



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 11*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME 261 Grand Concourse LLC

ADDRESS 1449 37th Street, Suite 216

CITY/TOWN Brooklyn, NY

ZIP CODE 11218

PHONE (718) 977-5666

FAX (718) 977-5665

E-MAIL jveiner@beitel.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. **SEE ATTACHMENT A**

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

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 that the site requires remediation and 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). Please do not submit paper copies of supporting documents.**

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

| Contaminant Category | Soil | Groundwater | Soil Gas |
|----------------------|------|-------------|----------|
| Petroleum | | | |
| Chlorinated Solvents | | | |
| Other VOCs | | | |
| SVOCs | X | | |
| Metals | | | |
| Pesticides | | | |
| PCBs | | | |
| Other* | | | |

*Please describe: _____

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

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

SEE ATTACHMENT C

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

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

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

Other: SEE ATTACHMENT C

| Section IV. Property Information - See Instructions for Further Guidance | | | | |
|--|-------------|--|---------|---------|
| PROPOSED SITE NAME Copyrite Plastic Sheets | | | | |
| ADDRESS/LOCATION 261 Grand Concourse | | | | |
| CITY/TOWN Bronx | | ZIP CODE 10451 | | |
| MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Bronx | | | | |
| COUNTY Bronx | | SITE SIZE (ACRES) 0.235 | | |
| LATITUDE (degrees/minutes/seconds) 40 ° 48 ' 49.66 " | | LONGITUDE (degrees/minutes/seconds) 73 ° 55 ' 48.54 " | | |
| 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 |
| 261 Grand Concourse | N/A | 2344 | 1 | 0.235 |
| | | | | |
| 1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site. | | | | |
| 2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map) | | | | |
| 3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <div style="text-align: right; margin-right: 50px;">If yes, identify census tract : 63</div> <div style="margin-top: 10px;"> Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100% </div> | | | | |
| 4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____ | | | | |
| 5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | |
| 6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation. | | | | |
| 7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map. | | | | |

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information) N/A

Type

Issuing Agency

Description

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? **SEE ATTACHMENT D**

☒ 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: M.B. _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

| Section V. Additional Requestor Information See Instructions for Further Guidance | | DEC USE ONLY | |
|--|--------------------|-----------------------------------|--|
| BCP SITE NAME: _____ | | BCP SITE #: _____ | |
| NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Mordy Beitel | | | |
| ADDRESS 1449 37th Street, #216 | | | |
| CITY/TOWN Brooklyn, NY | | ZIP CODE 11218 | |
| PHONE (718) 977-5666 | FAX (718) 977-5665 | E-MAIL jveiner@beitel.com | |
| NAME OF REQUESTOR'S CONSULTANT Ezgi Karayel/Vektor Consultants | | | |
| ADDRESS 37 West 37th Street, 6th Floor | | | |
| CITY/TOWN New York, New York | | ZIP CODE 10018 | |
| PHONE (347) 871-0750 | FAX (347) 402-7735 | E-MAIL ezgi@vektorconsultants.com | |
| NAME OF REQUESTOR'S ATTORNEY Jon Brooks/Freeborn & Peters LLP | | | |
| ADDRESS 1155 Avenue of the Americas | | | |
| CITY/TOWN New York, NY | | ZIP CODE 10036 | |
| PHONE (646) 993-4456 | FAX | E-MAIL jbrooks@freeborn.com | |
| Section VI. Current Property Owner/Operator Information – if not a Requestor SEE ATTACHMENT E | | | |
| CURRENT OWNER'S NAME Same as Requestor | | OWNERSHIP START DATE: 2020 | |
| ADDRESS | | | |
| CITY/TOWN | | ZIP CODE | |
| PHONE | FAX | E-MAIL | |
| 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". | | | |
| IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER. | | | |
| Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407) SEE ATTACHMENT F | | | |
| If answering "yes" to any of the following questions, please provide an explanation as an attachment. | | | |
| 1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

☐ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information SEE ATTACHMENT G

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? C6-2A

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

SEE ATTACHMENT H

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

☒ Yes ☐ No

SEE ATTACHMENT H

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

SEE ATTACHMENT H

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 Authorized Signatory (title) of 261 Grand Concourse 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: 08/10/2021

Signature: _____

Print Name: Mordy Beitel

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

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 11

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

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

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

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

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

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name: Copyrite Plastic Sheets

City: Bronx

Site Address: 261 Grand Concourse

County: Bronx

Zip: 10451

Tax Block & Lot

Section (if applicable): N/A

Block: 2344

Lot: 1

Requestor Name: 261 Grand Concourse LLC

City: Brooklyn, NY

Requestor Address: 1449 37th Street, Suite 216

Zip: 11218

Email: jveiner@beitel.com

Requestor's Representative (for billing purposes)

Name: Mordy Beitel

Address: 1449 37th Street, #216

City: Brooklyn, NY

Zip: 11218

Email: jveiner@beitel.com

Requestor's Attorney

Name: Jon Brooks/Freeborn & Peters LLP **Address:** 1155 Avenue of the Americas

City: New York, NY

Zip: 10036

Email: jbrooks@freeborn.com

Requestor's Consultant

Name: Ezgi Karayel/Vektor Consultants **Address:** 37 West 37th Street, 6th Floor

City: New York, New York

Zip: 10018

Email: ezgi@vektorconsultants.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:

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

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 in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **If this 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, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

FIGURES

vEktor consultants

t: +1.347.871.0750
f: +1.347.402.7735
e: info@vektorconsultants.com
www.vektorconsultants.com

Legend:

□ Approximate Site Location

Base Map provided by Environmental Data Resources - United Geological Survey 7.5 Minute Series Central Park Quadrangle 2013

Scale:

Figure No. 1

Figure Name: Site Location Map

Report: BCP Application

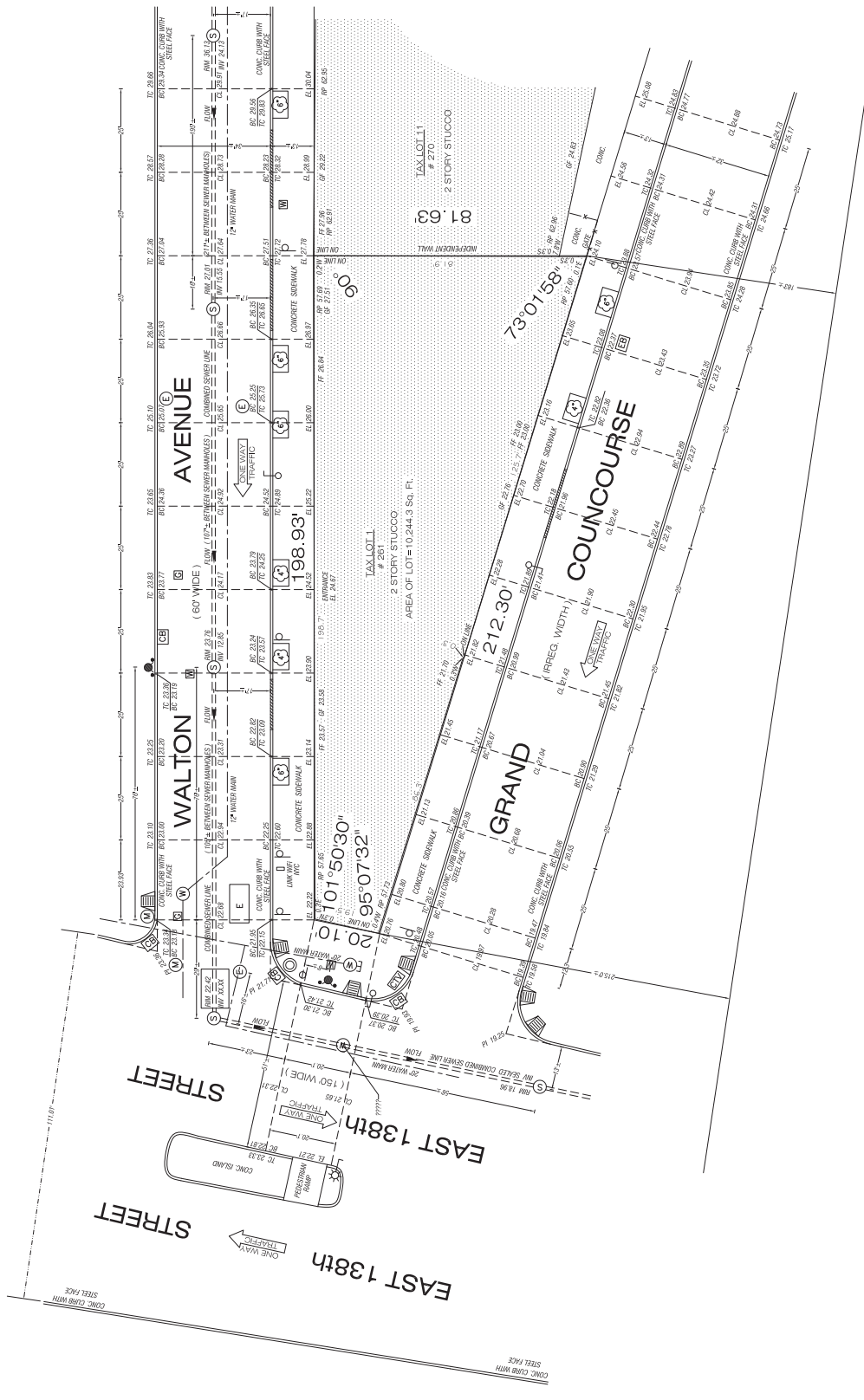
Date: 08/12/21

Drawn By: EK

Site Address: 261 Grand Concourse
Bronx, New York



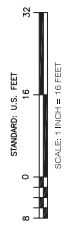
| LEGEND | |
|--------|------------------------|
| FF | FIRST FLOOR ELEVATION |
| GF | GARAGE FLOOR ELEVATION |
| RF | ROOF PARAPET ELEVATION |
| TC | TOP OF CURB |
| BC | BOTTOM OF CURB |
| CL | CENTERLINE |
| EL | ELEVATION |
| TM | TOP OF WALL |
| BM | BOTTOM OF WALL |
| CONC | CONCRETE |
| INV | INVERT ELEVATION |
| PI | POINT OF INTERSECTION |
| CS | CELLAR STEPS |
| E | ELECTRIC MANHOLE |
| M | WATER MANHOLE |
| S | SEWER MANHOLE |
| U | UTILITY POLE |
| Q | UNKNOWN MANHOLE |
| W | CEILING OUT |
| W | WATER VALVE |
| CB | GAS VALVE |
| CB | CATCH BASIN |
| EB | ELECTRIC BOX |
| EV | CABLE BOX |
| LP | LIGHT POLE |
| ST | STREET SIGN |
| TL | TRAFFIC LIGHT |
| HY | HYDRANT |
| PR | PEDESTRIAN RAMP |
| TS | TREE & SIZE |
| RF | ROOF FENCE |
| CL | CHALK LINE EVIDENCE |



MAP OF SURVEY OF PROPERTY
IN THE BOROUGH AND COUNTY OF BROOKLYN
CITY AND COUNTY OF NEW YORK
TAX MAP BLOCK 264, LOT 1

**CITY
MAPPING, INC.**
130-34 120th STREET
JAMAICA, NY 11435
TEL: 718-550-7100
email: citymapping@yahoo.com

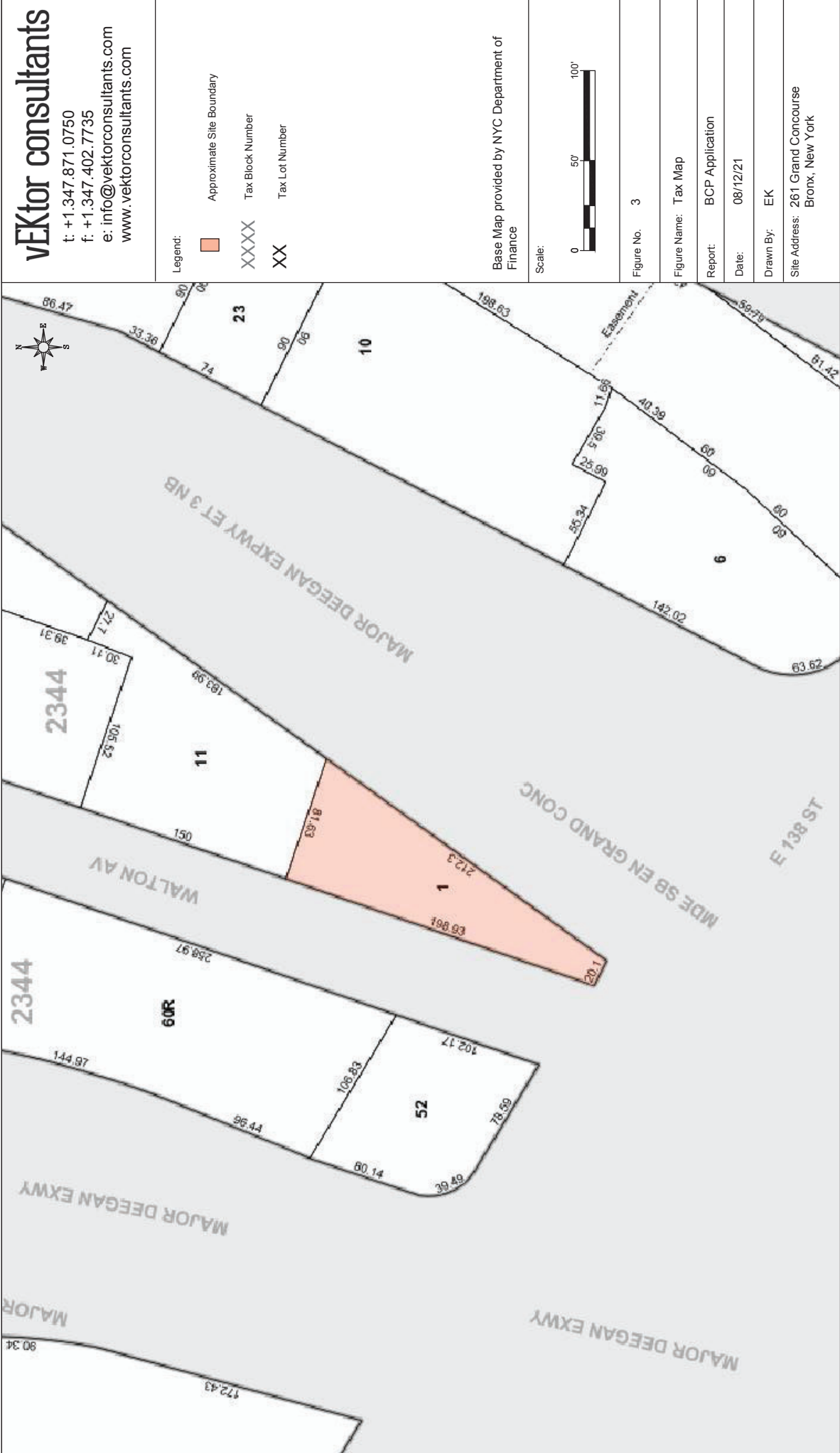
VINCENT TUDONCO, L.S.
NEW YORK LICENSE 000037



| GENERAL NOTES: | |
|----------------|---|
| 1. | This survey was prepared only for the party (ies) and purpose indicated herein. |
| 2. | Confirmations of this survey may be obtained from the City of New York, Department of City Planning, or the City of New York, Department of City Planning, or the City of New York, Department of City Planning. |
| 3. | Level 2: Confirmations of this survey may be obtained from the City of New York, Department of City Planning, or the City of New York, Department of City Planning, or the City of New York, Department of City Planning. |
| 4. | The location and nature of underground structures, internal walls and improvements or other features shown on this survey are shown as they appear on the survey. |
| 5. | Estimates of measurement are shown as they appear on the survey. |
| 6. | This is to certify that there are no interests nor relative water courses on the property except as shown. |
| 7. | Elevations refer to MSLD 1988 datum. |

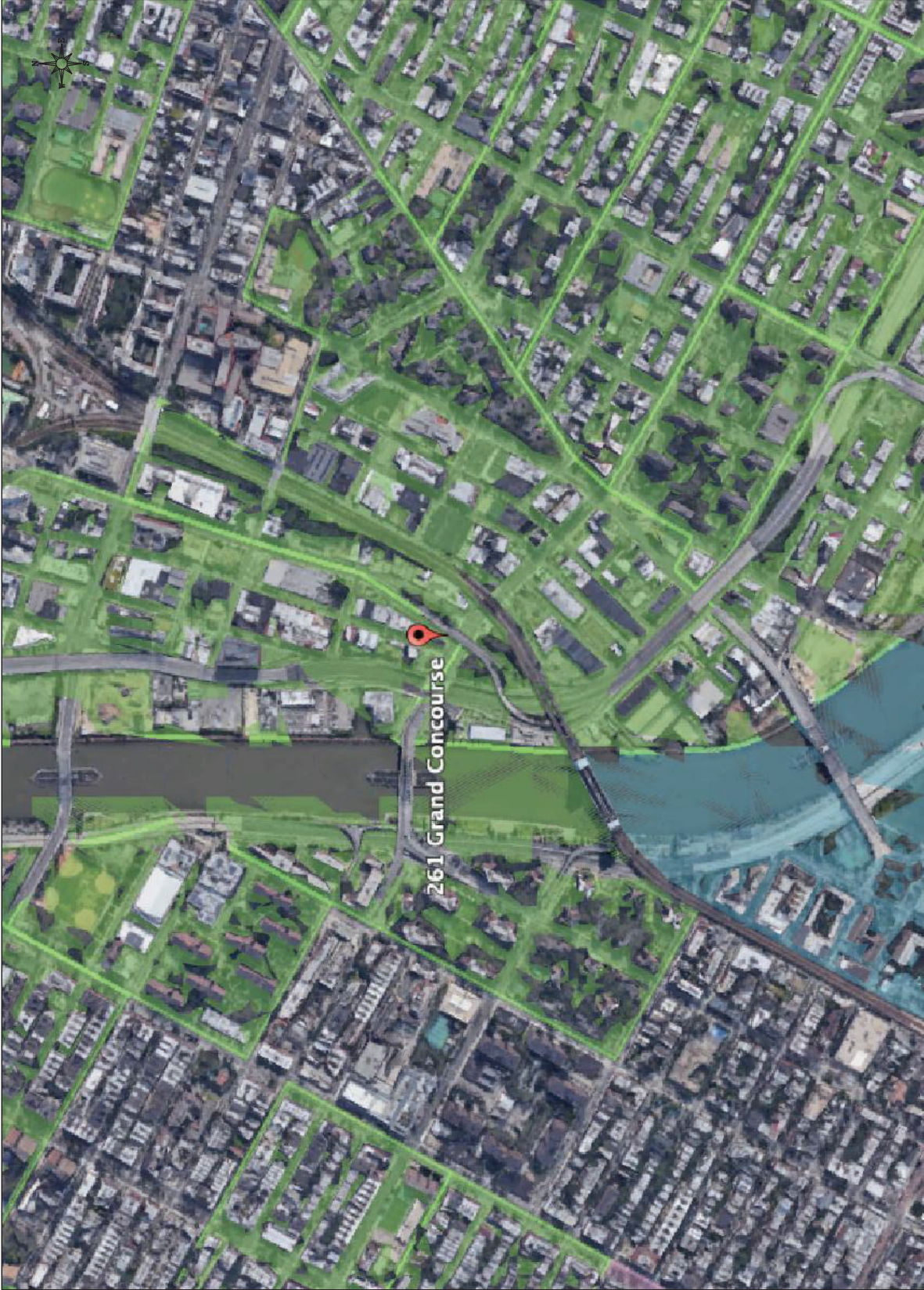
| DATE | BY | DATE | BY |
|------------|----------|------------|------|
| 02-21-2021 | V.B.B./J | 02-24-2021 | A.K. |
| SURVEYED | | DRAWN | |

| CITY | ARCHITECTURAL SURVEY |
|------------|----------------------|
| 02-21-2021 | ARCHITECTURAL SURVEY |



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Legend:



CRITERIA A "POVERTY RATE OF AT
LEAST 20% AND UNEMPLOYMENT RATE
OF AT LEAST 125% OF THE STATEWIDE
UNEMPLOYMENT RATE"



CRITERIA B "POVERTY RATE OF AT
LEAST TWO TIMES THE POVERTY RATE
FOR THE COUNTRY"

Base map provided by NYS Department of Labor,
and made available by the NYSEDEC Division of
Environmental Remediation

Scale:

No to Scale

Figure No. 4

Figure Name: Environmental Zone Map

Report: BCP Application

Date: 07/26/21

Drawn By: EK

Site Address: 261 Grand Concourse
Bronx, New York

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www.vektorconsultants.com

Legend:
 Approximate Site Location

Base map provided by NYC Planning

Scale:



Figure No. 6

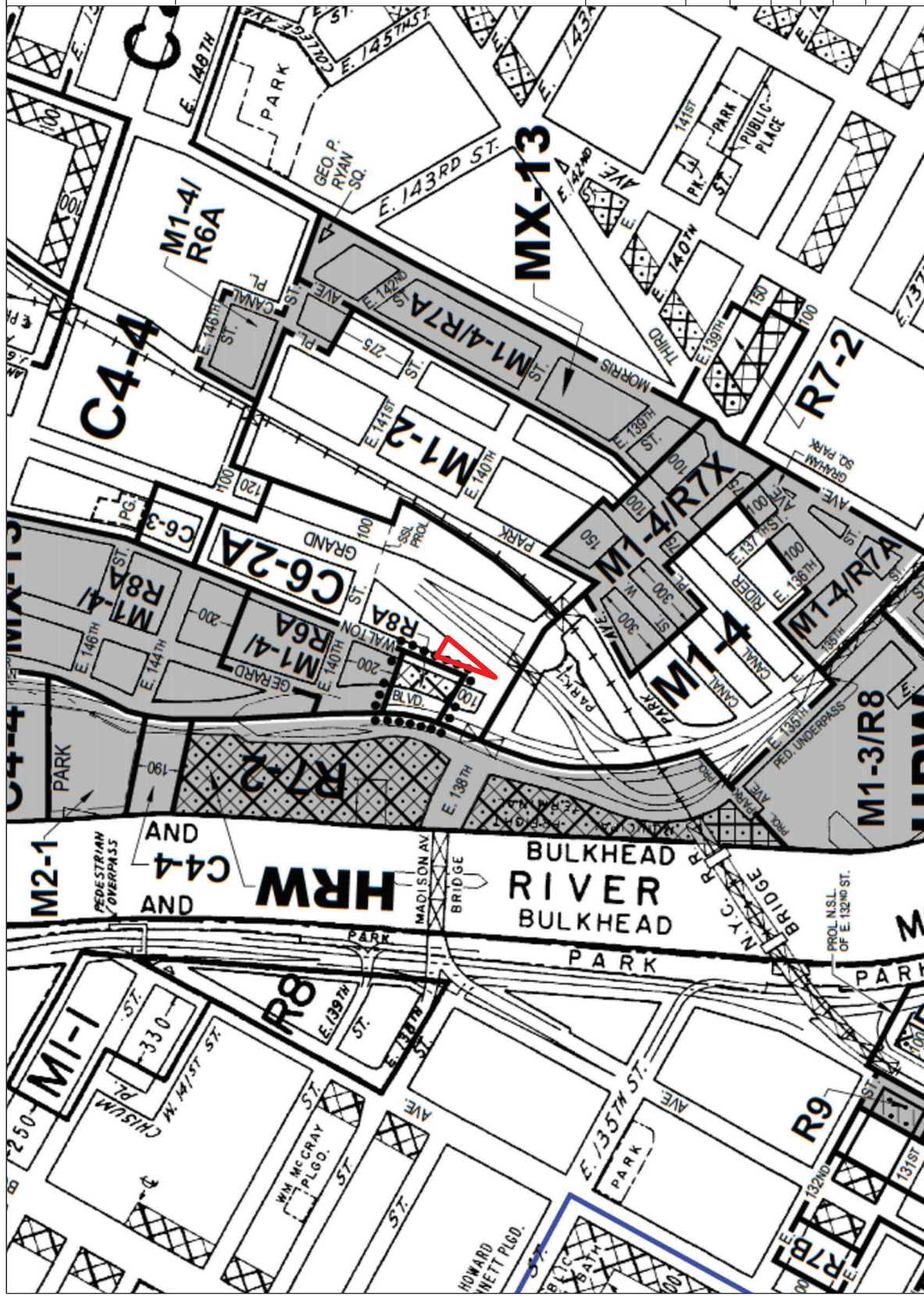
Figure Name: Surrounding Area Use

Report: BCP Application

Date: 08/12/21

Drawn By: EK

Site Address: 261 Grand Concourse
Bronx, New York





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f: +1.347.402.7735
e: info@vektorconsultants.com
www.vektorconsultants.com

Legend:

- Site Boundary
- Soil Boring Location and Designated ID (2019 GEM INVESTIGATION)
- W-X

Notes:

- All feature locations are approximate
- UUSCO: Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs)
- RRUSCOs: Part 375 Restricted Residential Use SCOs
- Green shaded values are detected concentrations above UUSCOs
- Orange shaded values are detected concentrations above RRUSCOs
- NE: No Exceedance
- ND: Non-Detect
- All concentrations are reported in mg/kg
- Six soil samples: W2, W7, W8, W9, W12, and W14 were analyzed for VOCs and SVOCs

Scale:



Figure No. 7

Figure Name: Soil Exceedances

Report: BCP Application

Date: 08/12/21

Drawn By: EK

Site Address: 261 Grand Concourse
Bronx, New York



| | |
|---------------|------------|
| Sample ID | W-8 |
| Sample Depth | 4' |
| Sampling Date | 11/25/2019 |
| VOCs | ND |
| SVOCs | NE |

| | |
|------------------------|------------|
| Sample ID | W-12 |
| Sample Depth | 5' |
| Sampling Date | 11/26/2019 |
| VOCs | ND |
| Benzo(a)anthracene | 1.3 |
| Benzo(a)pyrene | 1.3 |
| Benzo(b)fluoranthene | 1.1 |
| Benzo(k)fluoranthene | 0.99 |
| Chrysene | 1.3 |
| Indeno(1,2,3-cd)pyrene | 0.78 |

| Compounds | UUSCOs | RRUSCOs |
|------------------------|--------|---------|
| Benzo(a)anthracene | 1 | 1 |
| Benzo(a)pyrene | 1 | 1 |
| Benzo(b)fluoranthene | 1 | 1 |
| Benzo(k)fluoranthene | 0.8 | 3.9 |
| Chrysene | 1 | 3.9 |
| Dibenzo(a,h)anthracene | 0.33 | 0.33 |
| Indeno(1,2,3-cd)pyrene | 0.5 | 0.5 |

BROWNFIELD CLEANUP PROGRAM APPLICATION **SUPPORTING DOCUMENTS**

261 Grand Concourse
Bronx, New York 10451
Block: 2344, Lot:1
Copyrite Plastic Sheets
BCP #C203151

Submitted to:

New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, New York 12233-7020

Prepared for:

261 Grand Concourse LLC
1449 37th Street, Suite 216
Brooklyn, New York 11218

Prepared by:

Vektor Consultants, LLC
37 West 37th Street, 6th Floor
New York, New York 10018

The following figures are included as part of this submittal:

Figure 1- Site Location

Figure 2- Site Survey

Figure 3- Tax Map

Figure 4- En-Zone Boundary Map

Figure 5- Surrounding Land Use and Ownership

Figure 6- Zoning Map

Figure 7- Soil Sample Results showing Restricted Residential Use SCO Exceedances

ATTACHMENT A**SECTION I. REQUESTOR INFORMATION**

The requestor is 261 Grand Concourse LLC and is authorized to conduct business in New York State.

The requestor is a Limited Liability Company (LLC), and the Sole Member of the LLC is Binyamin Beitel, Chief Executive Officer of Beitel Group.

| Requestor/Applicant | Members | Contact Information |
|----------------------------|------------------------|--|
| 261 Grand Concourse LLC | Binyamin Beitel (100%) | 1449 37 th Street, Suite 216 Brooklyn, NY 11218 t: (718) 977-5666 f: (718) 977-5665 email: jveiner@beitel.com |

A copy of the entity information obtained from the New York State Department of State Division of Corporations online database is included in Attachment A.

All documents will be certified in accordance with Section 1.5 of DER-10.

Department of State Division of Corporations

Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details

**ENTITY NAME:**

261 GRAND CONCOURSE LLC

FOREIGN LEGAL NAME:**ENTITY TYPE:**

DOMESTIC LIMITED LIABILITY COMPANY

SECTION OF LAW:

203 LLC - LIMITED LIABILITY COMPANY LAW

DATE OF INITIAL DOS FILING:

03/06/2020

EFFECTIVE DATE INITIAL FILING:

03/06/2020

FOREIGN FORMATION DATE:**COUNTY:**

Albany

JURISDICTION:

New York, United States

DOS ID:

5723246

FICTITIOUS NAME:**DURATION DATE/LATEST DATE OF DISSOLUTION:****ENTITY STATUS:**

Active

REASON FOR STATUS:**INACTIVE DATE:****STATEMENT STATUS:**

CURRENT

NEXT STATEMENT DUE DATE:

03/31/2022

NFP CATEGORY:[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: 261 GRAND CONCOURSE LLC

Address: 1449 37TH STREET SUITE 216, BROOKLYN, NY, United States, 11218

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

Share Value

Number Of Shares

Value Per Share

ATTACHMENT B**SECTION II. PROJECT DESCRIPTION****1. Project Stage**

The applicant is seeking to enter the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (NYSDEC) at the investigation stage for the approximately 10,242-square foot parcel located at 261 Grand Concourse, Bronx, New York. The Site is identified by the City of New York as Borough of Bronx, Block 2344 and Lot 1.

2. Remedial Investigation Report

A Remedial Investigation Report (RIR) has not been prepared for the Site; however, a Limited Subsurface Soil Investigation Report was prepared by Gallinger Environmental Management Corp. (GEM) in December 2019, and data associated with soil sampling is provided in support of this application. The findings of the soil investigation are discussed in Section III.

3. Project Description and Schedule

Foundation and redevelopment plans are still in the early stages. However, the proposed redevelopment includes demolition of the existing two-story building and construction of a new 12-story residential building. The entire footprint of the Site is located in an En-Zone (part of the Bronx Census Tract 63), and entry into the BCP would facilitate the remediation and redevelopment into a new residential project. According to the American Community Survey, approximately 28.9% of the population in Census Tract 63, Bronx County are living below the poverty level. The new building will include 96 dwelling units, of which some will be affordable housing units based on area median income (AMI). The proposed building will cover the entire footprint of the tax parcel.

In order to take advantage of the 421a tax abatement benefit, a change of use application is planned to be submitted upon execution of the Brownfield Cleanup Agreement (BCA).

The remedial program is planned to begin in May 2022 and the Certificate of Completion is anticipated to be obtained in November 2023. Preliminary drawings and an estimated project schedule are included in Attachment B.

261 GRAND CONCOURSE

BRONX, NY 10451

PROPOSED 12 STORY RESIDENTIAL NEW BUILDING

96 DWELLING UNITS



RELATED APPLICATIONS

| # | WORK TYPE | APPLICATION # | DOCUMENT # |
|----|-----------|------------------------|------------|
| 1 | ST | STRUCTURAL | 03 |
| 2 | MH | MECHANICAL | 03 |
| 3 | PL | PLUMBING | 03 |
| 4 | SP | SPRINKLER | 04 |
| 5 | EL | ELECTRICAL | 01 |
| 6 | DN | DRAINAGE | 01 |
| 7 | BPP | BUILDERS PAVEMENT PLAN | 01 |
| 8 | FE | STREET TREE | - |
| 9 | FR | FENCE | 01 |
| 10 | CC | CONCRETE | 01 |
| 11 | CC | SITE CONNECTION | 01 |
| 12 | EL | ELEVATOR | 01 |
| 13 | SH | SHED | 01 |
| 14 | PP | PERMIT RECORD | 01 |
| 15 | PP | STANDPIPE | - |
| 16 | SD | PUBLIC ASSEMBLY | - |
| 17 | PA | PERMIT & FOUNDATION | - |
| 18 | FO | FO | 0 |

ARCHITECT:



S. WIEDER ARCHITECT P.C.
261 GRAND CONCOURSE LLC
BROOKLYN, NY 11216
TEL: 718-399-5201
LIC# 006851

STRUCTURAL ENGINEER:

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MVP ENGINEER

MINIMAGES ENGINEERING
100 WEST 10TH STREET
NEW YORK, NY 10017
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E: TRAUAM@BACORP.NET

CLIENT:

BIFTEL GROUP
261 GRAND CONCOURSE LLC
BROOKLYN, NY 11216
BROOKLYN, N.Y. 11216

| SHEET LIST | | | | SHEET LIST | | | |
|--------------|---------------|------------|------------------------------|--------------|---------------|------------|-------|
| SHEET NUMBER | REVISION DATE | SHEET NAME | ISSUE | SHEET NUMBER | REVISION DATE | SHEET NAME | ISSUE |
| 1-300 | | | | 1-300 | | | |
| 1 | 1-300 | 0 | TITLESHEET | 07/18/2021 | DOB FLNG | | |
| 2-300 | | | | 2-300 | | | |
| 2 | 2-300 | 0 | ZONING ANALYSIS | 07/18/2021 | DOB FLNG | | |
| 3 | 2-301 | 0 | ZONING ANALYSIS | 07/18/2021 | DOB FLNG | | |
| 4 | 2-302 | 0 | ZONING ANALYSIS | 07/18/2021 | DOB FLNG | | |
| 5 | 2-303 | 0 | ZONING DIAGRAM | 07/18/2021 | DOB FLNG | | |
| 6 | 2-304 | 0 | ZONING MAP & SURVEY | 07/18/2021 | DOB FLNG | | |
| 7 | 2-305 | 0 | ZONING CIRCLES AREA PLANS | 07/18/2021 | DOB FLNG | | |
| 8 | 2-306 | 0 | ZONING CIRCLES AREA PLANS | 07/18/2021 | DOB FLNG | | |
| 9 | 2-307 | 0 | ZONING CIRCLES AREA PLANS | 07/18/2021 | DOB FLNG | | |
| 10 | 2-308 | 0 | ZONING FLOOR AREA REDUCTIONS | 07/18/2021 | DOB FLNG | | |
| 11 | 2-309 | 0 | ZONING FLOOR AREA REDUCTIONS | 07/18/2021 | DOB FLNG | | |
| 12 | 2-310 | 0 | ZONING FLOOR AREA REDUCTIONS | 07/18/2021 | DOB FLNG | | |
| 13 | 2-311 | 0 | ZONING FLOOR AREA REDUCTIONS | 07/18/2021 | DOB FLNG | | |
| 14 | 2-312 | 0 | SITE IMAGES | 07/18/2021 | DOB FLNG | | |
| 15 | 2-313 | 0 | HIGH RISE BUILDING ANALYSIS | 07/18/2021 | DOB FLNG | | |
| 16-300 | | | | 16-300 | | | |
| 16 | G-300 | 0 | GENERAL NOTES | 07/18/2021 | DOB FLNG | | |
| 17 | G-301 | 0 | GENERAL NOTES | 07/18/2021 | DOB FLNG | | |
| 18 | G-302 | 0 | GENERAL NOTES | 07/18/2021 | DOB FLNG | | |
| 19 | G-303 | 0 | GENERAL NOTES | 07/18/2021 | DOB FLNG | | |
| 20 | G-304 | 0 | GENERAL NOTES | 07/18/2021 | DOB FLNG | | |
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| 22 | G-306 | 0 | LIFE SAFETY PLANS | 07/18/2021 | DOB FLNG | | |
| 23 | G-307 | 0 | LIFE SAFETY PLANS | 07/18/2021 | DOB FLNG | | |
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| 38 | A-312 | 0 | 13TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 39 | A-313 | 0 | 14TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 42 | A-316 | 0 | 17TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 44 | A-318 | 0 | 19TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 45 | A-319 | 0 | 20TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 46 | A-320 | 0 | 21ST FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 47 | A-321 | 0 | 22ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 48 | A-322 | 0 | 23RD FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 49 | A-323 | 0 | 24TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 55 | A-329 | 0 | 30TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 56 | A-330 | 0 | 31ST FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 57 | A-331 | 0 | 32ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 59 | A-333 | 0 | 34TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 60 | A-334 | 0 | 35TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 61 | A-335 | 0 | 36TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 62 | A-336 | 0 | 37TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 63 | A-337 | 0 | 38TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 65 | A-339 | 0 | 40TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 67 | A-341 | 0 | 42ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 68 | A-342 | 0 | 43RD FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 84 | A-358 | 0 | 59TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 85 | A-359 | 0 | 60TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 87 | A-361 | 0 | 62ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 91 | A-365 | 0 | 66TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 92 | A-366 | 0 | 67TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 93 | A-367 | 0 | 68TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 94 | A-368 | 0 | 69TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 95 | A-369 | 0 | 70TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 96 | A-370 | 0 | 71ST FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 97 | A-371 | 0 | 72ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 98 | A-372 | 0 | 73RD FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 99 | A-373 | 0 | 74TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 117 | A-391 | 0 | 92ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 118 | A-392 | 0 | 93RD FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 119 | A-393 | 0 | 94TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 120 | A-394 | 0 | 95TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 139 | A-413 | 0 | 114TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 141 | A-415 | 0 | 116TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 143 | A-417 | 0 | 118TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 145 | A-419 | 0 | 120TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 149 | A-423 | 0 | 124TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 150 | A-424 | 0 | 125TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 151 | A-425 | 0 | 126TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 157 | A-431 | 0 | 132ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 158 | A-432 | 0 | 133RD FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 159 | A-433 | 0 | 134TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 160 | A-434 | 0 | 135TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 161 | A-435 | 0 | 136TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 162 | A-436 | 0 | 137TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 163 | A-437 | 0 | 138TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 164 | A-438 | 0 | 139TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 165 | A-439 | 0 | 140TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 166 | A-440 | 0 | 141ST FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 167 | A-441 | 0 | 142ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 168 | A-442 | 0 | 143RD FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
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| 172 | A-446 | 0 | 147TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 173 | A-447 | 0 | 148TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 174 | A-448 | 0 | 149TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 175 | A-449 | 0 | 150TH FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 176 | A-450 | 0 | 151ST FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 177 | A-451 | 0 | 152ND FLOOR PLAN | 07/18/2021 | DOB FLNG | | |
| 17 | | | | | | | |

WALTON AVENUE
60' WIDE (NARROW STREET)

EAST 138TH STREET
150' WIDE (WIDE STREET)

GRAND CONCOURSE
>110' WIDE (WIDE STREET)

1 2ND FLOOR PLAN

SCALE: 1/8"

FLOOR LEGEND
MATERIAL + SYMBOLS

- CONCRETE
CMU
STEEL / METAL
RIGID INSULATION
GYPSUM BOARD
BRICK
EXISTING BUILDING
NON-FIRE RATED PARTITION
FIRE RATED PARTITION
- MICH. VENT
SPRINKLER HEAD
EXIT SIGN SYMBOL
HANDICAPPED SYMBOL
FLOOR DRAIN
ROOM TAG
UNIT TAG
FLOOR ELEVATION SYMBOL
- BICYCLE STORAGE
150 S.F.
150 S.F.
150 S.F.
- SPOT ELEVATION SYMBOL
WINDOW SCHEDULE TAG
SEE WINDOW SCHEDULE FOR DETAILED INFORMATION
DOOR TYPE TAG
PARTITION TYPE TAG
STOREROOM TYPE TAG
COLUMN LINE / GRID INDICATOR
SMOKE AND CARBON MONOXIDE DETECTOR
ELECTRIC VEHICLE CHARGING STATION

ARCHITECT:
SWA
S. WIEDER ARCHITECTS P.C.
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F: 718 624 4001
WWW.SWAARCHITECTS.COM

DATE: 07/26/2021
DESIGN: 0001
REVISION: 0001

PROPOSED 11 STORY RESIDENTIAL NEW BUILDING
261 GRAND CONCOURSE,
BRONX, NY 10451

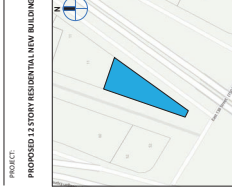
DRAWING TITLE
2ND FLOOR PLAN

STRUCTURAL ENGINEER:
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100 WEST 17TH AVENUE, 10TH FLOOR
JACKSON, NJ 07030
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F: 908 624 4005
WWW.TITANENGINEERS.COM

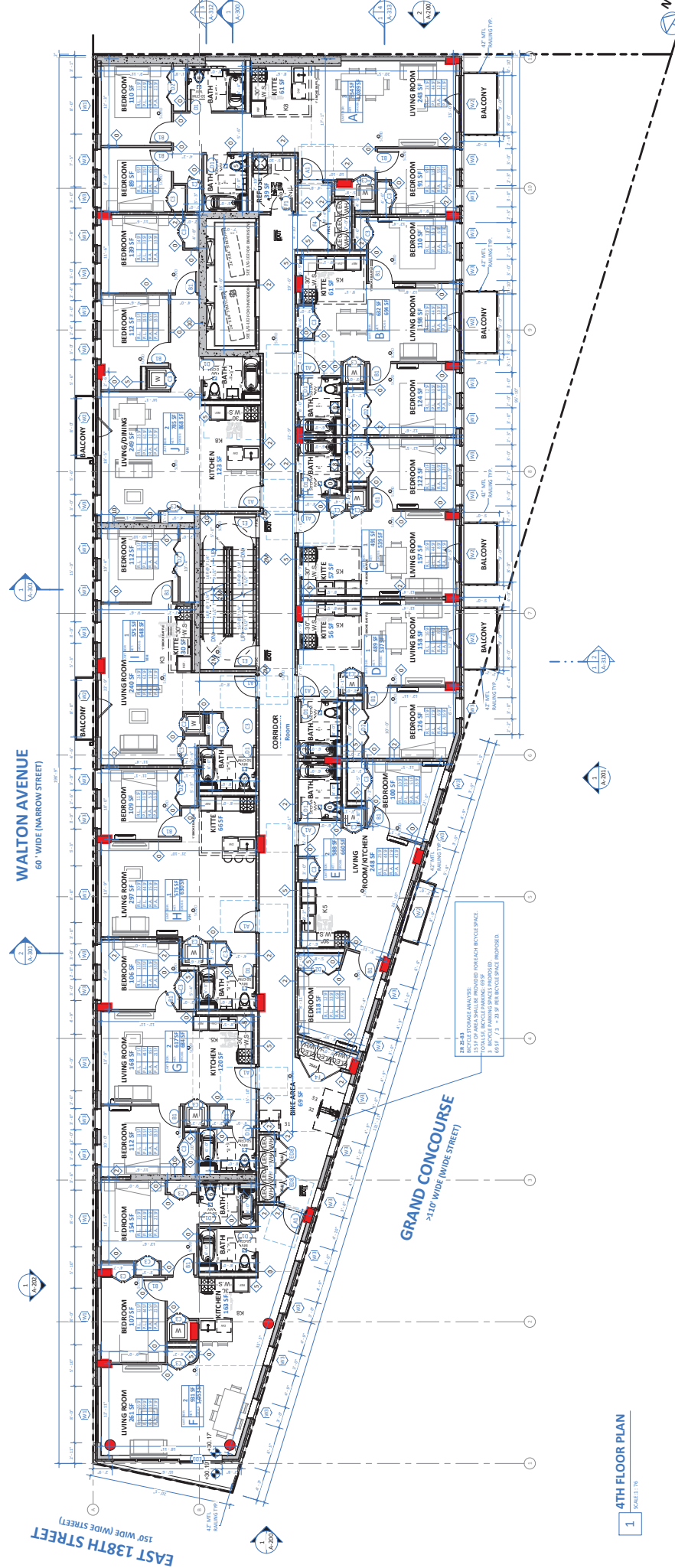
MVP ENGINEER:
MANHATTAN ENGINEERING
100 WEST 17TH AVENUE, 10TH FLOOR
JACKSON, NJ 07030
P: 908 624 4004
F: 908 624 4005
WWW.MANHATTANENGINEERING.COM

MECHANICAL ENGINEER:
BAC GROUP LTD.
100 WEST 17TH AVENUE, 10TH FLOOR
JACKSON, NJ 07030
P: 908 624 4004
F: 908 624 4005
WWW.BACGROUP.COM

CLIENT:
BIFTEL GROUP
261 GRAND CONCOURSE, LLC
261 GRAND CONCOURSE, 11TH FLOOR
BROOKLYN, NY 11235



DATE: 07/26/2021
DESIGN: 0001
REVISION: 0001
DRAWING NO.: A-102.00
SHEET 31 OF 304



WALTON AVENUE
60' WIDE (NARROW STREET)

EAST 138TH STREET
150' WIDE (WIDE STREET)

GRAND CONCOURSE
>110' WIDE (WIDE STREET)

4TH FLOOR PLAN
SCALE: 1/8" = 1'-0"

FLOOR LEGEND
MATERIAL + SYMBOLS

- CONCRETE
- CMU
- STEEL / METAL
- RIGID INSULATION
- GYPSON BOARD
- BRICK
- EXISTING BUILDING
- NON-FIRE RATED PARTITION
- FIRE RATED PARTITION

- MICH. VENT
- SPRINKLER HEAD
- EXIT SIGN SYMBOL
- HANDICAPPED SYMBOL
- FLOOR DRAIN
- ROOM TAG
- UNIT TAG
- FLOOR ELEVATION SYMBOL

- SPOT ELEVATION SYMBOL
- WINDOW SCHEDULE TAG
- DOOR TYPE TAG
- PARTITION TYPE TAG
- STOREROOM TYPE TAG
- COLUMN LINE / GRID INDICATOR
- SMOKE AND CARBON MONOXIDE DETECTOR
- ELECTRIC VEHICLE CHARGING STATION

ARCHITECT:
SWA
S. WIEDER ARCHITECTS P.C.
261 GRAND CONCOURSE
BRONX, NY 10451
P: 718-599-1555
F: 718-599-1555
WWW.SWAARCHITECTS.COM

STRUCTURAL ENGINEER:
TYTAN ENGINEERS P.C.
100 WEST 17TH STREET
NEW YORK, NY 10011
P: 212-710-6300
F: 212-710-6301
WWW.TYTANENGINEERS.COM

MVP ENGINEER:
MANHATTAN ENGINEERING
100 WEST 17TH STREET
NEW YORK, NY 10011
P: 212-710-6300
F: 212-710-6301
WWW.MANHATTANENGINEERING.COM

CLIENT:
BIFFEL GROUP
261 GRAND CONCOURSE LLC
261 GRAND CONCOURSE
BRONX, NY 10451

DRAWING TITLE:
4TH FLOOR PLAN

DWG APPLICATION:
PROPOSED 11 STORY RESIDENTIAL NEW BUILDING

DWG NO.:
X09561795-41

DWG SCALE:
AS SHOWN

DATE:
8/2/2023

DESIGNED BY:
SWA

DRAWN BY:
SWA

PROJECT NO.:
A-104.00

SHEET 31 OF 304

FILE NO: 6019-1000/6/6





FLOOR LEGEND

| | |
|---|---|
| E | C |
|---|---|

| | 1 | 2 | 3 | 4 |
|---|---|---|---|---|
| 1 | 1 | | | |
| 2 | | 1 | | |
| 3 | | | 1 | |
| 4 | | | | 1 |



Estimated Project Schedule

| Scope of Work | Timeline |
|--|----------------|
| Submittal of BCP Application | September 2021 |
| Application Completeness Review and 30-day Public Comment Period Initiation | September 2021 |
| Submittal of Citizen Participation Plan and Draft Remedial Investigation Work Plan | September 2021 |
| BCA Execution | November 2021 |
| Distribute Fact Sheet/30-day Public Comment Period Initiation | November 2021 |
| Change of Use Application & 60 Day Notification | November 2021 |
| Remedial Investigation (RI) | December 2021 |
| Draft RIR Submittal to NYSDEC | January 2022 |
| 45-day Public Comment Period for RIR and RAWP Initiation | February 2022 |
| Change of Use (Demo and Foundation Element Installation) | March 2022 |
| Public Comment Period for RIR and RAWP Ends | April 2022 |
| Final RIR and RAWP Submitted/DEC Approves and Issues Decision Document | May 2022 |
| Issue Remedial/Construction Notice Fact Sheet | May 2022 |
| Begin Implementation of RAWP | May-June 2022 |
| Site Management Plan (SMP) and Final Engineering Report Submittal to NYSDEC | November 2022 |
| Certificate of Completion and Fact Sheet | November 2023 |

ATTACHMENT C**SECTION III. PROPERTY'S ENVIRONMENTAL HISTORY****1. Reports**

Environmental reports prepared for the Site include:

- *Limited Subsurface Soil Investigation Report* dated December 19, 2019 by Gallinger Environmental Management Corp. (GEM)
- *Phase I Environmental Site Assessment Report* dated July 9, 2021 by Vektor Consultants (Vektor)

A summary of the relevant information from the aforementioned reports are provided below:

Limited Subsurface Investigation Report – Gallinger Environmental Management Corp., December 19, 2019

A limited subsurface investigation was conducted by Gallinger Environmental, Corp. (GEM) in November 2019 and the findings of their assessment was provided in a Limited Subsurface Investigation Report dated December 2019. The 2019 limited assessment consisted of a limited geophysical survey, installation of fourteen soil borings, and collection of six soil samples.

At the time of the GEM investigation, the subject property consisted of the current two-story commercial building with a parking garage, tool storage area, carpenter shop, loading dock, lobby, and offices.

GEM identified a possible underground storage tank (UST) fill pipe in the parking garage. The suspect fill port location was scanned with a Fisher TW-6 Tank and Cable Locator. The scan revealed a strong signal extending approximately six feet off the pipe, indicative of a possible underground storage tank (UST).

A track-mounted hammer-driven Geoprobe Soil Sampler was utilized to install twelve soil borings, and a limited access jackhammer driven Geoprobe Soil Sampler was utilized to install two soil borings. Shallow bedrock was encountered across the Site at depths ranging from 3 feet to 5 feet below grade surface (bgs). Fill material consisting of sand, brick, concrete, and asphalt were encountered from 1 foot bgs to the bedrock surface. Groundwater was not encountered during the investigation.

Soil samples were screened using a photo-ionization detector (PID), and no elevated field screening readings or petroleum odors were detected. Select soil samples (total of six) were analyzed for CP-51 list volatile organic compounds (VOCs) via USEPA Method 8260C and semi-volatile organic compounds (SVOCs) via USEPA Method 8270D.

Soil sample results were compared to the NYSDEC Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Restricted Use Restricted Residential Soil Cleanup Objectives (RRSCOs) by Vektor.

- No VOCs were detected in the soil samples collected from the Site.
- SVOCs, consisting of polycyclic hydrocarbons (PAHs), were detected in all six soil samples. Of these, benzo(a)anthracene (max. of 8.2 mg/kg) marginally exceeded its respective RRSCO of 1 mg/kg in two soil samples, benzo(a)pyrene (max. of 6.9 mg/kg) marginally exceeded its respective RRSCO of 1 mg/kg in three soil samples, benzo(b)fluoranthene (max. of 6.4 mg/kg) marginally exceeded its respective RRSCO of 1 mg/kg in two soil samples, benzo(k)fluoranthene (max. of 5.7 mg/kg) slightly exceeded its respective RRSCO of 3.9 mg/kg in one soil sample, chrysene (max. of 7.4 mg/kg) slightly exceeded its respective RRSCO of 3.9 mg/kg in one soil sample, dibenzo(a,h)anthracene (max. of 2.1 mg/kg) marginally exceeded its respective RRSCO of 0.33 mg/kg in one soil sample, and indeno(1,2,3-cd)pyrene (max. of 3.9 mg/kg) slightly exceeded its respective RRSCO of 0.5 mg/kg in three soil samples.

Based on the limited subsurface investigation results, the SVOCs exceedances appear to be widespread throughout the Site in the northern, central southern and southern portions.

Phase I Environmental Site Assessment – Vektor Consultants, LLC, June 9, 2021

Vektor conducted a Phase I Environmental Site Assessment (ESA) on behalf of the Applicant in accordance with ASTM E1527-13.

At the time of the site reconnaissance on July 1, 2021, the Site consisted of one irregular-shaped lot that is approximately 10,242-square feet in area and was developed with a two-story slab on grade building. The two-story building was vacant and consisted of an office space in the southern section of the first floor, warehouse space in the northern portion of the first floor, and former offices on the second floor.

The Phase I ESA has revealed the following recognized environmental conditions (RECs) in connection with the subject property:

- Based on the available review of available Fire Insurance Maps and City Directory listings, the subject property was utilized as part of a gasoline station in 1935, as a

plastic products manufacturing facility from 1947 until at least 1951, and as various commercial and industrial uses at least until 2017.

- Presence of SVOCs at concentrations exceeding their respective Unrestricted Use SCOs and Restricted Residential Use SCOs in soil beneath the Site that were identified during the 2019 GEM limited investigation.

This Phase I ESA revealed the following environmental issues in connection with the subject property:

- Listing on the New York E-Designation database (E-227) for hazardous materials, noise, and air quality as a result of rezoning of the general surrounding area (Lower Concourse Rezoning and Related Actions (CEQR # 08DCP071X)).
- Adjacent properties of environmental concern were identified as follows: the west adjacent properties across Walton Avenue were used as a piano factory and lumber storage facility (1908-1935), auto wrecking yard (1944-1951), cleansers manufacturer (1947), a service center (1956), and a gasoline station (1951-Present); the east adjacent property across Grand Concourse was used as a gasoline station (1935), and auto repair facilities (1944-2017); and the south adjacent property across East 138th Street was used as gasoline stations and auto repairs (1935).

2. Sampling Data

Based on the limited soil investigation findings, contaminated soil above restricted residential use standards are present at the Site. Soil vapor or groundwater was not investigated during the previous investigation. A summary table of the soil results is provided as Table 1 in Attachment C.

Soil samples were analyzed for CP-51 list VOCs and SVOCs. Soil sample results were compared to the NYSDEC Title 6 of the NYCRR RRSCOs by Vektor. The following compounds were detected above the RRSCOs:

VOCs:

- No VOCs were detected.

SVOCs:

- Benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene were detected above the RRSCOs.

No other environmental sampling data is available at this time.

3. Drawings

Soil sample concentrations exceeding Part 375 Unrestricted Use SCOs and Restricted Residential Use SCOs are provided as Figure 7.

4. Past Land Uses

Based on the available sources, the Site was undeveloped as early as 1891; and developed in the southern portion with a two-story commercial building utilized as offices by 1908. The subject property was developed as part of two separate tax lots at the time. The two-story structure was demolished circa 1935, and the southern portion of the subject property was utilized as part of a gasoline station, which occupied the main tax lot. The subject property was developed into the current tax parcel configuration sometime between 1935 and 1941 as two adjacent tax lots; and redeveloped in 1947 with a one-story concrete and brick building utilized as a plastic products manufacturing facility in the northern portion. The use of the subject property building was changed to a warehouse circa 1977. The southern portion of the subject property was utilized as parking between 1996 and 1998; and redeveloped as a one-story commercial building between 1998 and 2001. The two one-story buildings appear to be interconnected by 2004. According to the New York City Department of Building (NYCDOB) records, the building appears to be vertically enlarged to two-story circa 2008.

Soil Data Summary Table
261 Grand Concourse, Bronx, NY

| SVOCs > Restricted Use Soil Cleanup Objectives -Restricted Residential (RRSCOs) | Detections > RRSCOs | Maximum Detection > RRSCOs | NYSDEC Part 375 Restricted Use Soil Cleanup Objectives - Restricted Residential | Depth (ft bgs) |
|---|-----------------------------------|--|--|-----------------------|
| Semi-Volatiles, 8270 - Comprehensive | | ppm | ppm | |
| Benzo(a)anthracene | 2 | 8.2 | 1 | 5 |
| Benzo(a)pyrene | 3 | 6.9 | 1 | 5 |
| Benzo(b)fluoranthene | 2 | 6.4 | 1 | 5 |
| Benzo(k)fluoranthene | 1 | 5.7 | 3.9 | 5 |
| Chrysene | 1 | 7.4 | 3.9 | 5 |
| Dibenzo(a,h)anthracene | 1 | 2.1 | 0.33 | 5 |
| Indeno(1,2,3-cd)pyrene | 3 | 3.9 | 0.5 | 5 |

CP-51 List VOC's and SVOC's in Soil
261 Grand Concourse, Bronx, NY

| Sample ID Sample Depth Sampling Date Sample Matrix | NYSDEC Part 375 Unrestricted Use Soil Cleanup Objectives | NYSDEC Part 375 Restricted Use Soil Cleanup Objectives - Restricted Residential | W-2 4' 11/25/19 Soil | Q | W-7 2' 11/25/19 Soil | Q | W-8 4' 11/25/19 Soil | Q | W-9 5' 11/26/19 Soil | Q | W-12 5' 11/26/19 Soil | Q | W-14 2' 11/26/19 Soil | Q |
|---|--|--|-------------------------------|---|-------------------------------|---|-------------------------------|---|-------------------------------|---|--------------------------------|---|--------------------------------|---|
| Compound | | | Result | Q | Result | Q | Result | Q | Result | Q | Result | Q | Result | Q |
| Volatile Organics, 8260 - Comprehensive | mg/Kg | mg/Kg | mg/Kg | | mg/Kg | | mg/Kg | | mg/Kg | | mg/Kg | | mg/Kg | |
| 1,2,4-Trimethylbenzene | 3.6 | 52 | ND | | ND | | ND | | ND | | ND | | ND | |
| 1,3,5-Trimethylbenzene | 8.4 | 52 | ND | | ND | | ND | | ND | | ND | | ND | |
| Benzene | 0.06 | 4.8 | ND | | ND | | ND | | ND | | ND | | ND | |
| Ethyl Benzene | 1 | 41 | ND | | ND | | ND | | ND | | ND | | ND | |
| Isopropylbenzene | ~ | ~ | ND | | ND | | ND | | ND | | ND | | ND | |
| Methyl tert-butyl ether (MTBE) | 0.93 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| n-Butylbenzene | 12 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| n-Propylbenzene | 3.9 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| o-Xylene | ~ | ~ | ND | | ND | | ND | | ND | | ND | | ND | |
| p- & m- Xylenes | ~ | ~ | ND | | ND | | ND | | ND | | ND | | ND | |
| p-Isopropyltoluene | ~ | ~ | ND | | ND | | ND | | ND | | ND | | ND | |
| sec-Butylbenzene | 11 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| tert-Butylbenzene | 5.9 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| Toluene | 0.7 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| Xylenes, Total | 0.26 | 100 | ND | | ND | | ND | | ND | | ND | | ND | |
| Semi-Volatiles, 8270 - Comprehensive | mg/Kg | mg/Kg | mg/Kg | | mg/Kg | | mg/Kg | | mg/Kg | | mg/Kg | | mg/Kg | |
| Acenaphthene | 20 | 100 | ND | | ND | | ND | | 1.2 | | 0.22 | | ND | |
| Acenaphthylene | 100 | 100 | 0.081 | J | ND | | ND | | 0.15 | | 0.1 | | ND | |
| Anthracene | 100 | 100 | 0.13 | | 0.12 | | ND | | 4 | | 0.6 | | ND | |
| Benzo(a)anthracene | 1 | 1 | 0.68 | | 0.28 | | 0.11 | | 8.2 | | 1.3 | | 0.12 | |
| Benzo(a)pyrene | 1 | 1 | 1.1 | | 0.26 | | 0.14 | | 6.9 | | 1.3 | | 0.13 | |
| Benzo(b)fluoranthene | 1 | 1 | 0.84 | | 0.22 | | 0.12 | | 6.4 | | 1.1 | | 0.12 | |
| Benzo(g,h,i)perylene | 100 | 100 | 0.71 | | 0.15 | | 0.095 | | 4.1 | | 0.81 | | 0.09 | |
| Benzo(k)fluoranthene | 0.8 | 3.9 | 0.77 | | 0.20 | | 0.10 | | 5.7 | | 0.99 | | 0.099 | |
| Chrysene | 1 | 3.9 | 0.74 | | 0.25 | | 0.12 | | 7.4 | | 1.3 | | 0.13 | |
| Dibenz(a,h)anthracene | 0.33 | 0.33 | 0.26 | | 0.057 | J | ND | | 2.1 | | 0.23 | | ND | |
| Fluoranthene | 100 | 100 | 1.3 | | 0.62 | | 0.21 | | 18 | | 2.9 | | 0.22 | |
| Fluorene | 30 | 100 | ND | | ND | | ND | | 1.5 | | 0.23 | | ND | |
| Indeno(1,2,3-cd)pyrene | 0.5 | 0.5 | 0.7 | | 0.15 | | 0.093 | | 3.9 | | 0.78 | | 0.075 | J |
| Naphthalene | 12 | 100 | ND | | ND | | ND | | 0.17 | | 0.058 | J | ND | |
| Phenanthrene | 100 | 100 | 0.73 | | 0.52 | | 0.13 | | 14 | | 2.3 | | 0.12 | |
| Pyrene | 100 | 100 | 1.1 | | 0.49 | | 0.18 | | 14 | | 2.4 | | 0.22 | |

NOTES:

Any Regulatory Exceedences are color coded by Regulation

Bold values are detected concentrations

Bold and green highlighted values show Part 375 Unrestricted Use SCO exceedances

Bold and red highlighted values show Part 375 Restricted Use Restricted Residential SCO exceedances

Q is the Qualifier Column with definitions as follows:

J=analyte detected at or above the MDL (method detection limit) but below the RL (Reporting Limit) - data is estimated

ND= non-detect

~--this indicates that no regulatory limit has been established for this analyte

ATTACHMENT D**SECTION IV. PROPERTY INFORMATION****1. Site Name**

Proposed site name is Copyrite Plastic Sheets.

2. Tax Map

The Site is legally identified as Block 2344 and Lot 1 on the New York City Tax Map. A site survey is provided as Figure 2 and digital tax map is provided as Figure 3.

3. Environmental Zone

The entirety of the Site is located within Census Tract 63. En-Zone boundary map is provided as Figure 4.

5. Off-Site Contamination

Groundwater was not encountered during the 2019 limited investigation due to shallow bedrock. Groundwater or soil vapor samples were not collected.

10. Property Description and Environmental Assessment**Location**

The Site is located at 261 Grand Concourse, Bronx, New York. It is located on the west side of Grand Concourse and east side of Walton Avenue between East 138th Street to the south and East 140th Street to the north within the Mott Haven section of Bronx County. The Site is bound to the north by a one-story commercial warehouse building along Walton Avenue and Grand Concourse; to the south by East 138th Street, followed by Deegan Rock, an NYC public park; to the east by Grand Concourse, followed by a construction site for a multi-story residential building and a two-story commercial building; and to the west by Walton Avenue, followed by a gasoline station and a six-story industrial/manufacturing building. The underground tracks for the Metropolitan Transportation Authority (MTA) "4" and "5" lines run below Grand Concourse to the east of the subject property. Site location map is provided as Figure 1. Surrounding area map along with adjacent property owner names is provided as Figure 5.

Site Features

The Site is currently improved with a vacant two-story commercial building.

Current Zoning and Land Use

The current zoning of the Site is C6-2A, which is a contextual district with maximum building heights and allows for commercial and residential uses. Residential district equivalent of C6-2A is R8A. A zoning map is provided as Figure 6.

Past Use of the Site

Historical uses of the Site include a gasoline station in 1935; private residents since at least 1940; Electric Vacuum Co in 1940; plastic products manufacturer between 1947 and at least 1951; Copyrite Plastic Sheets between 1961 and 1965; Teitelbaum & Sons Incorporated between 1961 and 1983; Olympic Sheet Metal, Incorporated between 1993 and 1994; AA Kold Air, Incorporated between 1993 and 2005; MSV Enterprises between 1994 and 2004; Bronx Air Conditioning Center in 1994; GPJ O'Donoghue Contracting Corporation and ESB Electric, Incorporated between 2014 and 2017; and Cayuga Home for Children in 2017.

Site Geology and Hydrogeology

According to the findings of the 2019 limited soil investigation, the Site is underlain by fill material consisting of sand, brick, concrete, and asphalt. Historic fill was encountered from 1 foot bgs to the bedrock surface, which was encountered between 3 feet bgs and 5 feet bgs across the Site. Groundwater was not encountered during the investigation.

Environmental Assessment

Based on the limited soil investigation, the primary contaminants of concern are SVOCs. Soil samples obtained during the 2019 investigation were compared to the NYSDEC Title 6 NYCRR Part 375 Unrestricted Use SCOs and Restricted Use Restricted Residential SCOs (RRSCOs) based on the anticipated residential use of the Site.

Seven SVOCs, consisting of polycyclic hydrocarbons (PAHs), were detected in all six soil samples. Of these, benzo(a)anthracene (max. of 8.2 mg/kg) marginally exceeded its respective RRSCO of 1 mg/kg in two soil samples, benzo(a)pyrene (max. of 6.9 mg/kg) marginally exceeded its respective RRSCO of 1 mg/kg in three soil samples, benzo(b)fluoranthene (max. of 6.4 mg/kg) marginally exceeded its respective RRSCO of 1 mg/kg in two soil samples, benzo(k)fluoranthene (max. of 5.7 mg/kg) slightly exceeded its respective RRSCO of 3.9 mg/kg in one soil sample, chrysene (max. of 7.4 mg/kg) slightly exceeded its respective RRSCO of 3.9 mg/kg in one soil sample, dibenzo(a,h)anthracene (max. of 2.1 mg/kg) marginally exceeded its respective RRSCO of 0.33 mg/kg in one soil sample, and indeno(1,2,3-cd)pyrene (max. of 3.9 mg/kg) slightly exceeded its respective RRSCO of 0.5 mg/kg in three soil samples.

Based on the limited subsurface investigation results, the SVOCs exceedances appear to be widespread throughout the Site in the northern, central southern and southern portions.

No other environmental sampling data is available at this time.

ATTACHMENT E

SECTION VI. CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Current Site Owner and Operator

The current owner and operator of the Site is:

261 Grand Concourse LLC
1449 37th Street, Suite 216,
Brooklyn, NY 11218

Binyamin Beitel, Chief Executive Officer of Beitel Group is the sole member of 261 Grand Concourse LLC.

Previous Site Owners

Based on information obtained through the New York City Automated City Register Information System (ACRIS), previous site owners are summarized in the following table:

| Deed Date(s) | Deed Holder | Relationship to Requestor | Available Contact Information |
|------------------------|--|---------------------------|---|
| 8/25/2020 | 261 Grand Concourse LLC | Applicant | 1449 37 th Street, Suite 216 Brooklyn, NY 11218 |
| 10/25/2007 | NOBR 261 LLC | None | 261 Grand Concourse Bronx, NY |
| 12/30/1986 | Marvin Siegel | None | 261 Grand Concourse Bronx, NY |
| 11/30/1956 | Kaytee Plastic Sales Corp. & N. Teitelbaum Sons, Inc. | None | 600 Third Avenue New York, NY |
| Prior to 11/30/1956 | Helen Schwartz | None | 357 East 201 st Street Bronx, NY |
| | Eve Smoley | None | 2325 Hoffman Avenue, Elmont, Long Island, NY |
| | Joseph Teitelbaum | None | 132 Kimball Terrace Yonkers, NY |
| | Fritzie Leibowitz | None | 2259 Creston Avenue Bronx, NY |

Previous Site Operators

| Date | Operator | Relationship to Requestor | Available Contact Information |
|------|--------------------------|---------------------------|--|
| 2017 | Cayuga Home for Children | None | 2417 Third Avenue, Suite 701 Bronx, NY 10451 T: (646) 790-9100 |

| | | | |
|-----------|--|------|---|
| 2014-2017 | GPJ O'Donoghue Contracting Corporation | None | Last known address is the Site. T: (718) 665-2600 |
| | ESB Electric, Incorporated | None | Last known address is the Site. T: (718) 993-6677 |
| 1994 | Bronx Air Conditioning Center | None | Not known |
| 1994-2004 | MSV Enterprises | None | Last known address is the Site. T: (212) 369-4444 |
| 1993-2005 | AA Kold Air, Incorporated | None | 4307 3 rd Avenue Bronx, NY 10457 T: (718) 402-1440 |
| 1993-1994 | Olympic Sheet Metal, Incorporated | None | Not known |
| 1961-1983 | Teitelbaum & Sons Incorporated | None | 1601 Bronxdale Avenue Bronx, NY 10462 T: (212) 892-3838 |
| 1961-1965 | Copyrite Plastic Sheets | None | Not known |
| 1940 | Electric Vacuum Co | None | Not known |

The recorded deed documenting ownership of the Site by the Requestor/Applicant is included as Attachment E. None of the identified previous owners have any relationship to the current Site owner/applicant. Current addresses and telephone numbers for previous owners are unknown.

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

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2020082500179001002E3557

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 6

Document ID: 2020082500179001

Document Date: 08-13-2020

Preparation Date: 08-25-2020

Document Type: DEED

Document Page Count: 5

PRESENTER:

SUTTON LAND TITLE AGENCY
515 ROCKAWAY AVENUE
SL-005780
VALLEY STREAM, NY 11581
516-837-6204
RECORDINGS@SUTTONALLIANCE.COM

RETURN TO:

DAVID ROSENBAUM, ESQ.
BLAIVAS & ASSOCIATES, P.C.
1430 BROADWAY, SITE 1603
NEW YORK, NY 10018

PROPERTY DATA

Borough

Block Lot

Unit

Address

BRONX

2344

1

Entire Lot

261 GRAND CONCOURSE

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

NOBR 261 LLC
261 GRAND CONCOURSE A/K/A 250 WALTON
AVENUE
BRONX, NY 10451

GRANTEE/BUYER:

261 GRAND CONCOURSE LLC
1449 37TH STREET, SUITE 216
BROOKLYN, NY 11218

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 62.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 236,250.00

NYS Real Estate Transfer Tax:

\$ 58,500.00

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

CITY OF NEW YORK

Recorded/Filed 08-25-2020 14:56

City Register File No.(CRFN):

2020000238931



Annette McMill

City Register Official Signature

SL-005780

BRONX
BLOCK 2344
LOT 1

BARGAIN AND SALE DEED
WITH COVENANTS AGAINST GRANTOR'S ACTS

THIS INDENTURE made the ^{05th} 13th day of August, 2020 between NOBR 261 LLC, having an office at 261 Grand Concourse, Bronx, New York 10451, **party of the first part**, and 261 Grand Concourse LLC, having an office at 1449 37th Street, Suite 216, Brooklyn, New York 11218, **party of the second part**,

WITNESSETH, that the party of the first part in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Bronx, County of Bronx, City and State of New York and being more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

BEING AND INTENDED TO BE the same premises as conveyed to the party of the first part by a deed from Marvin Siegel, dated October 25, 2007 and recorded November 13, 2007 in the Office of the City Register of the City of New York at CRFN 2007000564231.

TOGETHER with all rights, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it reads "parties" whenever the sense of this indenture so requires.

**SCHEDULE A
LEGAL DESCRIPTION**

ALL that lot or parcel of land, in the Borough and County of Bronx, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of East 138th Street with the easterly side of Walton Avenue as said Street and Avenue are legally opened;

RUNNING THENCE northerly along the said easterly side of Walton Avenue, one hundred ninety-eight and ninety-three one-hundredths feet (198.93') to the northerly line of lot no. 148 on Map of Sub-division into lots of Belmont and Company's land, at East 138th Street and Mott Avenue, by Robert L. Waters, C.S., dated December 1, 1904 and filed February 14, 1906, New York County Register's Office as Map No. 1125;

THENCE easterly along the said northerly line of said lot no. 148 and at right angles to the last mentioned course, eighty-one and sixty-three one-hundredths feet (81.63') to the westerly side of Grand Concourse, as legally opened;

THENCE southwesterly along the said westerly side of Grand Concourse, two hundred twelve and thirty one-hundredths feet (212.30') to the northerly side of East 138th Street;

THENCE westerly along the northerly side of East 138th Street, twenty and ten one-hundredths feet (20.10') to the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only.

Designated as Block 2344 Lot 1 and also known as 261 Grand Concourse, Bronx, NY 10451.

-----X
NOBR 261 LLC

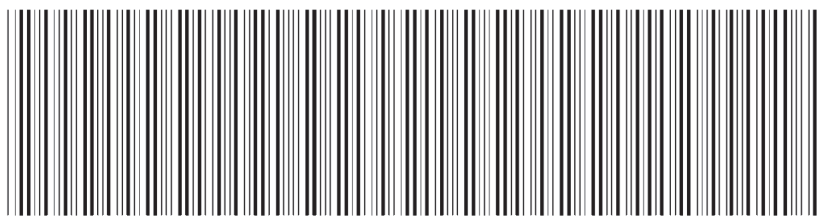
TO

261 GRAND CONCOURSE LLC
-----X

Block 2344
Lot 1
Borough of Bronx
County of Bronx
City and State of New York

RECORD & RETURN TO:
David Rosenbaum, Esq.
Blaivas & Associates, P.C.
1430 Broadway, Suite 1603
New York, New York 10018

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



2020082500179001002SFBD6

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2020082500179001

Document Date: 08-13-2020

Preparation Date: 08-25-2020

Document Type: DEED

ASSOCIATED TAX FORM ID: 2020073100175

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING

1

RP - 5217 REAL PROPERTY TRANSFER REPORT

3



The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: BRONX BLOCK: 2344 LOT: 1
- (2) Property Address: 261 GRAND CONCOURSE, BRONX, NY 10451
- (3) Owner's Name: 261 GRAND CONCOURSE LLC
- Additional Name:

Affirmation:



Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature: _____ Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: **BINYAMIN BEITEL**
MEMBER

FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 Month Day Year

C3. Book C4. Page
 OR
 C5. CRFN



REAL PROPERTY TRANSFER REPORT

 STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location 261 GRAND CONCOURSE BRONX 10451
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 261 GRAND CONCOURSE LLC
 LAST NAME / COMPANY FIRST NAME

 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

 LAST NAME / COMPANY FIRST NAME

 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

8. Seller Name NOBR 261 LLC
 LAST NAME / COMPANY FIRST NAME

 LAST NAME / COMPANY FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential C ☐ Residential Vacant Land E ☒ Commercial G ☐ Entertainment / Amusement I ☐ Industrial
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

4A. Planning Board Approval - N/A for NYC

4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐7. New Construction on Vacant Land ☐

SALE INFORMATION

10. Sale Contract Date 2 / 19 / 2020
 Month Day Year

11. Date of Sale / Transfer 8 / 13 / 2020
 Month Day Year

12. Full Sale Price \$ 9,000,000.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives
 B ☐ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates
 H ☐ Sale of Business is Included in Sale Price
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
 J ☒ None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class F, 4 16. Total Assessed Value (of all parcels in transfer) 4,819,500

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))

BRONX 2344 1

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER**BUYER'S ATTORNEY**

| | | | | | | | |
|--|--|--------------------------|--|----------------------------------|--|---|--|
| BUYER SIGNATURE 1449 37TH STREET, SUITE 216 | | DATE | | LAST NAME | | FIRST NAME | |
| STREET NUMBER BROOKLYN | | STREET NAME (AFTER SALE) | | AREA CODE | | TELEPHONE NUMBER | |
| CITY OR TOWN | | STATE NY | | ZIP CODE 11218 | | SELLER BRONA MCGINL Managing Member | |
| | | | | SELLER SIGNATURE BRONA MCGINL | | DATE | |

2020073100175201

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

| BUYER | | | BUYER'S ATTORNEY | |
|--|--------------------------|----------|------------------|------------------|
| BUYER SIGNATURE 1449 37TH STREET, SUITE 216 MEMBER | | | LAST NAME | FIRST NAME |
| STREET NUMBER | STREET NAME (AFTER SALE) | | AREA CODE | TELEPHONE NUMBER |
| BROOKLYN | NY | 11218 | SELLER | |
| CITY OR TOWN | STATE | ZIP CODE | SELLER SIGNATURE | DATE |

2020073100175201

ATTACHMENT F

SECTION VII. REQUESTOR ELIGIBILITY INFORMATION

The Requestor is seeking to enter the BCP as a Volunteer.

261 Grand Concourse LLC (the “Requestor”) purchased the Site in August 2020. Mr. Binyamin Beitel is the sole member of the limited liability company. The Requestor have completed due diligence and exercised appropriate care by performing a voluntary investigation and disclosing the findings to the NYSDEC. The on-site contamination includes polycyclic aromatic hydrocarbons, which are consistent with previous manufacturing/industrial operations. The Site remains capped with building slab. As such, the Requestor qualifies as a Volunteer as defined in ECL 27-1405(1)(b).

ATTACHMENT G

SECTION IX. CONTACT LIST INFORMATION

1. Local Officials

| |
|---|
| Chief Executive Officer Mayor Bill de Blasio 260 Broadway New York, NY 10007 |
| New York City Planning Commission Marisa Lago, Chairperson 120 Broadway, 31 st Floor New York, NY 10271 |
| Bronx Borough President Ruben Diaz, Jr 851 Grand Concourse, 3 rd Floor Bronx, New York 10451 |
| Bronx Deputy Borough President Marricka Scott-McFadden 851 Grand Concourse, 3 rd Floor Bronx, New York 10451 |
| Department of Planning and Development Bronx Borough Office James Rausse 851 Grand Concourse, 3 rd Floor Bronx, New York 10451 |
| Bronx Community Board 1 Betty Bryant-Brown, Chairperson 3024 Third Avenue Bronx, NY 101455 |
| Mayor's Office of Environmental Remediation Mark McIntyre, Esq, Director 100 Gold Street, 2 nd Floor New York, NY 10038 |

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

| |
|---|
| Seymour Ostrager 109 East 138 th Street Bronx, NY 10451 T: Unavailable |
| Tuck-It-Away Associates Degan, LLC 555 Madison Avenue New York, NY 10022 T: (860) 598-0382 |

| |
|--|
| 287-289 Walton Avenue LLC 287 Walton Avenue Bronx, NY 10451 T: Unavailable |
| John Lage 270 Walton Avenue Bronx, NY 10451 T: Unavailable |
| GC Capital Group LLC 276 Grand Concourse Bronx, NY 10451 T: (888) 218-5752 |
| Corner 138 th St Inc. 250 Grand Concourse Bronx, NY 10451 T: Unavailable |

3. Local News Media

| |
|---|
| Bronx Times 3602 East Tremont Avenue, Suite 205 Bronx, NY 10465 |
| New York Post 1211 Avenue of the Americas New York, NY 10036 |

4. Public Water Supplier

Public water is provided by the City of New York Department of Environmental Protection

| |
|--|
| Vincent Sapienza, Commissioner NYCDEP 59-17 Junction Boulevard Flushing, NY 11373 |
|--|

6. Nearby School or Day Care Facilities

| |
|---|
| Health Opportunities High School Andrew Clayman, Principal 350 Gerard Avenue Bronx, NY 10451 T: (718) 401-1826 Distance: Approximately 0.2 miles northwest |
|---|

| |
|--|
| <p>Family Life Academy Charter School III Andrea Hernandez, Principal 370 Gerard Avenue Bronx, NY 10451 T: (718) 585-6580 Distance: Approximately 0.3 miles northwest</p> |
| <p>Intermediate School 224 Deborah Sanabria, Principal 345 Brook Avenue Bronx, NY 10454 T: (718) 665-9804 Distance: Approximately 0.3 miles northeast</p> |
| <p>P.S. 168 Maureen Fullerton, Principal 339 Morris Avenue Bronx, NY 10451 T: (718) 585-2100 Distance: Approximately 0.4 miles northeast</p> |
| <p>Community School for Social Justice Jaime Guzman, Principal 350 Gerard Avenue Bronx, NY 10451 T: (718) 402-8481 Distance: Approximately 0.4 miles northwest</p> |
| <p>Success Academy Bronx 1 Middle School Elizabeth Miller, Principal 399 Morris Avenue, 2nd Floor Bronx, NY 10451 T: (347) 286-7950 Distance: Approximately 0.5 miles northeast</p> |

7. Public Repositories

| |
|--|
| <p>New York Public Library – Woodstock Branch Mr. Colbert Nembhard, Library Manager 761 East 160th Street Bronx, NY 10456</p> |
| <p>Bronx Community Board 1 Betty Bryant-Brown, Chairperson 3024 Third Avenue Bronx, NY 10455</p> |

New York Public Library – Woodstock Branch and Bronx Community Board 1 acknowledged that their offices will be document repository for the Site. Executed letters from respective offices are provided as Attachment G.

vEktor consultants

t: +1.347.871.0750
f: +1.347.402.7735

info@vektorconsultants.com
www.vektorconsultants.com

August 9, 2021

Mr. Colbert Nembhard
Library Manager
New York Public Library – Woodstock Branch
761 East 160th Street
Bronx, NY 10456
colbertnembhard@nypl.org

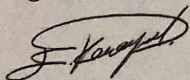
Re: Brownfield Cleanup Program Repository
261 Grand Concourse LLC
Address: 261 Grand Concourse, Bronx, NY 10451

Dear Mr. Nembhard:

Vektor Consultants (Vektor) represent 261 Grand Concourse LLC for a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the redevelopment project located at the above-referenced address (Tax Block: 2344, Lot: 1).

Vektor is requesting to have NYPL – Montrose Branch serve as the public repository for all documents pertaining to the cleanup of this property. Please sign below and return if you are able to certify that your library would be willing and able to act as the public repository for this project.

Regards,



Ezgi Karayel
Principal

New York Public Library - Woodstock Branch

Name: Claude Brown JR

Title: Office AID III

Signature: Claude Brown

Date: 8/11/21

vEktor consultants

t: +1.347.871.0750

f: +1.347.402.7735

info@vektorconsultants.com

www.vektorconsultants.com

August 9, 2021

Betty Bryant-Brown, Chairperson
Bronx Community Board 1
3024 Third Avenue
Bronx, NY 10455
brxcb1@optonline.net

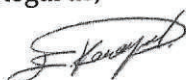
Re: Brownfield Cleanup Program Repository
261 Grand Concourse LLC
Address: 261 Grand Concourse, Bronx, NY 10451

Dear Ms. Bryant-Brown:

Vektor Consultants (Vektor) represent 261 Grand Concourse LLC for a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the redevelopment project located at the above-referenced address (Tax Block: 2344, Lot: 1).

Vektor is requesting the community board office to serve as the public repository for all documents pertaining to the cleanup of this property as per the NYSDEC requirements. Please sign below and return if you are able to certify that your office would be willing and able to act as the public repository for this project.

Regards,



Ezgi Karayel
Principal

Bronx Community Board 1

Name: BETTY BRYANT-BROWN

Title: CHAIRPERSON

Signature: Betty Bryant

Date: 8/11/21

ATTACHMENT H
SECTION X. LAND USE FACTORS**1. Current Zoning**

The current zoning of the Site is C6-2A, which is a contextual district with maximum building heights and allows for commercial and residential uses. Residential district equivalent of C6-2A is R8A. The proposed development is consistent with the current zoning.

2. Current Use

Currently, the Site is improved with an approximately 20,480 square foot, two-story vacant building. The two-story building consists of an office space in the southern section of the first floor, warehouse space in the northern portion of the first floor, and former offices on the second floor.

3. Anticipated Use Post-Remediation

Redevelopment plans are not finalized; however, current plans include demolition of the existing building and construction of a new 12-story residential building. The new building will include 96 dwelling units, of which some will be affordable housing units based on area median income (AMI).

4. Development Patterns

The proposed project aims to redevelop a contaminated property with historic industrial and commercial uses as a new residential building with affordable housing units. The Site is located within the Port Morris – Harlem River Waterfront Brownfield Opportunity Area (BOA). The development pattern is consistent with the area plan for revitalization.

5. Consistency with Applicable Zoning Laws/Maps

The proposed development as a residential development is consistent with the Site's current zoning.

6. Consistency with Applicable Comprehensive Community Master Plans

The Site is located near the MX-13 Lower Concourse Mixed Use District. The proposed use is consistent with local plans to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in close proximity and create expanded opportunities for new mixed use communities. The Site is located in Harlem River Waterfront Brownfield Opportunity Area.