

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

120 EAST 140TH STREET
NYSDEC SITE NO. C203199
BLOCK 2344, LOT 75
BRONX, NEW YORK

PREPARED FOR:
BH WALTON LLC
670 MYRTLE AVENUE, SUITE 166
BROOKLYN, NY 11205



SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF which includes a Table of Contents, the application form, and 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. *OPTIONAL: Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via NYSDEC dropbox or ground mail, as described below.

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

a. VIA SITE CONTROL DROPBOX:

- [Request an invitation](#) to upload files to the Site Control submittal dropbox.
- In the “Title” field, please include the following: “New BCP Application - *Proposed Site Name*”.
- After uploading files, an automated email will be sent to the submitter’s email address with a link to verify the status of the submission. Please do not send a separate email to confirm receipt.
- Application packages submitted through third-party file transfer services will not be accepted.

a. 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, 12th Floor
Albany, NY 12233-7015

SITE NAME: 120 East 140th Street Redevelopment

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: C203199

Yes No



BCP App Rev 17 – October 2025

SECTION I: Property Information

PROPOSED SITE NAME 120 East 140th Street Redevelopment

ADDRESS/LOCATION 120 East 140th Street

CITY/TOWN Bronx

ZIP CODE 10451

MUNICIPALITY (LIST ALL IF MORE THAN ONE) Bronx

COUNTY Bronx

SITE SIZE (ACRES) 0.120

LATITUDE	LONGITUDE
40 ° 48 '	73 ° 55 '
54 "	48 "

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
120 East 140th Street	2	2344	75	0.12

1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/> Y <input type="radio"/> N
2. Is the required property map, provided in electronic format, included with the application? (Application will not be processed without a map)	<input checked="" type="radio"/> Y <input type="radio"/> N
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) If yes, identify census tract: _____ Percentage of property in En-zone (check one): <input checked="" type="radio"/> 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100%	<input type="radio"/> Y <input checked="" type="radio"/> N
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input checked="" type="radio"/> Y <input type="radio"/> N
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input checked="" type="radio"/> Y <input type="radio"/> N
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	<input type="radio"/> Y <input checked="" type="radio"/> N

SECTION I: Property Information (continued)		Y	N						
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	<input type="radio"/>	<input checked="" type="radio"/>							
8. Has the property previously been remediated pursuant to Titles 9, 13 or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.	<input type="radio"/>	<input checked="" type="radio"/>							
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.	<input type="radio"/>	<input checked="" type="radio"/>							
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number:	<input type="radio"/>	<input checked="" type="radio"/>							
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>							
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.	<input type="radio"/>	<input checked="" type="radio"/>							
<table border="0"> <tr> <th><u>Easement/Right-of-Way Holder</u></th> <th><u>Description</u></th> </tr> <tr> <td> </td> <td> </td> </tr> </table>		<u>Easement/Right-of-Way Holder</u>	<u>Description</u>						
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>								
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):	<input type="radio"/>	<input checked="" type="radio"/>							
<table border="0"> <tr> <th><u>Type</u></th> <th><u>Issuing Agency</u></th> <th><u>Description</u></th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>					
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>							
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?	<input checked="" type="radio"/>	<input type="radio"/>							
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.									
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.	<input checked="" type="radio"/>	<input type="radio"/>							
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?	<input type="radio"/>	<input checked="" type="radio"/>							
17. If you have answered YES to Question 16 above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?	<input type="radio"/>	<input checked="" type="radio"/>							
NOTE: If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.									
If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.									
Initials of each Requestor: <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>									

SECTION II: Project Description

1. The project will be starting at: Investigation Remediation

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

4a. Please provide a short description of the overall project development, including a complete project schedule with all key BCP program milestones through issuance of the Certificate of Completion. Include DEC/DOH review times in the schedule (best efforts to review documents within 45 days pursuant to 6 NYCRR Part 375-3.6(b)).

Is this information attached?

Yes

No

4b. Please include in the project schedule the dates of any outside public or private funding source deadlines with the associated BCP milestones, e.g., NYC HPD or NYS HCR funding deadlines, or private funding interim milestones from loan documents, that depend on a particular BCP milestone such as a work plan or report approval, decision document issuance, etc.

Is this information clearly identified in the BCP project schedule?

Yes

No

N/A

Beginning January 1, 2024, all work plans and reports submitted for the BCP shall address Green and Sustainable Remediation (GSR) and DER-31 (see [DER-31, Green Remediation](#)). Work plans, reports and design documents will need to be certified in accordance with DER-31.

5. Please provide a description of how Green and Sustainable Remediation will be evaluated and incorporated throughout the remedial phases of the project including Remedial Investigation, Remedial Design/Remedial Action, and Site Management and reporting efforts.

Is this information attached?

Yes

No

6. If the project is proposed to start at the remediation stage (Section 2, Item 1, above), a climate change screening or vulnerability assessment must have been completed. Is this attached?

Yes

No

Not Applicable

SECTION III: Ecological Concerns

1. Are there fish, wildlife, or ecological resources within a ½-mile radius of the site?

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

2. Is there a potential path for contamination to potentially impact fish, wildlife or ecological resources?

<input type="radio"/>	<input checked="" type="radio"/>
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3. Is/are there a/any Contaminant(s) of Ecological Concern?

<input type="radio"/>	<input checked="" type="radio"/>
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If any of the conditions above exist, a Fish and Wildlife Resources Impact Analysis (FWRIA) Part I, as outlined in DER-10 Section 3.10.1, is required. The applicant may submit the FWRIA with the application or as part of the Remedial Investigation Report.

4. Is a Fish and Wildlife Resources Impact Analysis Part I included with this application?

N/A

<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
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SECTION IV: Land Use Factors

1. What is the property's current municipal zoning designation? M1-4/R6A, MX-13

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

Residential Commercial Industrial

3. Current use (select all that apply):

Residential Commercial Industrial Recreational Vacant

4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant.

Is this summary included with the application?

<input type="radio"/>	<input checked="" type="radio"/>
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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 V: Current and Historical Property Owner and Operator Information

CURRENT OWNER BH Walton LLC

CONTACT NAME Shimon Greenfeld

ADDRESS 670 Myrtle Avenue, Suite 166

CITY Brooklyn	STATE NY	ZIP CODE 11205
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PHONE (347) 489-0542	EMAIL shimon@sgnyrealtyinc.com
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OWNERSHIP START DATE 9/4/2025

CURRENT OPERATOR N/A

CONTACT NAME N/A

ADDRESS N/A

CITY N/A	STATE N/A	ZIP CODE N/A
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PHONE	EMAIL N/A
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OPERATION START DATE N/A

SECTION VI: 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 (**please submit information requested in this section in electronic format ONLY**):

- 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.
- SAMPLING DATA:** Indicate (by selecting the options below) known contaminants and the media which are known to have been affected. Data summary tables should be included as an attachment, with laboratory reports referenced and included.

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

*Please describe other known contaminants and the media affected:

- 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

- Indicate Past Land Uses (check all that apply):

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

Other: Parking Lot, electrical services

SECTION VII: Requestor Information

NAME BH Walton LLC

ADDRESS 670 Myrtle Avenue, Suite 166

CITY/TOWN Brooklyn	STATE NY	ZIP CODE 11205
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PHONE (646) 298-2500	EMAIL joel@skyrocknyc.com
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1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/> Y	<input type="radio"/> 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?	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached?	<input type="radio"/>	<input checked="" type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements?	<input checked="" type="radio"/>	<input type="radio"/>
Documents that are not properly certified will not be approved under the BCP.		

SECTION VIII: Requestor Contact Information

REQUESTOR'S REPRESENTATIVE Joel Waldman

ADDRESS 670 Myrtle Avenue, Suite 166

CITY Brooklyn	STATE NY	ZIP CODE 11205
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PHONE (646) 298-2500	EMAIL joel@skyrocknyc.com
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REQUESTOR'S CONSULTANT (CONTACT NAME) Mari Cate Conlon

COMPANY H & A of New York Engineering and Geology, LLP

ADDRESS 213 W 35th Street, Floor 7

CITY NY	STATE NY	ZIP CODE 10001
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PHONE (646) 277-5688	EMAIL mconlon@haleyaldrich.com
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REQUESTOR'S ATTORNEY (CONTACT NAME) George Duke

COMPANY Fox Rothschild LLP

ADDRESS 101 Park Avenue, 17th Floor

CITY New York	STATE NY	ZIP CODE 10178
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PHONE (212) 450-9847	EMAIL gduke@foxrothschild.com
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SECTION IX: 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 with supporting documentation.

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

SECTION X: Requestor Eligibility

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

1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/> <input checked="" type="radio"/>	Y	N
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/> <input checked="" type="radio"/>		
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/> <input checked="" type="radio"/>		
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the ECL Article 27; (ii) any order or determination; (iii) any regulation implementing Title 14; or (iv) any similar statute or regulation of the State or Federal government?	<input type="radio"/> <input checked="" type="radio"/>		
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/> <input checked="" type="radio"/>		
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants?	<input type="radio"/> <input checked="" type="radio"/>		
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involved a violent felony, fraud, bribery, perjury, theft or offense against public administration (as that term is used in Article 195 of the Penal Law) under Federal law or the laws of any state?	<input type="radio"/> <input checked="" type="radio"/>		
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of a false statement in connection with any document or application submitted to DEC?	<input type="radio"/> <input checked="" type="radio"/>		
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?	<input type="radio"/> <input checked="" type="radio"/>		
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?	<input type="radio"/> <input checked="" type="radio"/>		
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/> <input checked="" type="radio"/>		

SECTION X: Requestor Eligibility (continued)

12. The requestor must certify that he/she/they is/are either a participant or volunteer in accordance with ECL 27-1405(1) by checking one of the boxes below:

PARTICIPANT <input type="checkbox"/> A requestor who either (1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum, or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.	VOLUNTEER <input checked="" type="checkbox"/> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. NOTE: By selecting this option, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing discharge; (ii) prevent any threatened future release; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste. If a requestor whose liability arises solely as a result of ownership, operation of, or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.
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13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

Yes No N/A

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

Previous Owner Current Owner Potential/Future Purchaser Other: _____

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

Is this proof attached? Yes No N/A

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

SECTION XI: Property Eligibility Information

1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/> <input checked="" type="radio"/>	Y	N
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/> <input checked="" type="radio"/>	Y	N
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____ Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/> <input checked="" type="radio"/>	Y	N
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 <input checked="" type="radio"/>	<input type="radio"/> <input checked="" type="radio"/>	Y
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/> <input checked="" type="radio"/>	Y	N
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/> <input checked="" type="radio"/>	Y	N

SECTION XII: Site Contact List

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.
- For sites located in the five counties comprising New York City, the Director of the Mayor's Office of Environmental Remediation.

SECTION XIII: 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 the Managing Member (title) of BH Walton 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: 1/13/2026

Signature: 

Print Name: Joel Waldman

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 17

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

From ECL 27-1405(31):

“Upside down” shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(l) 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:

(l) “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
- 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.

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ATTACHMENT A

Section I: Property Information

SECTION I: PROPERTY DESCRIPTION NARRATIVE

Site Location

The Site is located at 120 East 140th Street, Bronx, New York, and is identified as Block 2344, Lot 75 on the New York City Tax Map. Former Block 2344, Lot 75 was approximately 0.30-acres (13,044 square feet) and was reapportioned into Lots 74 and 75 with deed recorded September 16th, 2025 and changed on December 3rd, 2025. The new lot 75 (the “Site”) is approximately 0.12-acres (5,227 square feet) in size and is located in the Mott Haven neighborhood of The Bronx, New York. The new Lot 75 does not include the four-story industrial building located to the immediate east on new Lot 74¹.

The Site is bounded to the north by East 140th Street, followed by a three-story school building occupied by Health Opportunities High School; to the east by a four-story commercial building followed by Walton Avenue; to the south by a three-story warehouse building; and to the west by The Major Deegan Expressway. The surrounding neighborhood is characterized by mixed-use commercial and residential buildings.

A project locus is included in Figure 1. An aerial photograph of the Site showing site and parcel boundaries is included in Figure 2. A tax map is included in Figure 3. A map showing surrounding land use is included as Figure 4. A map showing adjoining property details is included as Figure 5. A map showing disadvantaged communities is included as Figure 6.

Site Features

The Site is an undeveloped lot used for parking.

Current Zoning and Land Use

According to the New York City Planning Commission Zoning Map 6b, the Site is located within a residential (R6A) zoning area with a manufacturing (M1-4) overlay within the Special Mixed Use District (MX-13). The proposed development of this property is consistent with the current zoning.

Past Site Use

In May 2022, Nova Geophysical Engineering (Nova) conducted a Phase I Environmental Site Assessment on former Block 2344, Lot 75. Since this report, former Lot 75 has been reapportioned in Lot 74 and Lot 75 (the Site). According to the Phase I ESA conducted by Nova, the Site currently consists of an undeveloped lot. The Site was developed by 1908, listed with commercial, manufacturing, and industrial uses until at least 1935. According to Sanborn Fire Insurance maps, historical operations at the Site included electrical specialties between 1935 and 1944. By 1944, all structures were demolished, and the Site has remained a parking lot since.

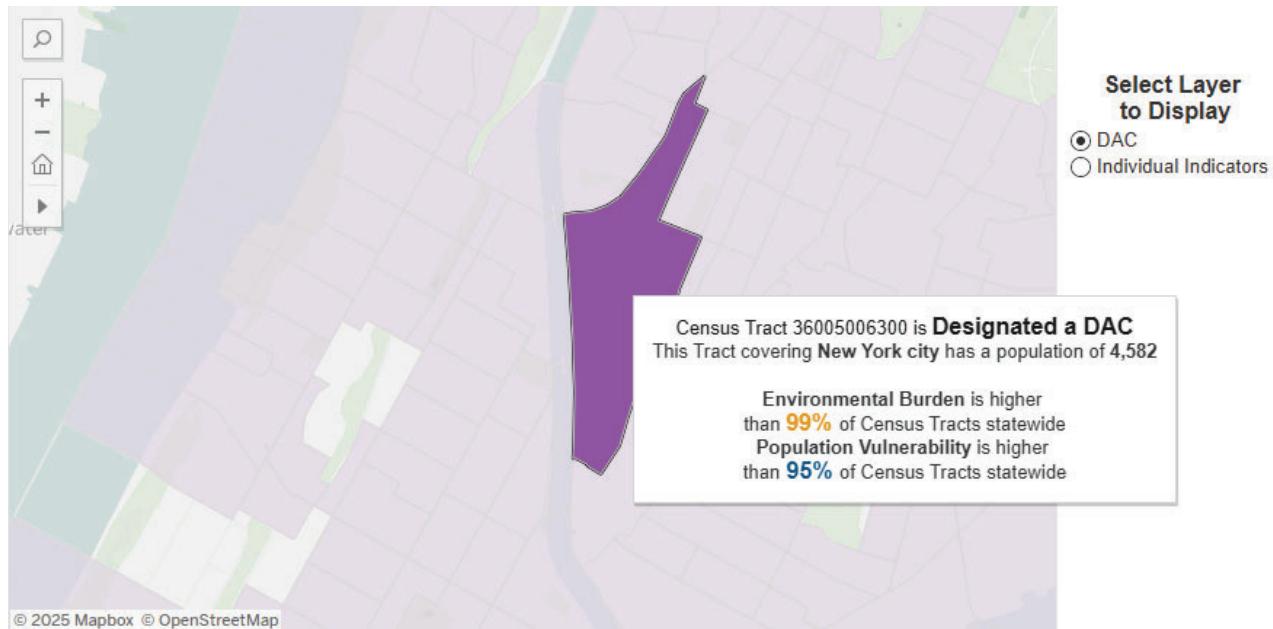
Site Geology and Hydrogeology

According to the Remedial Phase II Environmental Site Investigation (ESI) completed by Brussee Environmental Corp in December 2025, subsurface soil at the Site was observed to be fill material consisting of black to brown silty sand with brick, concrete, and gravel, observed from the surface up to 12 feet (ft) below ground surface (bgs). Fill material was underlain by bedrock, encountered at approximately 12 ft bgs. Groundwater was reportedly encountered during the investigations at depths between 11 to 32 ft bgs across the site. Groundwater is anticipated to flow to the west towards the Harlem River.

¹ The New York City Zoning & Land Use Map has not yet been updated to reflect this reapportionment.

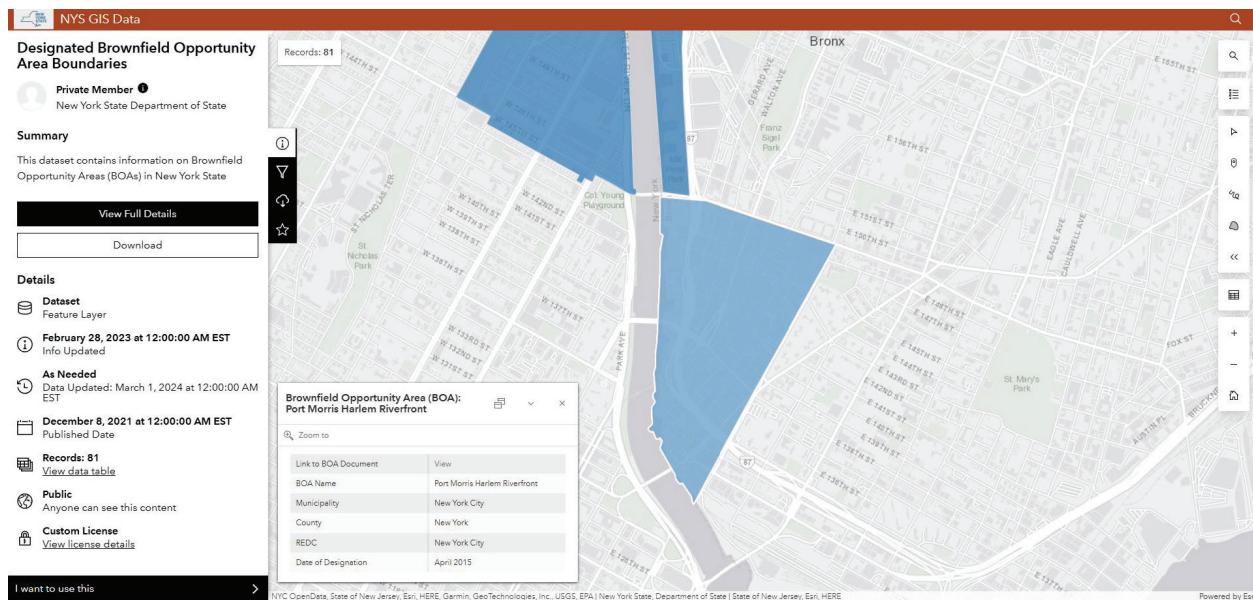
Disadvantaged Community Designation

The Site is in a disadvantaged community, as identified on the map below and in Figure 6.



Brownfield Opportunity Area

The Site is in a Brownfield Opportunity Area (BOA), Port Morris Harlem Riverfront, as identified on the map below.



SECTION I.14: ENVIRONMENTAL ASSESSMENT

The Requestor seeks entry into the New York State Department of Environmental Conservation (NYSDEC) BCP at the investigation stage.

Based on investigations conducted to date, the primary contaminants of concern for the Site are volatile organic compounds (VOCs), chlorinated VOCs (CVOCs), semi volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides, and metals in soil; VOCs, SVOCs, dissolved metals, and 1,4-dioxane in groundwater; and VOCs including benzene, toluene, ethylbenzene and xylenes (BTEX) and chlorinated VOCs (CVOCs) in soil vapor. A summary of pertinent findings is provided below:

Soil

The CVOC, tetrachloroethene (maximum concentration of 54 mg/kg) was detected above NYSDEC 6 NYCRR Part 375 Restricted-Residential Use Soil Cleanup Objectives (RRSCOs) in the shallow soil throughout the Site from approximately 0 to 2 ft bgs. SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs) including benzo(a)anthracene (maximum concentration of 37 mg/kg), benzo(a)pyrene (maximum concentration of 33 mg/kg), benzo(b)fluoranthene (maximum concentration of 53 mg/kg), benzo(k)fluoranthene (maximum concentration of 14 mg/kg), chrysene (maximum concentration of 30 mg/kg), dibenzo(a,h)anthracene (maximum concentration of 5.2 mg/kg), and indeno(1,2,3-cd)pyrene (maximum concentration of 23 mg/kg), were detected above NYSDEC 6 NYCRR Part 375 RRSCOs throughout the Site in shallow soil and in deeper soil extending to 12 ft bgs in the northwest corner. Metals, including cadmium (maximum concentration of 71.3 mg/kg), copper (maximum concentration of 20,300 mg/kg), and mercury (maximum concentration of 1.53 mg/kg) were also detected above NYSDEC 6 NYCRR Part 375 RRSCOs in shallow soil throughout the Site from approximately 0-2 ft bgs. Metals, including arsenic (maximum concentration of 21.7 mg/kg), barium (maximum concentration of 1,740 mg/kg), lead (maximum concentration of 2,710 mg/kg), and zinc (maximum concentration of 15,200 mg/kg) were also detected above NYSDEC 6 NYCRR Part 375 RRSCOs in deeper soil extending to approximately 12 ft bgs in the northwest corner. Pesticides, including 4,4'-DDD (maximum concentration of 0.019 mg/kg), 4,4'-DDE (maximum concentration of 0.021 mg/kg), and 4,4'-DDT (maximum concentration of 0.042 mg/kg) were detected above NYSDEC 6 NYCRR Part 375 UUSCOs in shallow soil and in deeper soil extending to 9 ft bgs in the southern corner of the Site. PCB, including PCB-1254 (maximum concentration of 0.13 mg/kg), and PCB-1260 (maximum concentration of 0.19 mg/kg) were detected above NYSDEC 6 NYCRR Part 375 UUSCOs in shallow soil and in deeper soil extending to 12 ft bgs in the northwest corner of the Site.

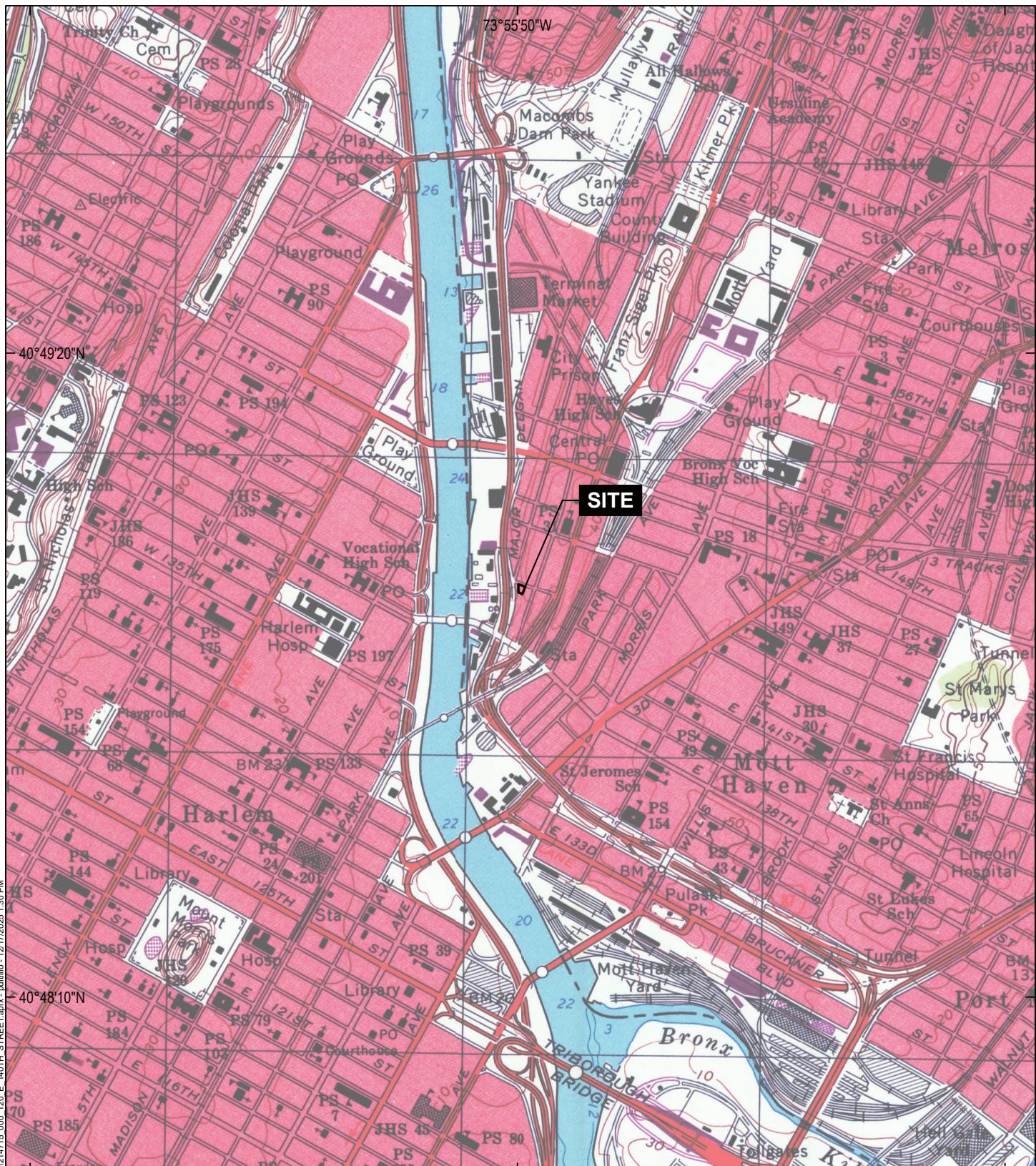
Groundwater

Several CVOCs were detected above the New York TOGS 111 Ambient Water Quality Standards (AWQS) including cis-1,2-dichloroethene (maximum concentration of 7.2 µg/L), trichloroethene (TCE; maximum concentration of 12 µg/L), and tetrachloroethene (PCE; maximum concentration of 38 µg/L). CVOCs were elevated in groundwater on the northern portion of the Site with maximum concentrations observed in the northwestern corner of the property.

Multiple PAHs were detected slightly above the respective AWQS in the southeastern corner of the Site including benzo(a)anthracene at 0.08 µg/L, benzo(a)pyrene at 0.07 µg/L, benzo(b)fluoranthene at 0.06 µg/L, benzo(k)fluoranthene at 0.06 µg/L, chrysene at 0.07 µg/L and indeno(1,2,3-cd)pyrene at 0.05 µg/L.

Soil Vapor

Low levels of petroleum-related compounds and elevated levels of CVOCs were detected in multiple soil vapor samples collected at approximately 5 ft bgs throughout the Site. PCE and TCE were detected in all five soil vapor samples at maximum concentrations of 16,700 micrograms per cubic meter (µg/m³) and 319 µg/m³, respectively, from the soil vapor sample collected in the central portion of the Site. The maximum total concentration of petroleum-related volatile organic compounds (i.e., benzene, toluene, ethylbenzene, and xylenes [BTEX]) was 152.2 µg/m³ in the soil vapor sample collected on the western Site boundary.



HALEY
ALDRICH

120 E 140TH STREET
BRONX, NEW YORK

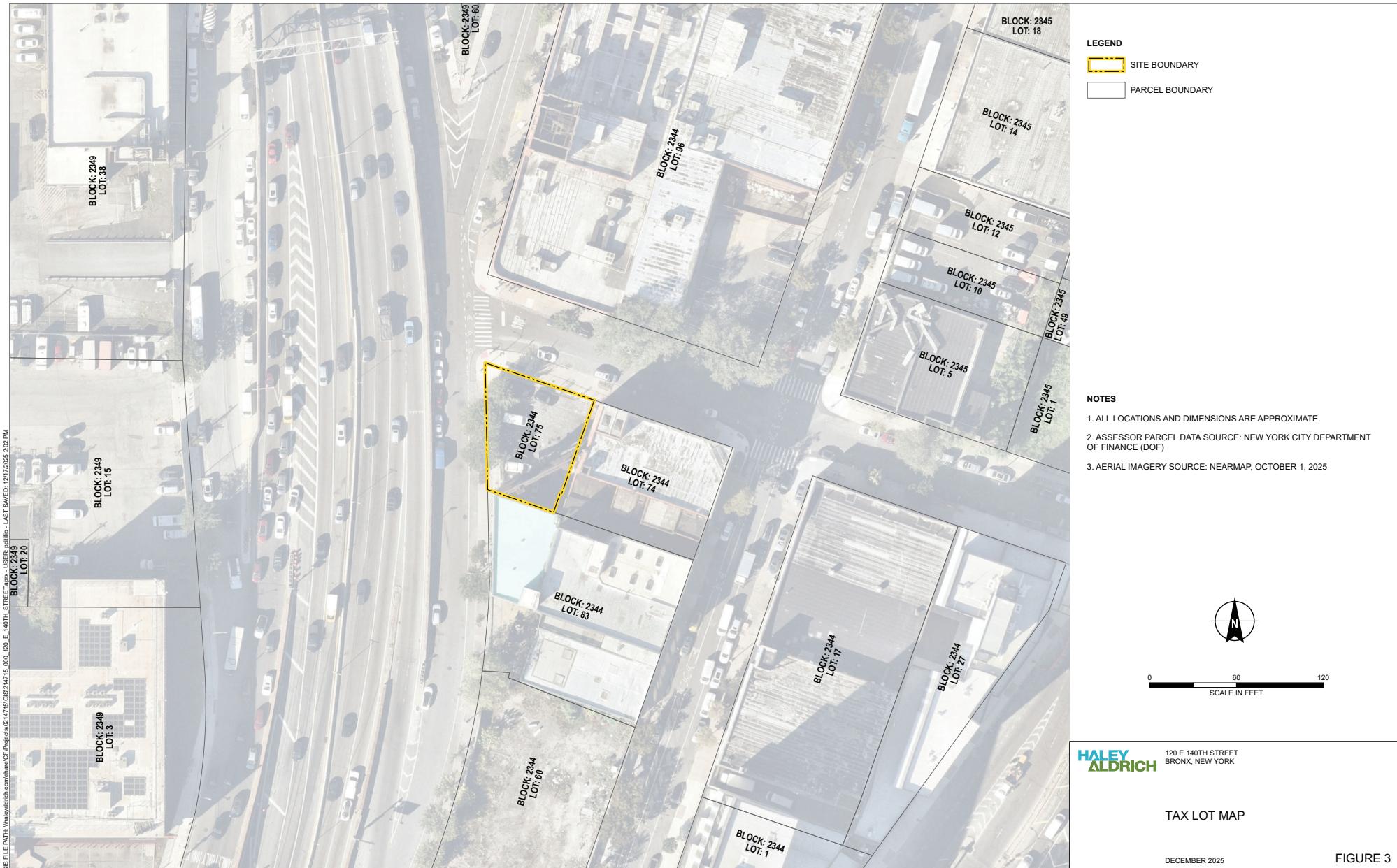
PROJECT LOCUS

MAP SOURCE: USGS
SITE COORDINATES: 40°48'90"N, 73°55'81"W

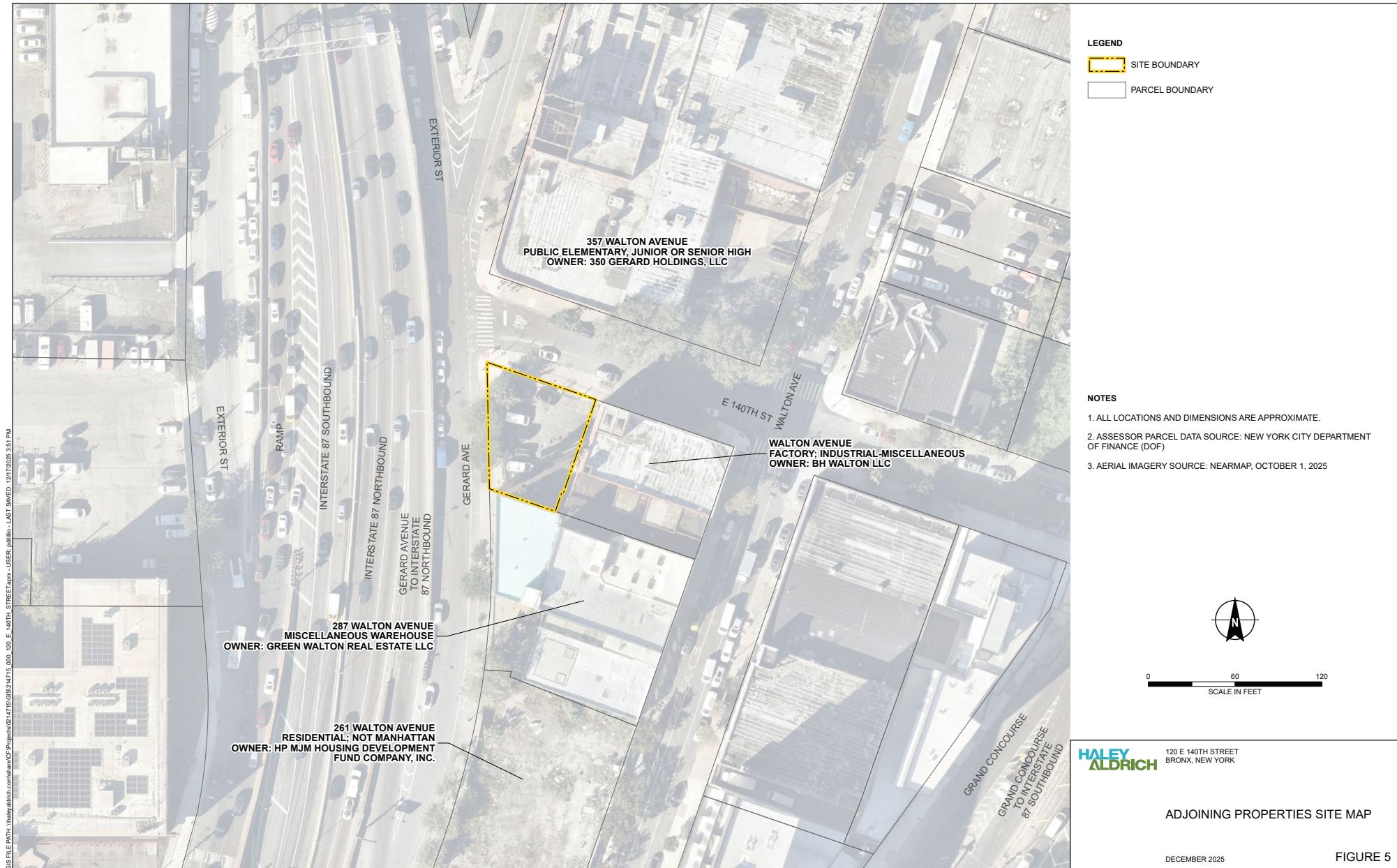
APPROXIMATE SCALE: 1 IN = 2000 FT
DECEMBER 2025

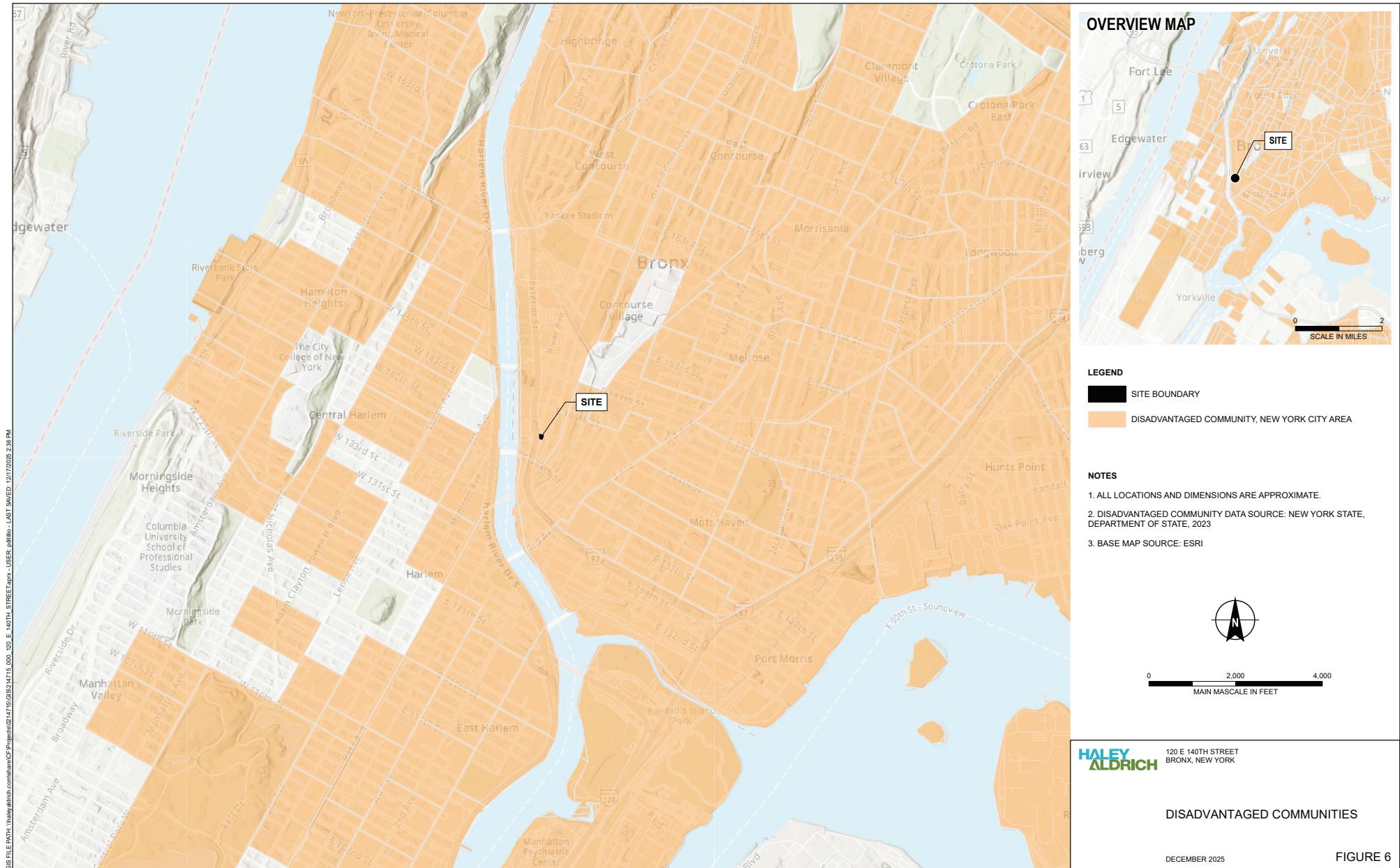
FIGURE 1











ATTACHMENT B

Section II: Project Description

SECTION II: PROJECT DESCRIPTION

The purpose of the project is to redevelop a contaminated property in addition to implementing remedial measures to protect human health and the environment.

Proposed Development

The proposed development will consist of construction of a new multi-story residential building covering the entire lot. According to the New York City Planning Commission Zoning Map 6b, the Site is located within a residential (R6A) zoning area with a manufacturing (M1-4) overlay within the Special Mixed Use District (MX-13). The proposed development of this property is consistent with the current zoning. The building will consist of seven stories with a lobby and parking area on the ground floor; the rest of the floors will consist of residential units. A full cellar consisting of parking, hot water heater room, bike parking, elevator, stairs, trash compactor room, laundry room, electric meter room, and sprinkler room, will be constructed to an approximate depth of 8 feet below ground surface. Excavation to a depth of approximately 8 ft bgs will be required for the cellar slab with additional excavation to approximately 9 ft bgs for footing and grade beams, and 14 ft bgs for the elevator pit.

Rationale for BCP Program

The Requestor seeks to enter the NYSDEC BCP at the investigation stage.

Upon review of the analytical results of prior reports, discussed in further detail in Section IV, the project is seeking entry into the NYSDEC BCP due to soil impacted with VOCs, CVOCs, SVOCs, and metals above RRSCOs; groundwater impacted with VOCs, SVOCs, dissolved metals, and 1,4-dioxane above RRSCOs; and soil vapor impacted with VOCs including CVOCs and BTEX. In addition, PCBs and pesticides were also detected above the respective UUSCOs.

While the previous investigations provided preliminary Site characterization data, they did not fully determine the nature and extent of contamination. Requestor is, therefore, also submitting for NYSDEC approval a Draft RIWP along with this BCP Application.

Project Schedule

It is anticipated that the RI will commence once Requestor is accepted into the BCP and the RIWP is approved by the Department. Implementation of the remedy would start within 6 to 8 weeks following acceptance of the Remedial Action Work Plan and issuance of Decision Document by NYSDEC. Completion of the remedy is anticipated by August 2027 with a Certificate of Completion expected in December 2027. A tentative project schedule is below.

Task	2025		2026											2027												
	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Pre-application Metting, Preparation and Submission of BCP Application and RIWP																										
30-Day Public Comment Period for BCP Application																										
Execute BCA, CPP Submittal and NYSDEC & NYSDOH Approval of RIWP																										
Implementation of Remedial Investigation																										
Preparation and Submission of RIR and RAWP																										
NYSDEC & NYSDOH Review of RIR & RAWP																										
45-Day Public Comment Period for RAWP and Issuance of Decision Document																										
Implementation of RAWP with Engineering Oversight																										
Preparation of FER and SMP (if required)																										
NYSDEC & NYSDOH Review of FER (and SMP, if required)																										
NYSDEC Issues COC																										

Notes:

1. NYSDEC - New York State Department of Environmental Conservation
2. NYSDOH - New York State Department of Health
3. BCP - Brownfield Cleanup Program
4. BCA = Brownfield Cleanup Agreement
5. RIWP = Remedial Investigation Work Plan
6. CPP = Citizen Participation Plan
7. RIR = Remedial Investigation Report
8. RAWP - Remedial Action Work Plan
9. FER - Final Engineering Report
10. SMP - Site Management Plan
11. COC - Certificate of Completion
12. Schedule is estimated and subject to change.
13. Implementation of RAWP does not include completion of building construction

Green and Sustainable Remediation

NYSDEC's DER-31 Green Remediation requires that Green Remediation concepts, best practices, and techniques be considered during all stages of the remedial program, including remedial investigation, remedial design/remedial action, and site management, as applicable, with the goal of improving the sustainability of the cleanup and summarizing the net environmental benefit of any implemented green technology. Goals for the project related to green and sustainable remediation metrics will be incorporated into and tracked during each stage of the project, as appropriate. All green and sustainable practices and techniques employed will be discussed in applicable reports associated with each stage of the project, including completion of an environmental footprint analysis using an NYSDEC-accepted tool. A climate change vulnerability assessment will be completed, as necessary, at each stage of the project.

ATTACHMENT C

Section III: Ecological Concerns

SECTION III: ECOLOGICAL CONCERNS

Fish and Wildlife Resources Impact Analysis

NYSDEC DER-10 requires an on-Site and off-Site Fish and Wildlife Resource Impact Analysis if the stipulated criteria are met. Additionally, the NYSDEC's October 1994 "Fish and Wildlife Impact Analysis for Inactive Hazardous Waste Sites" document indicates that "A complete site description as outlined in Step I is necessary for sites with fish and wildlife resources that may be affected by site-related contaminants. However, if no resources are associated with the site or if there is no potential for contaminant migration to the resources, then only the necessary information to support that conclusion should be provided. The information must, however, be definitive evidence of such conditions."

The Site, which was developed in 1908 and most recently operated as a parking lot, is located in the Mott Haven neighborhood of The Bronx, New York. The Site provides little or no wildlife habitat or food value and/or access to the detected subsurface contamination. The Harlem River is located approximately 590 ft (0.11 miles) west of the Site; the Major Deegan Expressway separates the Harlem River from the western boundary of the Site. The proposed future use of the Site is anticipated to consist of a new building, anticipated to encompass the entire Site footprint, with a full cellar level. As the Site is located within a half-mile of the Harlem River, based on the requirements stipulated in Section 3.10 and Appendix 3C of DER-10, a Fish and Wildlife Resource Impact Analysis will be prepared and submitted with the Remedial Investigation Report (RIR) for the Site².

² Based on understanding to date, the RIR will incorporate a Part 1 FWRIA Assessment.

ATTACHMENT D

Section IV: Land Use Factors

SECTION IV: LAND USE FACTORS

Zoning

According to the New York City Planning Commission Zoning Map 6b, the Site is located within a residential (R6A) zoning area with a manufacturing (M1-4) overlay within the Special Mixed Use District (MX-13) with the intended post-development use as a multi-story residential building. The proposed development of this property is consistent with the current zoning.

Current Use

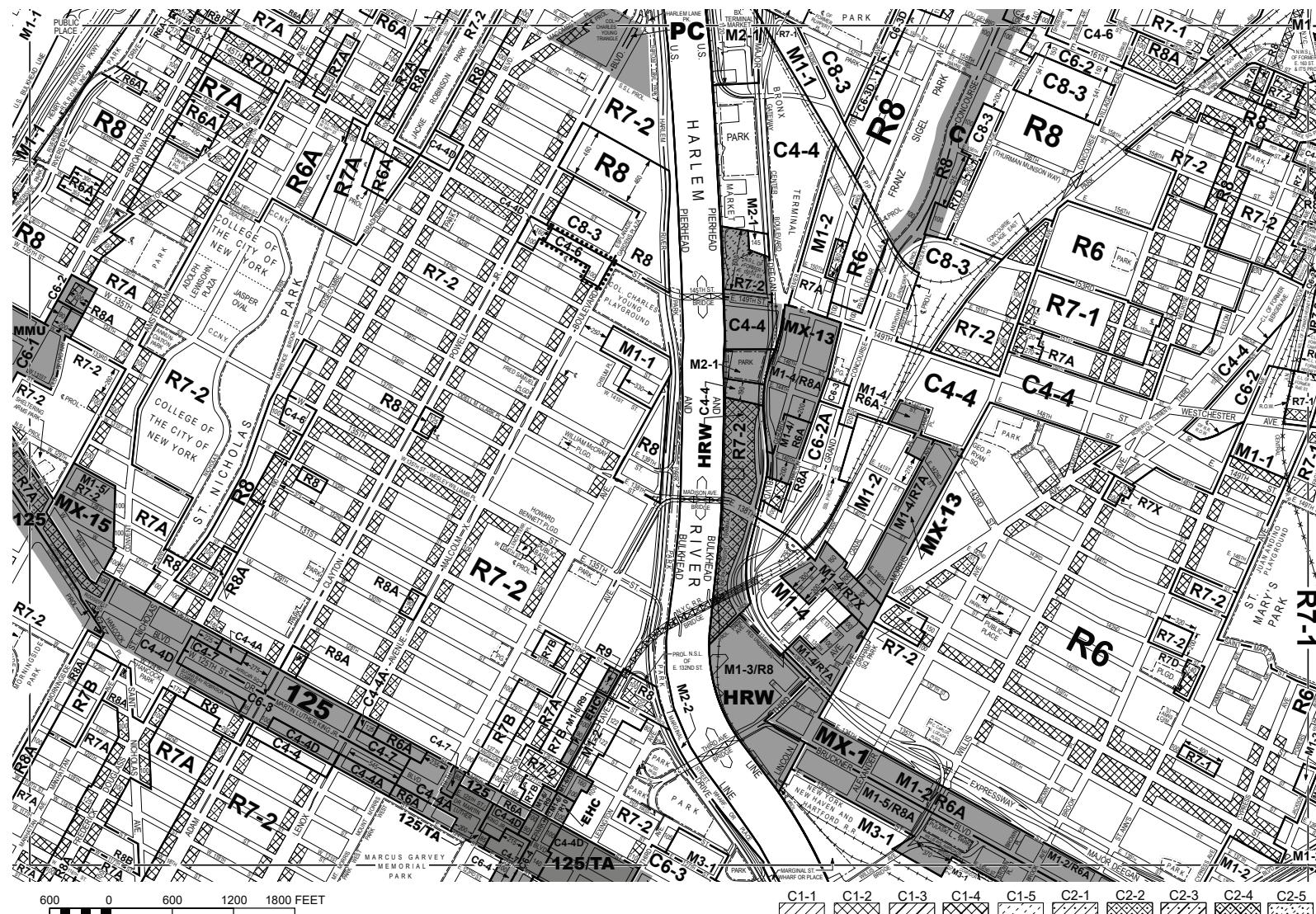
The approximately 5,200 square feet (0.12 acre) Site is a parking lot.

Intended Use Post-Remediation

The proposed development will consist of construction of a new multi-story residential building covering the entire lot. The building will consist of seven stories with a lobby and parking area on the ground floor; the rest of the floors will consist of residential units. A full cellar consisting of parking, hot water heater room, bike parking, elevator, stairs, trash compactor room, laundry room, electric meter room, and sprinkler room, will be constructed to an approximate depth of 8 feet below ground surface. Excavation to a depth of approximately 8 ft bgs will be required for the cellar slab with additional excavation to approximately 9 ft bgs for footing and grade beams, and 14 ft bgs for the elevator pit.

Compliance with Applicable Zoning Laws, Recent Development and Community Master Plans

According to the New York City Planning Commission Zoning Map 6b, the Site is located within a residential (R6A) zoning area with a manufacturing (M1-4) overlay within the Special Mixed Use District (MX-13). The proposed development of this property is consistent with the current zoning.



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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

R - RESIDENTIAL DISTRICT

C - COMMERCIAL DISTRICT

M - MANUFACTURING DISTRICT

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

Effective Date(s) of Rezoning:

07-14-2025 C 250115 ZMM

Special Requirements:

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

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

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

MAP KEYS

	3b	3d
5c	6a	6c
5d	6b	6d

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NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 788-7600.

ATTACHMENT E

Section V: Current and Historical Property Owner and Operator Information

SECTION V: CURRENT AND HISTORICAL PROPERTY OWNER AND OPERATOR INFORMATION

Current Owner and Operator

BH Walton LLC is the current owner and Requestor of 120 East 140th Street. BH Walton LLC acquired the property in September 2025. The deed is attached. The Site is currently used for parking.

Previous Owners and Operators

A list of current and previous owners 120 East 140th Street is provided in the below table.

Date	Document Type	First Party	First Party Address	Second Party	Relationship of First Party to Applicant
9/5/1972	Deed	Ebner J Hubert	18322 Dalny Road, Jamaica, LI, New York	J Horn Furniture and Appliance Corp	None
5/19/1977	Deed	J Horn Furniture and Appliance Corp	254 West 116 th Street, New York, New York	Edner J Hubert	None
4/28/1980	Deed	Ebner J Hubert	18322 Dalny Road, Jamaica, LI, New York	Benny Gomolinski	None
6/15/1993	Deed	Benny Gomolinski	1512 Palisades Avenue, Fort Lee, New Jersey	Bengomo Realty Inc	None
9/4/2025	Deed	Bengomo Reality LLC	301 Walton Avenue, Bronx, NY	BH Walton LLC	Current Owner

Reference: ACRIS - https://a836-acris.nyc.gov/DS/DocumentSearch/BBLResult?max_rows=99.

Previous owner information prior to 1972 is not available.

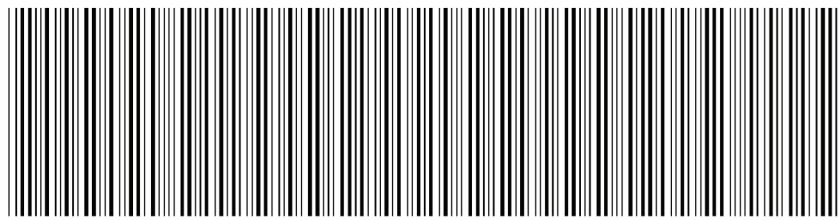
A list of previous operators of 120 East 140th Street is provided in the table below.

Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
Electrical Specialties	Operator (1935)	120 East 140 th Street	None
Miscellaneous Parking Operations	Operator (1944 to Present)	120 East 140 th Street	None

Reference: Certified Sanborn Map Report (May 19, 2022, Inquiry Number 6986631.3)

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

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2025091100129001004E13B4

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 5

Document ID: 2025091100129001

Document Date: 09-04-2025

Preparation Date: 09-11-2025

Document Type: DEED

Document Page Count: 4

PRESENTER:

RISE ABSTRACT LLC-RNY-2025001484
41 KENT ROAD
SUITE 204
HOWELL, NJ 07731
732-962-9300
NYRECORDING@RISEABSTRACT.COM

RETURN TO:

RISE ABSTRACT LLC-RNY-2025001484
41 KENT ROAD
SUITE 204
HOWELL, NJ 07731
732-962-9300
NYRECORDING@RISEABSTRACT.COM

Borough	Block	Lot	PROPERTY DATA	
			Unit	Address
BRONX	2344	75	Entire Lot	301 WALTON AVE

Property Type: INDUSTRIAL BUILDING

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:
BENGOMO REALTY, INC.
301 WALTON AVE
BRONX, NY 10451

GRANTEE/BUYER:
BH WALTON LLC
670 MYRTLE AVE, SUITE 166
BROOKLYN, NY 11205

FEES AND TAXES

Mortgage :

Mortgage Amount:	\$ 0.00
Taxable Mortgage Amount:	\$ 0.00
Exemption:	
TAXES: County (Basic):	\$ 0.00
City (Additional):	\$ 0.00
Spec (Additional):	\$ 0.00
TASF:	\$ 0.00
MTA:	\$ 0.00
NYCTA:	\$ 0.00
Additional MRT:	\$ 0.00
TOTAL:	\$ 0.00
Recording Fee:	\$ 57.00
Affidavit Fee:	\$ 0.00

Filing Fee: \$ 250.00

NYC Real Property Transfer Tax:

\$ 157,500.00

NYS Real Estate Transfer Tax:

\$ 39,000.00

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



CITY OF NEW YORK
Recorded/Filed 09-16-2025 11:00
City Register File No.(CRFN):
2025000251127

Colette McLean-Jacques
City Register Official Signature

BARGAIN AND SALE DEED

THIS INDENTURE, made as of the 4th day of September in the year Two Thousand Twenty - Five

BETWEEN

BENGOMO REALTY, INC., a New York corporation, having an office located at 301 Walton Avenue, Bronx, NY 10451,

party of the first part, and

BH WALTON LLC, a New York limited liability company, having an office located at 670 Myrtle Avenue, Suite 166, Brooklyn, NY 11205

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars actual consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the State of New York, County of Bronx and being more particularly bounded and described on Schedule "A" attached.

BEING and intended to be the same premises conveyed to the party of the first part by deed from **BENNY GOMOLINSKI** dated June 15, 1993, recorded on July 14, 1993, in the Bronx County Register's/Clerk's Office in Reel 1176 Page 1256.

This conveyance is made with the unanimous consent of the shareholders of the party of the first part.

SAID PREMISES being known as 301 Walton Avenue, Bronx, NY 10451

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and road abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid. **AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purposes of paying the cost of the

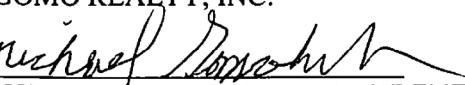
improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purposes.

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

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

IN PRESENCE OF:

BENGOMO REALTY, INC.

By: 
MICHAEL GOMOLINSKY, PRESIDENT

By: 
RICHARD GOMOLINSKI, VICE PRESIDENT

STATE OF NEW YORK }
COUNTY OF WESTCHESTER } ss.:

On the 4th day of September in the year 2025, before me, the undersigned, personally appeared **MICHAEL GOMOLINSKI**, personally known to me or proved to me on the basis of satisfactory evidence to the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacities, and that by his/her/their signature(s) on the instruments, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

FAIGY BERKOWITZ
Notary Public, State of New York
No. 01BE6087713
Qualified in Rockland County
Commission Expires 05/31/2027


NOTARY PUBLIC

STATE OF NEW YORK }
COUNTY OF WESTCHESTER } ss.:

On the 4th day of September in the year 2025, before me, the undersigned personally appeared **RICHARD GOMOLINSKI**, personally known to me or proved to me on the basis of satisfactory evidence to the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacities, and that by his/her/their signature(s) on the instruments, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

FAIGY BERKOWITZ
Notary Public, State of New York
No. 01BE6087713
Qualified in Rockland County
Commission Expires 05/31/2027


NOTARY PUBLIC

BARGAIN AND SALE DEED

With Covenant Against Grantor's Acts

=====X
BENGOMO REALTY, INC.

-TO-

BH WALTON LLC
=====X

Block: 2344
Lots: 75

County: Bronx

Street Address: 301 Walton Avenue
Bronx, NY 10451

RETURN BY MAIL TO:

VALENTIN DJONOVIC & ASSOCIATES PLLP
981 Morrison Avenue, Suite 200
Bronx, NY 10462

Attn: Valentin Djonovic, Esq.

**RISE ABSTRACT
as Agent for
FIDELITY NATIONAL TITLE INSURANCE COMPANY**

SCHEDULE A - DESCRIPTION

Title No.: **RNY-2025001484**

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

BEGINNING at the corner formed by the intersection of the southerly side of East 140th Street with the westerly side of Walton Avenue;

RUNNING THENCE southerly along the westerly side of Walton Avenue, 81.42 feet;

THENCE westerly along a line which forms an angle of 89 degrees 41 minutes 54 seconds on its southerly side with the westerly side of Walton Avenue, 145.52 feet to the easterly side of Major Deegan Blvd.;

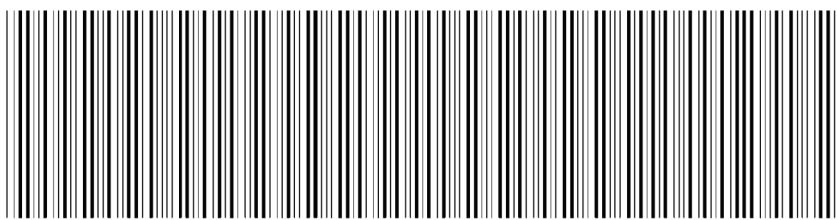
THENCE northerly along the easterly side of Major Deegan Blvd., 86.72 feet to the southerly side of East 140th Street;

THENCE easterly along the southerly side of East 140th Street, 174.89 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY:

Premises commonly known as 301 Walton Avenue, Bronx, New York 10451 in Bronx County.
Premises also Identified as Block 2344 Lot 75

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2025091100129001004SDD35

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2025091100129001

Document Date: 09-04-2025

Preparation Date: 09-11-2025

Document Type: DEED

ASSOCIATED TAX FORM ID: 2025090200052

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

RP - 5217 REAL PROPERTY TRANSFER REPORT

1

CERTIFICATION

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

 BUYER SIGNATURE		BUYER	BUYER'S ATTORNEY
670 MYRTLE AVE, SUITE 166		DATE	LAST NAME
STREET NUMBER	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER
BROOKLYN	NY	11205	SELLER
CITY OR TOWN	STATE	ZIP CODE	SELLER SIGNATURE
			DATE

2025090200052201

CERTIFICATION

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

BUYER

BUYER SIGNATURE
670 MYRTLE AVE, SUITE 166

DATE

BUYER'S ATTORNEY

LAST NAME

FIRST NAME

STREET NUMBER

STREET NAME (AFTER SALE)

BROOKLYN

STATE

ZIP CODE

AREA CODE

TELEPHONE NUMBER

CITY OR TOWN

NY

11205

SELLER SIGNATURE

SELLER

DATE

(X) *Richard Jay D*
Michael Sommerville

2025090200052201

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

State of New York }
County of } SS.:

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

301 WALTON AVE

Street Address Unit/Apt.

BRONX
Borough

New York.

2344
Block

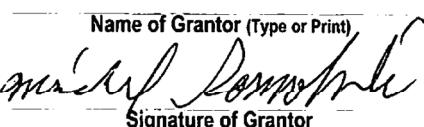
75
Lot

(the "Premises");

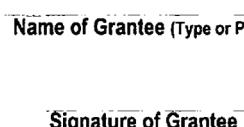
That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of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

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

Name of Grantor (Type or Print)

(X) 
Signature of Grantor

Name of Grantee (Type or Print)


Signature of Grantee

Sworn to before me

this 4 day of Septem^{ber} 2005

FAIGY BERKOWITZ
Notary Public, State of New York
No. 01BEE6087713
Qualified in Rockland County
Commission Expires 05/31/2007

Sworn to before me

this day of 20

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

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

2025090200052101

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

State of New York }
County of (County) } SS.:

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

301 WALTON AVE
Street Address Unit/Ap

BRONX Borough

New York.

2344
Block

75
Lot

(the "Premises");

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

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

Name of Grantor (Type or Print)	Name of Grantee (Type or Print)
	
Signature of Grantor	Signature of Grantee
Sworn to before me	
this <u>1</u> day of <u>Sep</u> <u>2025</u>	
<div style="border: 1px solid black; padding: 5px; text-align: center;"> ALEXANDER GREENWALD NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01GR6094410 Qualified in Kings County Commission Expires June 16, 2027 </div> 	

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

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

2025090200052101



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

(1) Property receiving service: BOROUGH: BRONX

BLOCK: 2344

LOT: 75

(2) Property Address: 301 WALTON AVE, BRONX, NY 10451

(3) Owner's Name: BH WALTON LLC

Additional Name:

Affirmation:



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

Customer Billing Information:

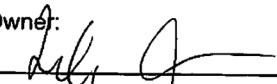
Please Note:

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

Owner's Approval:

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

Print Name of Owner:

Signature:  Date (mm/dd/yyyy)

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

ATTACHMENT F

Section VI: Property's Environmental History

SECTION VI.1: REPORTS

The following reports were prepared for the Site prior to the Requestor's BCP Application:

- Phase I Environmental Site Assessment Report, prepared by Nova Geophysical Engineering (Nova), prepared for Mr. Joseph Mauskopf, May 23, 2022.
- New York City (NYC) Office of Environmental Remediation (OER) Remedial Investigation Report (RIR) prepared by Brussee Environmental Corp (Brussee), prepared for SG NY Capital, December 4, 2025.

The reports above are included with this application. A summary of the environmental findings from these investigations is provided below.

Phase I Environmental Site Assessment Report (Nova, May 23, 2022)

Nova conducted a Phase I ESA for the site (Block 2344 Lot 75) and for the adjacent industrial building (Block 2344 Lot 74) for Mr. Joseph Mauskopf in May 2022. Previously these properties were one lot (former Lot 75) which has since been reappportioned on September 16th, 2025. . The Phase I noted the following RECs applicable to the site (existing Block 2344 Lot 75):

- Historical Use of the Site and surrounding area for industrial/manufacturing purposes was determined to constitute a REC.
- According to available regulatory databases, the Site has been assigned an environmental E-Designation (E-227) for hazardous materials, air, and noise (window wall attenuation and alternative means of ventilation) as determined by an amendment of the Zoning Map, Section No. 6a completed by the City in May 2009 (CEQR No. 08DECP071X). All required investigations and mitigation measures must be conducted in accordance with applicable New York City and New York State environmental protocols and completed to the satisfaction of the New York City Office of Environmental Remediation (NYCOER) prior to the issuance of a building permit by the NYC Department of Buildings (DOB). Therefore, the E-Designation was identified as a REC.

NYCOER Remedial Investigation Report (Brussee, December 4, 2025)

Brussee conducted a Remedial Investigation (RI) for the Site in September and November of 2025, pursuant to RCNY§ 43-1407(f), including the collection of 10 soil samples from five soil borings advanced to depths between approximately 9 and 12 ft bgs; three groundwater samples from temporary monitoring wells; and five soil vapor samples from temporary soil vapor probes.

Findings of the RI are summarized below:

- Fill was observed up to 12 ft bgs throughout the Site. No staining, PID readings, or odors were observed in any of the recovered soil during the investigation.
- Groundwater was encountered at depths ranging from 11.04 ft bgs to 32.40 ft bgs and was anticipated to flow to the west
- Bedrock was encountered at approximately 9-12 ft bgs.
- Groundwater monitoring wells, MW1, MW2, and MW3, were installed within bedrock to depths of 27 ft bgs, 60 ft bgs, and 37 ft bgs respectively.
- Soil analytical results were compared to NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted-Residential Use Soil Cleanup Objectives (RRSCOs).

- The VOCs Acetone (at .340 mg/Kg in SB2 (7-9)), cis-1,2-Dichloroethene (maximum of .770 mg/Kg), Tetrachloroethene (maximum of 54 mg/Kg), trans-1,2-Dichloroethene (maximum of .750 mg/Kg) and Trichloroethene (maximum of 1.1 mg/Kg), were detected above UUSCOs. Of these VOCs, Tetrachloroethene was also detected above RRSCOs. No other VOCs were detected above their UUSCOs within any of the other soil samples.
 - Seven SVOCs, including Benz(a)anthracene (maximum of 37 µg/Kg), Benzo(a)pyrene (maximum of 33 mg/Kg), Benzo(b)fluoranthene (maximum of 53 mg/Kg), Benzo(k)fluoranthene (maximum of 14 mg/Kg), Chrysene (maximum of 30 mg/Kg), Dibenz(a,h)anthracene (maximum of 5.2 mg/Kg), and Indeno(1,2,3-cd)pyrene (maximum of 23 mg/Kg) were detected above their RRSCOs.
 - The Polychlorinated biphenyls (PCBs), PCB-1254 (maximum of .130 mg/Kg) and PCB-1260 (maximum of .190 mg/Kg) were detected above UUSCOs in several soil samples. No other PCBs were detected within any of the other soil samples collected.
 - Three pesticides including 4,4'-DDD (maximum of .019 mg/Kg), 4,4'-DDE (maximum of .021 µg/Kg), and 4,4'-DDT (maximum of .042 µg/Kg) were detected above UUSCOs in three or more soil samples collected across the Site.
 - Nine Target Analyte List (TAL) metals including arsenic (max. of 21.7 mg/kg), barium (max. of 1,740 mg/kg), cadmium (max. of 71.3 mg/kg), copper (max. of 20,300 mg/kg), lead (max. of 2,710 mg/kg), mercury (max. of 0.976 mg/kg), nickel (max. of 1,110 mg/kg), silver (max. of 128 mg/kg), and zinc (max. of 15,200 mg/kg) were detected at concentrations exceeding their Unrestricted Use SCOs within one or more soil samples collected across the Site. Of these metals, arsenic, barium, cadmium, copper, lead, mercury, nickel and zinc were also detected above RRSCOs in several samples.
- Groundwater samples were compared to the New York TOGS 111 Ambient Water Quality Standards (AWQS):
 - The VOCs cis-1,2-Dichloroethene (max. of 7.2 µg/L) Tetrachloroethene (max. of 38 µg/L) and Trichloroethene (max. of 12 µg/L) were detected above AWQS within one or more groundwater samples.
 - The SVOCs Benzo(a)anthracene (max. of 0.08 µg/L), Benzo(a)pyrene (at. of 0.07 µg/L in MW1), Benzo(b)fluoranthene (at. of 0.06 µg/L in MW1), Benzo(k)fluoranthene (at. of 0.06 µg/L in MW1), Chrysene (max. of 0.07 µg/L), and Indeno(1,2,3-cd)pyrene (at. 0.05 µg/L in MW1) were detected above AWQS within one or more groundwater samples.
 - The dissolved metals magnesium (max. of 80.9), manganese (at. 1.15 mg/L in MW3) and sodium (max. of 231 mg/L) were detected at concentrations above AWQS in one or more monitoring well.
 - 1,4-Dioxane was detected in two monitoring wells (maximum concentration of 3.5 µg/L).
- A standard does not currently exist for soil vapor samples in the state of New York.
 - Low levels of petroleum-related compounds and elevated levels of CVOCs were detected in multiple soil vapor samples. PCE and TCE were detected in all five soil vapor samples at maximum concentrations of 16,700 micrograms per cubic meter (µg/m³) and 319 µg/m³, respectively. The maximum total concentration of petroleum-related volatile organic compounds (i.e., benzene, toluene, ethylbenzene, and xylenes [BTEX]) was 152.2 µg/m³.

Of note, the previous investigation on the Site was implemented under a NYCOER approved work plan. As per NYCOER's requirements for E-designation site investigation, only one soil sample was required to be analyzed for PFAS whereas all groundwater samples were required to be analyzed for PFAS.

SECTION VI.2: SAMPLING DATA
ANALYTICAL RESULTS SUMMARY TABLES

Soil Summary Tables

Analytes > RRSCO	Detections > RRSCOs	Max Concentration (mg/Kg)	RRSCO (mg/Kg)	Depth (ft bgs)
Tetrachloroethene	3	54	1.9	0-2
Benzo(a)anthracene	7	37	1	7-9
Benzo(a)pyrene	7	33	1	3-5
Benzo(b)fluoranthene	7	53	1	3-5
Benzo(k)fluoranthene	1	14	3.9	3-5
Chrysene	2	30	3.9	7-9
Dibenzo(a,h)anthracene	4	5.2	0.330	7-9
Indeno(1,2,3-cd)pyrene	7	23	0.5	7-9
Arsenic	1	21.7	16	10-12
Barium	4	1,740	400	10-12
Cadmium	5	22.9	4.3	0-2
Copper	4	20,300	270	0-2
Lead	6	2,710	400	10-12
Mercury	3	1.53	0.81	0-2
Nickel	2	1,100	310	0-2
Zinc	2	15,200	10,000	10-12

Analytes > UUSCO	Detections > UUSCOs	Max Concentration (mg/Kg)	UUSCO (mg/Kg)	Depth (ft bgs)
4,4' -DDD	3	0.019	0.0033	7-9
4,4' -DDE	5	0.021	0.0033	0-2
4,4' -DDT	6	0.042	0.0033	0-2
PCB- 1254	2	0.13	0.1	0-2
PCB- 1260	3	0.19	0.1	10-12

Groundwater Summary Table

Analytes > New York TOGS 111 Ambient Water Quality Standards	Detections > New York TOGS 111 Ambient Water Quality Standards	Max Concentration (ug/L)	New York TOGS 111 Ambient Water Quality Standards (ug/L)
cis-1,2-Dichloroethene	2	7.2	5
Trichloroethene	3	12	5
Tetrachloroethene	3	38	5
Benzo(a)anthracene	2	.008	.002
Benzo(a)pyrene	1	.07	-
Benzo(b)fluoranthene	1	.06	.002
Benzo(k)fluoranthene	1	.06	.002
Chrysene	2	.07	.002
Indeno(1,2,3-cd)pyrene	1	.05	.002
Magnesium (dissolved)	2	80.9	35
Manganese (dissolved)	2	1.15	.3
Sodium (dissolved)	3	231	20

Soil Vapor Summary Table

CVOC and BTEX Analytes Detected	Total Detections	Max. Detection (μg/m³)	Type
1,2,4-Trimethylbenzene	5	387	Soil Vapor
1,3,5-Trimethylbenzene	5	137	Soil Vapor
4-Ethyltoluene	5	235	Soil Vapor
4-Isopropyltoluene	5	23.5	Soil Vapor
Acetone	5	28.3	Soil Vapor
Carbon Tetrachloride	5	4.72	Soil Vapor
Chloroform	5	27.1	Soil Vapor
cis-1,2-Dichloroethene	3	22.4	Soil Vapor
Ethanol	5	25	Soil Vapor
Ethylbenzene	5	12.5	Soil Vapor
Heptane	1	5.77	Soil Vapor
Hexane	1	7.19	Soil Vapor
Isopropylbenzene	5	14.1	Soil Vapor
Xylene (m&p)	5	65.5	Soil Vapor
Naphthalene	2	6.44	Soil Vapor
Xylene (o)	5	63.4	Soil Vapor
sec-Butylbenzene	5	23.1	Soil Vapor
Tetrachloroethene	5	16,700	Soil Vapor
Toluene	4	15.1	Soil Vapor
Trichloroethene	5	319	Soil Vapor
Total BTEX	5	152.2	Soil Vapor
Total VOCs	5	17,918.21	Soil Vapor

Notes:

ppm= Parts per million

BTEX = benzene, toluene, ethylbenzene and total xylenes

CVOC = Chlorinated volatile organic compound

μg/m³ = Microgram per cubic meter

Ft bgs = Feet below grade surface

RRSCO = Restricted Residential Soil Cleanup Objective

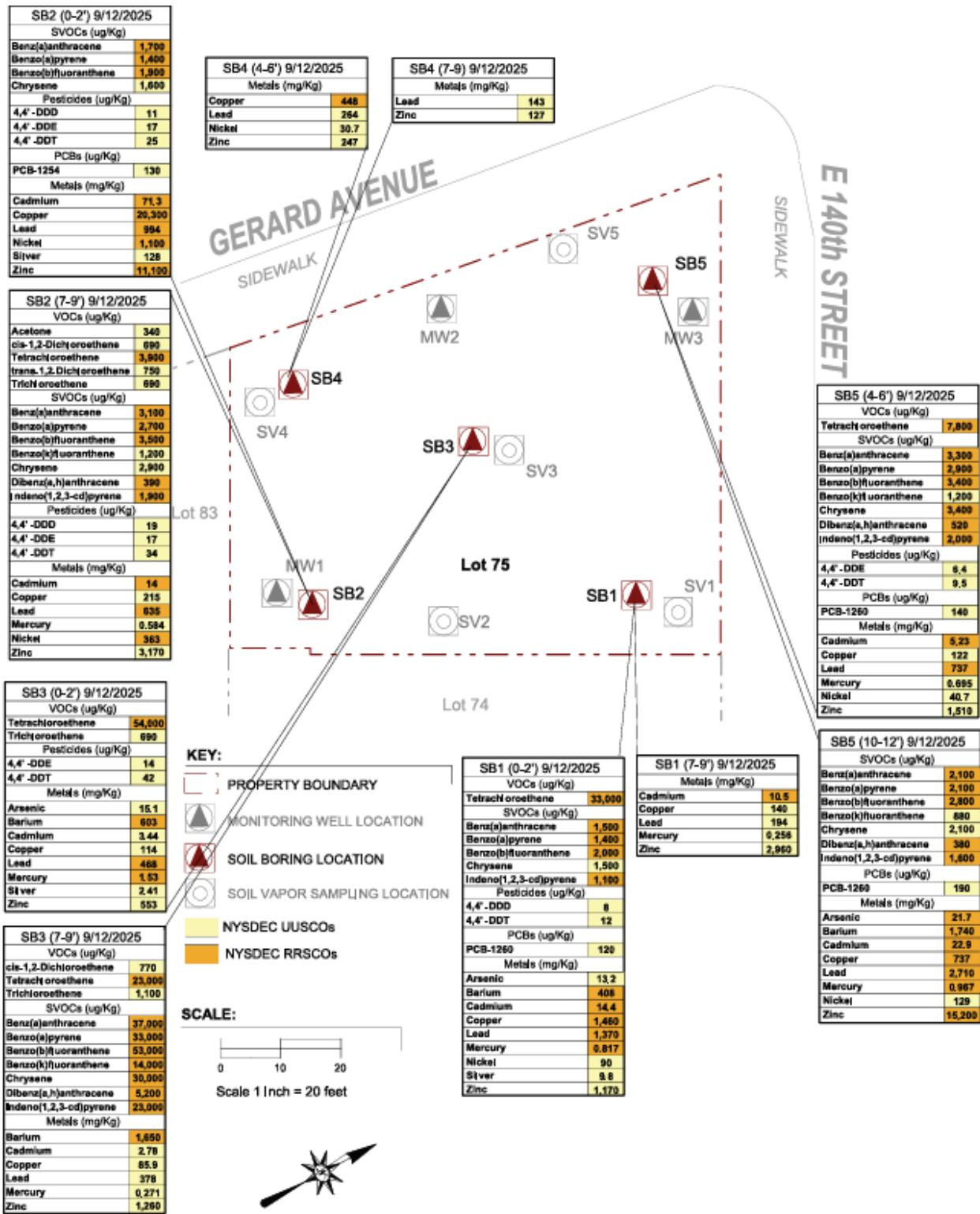
SECTION VI.3: SAMPLING DATA

For each impacted medium above, see attached Figures 7 through 9 below which include detailed information requested in Application Section III.3.

SECTION VI.3: PAST LAND USES

According to Sanborn Fire Insurance Maps, aerial photographs, and previous reports, The Site was developed by 1908, listed with commercial, manufacturing, and industrial uses until at least 1935. Historical operations at the Site included electrical specialties between 1935 and 1944. By 1944, all structures were demolished, and the Site has remained a parking lot since.

The Site has been assigned an environmental E-Designation (E-227) for hazardous materials, air, and noise (window wall attenuation and alternative means of ventilation) as determined by an amendment of the Zoning Map, Section No. 6a completed by the City in May 2009 (CEQR No. 08DECP071X).



NOTE: Figure and analytical data from Remedial Investigation Report, prepared by Brussee Environmental Corp., prepared for SG NY Capital and New York City Office of Environmental Remediation, December 2025.

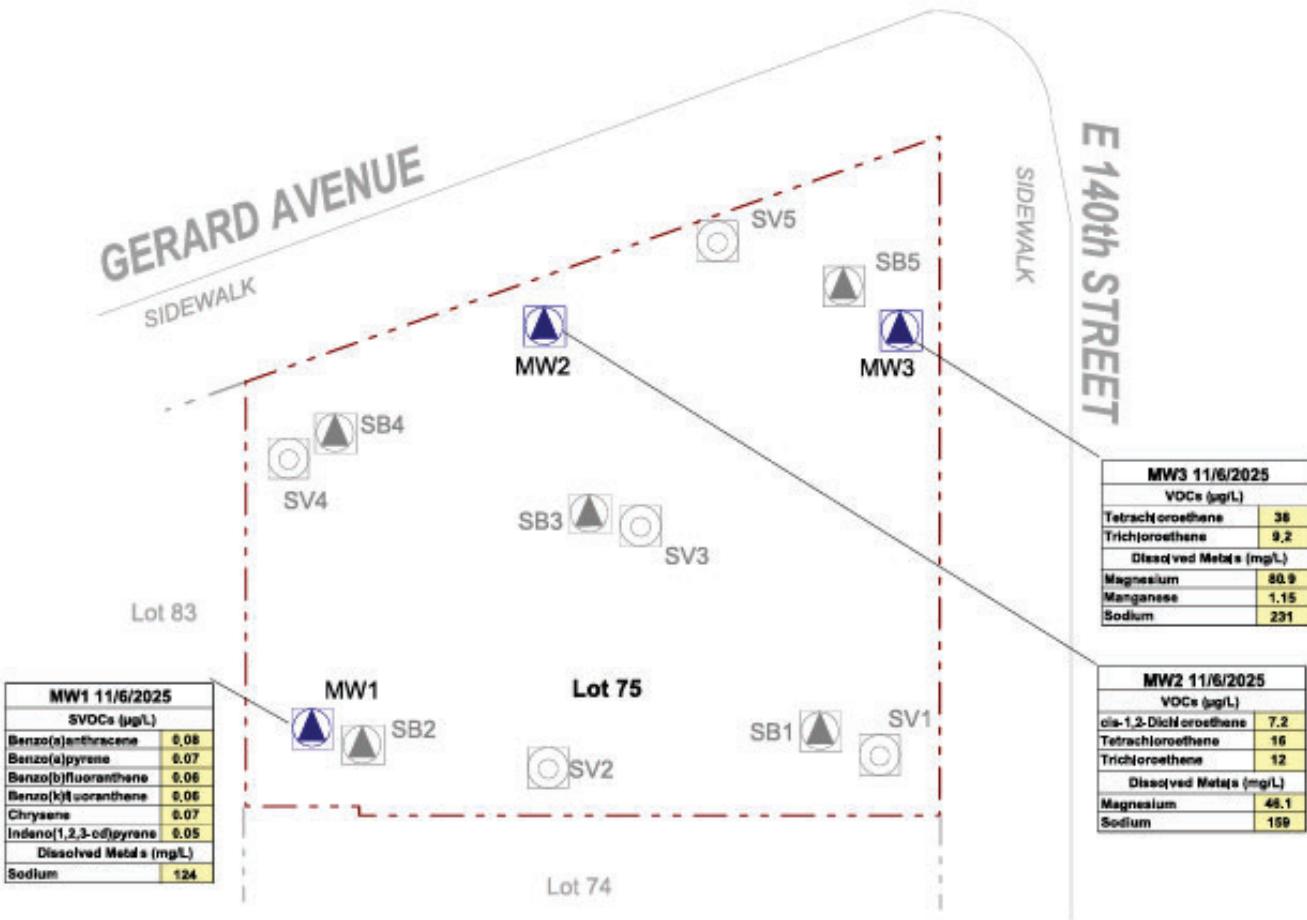
HALEY
ALDRICH

120 E 140TH STREET
BRONX, NEW YORK

SUMMARY OF HISTORICAL SOIL ANALYTICAL DATA

JANUARY 2026

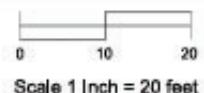
FIGURE 7



KEY:

- PROPERTY BOUNDARY
- MONITORING WELL LOCATION
- SOIL BORING LOCATION
- SOIL VAPOR SAMPLING LOCATION
- Exceedance of GWP Standards

SCALE:



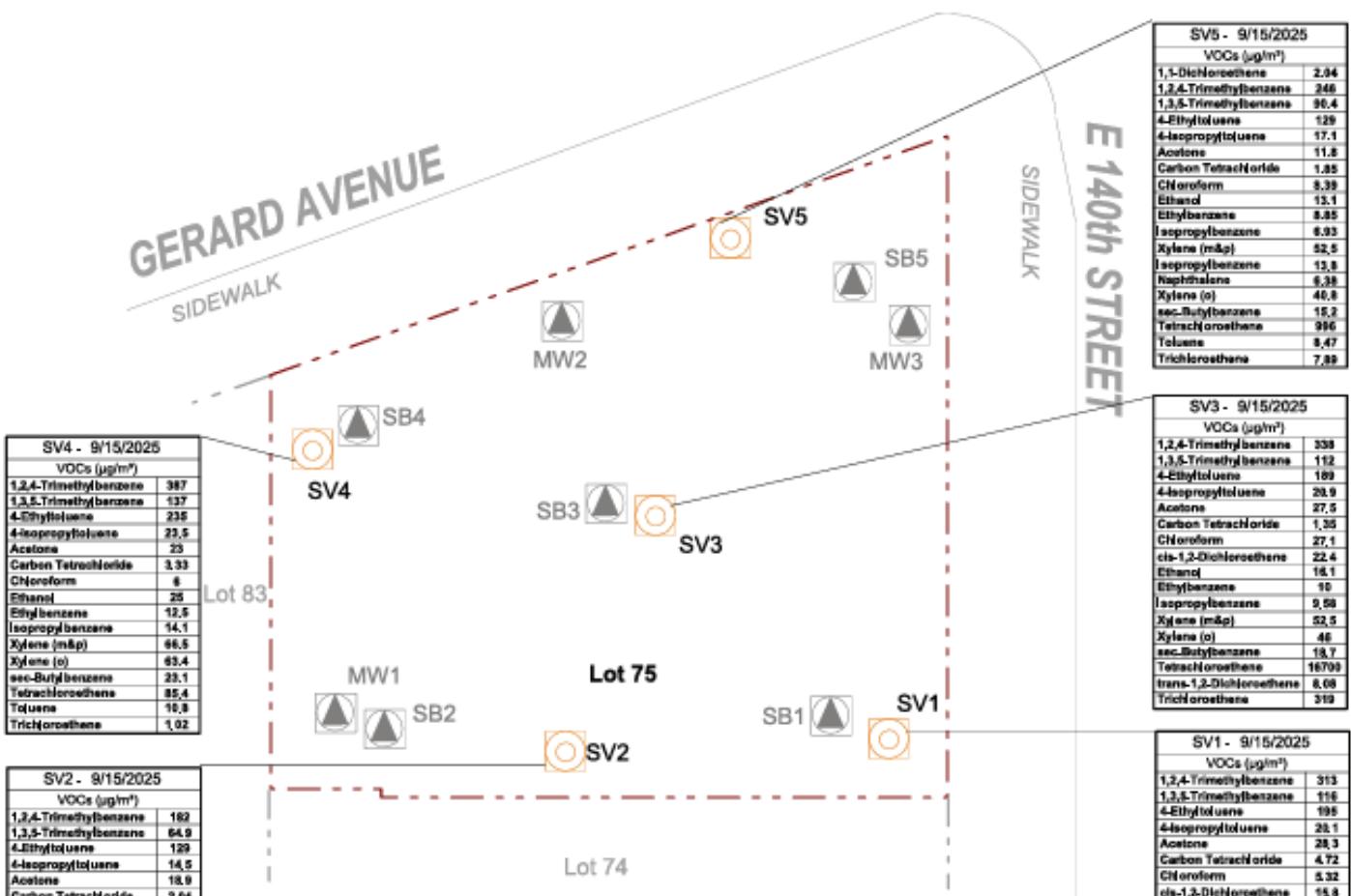
HALEY
ALDRICH

120 E 140TH STREET
BRONX, NEW YORK

**SUMMARY OF HISTORICAL
GROUNDWATER ANALYTICAL DATA**

JANUARY 2026

FIGURE 8



HALEY
ALDRICH

120 E 140TH STREET
BRONX, NEW YORK

SUMMARY OF HISTORICAL SOIL VAPOR ANALYTICAL DATA

JANUARY 2026

NOTE: Figure and analytical data from Remedial Investigation Report, prepared by Brussee Environmental Corp., prepared for SG NY Capital and New York City Office of Environmental Remediation, December 2025.

FIGURE 9

ATTACHMENT G

Section VII, VIII & X: Requestor Information, Contact Information & Eligibility

SECTION VII, VIII & X: REQUESTOR INFORMATION AND CONTACT INFORMATION

Requestor Information and Contact

The Entity requesting participation in the BCP (the Requestor) is BH Walton LLC.

The contact information for the Requestor is:

Joel Waldman
BH Walton LLC
670 Myrtle Avenue, Suite 166, Brooklyn, NY 11205
Phone: 646-298-2500
Email: joel@skyrocknyc.com

A printout of the entity information from the NYS Department of State's Corporation & Business Entity Database for BH Walton LLC is included in this attachment.

The current members of BH Walton LLC include:

- Joel Waldman (Managing Member) – 35%
- Abraham Feig (Member) – 50%
- Shimon Greenfeld (Member) – 15%

All documents will be certified by a Haley & Aldrich of New York Licensed Professional Engineer and/or BH Walton SM LLC in accordance with DER-10 Section 1.5.

Volunteer Status

The Requestor qualifies as a Volunteer as neither the Requestor, nor its members and its affiliated entities, have, nor have they ever had, a relationship with the former owners/operators of the site. The Requestor did not cause, contribute, or permit the disposal of any contaminants at the Site, nor did the Requestor control the Site when such contamination occurred. The Requestor acquired the Site in September 2025 and upon acquisition began abiding by requirements under NYCOER E-Designation Program via remedial investigation and planning to remediate to facilitate development through this. Upon receipt of investigation data in this program, the Site was recommended to the NYSDEC BCP for which the Requestor promptly pursued entry. The Requestor intends to address any Site contamination via the BCP, and the Requestor has not observed and is not aware of any continuing release on Site at this time and the existing cover system has been retained. The Requestor has maintained the security around the property in the form of locked exterior gates and access to only established parking tenants. As such, the Requestor qualifies as a Volunteer in accordance with New York Environmental Conservation Law (ECL) § 27-1405(1).



Department of State

Division of Corporations

Entity Information

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

Entity Details

**ENTITY NAME:** BH WALTON LLC**DOS ID:** 7691576**FOREIGN LEGAL NAME:****FICTITIOUS NAME:****ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY**DURATION DATE/LATEST DATE OF DISSOLUTION:****SECTION OF LAW:** LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW**ENTITY STATUS:** ACTIVE**DATE OF INITIAL DOS FILING:** 08/21/2025**REASON FOR STATUS:****EFFECTIVE DATE INITIAL FILING:** 08/21/2025**INACTIVE DATE:****FOREIGN FORMATION DATE:****STATEMENT STATUS:** CURRENT**COUNTY:** KINGS**NEXT STATEMENT DUE DATE:** 08/31/2027**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: BH WALTON LLC

Address: 670 MYRTLE AVE SUITE 166, BROOKLYN, NY, UNITED STATES, 11205

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

[Agencies](#)[App Directory](#)[Counties](#)[Events](#)[Programs](#)[Services](#)

ATTACHMENT I

Section XII: Contact List Information and Acknowledgement from Repository

SECTION XII – CONTACT LIST INFORMATION

SITE CONTACT LISTS

Executive

Role	Name	Phone	Mailing Address	Email / Contact
NYC Mayor Zohran Mamdani	Mayor Eric Adams	212-NEW-YORK	City Hall New York, NY 10007	https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page
NYC Department of City Planning Chairperson	Dan Garodnick	212-720-3300	120 Broadway 31st Floor New York, NY 10271	https://www1.nyc.gov/site/planning/about/email-the-director.page
Bronx Borough President	Vanessa L. Gibson	718-590-3557	851 Grand Concourse, 3 rd Floor Bronx New York 10451	webmail@bronxbp.nyc.gov
Bronx Community Board 1 District Manager	Anthony R. Jordan	718-585-7117	3024 Third Avenue Bronx, NY 10455	bx01@cb.nyc.gov
New York City Council District 8	Elize Encarnacion	212-828-9800	105 East 116th Street New York, NY 10029	district8@council.nyc.gov
NY Senate District 29 Senator	Jose M. Serrano	212-828-5829	335 E 100th Street New York, NY 10029	serrano@nysenate.gov
NYC Department of Health and Mental Hygiene (DOHMH)	Dr. Michelle Morse, M.D., MPH Commissioner	212-639-9675	42-09 28 th Street, Queens, NY 11101	opmc@health.ny.gov

Owners, Residents, Occupants

The Site is currently undeveloped and used for parking. The table below provides current contact information for the current owner of the Site.

Owner	Contact Name	Phone	Mailing Address	Email
BH Walton LLC	Shimon Greenfeld	347-489-0542	670 Myrtle Avenue Suite 116, Brooklyn, NY 11205	shimon@sgnyrealtyinc.com

Adjoining Properties

Below is a list of the adjoining properties which are also detailed on Figure 8.

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
BH WALTON	Shimon Greenfeld	Industrial-Miscellaneous	301 Walton Avenue, Bronx, NY 10451	670 Myrtle Avenue Suite 166, Brooklyn, NY 11025
GREEN WALTON REAL ESTATE LLC	Not available	Miscellaneous Warehouse	287 Walton Avenue, Bronx, NY 10451	Not Available
350 GERARD HOLDINGS, LLC	Not Available	Public Elementary, Junior or Senior High	357 Walton Avenue, Bronx, NY 10451	Not Available

Local News and Media:

Owner/Entity Name	Type	Address	Phone	Website
CBS News	Online & Television & Newsletter	524 W. 57 St. New York, NY 10019	212-975-5867	https://www.cbsnews.com/newyork/cbs2/
ABC7 New York	Online & Newsletter	7 Lincoln Sq New York, NY 10023	917-260-7700	https://abc7ny.com/place/east-harlem/

Public Water Supply:

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

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Vincent Sapienza - Chief Operating Officer	59-17 Junction Blvd. Flushing, NY 11373	718-595-6565	ltcp@dep.nyc.gov
NYC Municipal Water Finance Authority	Olga Chernat-Executive Director	255 Greenwich Street 6th Floor, New York, NY 10007	212-788-5889	Not Available

Additional Requests

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

School or Day Care Located on or Proximal to the Site

Following schools or day care facilities are located within ½-mile radius to the Site:

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Health Opportunities High School	100 (north)	Pendharker Rani	718-401-1826	350 Gerard Avenue Bronx, NY 10451
The Urban Assembly Bronx Academy of Letters	1,334 (east)	Amy Schless	718-401-4891	339 Morris Avenue Bronx, NY 10451
Sunshine Learning Center	1,510 (east)	Unknown	718-679-9083	253 East 142nd Street Bronx, NY 10451
Family Life Academy Charter School II	1,968 (southeast)	Robyn Brown-Manning	718-665-2805	296 E 140 th Street Bronx, NY 10454
Brilla Veritas Middle School	2,477 (southwest)	Unknown	347-477-0102	378 East 151 st St Bronx NY 10455
Cardinal Hayes High School	2,400 (northeast)	Steven M. Iuso	718-292-6100	650 Grand Concourse Bronx, 10451
PS 018 John Peter Zenger	2,180 (northeast)	Anjelica Jordan	718-292-2868	502 Morris Avenue Bronx, NY 10451
PS 197 John B. Russwurm	2,160 (southwest)	Natasha Spann	212-690-5960	2230 5 Avenue Manhattan, NY 10037

Document Repository

The BCP Application submitted to NYSDEC has established document repositories for the Site. The document repositories include the New York Public Library – Mott Haven Branch and the Bronx Community Board 1. Outreach to both the NYPL – Mott Haven Street Branch and the Bronx Community Board 1 to function as document repositories is attached. The repository information is detailed below:

Library

Owner/Entity Name	Contact	Address	Phone	Email
NYPL – Mott Haven Branch	Josephine Freeman	321 East 140 th Street Bronx, NY 10454	917-275-6975	josephinefreeman@nypl.org

Community Board

Owner/Entity Name	Contact	Address	Phone	Email
Bronx Community Board 1	Anthony Jordan	3024 Third Avenue Bronx, NY 10455	718-585-7117	bx01@cb.nyc.gov

Acknowledgement from New York Public Library – Mott Haven Branch to Act as Document Repository



H & A OF NEW YORK ENGINEERING
AND GEOLOGY, LLP
213 W 35th Street
7th Floor
New York, NY 10001
Tel: 646.277.5686

January 8, 2026
File No. 0214715

Bronx Public Library – Mott Haven Branch
321 E 140th St
Bronx, NY 10454
Via email mothaven@nypl.org
Attn: Jeanine Thomas-Cross, Managing Librarian

Subject: Brownfield Cleanup Program Application – Request for Repository Use
120 East 140th Street Redevelopment Site

Dear Managing Librarian:

H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), on behalf of Manhattan Management USA LLC, is requesting use of the Bronx Public Library - Mott Haven Branch as a document repository for the anticipated project located at 120 East 140th Street. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to give me a call at (646) 277-5688.

Thank you,
HALEY & ALDRICH OF NEW YORK

Mari Cate Conlon, P.G.
Senior Associate

The Bronx Public Library Mott Haven Branch is willing to act as a public document repository holding and making available of all provided environmental documents related to the 338-344 Grand Concourse Redevelopment Brownfield Cleanup Project.



Name

01/10/2026

Date

Library Manager

Title

Acknowledgement from Bronx Community Board 1 to Act as Document Repository



H & A OF NEW YORK ENGINEERING
AND GEOLOGY, LLP
213 W 35th Street
7th Floor
New York, NY 10001
Tel: 646.277.5686

January 8, 2026
File No. 0214715

Bronx Community Board 1
3024 3rd Avenue,
Bronx, NY 10455
Via email: bx01@cb.nyc.gov

Attn: Anthony R. Jordan, District Manager

Subject: Brownfield Cleanup Program Application – Request for Repository Use
120 East 140th Street

Dear Mr. Jordan:

H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), on behalf of Manhattan Management USA LLC, is requesting use of the Bronx Community Board 1 as a document repository for the anticipated project located at 120 East 140th Street. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to give me a call at (646) 277-5688.

Thank you,
HALEY & ALDRICH OF NEW YORK

Mari Cate Conlon, P.G.
Senior Associate

The Bronx Community Board 1 is willing to act as a public document repository holding and making available of all provided environmental documents related to the 338-344 Grand Concourse Redevelopment Brownfield Cleanup Project.

Steven Palmess - Steven Palmess
Name

01/15/26
Date

Community Coordinator
Title