

January 14, 2025

Kelly A. Lewandowski, P.E.
Chief
Site Control
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-7020

Re: Response to December 13, 2024, NYSDEC Letter of Incomplete Application
Brownfield Cleanup Program Application
Morrisania East #C203183

Dear Ms. Lewandowski:

Roux Environmental Engineering and Geology, D.P.C. (Roux), on behalf of TEG Morrisania Development LLC has prepared the following response to December 13, 2024 comments from the New York State Department of Environmental Conservation (NYSDEC) on the Brownfield Cleanup Program Application for Morrisania East #C203183 for property located at 280 East 161st Street, Bronx, New York (Site).

Each comment provided verbatim in bold italics followed by Roux's response:

Section I: Property Information

- 1) ***Add the adjacent owners of the properties directly across the street from the proposed site on E 161 Street to the adjacent land owners map provided.***

The ownership of the properties across the street on E 161st Street have been added to Figure 6 – Adjacent Land Owners Map.

- 2) ***Provide a copy of the document indicating New York City Department of Building approval of the subdivision to split Block 2420, Lot 150 into Lots 130 and 150. This document must show the proposed site boundary aligns with boundary of the approved new Lot 150.***

The tax lot subdivision is finalized and the final and approved tax lot map is included in Appendix B. The application has been revised to remove reference to "tentative" tax lots 130 and 150.

- 3) ***Note that additional comments regarding the Environmental Assessment may be included in the attached Project Manager's comments.***

This comment is noted and responses are provided under comments 4 and 9.

- 4) ***Property Description Narrative:***

- ***Location: The section wasn't written in the proper format. Please revise the section according to the instructions on page 17 of the BCP application form for completion and submission.***

The location narrative included in Appendix B has been revised to summarize the necessary information in the format as specified in the BCP Application instructions.

Environmental Assessment: Please revised the section accordingly.

- ***Soil: The section wasn't written in the proper format. Please revise the section according to the instruction on page 18 of the BCP application form of completion and submission. Soil data should be compared to the soil clean-up objectives which correspond to the future intended use only, which for this site are the restricted residential soil clean-up objectives (RRSCOs). The specific contaminants discussed in the Environmental Assessment should mirror those listed in Appendix E, Data Summary Tables As an example.***
- ***Groundwater: The specific contaminants discussed in the Environmental Assessment should mirror those listed in Appendix E, Data Summary Tables As an example.***
- ***Soil Vapor: The specific contaminants discussed in the Environmental Assessment should mirror those listed in Appendix E, Data Summary Tables As an example.***

The Environmental Assessment section has been revised to only compare to the Restricted Residential Soil Cleanup Objectives (RRSCOs) and to mirror the discussion format provided by the NYSDEC.

Section IV: Property's Environmental History

- 5) Provide the reports titled, "BCP Eligibility Investigation", Supplemental BCP Eligibility Investigation", and "Supplemental East Tower BCP Eligibility Investigation" listed in Appendix E – Property's Environmental History section of your application. These reports were not found with your application submittal.**

Formal reports were not prepared for the "BCP Eligibility Investigation", Supplemental BCP Eligibility Investigation", and "Supplemental East Tower BCP Eligibility Investigation" listed in Appendix E. These investigations were completed for the purpose of preparing the BCP Application. Appendix E has been revised to indicate that a summary of the these previously completed investigations is included in that Appendix. Laboratory analytical reports and soil boring logs from these investigations are included in Attachment 1.

- 6) Note that additional comments regarding the Environmental Assessment may be included in the attached Project Manager's comments.**

This comment is noted and responses are provided under comments 4 and 9.

- 7) The submitted Limited Phase II Environmental Site Assessment Report meets the latest American Society for Testing and Materials standard (ASTM E1903) requirements.**

This comment is noted.

- 8) The BCP Eligibility Investigation, completed by Roux in December 2023, the Supplemental BCP Eligibility Investigation, completed by Roux in February 2024, and the Supplemental East Tower BCP Eligibility Investigation, completed by Roux in September 2024 were not included with the application.**

Formal reports were not prepared for the "BCP Eligibility Investigation", Supplemental BCP Eligibility Investigation", and "Supplemental East Tower BCP Eligibility Investigation" listed in Appendix E. These investigations were completed for the purposes of preparing the BCP Application. Appendix E has been revised to indicate that a summary of the these previously completed investigations is included in that Appendix. Laboratory analytical reports and soil boring logs from these investigations are included in Attachment 1.

- 9) Soil data in the data summary tables should include only data which exceed the RRSCOs.**

The soil data summary tables included in Appendix E and the soil exceedances summarized in Figure 10 have been updated to include exceedances of RRSCOs only.

Section XI: Site Contact List

10) Add all residents, owners, and occupants of the property directly across the street from the proposed site on E 161 Street.

The Site Contact List included in Appendix I has been updated with the owners of the properties across the street on E 16th Street.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.



Lauren Dolginko
Senior Geologist



Frank Cherena, P.G.
Principal Geologist



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:

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: _____

Yes

No



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SECTION I: Property Information

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY (LIST ALL IF MORE THAN ONE)

COUNTY

SITE SIZE (ACRES)

LATITUDE

LONGITUDE

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.

| Parcel Address | Section | Block | Lot | Acreage |
|----------------|---------|-------|-----|---------|
| | | | | |
| | | | | |
| | | | | |

| | | |
|---|----------|----------|
| 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. | Y | N |
| 2. Is the required property map included with the application? (Application will not be processed without a map) Appendix A | | |
| 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: _____ Percentage of property in En-zone (check one): 0% 1-49% 50-99% 100% | | |
| 4. Is the project located within a disadvantaged community? See application instructions for additional information. | | |
| 5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information. | | |
| 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: _____ | | |

| 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? | | | |
| 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. | | | |
| 9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map. | | | |
| 10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____ | | | |
| 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: _____ | | | |
| 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> | | | |
| 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> | | | |
| 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? Appendix B | | | |
| 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. | | Y | N |
| 16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? | | | |
| 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? | | | |
| 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>_____</div> </div> | | | |

SECTION II: Project Description

| | | | |
|--|---------------|-------------|-----|
| 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. | Appendix C | | |
| Is this information attached? | Yes | No | |

SECTION III: Land Use Factors

| | | |
|---|-------------|--------------|
| 1. What is the property's current municipal zoning designation? _____ | | |
| 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. | Y | N |
| Is this summary included with the application? Appendix D | | |
| 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? | | |
| 7. Is the proposed post-remediation use a renewable energy facility? | | |
| See application instructions for additional information. | | |
| 8. Do current and/or recent development patterns support the proposed use? | | |
| 9. Is the proposed use consistent with applicable zoning laws/maps? | | |
| Please provide a brief explanation. Include additional documentation if necessary. | | |
| 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. | | |

SECTION IV: Property's Environmental History

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** Appendix E **LABORATORY REPORTS REFERENCED AND INCLUDED.**

| CONTAMINANT CATEGORY | SOIL | GROUNDWATER | SOIL GAS |
|-------------------------|------|-------------|----------|
| Petroleum | | | |
| Chlorinated Solvents | | | |
| Other VOCs | | | |
| SVOCs | | | |
| Metals | | | |
| Pesticides | | | |
| PCBs | | | |
| PFAS | | | |
| 1,4-dioxane | | | |
| Other – indicated below | | | |

*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):

| | | | |
|------------------------|---------------|--------------------|-----------------|
| Coal Gas Manufacturing | Manufacturing | Agricultural Co-Op | Dry Cleaner |
| Salvage Yard | Bulk Plant | Pipeline | Service Station |
| Landfill | Tannery | Electroplating | Unknown |

Other:

SECTION V: Requestor Information

NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

PHONE

EMAIL

1. Is the requestor authorized to conduct business in New York State (NYS)?

Y

N

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? **Appendix F**

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

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.

SECTION VI: Requestor Eligibility**Appendix G**

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?
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?
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.
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?
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.
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?

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? | Y | 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? | | |
| 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? | | |
| 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? | | |
| 11. Are there any unregistered bulk storage tanks on-site which require registration? | | |
| 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 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 | No | N/A |

SECTION VI: Requestor Eligibility (CONTINUED)

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

Appendix F

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION VII: Requestor Contact Information

REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

REQUESTOR'S CONSULTANT (CONTACT NAME)

COMPANY

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

REQUESTOR'S ATTORNEY (CONTACT NAME)

COMPANY

ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

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? | | |
| 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? Appendix F N/A | | |

SECTION IX: Current Property Owner and Operator InformationAppendix H

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. | | |
| 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: _____ | | |

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: _____ | | |
| 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. N/A | | |
| 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: _____ | | |
| 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. | | |

SECTION XI: Site Contact List Appendix I

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 Representative (title) of TEG Morrisania Development 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: 12/5/2024

Signature: 

Print Name: Matthew Lawrence

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? | | |
| 2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit? | | |
| 3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? | | |
| 4. Is the property upside down or underutilized as defined below? | | |
| Upside down | | |
| Underutilized | | |

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

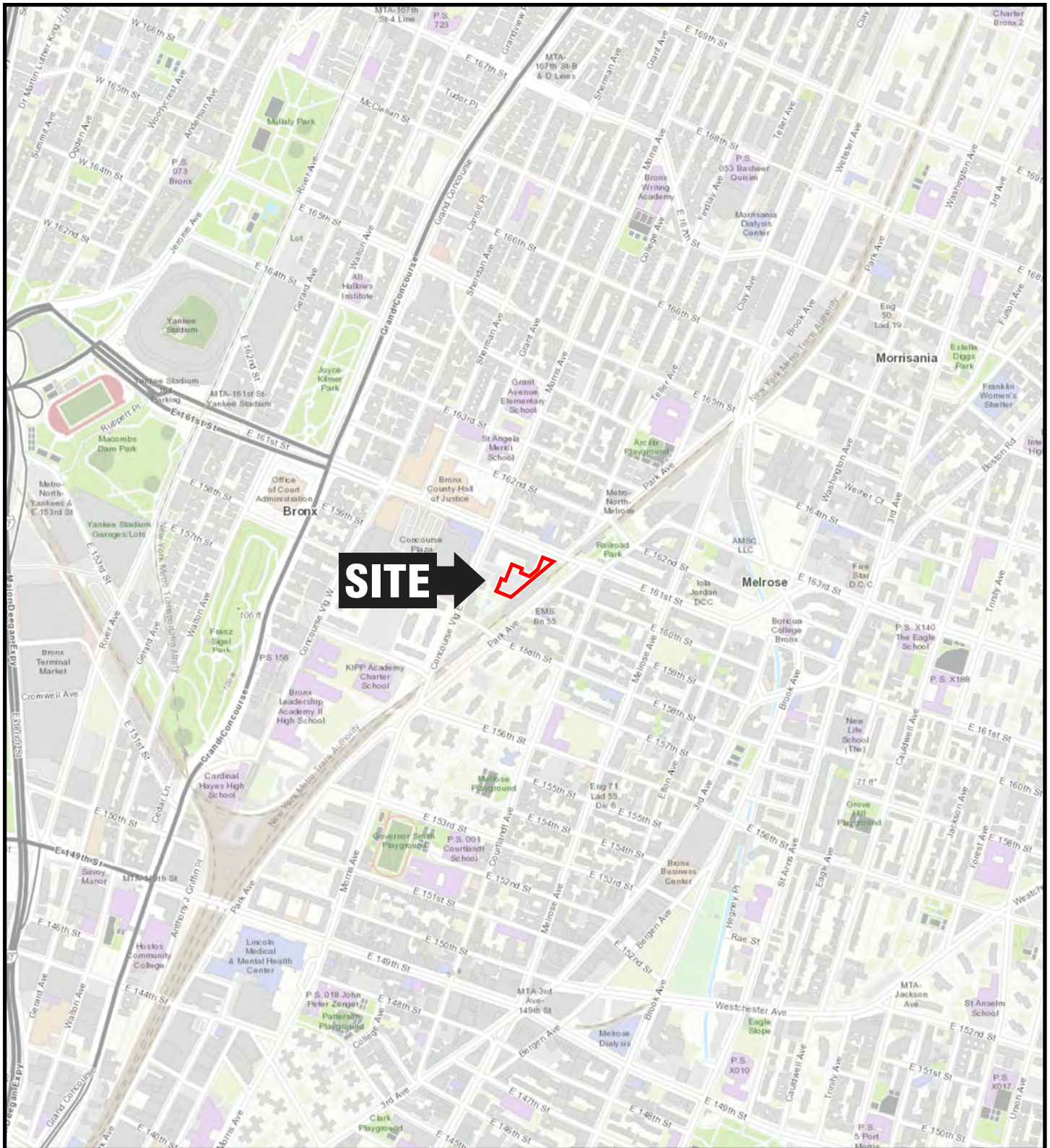
From ECL 75-0111 as of April 9, 2022:

(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.

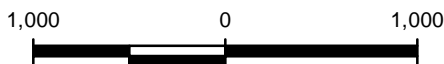
Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

FIGURES

1. Site Location Map
2. Site Plan
3. Tax Map
4. Existing Conditions
5. Land Use
6. Adjacent Land Owners
7. NYS En-Zone Boundaries
8. Disadvantaged Communities
9. Environmental Justice Areas
10. Summary of Exceedances in Soil
11. Summary of Exceedances in Groundwater
12. Summary of Detections in Soil Vapor



QUADRANGLE LOCATION



Title:

SITE LOCATION MAP

MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY



Compiled by: J.M.

Date: 09/30/24

FIGURE

Prepared by: M.S.R.

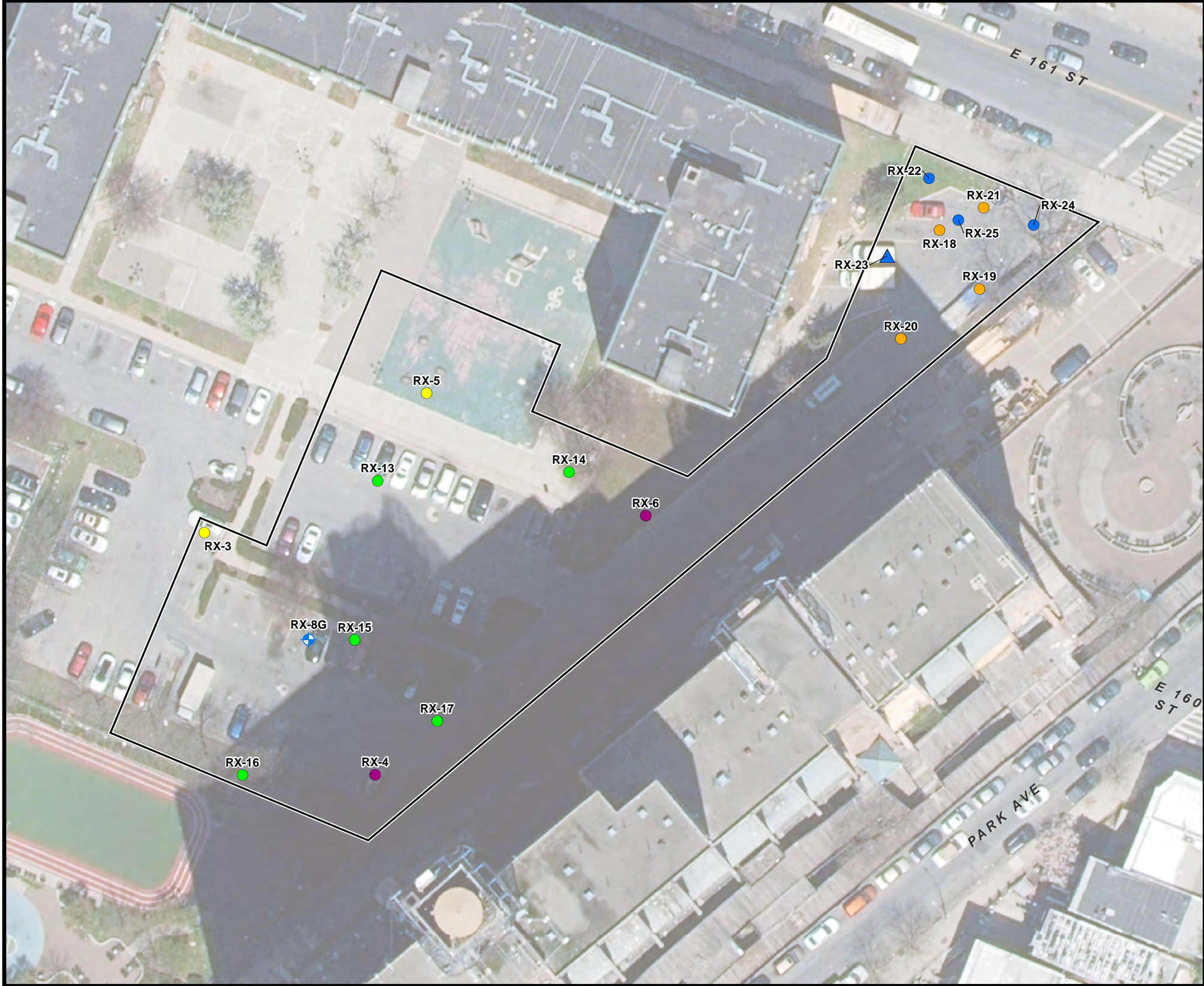
Scale: AS SHOWN

Project Mgr: L.D.

Project: 3868.0005Y000

File: 3868.0005Y101.01.mxd

1



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LEGEND

MONITORING WELL INSTALLED BY MUESER RUTLEDGE

2022 PHASE II ESA SOIL BORING

2022 PHASE II ESA SOIL BORING AND SOIL VAPOR POINT

2023 BCP ELIGIBILITY SOIL BORING

2024 SUPPLEMENTAL BCP ELIGIBILITY SOIL BORING

2024 EAST TOWER SUPPLEMENTAL BCP ELIGIBILITY SOIL BORING

2024 EAST TOWER SUPPLEMENTAL BCP ELIGIBILITY SOIL VAPOR POINT

SITE BOUNDARY

NOTES

1. AERIAL SOURCE: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES GIS PROGRAM OFFICE (GPO)

2. ESA - ENVIRONMENTAL SITE ASSESSMENT

3. BCP - BROWNFIELD CLEANUP PROGRAM

400

0

40'

Title:

SITE PLAN

MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

Compiled by: J.M.

Prepared by: M.S.R.

Project Mgr: L.D.

File: 3868.0005Y101.02.mxd

Date: 09/30/24

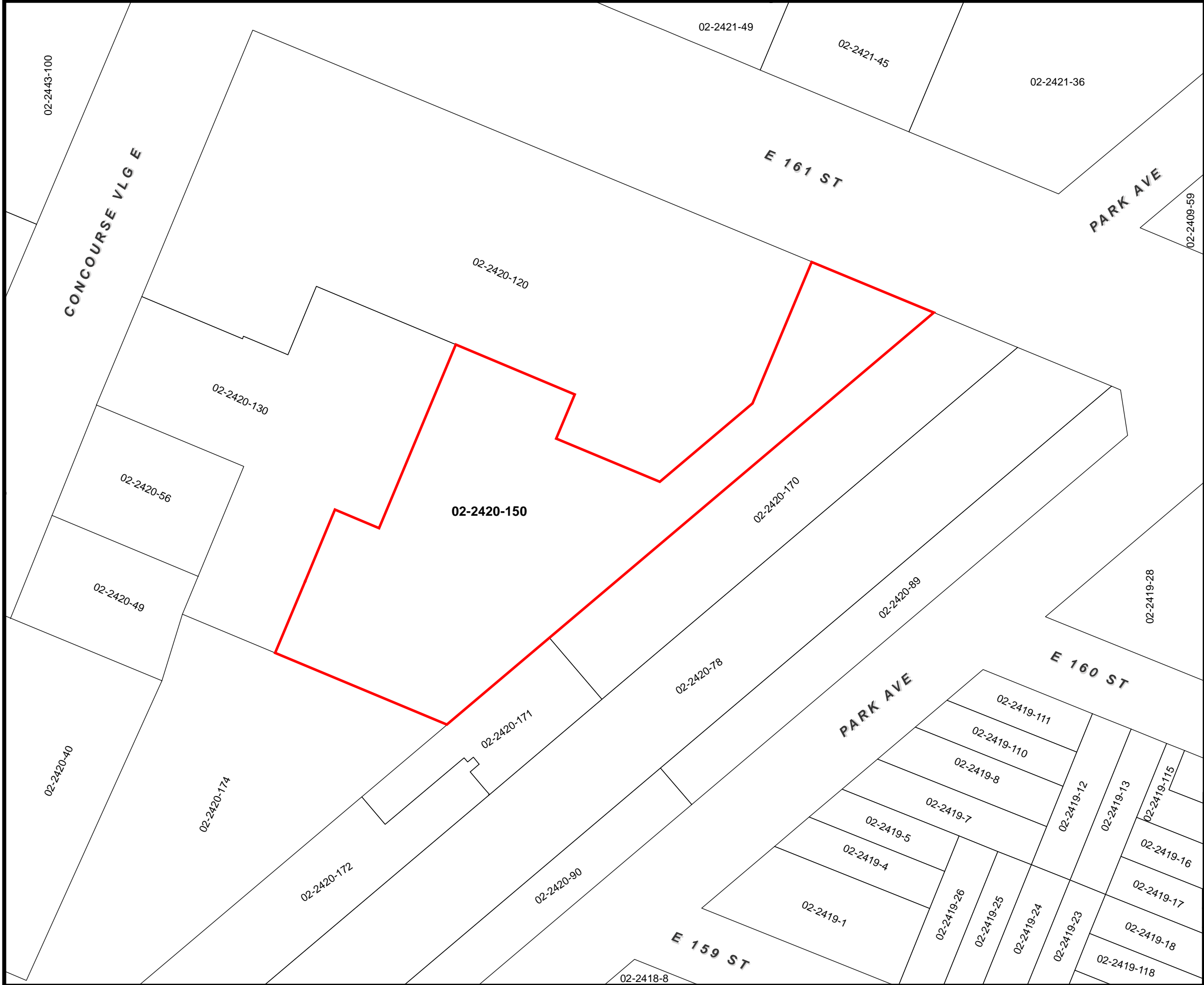
Scale: AS SHOWN

Project: 3868.0005Y000

FIGURE

2

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LEGEND

| | |
|--|-----------------|
| | PARCEL BOUNDARY |
| | SITE BOUNDARY |

NOTES

1. TAX MAP SOURCE: NYC DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION

PARCEL NUMBER
02-2420-150
BOROUGH BLOCK LOT



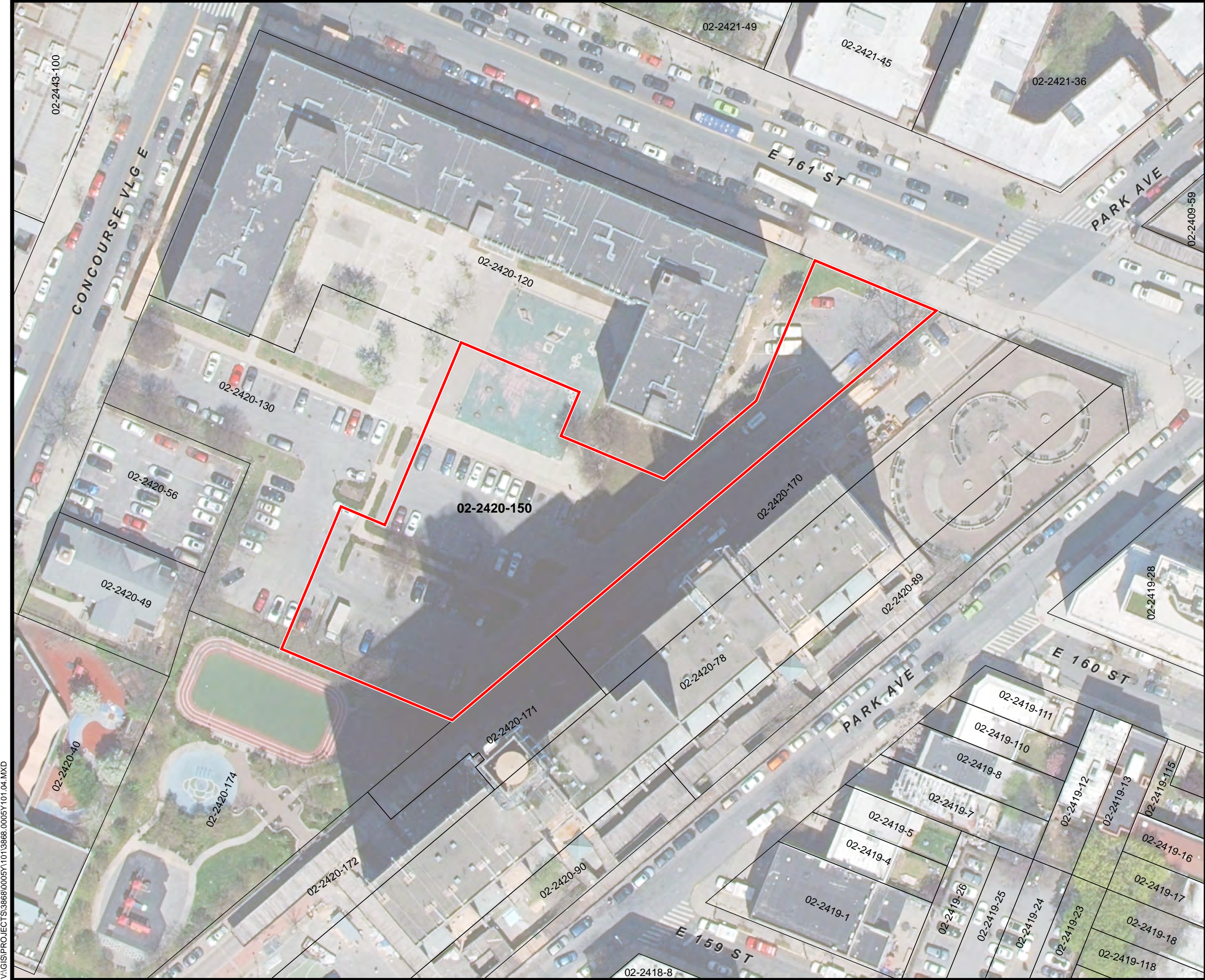
Title:

TAX MAP
MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

| | | | |
|--|----------------------------|------------------------|--------------------|
| | Compiled by: J.M. | Date: 09/30/24 | FIGURE 3 |
| | Prepared by: M.S.R. | Scale: AS SHOWN | |
| | Project Mgr: L.D. | Project: 3868.0005Y000 | |
| | File: 3868.0005Y101.03.mxd | | |



LEGEND

PARCEL BOUNDARY

SITE BOUNDARY

- NOTES
- 1. TAX MAP SOURCE: NYC DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION
 - 2. AERIAL SOURCE: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES GIS PROGRAM OFFICE (GPO)

PARCEL NUMBER
02-2420-150
BOROUGH BLOCK LOT



Title:

EXISTING CONDITIONS

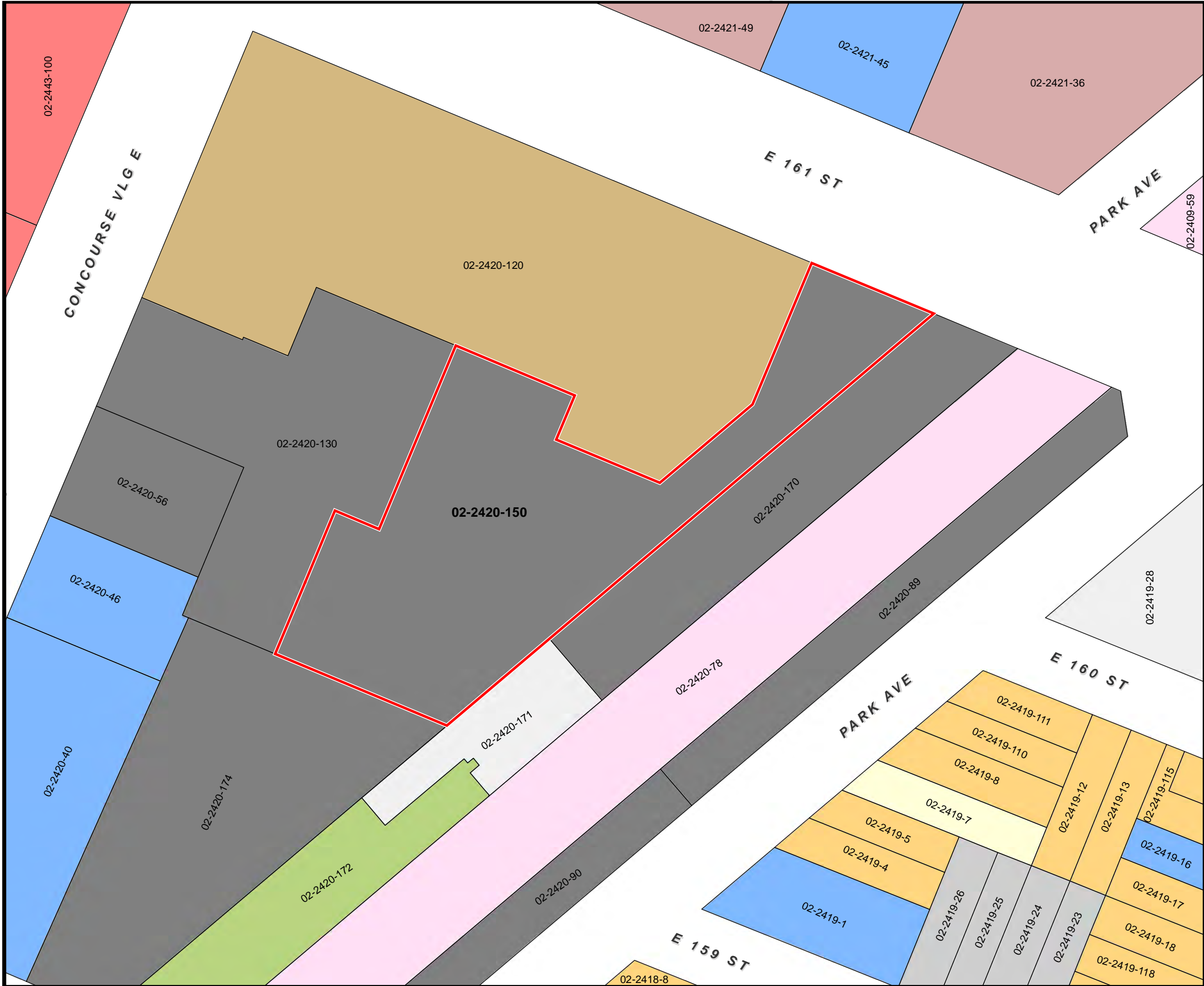
MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

| | | | |
|--|----------------------------|------------------------|--------------------|
| | Compiled by: J.M. | Date: 09/30/24 | FIGURE 4 |
| | Prepared by: M.S.R. | Scale: AS SHOWN | |
| | Project Mgr: L.D. | Project: 3868.0001Y000 | |
| | File: 3868.0005Y101.04.mxd | | |

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LEGEND

PARCEL BOUNDARY

SITE BOUNDARY

DCP LAND USE CATEGORIES

ALL OTHERS OR NO DATA

ONE & TWO FAMILY BUILDINGS

MULTI-FAMILY WALK-UP BUILDINGS

MULTI-FAMILY ELEVATOR BUILDINGS

MIXED COMMERCIAL & RESIDENTIAL BUILDINGS

COMMERCIAL & OFFICE BUILDINGS

INDUSTRIAL & MANUFACTURING

TRANSPORATION & UTILITY

PUBLIC FACILITIES & INSTITUTIONS

OPEN SPACE & OUTDOOR RECREATION

PARKING FACILITIES

VACANT LAND

NOTES

1. TAX MAP SOURCE: NYC DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION

PARCEL NUMBER

02-2420-150

BOROUGH BLOCK LOT

60 0 60'

Title:

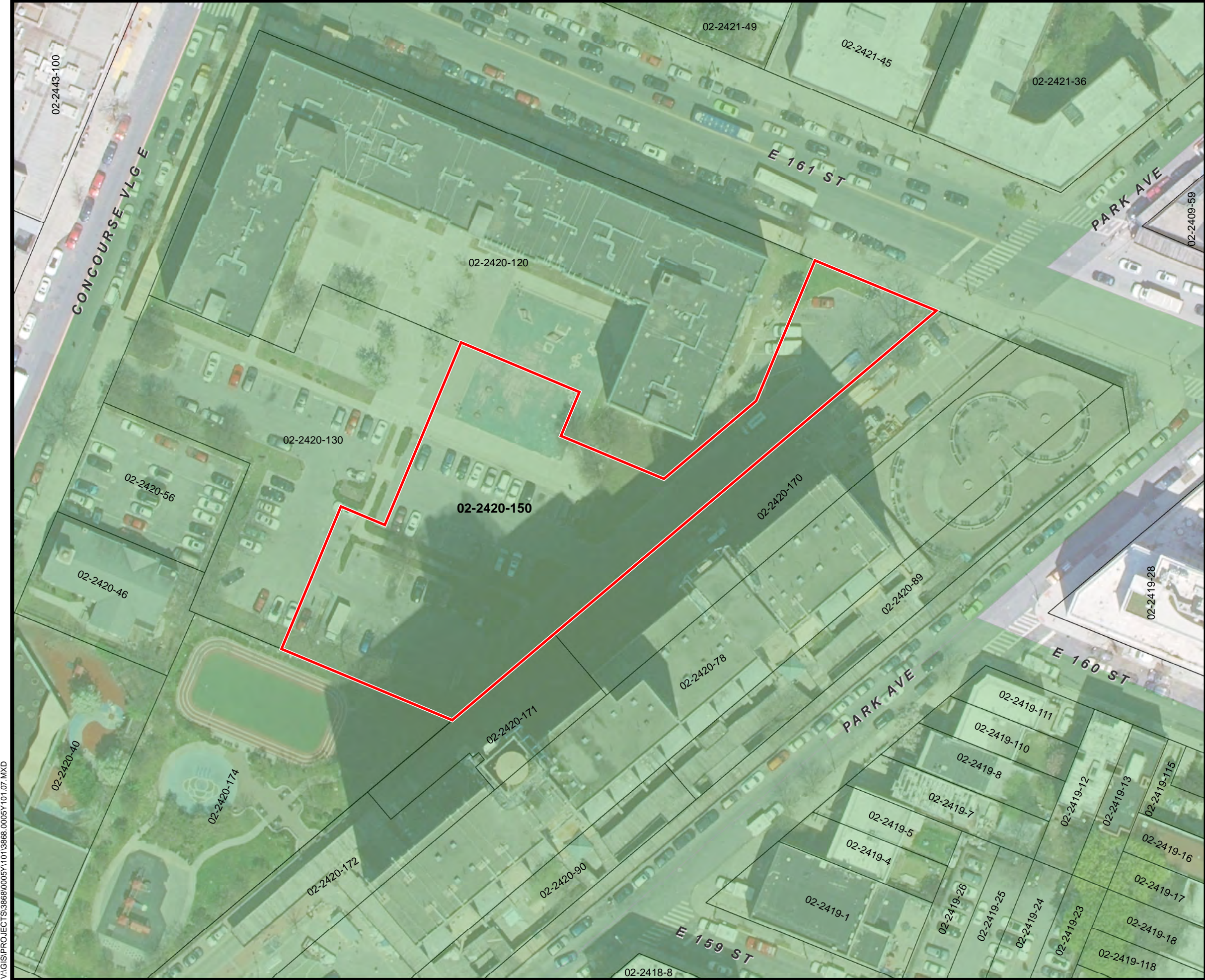
LAND USE

MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

| | | | |
|-------------|----------------------------|------------------------|--------------------|
| ROUX | Compiled by: J.M. | Date: 09/30/24 | FIGURE 5 |
| | Prepared by: M.S.R. | Scale: AS SHOWN | |
| | Project Mgr: L.D. | Project: 3868.0005Y000 | |
| | File: 3868.0005Y101.05.mxd | | |



N

LEGEND

NYS EN-ZONE TYPE A : POVERTY RATE OF AT LEAST 20% AND UNEMPLOYMENT RATE OF AT LEAST 125% THE STATEWIDE UNEMPLOYMENT RATE.

PARCEL BOUNDARY

SITE BOUNDARY

NOTES

1. TAX MAP SOURCE: NYC DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION

2. AERIAL SOURCE: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES GIS PROGRAM OFFICE (GPO)

3. NYS EN-ZONE BOUNDARY DATA SET SOURCE: DIVISION OF ENVIRONMENTAL REMEDIATION

PARCEL NUMBER

02-2420-150

BOROUGH

BLOCK

LOT

60

0

60'

Title:

NYS EN-ZONE BOUNDARIES

MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

ROUX

Compiled by: J.M.

Date: 09/30/24

Prepared by: M.S.R.

Scale: AS SHOWN

Project Mgr: L.D.

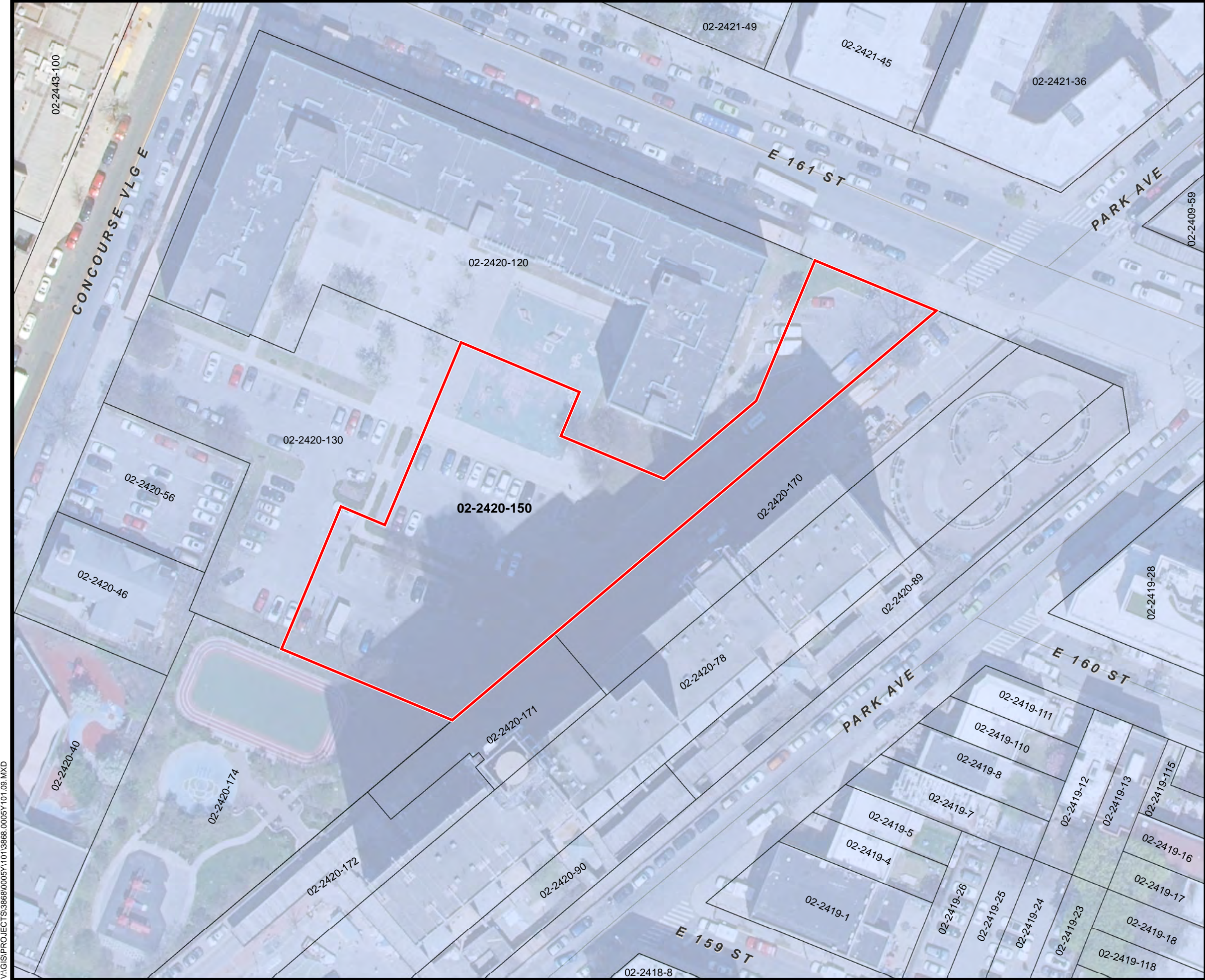
Project: 3868.0001Y000

File: 3868.0005Y101.07.mxd

FIGURE

7

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LEGEND

POTENTIAL ENVIRONMENTAL JUSTICE AREA (PEJA) COMMUNITIES

PARCEL BOUNDARY

SITE BOUNDARY

- NOTES
1. TAX MAP SOURCE: NYC DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION
 2. AERIAL SOURCE: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES GIS PROGRAM OFFICE (GPO)
 3. NYS DISADVANTAGED COMMUNITIES DATA SET SOURCE: DIVISION OF ENVIRONMENTAL REMEDIATION

PARCEL NUMBER
02-2420-150
BOROUGH BLOCK LOT



Title:

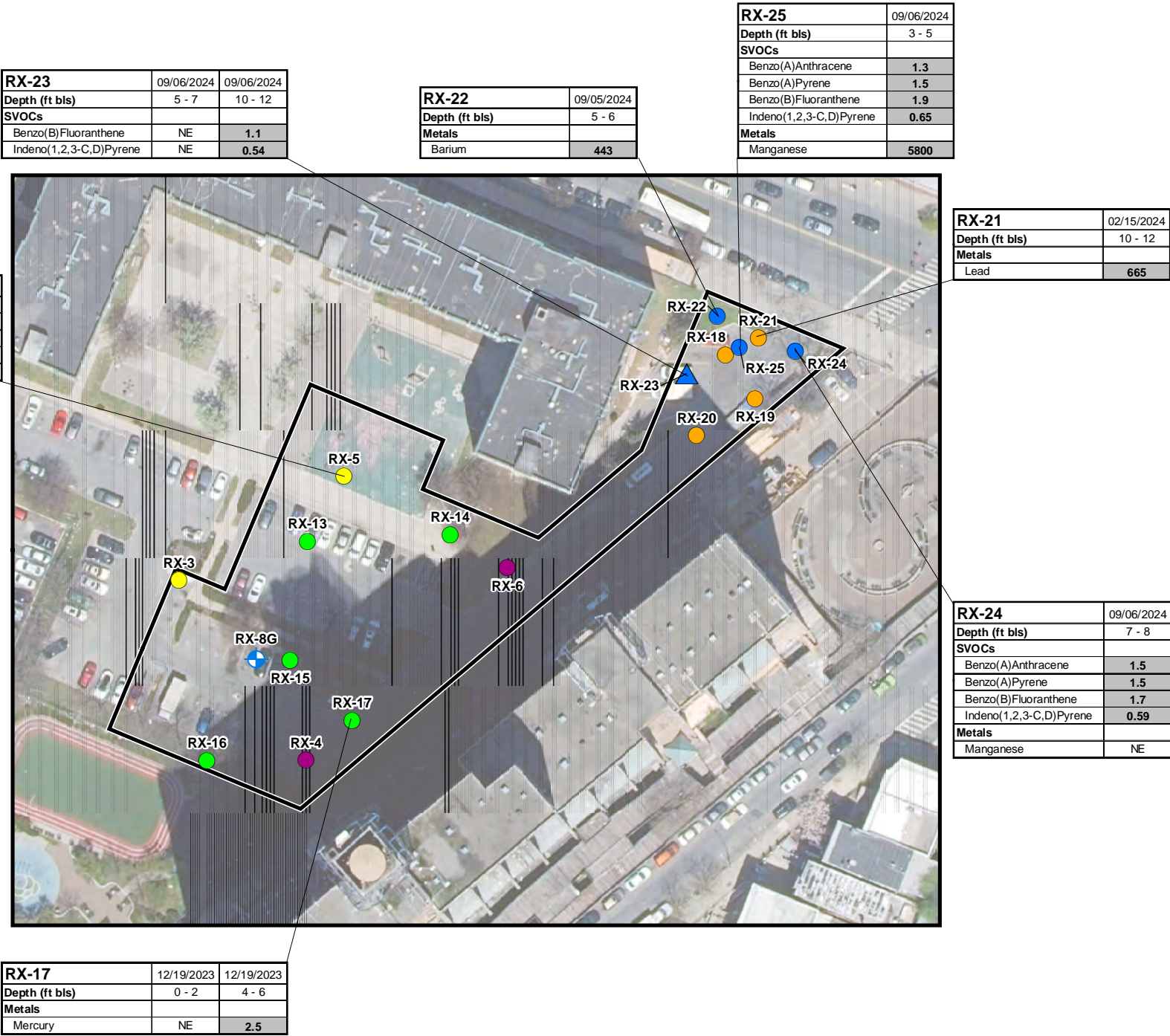
ENVIRONMENTAL JUSTICE AREA

MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

| | | | |
|--|----------------------------|------------------------|--------------------|
| | Compiled by: J.M. | Date: 09/30/24 | FIGURE 9 |
| | Prepared by: M.S.R. | Scale: AS SHOWN | |
| | Project Mgr: L.D. | Project: 3868.0005Y000 | |
| | File: 3868.0005Y101.09.mxd | | |



| Parameter | NYSDEC Part 375 Restricted Residential Soil Cleanup Objectives | Units |
|-------------------------|---|-------|
| VOCs | NE | mg/kg |
| SVOCs | | |
| Benzo(A)Anthracene | 1 | mg/kg |
| Benzo(A)Pyrene | 1 | mg/kg |
| Benzo(B)Fluoranthene | 1 | mg/kg |
| Dibenz(A,H)Anthracene | 0.33 | mg/kg |
| Indeno(1,2,3-C,D)Pyrene | 0.5 | mg/kg |
| Metals | | |
| Barium | 400 | mg/kg |
| Lead | 400 | mg/kg |
| Manganese | 2000 | mg/kg |
| Mercury | 0.81 | mg/kg |
| PCBs | ND | mg/kg |
| Pesticides | NE | mg/kg |

LEGEND

- MONITORING WELL INSTALLED BY MUESER RUTLEDGE
- 2022 PHASE II ESA SOIL BORING
- 2022 PHASE II ESA SOIL BORING AND SOIL VAPOR POINT
- 2023 BCP ELIGIBILITY SOIL BORING
- 2024 SUPPLEMENTAL BCP ELIGIBILITY SOIL BORING
- 2024 EAST TOWER SUPPLEMENTAL BCP ELIGIBILITY SOIL BORING
- 2024 EAST TOWER SUPPLEMENTAL BCP ELIGIBILITY SOIL VAPOR POINT
- SITE BOUNDARY

NOTES

1. AERIAL SOURCE: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES GIS PROGRAM OFFICE (GPO)

2. ESA - ENVIRONMENTAL SITE ASSESSMENT

3. BCP - BROWNFIELD CLEANUP PROGRAM

4. SHADED DATA INDICATES THAT PARAMETER WAS DETECTED ABOVE THE NYSDEC PART 375 RESTRICTED RESIDENTIAL SCO

MG/KG - MILLIGRAMS PER KILOGRAM

NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

-- NO NYSDEC PART 375 SOIL CLEANUP OBJECTIVES AVAILABLE

J - ESTIMATED VALUE

DUP - DUPLICATE SAMPLE

VOCs - VOLATILE ORGANIC COMPOUNDS

SVOCs - SEMIVOLATILE ORGANIC COMPOUNDS

PCBs - POLYCHLORINATED BIPHENYLS

NE - NO EXCEEDANCE

ND - NO DETECTION

FT BLS - FEET BELOW LAND SURFACE

Title:

SUMMARY OF EXCEEDANCES IN SOIL

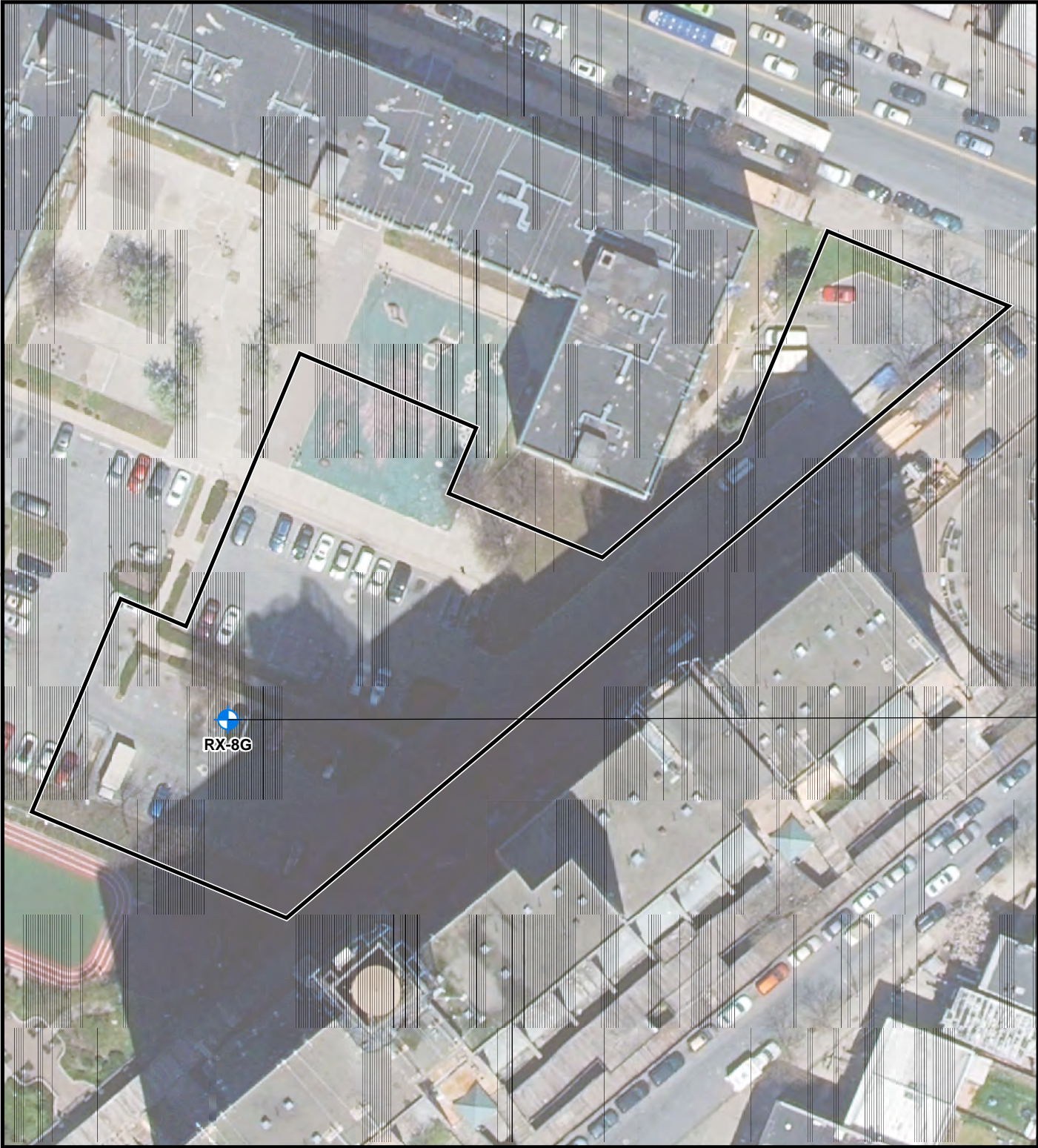
MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

| | | | |
|-------------|----------------------------|------------------------|---------------------|
| ROUX | Compiled by: J.M. | Date: 12/26/24 | FIGURE 10 |
| | Prepared by: M.S.R. | Scale: AS SHOWN | |
| | Project Mgr: L.D. | Project: 3868.0005Y000 | |
| | File: 3868.0005Y101.10.mxd | | |

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| | |
|--------------------------|---------------|
| RX-8G | 06/07/2022 |
| Metals, Total | |
| Iron | 3220 |
| Magnesium | 135000 |
| Manganese | 1170 |
| Sodium | 44100 |
| Metals, Dissolved | |
| Magnesium | 53500 |
| Sodium | 42300 |

LEGEND

 MONITORING WELL INSTALLED BY MUESER RUTLEDGE

| Parameter | NYSDEC AWQSGV |
|--------------------------|---------------|
| VOCs | NE |
| SVOCs | NE |
| Metals, Total | |
| Beryllium | 3 |
| Iron | 300 |
| Lead | 25 |
| Magnesium | 35000 |
| Manganese | 300 |
| Sodium | 20000 |
| Thallium | 0.5 |
| Metals, Dissolved | |
| Magnesium | 35000 |
| Sodium | 20000 |
| PCBs | ND |
| Pesticides | ND |

NOTES

1. ALL CONCENTRATIONS ARE SHOWN IN MICROGRAMS PER LITER

AWQGSVS - AMBIENT WATER-QUALITY STANDARDS AND GUIDANCE VALUES

DUP - DUPLICATE SAMPLE

ND - NO DETECTION

NE - NO EXCEEDANCE



NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

J - ESTIMATED VALUE

PCBS - POLYCHLORINATED BIPHENYLS

SVOCs - SEMIVOLATILE ORGANIC COMPOUNDS


VOCs - VOLATILE ORGANIC COMPOUNDS



Title:

**SUMMARY OF EXCEEDANCES
IN GROUNDWATER**
MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

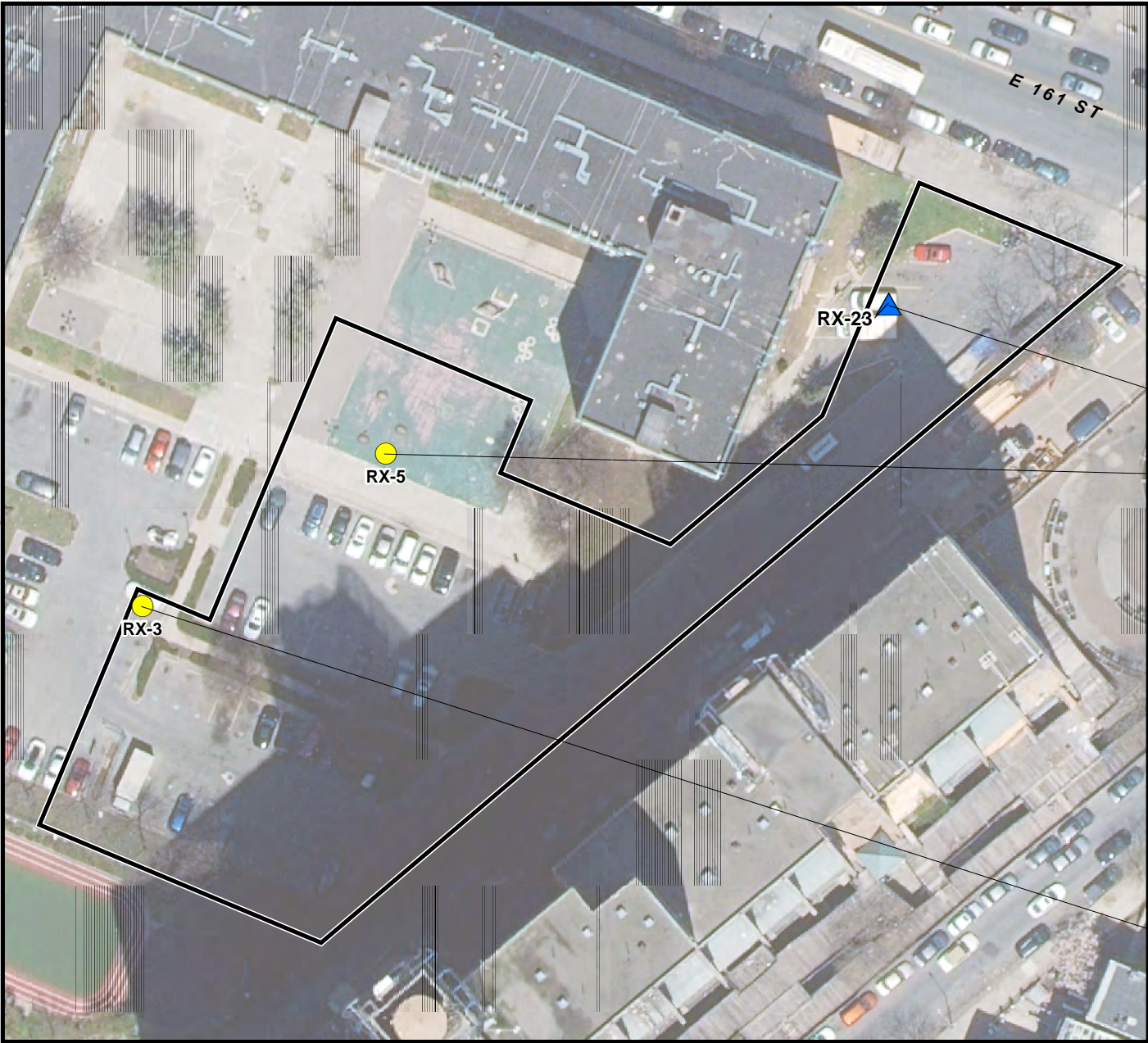
Prepared for:
GILBANE DEVELOPMENT COMPANY



| | |
|----------------------------|------------------------|
| Compiled by: J.M. | Date: 09/30/24 |
| Prepared by: M.S.R. | Scale: AS SHOWN |
| Project Mgr: L.D. | Project: 3868.0005Y000 |
| File: 3868.0005Y101.11.mxd | |

FIGURE
11

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| RX-23 | 09/06/2024 |
|---|------------|
| VOCs | |
| 1,2,4-Trimethylbenzene | 2.4 |
| 1,2-Dichlorotetrafluoroethane | 1.3 J |
| 1,3,5-Trimethylbenzene (Mesitylene) | 0.62 J |
| 2,2,4-Trimethylpentane | 9.9 |
| 2-Hexanone | 0.67 J |
| 4-Ethyltoluene | 0.98 |
| Acetone | 24 |
| Benzene | 1.7 |
| Butane | 2.5 |
| Carbon Disulfide | 8 B |
| Chloroform | 3.4 |
| Cis-1,2-Dichloroethylene | 0.12 J |
| Cyclohexane | 0.21 J |
| Dichlorodifluoromethane | 3.3 |
| Ethylbenzene | 3.2 |
| Isopropylbenzene (Cumene) | 0.38 J |
| m,p-Xylene | 11 |
| Methyl Ethyl Ketone (2-Butanone) | 3.5 |
| Methyl Isobutyl Ketone (4-Methyl-2-Pentanone) | 2.2 |
| N-Heptane | 2 |
| N-Hexane | 0.98 J |
| N-Propylbenzene | 0.82 J |
| O-Xylene (1,2-Dimethylbenzene) | 3.2 |
| Styrene | 0.56 J |
| Tert-Butyl Alcohol | 7.7 J |
| Tetrachloroethylene (PCE) | 3.1 |
| Toluene | 9 |
| Trichloroethylene (TCE) | 0.54 |
| Trichlorofluoromethane | 6.5 |

| RX-5 | 06/01/2022 |
|-------------------------------------|------------|
| VOCs | |
| 1,2,4-Trimethylbenzene | 11 |
| 1,3,5-Trimethylbenzene (Mesitylene) | 3.5 J |
| 2,2,4-Trimethylpentane | 9.2 |
| 4-Ethyltoluene | 3.2 J |
| Acetone | 150 |
| Benzene | 5.6 |
| Butane | 1400 D |
| Carbon Disulfide | 25 |
| Ethylbenzene | 3.7 J |
| Isopropylbenzene (Cumene) | 1.2 J |
| m,p-Xylene | 9.4 J |
| Methyl Ethyl Ketone (2-Butanone) | 27 |
| N-Heptane | 190 |
| N-Hexane | 280 |
| N-Propylbenzene | 2.8 J |
| O-Xylene (1,2-Dimethylbenzene) | 4.7 |
| Sec-Butylbenzene | 1.6 J |
| Tetrachloroethylene (PCE) | 2.1 J |
| Toluene | 9.9 |

| RX-3 | 06/01/2022 |
|-------------------------------------|------------|
| VOCs | |
| 1,2,4-Trimethylbenzene | 13 |
| 1,3,5-Trimethylbenzene (Mesitylene) | 4.3 J |
| 2-Hexanone | 16 |
| 4-Ethyltoluene | 4.2 J |
| Acetone | 28 J |
| Benzene | 2.4 J |
| Carbon Disulfide | 7.6 J |
| Ethylbenzene | 11 |
| Isopropylbenzene (Cumene) | 1.2 J |
| m,p-Xylene | 26 |
| Methyl Ethyl Ketone (2-Butanone) | 60 |
| N-Heptane | 2.9 J |
| N-Hexane | 18 |
| N-Propylbenzene | 3.3 J |
| O-Xylene (1,2-Dimethylbenzene) | 10 |
| Tetrachloroethylene (PCE) | 96 |
| Toluene | 1400 D |

LEGEND

- 2022 PHASE II ESA SOIL BORING AND SOIL VAPOR POINT
- ▲ 2024 EAST TOWER SUPPLEMENTAL BCP ELIGIBILITY SOIL VAPOR POINT

NOTES

1. CONCENTRATIONS IN $\mu\text{G}/\text{M}^3$
- VOCs - VOLATILE ORGANIC COMPOUNDS
- ND - COMPOUND WAS ANALYZED FOR BUT NOT DETECTED
- J - ESTIMATED VALUE
- D - A SECONDARY ANALYSIS AFTER DILUTION DUE TO EXCEEDANCE OF THE CALIBRATION RANGE IN THE ORIGINAL SAMPLE
- B - THE ANALYTE WAS FOUND IN AN ASSOCIATED BLANK AS WELL AS IN THE SAMPLE

Title:

SUMMARY OF DETECTIONS
IN SOIL VAPOR

MORRISANIA EAST LOT 150
310 EAST 161ST STREET
BRONX, NEW YORK 10451

Prepared for:

GILBANE DEVELOPMENT COMPANY

ROUX

Compiled by: J.M.
Prepared by: M.S.R.
Project Mgr: L.D.
File: 3868.0005Y101.12.mxd

Date: 09/30/24
Scale: AS SHOWN
Project: 3868.0005Y000

FIGURE
12

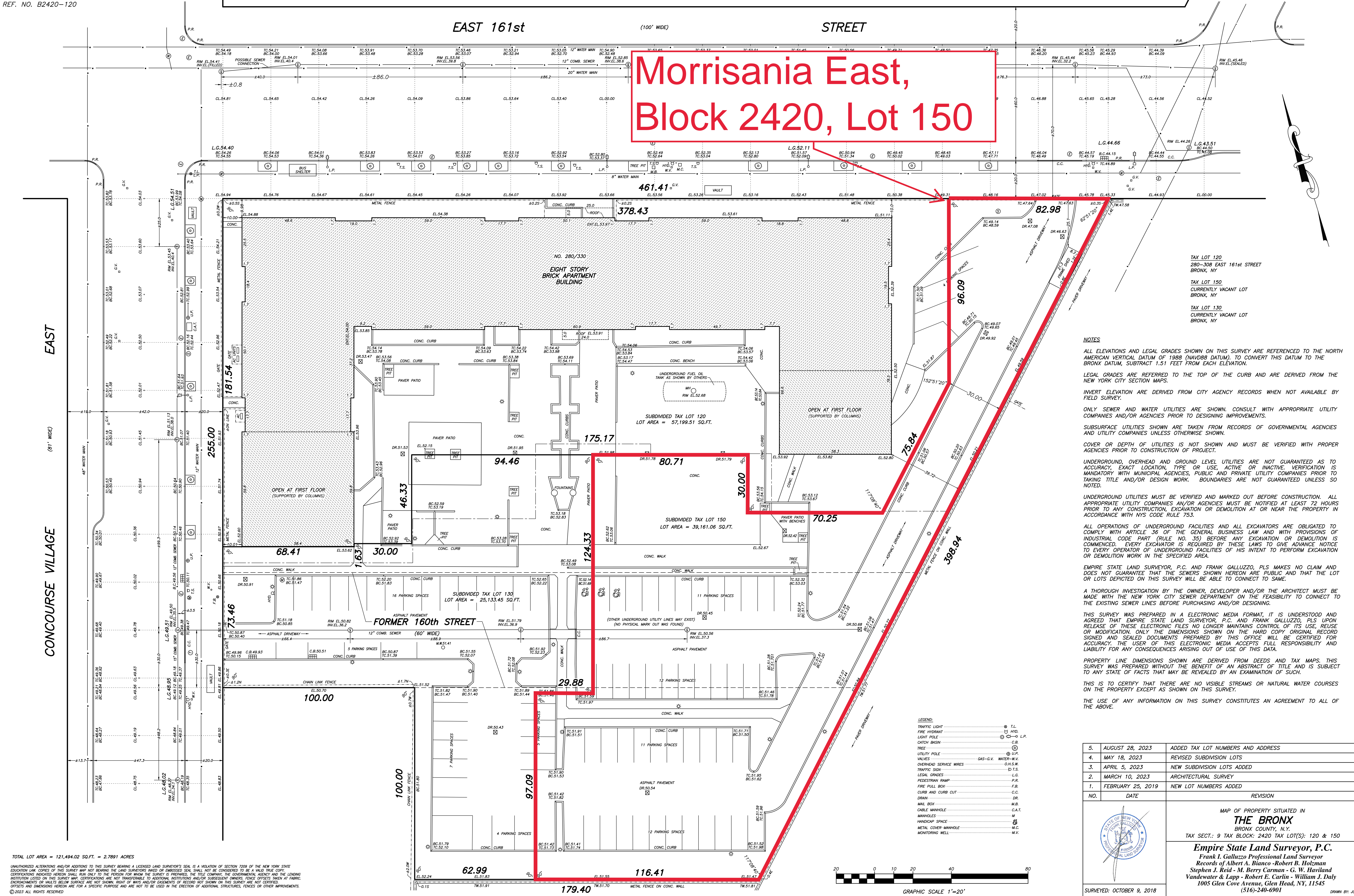
APPENDICES

- A. Site Survey, Metes and Bounds
- B. Property Description Narrative
- C. Project Description
- D. Land Use Factors
- E. Environmental History
- F. Requestor Information
- G. Requestor Eligibility Volunteer Statement
- H. Previous Property Owners and Operators
- I. Site Contact List

Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

APPENDIX A

Site Survey, Metes and Bounds



NOTES

ALL ELEVATIONS AND LEGAL GRADES SHOWN ON THIS SURVEY ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88 DATUM). TO CONVERT THIS DATUM TO THE BRONX DATUM, SUBTRACT 1.51 FEET FROM EACH ELEVATION.

LEGAL GRADES ARE REFERRED TO THE TOP OF THE CURB AND ARE DERIVED FROM THE NEW YORK CITY SECTION MAPS.

INVERT ELEVATION ARE DERIVED FROM CITY AGENCY RECORDS WHEN NOT AVAILABLE BY FIELD SURVEY.

ONLY SEWER AND WATER UTILITIES ARE SHOWN. CONSULT WITH APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES PRIOR TO DESIGNING IMPROVEMENTS.

SUBSURFACE UTILITIES SHOWN ARE TAKEN FROM RECORDS OF GOVERNMENTAL AGENCIES AND UTILITY COMPANIES UNLESS OTHERWISE SHOWN.

COVER OR DEPTH OF UTILITIES IS NOT SHOWN AND MUST BE VERIFIED WITH PROPER AGENCIES PRIOR TO CONSTRUCTION OF PROJECT.

UNDERGROUND, OVERHEAD AND GROUND LEVEL UTILITIES ARE NOT GUARANTEED AS TO ACCURACY. EXACT LOCATION, TYPE OR USE, ACTIVE OR INACTIVE. VERIFICATION IS MANDATORY WITH MUNICIPAL AGENCIES, PUBLIC AND PRIVATE UTILITY COMPANIES PRIOR TO TAKING TITLE AND/OR DESIGN WORK. BOUNDARIES ARE NOT GUARANTEED UNLESS SO NOTED.

UNDERGROUND UTILITIES MUST BE VERIFIED AND MARKED OUT BEFORE CONSTRUCTION. ALL APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES MUST BE NOTIFIED AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION, EXCAVATION OR DEMOLITION AT OR NEAR THE PROPERTY IN ACCORDANCE WITH NYS CODE RULE 753.

ALL OPERATIONS OF UNDERGROUND FACILITIES AND ALL EXCAVATORS ARE OBLIGATED TO COMPLY WITH ARTICLE 36 OF THE GENERAL BUSINESS LAW AND WITH PROVISIONS OF INDUSTRIAL CODE PART (RULE NO. 35) BEFORE ANY EXCAVATION OR DEMOLITION IS COMMENCED. EVERY EXCAVATOR IS REQUIRED BY THESE LAWS TO GIVE ADVANCE NOTICE TO EVERY OPERATOR OF UNDERGROUND FACILITIES OF HIS INTENT TO PERFORM EXCAVATION OR DEMOLITION WORK IN THE SPECIFIED AREA.

EMPIRE STATE LAND SURVEYOR, P.C. AND FRANK GALLUZZO, PLS MAKES NO CLAIM AND DOES NOT GUARANTEE THAT THE SEWERS SHOWN HEREON ARE PUBLIC AND THAT THE LOT OR LOTS DEPICTED ON THIS SURVEY WILL BE ABLE TO CONNECT TO SAME.

A THOROUGH INVESTIGATION BY THE OWNER, DEVELOPER AND/OR THE ARCHITECT MUST BE MADE WITH THE NEW YORK CITY SEWER DEPARTMENT ON THE FEASIBILITY TO CONNECT TO THE EXISTING SEWER LINES BEFORE PURCHASING AND/OR DESIGNING.

THIS SURVEY WAS PREPARED IN A ELECTRONIC MEDIA FORMAT, IT IS UNDERSTOOD AND AGREED THAT EMPIRE STATE LAND SURVEYOR, P.C. AND FRANK GALLUZZO, PLS UPON RELEASE OF THESE ELECTRONIC FILES NO LONGER MAINTAINS CONTROL OF ITS USE, REUSE OR MODIFICATION. ONLY THE DIMENSIONS SHOWN ON THE HARD COPY ORIGINAL RECORD SIGNED AND SEALED DOCUMENTS PREPARED BY THIS OFFICE WILL BE CERTIFIED FOR ACCURACY. THE USER OF THIS ELECTRONIC MEDIA ACCEPTS FULL RESPONSIBILITY AND LIABILITY FOR ANY CONSEQUENCES ARISING OUT OF USE OF THIS DATA.

PROPERTY LINE DIMENSIONS SHOWN ARE DERIVED FROM DEEDS AND TAX MAPS. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR NATURAL WATER COURSES ON THE PROPERTY EXCEPT AS SHOWN ON THIS SURVEY.

THE USE OF ANY INFORMATION ON THIS SURVEY CONSTITUTES AN AGREEMENT TO ALL OF THE ABOVE.

| NO. | DATE | REVISION |
|--|-------------------|-----------------------------------|
| 5. | AUGUST 28, 2023 | ADDED TAX LOT NUMBERS AND ADDRESS |
| 4. | MAY 18, 2023 | REVISED SUBDIVISION LOTS |
| 3. | APRIL 5, 2023 | NEW SUBDIVISION LOTS ADDED |
| 2. | MARCH 10, 2023 | ARCHITECTURAL SURVEY |
| 1. | FEBRUARY 25, 2019 | NEW LOT NUMBERS ADDED |
| NO. DATE REVISION | | |
| MAP OF PROPERTY SITUATED IN THE BRONX BRONX COUNTY, N.Y. TAX SECT.: 9 TAX BLOCK: 2420 TAX LOT(S): 120 & 150 Empire State Land Surveyor, P.C. Frank I. Galluzzo Professional Land Surveyor Records of Albert A. Bianco - Robert B. Holzman Stephen J. Reid - M. Barry Carman - G. W. Haviland Vandewater & Lapp - Robert E. Carlin - William J. Daly 1005 Glen Cove Avenue, Glen Head, NY, 11545 (516)-240-6901 | | |
| SURVEYED: OCTOBER 9, 2018 | | |



Empire State Land Surveyor, P.C.

1005 Glen Cove Avenue, Glen Head, N.Y. 11545

Phone: (516)240-6901 Fax: (516)240-6960

E-Mail: empiresurveys@aol.com

Vacant Lot East 161st Street (, Bronx, NY **Tax Block 2420 Tax Lot 150**

All that certain plot, piece or parcel of land, situate, lying and being in the borough and county of the Bronx, city and state of New York, bounded and described as follows:

Beginning at a point on the southerly side of East 161st Street distant 378.43 feet easterly form the corner formed by the intersection of the southerly side of East 161st Street with the easterly the easterly side of Concourse Village East;

Running Thence easterly along the southerly side of East 161st Street, 82.98 feet;

Thence southwesterly along a line forming an interior angle of 62 degrees 51 minutes 20 seconds with southerly side of East 161st Street, 398.94 feet;

Thence westerly along a line forming an interior angle of 117 degrees 08 minutes 40 seconds with the last mentioned course, 116.41 feet;

Thence northerly along a line forming a right angle with the last mentioned course, 97.09 feet;

Thence easterly along a line forming a right angle with the last mentioned course, 29.88 feet;

Thence northerly along a line forming a right angle with the last mentioned course, 124.33 feet;

Thence easterly along a line forming a right angle with the last mentioned course, 80.71 feet;

Thence southerly along a line forming a right angle with the last mentioned course, 30.00 feet;

Thence easterly along a line forming a right angle with the last mentioned course, 70.25 feet;

Thence northeasterly along a line forming an exterior angle of 117 degrees 08 minutes 40 seconds with the last mentioned course, 75.84 feet;

Thence northerly along a line forming a right angle with the southerly side of East 161st Street, 96.09 feet to a point on the southerly side of East 161st Street to the point or place of beginning



Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

APPENDIX B

Property Description Narrative

Appendix B – Property Description Narrative

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application - Section I

Location

The Morrisania East Site is located in an urban area and proposed for entry into the Brownfield Cleanup Program (BCP) is located at 310 East 161st Street, Bronx, New York, as shown on **Figure 1 and Figure 2**. The Site is identified on the New York City Tax Map as Block 2420, Lot 150 in the Bronx County of New York City, as shown on **Figure 3**. Currently, the Site consists of a parking area associated with an adjacent existing eight story multifamily building, as shown on **Figure 4**.

The Site was previously comprised of multiple tax lots, based on a review of the NYC Tax Map from 1965 included Block 2420, p/o Lots 59, 63, 107, 129, 136, 137, 141, 144, and 146. Lot 107 represented the location of former East 160th Street, which was demapped by 1970. As shown on the NYC Tax Map from 2019 (effective as of December 2008) Block 2420, p/o Lots 59, 63, 107, 108, 129, 136, 137, 146, 144, and 141 as well as surrounding lots 55, 108, 110, 111, 112, 113, 114, 117, 118, 120, 121, 124, 127, and 149 were combined into a single Lot 120. Effective May 2019, Lot 120 was then apportioned into Lot 120 and new Lot 150. The subdivision of Block 2420, Lot 150 into lots 130 and 150 is complete and approved by the New York City Department of Buildings (NYC DOB) as indicated on the attached tax map.

The Site is located within a designated Environmental Zone pursuant to Tax Law 21(b)(6), as shown on **Figure 7**. The Site is also located within a disadvantaged community, as shown on **Figure 8**. The Site is located in an Environmental Justice Area as shown on **Figure 9**.

Site Features

The main site feature includes a parking lot for the adjacent offsite multifamily building. The Site currently encompasses an area of approximately 0.9 acres and functions as a parking area associated with an adjacent existing eight story multifamily building. The Site is generally flat with an elevation of approximately 50 feet North American Vertical Datum of 1988 (ft NAVD88).

Current Zoning and Land Use

Zoning for the Site is currently labeled as “R8” which allows high-density apartment housing within this zoning district. The area surrounding the Site is similar with residential zoning mixed with a commercial zoning overlay. The proposed BCP Site is surrounded by the following properties (**Figure 5**), as summarized in the table below, and adjacent landowners are shown on **Figure 6**:

| Adjacent Property Direction | Property Use |
|------------------------------------|--|
| North | Commercial (161 st Street Pharmacy, JSTAR Wine and Liquors, Montefiore Medical Group) and Residential |
| South | Marshall England Early Learning Center, New York City Housing Association Park, New York City Department of Education, Epworth United Methodist Church |
| East | Residential (Morrisania II Apartments) and overbuilt MetroNorth Railroad Tracks |
| West | Parking lot, Commercial (Concourse Village Mall), Epworth United Methodist Church |

Appendix B – Property Description Narrative

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application - Section I

Past Use of the Site

Based on historical Fire Insurance Sanborn Maps (Sanborn Maps), historical use at the Site included mixed residential as well as commercial and industrial use. The Site was initially developed for residential use by 1891 with 160th Street bisecting the Site. By 1951, several buildings appear to have been demolished and new buildings were constructed. The new construction observed in the 1951 Sanborn Map includes an automobile repair facility with a 550-gallon gasoline underground storage tank (UST), an automobile brake service shop with a 550-gallon gasoline UST, multiple 1- and 2-story residential dwellings, and a 2-story Baptist Church. In 1969, a portion of the Site was used as a welding and boiler repair facility with a gasoline UST of unknown size (i.e., the former garage identified in 1951), and the automobile brake service shop (also identified in 1951) and a gasoline filling station. There were no records found in regard to the documentation or closure of the USTs, so it is unknown if the USTs have undergone any testing since their installation or if the USTs had/have secondary containment. By 1970, the buildings at the Site were demolished, 160th Street was demapped, and the current parking area was constructed at the Site. Fill material, such as brick and concrete, found at depth at the Site during previous investigations suggests the pre-1970 buildings were demolished and used as fill material to prepare the Site for the parking area.

Based upon information identified in historic documents (Appendix D), the following areas of concern (AOCs) were identified:

- Former use as a welding and boiler repair facility;
- Former use as an automobile repair facility, auto garage, and gasoline filling station;
- Existing USTs; and
- Fill Material.

Site Geology and Hydrogeology

The land surface elevation is generally flat across the Site, at approximately 50 ft NAVD88. Fill material, including brick and concrete, was observed across the Site to depths ranging from 4 to 7 feet below land surface (ft bls) during previous investigation performed by Roux Environmental Engineering and Geology, D.P.C. (Roux) (see Appendix D). Beneath the fill layer, the observed lithology of the Site is comprised of sands, gravels, and weathered bedrock. Weathered bedrock was encountered between 12 and 14 feet below land surface (bls) during the Roux Phase II investigations. A geotechnical report prepared by Mueser Rutledge Consulting Engineers, PLLC (MRCE) dated June 27, 2022 noted weathered bedrock observations at the most shallow depth of 7 ft bls at the Site.

Groundwater was encountered at the Site at 25.42 ft bls from one well previously installed by MRCE. A formal groundwater flow direction study has not been conducted at the Site. Groundwater flow direction is likely influenced by bedrock topography and any local dewatering. The direction of groundwater beneath the Site is assumed to be south towards the Harlem River and will be determined during a future investigation.

According to the ASTM Phase I Environmental Site Assessment (ESA) performed by Roux, see Appendix D), the Site is not located in, or adjacent to, regulated wetlands. The closest surface water body is the Harlem River, located approximately 0.76 miles to the west. The Site is not within the 100-year or 500-year flood zones.

Environmental Assessment

Based upon previous investigations conducted to date, the primary contaminants of concern for the Site include select polycyclic aromatic hydrocarbons (PAHs) and metals in soil, metals in groundwater, and VOCs, and chlorinated VOCs (CVOCs) in soil vapor. Soil analytical data was compared to the New York State Department of Environmental Conservation (NYSDEC) Restricted Residential Soil Cleanup Objectives (RRSCOs). Groundwater analytical was compared to the NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGV).

Appendix B – Property Description Narrative

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application - Section I

Soil

The highest concentrations of SVOCs onsite were detected in the northeastern section of the site at 3-5 ft bls. Benzo(b)fluoranthene was found at a maximum concentration of 1.9 ppm, which exceeds the applicable RRSCO of 1 ppm. Benzo(a)anthracene was found at a maximum concentration of 1.5 ppm which exceeds the applicable RRSCO of 1 ppm. Benzo(a)pyrene was found at a maximum concentration of 1.5 ppm, which exceeds the applicable RRSCO of 1 ppm.

Additional SVOC RRSCO exceedances were detected in the northeast section of the site at 3-5 ft and 7-8 ft bls and in the west section at 2-4 ft bls. Indeno(1,2,3-c,d)pyrene was found at a maximum concentration of 1 ppm, which exceeds the applicable RRSCO of 0.5 ppm. Dibenz(a,h)anthracene was found at a maximum concentration of 0.48, which exceeds the applicable RRSCO of 0.33 ppm.

The highest concentration of metals onsite was detected in the northeastern section of the site at 3-5 ft bls. Lead was detected at a maximum concentration of 665 ppm, which exceeds the applicable RRSCO of 400 ppm. Barium was detected at a maximum concentration of 443 ppm, which exceeds the applicable RRSCO of 400 ppm. Manganese was detected at a depth of 3-5 ft and 14-15 ft bls at a maximum concentration of 5,800 ppm, which exceeds the applicable RRSCO of 2,000 ppm. Mercury was detected in the southwest section of the site at a depth of 4-6 ft bls at a maximum concentration of 2.5, which exceeds the applicable RRSCO of 0.81 ppm.

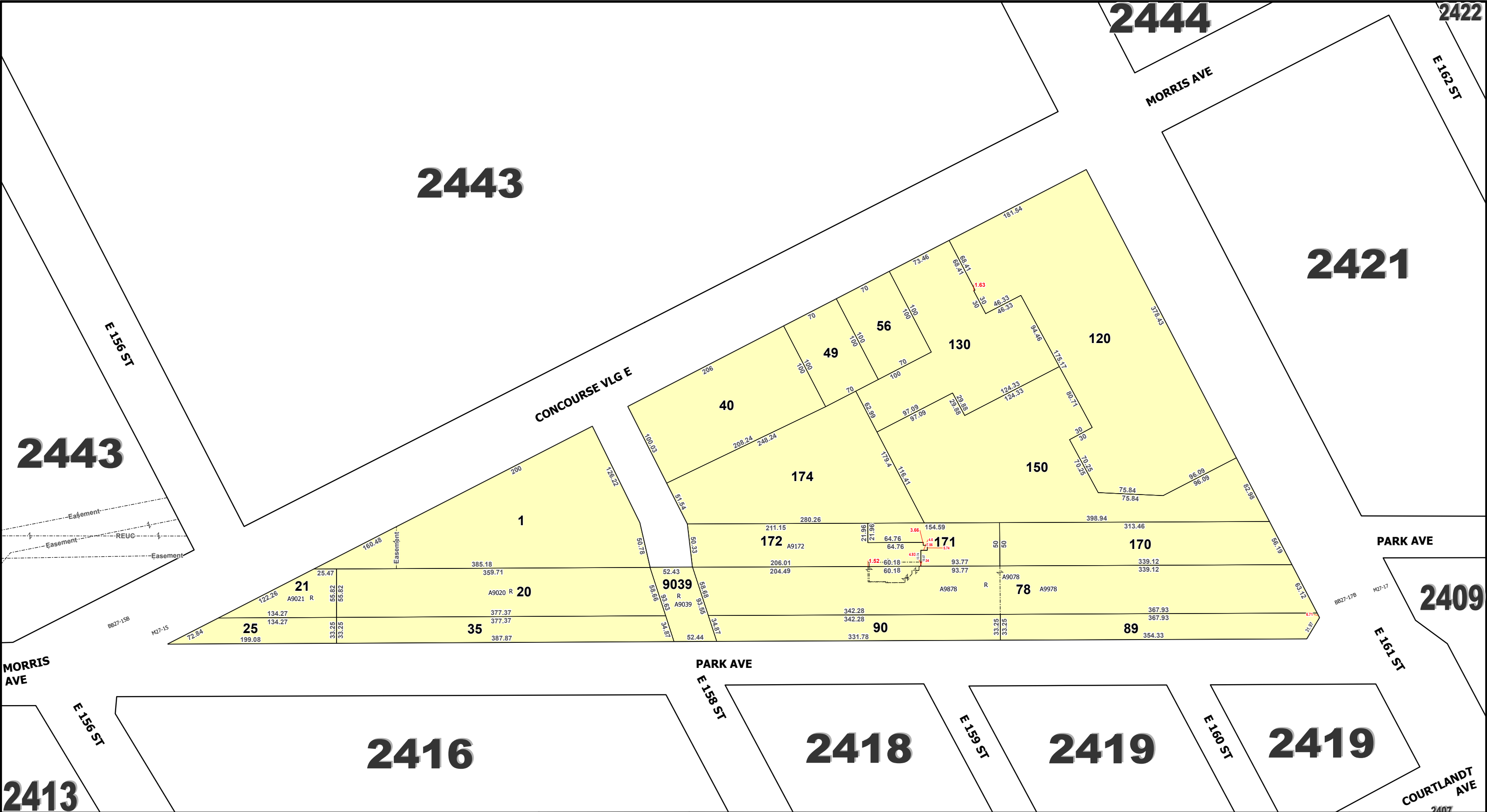
Groundwater

No VOCs or SVOCs were detected in groundwater above the AWQSGV. Metals were detected in groundwater in southwestern portion of the site including magnesium at a maximum concentration of 135,000 ppb (AWQSGV of 35,000 ppb), iron at a maximum concentration of 3,220 ppb (AWQSGV of 300 ppb), manganese at a maximum concentration of 1,170 ppb (AWQSGV of 300 ppb), and sodium at a maximum concentration of 44,100 ppb (AWQSGV of 20,000 ppb).

Soil Vapor

The highest concentrations of petroleum VOCs onsite were detected in the west section of the site. 1,2,4-trimethylbenzene was detected in soil vapor samples at a maximum concentration of 13 ug/m3. 2,2,4-trimethylpentane was detected in soil vapor samples at a maximum concentration of 9.9 ug/m3. Benzene was detected in soil vapor samples at a maximum concentration of 5.6 ug/m3. Toluene was found at a maximum concentration of 1,400 ug/m3. 1,3,5-Trimethylbenzene was detected in soil vapor samples at a maximum concentration of 4.3 ug/m3 (estimated). Cyclohexane was detected in soil vapor samples at a maximum concentration of 0.21 ug/m3 (estimated). Ethylbenzene was detected in soil vapor samples at a maximum concentration of 11 ug/m3. M,p-xylene was detected in soil vapor samples at a maximum concentration of 26 ug/m3. N-heptane was detected in soil vapor samples at a maximum concentration of 190 ug/m3. N-hexane was detected in soil vapor samples at a maximum concentration of 280 ug/m3. O-xylene was detected in soil vapor samples at a maximum concentration of 10 ug/m3.

The highest concentrations of CVOCs onsite were detected in the west section of the site. Tetrachloroethylene (PCE) was detected in soil vapor samples at a maximum concentration of 96 ug/m3. Trichloroethylene (TCE) was detected in soil vapor samples at a maximum concentration of 0.54 ug/m3. Cis-1,2-dichloroethylene was detected at a maximum concentration of 0.12 ug/m3 (estimated).



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D

TAX_LOT_POLYGON

TAX_BLOCK_POLYGON

BOUNDARY

POSSESSION_HOOK

50 Tax Lot Number

50 Tax Block Number

50 Condo FKA Tax Lot Number

C50 Condo Flag/Number

A9000 Air Lot Flag/Number

S8000 Sub Lot Flag/Number

R REUC Flag

TAX_LOT_FACE

Regular

Underwater

Unknown

50 Tax Lot Dimension

+/- 50 Approximate Tax Lot Dimension

The official tax maps for the City of New York are maintained by the Department of Finance Tax Map Office. Tax maps show the lot lines, the block and lot numbers, the street names, lot dimensions, and easements. The maps and information presented are for information purposes only. The City of New York Department of Finance is not responsible for errors, omissions, or geographic accuracy on these digital maps. The Geographic Information System (GIS) information presented should not be used for boundary lines or location and should not be used as a substitute for engineer drawings or surveys. Any use of this map for conveyances of property or any other legal proceeding is at the sole risk of the parties.

Effective Date: 07/26/2024

End Date: Current

NYC Digital Tax Map

Borough of Bronx

Block: 2420

Project Description

Appendix C – Project Description

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section II, Question 4

The Site proposed for entry into the Brownfield Cleanup Program (BCP) is located at 310 East 161st Street, Bronx, New York, as shown on **Figure 1 and Figure 2**. The Site is identified on the New York City Tax Map as Block 2420, Lot 150 in the Bronx County of New York City, as shown on **Figure 3**.

The Site consists of a of a parking area associated with an existing adjoining eight-story multifamily building, as shown on **Figure 4**. The proposed BCP Site is surrounded by commercial and residential use buildings to the north, commercial buildings, an education center, and a religious building to the south, a residential use buildings and railroad tracks to the east, and commercial buildings and a religious building to the east.

The project is starting at the investigation stage. The proposed investigation is anticipated to include the advancement of soil borings, the installation of monitoring wells, and the installation of soil vapor monitoring points, which will be further detailed in a future Remedial Investigation Work Plan (RIWP).

Proposed Development Plan

The proposed development will include a 26-story, approximately 274,106 gross square foot (gsf) residential building containing 347 units of affordable housing and community facility space at the Site. The proposed project is anticipated to be fully operational by 2028.

Projected Schedule

| Timeframe | Description |
|------------------|--|
| November 2024 | Submit BCP Application |
| February 2025 | Finalize and Execute Brownfield Cleanup Agreement, Submit Citizen Participation Plan |
| March 2025 | Submit Remedial Investigation Work Plan |
| June 2025 | Finalize Remedial Investigation Work Plan |
| July 2025 | Remedial Investigation Implementation |
| September 2025 | Submit Remedial Investigation Report |
| November 2025 | Submit Remedial Action Work Plan |
| December 2025 | Construction Finance Closing and Implement Approved Remedial Action Work Plan |
| May 2027 | Submit Environmental Easement |
| August 2027 | Submit Site Management Plan |
| November 2027 | Submit Final Engineering Report |
| Winter 2027 | Receive Certificate of Completion |

Land Use Factors

Appendix D – Land Use Factors

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section III

Question 3 & 4 - Current Use & Current Business Operations/Uses

The Site consists of a parking area associated with an existing eight-story multifamily building, as shown on **Figure 3**. Based on a review of the historical Sanborn maps and aerial photographs the site was historically utilized for residential, automobile repair, automobile brake service, welding and boiler repair, and a gasoline filling station. Additional information regarding specific areas of concern associated with the former Site operations are described in Appendix A - Property Information.

Question 5 & 6 – Reasonably Anticipated Post-Remediation Use

The proposed development will consist of a 274,106 gross square foot (gsf) residential building with 26 floors and a cellar. The proposed residential building will include 347 residential units. The first floor of the building will include a community facility area, lounge, fitness room, and property management office.

Question 8 - Do current historical and/or recent development patterns support the proposed use?

The proposed future use of the Site as a residential use building is consistent with the current and reasonably anticipated development patterns in the neighborhood.

Question 9 - Is the proposed use consistent with applicable zoning laws/maps?

Yes. The current zoning is labeled as “R8” which allows high-density apartment house districts within this zoning district. The area surrounding the Site is similar with residential zoning mixed with a commercial zoning overlay.

Question 10 - Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?

The proposed development is consistent with the general zoning principles and guidelines of the City’s goal of future land use and are warranted to be applied to this Site. The Site is located within a designated Environmental Zone pursuant to Tax Law 21(b)(6). The site is located within an Environmental Justice Area (EJ Area) and a New York State designated disadvantaged community.

Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

APPENDIX E

Environmental History

Appendix E – Property’s Environmental History

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section IV

A summary of the following environmental investigations previously conducted at the Site are included within this Appendix. Formal reports were not prepared for the “BCP Eligibility Investigation”, Supplemental BCP Eligibility Investigation”, and “Supplemental East Tower BCP Eligibility Investigation”. These investigations were completed for the purpose of preparing the BCP Application, the analytical data from these investigation is included below. Laboratory analytical reports and soil boring logs from these investigations are included in Attachment 1.

- **ASTM Phase I Environmental Site Assessment Report**, prepared by Hillmann Consulting, dated November 20, 2018;
- **ASTM Phase I Environmental Site Assessment Report**, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated June 14, 2022;
- **Phase II Environmental Site Assessment Summary Letter Report**, prepared by Roux, dated June 27, 2022;
- **BCP Eligibility Investigation**, completed by Roux in December 2023;
- **Supplemental BCP Eligibility Investigation**, completed by Roux in February 2024; and
- **Supplemental East Tower BCP Eligibility Investigation**, completed by Roux in September 2024.

The proposed development will consist of a 274,106 gross square foot (gsf) residential building with 26 floors and a cellar. The proposed residential building will include 347 residential units. The first floor of the building will include a community facility area, lounge, fitness room, and property management office. Therefore, the soil data from the previous investigations was compared to the following New York State Department of Environmental Conservation (NYSDEC) Soil Cleanup Objectives (SCOs): Restricted Residential Use SCOs (RRSCOs).

A Remedial Investigation Work Plan (RIWP) will be developed and implemented following acceptance into the Brownfield Cleanup Program (BCP). A summary of the findings from the previously conducted investigations is included below.

Soil Exceedances

A total of 27 soil samples were collected from 17 soil borings or test pits at the site during the prior investigations completed by Roux. Soil borings/test pits were advanced to depths ranging from 6 to 17 ft bls. Bedrock was encountered at 12 – 17 ft bls during the prior investigations. Fill material was observed at depths ranging from 3 to 14 ft bls.

Volatile Organic Compounds

No soil samples collected during the prior Investigations exceeded NYSDEC RRSCOs for volatile organic compounds (VOCs).

Semivolatile Organic Compounds

Six soil samples collected during the prior investigations exceeded RRSCOs for semivolatile organic compounds (SVOCs), particularly polycyclic aromatic hydrocarbons (PAHs).

Laboratory analytical data in exceedance of the RRSCOs are summarized below.

| Analyte | Number of Exceedances | Location of SCO Exceedance (ft bls) | Concentrations (mg/kg) | SCOs (mg/kg) |
|--------------------|-----------------------|--|------------------------|--------------|
| Benzo(A)Anthracene | RRSCOs: 3 | RX-5 (0-2) RX-24 (7-8) RX-25 (3-5) | 1.1 1.5 1.3 | RRSCO: 1 |

Appendix E – Property's Environmental History

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section IV

| Analyte | Number of Exceedances | Location of SCO Exceedance (ft bls) | Concentrations (mg/kg) | SCOs (mg/kg) |
|-------------------------|-----------------------|---|---|--------------|
| Benzo(A)Pyrene | RRSCOs: 2 | RX-24 (7-8) RX-25 (3-5) | 1.5 1.5 | RRSCO: 1 |
| Benzo(B)Fluoranthene | RRSCOs: 5 | RX-5 (0-2) RX-16 (2-4) RX-23 (10-12) RX-24 (7-8) RX-25 (3-5) | 1.4 1.2 1.1 1.7 1.9 | RRSCO: 1 |
| Dibenz(A,H)Anthracene | RRSCOs: 1 | RX-16 (2-4) | 0.48 | RRSCO: 0.33 |
| Indeno(1,2,3-C,D)Pyrene | RRSCOs: 6 | RX-5 (0-2) RX-16 (0-2) RX-16 (2-4) RX-23 (10-12) RX-24 (7-8) RX-25 (3-5) | 0.81 0.61 1 0.54 0.59 0.65 | RRSCO: 0.5 |

Metals

Five soil samples collected during the prior Investigations exceeded RRSCOs for metals.

Laboratory analytical data in exceedance of the RRSCOs are summarized below.

| Analyte | Number of Exceedances | Location of SCO Exceedance (ft bls) | Concentrations (mg/kg or ppm) | SCOs (mg/kg or ppm) |
|-----------|-----------------------|-------------------------------------|-------------------------------|---------------------|
| Barium | RRSCOs: 1 | RX-22 (5-6) | 443 | RRSCO: 400 |
| Lead | RRSCOs: 1 | RX-21 (10-12) | 665 | RRSCO: 400 |
| Manganese | RRSCOs: 2 | RX-24 (14-15) RX-25 (3-5) | 5790 5800 | RRSCO: 2000 |
| Mercury | RRSCOs: 1 | RX-17 (4-6) | 2.5 | RRSCO: 0.81 |

Polychlorinated Biphenyls

No soil samples collected during the prior investigations exceeded RRSCOs for polychlorinated biphenyls (PCBs).

Pesticides

No soil samples collected during the prior Investigations exceeded NYSDEC RRSCOs for pesticides.

Groundwater Exceedances

Groundwater was encountered at a depth of 25.42 ft bls during the Roux 2022 Phase II ESA. One groundwater grab sample (RX-8G) was collected, and the data was compared to the NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs). During groundwater sampling, there was poor recharge of groundwater into the monitoring well due to well installation in bedrock; therefore, the parameter

Appendix E – Property's Environmental History

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section IV

analysis list was limited for RX-8G and this sample was not analyzed for pesticides. A summary of the groundwater data results is presented below.

Volatile Organic Compounds

The groundwater sample collected during the 2022 Phase II ESA did not exceed AWQSGVs for VOCs.

Semivolatile Organic Compounds

The groundwater sample collected during the 2022 Phase II ESA did not exceed AWQSGVs for SVOCs.

Metals

The groundwater grab sample yielded exceedances of the AWQSGVs for total and dissolved metals. Laboratory analytical data for the exceedances of AWQSGVs for metals is summarized below.

| Analyte | Number of Exceedances (Total) | Number of Exceedances (Dissolved) | Location of AWQSGV Exceedance | Maximum Concentration (µg/L) | AWQSGV (µg/L) |
|-----------|-------------------------------|-----------------------------------|-------------------------------|------------------------------|---------------|
| Iron | 1 | 0 | RX-8G | 3220 | 300 |
| Magnesium | 1 | 1 | RX-8G | 135000 | 35000 |
| Manganese | 1 | 0 | RX-8G | 1170 | 300 |
| Sodium | 1 | 1 | RX-8G | 44100 | 20000 |

Polychlorinated Biphenyls

The groundwater samples collected during the 2022 Phase II ESA did not exceed AWQSGVs for PCBs.

Soil Vapor Detections

The table below and **Figure 12** summarize all soil vapor detections during the prior investigations.

Laboratory analytical detections in soil vapor are summarized in the table below with the maximum concentration noted in red text.

| Analyte | Number of Detections | Location of Detection | Concentrations (µg/m³) |
|-------------------------------|----------------------|-----------------------|--------------------------|
| 1,2,4-Trimethylbenzene | 3 | RX-3 RX-5 RX-23 | 13 11 2.4 |
| 1,2-Dichlorotetrafluoroethane | 1 | RX-23 | 1.3 J |
| 1,3,5-Trimethylbenzene | 3 | RX-3 RX-5 RX-23 | 4.3 J 3.5 J 0.62 J |
| 2,2,4-Trimethylpentane | 2 | RX-5 RX-23 | 9.2 9.9 |
| 2-Hexanone | 2 | RX-3 RX-23 | 16 0.67 J |
| 4-Ethyltoluene | 3 | RX-3 RX-5 RX-23 | 4.2 J 3.2 J 0.98 |
| Acetone | 3 | RX-3 RX-5 | 28 J 150 |

Appendix E – Property's Environmental History

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section IV

| Analyte | Number of Detections | Location of Detection | Concentrations (µg/m³) |
|---|-------------------------|--------------------------|---------------------------|
| | | RX-23 | 24 |
| Benzene | 3 | RX-3 RX-5 RX-23 | 2.4 J 5.6 1.7 |
| Butane | 2 | RX-5 RX-23 | 1400 D 2.5 |
| Carbon Disulfide | 3 | RX-3 RX-5 RX-23 | 7.6 J 25 8 B |
| Chloroform | 1 | RX-23 | 3.4 |
| Cis-1,2-Dichloroethylene | 1 | RX-23 | 0.12 J |
| Cyclohexane | 1 | RX-23 | 0.21 J |
| Dichlorodifluoromethane | 1 | RX-23 | 3.3 |
| Ethylbenzene | 3 | RX-3 RX-5 RX-23 | 11 3.7 J 3.2 |
| Isopropylbenzene (Cumene) | 3 | RX-3 RX-5 RX-23 | 1.2 J 1.2 J 0.38 J |
| m,p-Xylene | 3 | RX-3 RX-5 RX-23 | 26 9.4 J 11 |
| Methyl Ethyl Ketone (2-Butanone) | 3 | RX-3 RX-5 RX-23 | 60 27 3.5 |
| Methyl Isobutyl Ketone (4-Methyl-2-Pentanone) | 1 | RX-23 | 2.2 |
| N-Heptane | 3 | RX-3 RX-5 RX-23 | 2.9 J 190 2 |
| N-Hexane | 3 | RX-3 RX-5 RX-23 | 18 280 0.98 J |
| N-Propylbenzene | 3 | RX-3 RX-5 RX-23 | 3.3 J 2.8 J 0.82 J |
| o-Xylene | 3 | RX-3 RX-5 RX-23 | 10 4.7 3.2 |
| Sec-Butylbenzene | 1 | RX-5 | 1.6 J |
| Styrene | 1 | RX-23 | 0.56 J |
| Tert-Butyl Alcohol | 1 | RX-23 | 7.7 J |
| Tetrachloroethylene (PCE) | 3 | RX-3 RX-5 RX-23 | 96 2.1 J 3.1 |
| Toluene | 3 | RX-3 RX-5 RX-23 | 1400 D 9.9 9 |
| Trichloroethylene (TCE) | 1 | RX-23 | 0.54 |
| Trichlorofluoromethane | 1 | RX-23 | 6.5 |

J – Estimated Value

B - The analyte was found in an associated blank as well as in the sample.

D – Concentration of analyte was quantified from diluted analysis.

Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

APPENDIX F

Requestor Information

Appendix F – Requestor Information

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section V

BCP applicant, TEG Morrisania Development LLC, is authorized to do business in New York State. The Department of State entity information and Organization chart for TEG Morrisania Development LLC are attached.

Authorized Signatory: Dimitrios Katehis
TEG Morrisania Development LLC
7 Jackson Walkway
Providence, RI 02903
Attn: Dimitrios Katehis
Phone: (646) 682-2221
DKatehis@GilbaneCo.com

Department of State

Division of Corporations

Entity Information

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

Entity Details

ENTITY NAME: MORRISANIA DEVELOPMENT LLC
DOS ID: 5870205
FOREIGN LEGAL NAME:
FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY
DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW
ENTITY STATUS: ACTIVE
DATE OF INITIAL DOS FILING: 11/02/2020
REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 11/02/2020
INACTIVE DATE:
FOREIGN FORMATION DATE:
STATEMENT STATUS: CURRENT
COUNTY: ALBANY
NEXT STATEMENT DUE DATE: 11/30/2024
JURISDICTION: NEW YORK, UNITED STATES
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: MORRISANIA APARTMENTS LLC

Address: 522 LEFFERTS AVENUE, SUITE C, BROOKLYN, NY, UNITED STATES, 11225

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:

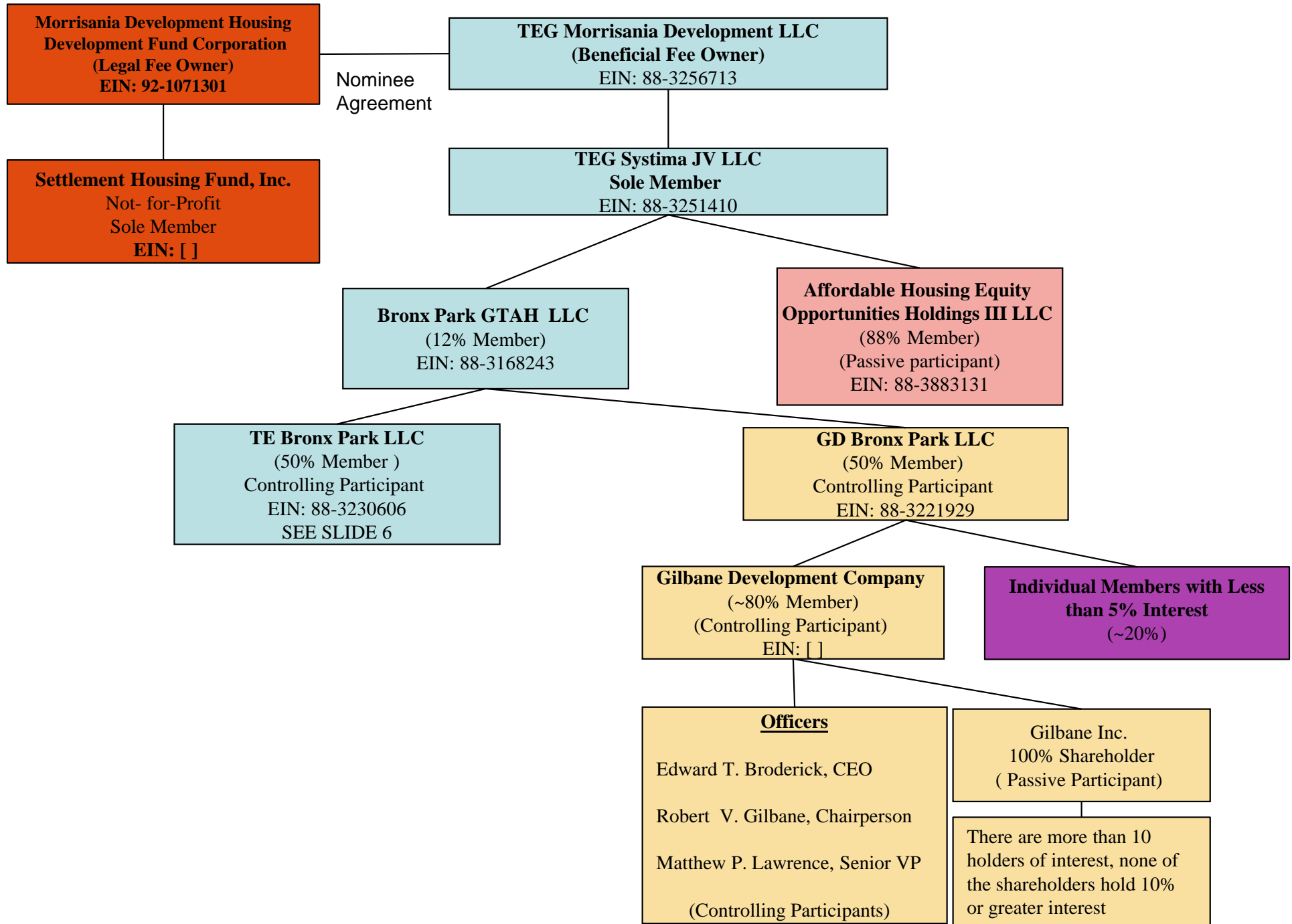
Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

| Share Value | Number Of Shares | Value Per Share |
|-------------|------------------|-----------------|
| | | |

Morrisania- Development Site
280 East 161st (Block 2420, Lot 150)
Ownership Structure



MORRISANIA DEVELOPMENT HOUSING DEVELOPMENT FUND CORPORATION

247 West 37th Street, 4th Floor, New York, NY 10018

Tel: (212) 265-6530 ♦ Fax: (212) 757-0571

November 13, 2024

TEG Morrisania Development LLC

Attention: Dimitrios Katehis

7 Jackson Walkway

Providence, RI 02903

Re: Property Access and Authorization to perform all obligations under the New York State
 Brownfield Cleanup Program

Dear Sir or Madam:

Morrisania Development Housing Development Fund Corporation (hereinafter referred to as the “Co-Owner”) owns as nominee for TEG Morrisania Development LLC (the “Requestor”) the property located at 310 East 161st Street, Bronx, NY 10451, Block 2420 Lot 150 (the “Property” or the “Site”). The Co-Owner hereby authorizes the entity listed on Exhibit A, attached hereto (collectively referred to as the “Authorized Applicant(s)/Requestor(s)”), to access the Property and to apply to participate in and perform any obligations required under the New York State Department of Environmental Conservation’s (“NYSDEC”) Brownfield Cleanup Program (“BCP”).

Co-Owner understands that the Authorized Applicants/Requestors will also need to provide access to the NYSDEC and environmental professionals that the Authorized Applicants has/have hired to perform any investigation and remedial activities under the BCP. Co-Owner further understands that an easement may be needed in connection with BCP efforts and authorizes the placement of an easement on or through the Property.

Sincerely,

Morrisania Development Housing Development
Fund Corporation

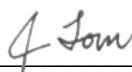
By 
Jacqueline Tom, Treasurer

EXHIBIT A

AUTHORIZED APPLICANT(S)/REQUESTOR(S)

- TEG Morrisania Development LLC

**TEG MORRISANIA DEVELOPMENT LLC AUTHORIZATION
TO COMPLETE REMEDIAL REQUIREMENTS AND GRANT
ENVIRONMENTAL EASEMENTS**

The undersigned, being the sole member of TEG Morrisania Development LLC, a New York limited liability company (the "Company") hereby certify as of November 6, 2024, as follows and adopt the following resolutions and authorize the Company to authorize and direct Yarojin Robinson (the "Authorized Signatory") to take the following actions on behalf of the Company:

WHEREAS, the Company desires to authorize the Authorized Signatory, set forth below, to undertake actions necessary to redevelop 310 East 161st Street, Bronx, NY 10451; Block 2420, Lot 150 (the "Property" or the "Site").

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

NOW THEREFORE, BE IT

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

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

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

| <u>Authorized Signatory</u> | <u>Signature</u> |
|-----------------------------|--|
| Yarojin Robinson |  |

IN WITNESS WHEREOF, the undersigned have signed and sealed this Member Consent on November 6, 2024.

MEMBERS:

TEG Systima JV LLC



By: Matthew P. Lawrence;
Authorized Signatory

December 2, 2024

New York State Department of Environmental Conservation
4740 21st St
Long Island City, NY 11101

Re: Brownfield Cleanup Program Fee – Waiver Request
Morrisania East – 310 East 161st Street, Bronx, New York
Block 2420; Lot 150

To whom it may concern at NYSDEC,

On behalf of Gilbane Development Company and TEG Morrisania Development LLC (the “Requestor”), we write in support of our request for a waiver of the \$50,000 Brownfield Cleanup Program (BCP) fee related to our BCP Application for a site located at 310 E 161st St in the Bronx on Block 2420, Lot 150 (the “Site”). Since the 1970s, Gilbane Development Company has developed affordable housing in New York City.

The Site is proposed to be developed in partnership with the NYC Housing Preservation & Development (HPD) and NYC Housing Development Corporation (HDC) into 347 affordable housing units. The project will utilize the HPD ELLA funds, which mandates that 100% of the housing units be affordable to those between 30% and 80% AMI. Accordingly, the Requester hereby agrees to a provision in the Brownfield Cleanup Agreement (BCA) which states that the applicant(s) will develop the Site with the dedication of 100 percent of the residential rental or home ownership units in this affordable housing project to tenants or homeowners at a defined maximum percentage of area median income based on the occupants’ household annual income consistent with the mandates set forth above.

Best,



Serin Leung
Development Manager

Requestor Eligibility Volunteer Statement

Appendix G – Requestor Eligibility Information

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section VI

The Requestor (TEG Morrisania Development LLC) qualifies as a Volunteer because (i) the Requestor completed a Phase I Environmental Site Assessment (ESA) and Phase II ESA that satisfied the "all appropriate inquiries" requirements of 40 CFR 312 prior to taking title, (ii) the Requestor has not owned or operated the Site at the time of the disposal of hazardous substances, waste, and/or petroleum, if any and (iii) the Requestor is an unrelated third-party LLC and neither it or its members has any direct involvement with the ownership or operation of the Site.

The Requestor has exercised appropriate care by implementing additional investigations to determine the presence of contamination. The Requestor will continue to exercise appropriate care by implementing the requirements of the BCP and is prepared to undertake all necessary remediation required to address contamination at the Site. As such, the Requestor is a Volunteer as defined in ECL 27-1405(1)(b).

Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

APPENDIX H

Previous Property Owners and Operators

Appendix H – Previous Property Owners and Operators

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section IX

The Site proposed for entry into the Brownfield Cleanup Program (BCP) is located at 310 East 161st Street, Bronx, New York, as shown on Figure 1. The Site is identified on the New York City Tax Map as Block 2420, Lot 150 in the Bronx County of New York City, as shown on Figure 2.

Neither the Requestor (TEG Morrisania Development LLC) nor any of its corporate members have any relationship with the former owners and operators, or the release of contaminants associated with prior uses. Additional information is provided below. Phone numbers were not available for the previous owners and operators.

The Site was previously comprised of multiple tax lots, based on a review of the NYC Tax Map from 1965 included Block 2420, p/o Lots 59, 63, 107, 129, 136, 137, 141, 144, and 146. Lot 107 represented the location of former East 160th Street, which was demapped by 1970. As shown on the NYC Tax Map from 2019 (effective as of December 2008) Block 2420, p/o Lots 59, 63, 107, 108, 129, 136, 137, 146, 144, and 141 as well as surrounding lots 55, 108, 110, 111, 112, 113, 114, 117, 118, 120, 121, 124, 127, and 149 were combined into a single Lot 120. Effective May 2019, Lot 120 was then apportioned into Lot 120 and new Lot 150. The subdivision of Block 2420, Lot 150 into lots 130 and 150 is complete and approved by the New York City Department of Buildings (NYC DOB). A survey with metes and bounds description of tentative lot 150 and the BCP Site boundary limited is provided **Appendix A**. The final and approved tax map is included in **Appendix B**.

A table summarizing the tax lots changes included within the bounds of the Site is included below:

| Site Tax Lot IDs | Effective Date | NYC Tax Map Source |
|--|------------------|--------------------|
| p/o Lots 59, 63, 107, 129, 136, 137, 141, 144, and 146 | January 1, 1965 | 1965 |
| p/o Lot 120 | December 9, 2008 | 2019 |
| p/o Lot 150 | May 24, 2019 | 2019 |
| Tentative Lot 150 | June 2024 | 2024 |

CURRENT/FORMER OWNERS' INFORMATION

Tax ID Block 2420, Lot 150

Address: 310 East 161st Street, Bronx, New York

| Date | Lot | Previous Owner | Relationship to Requestor |
|--------------------------|---------|---------------------------|---------------------------|
| Unknown - 1969 | 59 & 63 | Blaseboro Realty Corp | None |
| 1969-1976 | 59 & 63 | McNath Holding Corp | None |
| 1976 - Unknown | 59 & 63 | City of New York | None |
| Unknown (Pre-1970) -1976 | 141 | MS Automotive Service Inc | None |
| 1976 - Unknown | 141 | City of New York | None |
| Unknown (Pre 1970)-1976 | 144 | Michael N. Scauzillo | None |
| 1976 - Unknown | 144 | City of New York | None |
| 1976 - Unknown | 146 | City of New York | None |

Appendix H – Previous Property Owners and Operators

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section IX

| Date | Lot | Previous Owner | Relationship to Requestor |
|------------------------|-----|--------------------------------|---------------------------|
| 12/22/2020 - 12/8/2022 | 150 | Morrisania Apartments LLC | None |
| 12/8/2022 - Current | 150 | TEG Morrisania Development LLC | Current Owner |

CURRENT/FORMER OPERATORS' INFORMATION**Tax ID Block 2420, Lot 150**

Address: 310 East 161st Street, Bronx, New York

| Date | Lot | Previous Operator | Relationship to Requestor |
|---------------------------|-----|------------------------------------|---------------------------|
| Unknown (Pre 1969) - 1969 | 59 | A. S. Welding & Boiler Repair Inc. | None |
| 1961-1971 | 63 | A. S. Welding & Boiler Repair Inc. | None |
| 1956 - 1961 | 63 | Loutone Garage | None |
| 1949 - 1956 | 63 | Betley's Garage | None |
| 1940 - 1956 | 63 | B&W Garage | None |
| 1940 - 1956 | 63 | Herrschaft Chas Electrician | None |
| 1927 - 1940 | 63 | Rogers & Springmeyer Garage | None |
| 1949-1971 | 137 | MS Automotive Service Inc | None |
| 1940 - 1949 | 137 | Loderer & Stierle Auto Repairs | None |
| 1940 - 1949 | 137 | Melrose Auto Garage & Repr Shop | None |
| 1940 - 1949 | 137 | Reo Service Station | None |
| 1976 - Unknown | 137 | A-1 Construction Co Inc | None |
| 1971-1976 | 137 | Park Av Realty Corp | None |
| 1961 - 1976 | 137 | Refrigerated Delivery Service | None |
| 1976 - Unknown | 129 | Two Brothers Service Station | None |
| 1971 - 1976 | 129 | Gerry Amoco Service Station | None |
| 1961 - 1971 | 129 | Jerry Amoco Service Center | None |
| Unknown - 1961 | 129 | DiMetro Jerry Service Station | None |
| Pre 1969 - 1969 | 141 | Auto Brake Service | None |
| Pre 1951-1978 | 146 | Baptist Church of the Ascension | None |
| 12/22/2020 - 12/8/2022 | 150 | Morrisania Apartments LLC | None |
| 12/8/2022 - Current | 150 | TEG Morrisania Development LLC | Current Operator |

Brownfield Cleanup Program (BCP) Application
310 East 161st Street, Bronx, New York 10451

APPENDIX I

Site Contact List

Appendix I - Site Contact List

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section XI

i. Local and State Officials

Hon. Charles Schumer
United States Senate
780 Third Avenue, Suite 2301
New York, NY 10017

Hon. Kirsten E. Gillibrand
United States Senate
780 Third Avenue, Suite 2601
New York, NY 10017

Hon. Rep. Ritchie Torres (CD-15)
U.S. House of Representatives
540 E Fordham Rd, Unit 2A
Bronx, NY 10458

Hon. Eric Adams
New York City Mayor
City Hall
New York, NY 10007

Hon. Althea Stevens
NYC Councilmember – District 16
1377 Jerome Avenue
Bronx, NY 10452

Hon. José M. Serrano
NYS Senator – District 29
335 E 100th Street
New York, NY 10029

Hon. Chantel Jackson
NYS Assemblymember – District 79
780 Concourse Village West, Ground Fl
Bronx, NY 10451

Hon. Brad Lander
New York City Comptroller
1 Centre Street #530
New York, NY 10007

Hon. Jumane D Williams
Public Advocate
1 Centre Street #15N
New York, NY 10007

Dan Garodnick
Director, NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Hon. Vanessa L. Gibson
Bronx Borough President
851 Grand Concourse, 301
Bronx, NY 10451

Robert Garmiendez
Chairperson, Bronx Community Board 4
1650 Selwyn Avenue, Suite 11A
Bronx, NY 10457

Ischia Bravo
Bronx County Clerk
851 Grand Concourse
Bronx, NY 10451

Rohit Aggarwala
Acting Commissioner, NYCDEP
59-17 Junction Boulevard
Flushing, NY 11373

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

Mark McIntyre
Director, NYCOER
100 Gold Street – 2nd Floor
New York, NY 10038

Thomas V. Panzone
NYSDEC, Citizen Participation Specialist
47-40 21st Street
Long Island City, NY 11101

Steven Berninger
NYSDOH, Public Health Specialist
Coning Tower, Room 1787
Albany, NY 12237

Appendix I - Site Contact List

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section XI

ii. Current Site Owner

TEG Morrisania Development LLC
7 Jackson Walkway
Providence, RI 02903

iii. Current Site Operators

TEG Morrisania Development LLC
7 Jackson Walkway
Providence, RI 02903

iv. Current Owners and Occupants of Adjacent Sites

Block 2420 – Lot 40

NYC Dept. of Education
65 Court Street, Suite 1
Brooklyn, NY 11201

Block 2420 – Lot 49

Epworth United Methodist Church
834 Concourse Village East
Bronx, NY 10451

Block 2420 – Lot 49

Epworth United Methodist Church
834 Concourse Village East
Bronx, NY 10451

Block 2420 – Lot 120

Morrisania Apartments LLC
199 Lee Avenue #309
Brooklyn, NY 11211

Block 2420 – Lot 170

NYC Housing Authority
478 East Fordham Road, 2nd Floor
Bronx, NY 10458

Block 2420 – Lot 171

NYC Housing Authority
478 East Fordham Road, 2nd Floor
Bronx, NY 10458

Block 2420 – Lot 174

NYC Housing Authority
478 East Fordham Road, 2nd Floor
Bronx, NY 10458

Block 2421 – Lot 49

Bronx 161 LLC
295 E 161st Street
Bronx NY 10451

Block 2421 – Lot 45

Montefiore Medical Center
305 E 161st Street
Bronx NY 10451

Block 2421 – Lot 36

Park Realty
313 E 161st Street
Bronx NY 10451

Block 2421 – Lot 36

Park Realty
315 E 161st Street
Bronx NY 10451

v. Religious Authorities

Epworth United Methodist Church
834 Concourse Village East
Bronx, NY 10451
(718) 292-0240

Cortlandt Congregation of Jehovah's Witnesses
886 Morris Avenue
Bronx, NY 10451
(718) 993-6816

Appendix I - Site Contact List

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section XI

Unity Baptist Church
839 Cortlandt Avenue
Bronx, NY 10451
(718) 665-3310

vi. Parks and Recreation

NYC Dept. of Parks & Recreation
The Arsenal, Central Park, 830 Fifth Avenue
New York, NY 10065

vii. Day Cares and Schools within Quarter Mile Radius

David Krulwich
Bronx Early College Academy
250 East 164th Street
Bronx, NY 10456
(718) 681-8287

Danielle Presto
PS/MS 29 Melrose School
758 Courtlandt Avenue
Bronx, NY 10451
(718) 292-3785

Delilah Worrell
Marshall England Early Learning Center
800 Concourse Village East
Bronx, NY 10452
(718) 742-2368

Sandra M. Taveras
Sandra's Day Care
3125 Park Avenue
Bronx, NY 10451
(646) 314-7831

Carlos Capellan
Kipp Academy Charter School
250 East 156th Street 4th Fl
Bronx, NY 10451
(718) 655-3555

Fabiana Morales
Fabiana Day Care Academy Inc
937 Teller Avenue
Bronx, NY 10451
(718) 588-4545

Graciela Navarro
PS 35 Franz Siegel
261 East 163rd Street
Bronx, NY 10451
(718) 681-7214

Esmeralda Mata
Tender Tots Child Care and Learning Center
924 Teller Avenue
Bronx, NY 10451
(718) 298-3930

John Piazza
The Lou Gehrig School
250 Thurman Munson Way
Bronx, NY 10451
(718) 292-0260

Mariana Martinez
Children's Castle Group Family Daycare
910 Sheridan Avenue
Bronx, NY 10451
(347) 879-1008

Elisha Boyd
PS/MS 31 William Lloyd Garrison
250 East 156th Street
Bronx, NY 10451
(718) 292-4397

Lawanda Butler
Starlight Sunshine Preschool
3204 Park Avenue
Bronx, NY 10451
(201) 878-1036

Antoinette Longo
All Season ABC Daycare
190 East 162nd Street
Brown, NY 10451
(718) 410-9200

Appendix I - Site Contact List

Morrisania East Lot 150
310 East 161st Street, Bronx, New York 10451
BCP Application – Section XI

viii. Local Water Supply

NYCDEP – NYC Water Department
415 E 203rd St
Bronx, NY 10467

ix. Local News and Media

Bronx Times
3602 East Tremont Avenue, Suite 205
Bronx, NY 10465

NY1 News
75 Ninth Ave
New York, NY 10011

x. Any Person, Community Based Organization, or Local Media Who Has Requested to be placed on the contact list

No persons have requested to be on the Site Contact List.

xi. Document Repository

Morrisania Library
New York Public Library
610 East 169th Street
Bronx, NY 10456

Bronx Community Board 4
1650 Selwyn Avenue, Suite 11A
Bronx, NY 10457

See attached documentation confirming acceptance as document repository.

From: [BX04, BX04 \(CB\)](#)
To: [Lauren Dolginko](#)
Cc: [Bond, Beverly](#)
Subject: RE: [EXTERNAL] 310 East 161st Street - Bronx Community Board 4 Document Repository
Date: Tuesday, October 8, 2024 11:54:17 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

This message originated outside your organization. Please use caution!



Good Morning,

We apologize for just getting back to you. Thank you for contacting Bronx Community Board Four and on behalf of Beverly Bond, Board Chairperson, we are confirming an email receipt to retain document repository for project to redevelop the property located at 310 East 161st Street, Bronx, New York 10451. The repository may be forwarded as a link to bx04@cb.nyc.gov As well as submitting a flash drive/disk for filing at the Board Office.

Should you have any inquiries, please email us at bx04@cb.nyc.gov or call the Board Office at 718-299-0800.

Best Regards,

Liz for Beverly Bond, Board Chair
Community Board Four
1650 Selwyn Avenue, Suite 11A
Bronx, New York 10457
718 299-0800
bx04@cb.nyc.gov

The Capital District
MT. Eden, Highbridge, East Concourse, West Concourse and Concourse Village sections of the Bronx.

From: Lauren Dolginko <ldolginko@rouxinc.com>
Sent: Wednesday, September 25, 2024 4:38 PM
To: BX04, BX04 (CB) <BX04@cb.nyc.gov>
Subject: [EXTERNAL] 310 East 161st Street - Bronx Community Board 4 Document Repository

You don't often get email from ldolginko@rouxinc.com. [Learn why this is important](#)

CAUTION! EXTERNAL SENDER. Never click on links or open attachments if sender is unknown, and never provide user ID or password. If **suspicious**, report this email by hitting the **Phish Alert Button**. If the button is unavailable or you are on a mobile device, forward as an attachment to phish@oti.nyc.gov.

To Whom it May Concern,

I work for an Environmental Consulting Firm, Roux Environmental Engineering and Geology, D.P.C. My team is working on a project to redevelop the property located at 310 East 161st Street, Bronx, New York 10451 and we are required to identify the document repositories for future documents as part of a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program application. This email is to confirm that the Bronx Community Board 4 is willing to act as one of the document repositories for the project. Please confirm receipt of this email, as we will need documentation of this communication. If you have a preferred format for receipt of the repository submittals such as - document upload link, hard copy, flash drive, disc, etc. please just let me know.

Thank you,
Lauren

Lauren Dolginko | Senior Geologist

209 Shafter Street Islandia, New York 11749

Main: (631)232-2600 | Direct: (631)630-2415 | Mobile: (631)697-2773

Email: ldolginko@rouxinc.com | Website: www.rouxinc.com



California | Illinois | Massachusetts | New Jersey | New York | Texas



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Lauren Dolginko

From: Madline Emile <madlineemile@nypl.org>
Sent: Thursday, October 10, 2024 12:54 PM
To: Lauren Dolginko
Cc: Melissa Davis; Jesse Meshkov; Colbert Nembhard
Subject: Re: 310 East 161st Street - Morrisania Library Document Repository
Attachments: Document Repository Letter Template.docx

Follow Up Flag: Follow up
Flag Status: Flagged

This message originated outside your organization. Please use caution!

Hi Lauren,

Thank you for calling me early this afternoon. As discussed over the phone, I am confirming that Morrisania Branch is able to house your documents digitally on the Library site. I have attached a template of a Document Repository letter. Please adjust the template to include any necessary language or logos, and forward to us for review and signature. Once the letter is signed, the Library will then upload the provided link, housing the project documents, on its website.

Please let me know if you have any questions or concerns. I am happy to help!

Warm Regards,

Maddie Emile
Paralegal
Legal Department

The New York Public Library
Stephen A. Schwarzman Building
476 Fifth Avenue, New York, NY 10018
212.930.0552 | x20552
[nypl.org](https://www.nypl.org)

On Tue, Oct 8, 2024 at 11:18 AM Madline Emile <madlineemile@nypl.org> wrote:

Hi Lauren,

Gave you a call this morning - please feel free to call back when you can.
Thank you.

Warm Regards,

Maddie Emile
Paralegal
Legal Department

The New York Public Library
Stephen A. Schwarzman Building
476 Fifth Avenue, New York, NY 10018
212.930.0552 | x20552
nypl.org

On Thu, Oct 3, 2024 at 10:00 AM Lauren Dolginko <ldolginko@rouxinc.com> wrote:

Hi Maddie,

Thank you for your response. I tried giving you a call this morning to discuss, however received your voicemail which instructed me to not leave a message. If you have a few minutes today, please call my cell at (631-697-2773) to coordinate.

Thank you,
Lauren

From: Madline Emile <madlineemile@nypl.org>
Sent: Wednesday, October 2, 2024 1:49 PM
To: Lauren Dolginko <ldolginko@rouxinc.com>
Cc: Melissa Davis <melissadavis@nypl.org>; Jesse Meshkov <jessemeshkov@nypl.org>; Colbert Nembhard <colbertnembhard@nypl.org>
Subject: Re: 310 East 161st Street - Morrisania Library Document Repository

This message originated outside your organization. Please use caution!

Hi Lauren,

Kindly forward a copy of the Document Repository Letter for review and signature.

Please include the **link which will house the documents** to the library at your earliest convenience.

Be advised that the Library **does not accept** any physical copies including digitized copies on USB, CD, or otherwise.

Once the document is fully executed and the link to the digital file is received, the Library manager will upload the link to the Library site where the documents will be housed.

Please let me know if you have any questions or concerns.

Thank you for your patience.

Warm Regards,

Maddie Emile
Paralegal

Legal Department

The New York Public Library
Stephen A. Schwarzman Building

476 Fifth Avenue, New York, NY 10018

212.930.0552 | x20552

nypl.org

----- Forwarded message -----

From: **Lauren Dolginko** <ldolginko@rouxinc.com>

Date: Wed, Sep 25, 2024 at 4:39 PM

Subject: 310 East 161st Street - Morrisania Library Document Repository

To: morrisanialibrary@nypl.org <morrisanialibrary@nypl.org>

To Whom it May Concern,

I work for an Environmental Consulting Firm, Roux Environmental Engineering and Geology, D.P.C. My team is working on a project to redevelop the property located at 310 East 161st Street, Bronx, New York 10451 and we are required to identify the document repositories for future documents as part of a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program application. This email is to confirm that the Morrisania Library is willing to act as one of the document repositories for the project. Please confirm receipt of this email, as we will need documentation of this communication. If you have a preferred format for receipt of the repository submittals such as - document upload link, hard copy, flash drive, disc, etc. please just let me know.

Thank you,

Lauren

Lauren Dolginko | Senior Geologist

209 Shafter Street Islandia, New York 11749

Main: (631)232-2600 | Direct: (631)630-2415 | Mobile: (631)697-2773

Email: ldolginko@rouxinc.com | Website: www.rouxinc.com



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--

Colbert Nembhard

Library Manager

Morrisania Library

The New York Public Library

610 East 169th, Bronx, NY 10456

718.861.0372

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