

TABLE OF CONTENTS

Brownfield Cleanup Program Application
2560-2580 Boston Road
Bronx, New York

Brownfield Cleanup Program Application

Attachment A - Property Information

Attachment B - Project Description

Attachment C - Land Use Factors

Attachment D - Property's Environmental History

Attachment E - Requestor Information

Attachment F - Requestor Eligibility

Attachment G - Current Property Owner/Operator Information

Attachment H – Contact List Information



SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
 - b. one individual file (PDF) of each previous environmental report; and,
 - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. Compress all files (PDFs) into one zipped/compressed folder.
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both email and ground mail.

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service.
(<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “*BCP Application NEW - *Proposed Site Name**”
- Email your submission to DESiteControl@dec.ny.gov – do NOT copy Site Control staff.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:
Chief, Site Control Section
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7020

PROPOSED SITE NAME: 2560-2580 Boston Road

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: _____

☐

Yes

☒

No

Is this a revised submission of an incomplete application?

If yes, provide existing site number: C203171

☒

Yes

☐

No



BCP App Rev 15 – May 2023

SECTION I: Property Information

PROPOSED SITE NAME **2560-2580 Boston Road**

ADDRESS/LOCATION **2560-2580 Boston Road**

CITY/TOWN **Bronx**

ZIP CODE **10467**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **N/A**

COUNTY **Bronx County**

SITE SIZE (ACRES) **1.22**

LATITUDE

LONGITUDE

40°	51'	52.3434"	-73°	51'	47.0514"
-----	-----	----------	------	-----	----------

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Refer to Attachment A

Parcel Address	Section	Block	Lot	Acreage
2560 Boston Road		4440	16	1.08
2576 Boston Road		4440	30	0.09
2580 Boston Road		4440	32	0.05

1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/> Y	<input type="radio"/> N
2. Is the required property map included with the application? (Application will not be processed without a map)	<input checked="" type="radio"/> Y	<input type="radio"/> N
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) If yes, identify census tract: ³²⁸ Percentage of property in En-zone (check one): 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input checked="" type="radio"/>	<input checked="" type="radio"/> Y	<input type="radio"/> N
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input checked="" type="radio"/> Y	<input type="radio"/> N
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/> Y	<input checked="" type="radio"/> N
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications:	<input type="radio"/> Y	<input checked="" type="radio"/> N

SECTION I: Property Information (CONTINUED)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>
8. 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? If yes, attach relevant supporting documentation.		<input type="radio"/>	<input checked="" type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<input checked="" type="radio"/>	<input type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input checked="" type="radio"/>
17. If you have answered YES to Question 16 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? N/A		<input type="radio"/>	<input type="radio"/>
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions. Initials of each Requestor: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

SECTION II: Project Description

Refer to Attachment B

1. The project will be starting at: ☒ Investigation ☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☒ RIWP ☐ RAWP ☐ IRM ☐ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? ☒ Yes ☐ No

SECTION III: Land Use Factors

Refer to Attachment C

1. What is the property's current municipal zoning designation? R7-2/C2-4

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential ☒ Commercial ☒ Industrial ☐

3. Current use (select all that apply):

Residential ☒ Commercial ☒ Industrial ☐ Recreational ☐ Vacant ☒

4. Please provide 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 by which the site became vacant.
Is this summary included with the application?

Y	N
<input checked="" type="radio"/>	<input type="radio"/>

5. Reasonably anticipated post-remediation use (check all that apply):

Residential ☒ Commercial ☒ Industrial ☐

If residential, does it qualify as single-family housing?

N/A ☐ ☐ ☒

6. Please provide a statement detailing the specific proposed post-remediation use.
Is this summary attached?

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

7. Is the proposed post-remediation use a renewable energy facility?
See application instructions for additional information.

<input type="radio"/>	<input checked="" type="radio"/>
-----------------------	----------------------------------

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

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

9. Is the proposed use consistent with applicable zoning laws/maps?
Please provide a brief explanation. Include additional documentation if necessary.

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?
Please provide a brief explanation. Include additional documentation if necessary.

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

SECTION IV: Property's Environmental History**Refer to Attachment D**

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following:

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 ANY supporting documents.**
2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
 - Sample location
 - Date of sampling event
 - Key contaminants and concentration detected
 - For soil, highlight exceedances of reasonably anticipated use
 - For groundwater, highlight exceedances of 6 NYCRR part 703.5
 - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this 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: Potential past land uses that may have impacted the site include an auto-sales yard (1949-1960s); parking lot (1965-present); a convenience store with a fuel pump (1930s-1940s); and auto repair shop (1970s-1980s)

SECTION V: Requestor Information

Refer to Attachment E

NAME SPG 2560 Boston Road LLC

ADDRESS 440 Park Avenue South, 3rd Flr

CITY/TOWN New York

STATE NY

ZIP CODE 10016

PHONE (646) 439-4000

EMAIL david@slatepg.com

	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility

Refer to Attachment F

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
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="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)

7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/> Y	<input checked="" type="radio"/> N
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. 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 <input checked="" type="checkbox"/> 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 selecting this option, 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; and, (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.	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		
Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>		

SECTION VI: Requestor Eligibility (CONTINUED)[Refer to Attachment F](#)

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

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

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?



Yes



No



N/A

Note: A purchase contract or lease agreement does not suffice as proof of site access.**SECTION VII: Requestor Contact Information**

REQUESTOR'S REPRESENTATIVE David Schwartz

ADDRESS 440 Park Avenue South, 3rd Flr

CITY New York

STATE NY

ZIP CODE 10016

PHONE (646) 439-4000

EMAIL david@slatepg.com

REQUESTOR'S CONSULTANT (CONTACT NAME) Brian Gochenaur, QEP

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

ADDRESS 360 West 31st Street, 8th Floor

CITY New York

STATE NY

ZIP CODE 10001

PHONE (212) 479-5479

EMAIL bgochenaur@langan.com

REQUESTOR'S ATTORNEY (CONTACT NAME) Michael Bogin

COMPANY Sive, Paget, & Riesel, P.C.

ADDRESS 560 Lexington Avenue, 15th Floor

CITY New York

STATE NY

ZIP CODE 10022

PHONE (646) 378-7210

EMAIL mbogin@sprlaw.com

SECTION VIII: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A	<input checked="" type="radio"/>	<input type="radio"/>

SECTION IX: Current Property Owner and Operator Information[Refer to Attachment G](#)

CURRENT OWNER

CONTACT NAME

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

OWNERSHIP START DATE

CURRENT OPERATOR

CONTACT NAME

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

OPERATION START DATE

SECTION X: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>

SECTION X: Property Eligibility Information (continued)

	Y	N
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____ Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/>	<input checked="" type="radio"/>
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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents.	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XI: Site Contact List

Refer to Attachment H

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 mailing addresses of the following:

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

SECTION XII: 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 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: _____

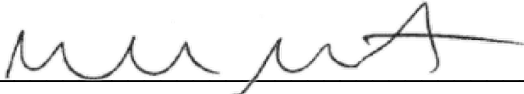
Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title) of SPG 2560 Boston Road LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. 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 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: 09/29/2023

Signature:  _____

Print Name: David Schwartz

PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

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 15

Please respond to the questions below and provide additional information and/or documentation as required. <i>Please refer to the application instructions.</i>	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input checked="" type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input checked="" type="radio"/>
Underutilized	<input type="radio"/>	<input checked="" type="radio"/>

From ECL 27-1405(31):

“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.

From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (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
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (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
 - (c) there are no structures.

“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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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*
*Selecting this option 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation 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.

☒ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

☐ Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

☒ No

From ECL 75-0111 as of April 9, 2022:

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

ATTACHMENT A

SECTION I: PROPERTY INFORMATION

Item 1 – Metes and Bounds Description

The about 53,500 square-foot (1.22 acre) proposed New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Site (BCP) site is located at 2560-2580 Boston Road in the Bronx, New York, and is identified on the Bronx County Tax Map as Tax Block 4440, Lots 16, 30, and 32.

Site Coordinates (degrees/minutes/seconds):

- Latitude: 40°51'52.3434"
- Longitude: -73°51'47.0514"

Parcel Address	Block	Lot	Acreage
2560 Boston Road	4440	16	1.08
2576 Boston Road		30	0.09
2580 Boston Road		32	0.05

Item 2 – Property and Tax Maps

Figure A-1: Site Location Map is the required United States Geological Survey (USGS) 7.5-minute quadrangle map showing the proposed brownfield property.

Figure A-2: Site Plan provides a property base map that shows map scale, north arrow orientation, and proposed extent of the BCP site with respect to adjacent streets and roadways.

Figure A-3: Surrounding Land Use Map depicts the proposed brownfield site extent with surrounding land uses and adjacent property owners clearly identified.

Figure A-4: Environmental Zone Map provides a map of the property indicating that it is situated within a New York State (NYS) Environmental Zone (En-Zone) and the extents of En-Zones in the surrounding area.

Figure A-5: Tax Map provides a property base map that shows tax lot boundaries, the proposed brownfield site extent, and surrounding area.

Figure A-6: Disadvantaged Communities Map provides a property base map that shows location of the site with the Disadvantaged Community overlay developed by the Climate Justice Working Group.

Item 3 – Environmental Zone

According to the NYSDEC boundaries for the NYS En-Zone, 100% of the site is located within the Bronx County Census Tract 328, a designated Criteria A En-Zone. The site is within a census tract that has a poverty rate of 26.7% and an unemployment rate of 10.4%; this data satisfies En-Zone criteria pursuant to Tax Law 21(b)(6). Figure A-4 shows the proposed BCP site boundary within the En-Zone.

Item 14 – Property Description Narrative

Location

The site is located at 2560-2580 Boston Road within an urbanized area of the Bronx, New York, and is identified on the Bronx County Tax Map as Tax Block 4440, Lots 16, 30, and 32. Block 4440 is bordered by Boston Road to the north, Matthews Avenue to the East, Mace Avenue to the south, and Barnes Avenue to the west.

Site Features

Lot 16 is currently occupied by an active one-story supermarket with a full basement used for food storage and an associated asphalt-paved parking lot. The southern half of Lot 30 is developed with a vacant two-story building with a full cellar that was most recently used as an attorney's office, and was also historically used as a daycare. The northern half of Lot 30 contains a private outdoor space. Lot 32 is improved with an active one-story office building with an associated garage used for general storage. An about 6-foot-high, 6-foot-by-10-foot cellar is also present in the northwestern part of the building. The northern corner of Lot 32 is paved and adjoins the sidewalks along Boston Road and Matthews Avenue. According to the United States Geological Survey (USGS) Bronx Quadrangle 7.5-minute Series Topographic Map, the site elevation is about 130 feet above mean sea level (amsl). The regional topographic gradient of the surrounding area gently slopes southwest towards the Bronx River.

Current Zoning and Land Use

Following the recent zoning map amendment granted following City Environmental Quality Review (CEQR) 22DCP184X, the site is now situated within a residential district (R7-2) with a commercial overlay (C2-4). R7 districts are characterized by medium-density apartment house districts generally found in the Bronx, the Upper West Side of Manhattan and Brighton Beach, Brooklyn. With regard to the commercial overlay, according to the New York City Planning Commission, "C1-1 through C1-5 and C2-1 through C2-5 districts are commercial overlays mapped within residential districts along streets that serve local retail needs. They are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-

density districts.” A copy of the New York City Planning Commission Zoning Map 4a is included in Attachment C.

Land use within a half-mile radius includes residential, commercial, light industrial, institutional uses, and parks. The nearest ecological receptor is the Bronx River, located about 0.6 miles west of the site.

The proposed use is consistent with applicable zoning laws and maps.

Past Use of the Site

A review of historical records revealed that the site has been located in a densely-developed urban area, characterized by commercial, residential, and industrial uses since the 1930s. The site has historically been used for various residential and commercial purposes. Lot 16 was improved with a one-story building in the west-central part of the lot, with the remainder of the lot being used as an auto sales yard (Zodda Motor Sales) since at least 1949 through the early 1960s. The present-day supermarket was built on Lot 16 in 1965, with the associated parking lot occupying the remainder of the lot.

Lot 30 was improved with the present-day residential and commercial building as early as 1929. An aboveground storage tank (AST) is present in the western part of the building’s cellar. A subsurface anomaly indicative of an underground storage tank (UST) was also encountered in the southeastern part of Lot 30 during a July 2023 Limited Subsurface Investigation (LSI) performed by Langan. A separate fill port was traced into the building where the anomaly was identified, and cut piping was noted in the vicinity. The building is currently vacant and was historically used as a residence, an attorney’s office, and a daycare. Lot 32 was improved with a one-story office building as early as 1934. The building has historically been occupied by a mobile auto radio service (1949), an electrician (1956), an aluminum sales factory (1965), a dog training facility (1971), and a cleaning/contracting/building maintenance service (1992 - present). According to the owner of Lot 32, a convenience store with a fuel pump was present in the 1930s and 1940s, and the one-story building was used as an auto repair shop in the 1970s and 1980s.

Site Geology and Hydrogeology

The site is underlain by uncontrolled fill, predominantly consisting of brown to orangish-brown fine-grained sand with varying amounts of silt, gravel, brick, asphalt, and concrete, that extends to between about 6 to 16 feet below grade surface (bgs). Gray and/or brown fine sand with varying amounts of silt and gravel was observed below the uncontrolled fill layer. Bedrock was

potentially encountered in borings where refusal was met between 6 and 7 feet bgs during a LSI performed by Langan; however, the actual cause of the refusal could not be determined.

Groundwater was observed between 11.0 and 14.5 feet bgs in soil borings and temporary monitoring wells installed across the site. During the LSI, groundwater was slow to recharge in two temporary monitoring wells (TMW03 and TMW07), indicating the potential for groundwater to be perched on bedrock. The regional topography of the surrounding area suggests that groundwater flow is to the southwest towards the Bronx River.

Environmental Assessment

Based on the findings of the LSI performed between July 11, 2023 and July 13, 2023 by Langan, the known primary contaminants of concern include semivolatile organic compounds (SVOC) and metals in soil; petroleum-related volatile organic compound (VOCs), SVOCs, and metals in groundwater; and petroleum-related VOCs in soil vapor. Further detail regarding documented soil, groundwater, and soil vapor contamination is provided below.

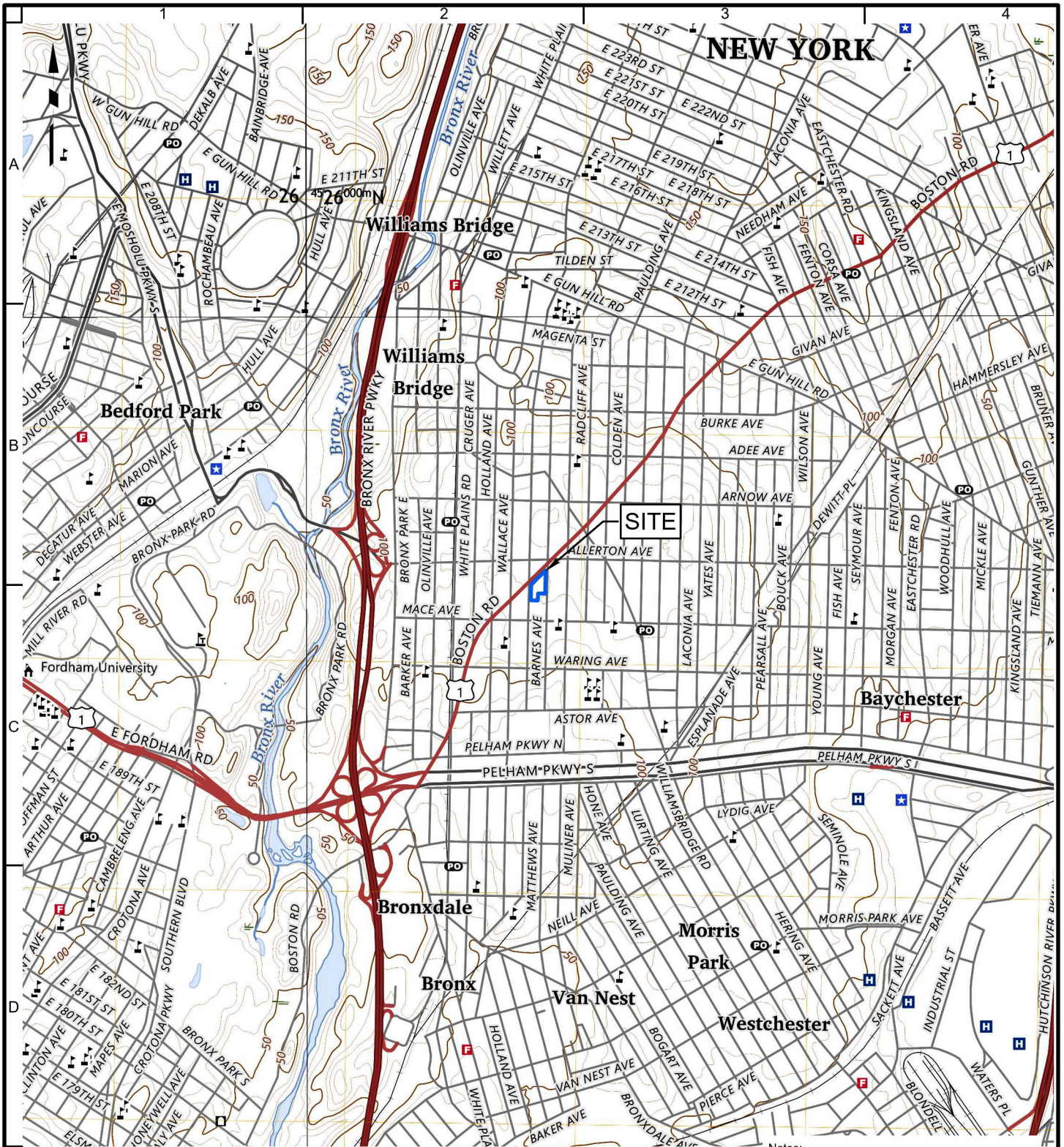
Soil: SVOCs and metals were detected in the uncontrolled fill layer at concentrations exceeding the Title 6 NYCRR Part 375 Protection of Groundwater (PGW) and/or Restricted Use Restricted-Residential (RURR) soil cleanup objectives (SCOs). Odors, staining and instrumental evidence of petroleum-like impacts (maximum photoionization detector [PID] reading of 1,434 parts per million [ppm]) were observed in five borings between 10.5 and 16 feet bgs in the southern part of Lot 16 and the northeastern part of Lot 32 during the LSI.

Groundwater: VOCs, SVOCs, and metals (total and dissolved) were detected in groundwater at concentrations above the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS) and Guidance Values for Drinking Water (Class GA) (collectively referred to as "SGVs"). Several petroleum-related VOCs were detected up to three orders of magnitude higher than their respective SGVs in the southern part of Lot 16 and the northeastern part of Lot 32. Elevated PID readings (between 109.5 ppm and 328.2 ppm) were observed in purged groundwater from all four wells sampled across all three lots during the LSI, and a petroleum-like sheen was observed in groundwater purged from the northeastern part of Lot 32.

Soil Vapor: Total VOCs detected in soil vapor ranged from between 1,293.65 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to 3,799,000 $\mu\text{g}/\text{m}^3$. Gasoline-related compounds (2,2,4-trimethylpentane, n-hexane, cyclohexane, n-heptane) were detected in the southern part of Lot 16 at concentrations ranging between 36,800 $\mu\text{g}/\text{m}^3$ and 3,490,000 $\mu\text{g}/\text{m}^3$, and between 225 $\mu\text{g}/\text{m}^3$ and 113,000 $\mu\text{g}/\text{m}^3$

in the northeastern part of Lot 32.

Based on field observations of petroleum impacts in soil and groundwater and the results of analytical testing during the LSI, a spill was reported to the NYSDEC on August 2, 2023, and NY Spill # 2303811 was assigned to the site.



Legend

Site Boundary

2,000 0 2,000
SCALE IN FEET

Notes:
1. Basemap adapted from United States Geological Survey (USGS) 7.5-Minute Series Topographical Maps, Flushing, Central Park, Yonkers, and Mount Vernon, Quadrangles.

LANGAN

21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001-2727
T: 212.479.5400 F: 212.479.5444 www.langan.com

Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.
Langan International LLC

Collectively known as Langan

Project

2560-2580 BOSTON ROAD

BLOCK No. 4440, LOT Nos. 16, 30, & 32

BRONX

BRONX COUNTY

NEW YORK

Figure Title

SITE LOCATION MAP

Project No.

170684201

Date

8/8/2023

Scale

1"=2,000'

Drawn By

GS

Figure No.

A-1



Legend

 Site Boundary

4440 Tax Block

16 Tax Parcel

Notes:

1. Aerial imagery provided through Langan's subscription to NearMap.com, flown 3/5/2023.
2. Parcel data provided by the New York City Department of City Planning.

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.



LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
**2560-2580 BOSTON
ROAD**

BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY

NEW YORK

Figure Title

SITE PLAN

Project No.	170684201
-------------	-----------

Date 8/8/2023

Scale
1"=60'

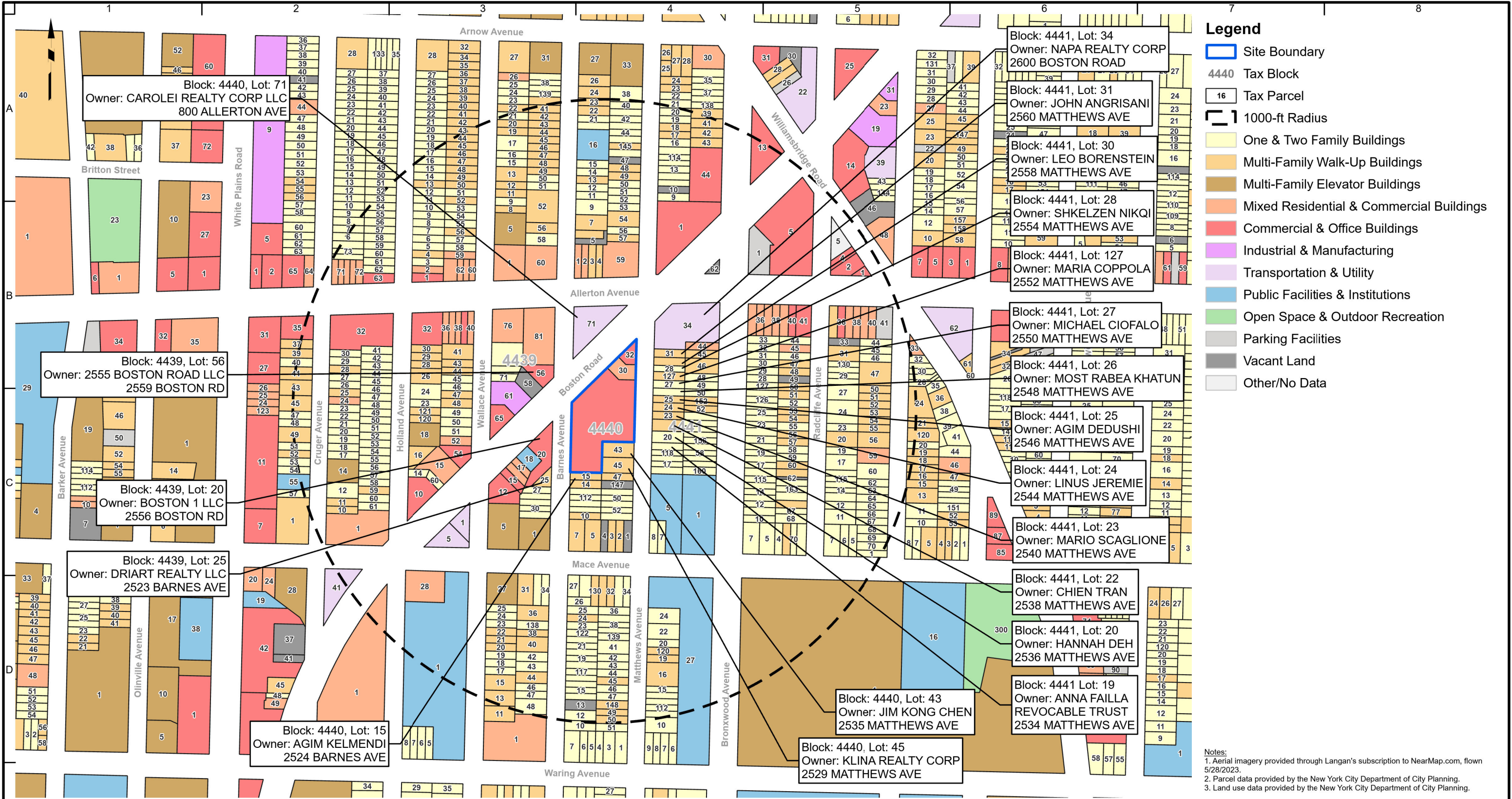
Drawn By
GS

Figure No.

A-2

Path: \\langan.com\data\NYC\data2\170684201\Project Data\ArcGIS\APRX\170684201\170684201.aprx Date: 8/8/2023 User: Gsajbel Time: 10:25 AM

© 2023 Langan



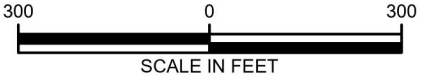
Legend

- Site Boundary
- 4440 Tax Block
- 16 Tax Parcel
- 1000-ft Radius
- One & Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed Residential & Commercial Buildings
- Commercial & Office Buildings
- Industrial & Manufacturing
- Transportation & Utility
- Public Facilities & Institutions
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land
- Other/No Data

Notes:
1. Aerial imagery provided through Langan's subscription to NearMap.com, flown 5/28/2023.
2. Parcel data provided by the New York City Department of City Planning.
3. Land use data provided by the New York City Department of City Planning.

E

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.



LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
2560-2580 BOSTON ROAD
BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY NEW YORK

Figure Title
SURROUNDING LAND USE MAP

Project No.
170684201
Date
8/31/2023
Scale
1"=300'
Drawn By
GS

Figure No.
A-3



Legend

Site Boundary

4440 Tax Block

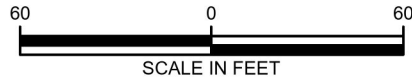
16 Tax Parcel

Environmental Zones

Criteria A

- Notes:
1. Aerial imagery provided through Langan's subscription to NearMap.com, flown 5/28/2023.
 2. Parcel data provided by the New York City Department of City Planning.
 3. Environmental Zone data from the 2009-2013 American Community Survey 5-year Estimates, 2022.
 4. Criteria A - Indicator for census tract having a "Poverty Rate of at least 20% and Unemployment Rate of at least 125% the Statewide Unemployment Rate."
 5. The site is located within Bronx County Census Tract 328.

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.



LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
**2560-2580 BOSTON
ROAD**

BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY

NEW YORK

Figure Title

**ENVIRONMENTAL
ZONE MAP**

Project No.
170684201

Date
8/31/2023

Scale
1"=60'

Drawn By
GS

Figure No.

A-4



Legend

- Site Boundary
- 4440 Tax Block
- 16 Tax Parcel

Notes:
1. Parcel data provided by the New York City Department of City Planning.

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.

60 0 60

SCALE IN FEET

LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
2560-2580 BOSTON ROAD

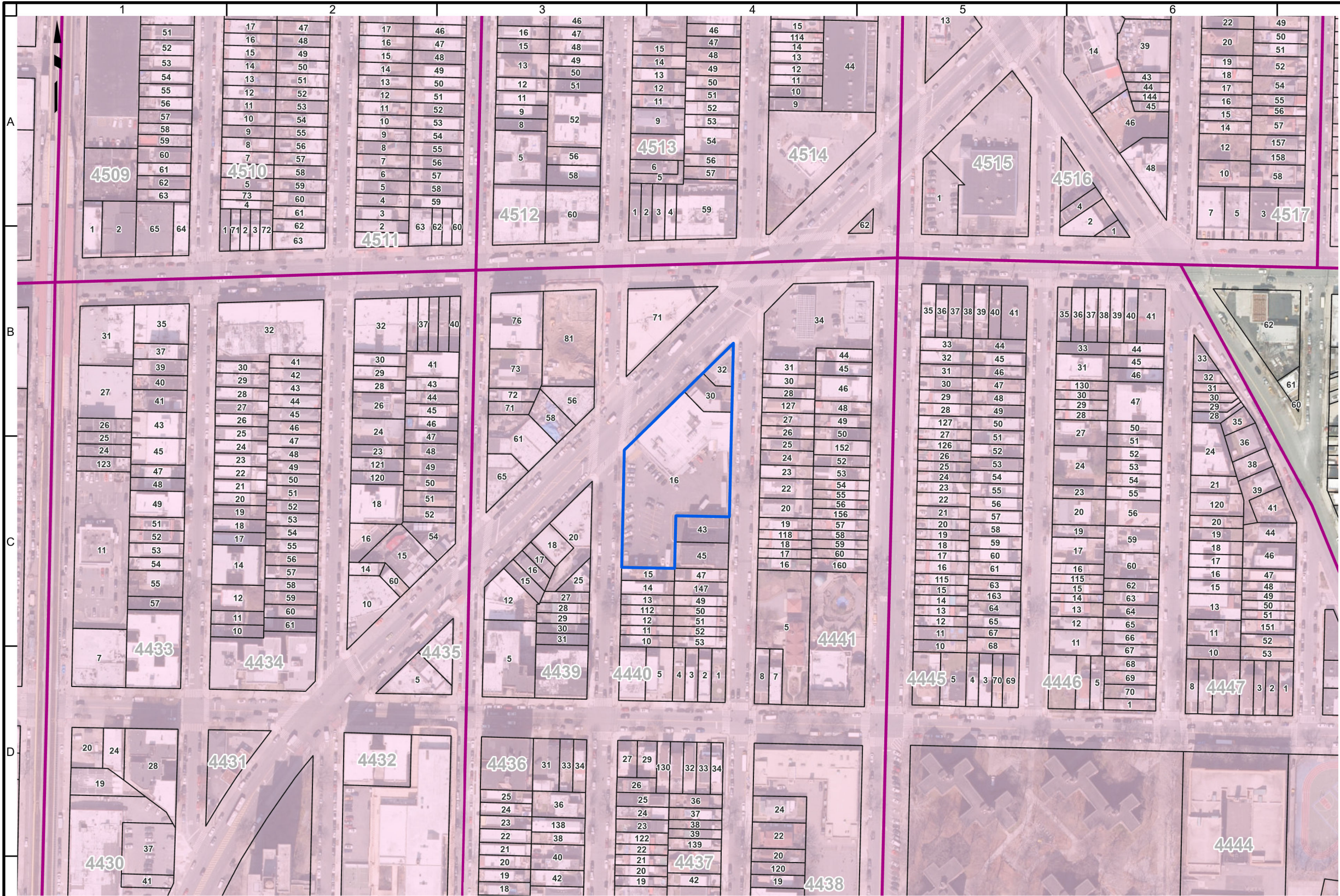
BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY NEW YORK

Figure Title

TAX MAP

Project No. 170684201	Figure No. A-5
Date 8/8/2023	
Scale 1"=60'	
Drawn By GS	



Legend

-  Site Boundary
-  Tax Block
-  Tax Parcel
-  New York State Disadvantaged Communities

Notes:
1. World aerial imagery basemap is provided through Langan's Esri and ArcGIS software licensing and ArcGIS online.
2. Parcel data provided by the New York City Department of City Planning.
3. Disadvantaged community boundaries based on census tracts identified under the Climate Justice Working Group (CJWG) criteria.

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.

200 0 200
SCALE IN FEET

LANGAN Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com	Project 2560-2580 BOSTON ROAD BLOCK No. 4440, LOT Nos. 16, 30, & 32 BRONX	Figure Title DISADVANTAGED COMMUNITIES MAP	Project No. 170684201	A-6
			Date 8/8/2023	
Scale 1"=200'				
Drawn By GS				

BRONX COUNTY NEW YORK

ATTACHMENT B

SECTION II: PROJECT DESCRIPTION

Purpose and Scope of the Project

The purpose of the project is to remediate and redevelop this about 53,500 square-foot (1.22 acre) contaminated site into a new 12-story mixed-use residential and commercial building. All residential units will be designated as either affordable or transitional housing. The proposed remedial measures needed to accommodate the project will include:

- Demolition of the existing buildings and parking lot
- Excavation and off-site disposal of contaminated soil
- Dewatering as necessary
- Implementation of other remedial elements, if required, simultaneously with development.

A Limited Subsurface Investigation (LSI) was performed in July 2023 by Langan, and is summarized in Attachment D. A Remedial Investigation Work Plan (RIWP) summarizing a forthcoming Remedial Investigation (RI) is being submitted concurrently with this application for the New York State Department of Environmental Conservation's (NYSDEC) review. Findings of the investigation outlined in the RIWP will be documented in a Remedial Investigation Report (RIR). Future remediation plans to address the identified impacts will be detailed in the Remedial Action Work Plan (RAWP), which will be implemented concurrently with the contemplated development. The RIR and RAWP will be prepared in accordance with NYSDEC guidelines. An estimated timeline of anticipated Brownfield Cleanup Program (BCP) milestones is provided in the following schedule:

Estimated Project Schedule

Item #	Action	2023					2024												2025					
		AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
1	Preparation and Submission of BCP Application and RIWP																							
2	NYSDEC Review of the BCP Application and RIWP																							
3	Address NYSDEC Comments to BCP Application and RIWP																							
4	30-Day Public Comment Period for BCP Application and RIWP																							
5	Execute BCA																							
6	Perform Remedial Investigation, Prepare Submission of RIR and RAWP																							
7	90-Day NYSDEC and NYSDOH Review of RIR and RAWP																							
8	45-Day Public Comment Period for the RIR and RAWP, Issuance of Decision Document																							
9	Site Demolition																							
10	RAWP Implementation																							
11	FER, SMP, and EE																							
12	Certificate of Completion (06/2025)																							

Notes:

1. RAWP - Remedial Action Work Plan
2. RIR - Remedial Investigation Report
3. FER - Final Engineering Report
4. SMP - Site Management Plan
5. EE - Environmental Easement
6. RIWP - Remedial Investigation Work Plan
7. BCP - Brownfield Cleanup Program
8. BCA - Brownfield Cleanup Agreement
9. NYSDEC - New York Department of Environmental Conservation
10. NYSDOH - New York Department of Health

ATTACHMENT C

SECTION III: LAND USE FACTORS

Item 1 - Current Zoning

Following the recent zoning map amendment granted following City Environmental Quality Review (CEQR) 22DCP184X, the site is now situated within a residential district (R7-2) with a commercial overlay (C2-4). R7 districts are characterized by medium-density apartment house districts generally found in the Bronx, the Upper West Side of Manhattan and Brighton Beach, Brooklyn. With regard to the commercial overlay, according to the New York City Planning Commission, "C1-1 through C1-5 and C2-1 through C2-5 districts are commercial overlays mapped within residential districts along streets that serve local retail needs. They are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts." The proposed use is consistent with the current zoning. The New York City Planning Commission (NYCPC) Zoning Map 4a is attached.

Item 4 - Current Use

The about 53,500-square-foot (1.22 acre) site is located at 2560-2580 Boston Road in the Allerton neighborhood of the Bronx, New York and is identified as Block 4440, Lots 16, 30 and 32 on the Bronx County Tax Map. Lot 16 is currently occupied by an active one-story supermarket with a full basement used for food storage and an associated asphalt-paved parking lot. The southern half of Lot 30 is developed with a vacant two-story building with a full cellar that was most recently used as an attorney's office and was also historically used as a daycare. According to the current property owner, Lot 30 became vacant in February 2022. The northern half of Lot 30 contains a private outdoor space. Lot 32 is improved with an active one-story office building with an associated garage used for general storage. An about 6-foot-high, 6-foot-by-10-foot cellar is also present in the northwestern part of the building. The northern corner of Lot 32 is paved and adjoins the sidewalks along Boston Road and Matthews Avenue. Block 4440 is bordered by Boston Road to the north, Matthews Avenue to the East, Mace Avenue to the south, and Barnes Avenue to the west. Potential sources of contamination include historical commercial and light industrial uses. Lot 16 was used as an auto sales yard since at least 1949 through the early 1960s. Lot 30 contains both an above ground storage tank (AST) and a suspected underground storage tank (UST), which may be potential contaminant sources. Lot 32 was reportedly used as a filling station in the 1930s and 1940s, and as an auto repair shop during the 1970s and 1980s.

Items 6 - Intended Use Post Remediation

Current plans call for the development of a new 12-story mixed-use residential and commercial building. All residential units will be designated as either affordable or transitional housing.

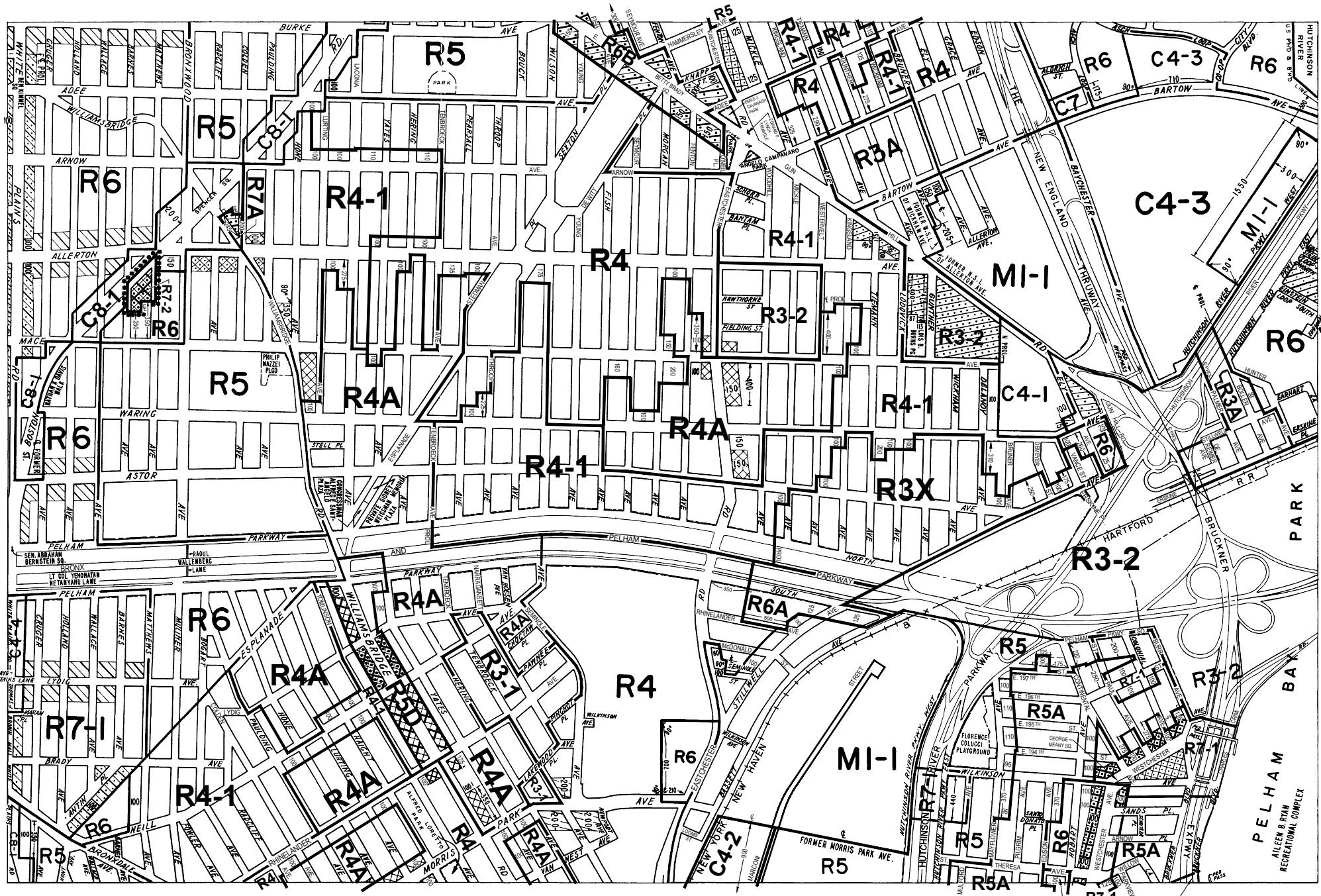
Item 9 – Consistency with Applicable Zoning Laws/Maps

This project responds to and is fully consistent with the goals of the City Council as embodied in the NYC Zoning Districts and provides additional affordable housing in a growing neighborhood. The site is located within a R7-2 residential district with a C2-4 commercial overlay.

Item 10 - Comprehensive Plans

The site is now situated within a R7-2 residential district with a C2-4 commercial overlay following the recent zoning map amendment granted following City Environmental Quality Review (CEQR) 22DCP184X. The proposed use is consistent with local and area plans.

Click blue outline on map to view diagram of **proposed** zoning change



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

05-11-2023 C 220283 ZMX

Special Requirements:

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

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

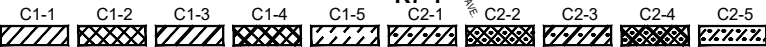
For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

MAP KEY

1d	2b	2d
3c	4a	4c
3d	4b	4d

© Copyrighted by the City of New York

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



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

ZONING
MAP
4a

ATTACHMENT D

SECTION IV: PROPERTY'S ENVIRONMENTAL HISTORY

The about 53,500-square-foot (1.22 acre) site is located at 2560-2580 Boston Road in the Allerton neighborhood of the Bronx, New York and is identified as Block 4440, Lots 16, 30 and 32 on the Bronx County Tax Map. Based on the historic uses of the site and presence of corresponding contaminants at concentrations exceeding the applicable criteria for the reasonably anticipated use of the site (restricted-residential), the site is eligible for the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP).

Item 1 - Environmental Reports

The following environmental reports were prepared for the site prior to the Requestor's application (copies are provided as an attachment):

- *Phase I Environmental Site Assessment (ESA) for Block 4440, Lots 16, and 30, dated December 29, 2020, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux)*
- *Limited Subsurface Investigation (LSI) Report, dated August 10, 2023, prepared by Langan*

Phase I ESA for Block 4440, Lots 16, and 30, dated December 29, 2020, prepared by Roux

Roux prepared a Phase I ESA in accordance with the ASTM E-1527-13 standards for Slate Property Group. The following recognized environmental conditions (RECs) were identified:

- Historical Site Use: The site was historically used as an auto sales yard in the 1950s and 1960s. A structure that appeared to be a sales office was present in historical aerials in the west-central part of the site, and was surrounded by parked cars. Releases from potential gasoline underground storage tanks (USTs), and/or frequent vehicle traffic and parking associated with historical use of the site as an auto sales yard may have adversely impacted the subsurface.
- Historical and Current Surrounding Property Use: Three gasoline filling stations and several auto repair shops were historically present at adjoining and surrounding properties. A tire store and car wash are currently present on the northern adjoining property (800 Allerton Avenue), and a gasoline filling station is present at the northeastern adjoining property (2600 Boston Road). The northern adjoining property is listed in the NYSDEC Spills database under Spill Nos. 9902856 (administratively closed on March 9, 2022) and 1109979 (currently open), which noted free product in groundwater beneath the northern adjoining building. The northern adjoining property was also historically used

as a drycleaner identified in the Resource Conservation and Recovery Act (RCRA) generator database for the disposal of chlorinated solvents. A closed spill (Spill No. 0230029; administratively closed on May 22, 2013) is listed at the northeastern adjoining property, which identified petroleum-impacted groundwater migrating off-site.

LSI Report, dated August 10, 2023, prepared by Langan

An LSI was completed in July 2023 to investigate potential on-site contamination and investigate the RECs identified in the Roux Phase I ESA. Findings from the LSI are summarized below:

Geophysical Survey

The geophysical survey noted a gas line and fill port associated with the aboveground storage tank (AST) in the western part of the two-story building's cellar on Lot 30. An anomaly consistent with a potential UST was identified in the southeastern part of the two-story building on Lot 30. A separate suspect gas line was traced into the building from Matthews Avenue where the anomaly was identified, and cut piping was observed in the vicinity of the anomaly.

Subsurface Observations

The site is underlain by uncontrolled fill, predominantly consisting of brown to orangish-brown fine-grained sand with varying amounts of silt, gravel, brick, asphalt, and concrete, that extends to between about 6 to 16 feet below grade surface (bgs). Gray and/or brown fine sand with varying amounts of silt and gravel was observed below the uncontrolled fill layer. Photoionization detector (PID) readings above background (maximum of 1,434 parts per million [ppm]), petroleum-like staining and odors were observed between 10.5 and 15 feet bgs in SB01, and between 15 and 16 feet bgs in SB07. Petroleum-like odors and PID readings above background were also observed between 5 and 16 feet bgs in SB02 (maximum of 5.2 ppm), SB03 (maximum of 371.5 ppm), and SB04 (maximum of 5.7 ppm), with the highest concentrations at or below the groundwater table. Bedrock was potentially encountered in borings SB09 and SB10 where refusal was met between 6 and 7 feet bgs; however, the actual causes of the refusal could not be determined.

Groundwater was observed between 11.0 and 14.5 feet bgs in soil borings and temporary monitoring wells installed across the site. Groundwater was slow to recharge in TMW03 and TMW07, indicating the potential for groundwater to be perched on bedrock. PID readings above background were observed in purged groundwater generated from all four wells (between 109.5 ppm in TMW03 and 328.2 ppm in TMW08). A petroleum-like sheen was also observed in TMW01. The inferred regional groundwater flow direction for the area surrounding the site is to the southwest towards the Bronx River.

Analytical Results

- Soil: Volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), metals, and pesticides were detected in soil at concentrations exceeding the Title 6 New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use (UU), Protection of Groundwater (PGW), and/or Restricted Use Restricted-Residential (RURR) soil cleanup objectives (SCOs).
- Groundwater: VOCs, SVOCs, and metals (total and dissolved) were detected in groundwater at concentrations above the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS) and Guidance Values for Drinking Water (class GA) (collectively referred to as "SGVs").
- Soil Vapor: Total VOCs detected in soil vapor samples ranged from 1,293.65 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) in SV08 to 3,799,000 $\mu\text{g}/\text{m}^3$ in SV03. Benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected in SV08 at a concentration of 118.2 $\mu\text{g}/\text{m}^3$.
- Based on field observations of petroleum impacts in soil and groundwater and the results of analytical testing, a spill was reported to the NYSDEC on August 2, 2023, and NY Spill No. 2303811 was assigned to the site.

Item 2 - Sampling Data

Contaminant concentrations detected above applicable regulatory standards for soil tested during the July 2023 LSI are summarized below. Laboratory analytical reports are appended to the LSI Report, included as an attachment.

Soil

Soil samples contained concentrations of VOCs, SVOCs, and metals exceeding the Title 6 NYCRR Part 375 Protection of Groundwater (PGW), and/or Restricted Use Restricted-Residential (RURR) SCOs. The following table summarizes maximum concentrations of target compounds detected on site above regulatory comparison criteria:

Table 1: Maximum Concentrations of Target Compounds Detected in Soil above SCOs

Parameter	Maximum Detected Concentration above SCO	PGW and RURR
VOCs		
Acetone	0.066 mg/kg in SB05_1-2	PGW: 0.05 mg/kg
SVOCs		
Benzo(a)anthracene	21 mg/kg in SB10_1-2	PGW: 1 mg/kg RURR: 1 mg/kg
Benzo(a)pyrene	21 mg/kg in SB10_1-2	RURR: 1 mg/kg

Parameter	Maximum Detected Concentration above SCO	PGW and RURR
Benzo(b)fluoranthene	20 mg/kg in SB10_1-2	PGW: 1.7 mg/kg RURR: 1 mg/kg
Benzo(k)fluoranthene	6.9 mg/kg in SB10_1-2	PGW: 1.7 mg/kg RURR: 3.9 mg/kg
Chrysene	23 mg/kg in SB10_1-2	PGW: 1 mg/kg RURR: 3.9 mg/kg
Dibenz(a,h)anthracene	1.8 mg/kg in SB10_1-2	RURR: 0.33 mg/kg
Indeno(1,2,3-cd)pyrene	5.9 mg/kg in SB10_1-2	RURR: 0.5 mg/kg
Metals		
Chromium, Total	35.5 mg/kg in SB06_1-2	PGW: 19 mg/kg

Notes:

1. Results compared to 6 NYCRR Part 375 PGW and RURR SCOs
2. mg/kg – milligram per kilogram

Groundwater

Groundwater samples contained concentrations of VOCs, SVOCs, and total and dissolved metals exceeding the SGVs. The following table summarizes maximum concentrations for target compounds detected above their regulatory comparison criteria:

Table 2: Maximum Concentrations of Target Compounds Detected in Groundwater above SGVs

Compounds	Maximum Groundwater Concentration above SGVs	SGV
VOCs		
1,2,4,5-Tetramethylbenzene	110 µg/L in TMW01_071123	5 µg/L
1,2,4-Trimethylbenzene	2,400 µg/L in TMW01_071123	5 µg/L
1,3,5-Trimethylbenzene (Mesitylene)	650 µg/L in TMW01_071123	5 µg/L
Acetone	75 µg/L in TMW01_071123	50 µg/L
Benzene	160 µg/L in TMW01_071123	1 µg/L
Ethylbenzene	2,000 µg/L in TMW01_071123	5 µg/L
Isopropylbenzene (Cumene)	140 µg/L in TMW01_071123	5 µg/L
M,P-Xylene	6,700 µg/L in TMW01_071123	5 µg/L
Naphthalene	330 µg/L in TMW01_071123	10 µg/L
n-Butylbenzene	29 µg/L in TMW01_071123	5 µg/L
n-Propylbenzene	420 µg/L in TMW01_071123	5 µg/L

Compounds	Maximum Groundwater Concentration above SGVs	SGV
o-Xylene (1,2-Dimethylbenzene)	2,100 µg/L in TMW01_071123	5 µg/L
Sec-Butylbenzene	24 µg/L in TMW01_071123	5 µg/L
Tert-Butyl Methyl Ether	64 µg/L in TMW01_071123	10 µg/L
Toluene	1,100 µg/L in TMW01_071123	5 µg/L
Total Xylenes	8,800 µg/L in TMW01_071123	5 µg/L
SVOCs		
2,4-Dimethylphenol	7.4 µg/L in TMW01_071123	1 µg/L
Benzo(a)anthracene	0.2 µg/L in TMW01_071123	0.002 µg/L
Benzo(a)pyrene	0.12 µg/L in TMW01_071123	0 µg/L
Benzo(b)fluoranthene	0.14 µg/L in TMW01_071123	0.002 µg/L
Benzo(k)fluoranthene	0.04 µg/L in TMW01_071123	0.002 µg/L
Chrysene	0.18 µg/L in TMW01_071123	0.002 µg/L
Indeno(1,2,3-cd)pyrene	0.07 µg/L in TMW01_071123	0.002 µg/L
Naphthalene	240 µg/L in TMW01_071123	10 µg/L
Metals - Dissolved		
Sodium	65,900 µg/L in TMW08_071223	20,000 µg/L
Metals - Total		
Iron	846 µg/L in TMW08_071223	300 µg/L
Sodium	115,000 µg/L in TMW08_071223	20,000 µg/L

Notes:

1. Results compared to the SGVs
2. µg/L – microgram per liter

Soil Vapor

The following table summarizes maximum concentrations detected in soil vapor:

Constituent	Maximum Soil Vapor (µg/m ³)	Soil Vapor Sample Location
1,2,4-Trimethylbenzene	3.59	SV08_071323
1,3-Butadiene	50.9	SV08_071323
2,2,4-Trimethylpentane	3,490,000	SV03_071323
2-Hexanone (MBK)	44.3	SV08_071323
Acetone	537	SV08_071323
Benzene	12.2	SV08_071323
Carbon Disulfide	33.3	SV08_071323
Chloromethane	0.51	SV08_071323
Cyclohexane	80,200	SV03_071323
Dichlorodifluoromethane	1.99	SV08_071323
Ethanol	19	SV08_071323

Constituent	Maximum Soil Vapor ($\mu\text{g}/\text{m}^3$)	Soil Vapor Sample Location
Ethylbenzene	1.68	SV08_071323
Isopropanol	1.74	SV08_071323
M,P-Xylene	5.95	SV08_071323
Methyl Ethyl Ketone (2-Butanone)	273	SV08_071323
Methylene Chloride	45.9	SV08_071323
n-Heptane	36,800	SV03_071323
n-Hexane	192,000	SV03_071323
o-Xylene (1,2-Dimethylbenzene)	3.07	SV08_071323
Tert-Butyl Alcohol	7.18	SV08_071323
Tetrahydrofuran	47.2	SV08_071323
Toluene	95.3	SV08_071323
Total Xylenes	8.99	SV08_071323
Trichlorofluoromethane	1.21	SV08_071323

Notes:

1. $\mu\text{g}/\text{m}^3$ – microgram per cubic meter

When compared to the New York State Department of Health (NYSDOH) Soil Vapor Guidance for Evaluating Soil Vapor Intrusion Decision Matrices (NYSDOH Decision Matrices), no chlorinated VOCs were detected at concentrations that recommend mitigation.

Item 2 - Known or Suspected Sources of Contaminants

Potential sources of contamination include historical commercial and light industrial uses. Lot 16 was used as an auto sales yard since at least 1949 through the early 1960s. Lot 30 contains both an AST and a suspected UST, which may be potential contaminant sources. Lot 32 was reportedly used as a filling station in the 1930s and 1940s, and as an auto repair shop during the 1970s and 1980s. Releases associated with any of these historical uses may have contributed to the soil, groundwater, and soil vapor contamination identified at the site.

Historical uses and/or backfilling during development of the site may also be the source of polycyclic aromatic hydrocarbons (PAHs) and metals that were detected above the PGW SCOs and/or RURR SCOs in soil and/or above SGVs in groundwater on all three lots.

Item 3 – Site Figures

The following figures summarize the concentration of each contaminant by media type using the analytical results collected from the July 2023 LSI. On Figures D-1 and D-2, analytical data is only

shown for soil and groundwater samples that had exceedances of the applicable standards. All detected VOCs in soil vapor are shown on Figure D-3:

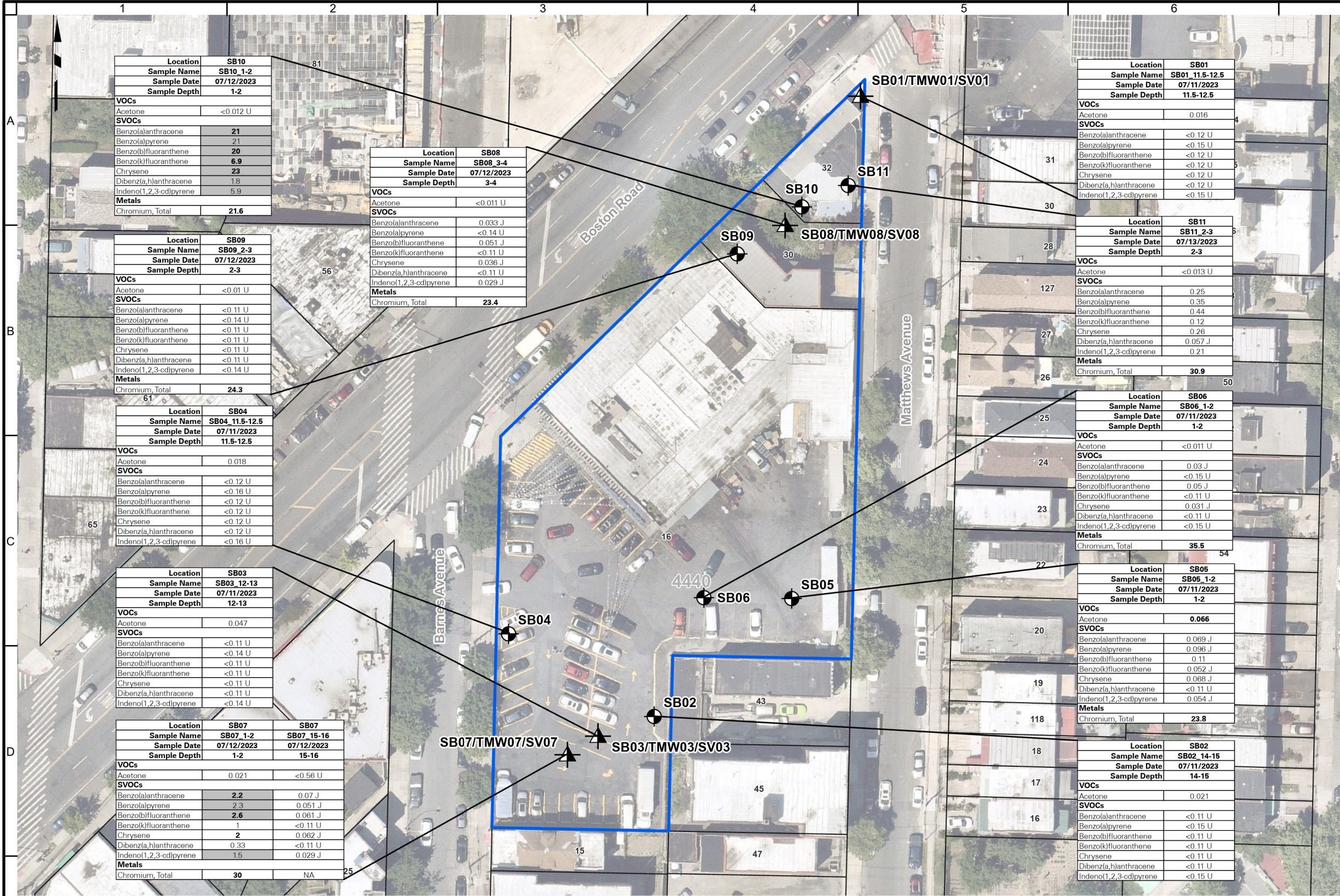
- Figure D-1: Soil Sample Analytical Results
- Figure D-2: Groundwater Sample Analytical Results
- Figure D-3: Soil Vapor Sample Analytical Results

Item 4 – Past Uses of the Site

A review of historical records revealed that the site has been located in a densely-developed urban area characterized by commercial, residential, and industrial uses since the 1930s. The site has historically been used for various residential and commercial purposes. Lot 16 was improved with a one-story building in the west-central part of the lot, with the remainder of the lot being used as an auto sales yard (Zodda Motor Sales) since at least 1949 through the early 1960s. The present-day supermarket was built on Lot 16 in 1965, with an associated parking lot occupying the remainder of the lot.

Lot 30 was improved with the present-day residential and commercial building as early as 1929. An AST is present in the western part of the building's cellar. The building is currently vacant and was historically used as a residence, an attorney's office, and a daycare; however, a potential UST was identified in the southeastern part of the two-story building during the LSI.

Lot 32 was improved with a one-story office building as early as 1934. The building was historically occupied by a mobile auto radio service (1949), an electrician (1956), an aluminum sales factory (1965), a dog training facility (1971), and a cleaning/contracting/building maintenance service (1992 - present). According to the owner of Lot 32, a convenience store with a fuel pump was present during the 1930s and 1940s, and the one-story building was used as an auto repair shop during the 1970s and 1980s.



Legend

- Site Boundary
- 4440 Tax Block
- 16 Tax Parcel
- Approximate Soil Boring Location
- Approximate Soil Boring/Temporary Monitoring Well/Soil Vapor Point Location

Analyte	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Residential SCOs
VOCs		
Acetone	0.05	100
SVOCs		
Benzo(a)anthracene	1	1
Benzo(a)pyrene	22	1
Benzo(b)fluoranthene	1.7	1
Benzo(k)fluoranthene	1.7	3.9
Chrysene	1	3.9
Dibenz(a,h)anthracene	1000	0.33
Indeno(1,2,3-cd)pyrene	8.2	0.5
Metals		
Chromium, Total	19	110

Exceedance Summary:
10 - Result exceeds Protection of Groundwater SCOs
10 - Result exceeds Restricted Use Restricted-Residential SCOs

- Notes:
- Aerial imagery provided through Langan's subscription to NearMap.com, flown 5/28/2023.
 - Parcel data provided by the New York City Department of City Planning.
 - All sample locations are approximate and based on field measurements.
 - Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Protection of Groundwater and Restricted Use Restricted-Residential Soil Cleanup Objectives (SCO).
 - Criterion comparisons for 3- & 4-methylphenol (m&p cresol) are provided for reference. Promulgated SCOs are for 3-methylphenol (m-cresol) and 4-methylphenol (p-cresol).
 - Only compounds detected above the Protection of Groundwater and Restricted Use Restricted-Residential SCOs are shown.
 - The criteria comparison for total chromium is provided for reference. The promulgated SCO shown is for hexavalent chromium.
 - All units are reported in mg/kg (milligrams per kilogram)
 - RL - Reporting Limit

Qualifiers:
J - The analyte was detected above the method detection limit (MDL), but below the RL; therefore, the result is an estimated concentration.
U - The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.

E

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.



LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
2560-2580 BOSTON ROAD

BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY

NEW YORK

Figure Title

SOIL SAMPLE ANALYTICAL RESULTS

Project No.
170684201

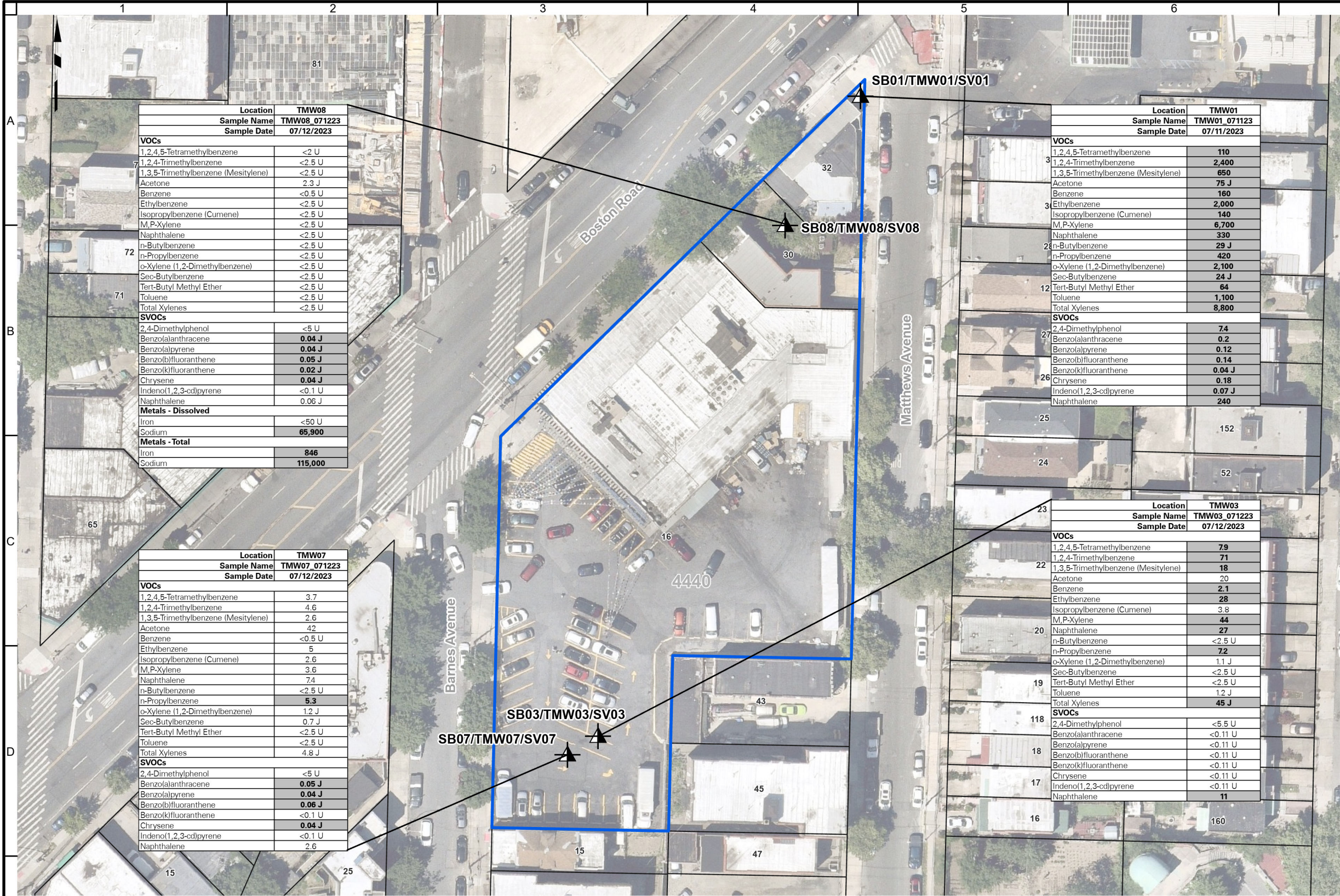
Date
8/31/2023

Scale
1"=60'

Drawn By
GS

Figure No.

D-1



Legend

Site Boundary

4440 Tax Block

16 Tax Parcel

Approximate Soil Boring/Temporary Monitoring Well/Soil Vapor Point Location

Analyte	NYSDEC SGVs
VOCs	
1,2,4,5-Tetramethylbenzene	5
1,2,4-Trimethylbenzene	5
1,3,5-Trimethylbenzene (Mesitylene)	5
Acetone	50
Benzene	1
Ethylbenzene	5
Isopropylbenzene (Cumene)	5
M,P-Xylene	5
Naphthalene	10
n-Butylbenzene	5
n-Propylbenzene	5
o-Xylene (1,2-Dimethylbenzene)	5
Sec-Butylbenzene	5
Tert-Butyl Methyl Ether	10
Toluene	5
Total Xylenes	5
SVOCs	
2,4-Dimethylphenol	1
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Chrysene	0.002
Indeno(1,2,3-cd)pyrene	0.002
Naphthalene	10
Metals - Dissolved	
Iron	300
Sodium	20000
Metals - Total	
Iron	300
Sodium	20000

Exceedance Summary:

10 - Result exceeds NYSDEC SGVs

- Notes:
- Aerial imagery provided through Langan's subscription to NearMap.com, flown 5/28/2023.
 - Parcel data provided by the New York City Department of City Planning.
 - All sample locations are approximate and based on field measurements.
 - Groundwater sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 Codes, Rules, and Regulations (NYCRR) Part 703.5 and the NYSDEC Technical and Operation Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA Water and published addenda (herein collectively referenced as "NYSDEC SGVs").
 - Only compounds detected above the NYSDEC SGVs are shown.
 - The criteria comparison for total metals (Chromium, Total) is provided for reference. The promulgated SGV shown is for hexavalent chromium.
 - All units are shown in µg/L (micrograms per liter)
 - RL - Reporting Limit

Qualifiers:
J - The analyte was detected above the method detection limit (MDL), but below the RL; therefore, the result is an estimated concentration.
U - The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.



LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
**2560-2580 BOSTON
ROAD**

BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY

NEW YORK

Figure Title
**GROUNDWATER
SAMPLE
ANALYTICAL RESULTS**

Project No.
170684201

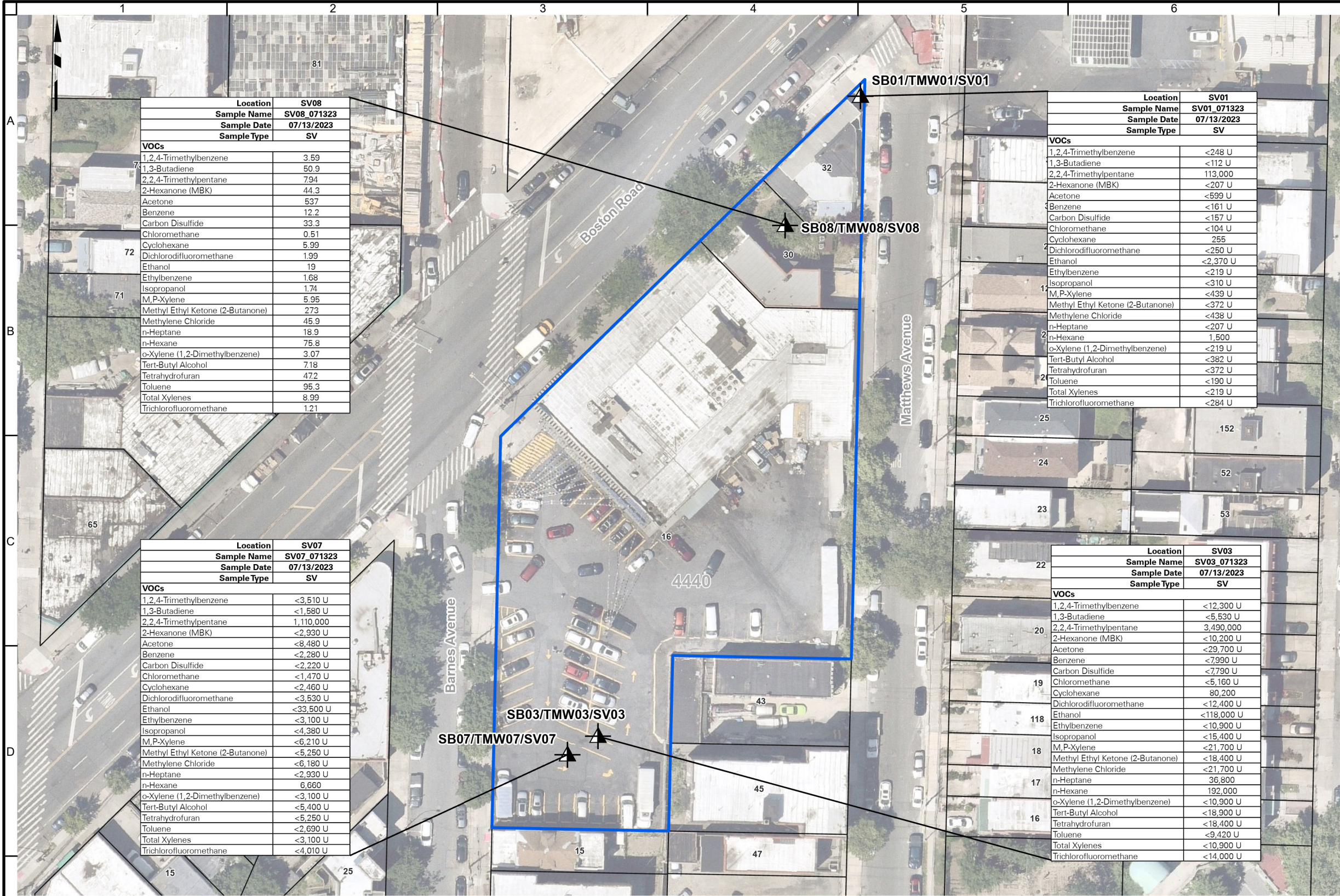
Date
8/31/2023

Scale
1"=60'

Drawn By
GS

Figure No.

D-2



Legend

- Site Boundary
- 4440 Tax Block
- 16 Tax Parcel
- Approximate Soil Boring/Temporary Monitoring Well/Soil Vapor Point Location

Analyte	NYSDOH Decision Matrices Minimum Concentrations
VOCs	
1,2,4-Trimethylbenzene	NS
1,3-Butadiene	NS
2,2,4-Trimethylpentane	NS
2-Hexanone (MBK)	NS
Acetone	NS
Benzene	NS
Carbon Disulfide	NS
Chloromethane	NS
Cyclohexane	NS
Dichlorodifluoromethane	NS
Ethanol	NS
Ethylbenzene	NS
Isopropanol	NS
M,P-Xylene	NS
Methyl Ethyl Ketone (2-Butanone)	NS
Methylene Chloride	100
n-Heptane	NS
n-Hexane	NS
o-Xylene (1,2-Dimethylbenzene)	NS
Tert-Butyl Alcohol	NS
Tetrahydrofuran	NS
Toluene	NS
Total Xylenes	NS
Trichlorofluoromethane	NS

Exceedance Summary:
10 - Result exceeds minimum soil vapor concentrations recommending mitigation

- Notes:
- Aerial imagery provided through Langan's subscription to NearMap.com, flown 5/28/2023.
 - Parcel data provided by the New York City Department of City Planning.
 - All sample locations are approximate and based on field measurements.
 - Soil vapor sample analytical results are compared to the minimum soil vapor concentrations at which mitigation is recommended as set forth in the New York State Department of Health (NYSDOH) October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York Decision Matrices for Sub-Slab Vapor and Indoor Air and subsequent updates (2017).
 - Only detections are shown.
 - All units are shown in µg/m³ (micrograms per cubic meter)
 - RL - Reporting Limit
 - NS - No Standard

Qualifiers:
U - The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.

WARNING: It is a violation of the NYS Education Law Article 145 for any person, unless acting under the direction of a licensed professional engineer, land surveyor or geologist, to alter this item in any way.



LANGAN

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

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
2560-2580 BOSTON ROAD
BLOCK No. 4440, LOT Nos. 16, 30, & 32
BRONX

BRONX COUNTY NEW YORK

Figure Title
SOIL VAPOR SAMPLE ANALYTICAL RESULTS

Project No. 170684201	Figure No. D-3
Date 8/31/2023	
Scale 1"=60'	
Drawn By GS	

ATTACHMENT E

SECTION V: REQUESTOR INFORMATION

The Requestor, SPG 2560 Boston Road LLC, is a Delaware limited liability company authorized to transact business in New York and the developer of the proposed Brownfield Cleanup Program (BCP) site at 2560-2580 Boston Road, identified on the Bronx County Tax Map as Block 4440, Lots 16, 30, and 32 (herein referred to as “the site”). A copy of the New York State Department of State Division of Corporations entity information for SPG 2560 Boston Road LLC (herein referred to as the “Requestor”) is included with this attachment. The Requestor certifies that it is a Volunteer per ECL 27-1405(1).

The members of SPG 2560 Boston Road LLC include:

- DMZR Nussbaum Investors LLC
- SJD Holdings LLC
- Panacea Equities LLC

Department of State

Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details



ENTITY NAME: SPG 2560 BOSTON ROAD LLC
FOREIGN LEGAL NAME: SPG 2560 BOSTON ROAD LLC
ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY
SECTIONOF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW
DATE OF INITIAL DOS FILING: 08/14/2023
EFFECTIVE DATE INITIAL FILING: 08/14/2023
FOREIGN FORMATION DATE: 11/19/2019
COUNTY: NEW YORK
JURISDICTION: DELAWARE, UNITED STATES

DOS ID: 7004527
FICTITIOUS NAME:
DURATION DATE/LATEST DATE OF DISSOLUTION:
ENTITY STATUS: ACTIVE
REASON FOR STATUS:
INACTIVE DATE:
STATEMENT STATUS: CURRENT
NEXT STATEMENT DUE DATE: 08/31/2025
NFP CATEGORY:

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: C/O SLATE PROPERTY GROUP LLC
Address: 440 PARK AVENUE SOUTH, 3RD FLOOR, NEW YORK, NY, UNITED STATES, 10022

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:
Address:

Entity Primary Location Name and Address

Name:
Address:

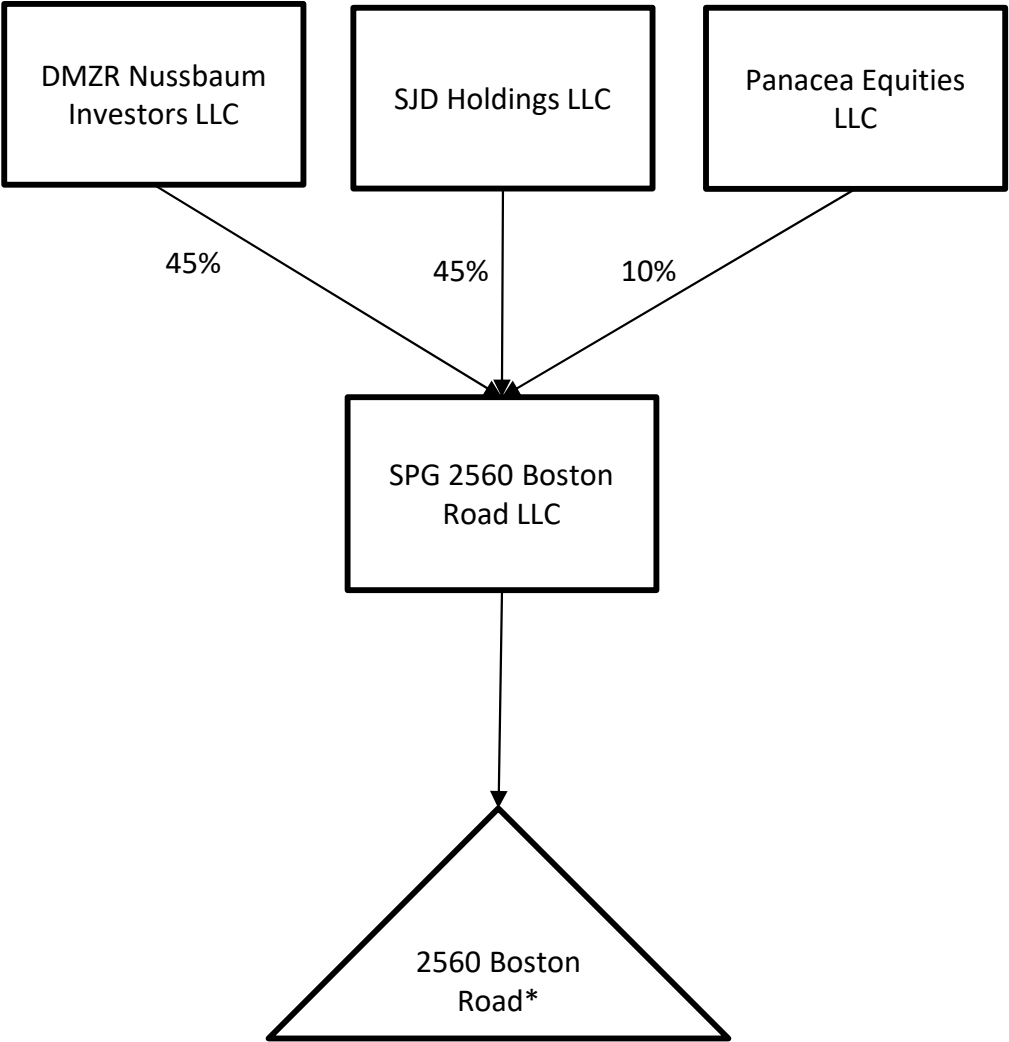
Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share

Organizational Chart – 2560 Boston Road



* This will ultimately be owned by a HDFC, which will have a nominee arrangement with SPG and a to be determined LIHTC investor

ATTACHMENT F

SECTION VI: REQUESTOR ELIGIBILITY

Item 13 Requestor Eligibility Statement

SPG 2560 Boston Road LLC (the Requestor) is properly designated as a Volunteer because any liability would arise solely from its future ownership or operation of the site. The Requestor, SPG 2560 Boston Road LLC, a Delaware liability company authorized to transact business in New York, does not yet own the site and is the prospective purchaser of Block 4440, Lots 16, 30, 32 (the site). The Requestor, as the prospective purchaser of the site, has not contributed to or exacerbated any site environmental conditions.

The Requestor completed a Phase I Environmental Site Assessment (ESA) in December 2020 and a Limited Subsurface Investigation (LSI) in July 2023 as part of its due diligence and All Appropriate Inquiries prior to a future site acquisition. The LSI investigated the Recognized Environmental Conditions (RECs) noted in the Phase I ESA and identified concentrations of contaminants above applicable regulatory criteria for the intended future use of the site in soil and groundwater and elevated concentrations of volatile organic compounds (VOCs) in soil vapor. The Requestor reported a spill (NY Spill No. 2303811) to the New York State Department of Environmental Conservation (NYSDEC) after petroleum-related impacts were identified during the LSI. The Requestor is prepared to undertake all necessary remediation required to address the identified site contamination following site acquisition. As such, the Requestor qualifies as a Volunteer in the Brownfield Cleanup Program (BCP) per ECL 27-1405(1).

Item 14 Requestor Relationship To Property

The Requestor, SPG 2560 Boston Road LLC, is the prospective purchaser of Lots 16, 30, and 32. Lot 16 is currently owned by Boston Road Associates, Lot 30 is currently owned by 2576 BPR Equities Inc., and Lot 32 is currently owned by Gloria Re. SPG 2560 Boston Road LLC has access agreements for each parcel that allow for the Requestor to have unfettered access to the site for investigation and remediation under the BCP, including placement of an environmental easement if deemed necessary. Copies of the access agreements are provided as part of this attachment.

**SPG 2560 Boston Road LLC
440 Park Avenue South, 3rd Flr
New York, NY 10016**

August 11, 2023

Boston Road Associates
38 East 29th Street, 9th Floor
New York, NY 10016

Re: Site Access for Brownfield Cleanup Program Work
2560 Boston Road
Bronx, New York 10467
Block 4440, Lot 16

To whom it may concern:

As you are aware, SPG 2560 Boston Road LLC is submitting an application to the Brownfield Cleanup Program (BCP) for the property located at 2560 Boston Road (Block 4440, Lot 16) in Bronx, New York ("the site"). The site is currently owned by Boston Road Associates.

As the BCP applicant, we are required to obtain full access to the site from the current property owner to be considered for acceptance into the BCP. In order to file the application, we need written permission from you to access the site throughout the BCP Project. This includes investigation and remediation of the property and permission to place an environmental easement on the site should one be necessary. By execution of this site access agreement letter, you are hereby allowing site access for this purpose, and agreeing to placement of an environmental easement if deemed necessary.

Sincerely,

By: 

David Schwartz, Authorized Signatory
SPG 2560 Boston Road LLC

As owner of the site, I agree to allow SPG 2560 Boston Road LLC, and its contractors, to enter 2560 Boston Road, Bronx, New York 10467 (Block 4440, Lot 16), which is currently owned by Boston Road Associates, to perform the required BCP investigation and remediation work and to place an environmental easement on the site should one be necessary.

By: 

Authorized Signatory
Boston Road Associates

SPG 2560 Boston Road LLC
440 Park Avenue South, 3rd Flr
New York, NY 10016

August 11, 2023

Joaquin Rivera
~~John Rivera~~
2576 BPR Equities Inc.
11 Hillside Court,
Suffern, New York 10901

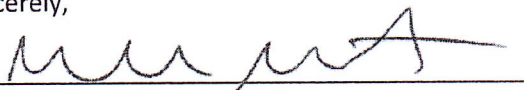
Re: Site Access for Brownfield Cleanup Program Work
2576 Boston Road
Bronx, New York 10467
Block 4440, Lot 30

Joaquin Rivera
~~John Rivera~~

As you are aware, SPG 2560 Boston Road LLC is submitting an application to the Brownfield Cleanup Program (BCP) for the property located at 2576 Boston Road (Block 4440, Lot 30) in Bronx, New York ("the site"). The site is currently owned by 2576 BPR Equities Inc.

As the BCP applicant, we are required to obtain full access to the site from the current property owner to be considered for acceptance into the BCP. In order to file the application, we need written permission from you to access the site throughout the BCP Project. This includes investigation and remediation of the property and permission to place an environmental easement on the site should one be necessary. By execution of this site access agreement letter, you are hereby allowing site access for this purpose, and agreeing to placement of an environmental easement if deemed necessary.

Sincerely,

By: 
David Schwartz, Authorized Signatory
SPG 2560 Boston Road LLC

As owner of the site, I agree to allow SPG 2560 Boston Road LLC, and its contractors, to enter 2576 Boston Road, Bronx, New York 10467 (Block 4440, Lot 30), which is currently owned by 2576 BPR Equities Inc., to perform the required BCP investigation and remediation work and to place an environmental easement on the site should one be necessary.

Joaquin Rivera
By: 
~~John Rivera~~, Pres.
John Rivera, Authorized Signatory
2576 BPR Equities Inc.

P.S. John Rivera: Broker & Property Manager

SPG 2560 Boston Road LLC
440 Park Avenue South, 3rd Flr
New York, NY 10016

August 11, 2023

Gloria Re
25-28 Lurting Avenue,
Bronx, New York 10469

Re: Site Access for Brownfield Cleanup Program Work
2580 Boston Road
Bronx, New York 10467
Block 4440, Lot 32

Gloria Re:

As you are aware, SPG 2560 Boston Road LLC is submitting an application to the Brownfield Cleanup Program (BCP) for the property located at 2580 Boston Road (Block 4440, Lot 32) in Bronx, New York ("the site"). The site is currently owned by Gloria Re.

As the BCP applicant, we are required to obtain full access to the site from the current property owner to be considered for acceptance into the BCP. In order to file the application, we need written permission from you to access the site throughout the BCP Project. This includes investigation and remediation of the property and permission to place an environmental easement on the site should one be necessary. By execution of this site access agreement letter, you are hereby allowing site access for this purpose, and agreeing to placement of an environmental easement if deemed necessary.

Sincerely,

By: 

David Schwartz, Authorized Signatory
SPG 2560 Boston Road LLC

As owner of the site, I agree to allow SPG 2560 Boston Road LLC, and its contractors, to enter 2580 Boston Road, Bronx, New York 10467 (Block 4440, Lot 32), which is currently owned by Gloria Re, to perform the required BCP investigation and remediation work and to place an environmental easement on the site should one be necessary.

By: 

Gloria Re
Site Owner

ATTACHMENT G

SECTION IX: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The Requestor (SPG 2560 Boston Road LLC) is not affiliated with any past property owners, operators, or the release of contaminants associated with prior uses. The current owners of the proposed BCP site are described below – copies of the property deeds are included with this attachment.

Ownership and Operator Records

The Current Property Owner/Operator information for the proposed brownfield site are as follows:

Lot 16

Current Owner: Boston Road Associates
Owner Since: March 1979
Address: 38 East 29th Street, 9th Floor
New York, NY 10016
Attn: Ira Gross
516-447-5986
igross@danssupreme.com

Current Operator: 2556 Boston Road Food Corp
Address: 2556 Boston Road,
Bronx, New York 10467
Attn: Rodolfo Fuertes
516-967-7839
rudyuertes@gmail.com

Lot 30

Current Owner and Operator: 2576 BPR Equities Inc.
Owner Since: January 2020
Address: 11 Hillside Court,
Suffern, New York 10901
Attn: John Rivera
917-596-8460
johnj2021@gmail.com

Lot 32

Current Owner: Gloria Re
Owner since: February 1980
25-28 Lurting Avenue,

Bronx, New York 10469
914-494-5452
charlesre54@icloud.com

Current Operator: Classico Building Maintenance Inc.
Address: 2580 Boston Road
Bronx, New York 10467
718-881-5551
mariarios@classicobmi.com

Previous Site Owners

Deeds prior to 1965 were not available on the NYC DOF ACRIS website. Property transactions after 1965 are summarized in the following table.

Date	Document Type	First Party	Second Party	Relationship of First Party to Applicant
Block 4440, Lot 16				
03/01/1979	Deed	Dan's Supreme Supermarkets Inc	Boston Road Associates	None
Block 4440, Lot 30				
07/08/1971	Deed	Executors of Irene Ranucci	Concetta Parisi, Teresa Parisi, Vincenzo Parisi, Giuseppe Parisi	None
08/02/1988	Deed	Concetta Parisi Emanuele, Teresa Parisi, Vincenzo Parisi, Giuseppe Parisi	Joaquin Rivera	None
06/02/1992	Deed	Joaquin Rivera	Carmen Rivera and Joaquin Rivera	None
01/04/1993	Deed	Carmen Rivera and Joaquin Rivera	Carmen Rivera	None
01/20/2020	Deed	Carmen Rivera	2576 BPR Equities Inc.	None
Block 4440, Lot 32				
12/22/1965	Deed	Michael Vuolo	Josephine Vuolo, Elizabeth Vuolo, Florence Vuolo, Angelina Vuolo	None
06/14/1968	Deed	Joseph Vuolo	Angelina Vuolo	None
05/09/1972	Deed	Lucille Montemurro, Marie Filardi, Frank Cartica Jr., Anthony Cartica, Frank N. Cartica Sr.	Security Controls, Inc.	None
05/10/1972	Deed	Josephine Vuolo, Elizabeth Vuolo, Florence Vuolo, Angelina Vuolo	Security Controls, Inc.	None
08/06/1974	Deed	Security Controls, Inc.	SA-BO Realty Corp.	None
11/14/1979	Deed	SA-BO Realty Corp.	Checkered Flag Imported Car Parts, Inc.	None
02/15/1980	Deed	Checkered Flag Imported Car Parts, Inc.	Gloria Re	None

Reference: NYC DOF ACRIS website:

<https://a836-acris.nyc.gov/DS/DocumentSearch/Index>.

Previous Site Operators

Historical operator information is listed below:

Operator Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
Block 4440, Lot 16			
Zodda Motor Sales	Occupant (1949-1960s)	2566 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Various Supermarkets and Parking Lot	Occupant (1965-present)	2556 Boston Road Bronx, New York 10467 Unknown Phone Number	None
2556 Boston Road Food Corp	Current Occupant (1995 to present)	2556 Boston Road Bronx, New York 10467 516-967-3433	None
Block 4440, Lot 30			
Private Residences	Occupant (1929-2020)	2576 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Attorney's Office	Occupant (1992-1995)	2576 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Daycare	Occupant (unknown)	2576 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Vacant Two-story Building	Vacant (unknown-present)	11 Hillside Court, Suffern, New York 10901 917-596-8460	None
Block 4440, Lot 32			
Convenience store with fuel pump	Occupant (1930s - 1940s)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Mobile Auto Radio Service	Occupant (1949 - unknown)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Electrician	Occupant (1956 - unknown)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Aluminum Sales Factory Service and Modernization Factory Service	Occupant (1965 - unknown)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Dog Training Facility	Occupant (1971 - unknown)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Auto Repair Shop	Occupant (1970s - 1980s)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Allerton Antennas	Occupant (1992-1995)	2580 Boston Road Bronx, New York 10467 Unknown Phone Number	None
Classico Building Maintenance Inc.	Occupant (1992 - present)	2580 Boston Road Bronx, New York 10467 718-881-5551	None

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT--THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

REEL 402 PAGE 799

THIS INDENTURE, made the 1 day of March, nineteen hundred and seventy-nine
BETWEEN DAN'S SUPREME SUPER MARKETS, INC., 320 Fulton Avenue,
Hempstead, New York,

party of the first part, and

BOSTON ROAD ASSOCIATES, a New York partnership having its
office at 320 Fulton Avenue, Hempstead, New York, under certificate
number filed in Bronx County, on , 1979,

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 County of the Bronx, City and State of New York,

BEGINNING at the corner formed by the intersection of the easterly side of Barnes Avenue and the southeasterly side of Boston Road; thence northeasterly along the southeasterly side of Boston Road 160.04 feet; thence southeasterly and at right angles to the southeasterly side of Boston Road 51.42 feet; thence easterly and at right angles to the westerly side of Matthews Avenue 51.42 feet to the westerly side of Matthews Avenue; thence southerly along the westerly side of Matthews Avenue 200 feet; thence westerly and at right angles to the west side of Matthews Avenue 100 feet; thence southerly parallel with the easterly side of Barnes Avenue 100 feet; thence westerly and at right angles to the easterly side of Barnes Avenue 100 feet to the easterly side of Barnes Avenue; thence northerly along the easterly side of Barnes Avenue 221.39 feet to the point or place of BEGINNING.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the 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 read "parties" whenever the sense of this indenture so requires.
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

DAN'S SUPREME SUPER MARKETS, INC.

By *Emerick Gross*
Emerick Gross, President



STATE OF NEW YORK, COUNTY OF

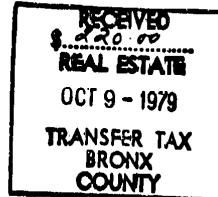
On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.



STATE OF NEW YORK, COUNTY OF

On the 9th day of July, 1979, before me personally came Emerick Gross to me known, who, being by me duly sworn, did depose and say that he resides at No. 1101 East 19th Street, Brooklyn, New York; that he is the President of Dan's Supreme Super Markets, Inc.,

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

BEAUCHIE H. O'BRIEN
NOTARY PUBLIC, State of New York
No. 459196
Qualified in Bronx County
Commission Expires March 30, 1981

Beauchie H. O'Brien

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Mortgage and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACES

TITLE No.

DAN'S SUPREME SUPER MARKETS, INC.,

SECTION

BLOCK 4440

LOT 16

COUNTY OR TOWN Bronx

TO

BOSTON ROAD ASSOCIATES

Recorded At Request of The Title Guarantee Company

RETURN BY MAIL TO:

Gladstone & Blatte
460 Park Avenue
New York, New York

10022

Zip No.

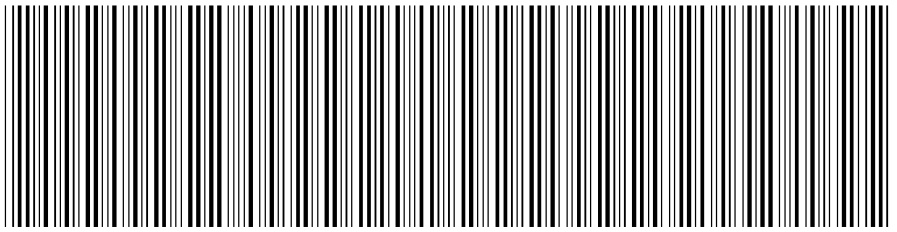


10527 OCT 9 79

RECORDED IN BRONX COUNTY
BLOCK 4440 LOT 16
SERIAL NUMBER 79237
79 OCT-9 A 10:13
CITY REGISTERED
TAX PAID
REC. FEE \$12
SST \$220
RPT \$5001

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

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



2020032700560001001EAF97

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 4

Document ID: 2020032700560001

Document Date: 01-21-2020

Preparation Date: 03-27-2020

Document Type: DEED

Document Page Count: 3

PRESENTER:

EVEREST ABSTRACT SERVICES, LLC
271 MADISON AVENUE, SUITE 401
2920-A-EVE (HOLD FOR PICK UP)
NEW YORK, NY 10016
212-684-3030
MICHELLES@EVERESTABSTRACT.COM

RETURN TO:

EDWARD L. SHENDELL, ESQ.
ONE JAMES AVENUE
(HOLD FOR PICK UP)
PORT WASHINGTON, NY 11050

				PROPERTY DATA	
Borough	Block	Lot	Unit	Address	
BRONX	4440	30	Entire Lot	2576 BOSTON ROAD	
Property Type: 1-3 FAMILY WITH STORE / OFFICE					

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

CARMEN RIVERA
11 HILLSIDE COURT
SUFFERN, NY 10901

GRANTEE/BUYER:

2576 BPR EQUITIES INC.
11 HILLSIDE COURT
SUFFERN, NY 10901

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: \$ 52.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

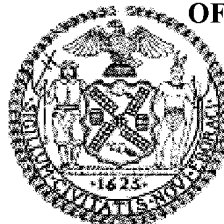
**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 03-27-2020 16:31

City Register File No.(CRFN):

2020000111036



Annette McMill

City Register Official Signature

3

2920-A-EVE

— Quitclaim Deed -- Individual or Corporation (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 21st day of January in the year 2020

BETWEEN

Carmen Rivera, 11 Hillside Court, Suffern, New York 10901

party of the first part, and 2576 BPR Equities Inc., 11 Hillside Court, Suffern, New York 10901

party of the second part,

WITNESSETH, that the party of the first part, in consideration of \$10.00 paid by the party of the second part, does hereby remise, release and quitclaim 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 and County of the Bronx, City and State of New York as more fully described on Schedule A, which attached hereto and made a part hereof, and identified as Block 4440 Lot 30, and also known as 2576 Boston Road, Bronx, New York. Said premises being the same premises conveyed to Carmen Rivera by Deed dated January 4, 1993 recorded in the Office of the City Register, County of Bronx on December 9, 1993 in Reel 1203 Page 1240 of Deeds.

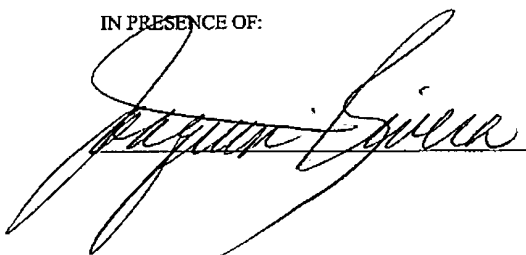
TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **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, 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 read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



Carmen Rivera
Carmen Rivera

Schedule A

Attached to and made a part of the Deed dated January 21, 2020 from
Carmen Rivera to 2576 BPR Equities Inc.

BEGINNING at a point on the southerly side of Boston Road, distant 76.31 feet westerly from the corner formed by the intersection of the southerly side of Boston Road and the westerly side of Matthews Avenue; running thence easterly at right angles to Boston Road, 31.06 feet; thence still easterly at right angles to Matthews Avenue, 31.06 feet to the westerly side of Matthews Avenue; thence southerly along the westerly side of Matthews Avenue, 50 feet; thence westerly at right angles to Matthews Avenue, 51.42 feet; thence still westerly at right angles to Boston Road, 51.41 feet to the southerly side of Boston Road; thence easterly along the southerly side of Boston Road, 50 feet to the point or place of BEGINNING.

SAID PREMISES also being known and designated as 2576 Boston Road, Bronx, New York.

-End-

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Rockland, ss:

On the 21st day of January in the year 2020, before me, the undersigned, personally appeared Carmen Rivera, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

JOHN RIVERA
Notary Public, State of New York
No. 01RI4980231
Qualified in Rockland County
Certificate Filed in Bronx County
Commission Expires April 15, 2023

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATEState of New York, County of Rockland, ss:

On the 20 day of Jan in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Jayson Rivera, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____ (if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said _____ execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

NOTARY PUBLIC

JOHN RIVERA
Notary Public, State of New York
No. 01RI4980231
Qualified in Rockland County
Certificate Filed in Bronx County
Commission Expires April 15, 2023

Quitclaim Deed

Carmen Rivera

TO

2576 BPR Equities Inc.

Title No. 2920-A-EUE

DISTRIBUTED BY



JUDICIAL TITLE

T: 800-281-TITLE F: 800-FAX-9396

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

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

NOTARY PUBLIC

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of _____, County of _____, ss:

On the _____ day of _____ in the year _____, before me, the undersigned personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the _____ (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

NOTARY PUBLIC

COUNTY: Bronx

TOWN/CITY: New York

PROPERTY ADDRESS: 2576 Boston Road

SECTION:

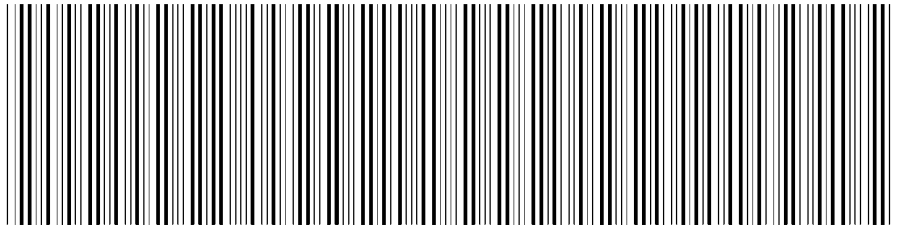
BLOCK: 4440

LOT: 30

RETURN BY MAIL TO:

Edward L. Shendell, Esq.
One James Avenue
Port Washington, NY 11050

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



2020032700560001001S6116

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2020032700560001
Document Type: DEED

Document Date: 01-21-2020

Preparation Date: 03-27-2020

ASSOCIATED TAX FORM ID: 2020011700396

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING
RP - 5217 REAL PROPERTY TRANSFER REPORT

1
1



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: 4440 LOT: 30
- (2) Property Address: 2576 BOSTON ROAD, BRONX, NY 10467
- (3) Owner's Name: 2576 BPR EQUITIES INC.

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:

2576 BPR EQUITIES INC

Signature:

Carmen Rivera

01/01/2020

Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable:

CARMEN RIVERA, AUTH signatory

FOR CITY USE ONLY

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

C3. Book OR C4. Page

C5. CRFN



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location 2576 BOSTON ROAD BRONX 10467
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 2576 BPR EQUITIES INC.
 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

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 ☐

8. Seller Name RIVERA CARMEN
 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

SALE INFORMATION

10. Sale Contract Date 1 / 21 / 2020
 Month Day Year

11. Date of Sale / Transfer 1 / 21 / 2020
 Month Day Year

12. Full Sale Price \$ 0

(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 S 1 16. Total Assessed Value (of all parcels in transfer) 3 7 7 0 1

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

BRONX 4440 30

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.

2576 BPR EQUITIES INC.

BUYER

BUYER'S ATTORNEY

BUYER SIGNATURE <i>Carmen Rivera</i> 11 HILLSIDE COURT		DATE 1/21/20	LAST NAME A. Shendell	FIRST NAME Edward
STREET NAME (AFTER SALE) SUFFERN		AREA CODE 516	TELEPHONE NUMBER 883-1337	
CITY OR TOWN SUFFERN	STATE NY	ZIP CODE 10901	SELLER Carmen Rivera	
			SELLER SIGNATURE <i>Carmen Rivera</i>	DATE 1/21/20

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 15th day of FEBRUARY, nineteen hundred and 80

BETWEEN CHECKERED FLAG IMPORTED CAR PARTS, INC., a domestic corporation, having its principal place of business at 2580 Boston Post Road, Bronx, New York

NEL 414 PAGE 77

party of the first part, and CHARLES T. RE and GLORIA RE, his Wife residing at 25-28 Lurting Avenue, Bronx, New York

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, known and designated as lot Number four hundred and eighty-two on a certain map entitled Sec. 1 and 2, "Map of one thousand four hundred and forty-five lots, comprising land known as the Williamsbridge Farm of the Estate of Lorillard Spencer and other land, formerly owned by Vincent Astor, situated on Boston Road and Pelham Parkway, Williamsbridge Road and Burke Avenue in the twenty-fourth Ward, Borough of Bronx, New York City, surveyed and drawn by Earl B. Lovell, C.E. and C.S. dated April 27, 1917" and filed in the office of the Register of Bronx County on June 1, 1917 by Map numbers two-hundred forty-five and two-hundred forty-six respectively, and more particularly bounded and described as follows:

BEGINNING a the corner formed by the intersection of the westerly side of Matthews Avenue with the southeasterly side of Boston Road; THENCE Southerly along the westerly side of Matthews Avenue, 76.31 feet; THENCE westerly at right angles to the westerly side of Matthews Avenue, 31.06 feet; THENCE northwesterly at right angles to the southeasterly side of Boston Road, 31.06 feet to the southeasterly side of Boston Road; and THENCE northeasterly along the southeasterly side of Boston Road, 76.31 feet to the corner aforesaid, at the point or place of BEGINNING.

That for valuable consideration, the receipt of which is hereby acknowledged by grantee, for five years from the date hereof the aforesaid premises shall not be used for the sale, repair or installation of automobile sound equipment and auto theft devices including, but not limited to radios, tape recorders, cassette recorders, CB's, burglar alarms, hood locks, etc. That the foregoing restrictive covenant is binding upon all subsequent grantees.

TAX MAP
DESIGNATION

Dist.

Sec. 16

Blk. 4440

Lot(s): 32

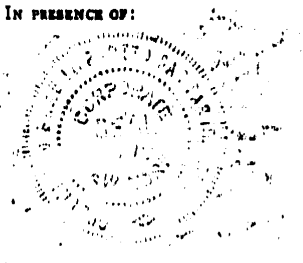
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; 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, 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 read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



Charles T. Re
CHECKERED FLAG IMPORTED CAR PARTS, INC.
BY: CHARLES T. RE, President

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

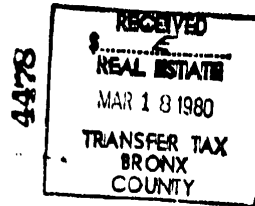
to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

REEL 414 PAGE 78



STATE OF NEW YORK, COUNTY OF New York

On the 15th day of FEBRUARY 19 80, before me personally came CHARLES T. RE

to me known, who, being by me duly sworn, did depose and say that he resides at No. 25-28 Lurting Avenue Bronx, New York

that he is the President of CHECKERED FLAG IMPORTED CAR PARTS, INC.

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation, that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Notary Public

FRANKLIN J. BARR
NOTARY PUBLIC, State of New York
No. 41-4835518
Qualified in Queens County
Domestic and Foreign

WITHOUT COVENANT AGAINST GRANTOR'S ACTS

TITLE No. COVATESY

RECORDED AT
REQUEST OF

FIRST MANHATTAN ABSTRACT CORP.

SECTION 16

BLOCK 4440

LOT 32

COUNTY OR TOWN BRONX

STREET ADDRESS 2580 BOSTON POST ROAD

TAX BILLING ADDRESS

Recorded At Request of The Title Guarantee Company

RETURN BY MAIL TO:

FRANKLIN J. BARR, ESQ.
370 Lexington Avenue
New York, New York

Zip No. 10017

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



TITLE GUARANTEE-
NEW YORK

ATICOR COMPANY

2798 MA-1880

0021 15960 CO-RT-HVN

0010 15960 CO-RT-HVN

OFFICE OF CITY REGISTER
Bronx County
RECORDED
Witness my hand
and official seal

John J. Lagattuta

4440-32

REC. FEE A-12
EST \$ 1361
DET \$

MAR 18 AM 9 19

CITY REGISTER BRONX CO.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

ATTACHMENT H

SECTION XI: CONTACT LIST INFORMATION

Item 1 – Chief Executive Officer and Planning Board

Chief Executive Officer

Mayor Eric Adams
City Hall
260 Broadway Avenue
New York, New York 10007

New York City Planning Commission

Dan Garodnick, Chair
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Borough of the Bronx, Borough President

Vanessa Gibson
851 Grand Concourse, 3rd Floor
Bronx, New York 10451

Borough of the Bronx, Department of City Planning

Paul Philips
1775 Grand Concourse,
Bronx, NY 10453

Director of the Mayor's Office of Environmental Coordination

Hilary Semel
100 Gold Street - 2nd Floor
New York, NY 10038

Item 2 - Residents, Owners, and Occupants, of the Property and Adjacent Properties

Address/ Block and Lot	Owner/Mailing Address	Occupant/Mailing Address
2560 Boston Road Block 4440, Lot 16	Boston Road Associates 38 East 29 th Street, 9 th Floor New York, NY 10016	2556 Boston Road Food Corp 2556 Boston Road, Bronx, New York 10467

Address/ Block and Lot	Owner/Mailing Address	Occupant/Mailing Address
2576 Boston Road Block 4440, Lot 30	2576 BPR Equities Inc. 11 Hillside Court, Suffern, New York 10901	2576 BPR Equities Inc. 11 Hillside Court, Suffern, New York 10901
2580 Boston Road Block 4440, Lot 32	Gloria Re 25-28 Lurting Avenue, Bronx, New York 10469	Classico Building Maintenance Inc. 2580 Boston Road Bronx, New York 10467

Adjacent properties include:

Napa Realty Corp.

Block: 4441 Lot: 34
2600 Boston Road
Bronx, NY 10467

Maria Coppola

Block: 4441 Lot: 127
2552 Matthews Avenue
Bronx, NY 10467

Linus Jeremie

Block: 4441 Lot: 24
2544 Matthews Avenue
Bronx, NY 10467

John Angrisani

Block: 4441 Lot: 31
2560 Matthews Avenue
Bronx, NY 10467

Michael Ciofalo

Block: 4441 Lot: 27
2550 Matthews Avenue
Bronx, NY 10467

Mario Scaglione

Block: 4441 Lot: 23
2540 Matthews Avenue
Bronx, NY 10467

Leo Borenstein

Block: 4441 Lot: 30
2558 Matthews Avenue
Bronx, NY 10467

Most Rabea Khatun

Block: 4441 Lot: 26
2548 Matthews Avenue
Bronx, NY 10467

Chien Tran

Block: 4441 Lot: 22
2538 Matthews Avenue
Bronx, NY 10467

Shkelzen Nikqi

Block: 4441 Lot: 28
2554 Matthews Avenue
Bronx, NY 10467

Agim Dedushi

Block: 4441 Lot: 25
2546 Matthews Avenue
Bronx, NY 10467

Hannah Deh

Block: 4441 Lot: 20
2536 Matthews Avenue
Bronx, NY 10467

Anna Failla Revocable Trust

Block: 4441 Lot: 19
2534 Matthews Avenue
Bronx, NY 10467

Jim Kong Chen

Block: 4440 Lot: 43
2535 Matthews Avenue
Bronx, NY 10467

Klina Realty Corp.

Block: 4440 Lot: 45
2529 Matthews Avenue
Bronx, NY 10467

Agim Kelmendi

Block: 4440 Lot: 15
2524 Barnes Avenue
Bronx, NY 10467

Driart Realty LLC

Block: 4439 Lot: 25
2523 Bares Avenue
Bronx, NY 10467

Boston 1 LLC

Block: 4439 Lot: 20
2556 Boston Road
Bronx, NY 10467

2555 Boston Road LLC

Block: 4439 Lot: 56
2559 Boston Road
Bronx, NY 10467

Carolei Realty Corp. LLC

Block: 4440 Lot: 71
800 Allerton Avenue
Bronx, NY 10467

Item 3 - Local News Media

The Bronx Times Reporter
3604 East Tremont Avenue, Bronx, NY 10465
718-260-4593

Item 4 - Public Water Supply

The responsibility for supplying water in NYC is shared between the NYC Department of Environmental Protection (NYCDEP), the Municipal Water Finance Authority, and the New York City Water Board:

New York City Department of Environmental Protection

Rohit T. Aggarwala, Commissioner
59-17 Junction Boulevard
Flushing, NY 11373

New York City Municipal Water Finance Authority

255 Greenwich Street, 6th Floor
New York, NY 10007

New York City Water Board

Department of Environmental Protection
59-17 Junction Boulevard, 8th Floor
Flushing, NY 11373

Item 5 - Request for Contact

We are unaware of any requests for inclusion on the contact list.

Item 6 – Schools, Day Care Facilities and Nursing Homes

There are no schools or day care facilities located on the site. The following are schools or day care facilities located within ½ mile of the site:

Better Days Adult Daycare
(about 0.04 miles southwest of the site)
2542 Boston Road,
Bronx, NY 10467
718-324-2700

Genius Group Family Daycare
(about 0.08 miles south-southwest of the site)
First Floor, 2515 Barnes Avenue,
Bronx, NY 10467
718-231-5575

Shining Angel Daycares
(about 0.12 miles southeast of the site)
2518 Bronxwood Avenue,
Bronx, NY 10469
718-547-5153

St. Lucy's School
(about 0.12 miles south-southeast of the site)
Jane Stefanini, Principal
830 Mace Avenue,
Bronx, NY 10467
718-882-2203

Bronx Green Middle School
(about 0.16 miles southwest of the site)
Charles Johnson, Principal
2441 Wallace Avenue,
Bronx, NY 10467
718-325-6593

Bronx Park Middle School
(about 0.16 miles southwest of the site)
Renee Rinaldi, Principal
2441 Wallace Avenue,
Bronx, NY 10467
718-652-6090

Darlene Day Care
(about 0.19 miles southeast of the site)
2513 Colden Avenue,
Bronx, NY 10469
718-655-0417

St. Lucy's Pre School
(about 0.23 miles south-southeast of the site)
2401 Bronxwood Avenue,
Bronx, NY 10469
718-882-0800

Fordham Arms Home For Adults
(about 0.24 miles north of the site)
2915 Williamsbridge Road,
Bronx, NY 10467
718-655-3433

P.S. 89 – The Williamsbridge School
(about 0.25 miles southeast of the site)
Ralph Martinez, Principal
980 Mace Avenue,
Bronx, NY 10469
718-653-0835

Solid Foundations Preschool
(about 0.27 miles south of the site)
2333 Mathews Avenue,
Bronx, NY 10467
347-202-9793

Future Leaders
(about 0.30 miles west-southwest of the site)
2515 Olinville Avenue #2H,
Bronx, NY 10467
551-282-7013

My Learning Home Group Family DayCare
(about 0.30 miles west-southwest of the site)
2505 Olinville Avenue Apt. 1A,
Bronx, NY 10467
917-564-9122

Nest of Love Daycare
(about 0.31 miles north-northeast of the site)
2941 Radcliff Avenue,
Bronx, NY 10469
718-328-0974

ABC Learning Hearts Daycare Inc
(about 0.32 miles north-northwest of the site)
2935 Holland Avenue,
Bronx, NY 10467
929-453-5377

Dream Big Little One, Group Family Day Care
(about 0.32 miles north of the site)
808 Adee Avenue Apt. 2a,
Bronx, NY 10467
347-997-0336

Step By Step Group Daycare Corp
(about 0.32 miles north-northwest of the site)
2935 Holland Avenue,
Bronx, NY 10467
347-613-5720

Pelham Preparatory Academy
(about 0.33 miles southeast of the site)
Benvenuto Ferron, Principal
925 Astor Avenue,
Bronx, NY 10469
718-944-3401

P.S. 076 The Bennington School
(about 0.33 miles north-northeast of the site)
Darlene Teron, Principal
900 Adee Avenue,
Bronx, NY 10469
718-882-8865

Daylin's World of Wonder Daycare #3
(about 0.33 miles west-southwest of the site)
2506 Barker Avenue,
Bronx, NY 10467
347-825-6999

X288 Collegiate Institute for Math and Science
(about 0.34 miles southeast of the site)
Fredrick Nelson, Principal
925 Astor Avenue,
Bronx, NY 10469
718-944-3635

Nuna's Learn and Play Group Family Daycare
(about 0.35 miles southwest of the site)
2442 Barker Avenue,
Bronx, NY 10467
347-366-3146

Christopher Columbus High School
(about 0.36 miles southeast of the site)
Lisa Maffei-Fuentes, Principal
925 Astor Avenue,
Bronx, NY 10469
718-944-3400

Youth Reboot Inc.
(about 0.37 miles west-northwest of the site)
2792 Bronx Park E.,
Bronx, NY 10467
914-498-1682

Pelham Parkway Nursing Home
(about 0.42 miles southeast of the site)
2401 Laconia Avenue,
Bronx, NY 10469
718-798-8600

PSS Parkside Center
(about 0.44 miles northwest of the site)
644 Adele Avenue,
Bronx, NY 10467
718-881-7780

New York Institute For Special Education
(about 0.46 miles southeast of the site)
Bernadette Kappen, Director
999 Pelham Parkway N.,
Bronx, NY 10469
718-519-7000

Childrens Academy WeeCare
(about 0.48 miles southwest of the site)
2320 Bronx Park E.,
Bronx, NY 10467
929-209-5975

Beth Abraham Center for Rehabilitation, and
Nursing
(about 0.36 miles west of the site)
Saul Silbermintz, Administrator
612 Allerton Avenue,
Bronx, NY 10467
718-519-4125

P.S. 096 Richard Rodgers
(about 0.41 miles southwest of the site)
Joan Vetere, Principal
2385 Olinville Avenue,
Bronx, NY 10467
718-652-4959

Lil Scholars Day Care
(about 0.43 miles southwest of the site)
610 Waring Avenue,
Bronx, NY 10467
347-738-0795

Bellas Bright Stars Childcare
(about 0.46 miles southwest of the site)
2265 Olinville Avenue,
Bronx, NY 10467

Childrens Academy Daycare
(about 0.47 miles southwest of the site)
2320 Bronx Park E.
Bronx, NY 10467
929-303-0537

Alphabet Kids Playhouse Corp.
(about 0.48 miles south of the site)
2225 Bronxwood Avenue,
Bronx, NY 10469
718-902-1100

Item 7 - Document Repository

A letter was sent to and received from the following sources, acknowledging that they agree to act as a document repository for documents generated under the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP):

Bronx Community Board 11

Jeremy H. Warneke - District Manager
1741 Colden Ave,
Bronx, NY 10462
(718) 892-6262

New York Public Library - Allerton Branch

Manuel Martinez - Library Manager
2740 Barnes Avenue
Bronx, NY 10467
718-881-4240

August 24, 2023

Manuel Martinez – Library Manager
New York Public Library – Allerton Branch
2740 Barnes Avenue
Bronx, NY 10467
718-881-4240

**Re: Brownfield Cleanup Program Application
2560-2580 Boston Road
2560-2580 Boston Road (Block 4440, Lots 16, 30, and 32)
Bronx, New York 10467**

Dear Mr. Martinez:


We represent SPG 2560 Boston Road LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced development in Bronx, New York. It is a NYSDEC requirement that we supply them a letter certifying that the local library is willing and able to serve as a public electronic repository for all documents pertaining to the cleanup of this property. Please sign below if you are able to certify that your library would be willing and able to act as a public electronic repository for this BCP project.

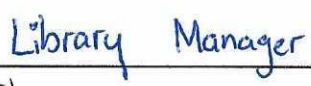
Sincerely,
**Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.**



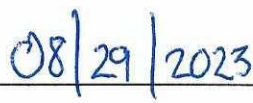
Brian Gochenaur
Associate

Yes, the New York Public Library - Allerton Branch is willing and able to act as a public electronic repository on behalf of SPG 2560 Boston Road LLC in their cleanup of the 2560-2580 Boston Road project under the NYSDEC BCP.



(Name)


(Title)



(Date)

August 24, 2023

District Manager
Bronx Community Board 11
1741 Colden Ave,
Bronx, NY 10462
Phone: (718) 892-6262

**RE: Brownfield Cleanup Program Application
2560-2580 Boston Road
2560-2580 Boston Road (Block 4440, Lots 16, 30, and 32)
Bronx, New York 10467**

To whom it may concern:

We represent SPG 2560 Boston Road LLC for their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced development project in Bronx, New York. It is a NYSDEC requirement that we supply them a letter certifying that the local community board is willing and able to serve as a 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 community board will be willing and able to act as the temporary public repository for this BCP project.

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



Brian Gochenaur
Associate

Yes, the Bronx Community Board 11 is willing and able to act as a public repository on behalf of SPG 2560 Boston Road LLC in the cleanup of the 2560-2580 Boston Road project under the NYSDEC BCP.


(Name)

District Manager
(Title)

9/7/23
(Date)