



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes No If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance		DEC USE ONLY BCP SITE #:
NAME 55 Eckford Acquisition LLC		
ADDRESS 9728 3rd Ave., Suite 133		
CITY/TOWN Brooklyn, NY		ZIP CODE 11209
PHONE 718.766.5259	FAX	E-MAIL emdevelopmentnyc@gmail.com
<p>Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. Please note: If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. <p>Do all individuals that will be certifying documents meet the requirements detailed below? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Documents that are not properly certified will be not approved under the BCP. 		

Section II. Project Description	
1. What stage is the project starting at?	<input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Remediation
<p>NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.</p>	
2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Please attach a short description of the overall development project, including:	
<ul style="list-style-type: none"> the date that the remedial program is to start; and the date the Certificate of Completion is anticipated. 	

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

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

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

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

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

Other: _____

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME 55 Eckford Street

ADDRESS/LOCATION 55-63 Eckford Street

CITY/TOWN Brooklyn, NY

ZIP CODE 11222

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Borough of Brooklyn

COUNTY Kings

SITE SIZE (ACRES) 0.24

LATITUDE (degrees/minutes/seconds)

40 ° 43 ' 18.2 "

LONGITUDE (degrees/minutes/seconds)

73 ° 56 ' 53.6 "

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
55-63 Eckford Street, Brooklyn, NY		2698	32	0.24

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application? Yes No
(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
(See [DEC's website](#) for more information) Yes No

If yes, identify census tract : _____

Percentage of property in En-zone (check one): 0-49% 50-99% 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No

If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No

If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

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

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? Yes No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No
If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Yes No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? Yes No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

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

Initials of each Requestor: SEM _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Elizabeth McDonald		
ADDRESS 9728 3rd Ave., Suite 133		
CITY/TOWN Brooklyn, NY		ZIP CODE 11219
PHONE 718.766.5259	FAX	E-MAIL emdevelopmentnyc@gmail.com
NAME OF REQUESTOR'S CONSULTANT Hydro Tech Environmental Corp./Paul Matli. PhD., P.G.		
ADDRESS 15 Ocean Avenue, 2nd Floor		
CITY/TOWN Brooklyn, NY		ZIP CODE 11225
PHONE 718-636-0800	FAX 718-636-0900	E-MAIL pmatli@hydrotechenvironmental.com
NAME OF REQUESTOR'S ATTORNEY Brown Duke & Fogel, P.C./George Duke, Esq.		
ADDRESS 350 Fifth Avenue, Suite 4640		
CITY/TOWN New York, NY		ZIP CODE 10118
PHONE 646-915-0236	FAX 646-219-2601	E-MAIL gduke@bdflegal.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME 55 Eckord 1875 DNB LLC		OWNERSHIP START DATE: 5/31/2018
ADDRESS 562 Coney Island Ave c/o Victor Tsai		
CITY/TOWN Brooklyn, NY		ZIP CODE 11218
PHONE (212) 625-9028	FAX	E-MAIL silverstar2010s@gmail.com
CURRENT OPERATOR'S NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? Yes No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No

Section VII. Requestor Eligibility Information (continued)

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other See Attached Supplement to Section VII

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

Yes No

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

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

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

Section IX. Contact List Information

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

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

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? M1-2/R6B

What uses are allowed by the current zoning? (Check boxes, below)

Residential Commercial Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing? Yes No

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

Yes No

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

Yes No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title) of 55 Eckford Acquisition LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 2/25/2020 Signature: x 

Print Name: Elizabeth McDonald

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

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

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

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

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

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

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name: 55 Eckford Street
City: Brooklyn, NY

Site Address: 55-63 Eckford Street
County: Kings **Zip:** 11222

Tax Block & Lot Section (if applicable): **Block:** 2698 **Lot:** 32

Requestor Name: 55 Eckford Acquisition LLC **Requestor Address:** 9728 3rd Ave., Suite 133
City: Brooklyn, NY **Zip:** 11209 **Email:** emdevelopmentnyc@gmail.com

Requestor's Representative (for billing purposes)
Name: Elizabeth McDonald **Address:** 9728 3rd Ave., Suite 133
City: Brooklyn, NY **Zip:** 11219 **Email:** emdevelopmentnyc@gmail.com

Requestor's Attorney
Name: Brown Duke & Fogel, P.C./George Duke, Esq. **Address:** 350 Fifth Avenue, Suite 4640
City: New York, NY **Zip:** 10118 **Email:** gduke@bdflegal.com

Requestor's Consultant
Name: Hydro Tech Environmental Corp./Paul Matli, PhD., P.G. **Address:** 15 Ocean Avenue, 2nd Floor
City: Brooklyn, NY **Zip:** 11225 **Email:** pmatli@hydrotechenvironmental.com

Percentage claimed within an En-Zone: 0% <50% 50-99% 100%

DER Determination: Agree Disagree

Requestor's Requested Status: Volunteer Participant

DER/OGC Determination: Agree Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: Yes No

Does Requestor Claim Property is Upside Down: Yes No

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Does Requestor Claim Property is Underutilized: Yes No

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: Yes No Planned, No Contract

DER/OGC Determination: Agree Disagree Undetermined

Notes:

Supplement to Section I. – Requestor Information

The current Property Owner is 55 Eckord 1875 DNB LLC. 55 Eckord 1875 DNB LLC was the winning bidder at a May 31, 2018 foreclosure auction sale. On August 2, 2019, 55 Eckford Acquisition LLC (“Requestor”) entered into an agreement with Eric Pang, owner of the membership interests in 55 Eckord 1875 DNB LLC, to acquire Mr. Pang’s 100% of the membership interests in 55 Eckord 1875 DNB LLC, the contract vendee.

Requestor is a New York limited liability corporation authorized to conduct business in the State of New York. Requestor’s membership is comprised of:

- Elizabeth McDonald
- Bluefield Holdings LLC

Elizabeth McDonald is authorized to sign the BCP application for Requestor.

Exhibit (A) Ownership Status Letter



Attorneys at Law

216 Lakeville Road
Great Neck, New York 11020
T 516.437.3400
F 516.334.3000

500 Village Square Crossing, Suite 101
Palm Beach Gardens, Florida 33410
T 561.899.9999
F 561.584.6434

Gary Rosen, Esq. (Admitted NY, FL, NJ, PA)
Jared Rosen, Esq. (Admitted NY, FL, NJ, MN)
Jaime Rosen, Esq. (Admitted NY, FL, NJ, CT)
Michael J. Noonan, Esq. (Admitted NY)

November 5, 2019

BROWN DUKE & FOGEL, P.C.
350 Fifth Ave, Suite 4640
New York, New York 10118

Attention: George C. D. Duke, Esq., P.G.

RE: 55 Eckford Street, Brooklyn, New York

Gentlemen:

This office represents 55 Eckford Acquisition LLC and will be acquiring the membership interests in 55 Eckord 1875 DNB LLC, a New York limited liability company, the contract vendee for the real property located at 55 Eckford Street, Brooklyn, New York, also known as Block 2698, Lot 32 on the Tax Map of the City of New York, County of Kings (the "Real Property").

On May 31, 2018, an judicial foreclosure sale auction was held to sell the Real Property in an action entitled NYCTL 2016-A Trust, and the Bank of New York Mellon as Collateral Agent and Custodian for the NYCTL 2016-A v. Eckford-Greenpoint LLC, et.al., Index No. 504384/2017, Supreme Court of the State of New York, County of Kings (the "Action").

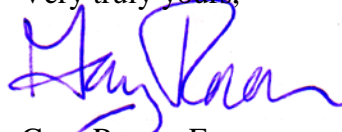
On May 31, 2018, 55 Eckord 1875 DNB LLC was the winning bidder for the Real Property in the Action.

On August 2, 2019, 55 Eckford Acquisition LLC entered into an agreement with Eric Pang, owner of the membership interests in 55 Eckord 1875 DNB LLC, to acquire Mr. Pang's 100% of the membership interests in 55 Eckord 1875 DNB LLC, the contract vendee.

Annexed hereto as **Exhibit “1”** is the Memorandum of Sale signed by Mr. Pang and Michael Dennis Benjamin, Esq., the referee appointed by the Court pursuant to a Judgment of Foreclosure and Sale to sell the Real Property at a judicial auction sale (**Exhibit “2”**).

Title to the Real Property is anticipated to be taken in the name of 55 Eckord 1875 DNB LLC. 55 Eckford Acquisition LLC and 55 Eckord 1875 DNB LLC are the property parties of interests for the Real Property.

Very truly yours,



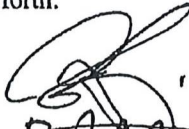
Gary Rosen, Esq.

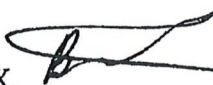
Exhibit “1”

MEMORANDUM OF SALE

55 Ec Kord 1875 DNB LLC has this 31 day of May, 2018, purchased the premises described in the annexed printed advertisement of sale for the sum of \$ ~~700,000~~ 695,000 and hereby promises and agrees to comply with the terms and conditions of the sale of said premises, as above mentioned and set forth.

Dated: May 31, 2018

Eric Pang 
~~Nisa BADAVAL~~

25 Troy Ave Brooklyn NY
11213
X. 

Received from ~~Nisa BADAVAL~~ Eric Pang the sum of \$ 700,000 dollars, being ten (10%) percent of the amount bid by _____ in the above entitled action.

Ten percent deposit waiver (_____)

Windels Marx Lane & Mittendorf, LLP

Date: May 31, 2018

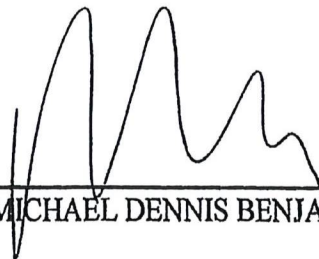

MICHAEL DENNIS BENJAMIN, Esq., Referee

Exhibit “2”

At Part ~~112~~ of the Supreme Court of the State of New York held in and for the County of Kings at the Courthouse at 360 Adams Street, Brooklyn, New York, on the 26 day of March, 2018.

PRESENT :

HONORABLE: Mark Parnow
Justice

NYCTL 2016-A TRUST, and THE BANK OF NEW YORK MELLON as Collateral Agent and Custodian for the NYCTL 2016-A Trust,

Plaintiffs,

- against -

- X ECKFORD-GREENPOINT LLC, NEW YORK CITY
- / DEPARTMENT OF FINANCE, NEW YORK STATE
- / DEPARTMENT OF TAXATION AND FINANCE, and
- X CONFIDENTIAL LENDING LLC,

Defendants.

Index No.: 504384/17

JUDGMENT OF FORECLOSURE AND SALE

Borough: Brooklyn
Block: 2698
Lot: 32

On the Summons and Complaint duly filed in this action on March 4, 2017, the Notice of Pendency duly filed on March 4, 2017, the Order of Reference dated September 7, 2017, and all proceedings thereon, and on reading and filing the Affirmation of Leonid Krechmer, Esq., counsel for Plaintiffs, dated November 9, 2017, from which it appears that each of the defendants herein have been duly served with the Summons and Complaint in this action, or have voluntarily appeared personally or by their respective attorneys, and stating that more than the legally required number of days had elapsed since said defendants were served and/or appeared; and that none of the defendants had served any answer to said Complaint, nor had their time to do so been extended; and that the Complaint herein and Notice of Pendency containing all the particulars required to be stated therein was duly filed in the Office of the Clerk of the County of Kings and

has not been amended to add new parties or to embrace real property not described in the original Complaint, except as set forth in the Order of Reference, and a Referee having been duly appointed to compute the amount due to the plaintiffs upon the Tax Lien set forth in the Complaint and to examine and report whether the premises can be sold in parcels,

AND, on reading the report of Michael Dennis Benjamin, Esq., the Referee named in said Order of Reference, by which Report, dated October 30, 2017, attached hereto, it appears that the sum of \$106,904.15 plus interest was due as of October 3, 2017, and that the liened premises should be sold in one parcel,

Now, upon proof of due notice of this application upon all parties who have not waived the same, and upon proof of service of the Order of Reference as provided therein,

ON MOTION of Windels Marx Lane & Mittendorf, LLP, attorneys for the plaintiffs, it is

ORDERED, that the motion is granted; ^{on default} and it is further,

ORDERED, ADJUDGED AND DECREED that said Report of Michael Dennis Benjamin, Esq., dated October 30, 2017, be and the same is hereby in all respects, ratified and confirmed; and it is further,

ORDERED, ADJUDGED AND DECREED that the above-described taxed premises or such part thereof as may be sufficient to discharge the tax lien, the expenses of the sale and the costs of this action as provided by the Real Property Actions and Proceedings Law be sold, in one parcel, at public auction in Room 224 of Kings County Supreme Court, 360 Adams Street, Brooklyn, New York 11201, on a Thursday afternoon at 2:30 p.m., by and under the direction of Michael Dennis Benjamin, Esq., who is hereby appointed Referee for that purpose, that the said Referee set the date of sale and give public notice of the time and place of such sale in

accordance with RPAPL §231 in The Home Reporter,

and it is further,

ORDERED, ADJUDGED AND DECREED that said Referee shall accept at such sale the highest bid offered by a bidder, who shall be identified upon the court record, and shall require that such successful bidder immediately pay to the Referee in cash or certified or bank check payable to such Referee, ten percent of the sum bid and shall execute Terms of Sale for the purchase of the premises, unless such successful bidder is the plaintiffs herein, in which case, no deposit against the purchase price shall be required, and it is further,

ORDERED, ADJUDGED AND DECREED that in the event the first successful bidder fails to immediately pay the ten percent deposit as provided herein or fails to execute the Terms of Sale immediately following the bidding upon the subject property, the property shall thereafter immediately, on the same day, be reoffered at auction, and it is further,

ORDERED, ADJUDGED AND DECREED that the closing of title shall take place at the office of the Referee at or at such other location as the Referee shall determine within 45 days unless otherwise stipulated by all parties. The Referee shall transfer title only to the successful bidder at the auction. Any delay or adjournment of the closing date beyond 45 days may be stipulated among the parties, with the Referee's consent, up to ninety days from the date of sale, but any adjournment beyond ninety days may be set only with the approval of this Court, and it is further,

ORDERED, ADJUDGED AND DECREED that the Referee deposit all funds received pursuant to this Order in his/her own name as Referee in Referee's I.O.L.A. account maintained for legal clients at a bank within the City of New York [or in

Investors Bank], and

it is further,

ORDERED, ADJUDGED AND DECREED that said Referee on receiving the proceeds of such sale shall forthwith pay therefrom:

: FIRST: The statutory fees and commissions of said Referee pursuant to CPLR §8003(b) which shall not exceed \$500.00 unless the sale price (the amount of the accepted bid) exceeds \$50,000. In the event the sale price exceeds fifty thousand dollars and additional compensation (including commissions) in excess of \$500.00 is sought pursuant to CPLR §8003(b), and if no surplus monies are produced by the sale, the parties may present a stipulation, signed by the Referee and all parties appearing, agreeing to a stated sum, to be so ordered by the Court. Where surplus monies will be available following distribution of sums as provided herein, or where parties are unable to agree to the Referee's proper compensation under CPLR §8003(b), application shall be made to this Court on notice to all parties known to be entitled to claim against any surplus monies, including the defaulting owner of the equity of redemption. Such application shall be promptly submitted to the Court within the five (5) days of the transfer of the deed and prior to filing of the Report of Sale. The five day period for of surplus money into Court as set forth in RPAPL § 1345(4), and the thirty (30) day period set forth in RPAPL § 1355 for the filing of the Report of Sale shall be deemed extended pending the decision of the Court regarding such application.

In the event a scheduled sale is cancelled or postponed, pursuant to CPLR §8003(a), plaintiffs shall compensate the Referee in the sum of \$250.00 for each adjournment or cancellation unless the Referee has requested the delay. Such compensation may be recouped

from the proceeds of sale as a cost to plaintiffs. This Order shall constitute the necessary prior authorization for compensation as set forth herein.


No compensation in excess of \$750.00, including compensation authorized pursuant to CPLR Section 8003(a) for computation of the sum due to plaintiffs, may be accepted by the Referee without Court approval and compliance with the filing provision of Section 36.4 of the Rules of the Chief Judge.

SECOND: The expenses of the sale, including the cost of advertising as shown on the bills presented and certified by said Referee to be correct, copies of which shall be annexed to the Report of Sale. The Referee shall not be held responsible for the payment of penalties or fees pursuant to this appointment. The Purchaser shall hold the Referee harmless from any such penalties or fees accessed.

THIRD: Pursuant to Real Property Actions and Proceedings Law §1354, in accordance with their priority according to law, taxes, assessments, sewer rents, water rates and any charges placed upon the property by a city agency which have priority over the foreclosed tax lien, which are liens on the premises at the time of sale with such penalties which may have lawfully accrued thereon to the date of payment.

FOURTH: Said Referee shall then pay to the plaintiffs or their attorneys the sum of \$ C.C. \$1,335. for costs and disbursements in this action to be taxed by the Clerk and inserted herein, with interest thereon from the date hereof, together with an additional allowance of \$ Ø hereby awarded to the plaintiffs in addition to costs with interest thereon from the date hereof, and also the sum of \$106,904.15, the said amount so reported due as aforesaid, together with interest thereon from October 3, 2017, the date the interest was calculated to in said Report, to the date of entry of this Order, and thereafter at the statutory post-

J.S.C.


J.S.C.
judgment rate to the date of transfer of title, or so much thereof as the purchase money of the premises will pay of the same, together with \$ 2,500.00 hereby awarded to the plaintiffs as reasonable legal fees, together with the additional interest, late fees, attorneys' fees and other charges that may become due pursuant to the tax lien for each month or portion thereof after the entry of this Judgment, and any advances as provided for in the tax lien certificate which plaintiffs may have made for taxes, insurance, principal and interest and any other charges due to prior mortgages or to maintain the premises pending the consummation of this foreclosure sale, not previously included in the computation and upon presentation to the Referee of receipts for said expenditures, all together with interest thereon pursuant to the tax lien certificate, as above provided. Copies of such receipts shall be annexed to the Referee's Report of Sale pursuant to RPAPL §1355, and it is further,

ORDERED, ADJUDGED AND DECREED that in case the plaintiffs be the purchasers of said lien premises at said sale, said Referee shall not require the plaintiffs to pay in cash the entire amount bid at said sale, but shall execute and deliver only to the plaintiffs a deed of the premises sold upon the payment to said Referee of the sum awarded to him or her under the above provisions marked "FIRST", "SECOND", and "THIRD" if such expenses were paid by the Referee, or in lieu of the payment of said last mentioned amounts, upon filing with said Referee receipts of the proper municipal authorities showing the payment thereof. The balance of the amount bid, after deducting therefrom the aforementioned payments for Referee for compensation and expenses, taxes, assessments, sewer rates, water rates, and priority liens of a city agency, shall be allowed to the plaintiffs and applied by said Referee upon the amounts due to the plaintiffs as specified above in item marked "FOURTH". If upon so applying the balance of the amount bid, there shall be a surplus over and above the said amounts due to the plaintiffs, the

plaintiffs shall pay to said Referee, upon delivery to plaintiffs of said Referee's deed, the amount of such surplus, which shall be applied by the Referee, upon motion made pursuant to RPAPL §1351(3) and proof satisfactory to the Referee of the sums due thereon, to any subordinate mortgage duly recorded against the property, pursuant to RPAPL §1345(3), which payment shall be reported in the Referee's Report of Sale. Any surplus remaining after all payments as herein provided shall be deposited into Court in accordance with RPAPL §1345(4) and the Referee shall give notice of such surplus to the owner of the liened premises as identified by the plaintiffs at the time of the sale, and it is further,

ORDERED, ADJUDGED AND DECREED that said Referee take the receipt of the Plaintiffs or Plaintiffs' attorney for the amounts paid as herein before directed in item marked "FOURTH", and file it with his/her Report of Sale, that he/she deposit the surplus monies, if any, with the KINGS County Clerk within five (5) days after the same shall be received unless such period be deemed extended by the filing of an application for additional compensation as set further herein, to the credit of this action, to be withdrawn only on the order of the Court, signed by a Justice of the Court; that the said Referee make his/her Report of such Sale under oath showing the disposition of the proceeds of the sale and accompanied by the vouchers of the person to whom payments were made and file it with the KINGS County Clerk with a copy to the Chambers of the Appointing Justice within thirty (30) days after completing the sale and executing the proper conveyance to the purchaser, or within thirty days of the decision of the Court with respect to any application for additional compensation ; and it is further,

ORDERED, ADJUDGED AND DECREED that if the proceeds of such sale be insufficient to pay the amount reported due to the plaintiffs with interest and costs as aforesaid, the plaintiffs may recover of the defendant(s) _____ the whole deficiency or so

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~~much thereof as the Court may determine to be just and equitable of the residue of the debt remaining unsatisfied after the sale of the liened premises and the application of proceeds thereof, provided a motion for deficiency judgment shall be made as prescribed by Section 1371 of the Real Property Actions and Proceeding Law within 90 days of the delivery of the deed by the Referee, and the amount thereof is determined and awarded by an order of this Court as provided for in said action, and it is further,~~

ORDERED, ADJUDGED AND DECREED that the purchaser or purchasers at such sale be let into possession on production of the Referee's deed or deeds; and it is further,

ORDERED, ADJUDGED AND DECREED, that each and all of the defendants in this action, and all persons claiming under any of them after the filing of such Notice of Pendency of this action, be and they are hereby forever barred and foreclosed of all right, claim, lien, title, interest and equity of redemption in the said liened premises and each of every part thereof; and it is further,

ORDERED, ADJUDGED AND DECREED, that said premises to be sold in one parcel in "as is" physical order and condition on the day of sale, subject to any state of facts that an inspection of the premises would disclose, any state of facts that an accurate survey of the premises would show; any covenants, restrictions, declarations, reservations, easements, rights of way and public utility agreements of record; any building and zoning ordinances of the municipality in which the liened premises is located and possible violations of same; any rights of tenants or persons in possession of the subject premises; prior lien(s) of record, if any, except those liens addressed in section 1354 of the Real Property Actions and Proceedings law, and any equity of redemption of the United States of America to redeem the premises within 120 days from date of sale. Risk of loss shall not pass to purchaser until closing of title. It is further,

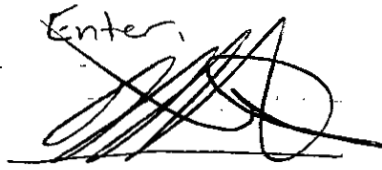
ORDERED, that in Absence of the Referee, the Court may designate a Substitute Referee forthwith; and it is further,

ORDERED, that the Referee appointed herein is subject to the requirements of Rule 36.2(c) of the Chief Judge, and if the Referee is disqualified from receiving an appointment pursuant to the provisions of that Rule, the Referee shall notify the Appointing Judge forthwith, and it is further,

ORDERED, that a copy of this Judgment with Notice of Entry shall be served upon the designated Referee, the owner of the equity of redemption as of the date of this Order, any tenants named in this action and any other party entitled to notice within twenty days of entry and no less than thirty days prior to sale; and it is further,

ORDERED, that the Plaintiffs shall serve a copy of the Notice of Sale upon the Owner of Equity of Redemption at both his/her last known address and the property address (affidavit of such service shall be presented to the Foreclosure Clerk on or before the auction sale) and upon the Foreclosure Department at least ten (10) days prior to the scheduled sale.

ORDERED, that for purposes of RPAPL 1351(1) the ninety (90) day time period shall begin to accrue from the date of entry of the judgment rather than the date of the judgment.

Enter

J.S.C.

HON. MARK I PARTNOW
SUPREME COURT JUSTICE

Nancy T. Sunshine

NANCY T. SUNSHINE
Clerk

304650.1407
{11462720:1}

2018 APR -2 PM 3:54
FILED
KINGS COUNTY CLERK

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 16, 2020.

Selected Entity Name: 55 ECKFORD ACQUISITION LLC

Selected Entity Status Information

Current Entity Name: 55 ECKFORD ACQUISITION LLC

DOS ID #: 5429360

Initial DOS Filing Date: OCTOBER 19, 2018

County: NASSAU

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

GARY ROSEN, ESQ.

ROSEN LAW LLC

216 LAKEVILLE ROAD

GREAT NECK, FLORIDA, 11020

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
OCT 19, 2018	Actual	55 ECKFORD ACQUISITION LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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Supplement to Section II. - Project Description

Project Description:

Purpose and Scope - The purpose of the project is to address known contamination at the Site in anticipation of a proposed new residential development. The project includes the investigation and remediation of contamination identified on the Site under the New York State Brownfields Program. The Requestor plans on conducting a remedial investigation consistent with an approved Remedial Investigation Work Plan in accordance with ECL Article 27, Title 14, 6 NYCRR 375-1.6(a), 375-3.6, and 375-6, and all applicable laws, rules, regulations, and guidance documents. After the Remedial Investigation Work Plan has been implemented, the Requestor plans on submitting a summary report and work plan proposing either remedial action or further investigation.

Estimated Project Schedule –

The Estimated Project Schedule is as follows:

January 2020	Brownfield Cleanup Application Submitted
April 2020	Brownfield Cleanup Agreement Signed
April 2020	Submit Citizen Participation Plan (CPP)
April 2020	Submit RIW
May 2020	Submit RIW Fact Sheet
May - June 2020	Approval and Implementation of RIWP
August 2020	Submit RIR Submit RIR Fact Sheet
September 2020	Approval and Implementation of RAWP
2021	FER and SMP
2021	COC Issued

Supplement to Section III. Property Environmental History

Figure 1: Map of Chlorinated Compounds of Concern (CVOCs) in Soil

Figure 2: Map of Metals of Concern in Soil

Figure 3: Map of Metals of Concern in Groundwater

Figure 4: Map of CVOCS in Soil Vapors

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DATE	DESCRIPTION	CHK

SEAL & SIGNATURE



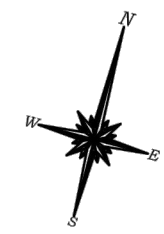
HYDROTECH ENVIRONMENTAL ENGINEERING AND GEOLOGY, DPC
 77 ARKAY DRIVE, SUITE K
 HAUPPAUGE, NY 11788
 15 OCEAN AVENUE, SUITE 2B BROOKLYN, NY 11225
 TEL: (631) 462-5866
 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

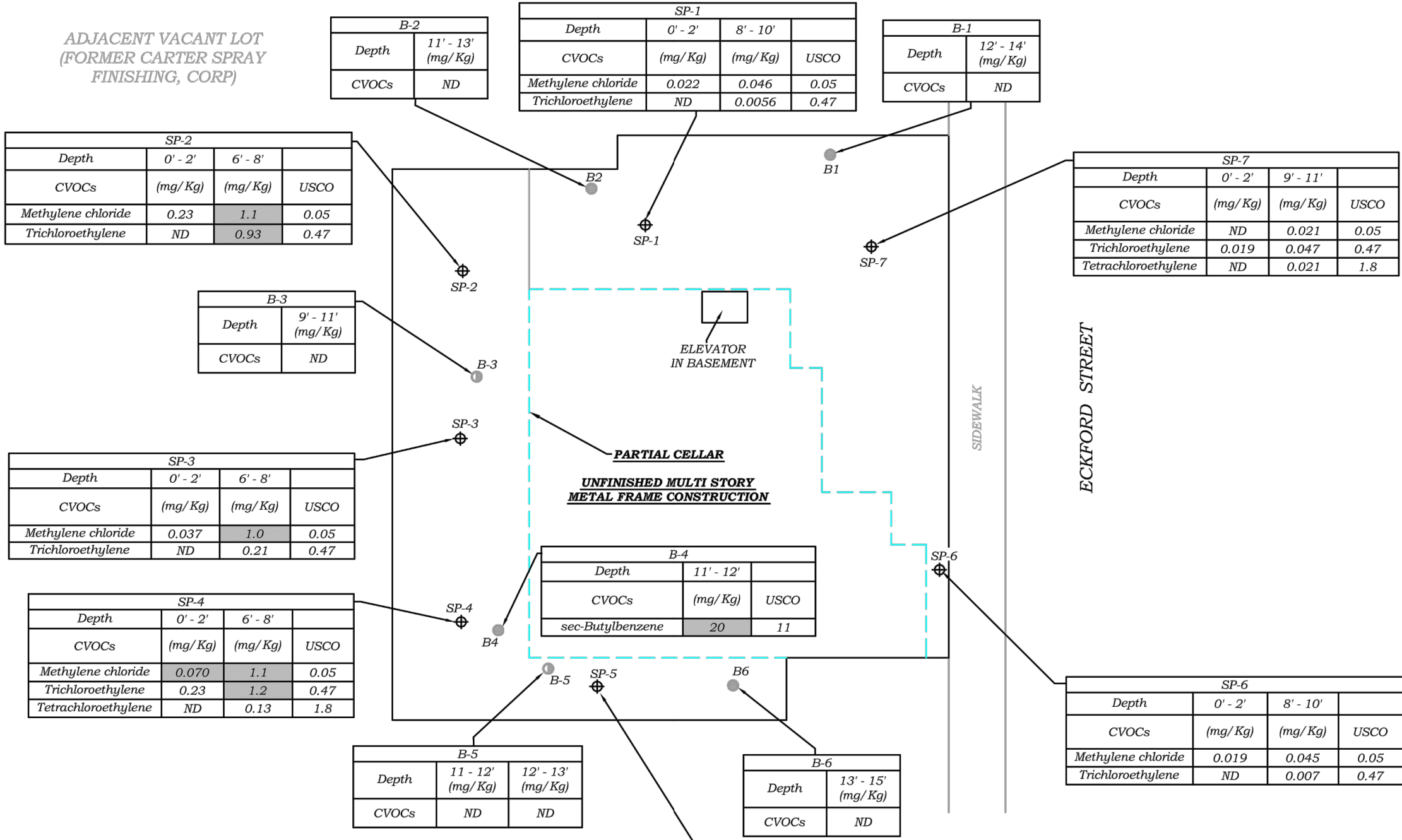
PROJECT NAME AND ADDRESS
 55 ECKFORD STREET
 BROOKLYN, NY

PROJECT FIGURE
 FIGURE 1: MAP OF CHLORINATED COMPOUNDS OF CONCERN (CVOCs) IN SOIL

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.



ADJACENT VACANT LOT
 (FORMER CARTER SPRAY
 FINISHING, CORP)



SP-2			
Depth	0' - 2'	6' - 8'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	0.23	1.1	0.05
Trichloroethylene	ND	0.93	0.47

B-2	
Depth	11' - 13' (mg/Kg)
CVOCs	ND

SP-1			
Depth	0' - 2'	8' - 10'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	0.022	0.046	0.05
Trichloroethylene	ND	0.0056	0.47

B-1	
Depth	12' - 14' (mg/Kg)
CVOCs	ND

SP-7			
Depth	0' - 2'	9' - 11'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	ND	0.021	0.05
Trichloroethylene	0.019	0.047	0.47
Tetrachloroethylene	ND	0.021	1.8

B-3	
Depth	9' - 11' (mg/Kg)
CVOCs	ND

SP-3			
Depth	0' - 2'	6' - 8'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	0.037	1.0	0.05
Trichloroethylene	ND	0.21	0.47

B-4		
Depth	11' - 12'	USCO
CVOCs	(mg/Kg)	
sec-Butylbenzene	20	11

SP-4			
Depth	0' - 2'	6' - 8'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	0.070	1.1	0.05
Trichloroethylene	0.23	1.2	0.47
Tetrachloroethylene	ND	0.13	1.8

SP-6			
Depth	0' - 2'	8' - 10'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	0.019	0.045	0.05
Trichloroethylene	ND	0.007	0.47

B-5		
Depth	11 - 12' (mg/Kg)	12' - 13' (mg/Kg)
CVOCs	ND	ND

B-6	
Depth	13' - 15' (mg/Kg)
CVOCs	ND

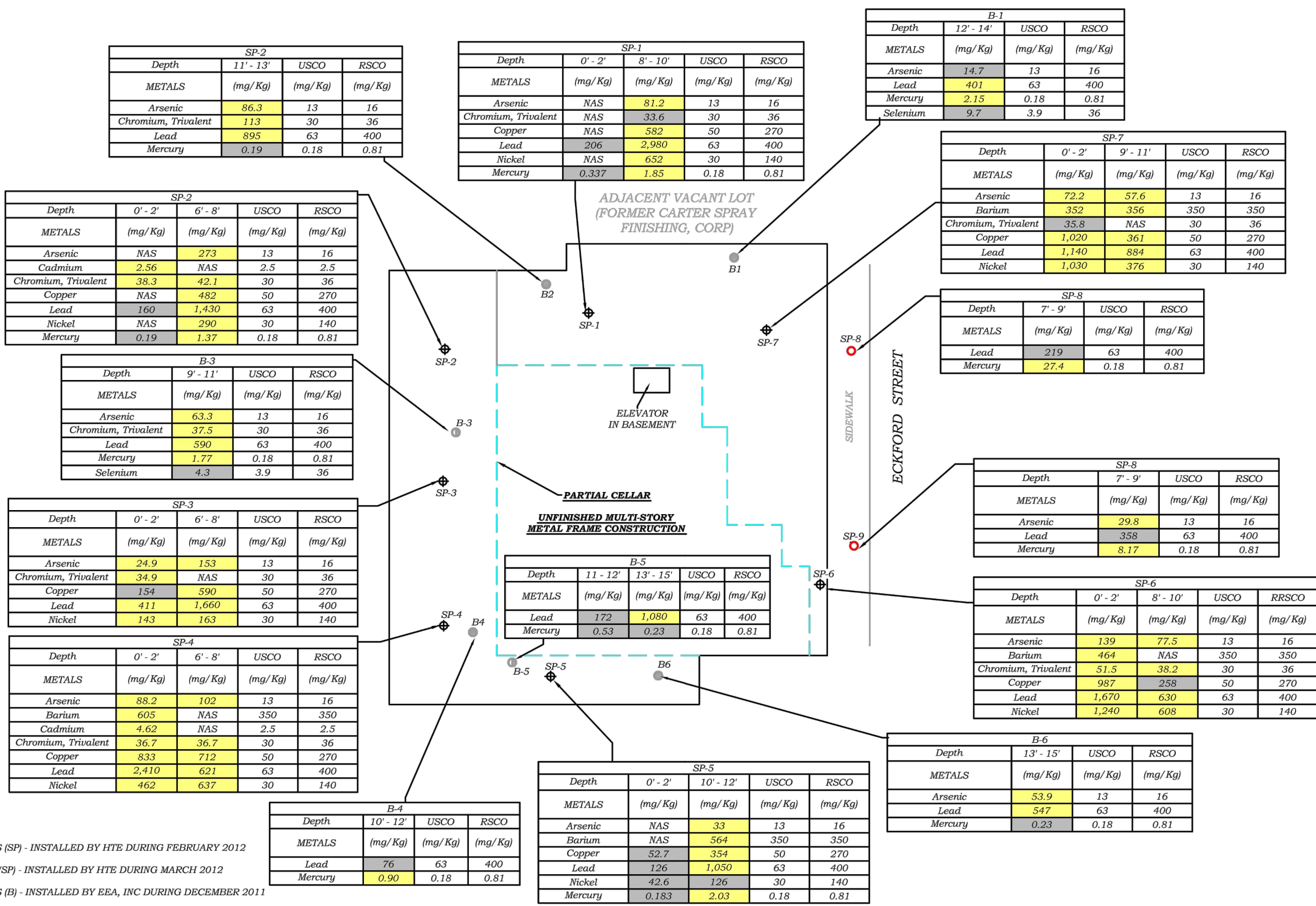
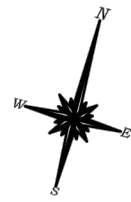
SP-5			
Depth	0' - 2'	10' - 12'	USCO
CVOCs	(mg/Kg)	(mg/Kg)	
Methylene chloride	0.018	ND	0.05
Trichloroethylene	ND	0.010	0.47

LEGEND:

- ⊕ SOIL PROBE LOCATIONS (SP) - INSTALLED BY HTE DURING FEBRUARY 2012
- SOIL PROBE LOCATION (SP) - INSTALLED BY HTE DURING MARCH 2012
- SOIL PROBE LOCATIONS (B) - INSTALLED BY EEA, INC DURING DECEMBER 2011
- SOIL PROBE LOCATIONS (B) - INSTALLED BY EEA, INC DURING DECEMBER 2011
- CVOCs CHLORINATED VOLATILE ORGANIC COMPOUNDS
- USCO UNRESTRICTED USE SOIL CLEANUP OBJECTIVE
- mg/Kg MILLIGRAMS PER KILOGRAMS
- SHADED VALUES EXCEED USCO
- ND NONE DETECTED

0' 10' 20'
 SCALE IN FEET (FT.)

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LEGEND:

- ⊕ SOIL PROBE LOCATIONS (SP) - INSTALLED BY HTE DURING FEBRUARY 2012
- SOIL PROBE LOCATION (SP) - INSTALLED BY HTE DURING MARCH 2012
- SOIL PROBE LOCATIONS (B) - INSTALLED BY EEA, INC DURING DECEMBER 2011
- SOIL PROBE LOCATIONS (B) - INSTALLED BY EEA, INC DURING DECEMBER 2011

USCO UNRESTRICTED USE SOIL CLEANUP OBJECTIVE
 RSCO RESTRICTED USE SOIL CLEANUP OBJECTIVE
 mg/Kg MILLIGRAMS PER KILOGRAMS
 SHADED VALUES EXCEED USCO
 SHADED VALUES EXCEED RSCO
 NAS NONE ABOVE STANDARDS

0' 10' 20'
 SCALE IN FEET (FT.)

DATE	DESCRIPTION	CHK

SEAL & SIGNATURE



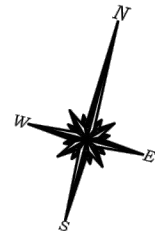
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 TEL: (631) 462-5866
 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 55 ECKFORD STREET
 BROOKLYN, NY

PROJECT FIGURE
 FIGURE 2: METALS OF CONCERN IN SOIL

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.



ADJACENT VACANT LOT
(FORMER CARTER SPRAY
FINISHING, CORP)

B-2GW		
METALS	Filtered (mg/L)	GQS
Arsenic	2.36	0.025
Lead	0.061	0.025

MW-1		
METALS	Filtered (mg/L)	GQS
Arsenic	0.522	0.025
Iron	10.3	0.3
Maganese	0.338	0.30
Silver	0.060	0.05
Sodium	259	20

B-1GW		
METALS	Filtered (mg/L)	GQS
Lead	0.294	0.025
Selenium	0.02	0.01

MW-7		
METALS	Filtered (mg/L)	GQS
Arsenic	0.056	0.025
Iron	18.2	0.3
Maganese	0.697	0.30
Silver	0.068	0.05
Sodium	244	20

MW-2		
METALS	Filtered (mg/L)	GQS
Arsenic	0.564	0.025
Iron	13.4	0.3
Maganese	0.358	0.30
Silver	0.057	0.05
Sodium	220	20

MW-3		
METALS	filtered (mg/L)	GQS
Arsenic	0.193	0.025
Iron	30.5	0.3
Maganese	0.530	0.30
Silver	0.060	0.05
Sodium	117	20

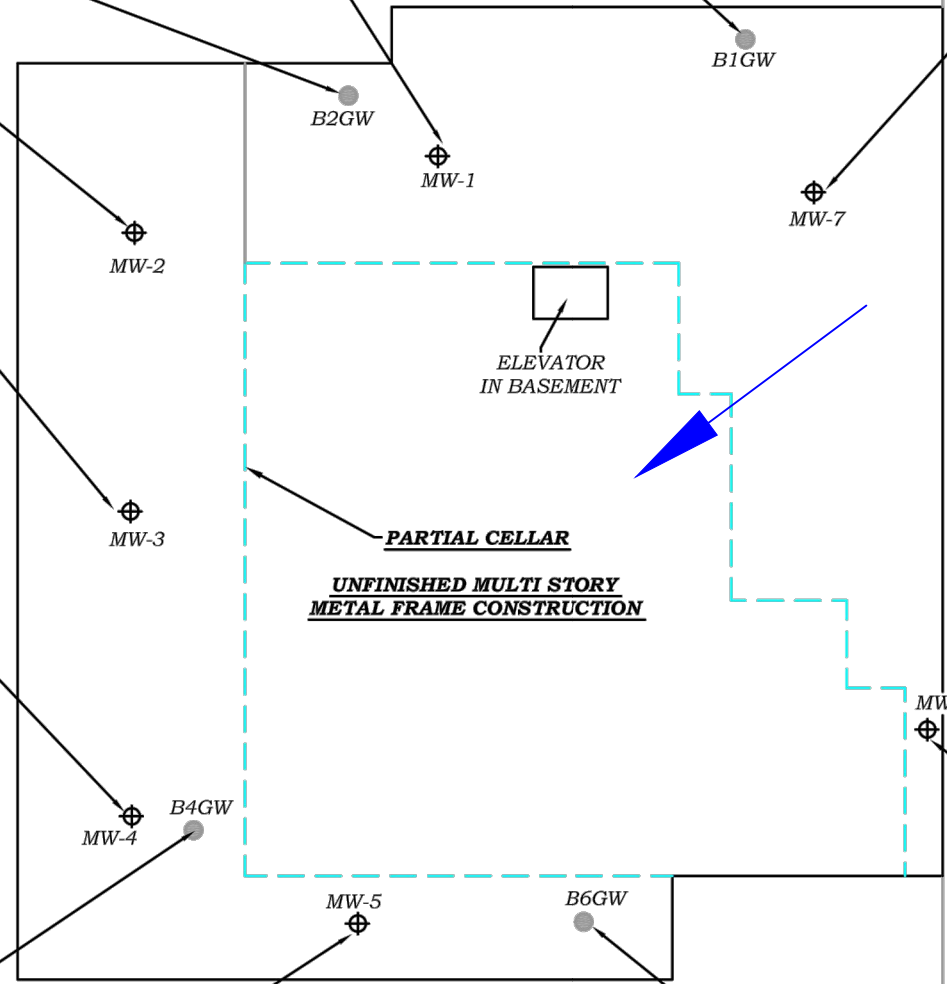
MW-4		
METALS	Filtered (mg/L)	GQS
Arsenic	0.224	0.025
Iron	14.8	0.3
Maganese	0.783	0.30
Silver	0.059	0.05
Sodium	49.6	20

B-4GW		
METALS	Filtered (mg/L)	GQS
Arsenic	0.12	0.025
Lead	0.065	0.025
Selenium	0.011	0.01

MW-5		
METALS	Filtered (mg/L)	GQS
Iron	13.3	0.3
Maganese	0.724	0.30
Silver	0.073	0.05
Sodium	25.9	20

B-6GW		
METALS	Filtered (mg/L)	GQS
Selenium	0.011	0.01

MW-6		
METALS	Filtered (mg/L)	GQS
Iron	20.1	0.3
Maganese	0.784	0.30
Silver	0.062	0.05
Sodium	240	20



LEGEND:

- ⊕ MONITORING WELL (MW) - INSTALLED BY HTE DURING FEBRUARY 2012
- MONITORING WELL LOCATIONS (GW) - INSTALLED BY EEA, INC DURING DECEMBER 2011
- VOCs VOLATILE ORGANIC COMPOUNDS
- NAS NONE ABOVE STANDARDS
- GQS GROUNDWATER QUALITY STANDARDS
- µg/L MICROGRAMS PER LITER
- SHADED VALUES EXCEED GQS
- ➡ SITE-SPECIFIC GROUNDWATER FLOW DIRECTION TOWARD THE SOUTHWEST AS DOCUMENTED IN A SUBSURFACE INVESTIGATION REPORT DATED APRIL 5, 2012 AND PREPARED BY HYDROTECH

0' 10' 20'
SCALE IN FEET (FT.)

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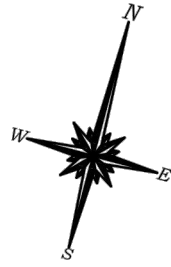
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FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
55 ECKFORD STREET
BROOKLYN, NY

PROJECT FIGURE
FIGURE 3: MAP OF METALS OF CONCERN IN GROUNDWATER

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.



SV-1	
CVOC's	$\mu\text{g}/\text{m}^3$
1,1-Dichloroethene	26
Methylene Chloride	33
Trichloroethylene	180

ADJACENT VACANT LOT
(FORMER CARTER SPRAY
FINISHING, CORP)

SV-4	
CVOC's	$\mu\text{g}/\text{m}^3$
Methylene chloride	21
Tetrachloroethylene	84
Trichloroethylene	1,700

SV-2	
CVOC's	NA

SV-3	
CVOC's	$\mu\text{g}/\text{m}^3$
Acetone	2,100
Methylene Chloride	17
Tetrachloroethylene	53
Trichloroethylene	780

SV-4	
CVOC's	$\mu\text{g}/\text{m}^3$
Acetone	2,300
Methylene chloride	30
Trichloroethylene	30

SV-6	
CVOC's	$\mu\text{g}/\text{m}^3$
Acetone	1,600
Methylene Chloride	20
Trichloroethylene	58

SV-5	
CVOC's	$\mu\text{g}/\text{m}^3$
Acetone	1,800
Methylene Chloride	19
Trichloroethylene	190

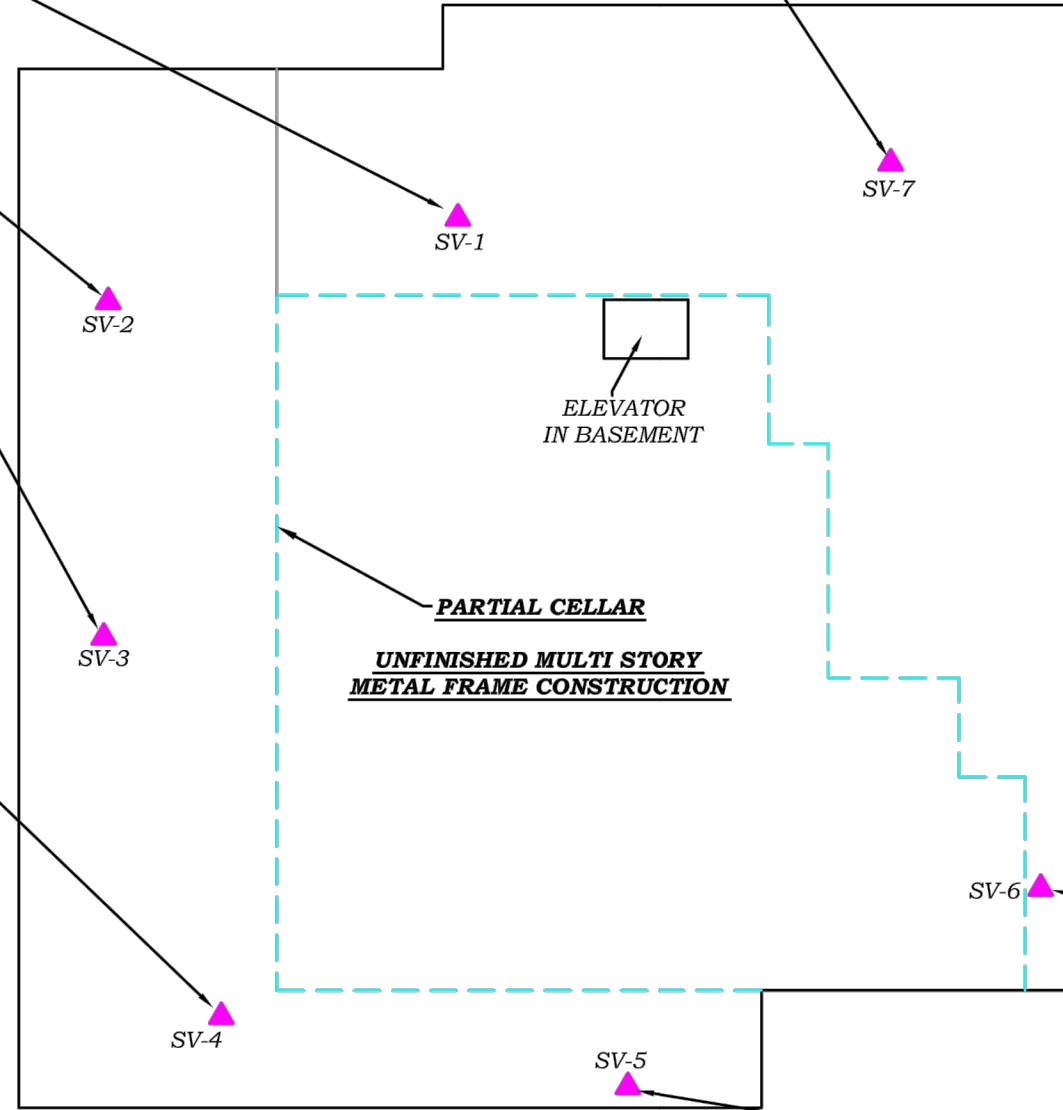
LEGEND:

▲ SOIL GAS IMPLANT (SV) - INSTALLED & SAMPLED BY HTE DURING FEBRUARY 2012 USING 6L SUMMA CANISTERS FOR 6 HOURS

CVOCs CHLORINATED VOLATILE ORGANIC COMPOUNDS

$\mu\text{g}/\text{m}^3$ MICROGRAMS PER CUBIC METER

■ SHADED VALUES EXCEED THE MITIGATION GUIDELINES SPECIFIED IN NYSDOH MATRIX FOR INDOOR AIR & SOIL VAPOR CONCENTRATIONS



0' 10' 20'
SCALE IN FEET (FT.)

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BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
55 ECKFORD STREET
BROOKLYN, NY

PROJECT FIGURE
FIGURE 4: MAP OF CVOCs IN SOIL VAPOR

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.

Supplement to Section IV(10) - Property Description

Property Description

Location

The site is located at 55-63 Eckford Street, on the eastern side of Eckford Street between Driggs Avenue to the north and Engert Avenue to the south in the Borough of Brooklyn, New York. The site is bordered by 1-story building to the north, 1-story industrial building & a parking lot to the west, Eckford Street to the east and a 7-story residential building and a 5-story residential & 2-story industrial building to the south.

Site Features

The site is 10,376 square feet in area and is occupied by a 5-story unfinished steel frame construction with concrete foundations. A partial basement is located beneath the southern portion of the unfinished construction. It is covered with bare soil and concrete footings. An elevator pit is constructed at the northern portion in the basement. Overhead scaffoldings is seen along the sidewalk at the entrance of the Site. The remaining portion of the site consists of bare soil, piles of construction materials and overgrown weeds.

Current Zoning and Land Use

The site is zoned M1-2/R6B and falls in the paired district category. M1 (manufacturing district) is paired with R6B (residential district). Paired districts are mapped as special mixed use districts. The current land use consists of an unfinished steel frame construction residential building. The unfinished structure is vacant and the site is currently unoccupied.

Past Use of the Site

Historic uses of the Site included 4 structures identified as lumber processing facility for planning and molding from 1887 to 1905. According to the Sanborn maps of 1942, there existed a 2-story building in the northern portion identified as wool rag sorting and bailing. From 1951 to 1992 the property was identified as lacquer spraying and electric plating purpose use. The property remained vacant from 2004 after demolition of the buildings.

Site Geology and Hydrology

The site is generally level and is at an elevation of approximately 16 feet above sea level. The geology of Kings County consists of unconsolidated glacial deposits. Groundwater

beneath the site was encountered at depths ranging between 10.39 to 12.94 feet. According to the USGS Groundwater Conditions Map, the regional groundwater flow direction in the vicinity of the Site is toward the west in the direction of East River.

Environmental Assessment

Based upon a Phase II investigation conducted in April 2012 by Hydro Tech Environmental Corp., the primary contaminants of concern for the site includes the chlorinated VOCs such as trichloroethylene (TCE) (max. 1.2 mg/kg), methylene chloride (max. 1.1 mg/kg) were detected in deep samples at concentrations exceeding regulatory standards in soil. Other VOCs such as benzene (max. 0.66 mg/kg), xylene (max. 0.68 mg/kg) and acetone (4.1 mg/kg) were detected in deep samples at concentrations exceeding regulatory standards in soil. The maximum concentration of total SVOCs is 32,232 mg/kg. Metals detected in soil at concentrations exceeding regulatory standards include arsenic (max. 273 mg/kg), barium (605 mg/kg), cadmium (4.62 mg/kg), trivalent chromium (113 mg/kg), copper (1,020 mg/kg), lead (1,430 mg/kg), mercury (27.4 mg/kg), nickel (1,240 mg/kg) and selenium (9.7 mg/kg).

VOCs and metals were detected at concentrations exceeding regulatory standards in groundwater. The maximum total VOC concentration in groundwater is 252 micrograms per liter. No SVOCs were detected at concentrations exceeding regulatory standards. Filtered metals detected in groundwater at concentrations exceeding regulatory standards include arsenic (0.564 mg/l), iron (30.5 mg/l), lead (0.294 mg/l), manganese (0.784 mg/l), selenium (0.02 mg/l), silver (0.073 mg/l) and sodium (259 mg/l).

VOCs associated with both petroleum (such as xylene and toluene) and chlorinated solvents (such as tetrachloroethylene and trichloroethylene) are present in soil vapor. The maximum total VOC concentration is 4,344 micrograms per cubic meter.

Maps

- Tax Map
- Surrounding Land Use Map
- USGS Topographic Map
- Adjacent Property Map

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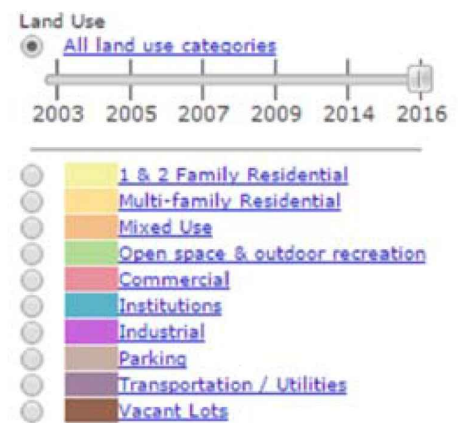
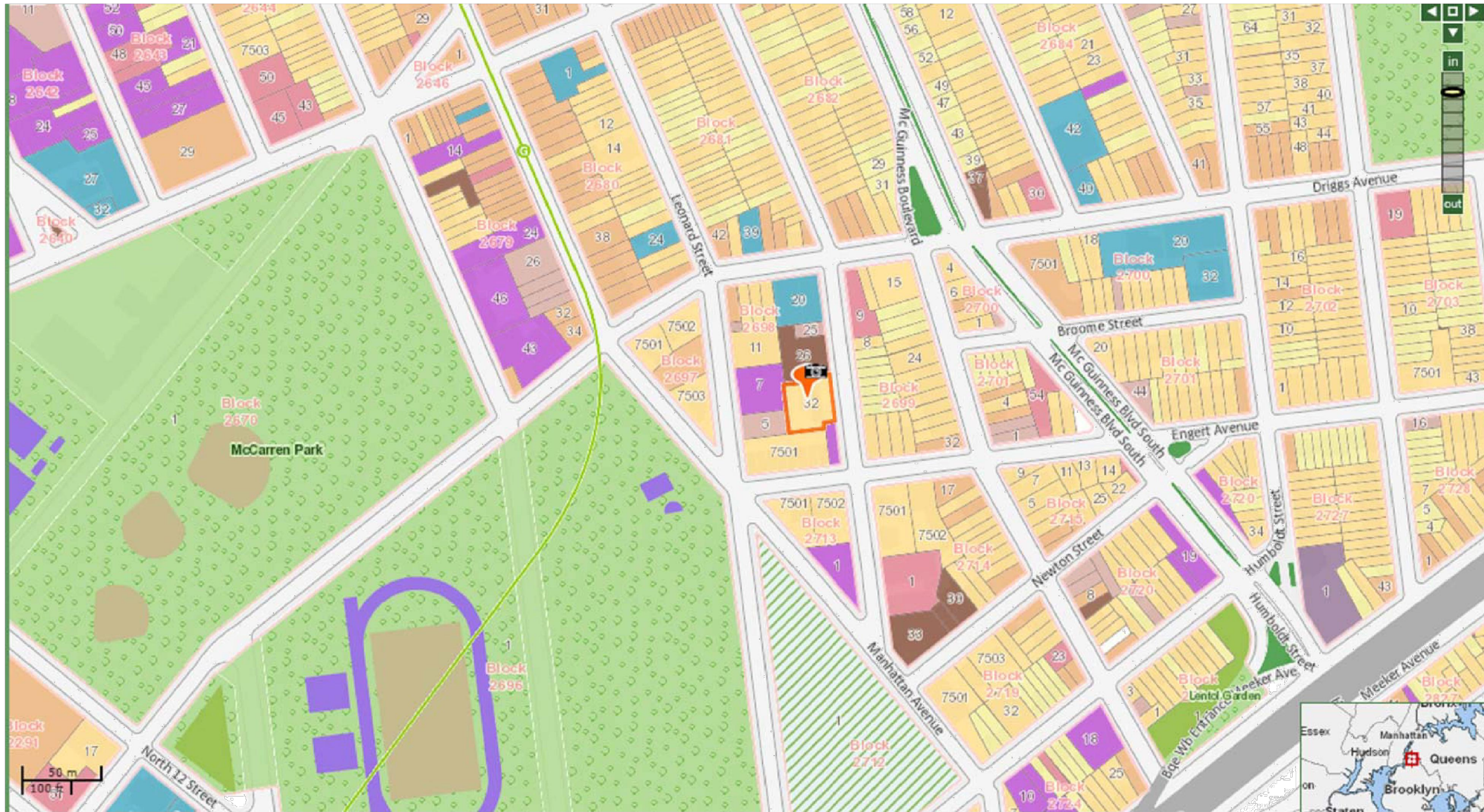
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 55 ECKFORD STREET
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PROJECT FIGURE
 FIGURE 5: TAX MAP

PROJECT NO. 190111	DATE 1/20/20
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SCALE (11X17) NOT TO SCALE	APPROVED BY P.M.





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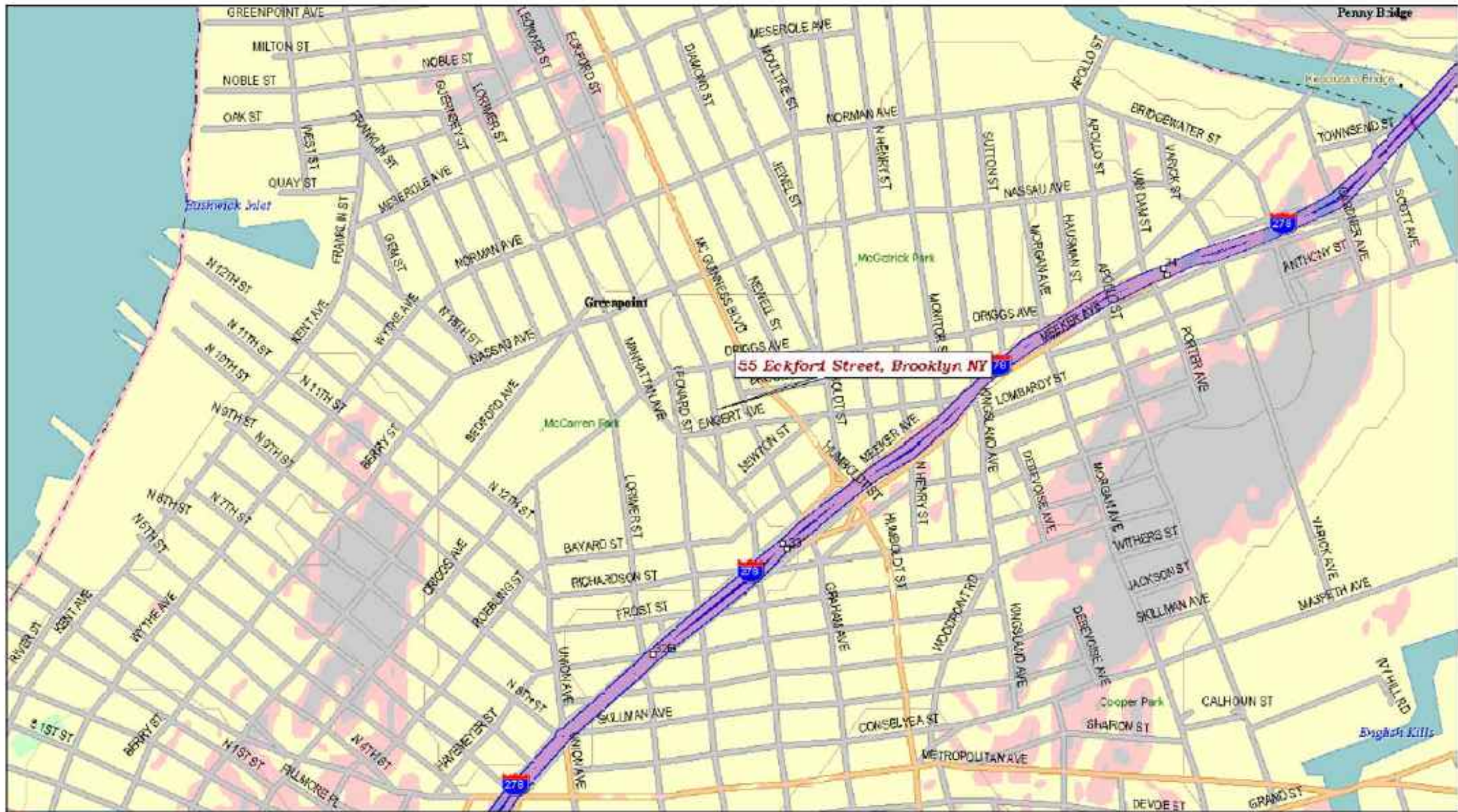
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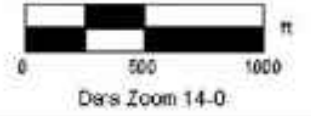
PROJECT NAME AND ADDRESS
 55 ECKFORD STREET
 BROOKLYN, NY

PROJECT FIGURE
 FIGURE 6: MAP OF SURROUNDING LAND USE

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.



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BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 55 ECKFORD STREET
 BROOKLYN, NY

PROJECT FIGURE
 FIGURE 7: USGS MAP

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.



**65 ECKFORD STREET, BK
OWNER: Z65 REALTY LLC
ZONING TYPE: M1-2/R6A**

**488 LEONARD STREET, BK
OWNER: CLARKM JAMES P JR
ZONING TYPE: M1-2/R6A**

**482 LEONARD STREET, BK
OWNER: STAMPER, ALDONA
ZONING TYPE: M1-2/R6A**

**49 ENGERT AVENUE, BK
OWNER: THE MCCARREN CONDOMINIUM
ZONING TYPE: M1-2/R6A**

SITE LOCATION

**54-68 ECKFORD STREET, BK
OWNER: MULTIPLE PRIVATE OWNERS
ZONING TYPE: R6B**

**67 ENGERT AVENUE, BK
OWNER: YM7, LLC
ZONING TYPE: M1-2/R6A**

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PROJECT NAME AND ADDRESS
55 ECKFORD STREET
BROOKLYN, NY

PROJECT FIGURE
FIGURE 8: MAP OF SITE AND ADJACENT PROPERTIES

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.

Supplement to Section VI. – Current Property Owner Information – If Not Requestor

Property Owner Information – The current Property Owner is 55 Eckord 1875 DNB LLC. 55 Eckord 1875 DNB LLC has been the owner of the property through foreclosure action since May 31, 2018. 55 Eckford Acquisition LLC (“Requestor”) entered into an agreement with Eric Pang, owner of the membership interests in 55 Eckord 1875 DNB LLC to acquire Mr. Pang’s 100% of the membership interests in 55 Eckord 1875 DNB LLC, the contract vendee.

Additional Requestor Information – 55 Eckford Acquisition LLC is applying for admission into the BCP. 55 Eckford Acquisition LLC will be sole Requestor for purpose of this application. 55 Eckford Acquisition LLC manages 100% of the membership interests in 55 Eckord 1875 DNB LLC. Elizabeth McDonald is a Managing Member of 55 Eckford Acquisition LLC and is authorized to sign the BCP application. Elizabeth McDonald will be the primary contact.

The following provides a list of historical and current owners available on NYC Department of Finance ACRIS Database:”

Name	Address	Date of Deed Registration	Phone	Relationship to Requestor
55 Eckord 1875 DNB LLC	562 Coney Island Ave c/o Victor Tsai, Brooklyn, NY	Not Applicable*	(212) 625-9028	Requestor acquired 100% membership interest in this entity
Eckford Greenpoint LLC	55 Eckford Street, Brooklyn, NY	12/28/2012	646-643-3234	None
55 Eckford Street Brooklyn LLC c/o Madison Realty Capital L.P.	825 3rd Avenue, 37th floor, New York, NY 10022	06/22/2009	646-442-4202	None
Blue Diamond Development LLC	199 Lee Ave, Suite 287, Brooklyn, NY 11211	09/16/2003	Unknown	None
Theodore Berkman As Co- trustees/ Berkman, Theodore	7952 Exeter Circle East Tamarac, FL 33321	01/25/2003	Unknown	None

Berkman, Gerald	55 Eckford Street, Brooklyn, NY	02/25/2002	Unknown	None
Berkman, Donald	71 Hargaret Drive Valley Stream, NY	01/30/2002	Unknown	None
Arlyne Berkman Revocable Living Trust	6655 NY 15th Street, Margate, FL 33063	10/31/1995	Unknown	None
Berkman, Arlyne	6655 NY 15th Street, Margate, FL 33063	N/A	Unknown	None
Berkman Donald	71 Margaret Drive Valley Steam, New York	03/01/1994	Unknown	None
Berkman Lillie	2710 Cruger Avenue, Bronx New York 10467	01/03/1972	Unknown	None
Berkman Donald	71 Margaret Drive Valley Steam, New York	1971	Unknown	None
Berkman Lillie	2710 Cruger Avenue, Bronx New York 10467	12/27/1971	Unknown	None

*Please refer to Supplement to Section VII describing Requestor's relationship to property and Exhibit (A) Ownership Status Letter

The following provides a list of historical and current operators available in the City Directory Search Database:

Name	Address	Phone	Years of Operation	Relationship to Requestor
Eckford Greenpoint LLC	55 Eckford Street, Brooklyn, NY	646-643-3234	2013 to 2018	None
55 Eckford Street	Processing Techniques Inc.	Unknown	2005, 2013	None
55 Eckford Street	BG Finishing Inc. / Processing Techniques Inc.	Unknown	2000	None
55 Eckford Street	Berkman Bros Platers/ Processing Techniques Inc.	Unknown	1985, 1992, 1997	None
55 Eckford Street	Berkman Bros Platers	Unknown	1980	None

55 Eckford Street	Processing Techniques Inc.	Unknown	1976	None
55 Eckford Street	Berkman Bros Platers/ Processing Techniques Inc.	Unknown	1949, 1960, 1965, 1970, 1973	None
55 Eckford Street	Schoolsky Bros Wool Stock Corp.	Unknown	1945	None
55 Eckford Street	Formetatl Peter Mgr Miramar Trading Corp.	Unknown	1934	None

Supplement to Section VII - Requestor Eligibility

Volunteer Statement

The Requestor is proposing to investigate and remediate this Site pursuant to a Brownfield Cleanup Agreement (“BCA”) with the DEC. It originally requested to continue the remedial program requirements as an additional Applicant under the prior BCA for this Site. However, that prior BCA has been terminated as to the prior Applicants.

The current Requestor has no direct relationship to the prior owners or parties to the prior BCA, and Requestor has performed appropriate pre-acquisition due diligence to qualify as a Volunteer. A Phase I Environmental Site Assessment was conducted in October 2019, which is included with this application. Further, subsurface investigations were performed by previous owners of the Site, which are summarized in this and prior BCP applications which confirms that contamination is due to prior owners and/or operators of the Site. The findings identified contamination on the site which the Requestor proposes to investigate and remediate, if necessary, pursuant to the New York State Brownfield Cleanup Program, as a Volunteer. Requestor’s 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.

Requestor is preparing to develop this site long after it was used for industrial purposes, thus its involvement with the site is subsequent to the disposal or discharge of the identified contamination. Accordingly, the Requestor qualifies as Volunteers in accordance with ECL 27-1405.

Requestor Relationship to Property

Requestor’s counsel reviewed the Requestor’s relationship to the prior owner with the NYSDEC project Attorney, Mr. Michael Murphy, Esq., on February 25, 2020. Requestor’s counsel confirmed that Requestor has no direct relationship to the prior owners or parties to the prior BCA. The entity 55 Eckord 1875 DNB LLC is the current owner of the Site.

By way of background, on May 31, 2018, a judicial foreclosure sale auction was held to sell the Site in an action entitled NYCTL 2016-A Trust, and the Bank of New York Mellon as Collateral Agent and Custodian for the NYCTL 2016-A v. Eckford-Greenpoint LLC, et.al., Index No. 504384/2017, Supreme Court of the State of New York, County of Kings (the “Action”).

On May 31, 2018, 55 Eckord 1875 DNB LLC was the winning bidder for the real property, i.e. the Site, in the Action.

On August 2, 2019, 55 Eckford Acquisition LLC entered into an agreement with Eric Pang, owner of the membership interests in 55 Eckord 1875 DNB LLC, to acquire Mr. Pang’s 100% of the membership interests in 55 Eckord 1875 DNB LLC, the contract vendee (the “Acquisition”). By virtue of the foreclosure Action and subsequent Acquisition, 55 Eckford Acquisition LLC, the current Requestor, owns all the membership interests in 55 Eckord 1875 DNB LLC, which includes control of the assets controlled by same (including the Site). The Acquisition does not constitute a ‘change of use’ under the NYSDEC regulations because it does not involve the transfer

of title to all or part of the Site, merely the purchase of the membership interests in the entity that owns the Site. Accordingly, no request for a site access or similar agreement is required

We have reviewed the above with Mr. Murphy via a teleconference on February 25, 2020. Mr. Murphy is aware of this status and concurs that no Site access agreement is necessary under the circumstances.

Supplement to Section VIII.6 - Property Eligibility Information

Based upon the findings of environmental assessments at the project Site, the Site is subject to possible listing on the Registry of Inactive Hazardous Waste Disposal Site (commonly known as Superfund Sites). It is identified by the NYSDEC as Site No. 224168 as a Potential Registry Site (P-Site).

The Property is also listed in the AST Chemical Bulk Storage (CBS) database under CBS #2-000058. "Berkman Bros Inc." - Subject Property is associated with a 500-gallon fiberglass reinforced plastic AST containing Sodium Hypochlorite. The CBS AST was installed during 1985 and was closed during 1989. The historic use of the Sodium Hypochlorite is related to the previous usage of the property as a manufacturing facility.

The property is listed with the RCRA Conditionally Exempt Small Quantity Generator (CESQG) database. Available records indicate that the facility listed as Berkman Brothers, Inc. generated small quality hazardous wastes identified as reactive waste, mercury, arsenic, cyanide, zinc cyanide, non-listed reactive waste and other unknown material were generated at the Property.

Requestor is requesting to investigate and remediate the property under the New York State Brownfields Program in accordance with ECL Article 27, Title 14, 6 NYCRR 375-1.6(a), 375-3.6, and 375-6, and all applicable laws, rules, regulations, and guidance documents.

Supplement to Section IX - Site Contact List

1. LOCAL AND STATE OFFICIALS

Brooklyn Borough President
Eric L. Adams
Borough Hall 209 Joralemon Street
Brooklyn, NY 11201

New York City Department of Planning - Brooklyn Office
Winston Von Engel
16 Court Street, 7th Fl.
Brooklyn, NY 11241-0103

New York City Mayor's Office
Bill De Blasio, Mayor
City Hall
New York, NY 10007

NYC Chair:
Commissioner; NYC Dept. Of Planning
22 Read Street
New York, NY 10007

Council Member Stephen Levin
District 33
410 Atlantic Avenue Brooklyn, NY 11217

NYS DOH-Albany
Scarlett McLaughlin, BEEI
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Albany, NY 12237

Thomas V. Panzone NYSDEC Region 2
Regional Citizen Participation Specialist
Email: thomas.panzone@dec.ny.gov

NYC Chair Carl Weisbrod
Commissioner; NYC Dept. Of Planning
22 Read Street
New York, NY 10007

Nilda Mesa
NYC Office of Environmental Coordination
253 Broadway - 7th Floor
New York, NY 10007.

John Wuthenow
Office of Environmental Assessment & Planning
NYC Dept. of Environmental Protection
96-05 Horace Harding Expressway
Flushing, NY 11373

Hon. James F. Brennan
NYS Assembly member
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Brooklyn, NY 11215

Hon. Charles Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

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NYSDEC-Albany
Gerard Burke
Email: dennis.farrar@dec.ny.gov

NYS DEC Region 2
Jane O'Connell
Email: jane.oconnell@dec.ny.gov

Dealice Fuller, Chairwoman
Brooklyn Community Board Office 1
Email: bk01@cb.nyc.gov

NYS DOH-Albany
Michael J. Hughes
Email: mjh03@health.state.ny.us

2. OWNERS, RESIDENTS, AND OCCUPANTS ON OR ADJACENT TO THE SITE

Owner: 55 Eckord 1875 DNB LLC
562 Coney Island Avenue,
Brooklyn, NY

Owner: East Star Realty LLC
1740 E 27th Street
Brooklyn, NY 11229

Owner: 488 Leonard Street LLC c/o James P. Clark
127 Nassau Avenue
Brooklyn, NY 11222

Owner: Aldona Stamper
116 Beach 91st
Rockaway, NY 11693

Owner: Current owner
63-65 Engert Avenue
Brooklyn, NY 11222

Owner: YM7, LLC
56 Leonard Street, Apt 50W,
New York, NY 10013

Owner: Janusz Bartnicki
149-35 10th Avenue
Whitestone, NY 11357

Owner: Maria George
60-61 Myrtle Avenue
Brooklyn, NY 11385

Owner: Christopher M. Burke
56 Eckford Street
Brooklyn, NY 11222

Owner: Adam Szpyt Trustee
528 Graham Avenue, Apt. 1R
Brooklyn, NY 11222

Owner: Kazimierz & Jolanta Sikorski
60 Eckford Street
Brooklyn, NY 11222

Owner: Pamela McGee
62 Eckford Street
Brooklyn, NY 11222

Owner: Linda Grippo
64 Eckford Street
Brooklyn, NY 11222-4638

Owner: Jeanine & Robert Grippo
66 Eckford Street
Brooklyn, NY 11222

Owner: 68 Eckford Street LLC
68 Eckford Street
Brooklyn, NY 11222

The McCarren Condominium
c/o 474 Leonard Street LLC (aka 49 Engert Avenue)
96-20 Atlantic Avenue
Ozone Park, NY 11416

65-73 Eckford Realty LLC
65 Eckford Street
Brooklyn, NY 11222

3. **LOCAL NEWS MEDIA**

New York Post
1211 Avenue of Americas
New York, New York 10036-8790
Phone: 212-930-8000

VICE Media LLC
49 S 2nd St, Brooklyn, NY 11211
Phone: (718) 599-3101

4. **PUBLIC WATER SUPPLIER**

NYC Department of Environmental Protection
Bureau of Water Supply
59-17 Junction Blvd.
Flushing, NY 11373

5. ANY PERSON, COMMUNITY BASED ORGANIZATION, BOA GROUP, OR LOCAL MEDIA WHO HAS REQUESTED TO BE PLACED ON THE CONTACT LIST.

None.

6. ADMINISTRATOR/OPERATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE SITE.

Elementary School / P.S. 034 Oliver H. Perry
Administrator: Carmen Asselta
131 Norman Avenue
Brooklyn, NY 11222

St Stanislaus Catholic Academy
Principal: Christina Cieloszczyk
12 Newel Street
Brooklyn, NY 11222

PS 110 John Ericsson Middle School 126
Principal: Maria Ortega
424 Leonard Street
Brooklyn, NY 11222

Williamsburg Charter School
Principal: Tanishia Lavette Williams
198 Varet Street
Brooklyn, NY 11206

Automotive high School
Administrator: Antoinette Darden
50 Bedford Avenue
Brooklyn, NY 11222

7. DOCUMENT REPOSITORY

Attn: Anna Villa
Brooklyn Public Library - Williamsburg
240 Division Avenue,
Brooklyn, NY 11222

Attn: Dealice Fuller
Brooklyn Community Board Office 1
435 Graham Avenue,
Brooklyn, NY 11211

Paul Matli

From: BK01 (CB) <bk01@cb.nyc.gov>
Sent: Friday, August 11, 2017 3:36 PM
To: Paul Matli
Subject: RE: Document Repository for Brownfield Cleanup Program (BCP) Site Address: 55 Eckford Street, Brooklyn, NY

Yes you can use us as a document repository.

From: Paul Matli [pmatli@hydrotechenvironmental.com]
Sent: Monday, May 15, 2017 12:49 PM
To: BK01 (CB)
Subject: RE: Document Repository for Brownfield Cleanup Program (BCP) Site Address: 55 Eckford Street, Brooklyn, NY

Could you please response to my message below. I appreciate your attention on this matter as your signature is requested by the New York State Department of Environmental Conservation. (NYSDEC).

Regards,

Paul I. Matli, Ph.D., P.G.
Hydro Tech Environmental, Corp.
15 Ocean Avenue, 2nd Floor (Suite B), Brooklyn, NY 11225
Cell: (631)-241-7165 Tel: (718) 636-0800 Fax: (718) 636-0900
pmatli@hydrotechenvironmental.com

From: Paul Matli
Sent: Wednesday, November 09, 2016 4:50 PM
To: 'bk01@cb.nyc.gov' <bk01@cb.nyc.gov>
Cc: HTE - Komal Dixit (kdixit@hydrotechenvironmental.com) <kdixit@hydrotechenvironmental.com>; Taylor James <tjames@hydrotechenvironmental.com>
Subject: Document Repository for Brownfield Cleanup Program (BCP) Site Address: 55 Eckford Street, Brooklyn, NY

Please find attached a letter requesting your approval to use Brooklyn Community Board 1 as a documents repository for the above New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Site. This documents repository is intended to house, for community review, all principal documents generated prior and during the remediation of this BCP site as per the requirements of the NYSDEC.

I appreciate if you can sign this letter and return to my attention via fax or as a PDF copy to provide to NYSDEC along the Site BCP application.

If you require any additional information please feel free to contact me directly at (718) 636-0800.

Thank You,

Regards,

Paul I. Matli, Ph.D.

Hydro Tech Environmental, Corp.

15 Ocean Avenue, 2nd Floor (Suite B), Brooklyn, NY 11225

Cell: (631)-241-7165 Tel: (718) 636-0800 Fax: (718) 636-0900

pmatli@hydrotechenvironmental.com



Hydro Tech Environmental, Corp.

Main Office
77 Arkay Drive, Suite G
Hauppauge, New York 11788
T (631) 462-5866 • F (631) 462-5877

NYC Office
15 Ocean Avenue, 2nd Floor
Brooklyn, New York 11225
T (718) 636-0800 • F (718) 636-0900

www.hydrotechenvironmental.com

November 4, 2016

Ms. Anna Villa
Brooklyn Public Library - Williamsburg
240 Division Ave, Brooklyn, NY 11211

**Re: Document Repository for Brownfield Cleanup Program (BCP)
Site Address 55 Eckford St, Brooklyn, NY 11222**

Dear Ms. Villa;

This letter is intended to seek your approval to use Brooklyn Public Library - Williamsburg located at the address above as a document repository for the upcoming remedial development at above referenced property. This documents repository is intended to house, for community review, all principal documents generated prior and during the Brownfield Cleanup Program (BCP) at this site as per the requirements of the New York State Department of Environmental conservation.

Should you acknowledge this agreement that Brooklyn Public Library - Williamsburg will act as a documents repository for this upcoming BCP project, I appreciate if you can sign this letter and return to my attention for my records.

If you require any additional information, please feel free to contact me directly at (718) 636-0800.

Very Truly Yours,
Hydro Tech Environmental, Corp.

Paul I. Matli
Senior Project Manager

Brooklyn Public Library

Name Anna Villa

Title Library Circulation Supervisor

Date 11/10/2016

Enc.
cc: HTE File No. 160308

Supplement to Section X. – Land Use Factors

Current Use

The property identified at 55 Eckford Street, NY is 10,376 square feet in area. It is occupied by a six-story unfinished steel frame construction with concrete foundations. A partial basement is located beneath the southern portion of the unfinished construction. The remaining portions of the property consist of bare soil, piles of construction materials and overgrown weeds. The site is zoned "M1-2/R6B" - paired district as manufacturing and residential zoning district which permits mixture of residential and non-residential (commercial, community facility, light manufacturing) uses in the same zoning district. The current land use consists of an unfinished steel frame construction residential building. The unfinished structure is vacant and the site is currently unoccupied.

Anticipated Uses Post Remediation

It is anticipated that the unfinished structure will be completed into a ten-story residential building, containing approximately twenty residential units. once the investigation and remediation are complete. This anticipated future use of the property is consistent with the current zoning.

Applicable zoning laws/maps and Plans

The site is currently zoned as paired district - manufacturing with residential district and sits within MX-8 special mixed use district. The surrounding areas to the north, west and south are also zoned MX-8 special mixed use district. The surrounding area to east is zoned R6B which is residential district. The current uses appear consistent with applicable zoning. The applicable zoning map is attached hereto.

The proposed post-remediation use as a six-story residential building is consistent with applicable zoning and the comprehensive community plans in the vicinity of the site. MX-8 special mixed use districts allow new residential and non-residential uses 'as-of-right' within the same building. In this district, a building that contains a residential use and any other use is a mixed use building. All anticipated uses for the site will be consistent with borough-wide efforts at revitalization and support efforts to remediate properties so that they can be redeveloped into the highest and best uses consistent with local land use and zoning.



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DATE	DESCRIPTION	CHK

SEAL & SIGNATURE



HYDROTECH ENVIRONMENTAL ENGINEERING AND GEOLOGY, DPC
 77 ARKAY DRIVE, SUITE K HAUPPAUGE, NY 11788
 15 OCEAN AVENUE, SUITE 2B BROOKLYN, NY 11225
 TEL: (631) 462-5866
 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 55 ECKFORD STREET
 BROOKLYN, NY

PROJECT FIGURE
 FIGURE 9: MAP OF ZONING

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.

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Map Legends

Points of Interest

- Property

FEMA Special Flood Hazard Area (or SFHA)

Moderate to Low Risk Areas

- X < 1% ACF
- 0.2 PC ACFH* < 1% ACF

High Risk Areas

- A 1% ACF, no base flood elevations
- AE 1% ACF, periodic base flood elevations

High Risk-Coastal Areas

- VE => 1% ACF + Storm Waves

Other Features

- Floodway
- COBRA**
- Open Water

* 0.2% Annual Chance of Flood Hazard
 ** Coastal Barrier Resources System Area
 ACF = Annual Chance of Flooding

Note: The current map does not cover changes made after Hurricane Sandy.



DATE	DESCRIPTION	CHK

SEAL & SIGNATURE



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 77 ARKAY DRIVE, SUITE K
 HAUPPAUGE, NY 11788
 15 OCEAN AVENUE, SUITE 2B BROOKLYN, NY 11225
 TEL: (631) 462-5866
 FAX: (631) 462-5877

BASE DRAWING PREPARED BY

PROJECT NAME AND ADDRESS
 55 ECKFORD STREET
 BROOKLYN, NY

PROJECT FIGURE
 FIGURE 10: MAP OF FLOOD ZONING

PROJECT NO. 190111	DATE 1/20/20
DRAWN BY A.R.	REVIEWED BY P.M.
SCALE (11X17) AS SHOWN	APPROVED BY P.M.