



## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

### PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

Amendment to [check one or more boxes below]

- Add
- Substitute
- Remove
- Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site?  Yes  No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

**Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

The original site size listed in both the application and BCA (4.88 acres) was based on erroneous info on NYC tax maps. The City listed the site size as 213,000+/- square feet (or 4.88 acres) instead of 312,000+/- sf (or 7.18 acres). When the survey for the easement was submitted, it listed the exact acreage (7.1832 acres), but it included lands under water. The NYSDEC requested that the applicant to revise the survey to exclude lands under water, and that survey came out as 6.9481 acres. This application is being submitted to make this minor change to the boundary of the BCP site which will result in an increase of the size of BCP site as originally listed in the application from 4.88 acres to 6.9481 acres. see attached site plan and property description.

**\*Please refer to the attached instructions for guidance on filling out this application\***

**Section I. Existing Application Information**BCP SITE NAME: **Former Consolidated Freightways Truck Terminal** BCP SITE NUMBER: **C224191**NAME OF CURRENT APPLICANT(S): **M & H Realty Developers a/k/a M & H Realty LLC**INDEX NUMBER OF EXISTING AGREEMENT: **C224191-07-14** DATE OF EXISTING AGREEMENT: **08/20/2014****Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)**

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)?  Yes  No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

NAME OF NEW REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached?  Yes  No

Describe Requestor's Relationship to Existing Applicant:

**Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)**

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

**Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)**

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 presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?  Yes  No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site?  Yes  No  
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 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, Department 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 the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?  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 NEW REQUESTOR MUST CERTIFY THAT IT 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 contamination 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 contamination.

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.

Requestor's Relationship to Property (check one):

Prior Owner  Current Owner  Potential /Future Purchaser  Other \_\_\_\_\_

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?  Yes  No

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

**Section V. Property description and description of changes/additions/reductions (if applicable)**

ADDRESS 11 West Street

CITY/TOWN Brooklyn, New York

ZIP CODE 11222

TAX BLOCK AND LOT (TBL) (in existing agreement )

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
11 West Street	2570-1		2570	1	4.88

Check appropriate boxes below:

- Changes to metes and bounds description or TBL correction
- Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

Approximate acreage added: 2.0681 acres

**ADDITIONAL PARCELS:**

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
11 West Street	2570-1		2570	1	6.9481

- Reduction of property

Approximate acreage removed: \_\_\_\_\_

**PARCELS REMOVED:**

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

**Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input 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 type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see <a href="#">DEC's website</a> for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>From ECL 27-1405(31):</b></p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>From 6 NYCRR 375- 3.2(a) as of August 12, 2016:</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>	

**PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT**

Existing Agreement Information	
BCP SITE NAME: Former Consolidated Freightways Truck Terminal	BCP SITE NUMBER: C224191
NAME OF CURRENT APPLICANT(S): M & H Realty Developers a/k/a M & H Realty LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C224191-07-14	
EFFECTIVE DATE OF EXISTING AGREEMENT: August 20, 2014	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
<p>(Individual)</p> <p>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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>I hereby affirm that I am (title _____) of (entity _____); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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.</p> <p>_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>

**Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)**

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am Lipa Friedman (title) of HHH Realty LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Lipa Friedman's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 6/26/18 Signature: \_\_\_\_\_

Print Name: Lipa Friedman

**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination 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 contamination.	<input checked="" type="checkbox"/> 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 contamination.
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Effective Date of the Original Agreement: 8/20/14

Signature by the Department:

DATED: 7/18/18

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By: [Signature]  
Michael J. Ryan, P.E., Director  
Division of Environmental Remediation

**SUBMITTAL INFORMATION:**

- **Two (2) copies, one hard 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

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**FOR DEPARTMENT USE ONLY**

**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**PROJECT MANAGER:** \_\_\_\_\_

**COMPANY RESOLUTION  
OF  
M&H REALTY LLC**

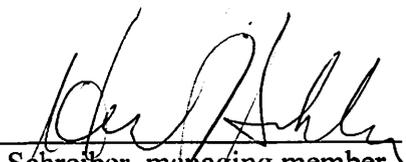
We, Herman Schreiber and Sam Goldstein as the managing members of M&H Realty LLC, on behalf of the company, have

**RESOLVED**, that the company authorizes Lipa Friedman to execute all required documents, pay all costs and expenses and conduct all business and real estate transactions on a daily basis in the ordinary course of business on behalf of the company;

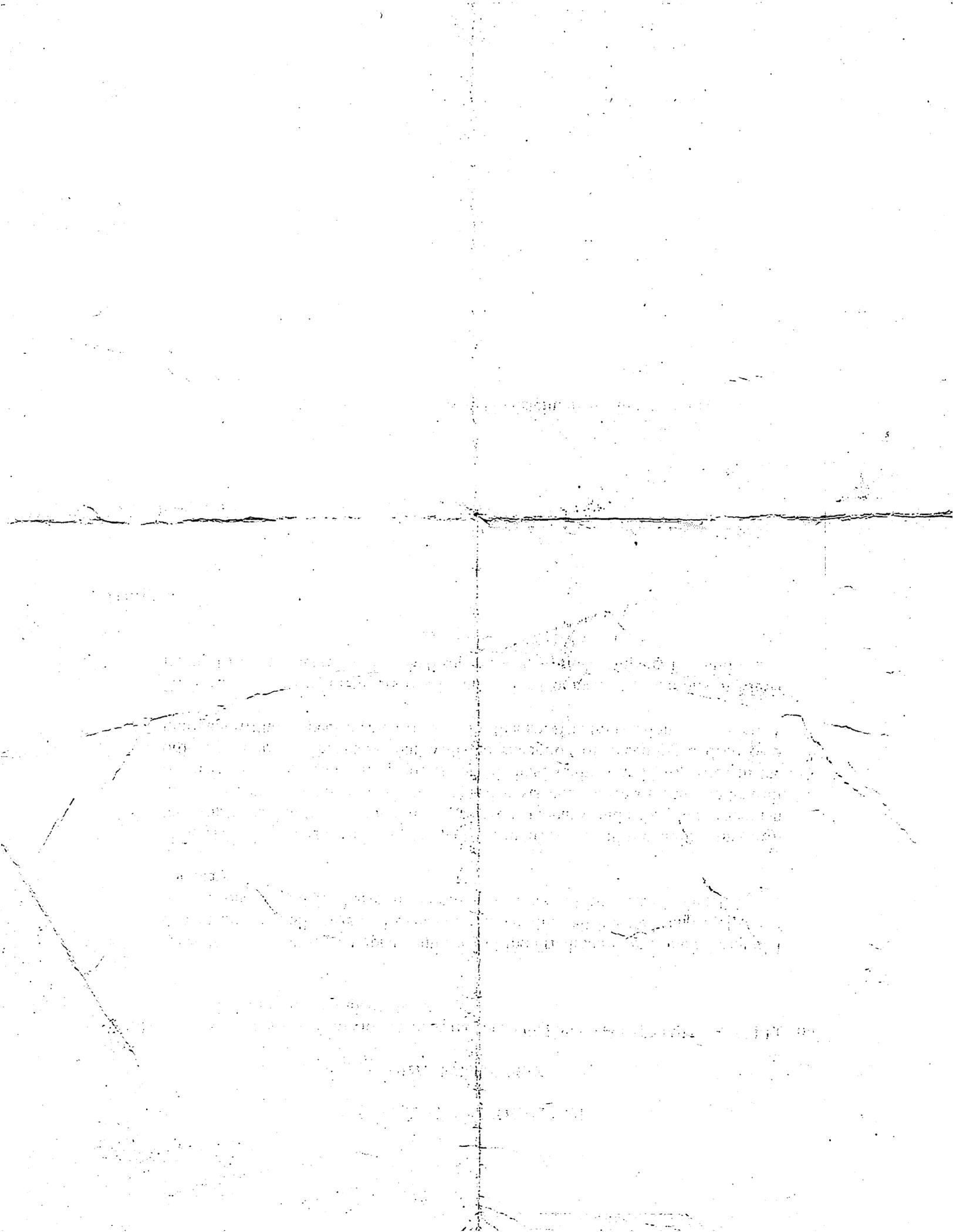
**RESOLVED**, we as members personally or indirectly of all the entities that own the properties that the company manages, we personally authorize Lipa Friedman to execute all required documents, pay all costs and expenses and conduct all business and real estate transactions for all those entities and properties in the ordinary course of business, but with the exception of executing a deed or a mortgage without specific authorization for that specific transaction.

**RESOLVED**, we as members revoke any prior Company Resolutions of M&H Realty LLC and this resolution shall supersede any prior Company Resolutions.

Dated: JAN 13/16

  
\_\_\_\_\_  
Herman Schreiber, managing member

  
\_\_\_\_\_  
Sam Goldstein, managing member



**LEGEND**

1576	B.L.D. NUMBER	1	GAS VALVE - ROUND
1577	TRAFFIC BOX	2	WATER VALVE - ROUND
1578	CABLE TV MANHOLE	3	UNKNOWN VALVE
1579	ELECTRIC MANHOLE	4	OIL FILL
1580	GAS MANHOLE	5	VENT PIPE
1581	FIRE DEPT. MANHOLE	6	GAS VALVE - SQUARE
1582	WATER MANHOLE	7	HYDRANT
1583	TELEPHONE MANHOLE	8	AUTOMATIC SPRINKLER
1584	CATCH BASIN	9	L.P. - LIGHT POLE
1585	EXISTING TREE	10	TRAFFIC LIGHT
1586	TELEPHONE BOOTH	11	TRAFFIC SIGN
1587	LINE ALARM BOX	12	PARKING METER
1588	CHIMNEY	13	MAIL BOX
1589	DC - DROP CURB	14	METAL GUARD POLE
1590	BR - BRICK	15	DRINK FOUNTAIN
1591	CE - CELLAR ENTRANCE	16	CONCRETE
1592	RET.WALL - RETAINING WALL	17	CONCRETE STEPS
1593	P.O.B. - POINT OF BEGINNING	18	BRICK STEPS
1594	FD.WALL - FOUNDATION WALL	19	METAL STEPS
1595	CH.L.F.E. - CHAIN LINK FENCE	20	CONCRETE WALL
1596	O.H.S.W. - OVERHEAD SERVICE WIRE	21	N/S - NORTH SIDE
1597	F.S.M. - FINAL SECTION MAP	22	TAX MAP
1598	O.H.COMM. - OVERHANG COMMERCIAL	23	IRREGULAR
1599	INV. - SEWER INVERT ELEVATION	24	ENTR. - ENTRANCE
1600	T.O.R. - TOP OF ROOF ELEVATION	25	ENTR. - ENTRANCE
1601	F.T.E.L. - FIRST FLOOR ELEVATION	26	CONNECTION
1602	T.O.P. - TOP OF ROOF PARAPET ELEVATION	27	AND THE SOUTHERN BOUNDARY LINE OF THE PARCEL.

**ELEVATION CONVERSION:**

ALL ELEVATIONS SHOWN ARE REFERRED TO NAVD88 (NORTH AMERICAN VERTICAL DATUM OF 1988) SHOWN IN PARENTHESES

CONVERSION TO NAVD88 COMPUTED WITH VERTCON (NORTH AMERICAN VERTICAL DATUM CONVERSION) SOFTWARE PROVIDED BY NATIONAL GEODETIC SURVEY

EXAMPLE: 9.29' (NAVD88) = 7.83' (BROOKLYN DATUM)  
TO OBTAIN BROOKLYN DATUM EQUIVALENCY SUBTRACT FROM NAVD88 1.46'

**MEAN HIGH WATER (MHW) LINE COMPUTATION**

MEAN HIGH WATER ELEVATION: 0.35' IN BROOKLYN DATUM, 1.81 IN NAVD88 DATUM

MEAN HIGH WATER COMPUTED WITH VDATUM SOFTWARE AND SURVEYED IN THE FIELD MARCH 1st, 2016

VDATUM (VERTICAL DATUM TRANSFORMATION) SOFTWARE PROVIDED BY NATIONAL OCEANIC ADMINISTRATION AND SURVEYED WITH NATIONAL GEODETIC SURVEY OFFICE OF COAST SURVEY AND CENTER FOR OPERATIONAL OCEANOGRAPHIC PRODUCTS AND SERVICES

VDATUM IS DESIGNED TO VERTICALLY TRANSFORM GEOSPATIAL DATA AMONG A VARIETY OF TIDAL ORTHOMETRIC AND ELLIPSOIDAL VERTICAL DATUMS

THERE WERE NO VISUAL CORRIDORS, WATERFRONT PUBLIC ACCESS AREAS AND OTHER PUBLIC ACCESS AREA ON OR ACROSS PROPERTY AT TIME OF ARCHITECTURAL SURVEY (04-17-2013) & SURVEY UPDATE (07-20-2017)

THERE WERE NO EXISTING PIERS, PLATFORMS AND FLOATING STRUCTURES ON OR ACROSS PROPERTY AT TIME OF ARCHITECTURAL SURVEY (04-17-2013) & SURVEY UPDATE (07-20-2017).

**FLOOD NOTE:**

THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION AE (EL 10) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON BROOKLYN COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF QUAY STREET WITH THE WESTERLY SIDE OF WEST STREET;

RUNNING NORTHERLY ALONG THE WESTERLY SIDE OF WEST STREET, 460 FEET TO THE SOUTHERLY SIDE OF OAK STREET;

THEN EASTERLY ALONG THE WESTERLY SIDE OF OAK STREET, 364 FEET;

THEN SOUTHERLY PARALLEL WITH WEST STREET, 101 FEET 6 INCHES;

THEN WESTERLY PARALLEL WITH OAK STREET, 356 FEET 3/8 INCHES (SURVEY), (355 FEET 10/8 INCHES DEED) TO THE U.S. BULKHEAD LINE APPROVED BY THE SECRETARY OF WAR ON NOVEMBER 7, 1917 AND JUNE 30, 1947.

THEN SOUTHERLY ALONG THE WESTERLY SIDE OF SAID BULKHEAD LINE, 369 FEET 3/8 INCHES (SURVEY), (371 FEET 3/8 INCHES DEED) TO THE NORTHERLY SIDE OF QUAY STREET AND

THEN EASTERLY ALONG THE NORTHERLY SIDE OF QUAY STREET, 808 FEET INCHES TO THE CORNER, THE POINT OR PLACE OF BEGINNING.

TOTAL AREA 312,899.23 SQ. FT. = 7.1832 ACRE

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF QUAY STREET WITH THE WESTERLY SIDE OF WEST STREET;

RUNNING NORTHERLY ALONG THE WESTERLY SIDE OF WEST STREET, 460 FEET TO THE SOUTHERLY SIDE OF OAK STREET;

THEN EASTERLY ALONG THE WESTERLY SIDE OF OAK STREET, 364 FEET;

THEN SOUTHERLY PARALLEL WITH WEST STREET, 101 FEET 6 INCHES;

THEN WESTERLY PARALLEL WITH OAK STREET, 356 FEET 3/8 INCHES (SURVEY), (355 FEET 10/8 INCHES DEED) TO THE U.S. BULKHEAD LINE APPROVED BY THE SECRETARY OF WAR ON NOVEMBER 7, 1917 AND JUNE 30, 1947.

THEN SOUTHERLY ALONG THE WESTERLY SIDE OF SAID BULKHEAD LINE, 369 FEET 3/8 INCHES (SURVEY), (371 FEET 3/8 INCHES DEED) TO THE NORTHERLY SIDE OF QUAY STREET AND

THEN EASTERLY ALONG THE NORTHERLY SIDE OF QUAY STREET, 808 FEET INCHES TO THE CORNER, THE POINT OR PLACE OF BEGINNING.

TOTAL AREA 312,899.23 SQ. FT. = 7.1832 ACRE

**GeoLand**  
LAND SURVEYING P.C.  
Phone: (718) 701-6000 www.GeoLandCorp.com  
Fax: (718) 701-2265 Email: info@geolandcorp.com  
1317 Park Ave, New Hyde Park, NY 11040

**PROJECT ADDRESS:**  
#11-#27 WEST STREET  
BROOKLYN, KINGS CO., NEW YORK  
BLOCK ... 2570 LOT ... 1

**CERTIFIED TO:**

DRAWN BY: J.P.  
SCALE: 1" = 30'  
SURVEYED FOR: HALCYON MANAGEMENT GROUP, LLC

REVISIONS DESCRIPTION DATE JOB NO.  
1. ARCHITECTURAL SURVEY 04-17-2013 GLS13069  
FOR LATER REVISIONS SEE: GLS14175, GLS14260, GLS15151, GLS15291, GLS15501, GLS15729, GLS16101, GLS17068, GLS17247, GLS17483, GLS17490, GLS18051  
2. ARCHITECTURAL SURVEY UPDATE 11-16-2017 GLS17483  
3. PROPOSED PARCEL II & III ADDED 03-12-2018 GLS18094  
4. "BCP" BOUNDARY NAMING AMENDED 03-13-2018 GLS18094  
5. ADDITIONAL INFORMATION 03-20-2018 GLS18094  
6. ADDITIONAL INFORMATION 04-30-2018 GLS18094

Certification Indicated hereon signifies that this survey was prepared in accordance with the existing Code of Practice for Land Surveying adopted by the New York State Board of Professional Land Surveyors. Said certification shall run only for the person for whom the survey was prepared, and shall be limited to the specific governmental agency and building institution listed hereon, and to the assignment of the building institution.

Certifications are not transferable to additional institutions or subsequent owners. Unsubstantiated alteration or addition to a survey may be deemed a violation of section 209-subsection 5, of the New York State Education Law.

Only copies from the original of this survey marked with an original of the land surveyor's enclosed seal shall be considered to be valid true copies.

SURVEYED BY PAWEŁ KOPONSKI - N.Y.S. L.L.S. #050881

**REQUIREMENTS FOR VISUAL CORRIDOR, WATER PUBLIC ACCESS AREA AND UPLAND CONNECTION**

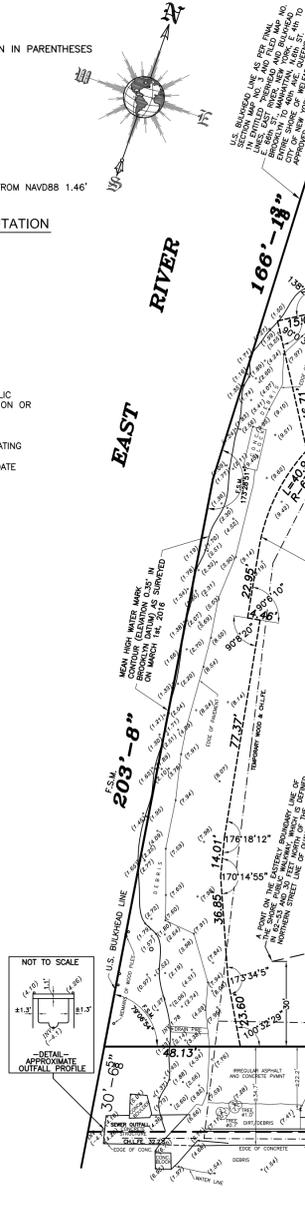
AN UPLAND CONNECTION SHALL BE PROVIDED BETWEEN WEST STREET AND THE SHORE PUBLIC WALKWAY. THE SOUTHERN BOUNDARY OF SUCH UPLAND CONNECTION SHALL BE DEFINED BY A LINE BETWEEN THE INTERSECTION OF THE PROLONGATION OF THE SOUTHERN STREET LINE# OF CALYER STREET AND THE WESTERN STREET LINE# OF WEST STREET, AND A POINT ON THE EASTERLY BOUNDARY OF THE SHORE PUBLIC WALKWAY 30 FEET NORTH OF THE NORTHERN STREET LINE# OF QUAY STREET.

SHORE PUBLIC WALKWAY IS DEFINED IN 62-53 AS A 40' FOR ZONING AREAS ON THE SITE, MEASURED FROM SEAWARD EDGE OF WATERFRONT YARD AS ESTABLISHED IN 62-332.

A VISUAL CORRIDOR SHALL BE PROVIDED THROUGH BLOCK 2570, LOT 1 (PARCEL 14 - AS PER WATERFRONT ACCESS PLAN) AS THE PROLONGATION OF THE STREET LINES# OF OAK STREET.

TWO SUPPLEMENTAL PUBLIC ACCESS AREAS SHALL BE PROVIDED. A SUPPLEMENTAL PUBLIC ACCESS AREA# WITH A MINIMUM OF 9,000 SQUARE FEET SHALL BE PROVIDED BETWEEN THE PROLONGATION OF THE NORTHERN STREET LINE# OF CALYER STREET AND THE PROLONGATION OF THE NORTHERN BOUNDARY OF THE REQUIRED CALYER STREET UPLAND CONNECTION# TO WIDEN THE SHORE PUBLIC WALKWAY#

SUPPLEMENTAL PUBLIC ACCESS AREAS# SHALL BE LOCATED IN THE AREA BOUNDED BY THE SOUTHERN BOUNDARY OF THE REQUIRED CALYER STREET UPLAND CONNECTION#, THE SHORE PUBLIC WALKWAY# AND THE SOUTHERN BOUNDARY LINE OF THE PARCEL.



**GENERAL NOTES:**

- TOTAL AREA OF LOT #1 = 312,899.23 SQ FT
- THE SUBJECT PROPERTY SHOWS NO EVIDENCE OF SITE USE A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT AND IS SUBJECT TO THE COVENANTS, RESTRICTIONS AND EASEMENT THAT MAY BE CONTAINED THEREIN.
- THE LOCATION AND EXTENTS OF UNDERGROUND VAULTS, IF ANY EXIST, HAVE NOT BEEN DETERMINED BY THE SURVEYOR.
- THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ARE BASED ON VISIBLE ABOVE GROUND STRUCTURES, MARK OUT BY OTHERS, AND RECORD UTILITY DRAWINGS. ADDITIONAL BURIED UTILITIES AND STRUCTURES MAY BE ENCOUNTERED.

ALL SUBSURFACE UTILITY LOCATIONS AND DEPTH SHOULD BE RECHECKED AND LEGAL GRADES SHOULD BE VERIFIED WITH THE TOPOGRAPHICAL BUREAU, PREFERABLY IN WRITING BEFORE COMMENCING FINAL DESIGN OR CONSTRUCTION.

REFER TO ARTICLE 36 OF THE GENERAL BUSINESS LAW AND THE PROVISIONS OF INDUSTRIAL CODE PART (RULE NO. 53) BEFORE ANY EXCAVATION OR DEMOLITION IS COMMENCED. THESE LAWS REQUIRE EACH EXCAVATOR TO GIVE ADVANCE NOTICE TO ALL OPERATORS OF UNDERGROUND FACILITIES OF HIS INTENT TO PERFORM EXCAVATION OR DEMOLITION WORK IN THE SPECIFIED AREAS.

LEGAL GRADES ARE REFERRED TO THE TOP OF CURB.

**NEW LEGAL DESCRIPTION (PROPOSED BOUNDARY FOR BCP)**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF QUAY STREET WITH THE WESTERLY SIDE OF WEST STREET;

RUNNING THENCE WESTERLY ALONG THE NORTHERLY SIDE OF QUAY STREET, 760.32 FEET, (760 FEET 3/8 INCHES);

THENCE NORTHERLY WITH INTERIOR ANGLE 100 DEGREES 32 MINUTES 29 SECONDS WITH THE LAST MENTIONED COURSE, 23.60 FEET, (23 FEET 7/8 INCHES);

THENCE NORTHERLY WITH INTERIOR ANGLE 173 DEGREES 34 MINUTES 05 SECONDS WITH THE LAST MENTIONED COURSE, 36.85 FEET, (36 FEET 10 1/2 INCHES);

THENCE NORTHERLY WITH INTERIOR ANGLE 170 DEGREES 14 MINUTES 55 SECONDS WITH THE LAST MENTIONED COURSE, 14.01 FEET, (14 FEET 1/8 INCHES);

THENCE NORTHERLY WITH INTERIOR ANGLE 176 DEGREES 18 MINUTES 12 SECONDS WITH THE LAST MENTIONED COURSE, 77.37 FEET, (77 FEET 4 1/2 INCHES);

THENCE WESTERLY WITH EXTERIOR ANGLE 90 DEGREES 08 MINUTES 20 SECONDS WITH THE LAST MENTIONED COURSE, 4.46 FEET, (4 FEET 5/8 INCHES);

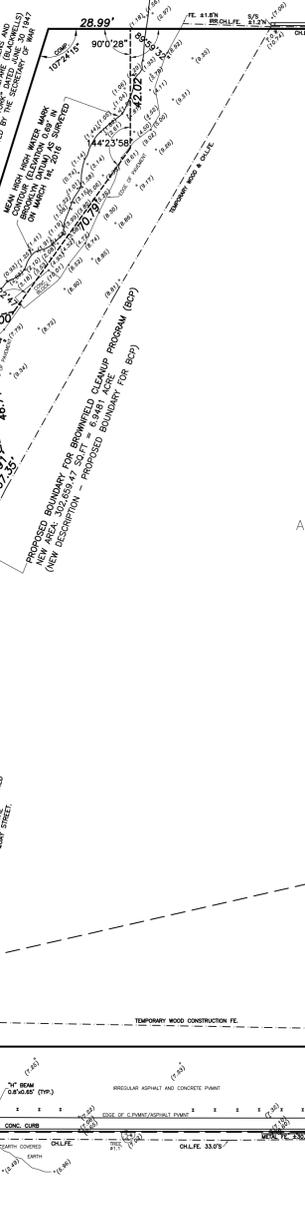
THENCE NORTHERLY WITH INTERIOR ANGLE 90 DEGREES 06 MINUTES 10 SECONDS WITH THE LAST MENTIONED COURSE, 22.95 FEET, (22 FEET 11 1/2 INCHES);

THENCE NORTHEASTERLY ALONG ARC WITH RADIUS 67.35 FEET, 40.91 FEET, (40 FEET 10 1/2 INCHES);

PARALLEL WITH OAK STREET  
COMP. 356'-3/8"  
DEED 355'-10 1/8"

LOT NO. 36

TOTAL AREA 302,659.47 SQ. FT. = 6.9481 ACRE



**EASEMENT NOTE**

THIS PROPERTY IS SUBJECTED TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV.

THENCE NORTHWESTERLY 46.71 FEET, (46 FEET 7/8 INCHES);

THENCE EASTERLY WITH INTERIOR ANGLE 90 DEGREES 00 MINUTES 03 SECONDS WITH THE LAST MENTIONED COURSE, 15.00 FEET;

THENCE NORTHEASTERLY WITH EXTERIOR ANGLE 138 DEGREES 22 MINUTES 47 SECONDS WITH THE LAST MENTIONED COURSE, 70.79 FEET, (70 FEET 9/8 INCHES);

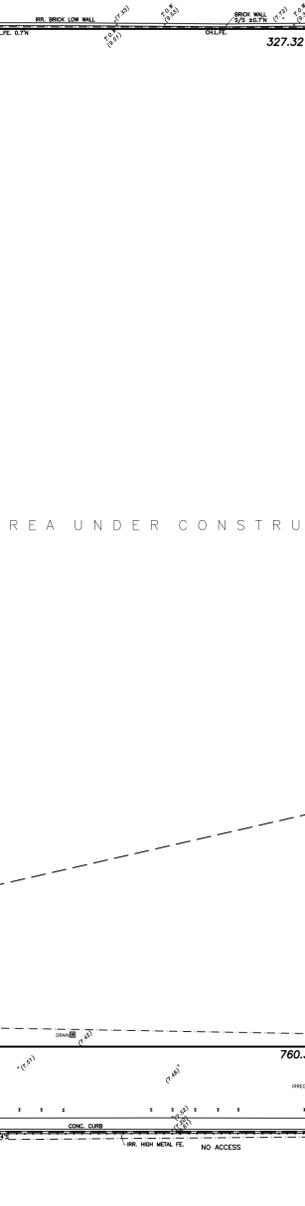
THENCE NORTHERLY WITH EXTERIOR ANGLE 144 DEGREES 23 MINUTES 58 SECONDS WITH THE LAST MENTIONED COURSE, 42.02 FEET, (42 FEET 1/8 INCHES);

THENCE EASTERLY WITH INTERIOR ANGLE 89 DEGREES 59 MINUTES 32 SECONDS WITH THE LAST MENTIONED COURSE, 327.32 FEET, (327 FEET 3/8 INCHES);

THENCE NORTHERLY PARALLEL WITH WEST STREET, 101.50 FEET, (101 FEET 6 INCHES);

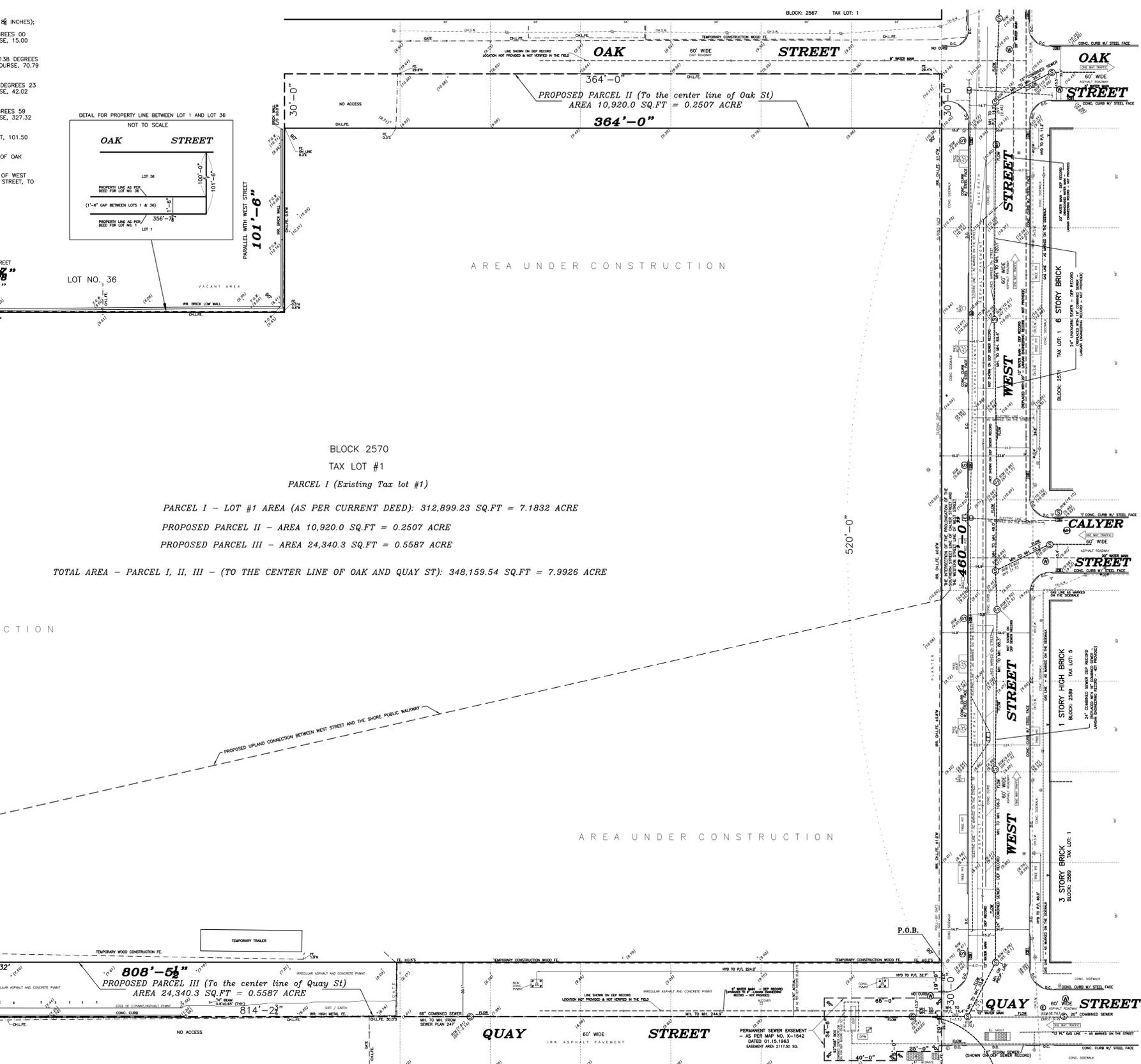
THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF OAK STREET, 364.00 FEET;

THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF WEST STREET, 460.00 FEET TO THE SOUTHERLY SIDE OF OAK STREET, TO THE POINT OR PLACE OF BEGINNING;



**GRAPHIC SCALE**  
(IN FEET)  
1 INCH = 30 FT.

**GRAPHIC SCALE**  
(IN METERS)  
1 INCH = 9.144 METERS



**REVISIONS DESCRIPTION**

NO.	DESCRIPTION	DATE	JOB NO.
1.	ARCHITECTURAL SURVEY	04-17-2013	GLS13069
2.	ARCHITECTURAL SURVEY UPDATE	11-16-2017	GLS17483
3.	PROPOSED PARCEL II & III ADDED	03-12-2018	GLS18094
4.	"BCP" BOUNDARY NAMING AMENDED	03-13-2018	GLS18094
5.	ADDITIONAL INFORMATION	03-20-2018	GLS18094
6.	ADDITIONAL INFORMATION	04-30-2018	GLS18094

FOR LATER REVISIONS SEE: GLS14175, GLS14260, GLS15151, GLS15291, GLS15501, GLS15729, GLS16101, GLS17068, GLS17247, GLS17483, GLS17490, GLS18051

1. ARCHITECTURAL SURVEY 04-17-2013 GLS13069

2. ARCHITECTURAL SURVEY UPDATE 11-16-2017 GLS17483

3. PROPOSED PARCEL II & III ADDED 03-12-2018 GLS18094

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6. ADDITIONAL INFORMATION 04-30-2018 GLS18094