

FORMER SUNBELT EQUIPMENT

**25 KENT AVENUE
BROOKLYN, NEW YORK
Block 2312 Lot 1**

NEW YORK STATE BROWNFIELD CLEANUP PROGRAM APPLICATION AND SUPPLEMENTAL INFORMATION



**New York State Department of Environmental Conservation
Brownfields and Voluntary Cleanup Section
625 Broadway, 11th floor
Albany, NY 12233-7015**

December 2014

Prepared for:

**19 Kent Development LLC
199 Lee Avenue # 693
Brooklyn, NY 11211**

Prepared By:

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

**1808 Middle Country Road
Ridge, NY 11961**

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FORMER SUNBELT EQUIPMENT

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NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14



08/2013

DEPARTMENT USE ONLY
BCP SITE #:

Section I. Requestor Information		
NAME 19 Kent Development LLC		
ADDRESS 199 Lee Avenue # 693		
CITY/TOWN Brooklyn		ZIP CODE 11211
PHONE (347) 229-7527	FAX	E-MAIL Toby@heritage-equity.com
<p>Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>-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 DEC with the application, to document that the applicant is authorized to do business in NYS.</p> <p>-Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: <u>Technical Guidance for Site Investigation and Remediation</u> and New York State Education Law. Documents that are not properly certified will not be approved under the BCP.</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
NAME OF REQUESTOR'S REPRESENTATIVE Toby Moskovits		
ADDRESS Same as above		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
NAME OF REQUESTOR'S CONSULTANT Environmental Business Consultants		
ADDRESS 1808 Middle Country Road		
CITY/TOWN Ridge		ZIP CODE 11961
PHONE 631-504-6000	FAX 631-924-2870	E-MAIL csosik@ebcincny.com
NAME OF REQUESTOR'S ATTORNEY Jon Schuyler Brooks - Phillips Nizer LLP		
ADDRESS 600 Old Country Road, Suite 305		
CITY/TOWN Garden City		ZIP CODE 11530-2011
PHONE (516) 229-9401	FAX (516) 228-9612	E-MAIL JBrooks@PhillipsNizer.com
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:		
<input type="checkbox"/> 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.	<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 disposal of hazardous waste or discharge of petroleum. NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.	
Requestor Relationship to Property (check one):		
<input type="checkbox"/> Previous Owner <input checked="" type="checkbox"/> Current Owner <input type="checkbox"/> Potential /Future Purchaser <input type="checkbox"/> Other _____		
If requestor is not the site owner, requestor will have access to the property throughout the BCP project. <input type="checkbox"/> Yes <input type="checkbox"/> No		
-Proof of site access must be submitted for non-owners		

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 10, 2014.

Selected Entity Name: 19 KENT DEVELOPMENT LLC

Selected Entity Status Information

Current Entity Name: 19 KENT DEVELOPMENT LLC

DOS ID #: 4325347

Initial DOS Filing Date: NOVEMBER 28, 2012

County: KINGS

Jurisdiction: DELAWARE

Entity Type: FOREIGN 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)

19 KENT DEVELOPMENT LLC
199 LEE AVE #693
BROOKLYN, NEW YORK, 11211

Registered Agent

REGISTERED AGENT REVOKED

, ,

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
NOV 28, 2012	Actual	19 KENT DEVELOPMENT 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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Section II. Property Information**Check here if this application is to request significant changes to property set forth in an existing BCA:** ☐

Existing BCP site number: _____

PROPERTY NAME **Former Sunbelt Equipment**ADDRESS/LOCATION **25 Kent Avenue** CITY/TOWN **Brooklyn** ZIP CODE **11249**

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

City of New YorkCOUNTY **Kings** SITE SIZE (ACRES) **1.83**LATITUDE (degrees/minutes/seconds) **40 ° 43 ' 22.62 "** LONGITUDE (degrees/minutes/seconds) **73 ° 57 ' 28.04 "**HORIZONTAL COLLECTION METHOD: ☐ SURVEY ☐ GPS ☒ MAP HORIZONTAL REFERENCE DATUM: **WGS84**

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
25 Kent Avenue, Brooklyn, NY 11249		3	2282	1	1.83

1. Do the property boundaries correspond to tax map metes and bounds? ☒ Yes ☐ No
If no, please attach a metes and bounds description of the property.
2. Is the required property map attached to the application? (application will not be processed without map) ☒ Yes ☐ No
3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)? ☐ Yes ☒ No
For more information please see Empire State Development's [website](#).
If yes, identify area (name) _____
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)? If yes, identify name of properties in related BCP applications: _____ ☐ Yes ☒ No

5. Property Description Narrative:

The Site is located in the Williamsburg section of the borough of Brooklyn (Kings County) and is identified as Block 2282 Lots 1, 15, 28 and 34. The Site comprises the full block with approximately 200 ft of frontage along Kent and Wythe Avenues and 400 ft of frontage along N. 12th and N. 13th Streets. The property is currently vacant lot but was most recently used by a construction equipment rental company for storage and maintenance of heavy equipment. Prior uses include, paint manufacturing, lumber storage scrap metal yard and Standard Oil Pratt Works.

6. List of Existing Easements (type here or attach information)

<u>Easement Holder</u>	<u>Description</u>
No easements were identified	

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

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
No permits were identified		

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

Initials of each Requestor: TM _____

Section III. Current Property Owner/Operator Information

OWNER'S NAME Same as Requestor

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME None, the property is vacant

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the requestor subject to an existing order relating to contamination at the site? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Has the requestor been determined to have violated any provision of ECL Article 27? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Has the requestor previously been denied entry to the BCP? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

- | | | |
|--|------------------------------|--|
| 1. Is the property, or was any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the property, or was any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # _____ Class # _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Is the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. 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. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Section VI. Project Description

What stage is the project starting at?

☐ Investigation☒ Remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. Environmental Reports

A Phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): ☒ Yes ☐ No

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	Surface Water	Sediment	Soil Gas
Petroleum	x	X			X
Chlorinated Solvents		X			X
Other VOCs					
SVOCs	x	X			
Metals	x				
Pesticides					
PCBs	x				
Other*					

*Please describe: _____

3. SUSPECTED CONTAMINANTS: INDICATE SUSPECTED CONTAMINANTS AND THE MEDIA WHICH MAY HAVE BEEN AFFECTED. PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS (CHECK ALL THAT APPLY). PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

☐ Above Ground Pipeline or Tank ☐ Lagoons or Ponds ☒ Underground Pipeline or Tank ☒ Surface Spill or Discharge
☒ Routine Industrial Operations ☐ Dumping or Burial of Wastes ☐ Septic tank/lateral field ☐ Adjacent Property
☒ Drums or Storage Containers ☐ Seepage Pit or Dry Well ☐ Foundry Sand ☐ Electroplating
☐ Coal Gas Manufacture ☐ Industrial Accident ☐ Unknown
 Other: _____

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

☐ Coal Gas Manufacturing ☒ Manufacturing ☐ Agricultural Co-op ☐ Dry Cleaner ☐ Salvage Yard ☐ Bulk Plant
☐ Pipeline ☐ Service Station ☐ Landfill ☐ Tannery ☐ Electroplating ☐ Unknown
 Other: Paint / Varnish manufacturing, equipment yard with underground gas tanks, Petroleum works, lumber storage

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

Section VIII. Contact List Information

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. In cities with a population of one million or more, the local community board if the proposed site is located within such community board's boundaries (*note: per the 2010 census, New York City is the only city in NY with a population over one million).
8. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

1. Current Use: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Recreational (check all that apply) Provide summary of business operations as an attachment.	
2. Intended Use Post Remediation: <input checked="" type="checkbox"/> Unrestricted <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial (check all that apply) Provide specifics as an attachment.	
3. Do current historical and/or recent development patterns support the proposed use? (See #14 below re: discussion of area land uses)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Is the proposed use consistent with applicable zoning laws/maps?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Are there any federal or state land use designations relating to this site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9. Is the property accessible to existing infrastructure?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
12. Are there floodplains within ½ mile?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13. Are there any institutional controls currently applicable to the property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
14. Describe the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas in an attachment.	
15. Describe the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas in an attachment.	
16. Describe the geography and geology of the site in an attachment.	

Section X. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. 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 an requestor other than an individual)

I hereby affirm that I am Managing Member (title) of 19 Kent Development LLC (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. If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 12/30/14 Signature: Lohy Moskowitz Print Name: LOBY MOSKOWITZ

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD, 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
- **One (1)** paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our [website](#) for the address of our regional offices.

FOR DEPARTMENT USE ONLY

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

RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being a member and manager of 19 Kent Development LLC, a New York limited liability company (the "Company"), does hereby resolve that:

Toby Moskowitz

1. _____ is an officer of the Company and has the full power and authority on behalf of the Company to:

(a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");

(b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the Company's participation in the BCP;

(c) Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, and tax returns;

(d) Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this unanimous consent are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by the sole member of this company, of the revocation hereof by a resolution duly adopted by the sole member of this company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC's receipt of such notice.

3. The undersigned hereby represents and warrants that (i) the undersigned is a member and manager of the Company; and (ii) the consent of any member and manager is sufficient to authorize the Company to take the aforementioned actions.



Dated: December 30, 2014
Brooklyn, NY

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BCP APPLICATION - SUPPLEMENTAL INFORMATION

FORMER SUNBELT EQUIPMENT

FIGURES

Figure 1	USGS 7.5 Minute Quadrangle
Figure 2	NYC Tax Map
Figure 3	Site Plan
Figure 4	Project Site and Adjacent Properties
Figure 5	Area Schools and Childcare Facilities 0.25 miles from the Site
Figure 6	Surrounding Land Use
Figure 7	En-Zone Map
Figure 8	Environmental Justice Area
Figure 9	Flood Zone Map

ATTACHMENTS

Attachment A	Property Deed
Attachment B	Environmental Reports (Digital Files on CD): Phase I Environmental Site Assessment Screening - EBC (Nov 2014) Spill File 9906462 Documents Remedial Investigation Report - EBC (Dec 2014)
Attachment C	Cost Analysis for Established Environmental Conditions
Attachment D	Authorization to Sign on Behalf of LLC
Attachment E	Greenpoint - Williamsburg Rezoning Action

1.0 INTRODUCTION (Application Section I-III)

19 Kent Development LLC seeks to remediate and redevelop a property located on Kent Avenue in the Williamsburg neighborhood of Brooklyn, NY (the "Site") (see **Figure 1**). The address of the Site is 25 Kent Avenue, Brooklyn, NY. It is comprised of a single tax parcel identified as Block 2282, Lot 1. (**Figure 2**). The Site is currently vacant lot but was previously occupied by Sunbelt Equipment, a construction equipment leasing/rental company.

The Site has confirmed contamination in soil and groundwater which is related to historic fuel storage in underground tanks and equipment storage and maintenance.

19 Kent Development LLC plans a commercial redevelopment of the Site consisting of a new 10 story building which will occupy the entire Site. The nature and extent of existing contamination and the potential for off-site contamination related to this property, however, complicates the redevelopment plan. Accordingly, 19 Kent Development LLC is submitting its application for entry into the BCP to the New York State Department of Environmental Conservation (NYSDEC). This document contains the supplemental information required in the application package.

1.1 Requestor Information

19 Kent Development LLC is the applicant for the project and is applying to the program as a Volunteer. 19 Kent Development LLC is the current owner of the property (**Attachment A**), and is not affiliated in any way with the past property owners or operators, or the release of contaminants at the site. As the owner of the property, 19 Kent Development LLC has access to the Site to implement the required remedial actions that will be required under the BCP.

1.2 Property Information

The Site to be remediated and redeveloped is located in the Williamsburg section of Kings County and is comprised of a single tax parcel (**Figure 2**) totaling 80,000 square feet (1.83 acres). The Site is located in the City of New York and Borough of Brooklyn. The lot encompasses the entire block with approximately 200 ft of street frontage on Kent and Wythe Avenues and 400 feet of street frontage on N. 12th and N. 13th Streets. Currently the property is vacant but was most recently occupied by Sunbelt Equipment, a construction equipment rental company.

The Site had been improved with two groups of interconnected structures, identified as the East and West Buildings. The West Building is situated at the south-central portion of the Site and is comprised of one (1) one-story structure and two (2) one and partial two-story structures, each of which fronts along North 12th Street. These structures have an approximate footprint of 10,500 s.f. The Eastern Building is an "L"-shaped structure comprised of two (2) interconnected two-story buildings, with a partial basement (boiler room). The buildings have an approximate footprint of 11,375 s.f., and run west along North 12th Street from Wythe Avenue, before turning north, and continuing to the northern property boundary along North 13th Street. The buildings are vacant/unoccupied, and partially demolished (missing roofs and windows) related to recent asbestos abatement activities. Remaining portions of the Site consist of asphalt and concrete paved yard areas, except for a small unpaved area at the northeastern portion of the Site. The perimeter of the Site, not

bounded by buildings, is enclosed with chain-link, corrugated metal and/or plywood fencing approximately 10 feet tall, with a sidewalk shed located along portions of North 12th Street and roll-up access gates located on the north, south and east sides of the property. Concrete block walls, approximately 2-3 feet tall also border portions of the northern, eastern and western property boundaries, topped by the aforementioned fencing. See **Figure 3** - Site Plan.

The elevation of the Site is ranges from 11 to 15 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the west. The depth to groundwater beneath the Site is approximately 5-12 feet below grade. According to an investigation performed on the property in 2006, groundwater flows to the southeast. This flow direction was confirmed during the RI.

The December 31, 2012 deed identifies the four previous lot designations (1, 15, 28 and 34). The four lots were subsequently merged into a single lot (Lot 1) as shown on **Figure 2**. The legal description of the four lots is defined as follows:

Parcel I:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 North 12th Street and the easterly side of Kent Avenue:

RUNNING THENCE northerly along the easterly side of Kent Avenue, 200 feet to the corner formed by the intersection of the easterly side of Kent Avenue and the southerly side of North 13th Street;

THENCE easterly along the southerly side of North 13th Street, 250 feet;

THENCE southerly parallel with Kent Avenue, 100 feet;

THENCE westerly parallel with North 13th Street, ISO feet;

THENCE southerly parallel with Kent Avenue, 100 feet to the northerly side of North 12th Street; and

THENCE westerly along the northerly side of North 12th Street, 100 feet to the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only. Designated as Block 2282 Lot 1 and also known as 19 Kent Avenue.

Parcel II:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 a point on the northeasterly side of North 12th Street, distant 240 feet 3 1/2 inches northwesterly from the corner formed by the intersection of the northeasterly side of North 12th Street with the northwesterly side of Wythe Avenue;

RUNNING THENCE northeasterly parallel with Wythe Avenue, 73 feet 3 inches;

THENCE southeasterly parallel with North 12th Street, 6 inches;

THENCE northeasterly at right angles to North 12th Street, 26 feet 9 inches to the center line of the block;

THENCE northwesterly along the center line of the block and parallel with North 12th Street, 60 feet 2 1/2 inches;

THENCE southwesterly parallel with Wythe Avenue, 100 feet to the Northeasterly side of North 11th Street;

THENCE southeasterly along the Northeasterly side of North 12th Street, 59 feet 8 1/2 inches to the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only. Designated as Block 2282 Lot 34 and also known as 77 North 12th Street.

Parcel III and IV:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 westerly side of Wythe Avenue and the southerly side of North 13th Street;

RUNNING THENCE in a westerly direction along the southerly side of North 13th Street, a distance of 150 feet. Said point being distant 250 feet easterly from the intersection formed by the intersection of the southerly side of North 13th Street and the easterly side of Kent Avenue;

THENCE in a southerly direction from said point and parallel with the easterly side of Kent Avenue and the westerly side of Wythe Avenue, a distance of 100 feet to the center line of the block between North 13th Street and North 12th Street;

THENCE westerly along the said center line of the block, a distance of 89 feet 9 1/2 inches more or less;

THENCE southerly 26 feet 9 inches;

THENCE westerly and parallel with the northerly side of North 12th Street, a distance of 6 inches;

THENCE southerly from said point a distance of 73 feet 3 inches to the northerly side of North 12th Street to a point thereon westerly, a distance of 240 feet 3 1/2 inches from the intersection of the westerly side of Wythe Avenue and the northerly side of North 12th Street;

THENCE easterly along the northerly side of North 12th Street, a distance of 240 feet 3 1/2 inches to the corner formed by the intersection of the westerly side of Wythe Avenue and the northerly side of North 12th Street;

THENCE northerly along the westerly side of Wythe Avenue, a distance of 200 feet to the corner formed by the intersection of the westerly side of Wythe Avenue and the southerly side of North 13th Street, the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only. Designated as Block 2282 Lot 28 and 15 and also known as 83 North 12th Street and 77 North 13th Street.

1.3 Current Property Owners / Operators

Current owners (see **Appendix A - Deed**) and operators are as follows:

Owner: 19 Kent Development LLC
Address: 199 Lee Ave #693
Brooklyn, New York, 11211
Phone: (347) 229-7527

Operator: None, the property is vacant
Address:
Phone:

2.0 PROJECT DESCRIPTION (Application Section VI)

2.1 Project Overview / Eligibility

The Requestor intends to redevelop the property with a new 10-story commercial building which will cover the entire Site. Plans include a 2-level cellar parking garage requiring excavation of the entire Site to a depth of 15-20 ft below grade. With groundwater present at 12 feet below grade, dewatering will be required during construction of the building's foundation.

The project includes retail space on the first floor, a health care facility on floors 2 through 9 and office space on the 10th floor. The basement levels will be used for parking and meter rooms.

The lender/investors for this project will require any cleanup be conducted with oversight of the NYSDEC so that the NYSDEC can issue a certificate of completion and liability release from the State of NY. The BCP will allow the applicant to satisfy this requirement as well as to limit its liability to on-site contamination by virtue of its status as a "Volunteer" under the BCP.

The remediation of the existing contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be adverse scheduling impacts on the present completion schedule associated with soil sampling and excavation site constraints that will extend the timeframes customarily required for traditional site excavation.

2.2 Scope of the Brownfield Project

A Remedial Investigation (RI) was completed to collect data of sufficient quality and quantity to characterize the nature and extent of known petroleum and other potential contaminants in on-site soil, groundwater and soil gas. The RI included a qualitative exposure assessment for future occupants of the proposed building and the surrounding community and to evaluate alternatives to remediate the contamination. A Draft Remedial Action Work Plan has also been prepared for the project under the BCP. The remedial plan calls for the full excavation of the entire Site to a depth of approximately 15-20 feet below grade with dewatering and treatment of groundwater beneath at the Site. The remedial plan specifies a Track 1 - cleanup which will meet unrestricted soil cleanup objectives. A Track 2 cleanup, meeting restricted residential soil cleanup objectives for the top 15 feet of soil, is provided as a contingency.

Further details on the projected scope of the brownfield project, including estimated costs, are provided in Section 3.5 and in the Draft Remedial Action Work Plan submitted with this application.

2.3 Benefits to the Community

In 2005 the Department of City Planning proposed a zoning map amendment affecting 184 blocks in the Greenpoint and Williamsburg neighborhoods in Brooklyn. The rezoning action known as the Greenpoint - Williamsburg rezoning, was the first comprehensive revision of zoning since the last major revision of the Zoning Resolution in 1961.

The objectives of the rezoning strategy were to provide opportunities for new residential and commercial development and enhance and upgrade the waterfront areas through the following:

- Create opportunities for new housing development on underutilized and vacant land formerly used for manufacturing;
- Bring existing non-conforming residential uses into conformance; and,
- Provide mixed-use districts which would permit the continuation of light industrial uses as well as residential re-use of underutilized and vacant land.

In 2005 the subject Site was rezoned from M3-1 (heavy industrial) to M1-2 (light industrial including hotels, retail, offices, etc.) as part of the Greenpoint-Williamsburg Rezoning Action (CEQR No. 04DCP003K). The purpose of the rezoning was to facilitate the development of the lots under the City's Quality Housing Program. Similar rezoning actions in the area including the Williamsburg Bridge Area rezoning were performed to "provide opportunities for the development of residential uses on underutilized and vacant land and legalize existing non-conforming uses."

In response to the change in zoning, the area has seen significant redevelopment as old industrial, commercial buildings and warehouses have been replaced by multi-story residential buildings including new mixed use building projects east of the Site. The Project's planned commercial use blends perfectly with this pattern of development as the existing industrial buildings / yard area are replaced with a new multi-use construction which includes a retail space, a health care facility and office space.

Local Job Creation

The project is estimated to create a minimum of 225 temporary construction jobs for a period of approximately 2 years. A variety of permanent jobs will also be created including 250 full time permanent jobs associated with the health care facility, and 60 full time permanent jobs associated with the retail and office space.

The proposed project delivers these benefits on a site that is underutilized and currently at risk of becoming a liability to the community due to its historic use as a construction equipment yard, paint / varnish manufacturing, scrap metal yard and oil processing facility, and the presence of related contamination.

For this project to be realized the developer will be required to commit significant time, effort and resources to remedy the contamination, develop the Site and begin construction. That commitment will not be made if there exists a risk of a meaningful yet uncertain environmental issue. On the other side, the developer cannot secure financing without assurances to lenders that environmental issues will be fully mitigated with reasonable protection from liability.

2.4 Project Schedule

BCP Milestones

The following program milestone dates are anticipated based on an assumed date of 3/8/15 for execution of the BCP agreement.

Submit Remedial Investigation Report	With BCP application
Submit Remedial Action Work Plan (RAWP)	With BCP Application
Begin Building Construction and Remedial Action	March 2015
Continue Remedial Action	March 2015 - September 2015
Submit Draft Env. Easement (if Track 1 not Achieved)	June 2015
Submit Draft Site Management Plan (if Track 1 not Achieved)	August 2015
Submit Draft Final Engineering Report	September 2015
NYSDEC Issues COC (expected)	November 2015

3.0 ENVIRONMENTAL HISTORY (Application Section VII)

The environmental history of the subject lot was previously investigated through the review of Federal and State Environmental databases, Environmental Sanborn Fire Insurance maps, NYC Department of Building records and the NYC Department of Finance databases as part of the Phase I Environmental Site Assessment completed in November 2014 by EBC.

A history dating back to 1887 was established. The Site was comprised of as up to seven separate tax parcels, each occupied by various commercial/retail and industrial uses, including the Pratt Manufacturing Co., a cooperage, a varnish manufacturing facility, two lime manufacturing facilities and several retail stores by at least 1888. By 1905, the Pratt Manufacturing facility was identified as the Standard Oil Co., with multiple aboveground petroleum tanks present. The two lime facilities were replaced with an iron works storage yard by 1916. By 1941, the Standard Oil facility was demolished, with the northwestern and eastern portions of the Site shown as undeveloped. Central portions of the Site remain developed with a varnish works. By the early 1950s, the Site was occupied by metal and lumber storage yards and a paint manufacturer. Between the mid-1960s and late-1970s, the paint manufacturing building was converted to a warehouse and several of the other structures at the central portion of the Site were demolished. By the mid-1980s, the Site was occupied by an equipment rental facility and storage yard. The westernmost structure was demolished in 2012 and the Site was vacated sometime after April 2014.

3.1 Underground / Aboveground Storage Tanks

The Site is listed on the UST, AST and Hist UST databases under the name Nations Rent, 91 North 12th Street (ID No. 5050/04667), and is listed as having 11 registered tanks, which are summarized as follows:

- One 550-gallon steel UST containing gasoline, abandoned-in-place in June 1989;
- One 550-gallon steel UST containing diesel fuel, abandoned-in-place;
- One 1,100-gallon steel UST containing gasoline, abandoned-in-place;
- One 1,500-gallon steel UST containing lube oil, installed in June 2000 and removed in July 2000;
- One 1,500-gallon steel UST containing lube oil, installed in December 1998 and removed in July 2000;
- One 1,500-gallon steel UST containing gasoline, installed in December 1998 and removed in July 2000;
- Four 550-gallon steel USTs containing diesel fuel, removed in August 1998; and
- One 1,000-gallon steel UST containing diesel fuel, removed in April 2002.

3.2 NYSDEC Spill Files

The Site is listed on the NYSPILLS database as Sylvan Equipment Company, 91 North 12th Street. The database lists two closed spill incidents, which are summarized as follows:

- Spill No. 99-06462 – This spill, which occurred on July 15, 1999, is related to the discovery of free product and impacted soils during a Phase II investigation. This spill was attributed to leaks from former on-Site USTs and adjacent fuel terminal and MGP facilities. Numerous investigations and remedial activities occurred between 2007 and 2012. Based upon groundwater monitoring results and soil endpoint sampling, the NYSDEC closed this spill on April 2, 2012.
- Spill No. 02-07277 – This spill, which occurred on October 14, 2002, is related to the discovery of free product in a facility monitoring well. This spill was associated with the report of illegal dumping to storm drains adjacent to the Site. The NYSDEC investigated the Site, determined a spill impacted a storm drain and notified the NYCDEP. No additional information is provided in the database report; however, the NYSDEC closed this spill on November 19, 2003.

In addition to the two closed spills, EBC identified petroleum contamination in test pits installed for pre-characterization soil analysis to determine soil classification for the disposal of excavated soil. The NYSDEC project manager associated with the 99-06462 spill file, Mr. Hirkumar Patel was notified of the contamination and asked if a new spill should be reported. Mr. Patel stated that the Department was aware of residual contamination at the Site and that issuance of a new spill number would not be appropriate. Mr. Patel requested that he be kept informed of activities at the Site and would reopen the existing spill number if warranted.

3.3 Summary of Environmental Investigations

Environmental investigations performed at the Site include the following:

- Phase I Environmental Site Assessment Report - EBC (November 2014)
- Spill File 9906462 Documents
- Remedial Investigation Report - EBC (Dec. 2014)

3.3.1 November 2014 – Phase I Environmental Site Assessment (EBC)

EBC concluded that "Based upon reconnaissance of the Site and surrounding properties, interviews and review of historical records and regulatory agency databases, this assessment has revealed the following recognized environmental conditions in connection with the Site:"

- Various historical records/documents indicate that the Site as well as the surrounding properties, were historically operated as petroleum manufacturing and storage facility, paint and varnish manufacturing facility, manufactured gas plants, manufactured gas storage facilities and various other manufacturing operations. As such, there is a potential for historic site operations and/or operations at adjacent sites to have impacted soil, groundwater and/or soil vapor quality beneath the Site. Further, residual soil and groundwater impacts associated with the closed NYSDEC spill incidents remain onsite and impacts related to petroleum and MGP have been confirmed at adjacent properties.

As the Site has been extensively investigated, with some soil removal and long-term groundwater monitoring activities related to the closed New York State Department of Environmental Conservation (NYSDEC) spill incidents, EBC does not believe additional investigation of the Site is warranted at this time.

However, since residual on-Site soil and groundwater impacts are known to exist and the potential for additional contamination associated with the historic use of the surrounding properties (oil terminal and MGPs), EBC recommends a Soil/Materials Management Plan (SMMP) be prepared to address soil excavated as part of Site redevelopment. The SMMP should include procedures for (a) characterization of fill/soil to be excavated for the proposed redevelopment in accordance with the proposed soil/fill disposal facility, (b) soil screening, (c) community air monitoring, (d) soil/fill excavation, loading and disposal, (e) soil reuse and/or soil import, (f) odor control, and (g) underground storage tank contingency plan.

In addition to the RECs, EBC identified several environmental concerns. The environmental concerns and EBC's recommendations are summarized as follows:

- EBC recommends the four identified aboveground storage tanks (ASTs) and the various drums and other containers of waste oil and automotive fluids be removed and properly disposed in accordance with applicable regulations. In the event that soil impacts (e.g., visible staining) are noted during the removals, then soil sampling should be conducted to determine the nature and extent of the impacts and determine if additional investigation and/or remediation is warranted.
- Although abatement of confirmed asbestos-containing roofing and other materials was recently completed, no documentation regarding the asbestos survey and/or the reported abatement project was provided for review. Suspect asbestos-containing vinyl floor tiles, acoustic ceiling tiles and pipe and boiler insulation were observed in some of the inspected portions of Site buildings. The suspect asbestos-containing materials (ACM) was in fair to poor condition at the time of the site inspection. In addition, due to the ages of the buildings, it is possible that roofing, roof flashing and other (inaccessible) building materials may contain asbestos.
- If activities in the building (i.e., renovation or demolition) will disturb any suspect asbestos material, then EBC recommends that an asbestos survey be performed to determine if ACM are present prior to the proposed work. If ACM are present, then a New York City-licensed contractor must be retained to remove the asbestos in accordance with federal, New York State (NYS) and New York City (NYC) regulations.
- Interior and exterior paints were in fair to poor condition with evidence of widespread chipping and/or peeling. The lead contents of the paints are unknown, but due to the age of the buildings, the presence of lead-based paint (LBP) is possible. Therefore, EBC recommends that a lead paint survey be conducted prior to any renovation/demolition activities. The disposal of lead paint waste resulting from renovation or demolition activities may be subject to federal and NYS regulations.

A digital copy of the Phase I ESA is included in **Attachment B**.

3.3.2 Spill File 9906462 Documents

EBC was provided a copy of previous Phase II ESAs, spill investigation reports and other documents prepared for the property. These reports are summarized as follows:

- Limited Phase II Environmental Site Assessment, prepared by Malcolm Pirnie, Inc., and dated August 6, 1999;
- Additional Limited Phase II Environmental Site Assessment, prepared by Malcolm Pirnie, Inc., and dated November 12, 1999;
- Limited Phase II Environmental Site Assessment, prepared by Hart & Hickman, PC, and dated November 12, 2007;
- Limited Phase II Environmental Site Assessment Addendum Letter, prepared by Hart & Hickman, PC, and dated December 11, 2007;
- Spill No. 99-06462 Review Letter, prepared by the NYSDEC, and dated April 25, 2008;
- Revised Supplemental Investigation Work Plan, prepared by Ecosystems Strategies, Inc., and dated March 2009 (Revised April 2009);
- Supplemental Investigation Work Plan Approval Letter, prepared by the NYSDEC, and dated April 7, 2009;
- Investigation Summary Report, prepared by Ecosystems Strategies, Inc., and dated June 16, 2009;
- Remedial Action Work Plan, prepared by Ecosystems Strategies, Inc., and dated July 2009;
- Tank Closure Site Assessment and Site Remediation Report, prepared by Ecosystems Strategies, Inc., and dated October 2009
- Report of Additional Phase II Assessment Activities, prepared by Hart & Hickman, PC, and dated February 11, 2009;
- Response Letter to NYSDEC Comments to the Tank Closure Site Assessment and Site Remediation Report, prepared by Ecosystems Strategies, Inc., and dated December 21, 2009;
- Quarterly Groundwater Sampling Report, prepared by Ecosystems Strategies, Inc., and dated March 4, 2010;
- Quarterly Groundwater Sampling Report, prepared by Ecosystems Strategies, Inc., and dated June 18, 2010;
- Supplementary Remediation Report, prepared by Ecosystems Strategies, Inc., and dated October 2010 and Revised November 2010;
- Supplemental Remediation Report Review Letter, prepared by the NYSDEC, and dated December 7, 2010;
- Supplementary Groundwater Investigation Report, prepared by Ecosystems Strategies, Inc., and dated February 2011;
- Supplemental Groundwater Investigation Review Letter, prepared by the NYSDEC, and dated March 17, 2011;
- Quarterly Groundwater Sampling Report, prepared by Ecosystems Strategies, Inc., and dated July 20, 2011;
- Quarterly Groundwater Sampling Report, prepared by Ecosystems Strategies, Inc., and dated February 20, 2012;
- Spill Closure Documentation, NYSDEC, dated April 2, 2012; and

- NYSDEC Letter Related to De-watering Permit, prepared by NYSDEC, and dated August 29, 2014.

These reports document the various site investigation, sampling, remediation and monitoring activities conducted as required by the NYSDEC to satisfactorily close the four listed LTANKS and NYSPILLS incidents identified for the site, however, significant residual soil and groundwater impacts remain onsite.

A digital copy of the these reports is included in **Attachment B**.

3.3.3 Remedial Investigation Report (EBC December 2014)

A Remedial Investigation was completed at the Site in November 2014 through December 2014 and documented in a Remedial Investigation Report dated December 2014. The goals of the Remedial Investigation were to define the nature and extent of contamination in soil, groundwater and any other impacted media; to identify the source(s) of the contamination; to assess the impact of the contamination on public health and/or the environment; and to provide information to support the development of a Remedial Work Plan to address the contamination.

Activities completed under the RI:

- Sampling for non-petroleum contaminants such as pesticides, PCBs and metals in soil and groundwater including the analysis of soil and groundwater samples
- Soil sampling and analysis for petroleum compounds in soil samples from test pit locations;
- The installation of groundwater monitoring wells
- The collection and analysis of groundwater samples for petroleum compounds;
- The collection of analysis of soil gas and indoor air samples for VOCs from soil gas sampling locations.

The results of sampling performed during this RI, identified petroleum VOC and SVOC contamination throughout much of the property. The historic use of the Site as a petroleum works, equipment storage / maintenance yard facility has resulted in discharges of gasoline and diesel fuel / fuel oil contaminating large areas of the site with elevated levels of VOC and SVOCs. Releases have likely occurred from multiple sources including subsurface releases from underground storage tanks (USTs) and piping, and from surface spills related to fueling operations, equipment maintenance, fuel transfer and damaged and leaking heavy equipment. In this way the source areas compromise multiple areas of the site including the southwest corner, the north-central area, the south central area and the northeast corner of the Site.

Elevated levels of metals including arsenic, barium, copper, mercury, selenium, zinc and lead classified as hazardous, are present in the historic fill materials throughout the Site.

Groundwater is impacted with petroleum VOCs in the western third of the site with the greatest impact occurring in MW 1 located in the south west corner or the site. Total VOCs in this area of the site ranged from 82 ug/L in MW2 to 3,472 ug/L in MW1. SVOCs in groundwater were generally limited to naphthalene which was present at a concentration of 20 ug/L in MW1. There were other

reported exceedances for SVOCs in groundwater however these were in the parts per trillion range and more a function of the precision of the laboratory than actual contamination.

Soil gas sampling identified generally low levels of petroleum related volatile organic compounds (BTEX) though elevated levels of light end petroleum compounds including heptane, hexane and cyclo hexane were reported in several locations. Chlorinated VOCs (CVOCs) were reported in almost all of the soil gas samples and in some cases were present at levels above that which monitoring and possibly mitigation would be required to prevent vapor intrusion. There is no evidence that the CVOCs are Site related and are unlikely to be related to off-gassing from impacted groundwater. They appear to be migrating onto the property in vapor form from an off-site source.

The RI results identified the following soil classifications / volumes for disposal during the planned redevelopment of the Site:

Hazardous Lead:	1,125 cy
Non-Hazardous petroleum cont. / Historic fill (high lead):	5,625 cy
Non-Hazardous petroleum cont. / Historic fill (low lead):	25,875 cy
Beneficial Reuse Soil:	19,125 cy

The RI Report prepared for this Site is provided as a digital file in **Attachment B**.

3.4 Summary of Confirmed Contamination and Environmental Conditions

The results of the investigations performed at the site have identified the following contaminated media and environmental conditions that will complicate redevelopment of the property.

- Confirmed petroleum volatile organic compound (VOC) contaminants in soil above restricted residential and groundwater protection standards. Soils excavated under the proposed redevelopment scenario will require proper management and disposal at a permitted disposal facility under an approved Remedial Action Work Plan.
- Confirmed petroleum semi-volatile organic compound (SVOC) contaminants in soil above restricted residential and groundwater protection standards. This issue will require further investigation and remediation. Soils excavated under the proposed redevelopment scenario will require proper management and disposal at a permitted disposal facility under an approved Remedial Action Work Plan.
- Confirmed petroleum volatile organic compound (VOC) contaminants in groundwater above water quality standards.
- Confirmed petroleum semi-volatile organic compound (SVOC) contaminants in groundwater above water quality standards.
- Confirmed chlorinated VOC (CVOC) contaminants in groundwater above water quality standards.

- The potential for VOCs in soil gas related to off-gassing from shallow impacted ground water. Under a redevelopment scenario, VOCs in soil gas and the potential for on and off-site vapor intrusion must be considered and evaluated.
- Soil classified as hazardous will require excavation by specially trained personnel, specially permitted trucks for transportation and disposal at a licensed hazardous waste disposal facility.
- Historic fill material is known to be present at the Site. This fill contains elevated levels of SVOCs and heavy metals in addition to petroleum contamination.

3.5 Cost Analysis of Established Environmental Conditions

It is the Requestor's intent to achieve a Track 1 unrestricted use cleanup at the Site. The projected remedial costs for this project were based on typical NYSDEC Class II Inactive Hazardous Waste Site/Brownfield Cleanup Program requirements. It is estimated that 51,750 cubic yards (77,625 tons) of soil will be generated during excavation of the site for off-site disposal. The costs for soil disposal under a non-hazardous classification were based on those recently established within the area and assume that contaminant levels are within acceptable limits (NJDEP non-direct contact criteria) at low lead and high lead New Jersey, Pennsylvania and Delaware non-hazardous disposal facilities. The costs for disposal of lead hazardous soil were based on recent costs for disposal at a facility in Northern New Jersey.

For the purposes of cost analysis and based on the planned excavation depths, it is assumed that petroleum impacted and historic fill soils will be removed during excavation for the new building's foundation. Petroleum / chlorinated solvent remediation in groundwater will include full site dewatering, treatment and discharge to the NYC Sewer System.

The costs for soil disposal under a hazardous and non-hazardous classification were based on those recently established within the area. It is assumed that contaminant levels for non-hazardous soils are within acceptable limits at standard range New Jersey non-hazardous and beneficial reuse disposal facilities. Costs are also included for the treatment of water during dewatering operations.

Further investigation and remedial action of existing environmental conditions will include the following tasks:

- NYSDEC Brownfield Cleanup Program - Initial Submittals, Attorneys fees, etc.
Cost: \$17,450
- Supplemental Remedial Investigation and Reporting
Cost: \$58,850
- Remedial Work Plans and Remedy Scoping
Cost: \$ 18,450

- Remedial Program Implementation and Reporting
Cost: \$ 6,277,415
- Final Reporting, Easements (if needed), DEC/DOH costs and Related for Certificate of Completion
Cost: \$ 125,450
- Post Remedial Monitoring and Reporting (if needed) for 1 year
Cost: \$ 33,050

Subtotal	\$	6,530,665
15% Contingency	\$	979,599
TOTAL PROJECT COST	\$	7,510,264

A detailed summary of the projected remedial costs by task is provided in **Attachment C**.

3.6 Previous Owners and Operators

Previous owners and operators of the property are shown in Tables 1 and 2 below. Information regarding ownership of the property was obtained from online property records maintained by the NYC Department of Finance Office of the City Register under its Automated City Register Information System (ACRIS) and from hard copy records at the agencies regional office. Information regarding past operators was obtained from Sanborn Fire Insurance maps, from telephone directory listings and from an internet search of the property address.

The Site is currently owned by the Requestor, 19 Kent Development LLC. The Requestor purchased the property in December 2012. The property has been vacant since April 2014 but was most recently occupied by a construction equipment rental company.

A review of Sanborn maps shows that in 1887 the Site was comprised of seven separate tax parcels, each occupied by various commercial/retail and industrial uses, including the Pratt Manufacturing Co.(Petroleum Works), a cooperage, a varnish manufacturing facility, two lime manufacturing facilities and several retail stores by at least 1888. By 1905, the Pratt Manufacturing facility was identified as the Standard Oil Co., with multiple aboveground petroleum tanks present. The two lime facilities were replaced with an iron works and storage yard by 1916. By 1941, the Standard Oil facility was demolished, with the northwestern and eastern portions of the Site are shown as undeveloped. Central portions of the Site remain developed with a varnish works. By the early 1950s, the Site was occupied by metal and lumber storage yards and a paint manufacturer. Between the mid-1960s and late-1970s, the paint manufacturing building was converted to a warehouse and several of the other structures at the central portion of the Site were demolished. By the mid-1980s, the Site was occupied by an equipment rental facility and storage yard. The westernmost structure was demolished in 2012 and the Site was vacated sometime after April 2014. A listing of previous owners and operators for the property is as follows:

Table 1 – Former Lot 1 Previous Owners

Dates	Name	Comments	Contact Info
Prior to 3/8/1967	Kent Avenue Realty Corp	Deed	2 Willowmere Circle, Riverside , CT 06878
From 3/8/1967 to 6/30/1970	215 North 9 th Realty Corp	Deed	215 N. 9 th Street, Brooklyn, NY 11211
From 6/30/1970 to 7/3/1974	Samuel Cohen	Deed	56-40 175 th Street, Flushing, NY 11365
From 7/3/1974 to 7/3/1974	Sybudel Realty Corp	Deed	91 N. 12 th Street, Brooklyn, NY 11211
From 7/3/1974 to 1/14/1988	Sylvan Greenbaum Manual Wolman Elliot Prigozen	Deed	184-23 Cambridge Road, Jamaica Estates, NY 11432 34 Newport Drive, Hewlett, NY 11557 66 Country Village Lane, New Hyde Park, NY 11040
From 1/14/1988 to 12/11/2007	Elliot Prigozen Lynn Prigozen	Deed	3109 Grand Ave., PMB298, Coconut Grove, FL 33133
From 12/11/2007 to 6/28/2012	Sylvan Holdings LLC	Deed	C/o Bobcat, 58-64A Maurice Avenue, Maspeth, NY 11378-2333
From 6/28/2012 to 12/31/2012	EVP LLC Nanalou LLC Lisa Breheney Lesly Erenfeld Lauren Erenfeld LLETS LLC	Deed	3109 Grand Avenue, PMB 298, Miami FL 33133 3370 Hidden Bay Drive, Adventura, FL 33180 2114 Feliz Drive, Novato CA 94945 746 Mays Boulevard, Incline Village, NV 89451 625 Santa Clara Avenue, Venice, CA 90291 3109 Grand Avenue, PMB 298, Miami, FL 33133
12/31/2012 to Present	19 Kent Development LLC		199 Lee Ave #693, Brooklyn, New York, 11211

Note: 19 Kent Development LLC is in no way affiliated with any of the previous owners of the property

Table 2 – Former Lot 15 Previous Owners

Dates	Name	Comments	Contact Info
Prior to 1/26/1998	Joan Greenbaum	Deed	676 Riviera Circle, Larkspur CA, 94939
From 1/26/1998 to 11/30/1998	Joan Greenbaum Elizabeth Beyer As Trustees	Deed	C/O PO Box 1941 Novato, CA 94948 C/O 676 Riviera Circle, Larkspur CA, 94939
From 11/30/1998 to 12/18/2009	Carol Greenbaum Lynn Prigozen	Deed	10 Pinebrook Drive, White Plains, NY 10605 3109 Grand Ave., PMB298, Coconut Grove, FL 33133
From 12/18/2009 to 6/28/2012	Sylvan Holdings LLC	Deed	C/o Bobcat, 58-64A Maurice Avenue, Maspeth, NY 11378-2333
From 6/28/2012 to 12/31/2012	EVP LLC Nanalou LLC Lisa Breheney Lesly Erenfeld Lauren Erenfeld LLETS LLC	Deed	3109 Grand Avenue, PMB 298, Miami FL 33133 3370 Hidden Bay Drive, Adventura, FL 33180 2114 Feliz Drive, Novato CA 94945 746 Mays Boulevard, Incline Village, NV 89451 625 Santa Clara Avenue, Venice, CA 90291 3109 Grand Avenue, PMB 298, Miami, FL 33133
12/31/2012 to Present	19 Kent Development LLC		199 Lee Ave #693, Brooklyn, New York, 11211

Note: 19 Kent Development LLC is in no way affiliated with any of the previous owners of the property

Table 3 – Former Lot 28 Previous Owners

Dates	Name	Comments	Contact Info
Prior to 12/8/1969	Charles Greenbaum	Deed	225 E. 57 th Street, New York, NY 10022
From 12/8/1969 to 1/26/1998	Bertha Greenbaum	Deed	184-23 Cambridge, Road, Jamaica, NY 11432
From 1/26/1998 to 8/19/1998	Joan Greenbaum Elizabeth Beyer As Trustees	Deed	C/O PO Box 1941 Novato, CA 94948 C/O 676 Riviera Circle, Larkspur CA, 94939
From 8/19/1998 to 12/18/2009	Carol Greenbaum Lynn Prigozen	Deed	10 Pinebrook Drive, White Plains, NY 10605 3109 Grand Ave., PMB298, Coconut Grove, FL 33133
From 12/18/2009 to 6/28/2012	Sylvan Holdings LLC	Deed	C/o Bobcat, 58-64A Maurice Avenue, Maspeth, NY 11378-2333
From 6/28/2012 to 12/31/2012	EVP LLC Nanalou LLC Lisa Breheney Lesly Erenfeld Lauren Erenfeld LLETS LLC	Deed	3109 Grand Avenue, PMB 298, Miami FL 33133 3370 Hidden Bay Drive, Adventura, FL 33180 2114 Feliz Drive, Novato CA 94945 746 Mays Boulevard, Incline Village, NV 89451 625 Santa Clara Avenue, Venice, CA 90291 3109 Grand Avenue, PMB 298, Miami, FL 33133
12/31/2012 to Present	19 Kent Development LLC		199 Lee Ave #693, Brooklyn, New York, 11211

Note: 19 Kent Development LLC is in no way affiliated with any of the previous owners of the property

Table 4 – Former Lot 34 Previous Owners

Dates	Name	Comments	Contact Info
Prior to 8/25/1970	North 12 th Street Realty Corp.	Deed	C/O Isaac E. Okun, Room 2414, 250 W. 57 th Street, New York, NY 100107
From 8/25/1970 to 4/4/1977	George A. Douglass Jr.	Deed	2 Willowmere Circle, Riverside , CT 06878
From 4/4/1977 to 4/27/1981	Malcolm W. Douglass	Deed	651 Steamboat Road, Greewich CT 06830
From 4/27/1981 to 12/18/2009	Lets Leasing Company	Deed	91 N. 12 th Street, Brooklyn, NY 11211
From 12/18/2009 to 6/28/2012	Sylvan Holdings LLC	Deed	C/o Bobcat, 58-64A Maurice Avenue, Maspeth, NY 11378-2333
From 6/28/2012 to 12/31/2012	EVP LLC Nanalou LLC Lisa Breheney	Deed	3109 Grand Avenue, PMB 298, Miami FL 33133 3370 Hidden Bay Drive, Adventura, FL 33180 2114 Feliz Drive, Novato CA 94945

	Lesly Erenfeld Lauren Erenfeld LLETS LLC		746 Mays Boulevard, Incline Village, NV 89451 625 Santa Clara Avenue, Venice, CA 90291 3109 Grand Avenue, PMB 298, Miami, FL 33133
12/31/2012 to Present	19 Kent Development LLC		199 Lee Ave #693, Brooklyn, New York, 11211

Note: 19 Kent Development LLC is in no way affiliated with any of the previous owners of the property

Table 5 – Former Lot 1 Previous Operators

Dates	Name	Comments	Contact Info
Sometime prior to 1887 to sometime between 1887 and 1904	Pratt Manufacturing Co.	Sanborn Maps	Unknown
Sometime between 1887 and 1904 to sometime between 1942 and 1951	Standard Oil Co. of NY Pratt Works	Sanborn Maps	Unknown
Sometime between 1942 and 1951 to *2014	Contractor's Storage Yard *Sunbelt equipment was the last occupant. Duration of occupancy unknown	Sanborn Maps Internet Search	Earlier Contractor Tenants Unknown Sunbelt: 5875 Maurice Avenue Maspeth, NY (718) 387-4872

Note: 19 Kent Development LLC is in no way affiliated with any of the previous operators at the property

Table 6 – Former Lot 15 Previous Operators

Dates	Name	Comments	Contact Info
Sometime prior to 1887 to sometime between 1905 and 1916	C.H Reynolds Keely's (Lime Works) 1905 - Dermerty Cooperage (NE portion of lot)	Sanborn Maps	Unknown 58-72 Wythe Avenue, Brooklyn, NY 11211
Sometime between 1905 and 1916 to sometime between 1916 and 1942	Hecla Iron Works	Sanborn Maps	Unknown 58-72 Wythe Avenue, Brooklyn, NY 11211
Sometime between 1942 and 1951 to *2014	Contractor's Machinery Storage Yard *Sunbelt equipment was the last occupant. Duration of occupancy unknown	Sanborn Maps Internet Search	Earlier Contractor Tenants Unknown Sunbelt: 5875 Maurice Avenue Maspeth, NY (718) 387-4872

Note: 19 Kent Development LLC is in no way affiliated with any of the previous operators at the property

Table 7 – Former Lot 28 Previous Operators

Dates	Name	Comments	Contact Info
Sometime prior to 1887 to sometime between 1887 and 1905	CC. Reed & Co. Varnish Works	Sanborn Maps	Unknown 77-93 N. 12 th Street, Brooklyn, NY 11211
Sometime between 1887 and 1905 to sometime between 1942 and 1951	Hildreth Varnish Works	Sanborn Maps Internet Search	Unknown 77-93 N. 12 th Street, Brooklyn, NY 11211
Sometime between 1942 and 1951 to sometime between 1965 and *1978	Paint Manufacturing *Lumber Storage noted in 1951 only	Sanborn Maps Internet Search	Unknown 81-93 N. 12 th Street, Brooklyn, NY 11211
Sometime between 1965 and 1978 to 2014	Warehouse Storage	Sanborn Maps	Unknown 81-93 N. 12 th Street, Brooklyn, NY 11211

Note: 19 Kent Development LLC is in no way affiliated with any of the previous operators at the property

Table 8 – Former Lot 34 Previous Operators

Dates	Name	Comments	Contact Info
Sometime prior to 1887 to sometime between 1887 and 1905	CC. Reed & Co. Varnish Works	Sanborn Maps	Unknown 77-93 N. 12 th Street, Brooklyn, NY 11211
Sometime between 1887 and 1905 to sometime between 1942 and 1951	Hildreth Varnish Works	Sanborn Maps	Unknown 77-93 N. 12 th Street, Brooklyn, NY 11211
Sometime between 1942 and 1951 to sometime between 1951 and 1965	Scrap metal	Sanborn Maps	Unknown 77-79 N. 12 th Street, Brooklyn, NY 11211
Sometime between 1951 and 1965 to 2014	Warehouse Storage	Sanborn Maps	Unknown 77-79 N. 12 th Street, Brooklyn, NY 11211

Note: 19 Kent Development LLC is in no way affiliated with any of the previous operators at the property

The following resources were employed in obtaining historical information with respect to ownership:

- NYC ACRIS Database
- NYC Department of Finance records, Brooklyn Borough office
- NYS Department of State Business Search

The following resources were employed in obtaining historical information with respect to operators:

- Interviews with current Operators / Owners
- Sanborn Fire Insurance Maps
- Certificate of Occupancy Records as Maintained by the NYC Department of Buildings
- Internet Address Search
- NYS Department of State Business Search

4.0 CONTACT LIST INFORMATION (Application Section VIII)

The following sub-sections provide the minimum contact list information as required in the BCP application form.

4.1 Local Government Contacts

City of New York

William de Blasio
Mayor of New York City
City Hall
New York, NY 10007

Eric Adams
Brooklyn Borough President
209 Joralemon Street
New York, NY 11201

Ms. Dealice Fuller
Chair, Brooklyn Community Board 1
435 Graham Avenue
Brooklyn, NY, 11211

Mr. Gerald Esposito
District Manager, Brooklyn Community Board 1
435 Graham Avenue
Brooklyn, NY, 11211

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

Carl Weisbrod
Chair of City Planning (Zoning)
22 Reade St.
Third Floor
New York, NY 10007

Dalila Hall
New York City Department of Transportation
Brooklyn Borough Commissioner
55 Water Street, 9th Floor
New York, NY 10041

Kings County Clerk's Office
Nancy Sunshine, County Clerk
360 Adams Street, Room 189
Brooklyn, NY 11201

Ms. Letitia James
Public Advocate
1 Centre Street, 15th Floor
New York, NY 10007
Email: kjfoey@pubadvocate.nyc.gov

Hon. Scott M. Stringer
Office of the Comptroller
1 Centre Street
New York, NY 10007
Email: intergov@comptroller.nyc.gov

Hon. Jose Peralta
NYS Senator
32-37 Junction Boulevard
East Elmhurst, NY 11369

Hon. Joan L. Millman
NYS Assembly Member
341 Smith Street
Brooklyn, NY 11231

Hon. Charles Schumer
U.S. Senator
757 Third Avenue, Suite 17-02
New York, NY 10017

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

Hon. Nydia M. Velazquez
U.S. House of Representatives
266 Broadway, Suite 201
Brooklyn, NY 11211

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

Director
NYC Office of Environmental Coordination
100 Gold Street– 2nd Floor
New York, NY 10038

Daniel Walsh
NYC Department of Environmental Remediation
100 Gold Street
New York, NY 10038

4.2 Adjacent Property Owner Contacts

Properties adjacent to the project site are shown in **Figure 4**. Contact information for the identified owners, as listed in the New York City ACRIS Database, are as follows:

West

1. PARKS AND RECREATION (GENERAL)
ARSENAL WEST
16 W. 61ST ST.
NEW YORK, NY 10023-7604
2. NORTH 12TH STREET PROPERTIES
1776 SHORE PKWY.
BROOKLYN, NY 11214-6546

PREMIER TRUCK AND TANK
1 N. 12TH STREET
BROOKLYN, NY 11211

North

3. ALBEST METAL STAMPING CORP.
9 KENT AVENUE
BROOKLYN, NY 11249

East

4. FALSE ALARM LTD.
816 AVENUE I
BROOKLYN, NY 11230-2714

OCCUPANT / TENANT
29 WYTHE AVENUE
BROOKLYN, NY 11211

5. WYTHE BERRY LLC
266 BROADWAY STE 301
BROOKLYN, NY 11211-6306

South

6. JOLEE CONSOLIDATORS INC
104 NORTH 12 STREET
BROOKLYN, NY 11249

7. KIMAU CORPORATION
85 WATERMILL LN.
GREAT NECK, NY 11021-4234

OCCUPANT / TENANT
74 WYTHE AVENUE
BROOKLYN, NY 11211

8. DM. 144 INVESTORS, LLC
C/O MRS. IRENE GROSS
418 EAST 59TH STREET APA
NEW YORK, NY 10022

OCCUPANT / TENANT
94 N. 12TH STREET
BROOKLYN, NY 11211

9. NORTH 12TH ASSOCIATES LLC
C/O G4 DEVELOPMENT GROUP LLC
14 SKILLMAN ST.
ROSLYN, NY 11576-1183

OCCUPANT / TENANT
35 KENT AVENUE
BROOKLYN, NY 11211

4.3 Local News Media

The Brooklyn Paper

One Metrotech Center, Suite 1001
Brooklyn, NY 11201
(718) 260-4504

New York Times

620 Eighth Ave.
New York, NY 10018

New York Daily News

450 W. 33 Street
New York, NY 10001

New York Post

1211 Avenue of the Americas
New York, NY 10036-8790

4.4 Public Water Supplier

New York City Department of Environmental Protection
Bureau of Water Supply
1250 Broadway - 8th Floor
Manhattan, NY 10001
New York City Department of City Planning

4.5 Requested Contacts

No requests have been made at this time.

4.6 Schools and Daycare Facilities

The following Schools and Daycare facilities were identified within a one-quarter mile radius of the project site (see **Figure 5**):

1. Automotive High School
50 Bedford Avenue
Brooklyn, NY 11222
(718) 218-9301
Attn: Caterina Lafergola (Principle)

4.7 Document Repository

The following location will serve as a repository for public access to documents generated under the BCP program:

Brooklyn Public Library – Greenpoint Branch

107 Norman Ave
Brooklyn, NY 11222

Hours:

Monday	10:00 pm – 6:00 pm	Friday	10:00 am – 6:00 pm
Tuesday	1:00 pm – 6:00 pm	Saturday	10:00 am – 5:00 pm
Wednesday	1:00 pm – 8:00 pm	Sunday	Closed
Thursday	1:00 pm – 8:00 pm		

January 2, 2015

Brooklyn Public Library
Greenpoint Branch
107 Norman Street
Brooklyn, NY 11222

**Re: NYS Brownfield Cleanup Program Application
Former Sunbelt Equipment Site - 25 Kent Avenue, Brooklyn, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, the Brooklyn Public Library, Greenpoint Branch, located at 107 Norman Avenue, Brooklyn, NY 11222 agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by: *Ladmar ch* Date 1/2/15
for Brooklyn Public Library - Greenpoint Branch

5.0 LAND USE FACTORS (Application Section IX)

5.1 Current Property Use (Question 1)

The Site had been improved with two groups of interconnected structures, identified as the East and West Buildings. The West Building was situated at the south-central portion of the Site and is comprised of one (1) one-story structure and two (2) one and partial two-story structures, each of which fronts along North 12th Street. These structures have an approximate footprint of 10,500 s.f. The Eastern Building is an “L”-shaped structure comprised of two (2) interconnected two-story buildings, with a partial basement (boiler room). The buildings have an approximate footprint of 11,375 s.f., and run west along North 12th Street from Wythe Avenue, before turning north, and continuing to the northern property boundary along North 13th Street. The buildings are vacant/unoccupied and undergoing demolition. As of the date of this application only a single building remains intact.

5.2 Intended Post Remediation Property Use (Question 2)

The Requestor intends to redevelop the property with a new 10-story commercial building which will cover the entire Site. Plans include a 2-level cellar parking garage requiring excavation of the entire Site to a depth of 15-20 ft below grade. With groundwater present at 12 feet below grade, dewatering will be required during construction of the building's foundation.

The project includes retail space on the first floor, a health care facility on floors 2 through 9 and office space on the 10th floor. The basement levels will be used for parking and meter rooms

5.3 Surrounding Land Use (Question 14)

The land use in the immediate vicinity of the Site (**Figure 6**) includes fuel oil terminal, tank truck repair facility and public park to the west, a metal stamping factory to the north, a construction site to the east and industrial / commercial buildings to the south. The new construction to the east includes a 22-story hotel building, a 2-story banquet hall / restaurant building and a 2-story commercial building with retail, office and community space.

The area surrounding the property is highly urbanized and predominantly consists of older heavy industry properties along the waterfront east to Kent and Wythe Avenues. Many of these properties are being renovated and repurposed, such as the City park to the west or redeveloped with new commercial buildings such as hotels, office and retail space. The areas east of Wythe Avenue have been undergoing a transformation as former industrial properties are being redeveloped for residential use. This transformation was related to the upzoning of many commercial industrial properties to residential as part of the Greenpoint-Williamsburg Rezoning Action. The proposed project is compatible with the surrounding land use and will be in compliance with current zoning.

Compliance with Current Zoning

The property is currently zoned M1-2. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial

uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right.

The proposed project which a 10-story commercial building with retail space on the first floor, a health care facility on floors 2 through 9 and office space on the 10th floor is compatible with the surrounding land use and will be in compliance with the current zoning.

Compliance with Land Use Plans

In May 2005, the City Council adopted the Greenpoint - Williamsburg Rezoning Action (CEQR No. 04DCP003K). The purpose of the action was intended to provide opportunities for new residential and commercial development and enhancement and upgrade of the waterfront areas, including new parkland on the waterfront to provide waterfront access and recreational opportunities.

Over the last two decades, the Greenpoint and Williamsburg areas have experienced substantial growth in their residential population, resulting in a housing shortfall and increasing demands for new dwelling units. While the residential population dramatically increased, the industrial sector has declined, leaving many large properties vacant or underutilized. In addition, as a result of the 1961 rezoning efforts, existing residential buildings in manufacturing districts became non-conforming uses, banned from continued residential occupancy when vacant for two years, and not allowed to expand or rebuild when substantially damaged by fire.

The decline of industrial activity, particularly water-dependent industry, during recent decades has been pronounced in Greenpoint and Williamsburg. Industrial sectors such as garment and textile manufacturing, which once dominated Williamsburg, have nearly disappeared from the area as companies have closed or moved their operations abroad. At the same time, residential activity has spread beyond its traditional boundaries in Greenpoint-Williamsburg.

The action would create opportunities for new housing development on underutilized and vacant land formerly used for manufacturing, where there is no longer a concentration of industrial activity and where strong demand for housing exists. It would bring existing non-conforming residential uses into conformance. In addition, the mixed-use districts proposed in certain areas would permit the continuation of light industrial uses as well as the residential re-use of underutilized and vacant land.

The proposed project will be in compliance with the current land use plans as identified in the Greenpoint Williamsburg Rezoning action (CEQR No. 03DCP026M) adopted by the City on May 11, 2005 (**Attachment E**).

5.4 Environmental Zone

In October 2003, the New York State Brownfield Cleanup Program was signed into law under Title 14 of the ECL, Article 27. The law directed New York State's economic development agency, Empire State Development (ESD) to designate Environmental Zones in which tax credits offered under the BCP are enhanced. The subject site is not located within a designated Environmental Zone (see **Figure 7**).

5.5 Environmental Justice Area

As shown on **Figure 8**, the Site is not located within a potential environmental justice area. The NYSDEC defines a potential environmental justice area as a "minority or low-income community that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

5.6 Groundwater Vulnerability (Question 15)

Groundwater at the Site is present under water table conditions at a depth of approximately 5-12 feet below grade. Based on data collected from previous investigations performed at the Site and from data collected during the RI, groundwater flow at the Site is east to southeast. Groundwater at the site has been affected by petroleum related volatile and semi volatile organic compounds and, to a much lesser degree, chlorinated volatile organic compounds (VOCs, SVOCs, CVOCs).

Impact to drinking water is not an immediate concern to the buildings downgradient of the Site as all water for the area is supplied by the NYC Municipal water supply system.

Vapor intrusion, from impacted soil and /or groundwater at the Site, to any new development on the Site and to adjacent residential and commercial buildings was previously investigated under the Remedial Investigation.

5.7 Site Geography and Geology (Question 16)

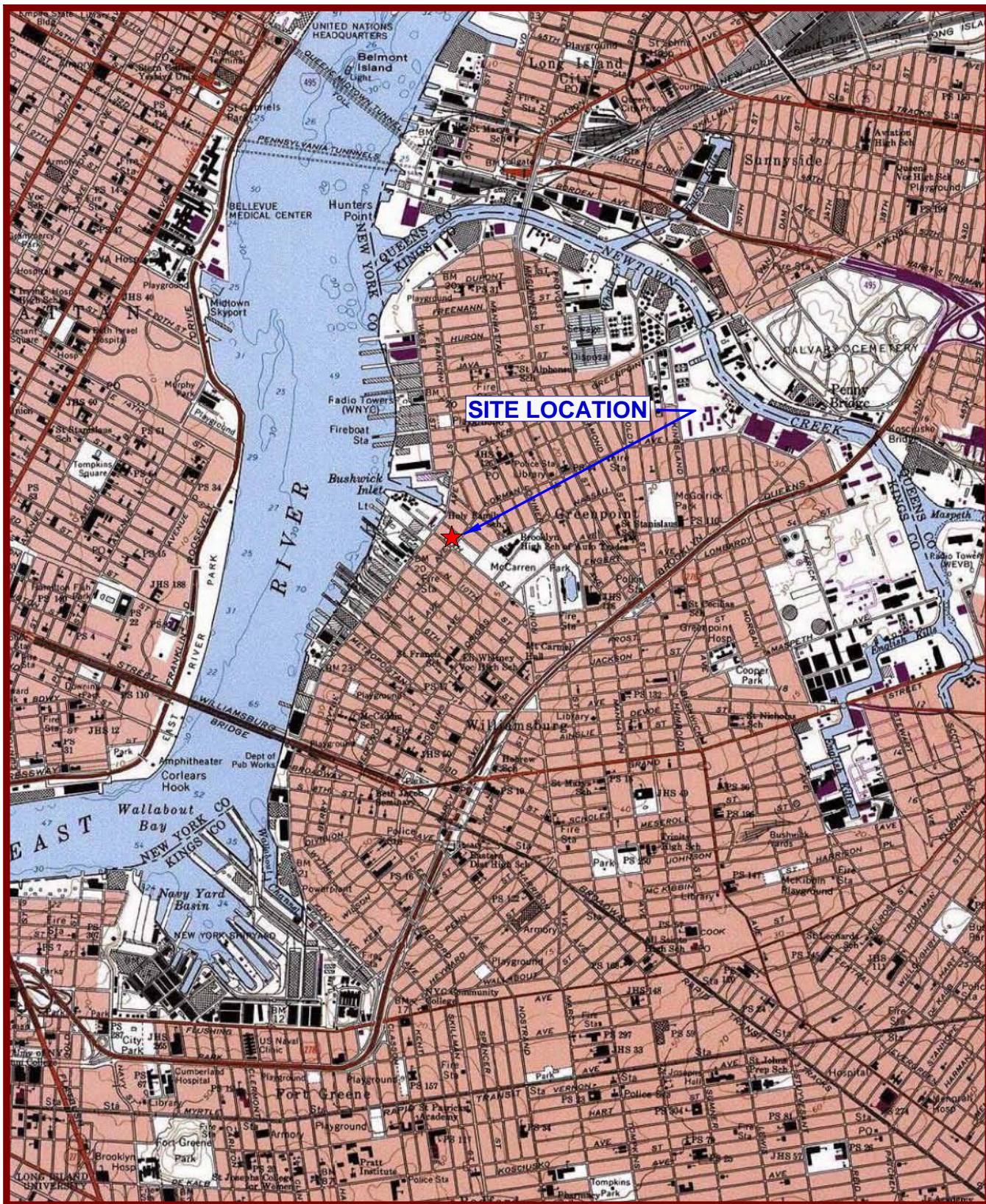
The geologic setting of Long Island is well documented and consists of crystalline bedrock overlain by layers of unconsolidated deposits. According to geologic maps of the area created by the United States Geologic Survey (USGS), the bedrock in this area of Brooklyn is an igneous intrusive classified as the Ravenswood grano-diorite of middle Ordovician to middle Cambrian age. Unconsolidated sediments overlie the bedrock and consist of Pleistocene aged sand, gravel and silty clays, deposited by glacial-fluvial activity. Non-native fill materials consisting of dredge spoils, rubble and / or other materials have historically been used to reinforce and extend shoreline areas and to raise and improve the drainage of low lying areas.

Soil at the site is described as historic fill materials to a depth of approximately 8 to 12 feet below the surface followed by native brown fine sand with silt and some clay. According to the USGS topographic map for the area (Brooklyn Quadrangle), the elevation of the property ranges from 11 feet (above the National Geodetic Vertical Datum) along Kent Avenue to 18 feet at the southeast

corner of the property at the intersection with Wythe Avenue and N. 12th Street. The area topography gradually slopes to the west toward the shoreline.

Designated flood zone areas are located adjacent to the Site along Kent Avenue and N. 13th Street. As shown on **Figure 9**, the Site is located adjacent to, or slightly within, a moderate risk flood zone to the west and to the north, and adjacent to a high risk flood zone (subject to 1%, 100-year annual flood) in the east, northwest and northeast areas of the property.

FIGURES



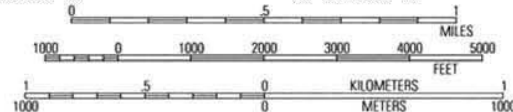
40°45.00' N
40°44.00' N
40°43.00' N
40°42.00' N

73°59.00' W

73°58.00' W

73°57.00' W

WGS84 73°56.00' W



MN TN
13°
06/04/11

USGS Brooklyn Quadrangle 1995, Contour Interval = 10 feet

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

FORMER SUNBELT EQUIPMENT
25 KENT AVENUE, BROOKLYN, NY

FIGURE 1

SITE LOCATION MAP



NYC TAX MAP

Kent Avenue

N. 12th Street

N. 13th Street

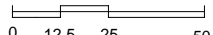
200ft

400ft

2-Story Warehouse
Building
(Under Demolition)

KEY

 Site Boundary


1 inch = 50 feet

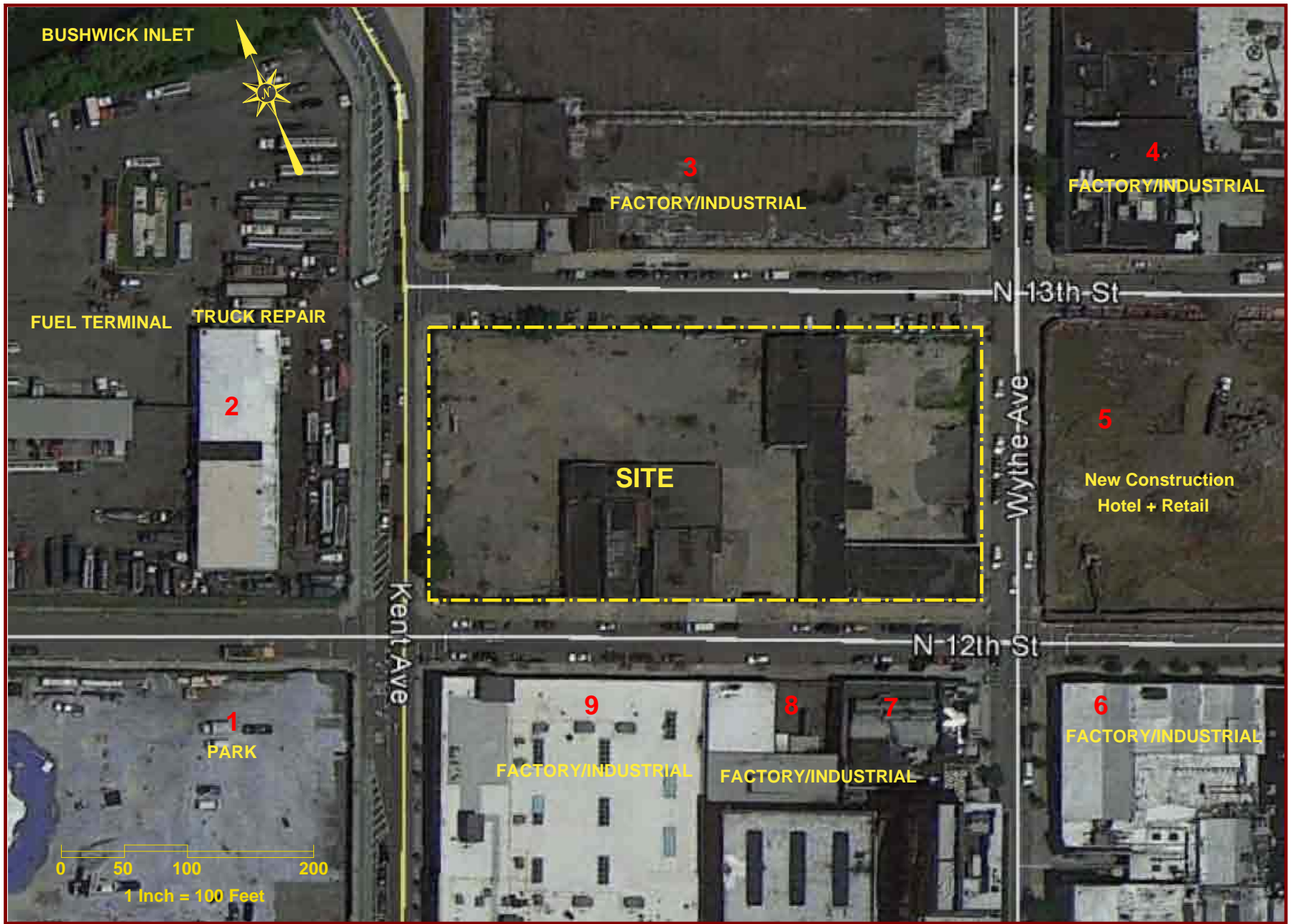
Wythe Avenue

EBC
ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

FORMER SUNBELT EQUIPMENT
25 KENT AVENUE, BROOKLYN, NY

FIGURE 3 SITE PLAN



EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

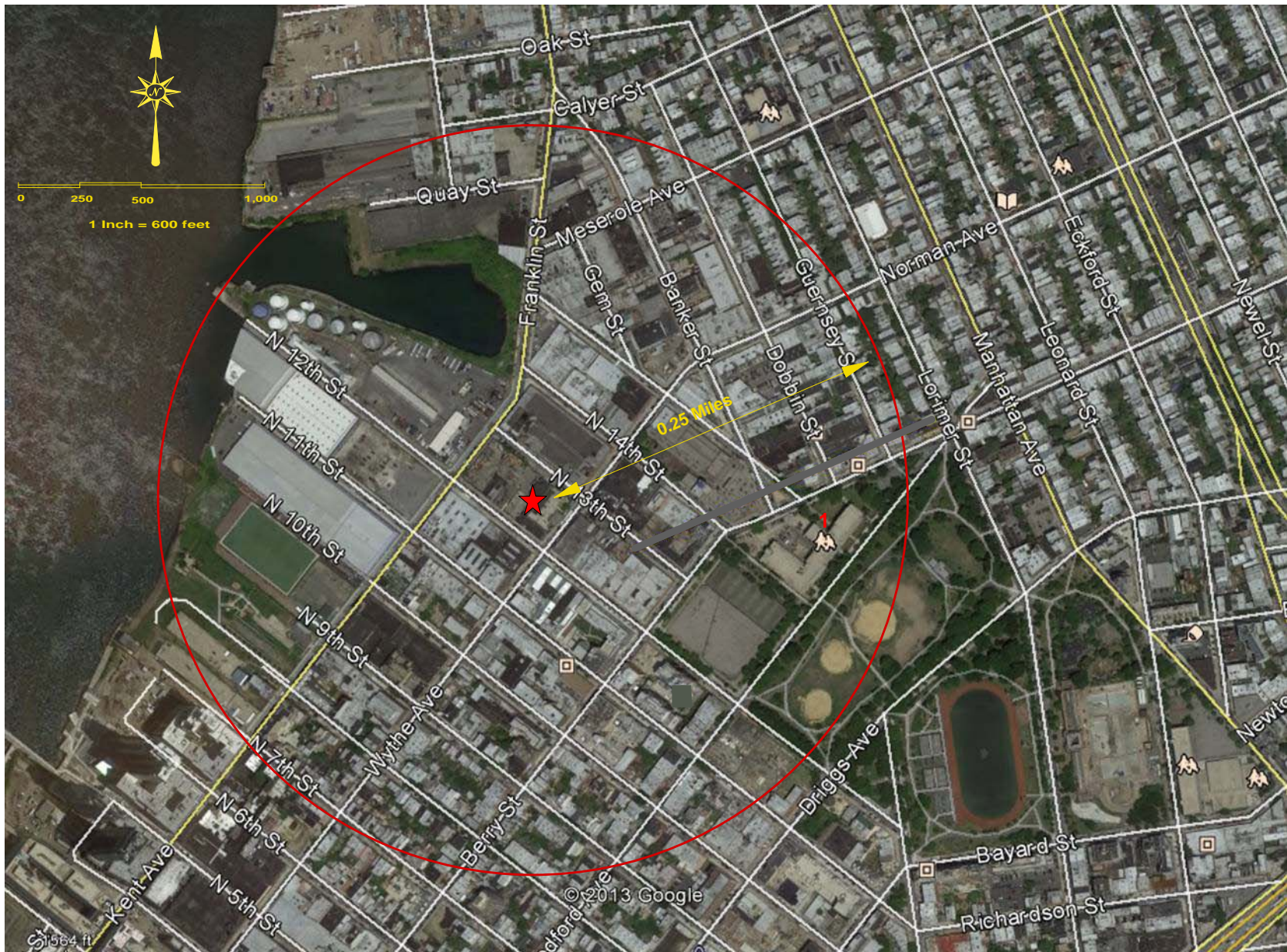
Phone: 631.504.6000

Fax: 631.924.2780

**FORMER SUNBELT EQUIPMENT
25 KENT AVENUE, BROOKLYN, NY**

FIGURE 4

**PROJECT SITE AND
ADJACENT PROPERTIES**



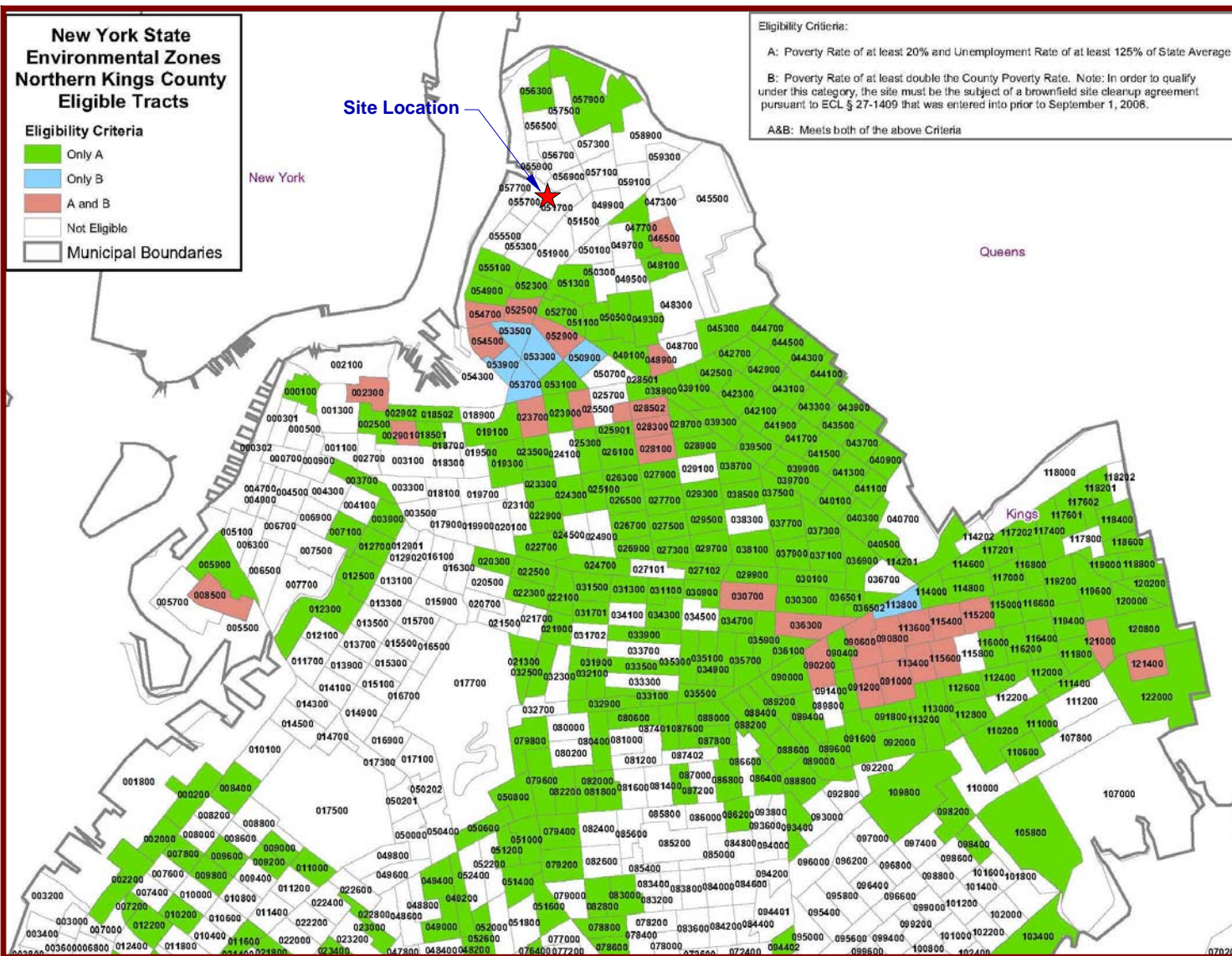
ENVIRONMENTAL BUSINESS CONSULTANTS
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000
Fax 631.924.2780

FORMER SUNBELT EQUIPMENT
25 KENT AVENUE, BROOKLYN, NY

FIGURE 5

**AREA SCHOOLS &
DAYCARE CENTERS**



BC

ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone: 631.504.6000

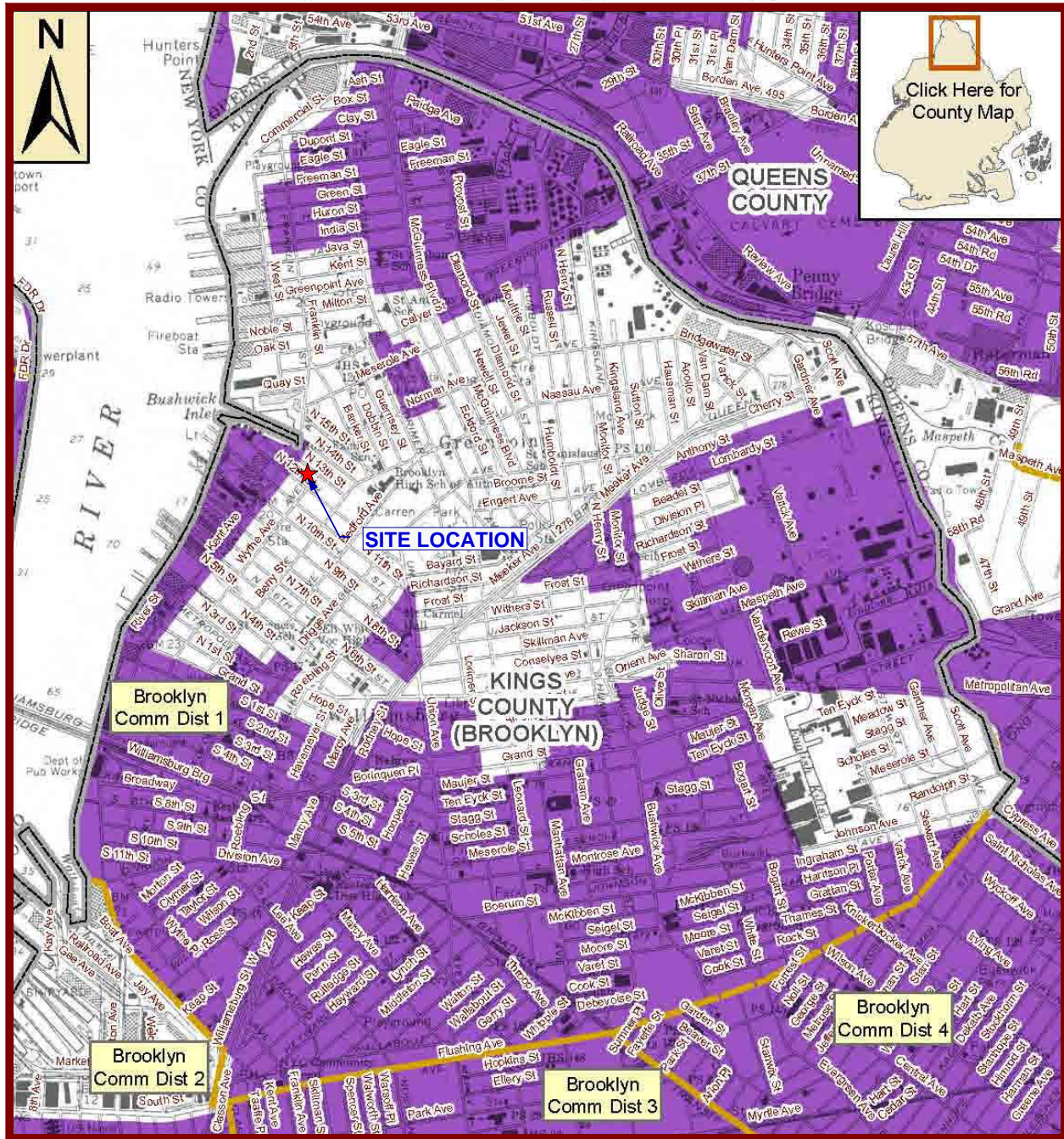
Fax: 631.924.2780

**FORMER SUNBELT EQUIPMENT
25 KENT AVENUE, BROOKLYN, NY**

FIGURE 7

**NYS ENVIRONMENTAL
ZONES**

Potential Environmental Justice Areas in Brooklyn Community District 1, Kings County, New York



This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

Legend

- Potential EJ Area
- County Boundary
- Community District

0 0.2 0.4 0.6 0.8 1 Miles

SCALE: 1:24,000

For questions about this map contact:
New York State Department of
Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, New York 12233-1500
(518) 402-8556
ej@gw.dec.state.ny.us



ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

FORMER SUNBELT EQUIPMENT
25 KENT AVENUE, BROOKLYN, NY

FIGURE 8

POTENTIAL ENVIRONMENTAL
JUSTICE AREAS

SITE PHOTOGRAPHS

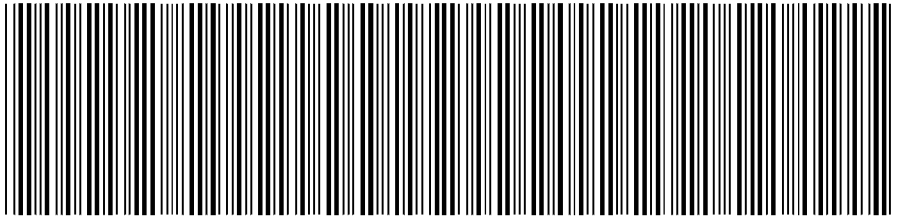




ATTACHMENT A
Property Deed

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

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



2013010800471002001E4EDB

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 16

Document ID: 2013010800471002

Document Date: 12-31-2012

Preparation Date: 01-08-2013

Document Type: DEED

Document Page Count: 14

PRESENTER:

RIVERSIDE ABSTRACT LLC
HOLD FOR PICKUP
3839 FLATLANDS AVE #208 - RANY-9106
BROOKLYN, NY 11234
718-252-4200
pkohan@rsabstract.com

RETURN TO:

RIVERSIDE ABSTRACT LLC
HOLD FOR PICKUP
3839 FLATLANDS AVE #208 - RANY-9106
BROOKLYN, NY 11234
718-252-4200
pkohan@rsabstract.com

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2282	1	Entire Lot	19 KENT AVENUE

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
BROOKLYN	2282	34	Entire Lot	77 NORTH 12 STREET

Property Type: COMMERCIAL REAL ESTATE

x Additional Properties on Continuation Page

CROSS REFERENCE DATA

CRFN _____ or Document ID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

GRANTOR/SELLER:

EVP, LLC
3109 GRAND AVENUE, PMB 298
MIAMI, FL 33133

GRANTEE/BUYER:

19 KENT DEVELOPMENT LLC
199 LEE AVENUE
BROOKLYN, NY 11211

x Additional Parties Listed on Continuation Page

FEES AND TAXES

Mortgage		Filing Fee:	
Mortgage Amount:	\$ 0.00		\$ 250.00
Taxable Mortgage Amount:	\$ 0.00	NYC Real Property Transfer Tax:	
Exemption:			\$ 833,437.50
TAXES: County (Basic):	\$ 0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$ 0.00		\$ 127,000.00
Spec (Additional):	\$ 0.00		
TASF:	\$ 0.00		
MTA:	\$ 0.00		
NYCTA:	\$ 0.00		
Additional MRT:	\$ 0.00		
TOTAL:	\$ 0.00		
Recording Fee:	\$ 116.00		
Affidavit Fee:	\$ 0.00		

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

Recorded/Filed 01-11-2013 14:19

City Register File No.(CRFN):

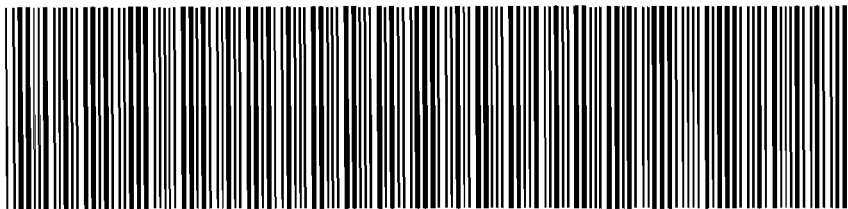
2013000015283



Annette McMill

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2013010800471002001C4C5B

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 16

Document ID: 2013010800471002

Document Date: 12-31-2012

Preparation Date: 01-08-2013

Document Type: DEED

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2282	28	Entire Lot	83 NORTH 12 STREET

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
BROOKLYN	2282	15	Entire Lot	77 NORTH 13 STREET

Property Type: COMMERCIAL REAL ESTATE

PARTIES

GRANTOR/SELLER:

NANALOU LLC
3370 HIDDEN BAY DRIVE
ADVENTURE, FL 33180

GRANTOR/SELLER:

LISA BREHENY, TRUSTEE
2114 FELIZ DRIVE
NOVATO, CA 94945

GRANTOR/SELLER:

LISA BREHENY IRREVOCABLE GST EXEMPT
TRUST
2114 FELIZ DRIVE
NOVATO, CA 94945

GRANTOR/SELLER:

LESLEY EHRENFELD, TRUSTEE
746 MAYS BOULEVARD
INCLINE VILLAGE, NV 89451

GRANTOR/SELLER:

LESLEY EHRENFELD IRREVOCABLE GST EXEMPT
TRUST
746 MAYS BOULEVARD
INCLINE VILLAGE, NV 89451

GRANTOR/SELLER:

LAUREN EHRENFELD, TRUSTEE
625 SANTA CLARA AVENUE
VENICE, CA 90291

GRANTOR/SELLER:

LAUREN EHRENFELD IRREVOCABLE GST EXEMPT
TRUST
625 SANTA CLARA AVENUE
VENICE, CA 90291

GRANTOR/SELLER:

LLETS, LLC
3109 GRAND AVENUE, PMB 298
MIAMI, FL 33133

delivered and effective as of 12/31/2012
THIS INDENTURE, made the Nineteenth Day of November, 2012

BETWEEN EVP, LLC as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, **Nanalou LLC**, as to a 25% interest, having an address of 3370 Hidden Bay Drive, Adventure, FL 33180, Lisa Breheny as Trustee of the **Lisa Breheny Irrevocable GST Exempt Trust Dated 6/18/09**, as to a 8.3333% interest, having an address of 2114 Feliz Drive, Novato, CA 94945, Lesley Ehrenfeld as Trustee of the **Lesley Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3333% interest, having an address of 746 Mays Boulevard, Incline Village, NV 89451, Lauren Ehrenfeld as Trustee of the **Lauren Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3334% interest, having an address of 625 Santa Clara Avenue, Venice, CA 90291, and **LLETS, LLC**, as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, as tenants in common, party of the first part,

AND

19 Kent Development LLC, having an address at 199 Lee Avenue, Brooklyn, NY 11211, party of the second part,

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

SEE SCHEDULE "A" LEGAL DESCRIPTION ATTACHED HERETO

Designated as Block 2282 Lot 1 and also known as 19 Kent Avenue.
Designated as Block 2282 Lot 34 and also known as 77 North 12th Street.
Designated as Block 2282 Lot 28 and 15 and also known as 83 North 12th Street and 77 North 13th Street.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

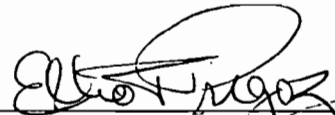
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Nanalou LLC

Lisa Breheny Irrevocable GST Exempt Trust

Lesley Ehrenfeld Irrevocable GST Exempt Trust


EVP, LLC
By Elliot Prigou its Sole member

Lauren Ehrenfeld Irrevocable GST Exempt Trust

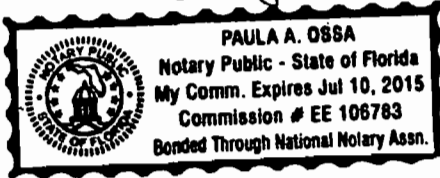
LLETS LLC

USE ACKNOWLEDGEMENT FORM BELOW

State of Florida County of Dade ss.:
 On the 08 of November, 2012
 before me, the undersigned, personally appeared
Elliott V. Pigozen Only

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

individual made such appearance before the undersigned in the state of Florida, County of Dade



Bargain and Sale Deed
 with Covenant against Grantors Acts

TITLE NO: RANY-9106

EVP, LLC, et al

TO

19 Kent Development LLC

DISTRIBUTED BY:

RIVERSIDE ABSTRACT, LLC
3839 FLATLANDS AVENUE
SUITE 208
BROOKLYN, NY 11234

RECORD & RETURN TO:

NICHOLAS J. KAISER, ESQ.
620 EIGHTH AVENUE

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____) ss.:
 On the _____ of _____
 before me, the undersigned, personally appeared _____

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

ACKNOWLEDGEMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
 (Out of State or Foreign General Acknowledgement Certificate)

(Complete Venue with State, Country, Province or Municipality)) ss.:
 On the _____ of _____
 before me, the undersigned, personally appeared _____

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

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken).

DISTRICT
SECTION
BLOCK 2282
LOTS 1, 34, 15 AND 28
COUNTY OR TOWN KINGS

THIS INDENTURE, made the Nineteenth Day of November, 2012

BETWEEN EVP, LLC as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, Nanalou LLC, as to a 25% interest, having an address of 3370 Hidden Bay Drive, Adventure, FL 33180, Lisa Breheney as Trustee of the **Lisa Breheney Irrevocable GST Exempt Trust Dated 6/18/09**, as to a 8.3333% interest, having an address of 2114 Feliz Drive, Novato, CA 94945, Lesley Ehrenfeld as Trustee of the **Lesley Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3333% interest, having an address of 746 Mays Boulevard, Incline Village, NV 89451, Lauren Ehrenfeld as Trustee of the **Lauren Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3334% interest, having an address of 625 Santa Clara Avenue, Venice, CA 90291, and LLETS, LLC, as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, as tenants in common, party of the first part,

AND

19 Kent Development LLC, having an address at 199 Lee Avenue, Brooklyn, NY 11211, party of the second part,

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

SEE SCHEDULE "A" LEGAL DESCRIPTION ATTACHED HERETO

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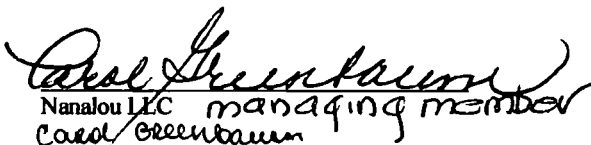
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AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:


Nanalou LLC managing member
Carol Greenbaum

EVP, LLC

Lauren Ehrenfeld Irrevocable GST Exempt Trust

Lisa Breheney Irrevocable GST Exempt Trust

LLETS LLC

Lesley Ehrenfeld Irrevocable GST Exempt Trust

USE ACKNOWLEDGEMENT FORM BELOW

State of _____ County of _____) ss.:
On the _____ of _____, 2012
before me, the undersigned, personally appeared _____

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

Bargain and Sale Deed
with Covenant against Grantors Acts

TITLE NO: RANY-9106

EVP, LLC, et.al

TO

19 Kent Development LLC

DISTRIBUTED BY:

RIVERSIDE ABSTRACT, LLC
3839 FLATLANDS AVENUE
SUITE 208
BROOKLYN, NY 11234

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____) ss.:
On the _____ of _____, _____
before me, the undersigned, personally appeared _____

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

STATE OF FLORIDA COUNTY OF MIAMI-DADE

ACKNOWLEDGEMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
(Out of State or Foreign General Acknowledgement Certificate)

(Complete Venue with State, Country, Province or Municipality)

On the 12 of November, 2012
before me, the undersigned, personally appeared CAROL GREENBAUM
AS MANAGING MEMBER OF NANALOU, LLC

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the State of Florida, County of Miami-Dade

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken).

Carol Greenbaum, Managing Member
NANALOU, LLC

DISTRICT

SECTION

BLOCK

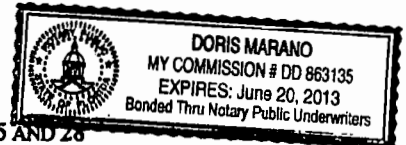
LOTS

COUNTY OR TOWN

2282

1, 34, 15 AND 28

KINGS



Don Marano
SEAL

RECORD & RETURN TO:

NICHOLAS J. KAISER, ESQ.
620 EIGHTH AVENUE

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

THIS INDENTURE, made the Nineteenth Day of November, 2012

BETWEEN EVP, LLC as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, **Nanalou LLC**, as to a 25% interest, having an address of 3370 Hidden Bay Drive, Adventure, FL 33180, **Lisa Breheney** as Trustee of the **Lisa Breheney Irrevocable GST Exempt Trust Dated 6/18/09**, as to a 8.3333% interest, having an address of 2114 Feliz Drive, Novato, CA 94945, **Lesley Ehrenfeld** as Trustee of the **Lesley Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3333% interest, having an address of 746 Mays Boulevard, Incline Village, NV 89451, **Lauren Ehrenfeld** as Trustee of the **Lauren Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3334% interest, having an address of 625 Santa Clara Avenue, Venice, CA 90291, and **LLETS, LLC**, as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, as tenants in common, party of the first part,

AND

19 Kent Development LLC, having an address at 199 Lee Avenue, Brooklyn, NY 11211, party of the second part,

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

SEE SCHEDULE "A" LEGAL DESCRIPTION ATTACHED HERETO

Designated as Block 2282 Lot 1 and also known as 19 Kent Avenue.
Designated as Block 2282 Lot 34 and also known as 77 North 12th Street.
Designated as Block 2282 Lot 28 and 15 and also known as 83 North 12th Street and 77 North 13th Street.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

EVP, LLC

Nanalou LLC

Lauren Ehrenfeld Irrevocable GST Exempt Trust

Lisa Breheney Irrevocable GST Exempt Trust

LLETS LLC

California All-Purpose
Acknowledgment Attached

Lesley Ehrenfeld Irrevocable GST Exempt Trust

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

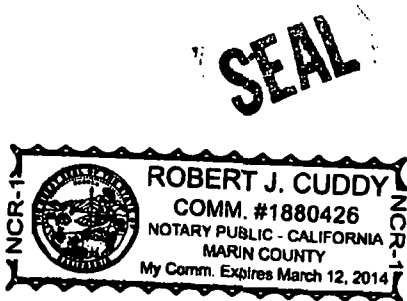
State of California
County of Marin

On Nov. 9th 2012 before me, Robert J. Cuddy, Notary Public

Personally appeared Lisa Brehency,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California the foregoing Paragraph is true and correct.



WITNESS my hand and official seal.

Robert J. Cuddy (Seal)

My commission, Number 1880426, expires March 12, 2014

OPTIONAL INFORMATION

DOCUMENT

Title or Type of Document _____

Date of Document _____ Number of Pages _____

Other Signer(s) _____

SIGNER'S CLAIMED CAPACITY

☐ Individual ☐ Other _____

THIS INDENTURE, made the Nineteenth Day of November, 2012

BETWEEN EVP, LLC as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, **Nanalou LLC**, as to a 25% interest, having an address of 3370 Hidden Bay Drive, Adventure, FL 33180, Lisa Breheny as Trustee of the **Lisa Breheny Irrevocable GST Exempt Trust Dated 6/18/09**, as to a 8.3333% interest, having an address of 2114 Feliz Drive, Novato, CA 94945, Lesley Ehrenfeld as Trustee of the **Lesley Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3333% interest, having an address of 746 Mays Boulevard, Incline Village, NV 89451, Lauren Ehrenfeld as Trustee of the **Lauren Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3334% interest, having an address of 625 Santa Clara Avenue, Venice, CA 90291, and **LLETS, LLC**, as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, as tenants in common, party of the first part,

AND

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

IN PRESENCE OF:

EVP, LLC

Nanalou LLC

Lauren Ehrenfeld Irrevocable GST Exempt Trust

Lisa Breheny Irrevocable GST Exempt Trust

LLETS LLC



Lesley Ehrenfeld Irrevocable GST Exempt Trust
Trustee

USE ACKNOWLEDGEMENT FORM BELOW

State of NEVADA County of WASHOE) ss.:
 On the 14 of NOVEMBER, 2012
 before me, the undersigned, personally appeared
LESLEY EHRENFELD

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

individual made such appearance before the undersigned in the State of Nevada County of Washoe



SEAL

Bargain and Sale Deed
 with Covenant against Grantors Acts

TITLE NO: RANY-9106

EVP, LLC, et.al

TO

19 Kent Development LLC

DISTRIBUTED BY:

**RIVERSIDE ABSTRACT, LLC
 3839 FLATLANDS AVENUE
 SUITE 208
 BROOKLYN, NY 11234**

RECORD & RETURN TO:

**NICHOLAS J. KAISER, ESQ.
 620 EIGHTH AVENUE**

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____) ss.:
 On the _____ of _____,
 before me, the undersigned, personally appeared

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

ACKNOWLEDGEMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
 (Out of State or Foreign General Acknowledgement Certificate)

(Complete Venue with State, Country, Province or Municipality)) ss.:
 On the _____ of _____,
 before me, the undersigned, personally appeared

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

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken).

DISTRICT

SECTION

BLOCK 2282

LOTS 1, 34, 15 AND 28

COUNTY OR TOWN KINGS

THIS INDENTURE, made the Nineteenth Day of November, 2012

BETWEEN EVP, LLC as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, Nanalou LLC, as to a 25% interest, having an address of 3370 Hidden Bay Drive, Adventure, FL 33180, Lisa Breheny as Trustee of the **Lisa Breheny Irrevocable GST Exempt Trust Dated 6/18/09**, as to a 8.3333% interest, having an address of 2114 Feliz Drive, Novato, CA 94945, Lesley Ehrenfeld as Trustee of the **Lesley Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3333% interest, having an address of 746 Mays Boulevard, Incline Village, NV 89451, Lauren Ehrenfeld as Trustee of the **Lauren Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3334% interest, having an address of 625 Santa Clara Avenue, Venice, CA 90291, and LLETS, LLC, as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, as tenants in common, party of the first part,

AND

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


IN PRESENCE OF:

Nanalou LLC

Lisa Breheny Irrevocable GST Exempt Trust

Lesley Ehrenfeld Irrevocable GST Exempt Trust

EVP, LLC



Lauren Ehrenfeld Irrevocable GST Exempt
Trust *Trustee*

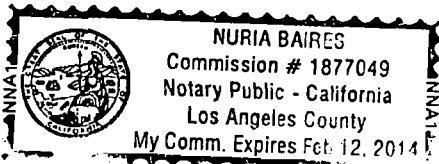
LLETS LLC

USE ACKNOWLEDGEMENT FORM BELOW

State of California County of Los Angeles
 On the 15th of November, 2012
 before me, the undersigned, personally appeared

Lauren Eve Ehrenfeld

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the State of California, County of Los Angeles



SEAL

N. Baires

Bargain and Sale Deed
 with Covenant against Grantors Acts

TITLE NO: RANY-9106

EVP, LLC, et.al

TO

19 Kent Development LLC

DISTRIBUTED BY:

RIVERSIDE ABSTRACT, LLC
 3839 FLATLANDS AVENUE
 SUITE 208
 BROOKLYN, NY 11234

RECORD & RETURN TO:

NICHOLAS J. KAISER, ESQ.
 620 EIGHTH AVENUE

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____) ss.:
 On the _____ of _____,
 before me, the undersigned, personally appeared

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

ACKNOWLEDGEMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
 (Out of State or Foreign General Acknowledgement Certificate)

(Complete Venue with State, Country, Province or Municipality)
 On the _____ of _____,
 before me, the undersigned, personally appeared

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

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken).

DISTRICT
SECTION
BLOCK 2282
LOTS 1, 34, 15 AND 28
COUNTY OR TOWN KINGS

THIS INDENTURE, made the Nineteenth Day of November, 2012

BETWEEN EVP, LLC as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, **Nanalou LLC**, as to a 25% interest, having an address of 3370 Hidden Bay Drive, Adventure, FL 33180, Lisa Breheney as Trustee of the **Lisa Breheney Irrevocable GST Exempt Trust Dated 6/18/09**, as to a 8.3333% interest, having an address of 2114 Feliz Drive, Novato, CA 94945, Lesley Ehrenfeld as Trustee of the **Lesley Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3333% interest, having an address of 746 Mays Boulevard, Incline Village, NV 89451, Lauren Ehrenfeld as Trustee of the **Lauren Ehrenfeld Irrevocable GST Exempt Trust dated 6/18/09**, as to a 8.3334% interest, having an address of 625 Santa Clara Avenue, Venice, CA 90291, and **LLETS, LLC**, as to a 25% interest, having an address of 3109 Grand Avenue, PMB 298, Miami, FL 33133, as tenants in common, party of the first part,

AND

19 Kent Development LLC, having an address at 199 Lee Avenue, Brooklyn, NY 11211, party of the second part,

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

SEE SCHEDULE "A" LEGAL DESCRIPTION ATTACHED HERETO

Designated as Block 2282 Lot 1 and also known as 19 Kent Avenue.
Designated as Block 2282 Lot 34 and also known as 77 North 12th Street.
Designated as Block 2282 Lot 28 and 15 and also known as 83 North 12th Street and 77 North 13th Street.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

EVP, LLC

Nanalou LLC

Lisa Breheney Irrevocable GST Exempt Trust

Lauren Ehrenfeld Irrevocable GST Exempt Trust

[Signature]
LLETS LLC by *[Signature]* its Sole member.

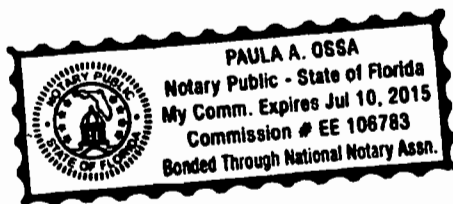
Lesley Ehrenfeld Irrevocable GST Exempt Trust

USE ACKNOWLEDGEMENT FORM BELOW

State of Florida County of Dade ss.:
 On the 8 of November, 2012
 before me, the undersigned, personally appeared
Lynn G. Prigozen Only

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before me in the State of Florida, County of Dade

[Handwritten signature]
 me in the State of Florida, County of Dade



SEAL

Bargain and Sale Deed
 with Covenant against Grantors Acts

TITLE NO: RANY-9106

EVP, LLC, et.al

TO

19 Kent Development LLC

DISTRIBUTED BY:

RIVERSIDE ABSTRACT, LLC
3839 FLATLANDS AVENUE
SUITE 208
BROOKLYN, NY 11234

RECORD & RETURN TO:

NICHOLAS J. KAISER, ESQ.
620 EIGHTH AVENUE

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____) ss.:
 On the _____ of _____,
 before me, the undersigned, personally appeared _____

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

ACKNOWLEDGEMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
 (Out of State or Foreign General Acknowledgement Certificate)

(Complete Venue with State, Country, Province or Municipality)) ss.:
 On the _____ of _____,
 before me, the undersigned, personally appeared _____

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

(Insert the city or other political subdivision and the state or country or other place the acknowledgement was taken).

DISTRICT
SECTION
BLOCK 2282
LOTS 1, 34, 15 AND 28
COUNTY OR TOWN KINGS

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

SCHEDULE "A" LEGAL DESCRIPTION

Parcel I:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 North 12th Street and the easterly side of Kent Avenue:

RUNNING THENCE northerly along the easterly side of Kent Avenue, 200 feet to the corner formed by the intersection of the easterly side of Kent Avenue and the southerly side of North 13th Street;

THENCE easterly along the southerly side of North 13th Street, 250 feet;

THENCE southerly parallel with Kent Avenue, 100 feet;

THENCE westerly parallel with North 13th Street, 150 feet;

THENCE southerly parallel with Kent Avenue, 100 feet to the northerly side of North 12th Street; and

THENCE westerly along the northerly side of North 12th Street, 100 feet to the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2282 Lot 1 and also known as 19 Kent Avenue.

Parcel II:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 a point on the Northeasterly side of North 12th Street, distant 240 feet 3 1/2 inches Northwesterly from the corner formed by the intersection of the Northeasterly side of North 12th Street with the Northwesterly side of Wythe Avenue;

RUNNING THENCE Northeasterly parallel with Wythe Avenue, 73 feet 3 inches;

THENCE Southeasterly parallel with North 12th Street, 6 inches;

THENCE Northeasterly at right angles to North 12th Street, 26 feet 9 inches to the center line of the block;

THENCE Northwesterly along the center line of the block and parallel with North 12th Street, 60 feet 2 1/2 inches;

THENCE Southwesterly parallel with Wythe Avenue, 100 feet to the Northeasterly side of North 12th Street;

THENCE Southeasterly along the Northeasterly side of North 12th Street, 59 feet 8 1/2 inches to the

point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2282 Lot 34 and also known as 77 North 12th Street.

Parcel III and IV:

ALL THAT CERTAIN plot, piece or parcel of land, with the buildings and improvements thereon erected, 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 westerly side of Wythe Avenue and the southerly side of North 13th Street;

RUNNING THENCE in a westerly direction along the southerly side of North 13th Street, a distance of 150 feet. Said point being distant 250 feet easterly from the intersection formed by the intersection of the southerly side of North 13th Street and the easterly side of Kent Avenue;

THENCE in a southerly direction from said point and parallel with the easterly side of Kent Avenue and the westerly side of Wythe Avenue, a distance of 100 feet to the center line of the block between North 13th Street and North 12th Street;

THENCE westerly along the said center line of the block, a distance of 89 feet 9 1/2 inches more or less;

THENCE southerly 26 feet 9 inches;

THENCE westerly and parallel with the northerly side of North 12th Street, a distance of 6 inches;

THENCE southerly from said point a distance of 73 feet 3 inches to the northerly side of North 12th Street to a point thereon westerly, a distance of 240 feet 3 1/2 inches from the intersection of the westerly side of Wythe Avenue and the northerly side of North 12th Street;

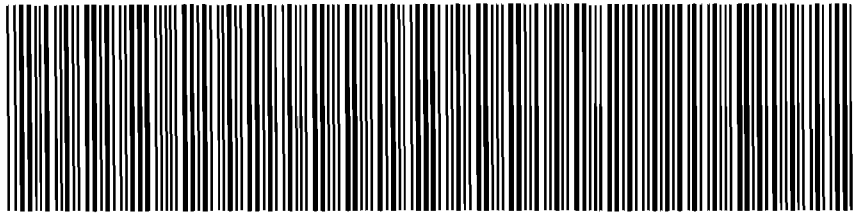
THENCE easterly along the northerly side of North 12th Street, a distance of 240 feet 3 1/2 inches to the corner formed by the intersection of the westerly side of Wythe Avenue and the northerly side of North 12th Street;

THENCE northerly along the westerly side of Wythe Avenue, a distance of 200 feet to the corner formed by the intersection of the westerly side of Wythe Avenue and the southerly side of North 13th Street, the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2282 Lot 28 and 15 and also known as 83 North 12th Street and 77 North 13th Street.

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



2013010800471002001S805A

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2013010800471002
Document Type: DEED

Document Date: 12-31-2012

Preparation Date: 01-08-2013

ASSOCIATED TAX FORM ID: 2012102500495

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

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

2

10

FOR CITY USE ONLY

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

C3. Book OR C4. Page

C5. CRFN



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location 19 KENT AVENUE BROOKLYN CITY REGISTER
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 19 KENT DEVELOPMENT I.L.C
 LAST NAME / COMPANY FIRST NAME JAN 10 2013

3. Tax Billing Address
 LAST NAME / COMPANY FIRST NAME
 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 4 # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size X OR ACRES
 FRONT FEET DEPTH

6. Seller Name EVP, LLC NANALOU LLC
 LAST NAME / COMPANY FIRST NAME
 LAST NAME / COMPANY FIRST NAME

7. New Construction on Vacant Land ☐

8. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential C ☐ Residential Vacant Land E ☒ Commercial G ☐ Entertainment / Amusement I ☐ Industrial
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

SALE INFORMATION

10. Sale Contract Date 11 / 19 / 2012
 Month Day Year

11. Date of Sale / Transfer 12 / 31 / 2012
 Month Day Year

12. Full Sale Price \$ 3,175,000.00
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives
 B ☐ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates
 H ☐ Sale of Business is Included in Sale Price
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
 J ☒ None


ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class E, 9 16. Total Assessed Value (of all parcels in transfer) 1240200

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional Identifier(s))
BROOKLYN 2282 1 BROOKLYN 2282 34 BROOKLYN 2282 28

CERTIFICATION

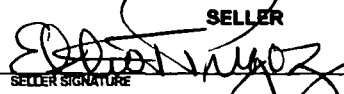
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing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

 BUYER			BUYER'S ATTORNEY	
BUYER SIGNATURE 199 LEE AVENUE		DATE	LAST NAME	FIRST NAME
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
BROOKLYN			SELLER	
CITY OR TOWN	STATE NY	ZIP CODE 11211	DATE	

CERTIFICATION

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BUYER**BUYER'S ATTORNEY**

BUYER SIGNATURE 199 LEE AVENUE		DATE	LAST NAME		FIRST NAME
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	
BROOKLYN				SELLER	
CITY OR TOWN	STATE NY	ZIP CODE 11211	SELLER SIGNATURE 		DATE 11/08/12

2012102500495201

CERTIFICATION

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

BUYERS

Jody Reshorts 12/31/12
Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

Buyer Signature Date

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Buyer Signature Date

SELLERS

Seller Signature Date

Seller Signature Date

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2012102500495201


CERTIFICATION

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BUYERS

Buyer Signature	Date
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SELLERS

 11/15/12	
Seller Signature	Date
Seller Signature	Date
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BUYERS

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SELLERS

<i>Carol Greenbaum</i>	<i>11-14-12</i>
Seller Signature	Date
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Seller Signature	Date
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BUYERS

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SELLERS

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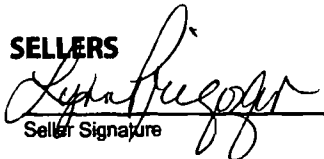
CERTIFICATION

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BUYERS

Buyer Signature	Date
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SELLERS

 Seller Signature	11/8/12 Date
Seller Signature	Date
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CERTIFICATION

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BUYERS

Buyer Signature	Date
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SELLERS

 Seller Signature	11-9-12 Date
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The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 2282 LOT: 1
- (2) Property Address: 19 KENT AVENUE, BROOKLYN, NY 11249
- (3) Owner's Name: 19 KENT DEVELOPMENT LLC
- Additional Name:

Affirmation:



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

Customer Billing Information:

Please Note:

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

Owner's Approval:

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

Print Name of Owner:

Signature:

Date (mm/dd/yyyy)

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



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

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
BROOKLYN	2282	34	77 NORTH 12 STREET	NY	NY	11249
BROOKLYN	2282	28	83 NORTH 12 STREET	NY	NY	11249
BROOKLYN	2282	15	77 NORTH 13 STREET	NY	NY	11249

201210250049510103

ATTACHMENT B
Environmental Reports (Digital Files on CD)

ATTACHMENT C

Detailed Cost Analysis of Established Environmental Conditions

**FORMER SUNBELT EQUIPMENT
Brooklyn, NY**

Summary of Project Costs

**NYS Brownfields Cleanup Program
Costs by Task**

TASK - ENVIRONMENTAL REMEDIATION

BCP Entry Documents	\$	17,450.00
Supplemental Investigation and RI Report	\$	58,850.00
Remedial Work Plan, Remedy Scoping & Coordination	\$	18,450.00
Remedial Program Implementation	\$	6,277,415.00
Final Engineering Report, Site Management Plan & IC/ECs	\$	125,450.00
Post Remedial Monitoring	\$	33,050.00
<i>Subtotal</i>	\$	6,530,665.00
<i>15% Contingency</i>	\$	979,599.75
<i>Total</i>	\$	7,510,264.75

ATTACHMENT D
Authorization to Sign on Behalf of LLC

RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being a member and manager of 19 Kent Development LLC, a New York limited liability company (the "Company"), does hereby resolve that:

Toby Moskowitz

1. _____ is an officer of the Company and has the full power and authority on behalf of the Company to:

(a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");

(b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the Company's participation in the BCP;

(c) Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, and tax returns;

(d) Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this unanimous consent are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by the sole member of this company, of the revocation hereof by a resolution duly adopted by the sole member of this company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC's receipt of such notice.

3. The undersigned hereby represents and warrants that (i) the undersigned is a member and manager of the Company; and (ii) the consent of any member and manager is sufficient to authorize the Company to take the aforementioned actions.



Dated: December 30, 2014
Brooklyn, NY

ATTACHMENT E
**Greepoint - Williamsburg
Rezoning Action**

CITY PLANNING COMMISSION

March 14, 2005/Calendar No. 6

N 050110(A) ZRK

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-8) in Greenpoint-Williamsburg, Community District 1, Brooklyn; and the elimination of Article IX, Chapter 7 (Special Northside Mixed Use District) and Article X, Chapter 8 (Special Franklin Street Mixed Use District), Borough of Brooklyn, Community District 1.

The application for the zoning text amendment was filed by the Department of City Planning on September 30, 2004, with a modified application N 050110(A) ZRK filed on December 22, 2004. The modified application, N 050110(A) ZRK, is the subject of this report.

RELATED ACTIONS

In addition to the amendment of the Zoning Resolution which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. **C 040415 MMK** The elimination, discontinuance, and closing of a portion of North 12th Street between Kent Avenue and the U.S. Pierhead Line, the establishment of Inlet Park, and the delineation of sewer corridors
2. **C 040416 MMK** The elimination of a portion of Quay Street between West Street and the U.S. Bulkhead Line, the establishment of Inlet Park, the establishment of Inlet Park, and the delineation of a sewer corridor
3. **C 040417 MMK** The elimination, discontinuance, and closing of a portion of North 11th Street between Kent Avenue and the U.S. Pierhead Line, the establishment of Inlet Park, and the delineation of a sewer corridor

4. **C 040418 MMK** The elimination, discontinuance, and closing of portions of North 9th Street and North 10th Street between Kent Avenue and the U.S. Pierhead Line, and the establishment of Inlet Park
5. **C 050111(A) ZMK** Amendment of the Zoning Map, Section Nos. 8d, 9b, 12c, 12d, 13a, and 13b to rezone approximately 183 blocks to R6, C2-4/R6, C1-4/R6, R6B, C2-4/R6B, C1-4/R6B, R6A, C2-4/R6A, C1-4/R6A, R8, C2-4/R8, M1-2, M1-2/R6B, M1-2/R6A, M1-2/R6, M1-2/R7A, and MX-8.

BACKGROUND

Description of Proposal

The Department of City Planning proposes zoning map changes, zoning text amendments, and city map changes in Brooklyn Community District 1 to facilitate housing and open spaces, and light industry and commercial uses, along two miles of Brooklyn's East River waterfront and the adjoining upland neighborhoods. The project area includes approximately 183 blocks affected by the proposed zoning map and text changes and proposed City Map changes, where the existing zoning, for the most part, does not permit new residential buildings. It is generally bounded by the Williamsburg Bridge to the south, the Brooklyn-Queens Expressway (BQE) and McGuinness Boulevard to the east, Newtown Creek to the north, and the East River to the west.

In established residential communities as well as adjoining areas that have been mostly vacant and derelict for years, the proposal would create opportunities for thousands of new housing units, including affordable housing made possible by the Mayor's housing plan. Zoning controls would set height limits to ensure that new buildings fit in with their surroundings. In recognition of the mixed-use character that has long defined these neighborhoods, the proposal would rezone certain areas to a Special Mixed Use District (MX-8) to permit light industrial and residential uses to coexist, while retaining manufacturing zoning in areas containing critical concentrations of industry. The proposed actions would also facilitate a continuous publicly accessible waterfront walkway and new public open spaces along the East River waterfront, creating new recreational opportunities and forging long-sought links between the water's edge and the established Greenpoint and Williamsburg communities.

Zoning map changes would replace M1-1, M1-2, M3-1, C8-1, C8-2, R6, R6/C1-3, Special Northside Mixed Use District and Special Franklin Street Mixed Use District zoning designations with residential and mixed use districts. Upland areas would be rezoned to R6, R6A, R6B, M1-2/R6, M1-2/R6A, M1-2/R6B, M1-2/R7A, R6/C1-4, R6A/C1-4, R6B/C1-4, R6/C2-4, R6A/C2-4, and R6B/C2-4, with commercial overlays proposed along Grand Street, Bedford Avenue, Green Street, and Greenpoint Avenue. R6 and R8 districts are proposed on the waterfront, with commercial overlays on West Street, Kent Avenue, Commercial Street, Quay Street, Franklin Street, Green Street, Greenpoint Avenue, and North 6th Street, and with zoning text changes establishing special bulk rules for this waterfront area. In addition, the proposal would rezone an area between McCarren Park and Kent Avenue/Franklin Street, as well as two blocks between Manhattan Avenue and the Pulaski Bridge north of Box Street, from M3-1 to M1-2.

Zoning text amendments in the form of a Waterfront Access Plan (WAP) for the Greenpoint-Williamsburg waterfront between Manhattan Avenue and North 3rd Street would identify specific locations for required shore public walkways, upland connections, supplemental public access areas, and visual corridors, and establish design parameters tailored to the geography of the WAP area. Proposed zoning text amendments would modify waterfront zoning regulations governing height, setback, and use within the area governed by the Greenpoint-Williamsburg WAP, in order to ensure a sensitive transition between waterfront and upland blocks, encourage varied building heights, control tower dimensions, provide a pedestrian-friendly streetscape, and activate waterfront public access areas. The modified zoning text amendment application would establish an Inclusionary Housing zoning bonus in the area governed by the WAP and in upland areas rezoned for residential or mixed use. This zoning bonus, which could be combined with city, state, and federal affordable housing subsidy programs, would lead to the production and preservation of affordable housing. Zoning text amendments would also eliminate the Special Northside and Franklin Street Mixed Use districts, which would no longer appear on the zoning map as a result of the proposed zoning map changes.

Proposed City Map changes would demap portions of North 9th, North 10th, North 11th, and North 12th Streets, and a portion of Quay Street west of Kent Avenue, and mapping the resultant approximately 45.5-acre parcel between North 9th Street to the south and the northern edge of Bushwick Inlet to the north as park. The proposed park includes approximately 17.7 acres of land under water, for a net of 27.8 acres of park land.

Project Objectives

The Greenpoint-Williamsburg rezoning is a comprehensive, area-wide rezoning which builds upon recommendations in the Greenpoint and Williamsburg Waterfront 197-a plans. These plans, which were sponsored by Community Board 1 and officially adopted in January 2002, were the result of years of community effort and collaboration with the Department of City Planning. The 197-a plans articulated a number of principles that have guided the Greenpoint-Williamsburg Rezoning, including achieving waterfront access; facilitating housing and local commercial development, including affordable housing; and pursuing rezoning actions to address these issues.

The objectives of the Greenpoint-Williamsburg Rezoning include the following:

- *Update zoning* to reflect the dramatic land use and economic changes that have been occurring in Greenpoint-Williamsburg in recent years.
- *Promote housing opportunities.* Over the last two decades, the Greenpoint and Williamsburg areas have experienced substantial growth in their residential population, resulting in increasing demands for new dwelling units. Currently in most of the rezoning area, new residential uses are not permitted.
- *Facilitate the creation of affordable housing.* The Greenpoint-Williamsburg Rezoning creates opportunities for the creation of affordable housing where no such opportunities exist today.

- *Address neighborhood context.* Through rezoning to districts with height limits, new development will fit in with surrounding buildings.
- *Create a continuous waterfront walkway and maximize public access to the waterfront.* Along with related actions that would map a new, approximately 27.8-acre park on the waterfront between North 9th Street and the northern end of Bushwick Inlet, the proposed zoning map and text amendments would establish a blueprint for a revitalized, publicly accessible East River waterfront including parks and a continuous route for a two-mile public walkway. New waterfront developments would be required to build and maintain links in a continuous network of publicly accessible waterfront spaces.
- *Facilitate development that will reconnect the neighborhood to the waterfront.* Upland neighborhoods will be reconnected to the waterfront through requirements for pedestrian-friendly connections to adjoining neighborhoods, with a sensitive transition between upland and waterfront areas, and limitations on building heights at the upland end of waterfront development sites.
- *Recognize important concentrations of industrial activity.* Retain manufacturing zoning districts where important concentrations of industrial activity and employment exist.

Background and History

Greenpoint and Williamsburg developed more than 100 years ago, as neighborhoods dominated by large-scale waterfront industry, including ship builders, china and porcelain factories, glass makers, oil refineries, sugar refineries, iron foundries, and other industry. A multi-ethnic residential community developed on nearby residential streets, and in portions of the area homes and factories intermingled, setting a pattern of mixed use that shapes the neighborhood to this day.

Since the mid-20th century, industry has declined sharply and these neighborhoods have adapted to changing economic conditions. Heavy manufacturing uses, which once dominated the area, have given way to light manufacturing, wholesaling, distribution, and construction. In recent years, this trend has accelerated within the rezoning area. Between 1991 and 2002, both the Williamsburg and Greenpoint areas (excluding the area west of McCarren Park) lost approximately 40% of their industrial jobs. Manufacturing employment declined significantly in Williamsburg and Greenpoint in the same period, with manufacturing employment alone declining by 72% in Williamsburg and 60% in Greenpoint. This decline in industrial activity has left the area with large parcels of vacant and underutilized land, particularly along the waterfront.

By the early- to mid-1990's, many artists had found the industrial lofts of Williamsburg to be both accommodating and affordable places in which to live and work. This contributed to the growth of the population of artists, performers, and designers in Williamsburg and into Greenpoint. Towards the late 1990s, Williamsburg gained wide recognition as a burgeoning cultural center, with bookstores, galleries, performance spaces, and restaurants among its many offerings.

While housing demand has been growing with the population, most of the housing supply is in existing residential buildings or conversions from non-residential use. Approximately 97 percent of the residential units in the rezoning area are in buildings that were constructed before 1940. In spite of the increasing demand for housing, most of the rezoning area remains zoned for industry and does not permit new housing. Upland areas contain vacant and underutilized buildings, and the waterfront remains largely derelict, dominated by empty lots and crumbling structures, and almost entirely inaccessible to the public.

Neighborhood Characteristics

Waterfront Area

Although zoned for heavy manufacturing, the East River waterfront in both Greenpoint and Williamsburg contains no heavy manufacturing, and is underutilized, with many large parcels of vacant land and many abandoned or only partially occupied buildings.

The waterfront block furthest northeast in the rezoning area, between the Pulaski Bridge and Manhattan Avenue in Greenpoint, contains a soap and candle manufacturer, a vehicle repair shop, a construction contractor's yard, and a multistory industrial building containing two pre-1961 residences. On the west side of Manhattan Avenue is the Greenpoint Manufacturing and Design Center (GMDC), a loft building which has been redeveloped for a variety of industrial and commercial users, including woodworkers, metalworkers, and design firms. Immediately west of the GMDC building is a loft building largely converted to residential use, a largely vacant two-story warehouse building, and a Metropolitan Transportation Authority (MTA) bus depot.

Extending to the west of the MTA depot is the northern half of the Greenpoint Lumber Exchange site, a 22-acre site which is currently used for vehicle and equipment storage. This property consists of two parcels of privately owned land, including a pier at the end of the prolongation of Green Street, separated by a City-owned lot leased to the Lumber Exchange and the Newtown Barge Terminal Playground, a city park. The Department of Environmental protection (DEP) operates a sludge barge loading facility on the City-owned site and maintains an easement through the City-owned property for a pipeline from the sludge storage tank on an adjacent City-owned lot.

On the blocks south of the Lumber Exchange property, generally between Green Street and Kent Street, there are several one-story industrial buildings, including buildings for a recently defunct printing company, a furniture wholesaler, and a car dispatch facility. Along the waterfront between Kent Street and Greenpoint Avenue is the former WNYC transmitter site, an approximately 1.6-acre parcel which is currently inaccessible to the public, but planned for improvement as a public park by the Department of Parks and Recreation (DPR). On the same

block, there are several existing residential buildings and a construction contractor's storage facility.

The Greenpoint Terminal Market site occupies over three blocks of land along the East River between Greenpoint Avenue and Oak Street. This site, which is largely vacant, includes six industrial buildings ranging in height from one to seven stories, several of which are severely deteriorated. Immediately south of the Greenpoint Terminal Market is a now vacant parcel formerly occupied by Consolidated Freight, a national freight forwarding company that declared bankruptcy in August 2002.

The waterfront block between Quay Street and the Bushwick Inlet contains an MTA garage for Mobile Wash Unit vehicles, small one-story industrial and commercial buildings, and vacant land. On the southern edge of the inlet is a fuel depot owned by Bayside Fuel, containing storage tanks and ancillary structures such as garages and maintenance facilities. A document storage facility, Department of Sanitation garage, and an automobile impound lot occupy the blocks south of Bayside Fuel between North 12th and North 9th Streets.

New York State has acquired the waterfront blocks between North 7th and North 9th Streets, with the exception of a 5,000 square foot parcel on North 8th Street, for the development of the approximately 6-acre East River State Park. These two blocks are not within the proposed action area.

The remaining waterfront blocks in the proposed rezoning area, between North 3rd and North 7th Streets, contain land used for open vehicle storage, a paper recycling facility, and a loft building (184 Kent Avenue) partially converted to residential use.

To the south of the subject area, between North 3rd Street and the Williamsburg Bridge, the waterfront blocks are occupied by Consolidated Edison facilities; a recently constructed New York Power Authority generation facility; Grand Ferry Park, a half-acre pocket park; and the

Domino Sugar facility, which was an active manufacturing facility and a major employer in the area until January 2004, when it shut down its refining operations at this location.

Upland Area

Greenpoint

The upland portion of the rezoning area abuts the residential core of Greenpoint, which is centered around the commercial corridor of Manhattan Avenue. The blocks between Franklin and West streets from Eagle Street to Java Street contain older residential buildings as well as several recently constructed apartment buildings. Clusters of residential buildings, many of which were built prior to the implementation of the current manufacturing zoning in 1961, are located on the block bounded by Box Street, Clay Street, Manhattan Avenue, and McGuinness Boulevard; and on the block bounded by Oak, Calyer, West, and Franklin streets.

The remaining portion of the rezoning area in Greenpoint, located west of Manhattan Avenue and Franklin Street, is characterized by a mix of industrial buildings, nonconforming residential buildings, and loft buildings that have partially been converted to residential use. On the west side of Franklin Street between Milton and Noble streets is the American Playground, a park nearly one acre in size.

Williamsburg

In the center of the Williamsburg portion of the proposed rezoning is the Bedford Avenue commercial core and the Northside residential neighborhood. Bedford Avenue from North 4th to North 10th streets is a lively and nearly continuous street of shops, restaurants, and bars with residential use above. The surrounding blocks to the east and west are comprised mostly of three- to four-story residential buildings dating from the first two decades of the twentieth century. This central residential area also includes a number of community facilities, including public and private schools and several churches. Additional clusters of residential buildings exist to the northeast of McCarren Park along Graham Avenue; along Grand Street, which also contains numerous ground-floor commercial uses; and on the blocks bounded by Grand Street, Wythe Avenue, North 3rd Street, and Berry Street.

Outside these residential concentrations, a mix of industrial, residential, and commercial uses exist. To the south and west of the Northside residential core is a patchwork of industrial buildings, loft buildings partially or fully converted to residential use, early twentieth century residential buildings, automotive uses, and vacant lots. While the mix of uses varies, every block in this area contains residential use. Among the residentially converted buildings in this area are 151 Kent Avenue, and the Esquire building at South 1st Street and Wythe Avenue, a condominium in a 16-story-high building formerly used for the manufacture of shoe polish.

The blocks south of McCarren Park on either side of Union Avenue, and the blocks just east of the park along Manhattan Avenue, are characterized by a similar mix of industrial, commercial, and residential uses interspersed with vacant lots. The proposed action area also includes portions of a few blocks just east of the BQE, where nonconforming residential buildings are mixed with industrial buildings, auto repair shops, and vacant lots. The rezoning area also includes nine blocks east of the BQE, bounded by Metropolitan Avenue, Union Avenue, Borinquen Place, and Rodney Street. These blocks contain a mix of residential, commercial, and industrial buildings as well as vacant lots and auto repair yards.

Five blocks located just north of the Williamsburg Bridge, between South 5th Place and Kent Avenue, contain a mix of loft buildings, several of which have been residentially converted, low-rise industrial buildings, and nonconforming residential buildings.

Bushwick Inlet Area

The area between McCarren Park and Kent Avenue/Franklin Street, roughly between North 9th Street and Calyer Street is characterized primarily by one- and two-story industrial buildings and contains almost no residential use. Unlike areas to the north and south, and the waterfront blocks to the west, this area maintained stable levels of industrial jobs between 1991 and 2002. This area contains numerous active industrial firms, including Colonial Glass and Mirror, Rosenwach Wood Tank Company, and the Brooklyn Brewery. Other industrial activity in the area includes

food distribution, baking, metalworking, construction-related business, and plastic products manufacture.

The largest open space resource in the rezoning area is McCarren Park, located at the intersection of the Greenpoint and Williamsburg neighborhoods. McCarren Park, which is approximately 35.7 acres in size (though approximately 5.5 acres containing the closed McCarren Pool is largely inaccessible), contains a variety of active recreational facilities. Other parks and recreational facilities in the rezoning area include Newtown Barge Park, Greenpoint Park, American Playground, Metropolitan Pool and Fitness Center, and William Sheridan Playground at P.S. 84. In Greenpoint, the former WNYC transmitter site, located on the East River between Kent Street and Greenpoint Avenue, is under Department of Parks and Recreation jurisdiction and is proposed for redevelopment as a park. In Williamsburg, the waterfront blocks between North 7th and North 9th Street have been acquired by New York State for the development of parkland.

The L train, which runs from 8th Avenue and 14th Street in Manhattan to Canarsie, serves the Williamsburg portion of the rezoning area, with stations at Bedford Avenue and Lorimer Street. The G train, which runs between Smith/9th Street in Brooklyn and Queens, has stations at Metropolitan Avenue in Williamsburg, and at Nassau Avenue and Greenpoint Avenue in Greenpoint. The Williamsburg Bridge, at the southern end of the rezoning area, provides vehicular access between Williamsburg and Delancey Street in Manhattan. The Pulaski Bridge, at the northern end of the rezoning area, connects McGuinness Boulevard to Hunter's Point and Long Island City in Queens. The Brooklyn-Queens Expressway, which connects Brooklyn and Queens via the Kosciusko Bridge, runs along the eastern edge of the rezoning area in Williamsburg. A number of bus lines serve the area: the B61 along Bedford Avenue, Driggs Avenue, Manhattan Avenue, and McGuinness Boulevard; the B43 along Manhattan Avenue in Greenpoint; the B48 along Nassau Avenue and Lorimer Street; the Q59 along Grand Street and Kent Avenue; the B24 along Metropolitan Avenue, Marcy Avenue, and Rodney Street; the B39 from Washington Plaza over the Williamsburg Bridge; and the Q54 along Grand Street and

Grand Street Extension. In addition, the B46 and B60 terminate at Washington Plaza, just outside the rezoning area.

Existing Zoning

The existing zoning in Greenpoint-Williamsburg reflects historical, rather than current, land uses. Generally, heavy manufacturing districts occupy the waterfront, with light manufacturing districts forming a buffer between the waterfront and the residential districts further inland.

While two blocks within the rezoning area, as well as areas to the east and south of the rezoning area, permit residential use, new residences within the remainder of the rezoning area itself are either not permitted at all, or are permitted only in a limited way in two special zoning districts established in the 1970s.

M3-1

Blocks nearest the waterfront are zoned M3-1, a district that accommodates heavy industrial uses and certain commercial uses at a maximum FAR of 2.0. New residential uses are not permitted.

In Williamsburg, M3-1 districts are mapped generally between the East River and Wythe Avenue. In Greenpoint, M3-1 districts are located between the East River/Newtown Creek and West Street/Commercial Street.

M1-1, M1-2

M1-1 (1.0 FAR) and M1-2 (2.0 FAR) zones permit light industrial and commercial uses, and do not permit new residential uses. In Williamsburg, M1-1 and M1-2 districts are located on blocks between Wythe Avenue and Berry Street, on several blocks adjacent to the Williamsburg Bridge, on blocks adjoining Metropolitan Avenue, on approximately six blocks in an area south of McCarren Park, in a nine-block area east of the Brooklyn-Queens Expressway between Metropolitan Avenue and Borinquen Place, and in a small area near the intersection of Humboldt Street and the BQE. M1-1 districts are also located on blocks west and northwest of McCarren Park, and between Franklin and West Streets in Greenpoint. M1 districts within the rezoning area currently contain numerous nonconforming residential uses and loft conversions, as well as light industrial and commercial facilities.

C8-1, C8-2

C8-1 (1.0 FAR) and C8-2 (2.0 FAR) districts are located along Grand Street and near the Brooklyn-Queens Expressway and permit commercial and automotive uses, as well as some community facilities, but not new residential uses. These areas currently contain a mix of automotive, commercial, light industrial, and residential uses.

Special Franklin Street Mixed Use District

The Special Franklin Street Mixed Use District (FR) is located in an area generally bounded by Eagle Street, Franklin Street, Java Street, and West Street, covering portions of five blocks. This special district was established in 1975 to recognize the mix of uses in the area at that time, which included older residential buildings as well as a limited range of industrial uses, and was a precursor to the current Special Mixed Use (MX) Districts. Residential uses are permitted as-of-right at an FAR of 2.43, and certain industrial uses are allowed by special permit. The Quality Housing Program is not applicable. Since 1975, nearly all industrial use has left this area and, in the past two years, three new residential buildings have been constructed as of right in the district.

Special Northside Mixed Use District

The Special Northside Mixed Use District (N), created in 1976, includes an area covering approximately 50 blocks near the southern and eastern edges of McCarren Park, and extending roughly to the Brooklyn-Queens Expressway to the east, North 4th Street to the south, and Wythe Avenue to the west. This district was implemented to recognize the mix of uses then in the area. Areas zoned R6(M1-2) and R6(M1-1) were predominantly residential, and residential development is permitted as of right in accordance with R6 district regulations (though the Quality Housing program is not applicable in this district), and certain new industrial uses are allowed by special permit. Areas zoned M1-2(R6) and M1-1(R6) were predominantly industrial, and new industrial uses are allowed as-of-right, while most residential development is allowed only by special permit. Since 1976, land use patterns in the area have changed dramatically, and particularly in recent years, residential use has spread through both R(M) and M(R) portions of

the district, as it has in surrounding manufacturing districts, while manufacturing activity has declined sharply.

R6

Two small portions of the rezoning area -- along Grand Street between Roebling and Havemeyer Streets, and along Greenpoint Avenue between Franklin Street and Manhattan Avenue -- are zoned R6, a medium-density residential district with a maximum residential FAR of 2.43 and a maximum community facility FAR of 4.8. Under the optional Quality Housing program, the maximum FAR is 2.2 on a narrow street and 3.0 on a wide street. These areas are currently predominantly residential, with ground-floor commercial uses.

Required Actions

AMENDMENTS TO THE ZONING MAP (C 050111(A) ZMK)

In order to provide opportunities for new development in both residential and mixed-use areas, reinforce existing commercial corridors and support emerging ones, and support areas with concentrations of industrial activity near residential and mixed-use areas, the Department of City Planning proposes amendments to the zoning map.

On December 22, 2004, the Department filed modified applications for the zoning map amendment (C 050111(A) ZMK). The modified application reflects several comments received during the public review process. The modifications include the removal of one block (bounded by Gem Street, Meserole Avenue, Banker Street, Wythe Avenue, and North 15th Street) from the proposed action, the addition of a C2-4 commercial overlay along the east side of West Street between Dupont and Eagle Streets, and the reconfiguration of the R6 and R8 district boundaries in the waterfront area bounded by Oak Street, West Street, the Bushwick Inlet, and the East River, without changing the FAR generated by the site, in conjunction with modifications to the Waterfront Access Plan (as part of the modified application N 050110(A) ZRK).

The proposed zoning changes would both reflect existing land uses and facilitate redevelopment of waterfront sites and other vacant and underutilized land. The proposed zoning districts would also ensure that new buildings in the upland area are consistent with the existing built context.

Proposed Residential and Commercial Overlay Districts

Residential districts are proposed in portions of the Greenpoint-Williamsburg rezoning area where existing land uses are predominantly residential and community facilities. The proposed R6B, R6A, and R6 residential districts would make existing nonconforming residential buildings conforming uses and allow new residential uses as of right.

R6B districts allow a maximum FAR of 2.0 for all new development, and have a minimum streetwall height of 30 feet, a maximum streetwall height of 40 feet, and a maximum building height of 50 feet. New buildings in R6B districts would be required to line up with the streetwall of adjacent buildings. R6A districts allow a maximum FAR of 3.0, and have a minimum streetwall height of 40 feet, a maximum streetwall height of 60 feet, and a maximum building height of 70 feet. The Quality Housing program is mandatory in R6B and R6A districts. R6 districts allow a maximum residential FAR of 2.43. Under the optional Quality Housing program, the maximum FAR in an R6 district is 2.2 on a narrow street and 3.0 on a wide street. R6 districts have no height limits and are governed by sky exposure plane regulations.

Commercial overlay districts would be established on the existing and emerging retail corridors of the neighborhood. Proposed C1-4 districts would allow local retail uses appropriate to a continuous commercial strip, with up to 2.0 FAR. Proposed C2-4 districts would allow a somewhat wider variety of local retail uses, also with up to 2.0 FAR. The parking requirements for C1-4 and C2-4 districts are low, appropriate to the type of neighborhood retail in these areas.

Greenpoint

FR, M1-1 to R6B, R6B/C2-4

An R6B district is proposed along the west side of Franklin Street between Freeman and Java Streets. This area is comprised mostly of 3 to 4 story residential buildings. Under the proposed

R6B district, new residential buildings could be built as of right, under height limits that require them to fit in with the existing neighborhood context. New industrial uses would no longer be allowed.

- C2-4 commercial overlay districts are proposed along both sides of Green Street between Franklin and West Streets, within the proposed R6B district. The commercial overlay would allow the development of local retail in the Green Street corridor, which connects Manhattan Avenue to a pier on the waterfront.

FR to R6A

- An R6A district is proposed along the west side of Franklin Street between Eagle and Freeman Streets, an area characterized primarily by residential buildings over 50 feet tall. The proposed R6A district would fit the existing buildings in this area and ensure that new development or enlargements remain at a scale characteristic of the neighborhood.

M1-1 to R6

- A small area on the east side of Franklin Street between India and Huron streets is proposed to be zoned R6. This area is currently zoned M1-1 and houses a one story industrial building. This building is surrounded by residential buildings and an R6 district. The proposed R6 district would ensure that any future development on this site is in keeping with the surrounding neighborhood.

R6 to R6/C2-4

- A C2-4 overlay is proposed along both sides of Greenpoint Avenue between Franklin Street and Manhattan Avenue, an area characterized primarily by residential buildings with some ground floor retail. The proposed C2-4 overlay would make existing storefronts conforming uses and reinforce the retail character of the Greenpoint Avenue corridor.

Williamsburg

From N - R6(M1-1), N - R6(M1-2), M1-2 to R6B and R6B/C1-4

- R6B is proposed on a number of blocks centered around Bedford Avenue, roughly between Wythe Avenue and Havemeyer Street, and between North 4th Street and North 9th Street; as well as on the blocks surrounding Graham Avenue between Calyer and Bayard Streets. These areas contain predominantly residential and community facility uses, and are characterized by three- to four-story row houses. The proposed R6B districts would allow new residential buildings that fit in with the existing character of these areas.
- C1-4 commercial overlay districts would be established along Bedford Avenue between North 4th and North 10th Streets, the commercial strip around which the neighborhood is centered. This area consists primarily of residential buildings with ground-floor retail establishments.

From N - R6(M1-2) and M1-1 to R6A, R6A/C1-4, R6A/C2-4

- Bedford Avenue between North 10th Street and McCarren Park, and Havemeyer Street between North 5th and North 7th streets would be rezoned to R6A. These two areas are characterized by taller residential buildings of up to six stories. The predominantly residential north side of Grand Street between Berry Street and Wythe Avenue is also proposed for R6A. The proposed R6A districts would allow new residential buildings under height limits that reflect the character of these areas.
- A C1-4 overlay is proposed for a portion of a block at North 10th Street and Bedford Avenue, continuing the local retail strip where residential buildings and commercial uses exist. A C2-4 overlay is also proposed along the north side of Grand Street between Berry Street and Wythe Avenue, allowing neighborhood-scale retail uses to reinforce Grand Street as a local commercial corridor.

From N - R6(M1-2), M1-1, C8-1, C8-2 to R6, R6/C1-4, R6/C2-4

- R6 is proposed from Grand Street to South 3rd Street between Wythe Avenue and Berry Street; along Grand Street from Bedford Avenue to Roebling Street; on the north side of Grand Street between Havemeyer Street and Marcy Avenue; and on two irregularly shaped blocks north of Metropolitan Avenue between Roebling Street and the Brooklyn-Queens Expressway. These blocks are characterized by residential and community facility uses and include many irregularly shaped lots where contextual zoning regulations are not appropriate, and where the more flexible R6 regulations allow better site planning flexibility.
- C1-4 and C2-4 commercial overlays would be established along Grand Street between Bedford Avenue and the BQE. Grand Street already houses many ground floor retail establishments, and the proposed commercial overlays would encourage new neighborhood-scale retail uses to reinforce Grand Street as a local commercial corridor.

Proposed Special Mixed Use District

The boundaries of a Special Mixed Use (MX-8) District, currently located on Franklin Street between Freeman and Green streets in Greenpoint would be expanded to include portions of the rezoning area in both Greenpoint and Williamsburg that are characterized by a mix of residential buildings, light industrial and commercial uses, and loft buildings converted to residential use. The proposed Special Mixed Use District would allow for the development of new housing, the revitalization of vacant and underutilized land, and the continuation of a mix of uses, including residential, light industrial, and commercial uses, as well as mixed use buildings. The mapping of contextual (R6B, R6A, R7A) residential districts as components of the Special Mixed Use District will require new residential buildings to fit in with their surroundings.

The proposed Special Mixed Use (MX-8) District pairs an M1-2 district with R6B, R6A, R7A, and R6 residential districts. Residential uses are allowed as of right under the applicable residential district regulations. The R6B and R6A district regulations described above (under “Proposed Residential Districts”) are applicable to buildings in Special Mixed Use Districts with these residential district designations. Residential buildings in MX districts with an R6

designation have a maximum FAR of 2.43, a maximum base height of 60 feet, and a maximum building height of 110 feet, but may take advantage of the optional Quality Housing regulations. Residential buildings in MX districts with an R7A residential district designation have a maximum FAR of 4.0, a minimum streetwall height of 40 feet, a maximum streetwall height of 65 feet, and a maximum building height of 80 feet. The Quality Housing program is mandatory in R6B, R6A, and R7A districts.

Specified light manufacturing and commercial uses are permitted as of right under M1-2 district regulations, with up to 2.0 FAR of light industrial or commercial use. This represents the same FAR as in areas currently zoned M1-2, and an increase from the 1.0 FAR currently allowed in areas currently zoned M1-1, providing flexibility for the in-place expansion of existing businesses in these areas.

The proposed zoning would make existing loft conversions conforming uses and provide a framework for them to legalize. The proposed Special Mixed Use District allows greater flexibility for live-work accommodations and mixed-use buildings, both of which are characteristic of the Greenpoint-Williamsburg area. For certain manufacturing uses seeking to locate within or adjacent to a residential use, the Special Mixed Use District requires professional certification that environmentally hazardous materials are not involved.

Greenpoint

M1-1 to MX-8, M1-2/R6B

- An MX-8, M1-2/R6B district is proposed on portions of the blocks bounded by Franklin, West, Oak, and Calyer streets. This area is currently zoned M1-1 but contains numerous, mostly three-story row houses in addition to a few industrial buildings. The proposed M1-2/R6B designation would make these residential uses conforming and allow for the as of right development of residential and mixed use buildings.

M1-1, FR to MX-8, M1-2/R6A

- An MX-8, M1-2/R6A district is proposed between Box and Clay Streets on both sides of Manhattan Avenue, on the eastern side of Franklin Street between Clay and Dupont Streets, on the east side of West Street between Eagle and Java Streets, on portions of Green Street between Franklin Street and Manhattan Avenue, and on the blocks between West and Franklin Streets from Java Street to Quay Street. Land use in these areas is a

mixture of residential and industrial uses and includes many loft buildings of up to six stories or more, as well vacant and underbuilt sites. The proposed M1-2/R6A zoning designation would make a number of existing residential buildings conforming uses, while light industrial uses would remain conforming uses. New residential development in this area could not exceed the scale established by the existing loft buildings.

M1-1 to MX-8, M1-2/R6

- An MX-8, M1-2/R6 district is proposed on the block frontage next to the Pulaski Bridge along McGuinness Boulevard between Box and Clay Streets and on the narrow, triangularly shaped portion of the block between Commercial and Clay Streets. These areas contain a mix of vacant lots, industrial buildings, and industrial buildings at least partly converted to residential use. The proposed zoning would make the existing residential buildings conforming and would allow a continued mix of uses in these areas.

Williamsburg

From N - R6(M1-1), N - R6(M1-2), N - M1-1(R6), N - M1-2(R6), M3-1, M1-1, M1-2 to MX-8, M1-2/R6B

- An MX-8, M1-2/R6B district is proposed in certain areas characterized by mixed use, lower building heights, and adjacency to low-scale residential areas. These include portions of blocks surrounding the intersection of North 7th Street and Wythe Avenue, between North 5th and North 4th streets between Berry Street and Driggs Avenue, between Union Avenue and Lorimer Street and Richardson and Withers Streets; and on the west side of Eckford Street between Driggs and Engert avenues.

From N - R6(M1-1), N - R6(M1-2), N - M1-2(R6), M3-1, M1-1, M1-2 to MX-8, M1-2/R6A

- Most of the area west of Berry Street, north of North 7th Street between Driggs and Union avenues, adjacent to McCarren Park along Bayard Street and Manhattan Avenue, and along Berry Street between North 10th and North 12th streets is proposed to be rezoned to MX-8, M1-2/R6A. These areas are characterized generally by tall, four- to six-story loft buildings interspersed with underbuilt industrial buildings and vacant lots. Numerous loft buildings have already been partly or fully converted to residential use, and nonconforming residential buildings are scattered within these areas.

From N - R6(M1-1), N - M1-1(R6), N - M1-2(R6), M3-1, M1-1, M1-2, C8-1 to MX-8, M1-2/R6

- An MX-8, M1-2/R6 district is proposed on blocks near elevated structures and on blocks with many small or irregularly shaped lots. These areas include the blocks along and east of the BQE; just north of the Williamsburg Bridge; along Metropolitan Avenue; between Grand Street and South 1st Street west of Wythe Avenue; and just east of McCarren Park. These areas contain a mix of industrial buildings, partially and fully converted loft buildings, and nonconforming residential buildings, as well as vacant and underutilized land. Buildings in these areas vary in height, with a number of buildings taller than 70 feet. The proposed R6 residential component allows sufficient site planning flexibility for development in areas located near elevated structures such as the Williamsburg Bridge and BQE.

From N - M1-2(R6) to MX-8, M1-2/R7A

- An MX-8, M1-2/R7A district is proposed for a block bounded by Bedford Avenue, North 12th Street, Driggs Avenue, and North 11th Street. The proposed zoning would facilitate development of a large vacant site at a significant location, where Bedford Avenue meets McCarren Park. The proposed R7A would limit the height of new buildings to 65 feet at the streetwall and 80 feet overall, and would facilitate the creation of streetwall along all frontages of this block.

Proposed Manufacturing Districts

From M3-1 to M1-2

The blocks west of the Pulaski Bridge bounded by the Newtown Creek, Box Street, Commercial Street, and including the Greenpoint Manufacturing and Design Center, would be rezoned from M3-1 to M1-2. In addition, several M3-1 blocks between Kent Avenue and McCarren Park, south to North 9th Street, would be rezoned M1-2. The proposed M1-2 district would permit light industrial and certain commercial uses in buildings with a maximum FAR of 2.0, the same FAR permitted in the existing M3-1 zone. These changes would ensure that new industrial uses in these areas will be enclosed and compatible with the nearby residential and mixed-use neighborhoods. New residential uses would not be permitted in these areas.

In the certified application, Block 2615, bounded by Gem Street, Meserole Avenue, Banker Street, Wythe Avenue, and North 15th Street, was included in the area proposed for rezoning from M3-1 to M1-2. In the modified zoning map change application, this block was removed from the proposed rezoning.

The above resolution (N 050110(A) ZRK), duly adopted by the City Planning Commission on March 14, 2005 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, Esq., Vice-Chairman

ANGELA M. BATTAGLIA, IRWIN CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALFRED C. CERULLO, III, RICHARD W. EADDY, LISA A. GOMEZ,

CHRISTOPHER KUI, JOHN MEROLO, Commissioners

KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners Voting No