursday, February 18, 2021 11:08 AM
To: Commisso, Sarah
Cc: Conlon, Mari; Bellew, James
Subject: Re: NYSDEC Brownfield Cleanup Program- Document Repository Request- 40 Bruckner Boulevard

CAUTION: External Email

Good morning Sarah,

Thank you for your email requesting to utilize the Mott Haven Library as a document repository. The Mott Haven is temporarily closed. The library would gladly accept the documents as electronic links. These links can be uploaded to our Community Information page on our branch website. It is environmentally friendly and will provide wider access to information for the community, especially during these times.

Please let me know if this would work.

Thanks,
Kathleen

On Wed, Feb 17, 2021 at 1:11 PM Commisso, Sarah <SCommisso@haleyaldrich.com> wrote:

Good afternoon,

Haley & Aldrich of New York is formally requesting permission to include the Mott Haven Library as a document repository during the investigation and remediation of the property located at 40 Bruckner Boulevard, Bronx, NY. It is anticipated that over the course of the next 1-2 years several documents (electronic version on CD) related to the environmental investigation and remediation will be delivered to the Mott Haven Library. The proposed investigation and remediation will be done in coordination with the New York State Department of Environmental Conservation.

Upon delivery it is requested that these documents be made available for public review. If hard copies are a preferred alternative to CD please advise. Kindly respond if the Mott Haven Library is amenable to be utilized as a repository for these documents.

Attached please see the letter indicating that the Mott Haven Library would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,

Sarah

Sarah Commisso

Geologist

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Kathleen Carrasco

Associate Director for the Central Bronx Neighborhood Libraries

Bronx Library Center

The New York Public Library

310 East Kingsbridge Road, Bronx, NY 10458

718.579.4240 | x24240

nypl.org

ATTACHMENT I

Section X: LAND USE FACTORS

Section X – LAND USE FACTORS

The Site, which is currently vacant as of 2020, was historically used for industrial and auto related purposes. Site buildings include a one-story warehouse, a three-story former commercial use building, a one-story building formerly used as a tire repair shop, and an unpaved material storage and parking area. Known contamination at the Site has likely been caused by former Site use.

While proposed development plans are conceptual at this time, the anticipated project will consist of a 12-story residential building with a one-level cellar encompassing the entire Site footprint and extending approximately 20 ft below current grade.

The Site is currently zoned as manufacturing and residential district M1-5/R8A. The proposed use is conforming to the current zoning laws. The zoning map is included below.





ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows the R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT
-  SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area identifies the special purpose district as described in the text of the Zoning Resolution.
-  AREA(S) REZONED

Effective Date(s) of Rezoning:

06-26-2019 C 190207 ZMX

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

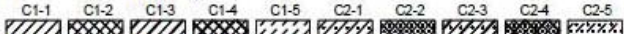
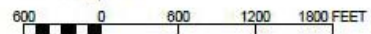
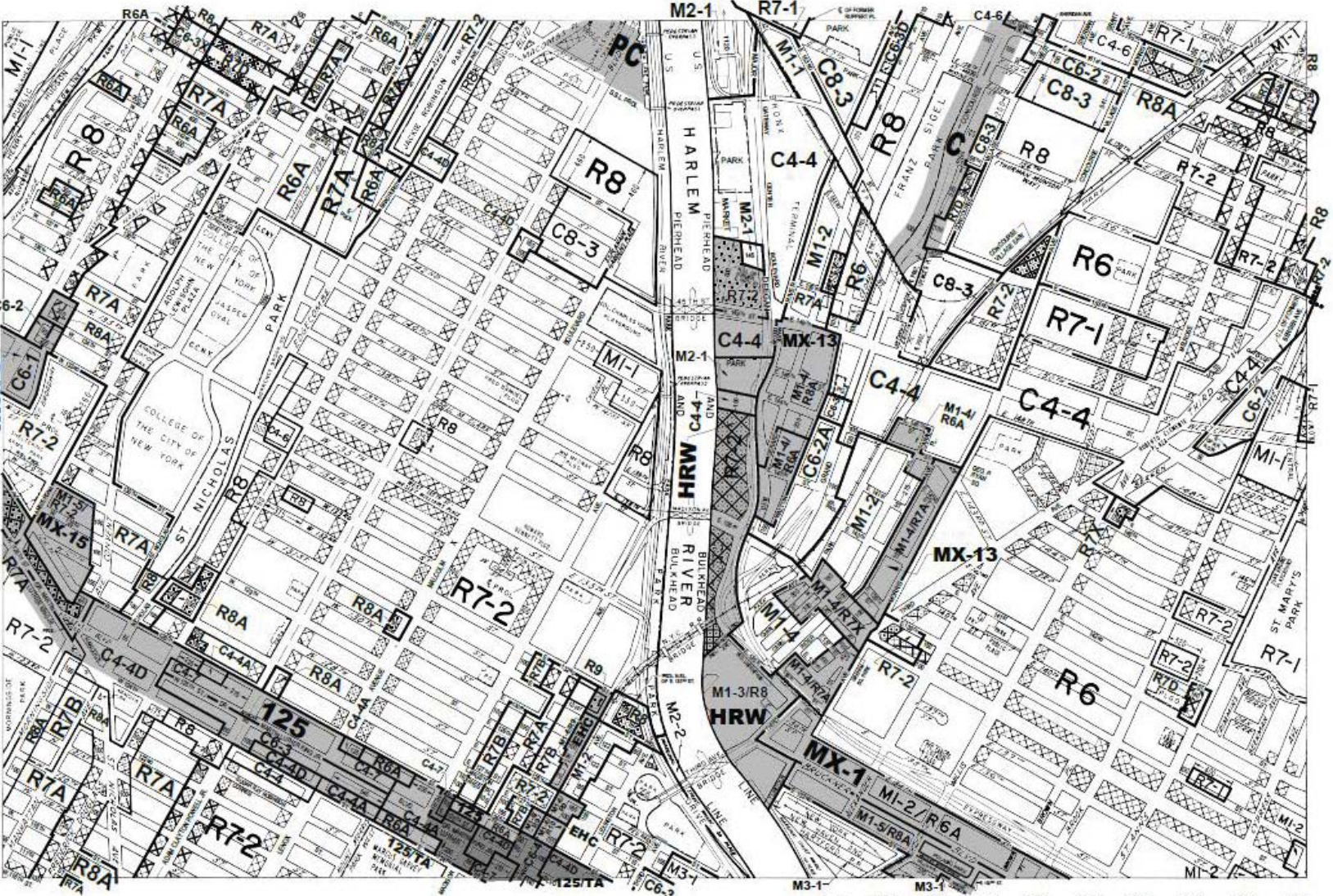
For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

MAP KEY

| | | |
|----|-----------|----|
| | 3b | 3d |
| 5c | 6a | 6c |
| 5d | 6b | 6d |

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ZONING MAP 6a



NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

ATTACHMENT J

Supplemental Questions Section: SITES SEEKING TANGIBLE PROPERTY CREDITS IN NYC

Census Tract 19

Census Tract 19

| Census Tract 19 | |
|-----------------|-----------------|
| EnZoneType A | |
| FIPS | 36005001900 |
| County_FIP | 36005 |
| Geography | Census Tract 19 |
| County | Bronx County |
| UnempRate | 18.5 |
| NYS_UR | 11.5 |
| Pov_Rate | 42.8 |
| CountyPR | 29.8 |
| CountyRate | 59.6 |
| Criteria_B | |
| Both_AB | |
| Criteria_A | Y |
| Type | YA |

