

**FORMER F&S CENTRAL
MANUFACTURING CORP. SITE**

**103 NORTH 13TH STREET
BROOKLYN, NEW YORK 11249
Block 2279 Lot 34**

**NEW YORK STATE
BROWNFIELD CLEANUP PROGRAM
APPLICATION AND SUPPLEMENTAL
INFORMATION**



**Department of
Environmental
Conservation**

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

NOVEMBER 2015

Program Requestor:
North 13 Holdings LLC
505 Flushing Avenue, Unit 1D
Brooklyn, NY 11205

Prepared By:



ENVIRONMENTAL BUSINESS CONSULTANTS

1808 Middle Country Road
Ridge, NY 11961

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103 North 13th Street, Brooklyn, NY

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Attachment A	Environmental Reports (Digital Files on CD): Phase I Environmental Site Assessment Report - EBC May 2013 Remedial Investigation Report – EBC, November 2015
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BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

Yes

No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) **BCP App Rev 5**

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

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

Do all individuals that will be certifying documents meet the requirements detailed below? Yes No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at? Investigation Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No

4. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through November 12, 2015.

Selected Entity Name: NORTH 13 HOLDINGS LLC

Selected Entity Status Information

Current Entity Name: NORTH 13 HOLDINGS LLC

DOS ID #: 4487968

Initial DOS Filing Date: NOVEMBER 15, 2013

County: KINGS

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

THE LIMITED LIABILITY COMPANY

4309 13TH AVENUE

BROOKLYN, NEW YORK, 11219

Registered Agent

NONE

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

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
NOV 15, 2013	Actual	NORTH 13 HOLDINGS 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 III. Property's Environmental History

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

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

1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

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

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

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

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

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN		ZIP CODE		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY		SITE SIZE (ACRES)		
LATITUDE (degrees/minutes/seconds) ° ' "		LONGITUDE (degrees/minutes/seconds) ° ' "		
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach a metes and bounds description of the property.			Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)			Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)			Yes	No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one): 0-49% 50-99% 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No				
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?			Yes	No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.			Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			Yes	No

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

None

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

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?

If yes, requestor must answer questions on the supplement at the end of this form.

☒ Yes ☐ No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?

☐ Yes ☒ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?

☐ Yes ☐ No

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

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

Initials of each Requestor: SP _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? Yes No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No			

Section VII. Requestor Eligibility Information (continued)

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other_____

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

Yes No

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

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment.

Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?
If yes, please provide: Site # _____ Class # _____

Yes No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
 Date permit issued: _____ Permit expiration date: _____

Yes No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____

Yes No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment.

Yes No

Section IX. Contact List Information

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

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

Section X. Land Use Factors	
1. What is the current zoning for the site? What uses are allowed by the current zoning? <div style="display: flex; justify-content: space-around;"> Residential Commercial Industrial </div> If zoning change is imminent, please provide documentation from the appropriate zoning authority.	
2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply) Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.	
3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) Attach a statement detailing the specific proposed use. If residential, does it qualify as single family housing? Yes No	
4. Do current historical and/or recent development patterns support the proposed use?	Yes No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.	Yes No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.	Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Principal (title) of North 13 Holdings LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. 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: 12-14-15

Signature: _____

Print Name: Simon Dushinsky

SUBMITTAL INFORMATION:

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

FOR DEC USE ONLY

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

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

August 2015

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
Please answer questions below and provide documentation necessary to support answers.		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p>From ECL 27-1405(31):</p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p>From 6 NYCRR 375-3.2(I) as of July 1, 2015: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>(I) "Underutilized" means, as of the date of application, real property:</p> <p>(1) on which a building or buildings, can be certified by the municipality in which the site is located, to have for at least five years used no more than fifty percent of the permissible floor area under the applicable base zoning immediately prior to the application which has been in effect for at least five years;</p> <p>(2) at which the proposed development is solely for a use other than residential or restricted residential;</p> <p>(3) which could not be developed without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(4) which is subject to one or more of the following conditions, as certified by the municipal department responsible for such determinations of the municipality in which the site is located:</p> <p>(i) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(ii) contains a building that is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(iii) the proposed use is in whole or in substantial part for industrial uses.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, or land purchase cost exemption or waiver, from a governmental entity; or for properties to be developed in whole or in part for industrial uses, a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or a tax credit, from a governmental entity, or a low-cost loan from an industrial fund managed by the municipality and partner financial institutions.</p>		

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

3. Is the project an affordable housing project as defined below? Yes No

From 6 NYCRR 375- 3.2(a) as of July 1, 2015:

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

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

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

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

BCP Application Summary (for DEC use only)**Site Name:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage of site within an En-Zone:** **0%** **<50%** **50-99%** **100%****Requestor's Requested Status:** **Volunteer** **Participant**

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

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 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 requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

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SECTION III PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV PROPERTY INFORMATION

DEC requires an application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate. The application is noticed in the same manner as the original application. DEC will strive to notify the parties of its decision on the application within 5 days after the close of the public comment period. DEC will not unreasonably withhold its consent to such conforming change.

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

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SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

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SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

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**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

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SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page.

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DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will notify the Administrator of the New York Environmental Protection and Spill Compensation Fund (Oil Spill Fund) upon receipt of the application to determine if there is an outstanding claim against the party requesting participation. The Administrator of the Oil Spill Fund will notify the requestor and DEC of any outstanding claim within 30 calendar days of receipt of the application.
3. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
4. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

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DETERMINATION OF A COMPLETE APPLICATION (continued)

5. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
6. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

I REQUESTOR INFORMATION

Name: North 13 Holdings LLC
Member: Simon Dushinsky
Address: 505 Flushing Avenue, Unit 1D, Brooklyn NY 11205-1689
Phone: 718-246-4762
Email: RabskyGroup@gmail.com

II PROJECT DESCRIPTION

North 13 Holdings LLC seeks to remediate and redevelop a Site located on North 13th Street in the Greenpoint neighborhood of Brooklyn, NY (the "Site") (see **Figure 1**). The address of the Site is 103 North 13th Street, Brooklyn, NY 11222. It is comprised of a single tax parcel identified as Block 2279, Lot 34 (**Figure 2**). The Site is currently vacant and undeveloped, but the exterior walls and concrete slab of a former one-story manufacturing building remain. The building slab is approximately 3 feet above sidewalk grade, which allowed for trucks to back up to the former warehouse building and load/unload at grade. The former building was constructed between 1916 and 1942. The building has been used as an iron pipe warehouse (1940's – 1950's), a paper storage warehouse (1960's), metal pipe hanger manufacturing facility (1970's), contractor's storage facility (1990's) and a food storage warehouse (2000's). The Site has been vacant since the current owner (North 13 Holdings LLC) purchased the property in 2014.

The Site has confirmed D008 Hazardous Lead soil from grade to depths as great as 13 feet below the existing building slab (10 feet below sidewalk grade), and a 5 to 6 foot thick smear zone of petroleum contaminated soil across the Site at the groundwater interface.

The nature and extent of existing contamination and the potential for off-site contamination related to this property, however, complicates the redevelopment plan. Accordingly, North 13 Holdings 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.

2.1 Project Overview

North 13 Holdings LLC plans redevelopment of the Site with a new a 2-story commercial/community facility building which will cover the entire Site. The building will include a cellar level that will require excavation to 13 feet below sidewalk grade across the entire footprint of the Site. With groundwater present at approximately 7 feet below sidewalk grade, dewatering will be required during construction of the building's foundation. Proposed redevelopment plans are included in **Attachment E**.

A portion of the cellar level will be used for meter rooms, and the rest (10,006 ft²) will be used as accessory storage space for the 1st floor commercial space. The entire 1st floor will consist of commercial space, and the rear half of the 2nd floor will consist of accessory storage space for the first floor commercial space. The front half of the 2nd floor will consist of office/community facility space.

2.2 Project Schedule

BCP Milestones

Based on an assumed date of early December 2015 for execution of the BCP agreement, the following schedule of BCP milestones is anticipated.

Submit Remedial Investigation Report	With BCP application
Submit Remedial Action Work Plan (RAWP)	With BCP Application
Begin Building Construction and Remedial Action	January 2016
Continue Remedial Action	January 2016 - September 2016
Submit Draft Env. Easement (if Track 1 not Achieved)	June 2016
Submit Draft Site Management Plan (if Track 1 not Achieved)	August 2016
Submit Draft Final Engineering Report	September 2016
Anticipated Date Certificate of Completion Issued	December 2016

III ENVIRONMENTAL HISTORY

The environmental history of the Site was investigated previously 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 a Phase I Environmental Site Assessment Report completed in May 2013 by EBC.

3.1 Summary of Environmental Investigations / Reports / Remedial Work Plans

Environmental investigations performed at the Site include the following:

- Phase I Environmental Site Assessment Report – 103 North 13th Street, Brooklyn, NY - EBC, May, 2013.
- Remedial Investigation Report – Former F&S Central Manufacturing Corp. Site, 103 North 13th Street, Brooklyn, NY - EBC, November 2015.
- Remedial Action Work Plan – Former F&S Central Manufacturing Corp. Site, 103 North 13th Street, Brooklyn, NY - AMC Engineering, November, 2015.

3.1.1 Phase I Environmental Site Assessment Report (EBC, May 2013)

The Phase I indicated the Site was undeveloped prior to 1905. From 1916 to 1930, the Site was developed with three small one-story sheds/storage rooms and a portion of a single-story commercial building. The former one-story warehouse/manufacturing building was constructed in 1930. The building has been used as an iron pipe warehouse (1940's – 1950's), a paper storage warehouse (1960's), metal pipe hanger manufacturing facility (1970's), contractor's storage facility (1990's) and a food storage warehouse (2000's). The Site has been vacant since the current owner (North 13 Holdings LLC) purchased the property in 2014.

The Phase I Environmental Site Assessment Report did not identify any recognized environmental conditions. A digital copy of the Phase I Environmental Site Assessment Report is included in **Attachment A**.

3.1.2 Remedial Investigation Report (EBC, November 2015)

A Remedial Investigation was performed in September of 2015. The Remedial Investigation included the excavation of test pits to collect 14 waste characterization soil samples, installation of eleven soil borings (B1 through B11) to collect 27 soil samples, the installation of 6 groundwater monitoring wells to collect 5 groundwater samples (MW1, MW3, MW4, MW5 and MW6), and the installation of 8 soil gas implants to collect 8 soil gas samples (SV1 through SV8). The location of the test pits, soil borings, monitoring wells and soil gas implants are shown on **Figure 10** through **13**. Laboratory services were provided by Phoenix Environmental Laboratories of Manchester, CT 06040, a New York State ELAP certified environmental laboratory (ELAP Certification No. 11301).

Waste Characterization Soil Sample Results

Two 5-point composite waste characterization soil samples were collected to represent the top 3 feet of soil at the Site, and twelve 5-point composite waste characterization soil samples were collected to represent four foot intervals from 4 to 16 feet below the building slab. Each of the 5-point composite waste characterization soil samples were submitted to Phoenix for analysis for SVOCs by EPA method 8270, pesticides / PCBs by EPA method 8081/8082, target analyte list metals and hexavalent chromium, Toxicity Characteristic Leaching Procedure (TCLP) metals, and/or RCRA characteristics. Grab soil samples collected from each of the test pits were submitted for laboratory analysis of VOCs by EPA method 8260 and total petroleum hydrocarbons by EPA method 8015.

No PCBs, pesticides, organophosphate pesticides, or chlorinated herbicides were detected in any of the samples analyzed.

Multiple gasoline related VOCs, including 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, 2-Isopropyltoluene, Isopropylbenzene, m&p-Xylenes, n-Butylbenzene, n-Propylbenzene, sec-Butylbenzene, tert-Butylbenzene and Toluene were detected at concentrations below Unrestricted Use SCOs within all four of the grab soil samples collected from the 12 to 16 ft interval.

SVOCs were detected above Protection of Groundwater SCOs and Commercial Use SCOs within eight of the fourteen 5-point composite waste characterization soil samples collected at the Site.

The metals Arsenic (maximum of 21.5 mg/kg), Barium (maximum of 1,750 mg/kg), Copper (maximum of 1,330 mg/kg), lead (maximum of 9,490 mg/kg), and mercury (maximum of 16.8 mg/kg) and were detected above Commercial Use SCOs. In addition, the Toxicity Characteristic Leaching Procedure (TCLP) concentration for Lead was above the 40 CFR 261.24 Regulatory Level of 5.0 mg/L within four of the waste characterization soil samples. Soil/fill with a TCLP Lead concentration greater than 5.0 mg/L is classified as D008 Hazardous Lead soil/fill.

Soil Boring Soil Sample Results

Soil at the Site was found to consist of historic fill material with excessive amounts of ash and slab to a depth of approximately 13 feet below the existing building slab (10 feet below sidewalk grade). Soil

samples were retained from each of the eleven soil borings for laboratory analysis. Samples collected for laboratory analysis include the following:

- Soil samples representing the interval 0 to 5 feet below the existing building slab grade were retained from soil borings B1, B2, and B6 through B11. Each of the samples was submitted for laboratory analysis of VOCs by EPA Method 8260C plus TICs, SVOCs by EPA Method 8270 plus TICs, chlorinated herbicides by EPA Method 8151A, pesticides by EPA Method 8081B, organophosphate pesticides by EPA Method 8141B, PCBs by EPA Method 8082, and/or target analyte list metals (EPA Method 6010).
- Soil samples exhibiting the highest PID values were retained from each of the soil borings, with the exception of soil boring B8 due to a small recovery in the macrocore sampler. Each of the samples corresponded to the 2ft interval at the groundwater interface. Each of the samples was submitted for laboratory analysis of VOCs by EPA Method 8260C plus TICs, and SVOCs by EPA Method 8270 plus TICs.
- Soil samples below the groundwater table that exhibited no olfactory or PID evidence of petroleum contamination were retained from soil borings B1 through B5, B7, B9, B10 and B11. Each of the samples correlated to the 16 to 18 foot interval (below the existing building slab), with the exception of the soil sample retained from soil boring B9, which was retained from 18 to 20 ft. Each of the samples was submitted for laboratory analysis of VOCs by EPA Method 8260C plus TICs, SVOCs by EPA Method 8270 plus TICs, chlorinated herbicides by EPA Method 8151A, organophosphorus pesticides by EPA Method 8141B, PCBs by EPA Method 8082, and/or target analyte list metals (EPA Method 6010).

Petroleum related VOCs were detected above Unrestricted Use SCOs and Protection of Groundwater SCOs within five of the twenty-seven soil samples. No VOCs were detected above Restricted Residential Use SCOs. The highest concentrations of petroleum related VOCs were detected within the soil samples collected at the groundwater interface in soil borings B1 and B7, which included 1,2,4-trimethylbenzene (maximum of 24,000 ppb), 1,3,5-trimethylbenzene (maximum of 23,000 ppb), ethyl benzene (maximum of 7,100 ppb), and benzene (maximum of 220 ppb). The NYSDEC Spills Hotline was contacted, and NYSDEC Spill Number 1506482 was assigned.

SVOCs were detected above Protection of Groundwater SCOs and Commercial Use SCOs within five of the twenty-seven soil samples. The pesticide 4,4'-DDE (5.2 µg/kg) was detected above Unrestricted Use SCOs within soil sample B10(10-5'). No other PCBs, pesticides, organophosphate pesticides, or chlorinated herbicides were detected in any of the samples analyzed, with the exception of PCB-1260 (41 µg/kg) which was detected in soil sample B7(0-5) at a concentration below Unrestricted Use SCOs.

The metals Arsenic (maximum of 137 mg/kg), Barium (maximum of 5,840 mg/kg), Cadmium (maximum of 15.7 mg/kg), Copper (maximum of 803 mg/kg), Lead (maximum of 37,500 mg/kg), and Mercury (maximum of 11.4 mg/kg) and were detected above Commercial Use SCOs. Although not submitted for laboratory analysis of TCLP Lead, it is assumed based on the total lead concentrations

reported within the soil samples retained from historic fill layer, that historic fill material would require classification as D008 Hazardous Lead soil/fill.

Groundwater Sample Results

The depth to groundwater at the Site is approximately 7 feet below sidewalk grade (10 feet below the existing building slab). All five groundwater samples collected at the Site were analyzed for VOCs (EPA Method 8260) plus TICs, SVOCs (EPA Method 8270) plus TICs, pesticides/PCBs (EPA Method 8081/8082), and total and dissolved TAL metals (EPA Method 6010).

No VOCs were detected above GQS in any of the groundwater samples collected at the Site. However, gasoline related VOCs detected at concentrations below GQS included 1,2,4-Trimethylbenzene (maximum of 0.32 µg/L), 2-Isopropyltoluene (maximum of 0.7 µg/L), Benzene (maximum of 0.36 µg/L), Isopropylbenzene (maximum of 4.1 µg/L), n-Butylbenzene (maximum of 0.72 µg/L), n-Propylbenzene (maximum of 4.6 µg/L), o-Xylene (maximum of 0.28 µg/L), sec-Butylbenzene (maximum of 0.96 µg/L), and tert-Butylbenzene (maximum of 0.33 µg/L).

No SVOCs, pesticides or PCBs were detected above GQS in any of the groundwater samples collected at the Site. The dissolved concentrations of several metals, including Antimony, Iron, Magnesium, Manganese and Sodium were above GQS.

Soil Gas Sample Results

In order to determine the vapor quality in the soil beneath the Site, soil vapor samples were collected from 8 soil vapor implants (SV-1 through SV-8) installed approximately 1 to 2 ft above the groundwater interface. Each of the soil gas samples were submitted to the laboratory for analysis of VOCs by USEPA Method TO-15.

BTEX concentrations were generally low in soil vapor samples with the exception of one sample location, SV-6 (BTEX 1,987.3 µg/m³) which was collected near the underground storage tank. BTEX concentrations ranged from 33.34 µg/m³ (SV-3) to 500.34 µg/m³ (SV-4) at all other soil vapor sampling locations.

Chlorinated VOCs (CVOC) were detected at elevated concentrations within several of the soil vapor samples collected at the Site. Trichloroethylene (TCE) was detected in 5 of the 8 soil vapor samples at a maximum concentration of 173 µg/m³ (SV-8) and the CVOC 1,1,1-Trichloroethane was detected in all 8 soil vapor samples at a maximum concentration of 2,090 µg/m³ (SV-3). The two elevated 1,1,1-Trichloroethane concentrations were detected within SV-3 (2,090 µg/m³) and SV-4 (638 µg/m³) which were located in the center and center/rear of the Site. The two elevated TCE concentrations were reported within SV-7 (98.8 µg/m³) and SV-8 (173 µg/m³), which were located on the western end of the Site. Lower concentrations of the CVOCs Tetrachloroethylene (maximum of 18.6 µg/m³) and Carbon Tetrachloride (maximum of 0.42 µg/m³) were reported.

Summary tables, maps, and laboratory reports summarizing and comparing the results to applicable regulatory standards are included in the Remedial Investigation Report provided in digital form in **Attachment A**.

IV PROPERTY INFORMATION

4.1 Tax Parcel Information

North 13 Holdings LLC seeks to remediate and redevelop a Site located on North 13th Street in the Greenpoint neighborhood of Brooklyn, NY (the "Site") (see **Figure 1**). The address of the Site is 103 North 13th Street, Brooklyn, NY 11222. It is comprised of a single tax parcel identified as Block 2279, Lot 34 (**Figure 2**).

The legal description of the property is as follows:

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

BEGINNING at a point on the northerly side of North 13th Street distant 100 feet easterly from the corner formed by the intersection of the northerly side of North 13th Street and the easterly side of Wythe Avenue;

RUNNING THENCE northerly parallel with Wythe Avenue 100 feet more or less to the center line of a party wall erected partly on the premises herein described and partly on the premises adjoining on the north;

THENCE easterly parallel with North 13th Street and part of the distance through said party wall 125 feet;

THENCE southerly again parallel with Wythe Avenue 100 feet more or less to the northerly side of North 13th Street; and

THENCE westerly along the northerly side of North 13th Street 125 feet to the point or place of BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY: 103-111 North 13th Street, Brooklyn, NY a/k/a Block 2279 Lot 34 on the KINGS County Tax Map.

4.2 Enzone

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 Site is within Census Tract 557 which is not a designated Environmental Zone (see **Figure 7**).

4.3 Property Description Narrative

4.3.1 Location

The Site to be remediated and redeveloped is located in the Greenpoint section of the City of New York and Borough of Brooklyn (Kings County).

4.3.2 Site Features

The Site is comprised of a single tax parcel (**Figure 2**) totaling 12,500 square feet (0.29 acres). The Site has approximately 125 ft of frontage along North 13th Street, and a depth of approximately 100 feet. The Site is currently vacant and undeveloped, but the exterior walls and concrete slab of a former one-story manufacturing building remain. The building slab is approximately 3 feet above sidewalk grade, which allowed for trucks to back up to the former warehouse building and load/unload at grade.

The elevation of the Site is approximately 14 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the northwest. The depth to groundwater beneath the Site is approximately 7 feet below sidewalk grade. Based on regional groundwater elevation maps groundwater flows to the south-southwest.

4.3.3 Current Zoning and Land Use

The land use in the immediate vicinity of the Site (**Figure 6**) includes a vacant 2-story industrial/manufacturing building to the west (29 Wythe Avenue – Block 2279, Lot 1), a 2-story industrial/manufacturing building converted for use as a gym and construction company yard to the east (16 Berry Street – Block 2279, Lot 26), office / commercial buildings to the north (180 and 190 North 14th Street – Block 2279, Lots 9 and 13), and a large property currently being redeveloped to the south (55 Wythe Avenue – Block 2283, Lot 1). The construction project to the south 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. There are no daycare centers located within a ¼ mile radius of the Site.

One school (Automotive High School - 50 Bedford Avenue) is located approximately 325 feet to the east. Schools located within ¼ mile radius of the Site are labeled on **Figure 5**.

The area surrounding the property is highly urbanized and predominantly consists commercial and industrial properties interspersed throughout the residential sections. Following a steady decline of manufacturing in the area from the late 1960's through the 1980's, many of the industrial properties were vacated leaving the buildings to be vandalized and become derelict. Conditions continued to decline throughout the 1980's and 1990's. The community and area have seen a resurgence in recent years following the rezoning of former industrial properties to residential use during the Greenpoint-Williamsburg Rezoning Action in 2005.

The proposed project is compatible with the surrounding land use and will be in compliance with the 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 commercial building with community facility space is compatible with the surrounding land use and will be in compliance with the current zoning.

4.3.4 Past Use of the Site

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). 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 North 13 Holdings LLC. The Requestor purchased the property in June 2014. The property has been vacant since 2014, but was most recently utilized as a produce warehouse.

A review of Sanborn maps indicates the Site was undeveloped prior to 1905. From 1916 to 1930, the Site was developed with three small one-story sheds/storage rooms and a portion of a single-story commercial building. The former one-story warehouse/manufacturing building was constructed in 1930. The building was used as an iron pipe warehouse (1940's – 1950's), a paper storage warehouse (1960's), metal pipe hanger manufacturing facility (1970's), contractor's storage facility (1990's) and a food storage warehouse (2000's). A listing of previous owners and operators for the property is as follows:

Table 1 – Previous Owners

Dates	Name	Comments	Contact Info
Prior to 3/19/1968	Levarno Realty Corp	Deed	101 58 th Street, Brooklyn, NY 1220
From 3/19/1968 to 12/5/1989	Leo Levy Jerome Levy	Deed	610 Johnson Avenue, Brooklyn, NY 11237
From 12/5/1989 to 10/18/2000	Lillian Levy	Deed	94 Shrubhollow Road, Roslyn, NY 11576
From 10/18/2000 to 6/2/2014	Levy Realty, LLC	Deed	610 Johnson Avenue, Brooklyn, NY 11237
6/2/2014 to Present	North 13 Holdings LLC	Deed	C/O Jeffrey Zwick, ESQ. 4309 13 th Avenue, Brooklyn, NY 11219

Note: North 13 Holdings LLC is not affiliated with any of the previous owners of the property.

Table 2 – Previous Operators

Dates	Name	Comments	Contact Info
1960's to early 1980's	F&S Central Manufacturing Corp.	ACRIS Internet Search	Bergen Pipe Supports, Inc. 225 Merrimac Street Woburn, MA 01801 (781) 935-9550
1992	Champion Services Inc.	EDR City Directory Listings	Bergen Pipe Supports, Inc. 225 Merrimac Street Woburn, MA 01801 (781) 935-9550

1992	European Granite and Marble Corporation.	EDR City Directory Listings	Bergen Pipe Supports, Inc. 225 Merrimac Street Woburn, MA 01801 (781) 935-9550
1990-1997	Nytex Trading Corp.	EDR City Directory Listings Internet Search	Bergen Pipe Supports, Inc. 225 Merrimac Street Woburn, MA 01801 (781) 935-9550
2008	Ameasia Company Limited	EDR City Directory Listings	103 North 13 th Street, Brooklyn, NY 11211
2008-2013	Compo Trading, Inc.	EDR City Directory Listings	111 North 13 th Street, Brooklyn, NY 11211
2008	Creations International, Inc.	EDR City Directory Listings	107 North 13 th Street, Brooklyn, NY 11211
2003-2010	Harvest Food Co., LTD	Internet Search	103 North 13 th Street, Brooklyn, NY 11211
2013	Amerihua Produce, Inc.	EDR City Directory Listings	103 North 13 th Street, Brooklyn, NY 11211
2013	Emergency Locksmith	EDR City Directory Listings	111 North 13 th Street, Brooklyn, NY 11211
2013	Zhong Fu Food Product Corporation	EDR City Directory Listings	111 North 13 th Street, Brooklyn, NY 11211
2013	Big Wong Trading, Inc.	EDR City Directory Listings	107 North 13 th Street, Brooklyn, NY 11211

Note: North 13 Holdings is not affiliated with any of the previous operators at the property.

4.3.5 Site Geography and Geology

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 material to a depth as great as 13 feet below the existing building slab (10 feet below sidewalk grade), followed by a native grey (wet) sandy silt. According to the USGS topographic map for the area (Brooklyn Quadrangle), the elevation of the property is 14 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the northwest.

The Site is located within a designated flood zone area; Zone X. Zone X is identified as a moderate risk flood area. Flood zones are shown on **Figure 9**.

4.3.6 Environmental Assessment

The results of the investigations performed at the Site have identified the following contaminated media and environmental conditions.

- D008 Hazardous Lead soil/fill across the Site to depths as great as 13 feet below the existing building slab (10 feet below sidewalk grade). The historic fill material also contains arsenic, barium, cadmium, copper, and mercury at concentrations above Commercial Use SCOs. The D008 Hazardous Lead/soil fill containing high concentrations of heavy metals to be excavated under the proposed redevelopment scenario will require proper management and disposal at a permitted disposal facility.
- Confirmed petroleum volatile organic compound (VOC) contaminants in soil above Unrestricted Use SCOs and Protection of Groundwater Standards at the groundwater interface across the Site. Petroleum contaminated soil to be excavated under the proposed redevelopment scenario will require proper management and disposal at a permitted disposal facility.
- The CVOCs 1,1,1-trichloroethane and trichloroethene are present in soil gas at elevated concentrations which may require mitigation.

VI CURRENT PROPERTY OWNER / OPERATOR INFORMATION

North 13 Holdings LLC is the applicant for the project and is applying to the program as a Volunteer. North 13 Holdings LLC is the current owner. North 13 Holdings LLC is not affiliated in any way with the past property owners or operators, or the release of contaminants at the Site. North 13 Holdings LLC has access to the Site to implement the required remedial actions that will be required under the BCP.

VII REQUESTOR ELIGIBILITY INFORMATION

The Requestor qualifies as a volunteer because it performed an Environmental Site Assessment that complied with the All Appropriate Inquiries rule of 40 CFR 312. acquired title, all disposals/releases occurred prior to the time it acquired title and the Requestor does not have affiliation with potentially responsible parties. Since acquiring title and control over the Property, the Requestor exercised appropriate care by securing the building with an 8ft high construction fence that is locked with a padlock to prevent exposure to previously released hazardous substances. In addition, there have not been any ongoing releases and there have not been any new or threatened releases during Requestor's ownership of the Property.

VIII PROPERTY ELIGIBILITY INFORMATION

The Property qualifies as a brownfield site because the contamination detected during the Remedial Investigation requires remediation for the proposed use.

IX CONTACT LIST INFORMATION

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

9.1 Local Government Contacts

City of New York

Hon. Bill de Blasio
Mayor of New York City
City Hall
New York, NY 10007

Hon. 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

Ryan Kuonen, Chairman
Environmental Committee
Brooklyn Community Board 1
435 Graham Avenue
Brooklyn, NY, 11211

Hon. Stephen Levin
33rd District
410 Atlantic Avenue
Brooklyn, NY 11217

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

Keith Bray
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

Hon. Letitia James
Public Advocate
1 Centre Street, 15th Floor
New York, NY 10007

Hon. Scott M. Stringer
Office of the Comptroller
1 Centre Street
New York, NY 10007

Hon. Daniel Squadron
NYS Senator
209 Joralemon Street, Suite 300
Brooklyn, NY 11201

Hon. Joseph Lentol
NYS Assembly Member
619 Lorimer Street

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

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

Hon. Carolyn Maloney
U.S. House of Representatives
619 Lorimer Street
Brooklyn, NY 11211

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

Nilda Mesa , 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, 2nd Floor
New York, NY 10038

9.2 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. FALSE ALARM LTD
87 KENT AVENUE
BROOKLYN, NY 11249-2815

OCCUPANT
29 WYTHE AVENUE
BROOKLYN, NY 11249-1031

North

2. M.A.J. ASSOCIATES, INC.
816 AVENUE I
BROOKLYN, NY 11230-2714

OCCUPANT
180 NORTH 14TH STREET
BROOKLYN, NY 11249-1031

3. 190 NORTH 14TH STREET, LLC
481 GREENWICH STREET, UNIT 1B
NEW YORK, NY 10013-1383

OCCUPANT
190 NORTH 14TH STREET
BROOKLYN, NY 11249-1052

4. NORTH 14TH STREET REALTY ASSOCIATES LLC
200 NORTH 14TH STREET
BROOKLYN, NY 11249-1012

OCCUPANT
200 NORTH 14TH STREET
BROOKLYN, NY 11249-1012

East

5. PATTI 3, LLC
8 BERRY STREET
BROOKLYN, NY 11249-1013

OCCUPANT
16 BERRY STREET
BROOKLYN, NY 11222-1013

South

6. MIHATA CORP.
100 NORTH 4TH STREET
BROOKLYN, NY 11249-3106

OCCUPANT
116 NORTH 13TH STREET
BROOKLYN, NY 11249

7. WYTHE BERRY LLC
266 BROADWAY, SUITE 301
BROOKLYN, NY 11211-6306

OCCUPANT
55 WYTHE AVENUE
BROOKLYN, NY 11222-1031

9.3 Local News Media

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

New York Daily News
4 New York Plaza
New York, NY 10004
New York Post
1211 Avenue of the Americas
New York, NY 10036-8790

NY 1 News 75 Ninth Avenue
New York, NY 10011

Courier-Life Publications
1 Metro-Tech Center North - 10th Floor
Brooklyn, NY 11201

Brooklyn Daily Eagle
30 Henry Street
Brooklyn, NY 11201

Greenpoint Star
69-60 Grand Avenue
Maspeth, NY 11378

Greenpoint Gazette
597 Manhattan Avenue
Brooklyn, NY 11222

Nowy Dziennik (Polish Daily News)
70 Outwater Lane
Garfield, NJ 07026
Hoy Nueva York
1 MetroTech Center, 18th Floor
Brooklyn, NY 11201

El Diario La Prensa
1 MetroTech Center, 18th Floor
Brooklyn, NY 11201

Impacto New York
225 West 35th Street, Suite 305
New York, NY 10001

La Voz Hispana NY
159 East 116th Street
New York, NY 10029

9.4 Public Water Supplier

Emily Lloyd, Commissioner
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

9.5 Requested Contacts

No requests have been made at this time.

9.6 Schools and Daycare Facilities

The following Schools and Daycare facilities were identified within a 1/4 mile radius of the project site (see **Figure 5**):

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

9.7 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 Avenue, Brooklyn, NY 11222 - (718) 349-8504

Hours

Mon	10:00 AM - 6:00 PM	Thu	10:00 AM - 8:00 PM	Sun - Closed
Tue	10:00 AM - 8:00 PM	Fri	10:00 AM - 6:00 PM	
Wed	10:00 AM - 8:00 PM	Sat	10:00 AM - 5:00 PM	



ENVIRONMENTAL BUSINESS CONSULTANTS

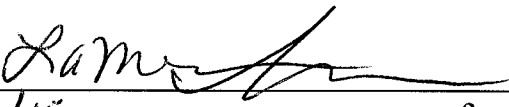
November 9, 2015

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

**Re: NYS Brownfield Cleanup Program Application
Former F&S Central Manufacturing Corp. Site
103 North 13th Street, Brooklyn, NY 11222**

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:  Date 11/9/15
for Brooklyn Public Library -
Greenpoint Branch



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870

X LAND USE FACTORS

10.1 Current Use

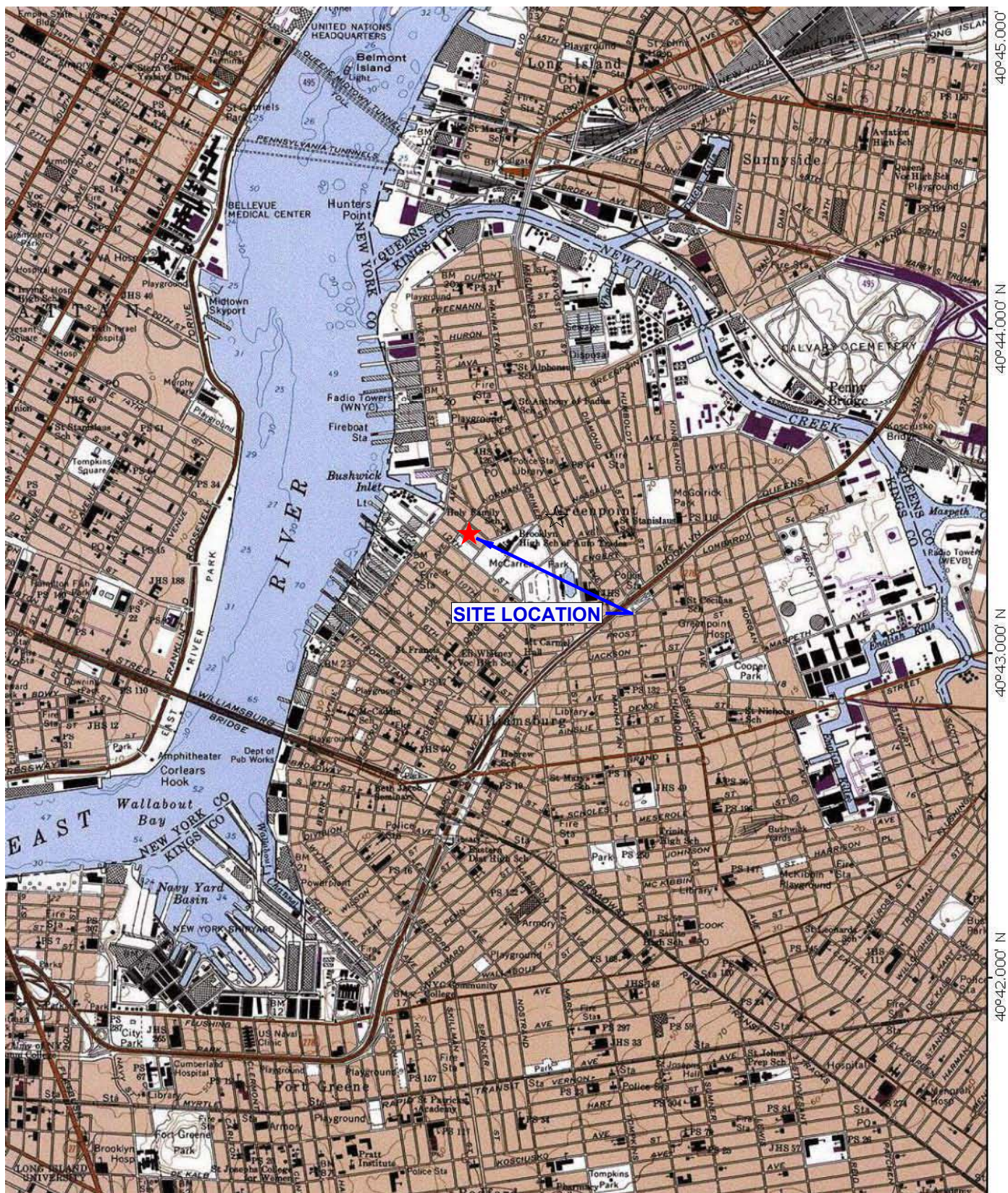
The Site is currently undeveloped and vacant.

10.2 Post Remedial Use

The Requestor intends to redevelop the property. The Requestor intends to redevelop the property with a new 2-story commercial/community facility building which will cover the entire Site. The building will include a cellar level that will require excavation to 13 feet below sidewalk grade across the entire footprint of the Site. With groundwater present at approximately 7 feet below sidewalk grade, dewatering will be required during construction of the building's foundation.

A portion of the cellar level will be used for meter rooms, and the rest (10,006 ft²) will be used as accessory storage space for the first floor commercial space. The entire first floor will consist of commercial space, and the rear half of the second floor will consist of accessory storage space for the first floor commercial space. The front half of the second floor will consist of office/community facility space. With groundwater present at 7 feet below grade, dewatering will be required during construction of the building's foundation.

FIGURES

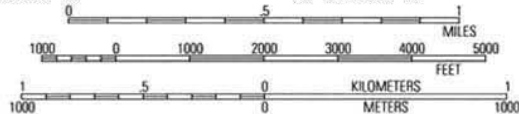


73°59.000' W

73°58.000' W

73°57.000' W

WGS84 73°56.000' W



MN ↑ TN
13°
06/04/11



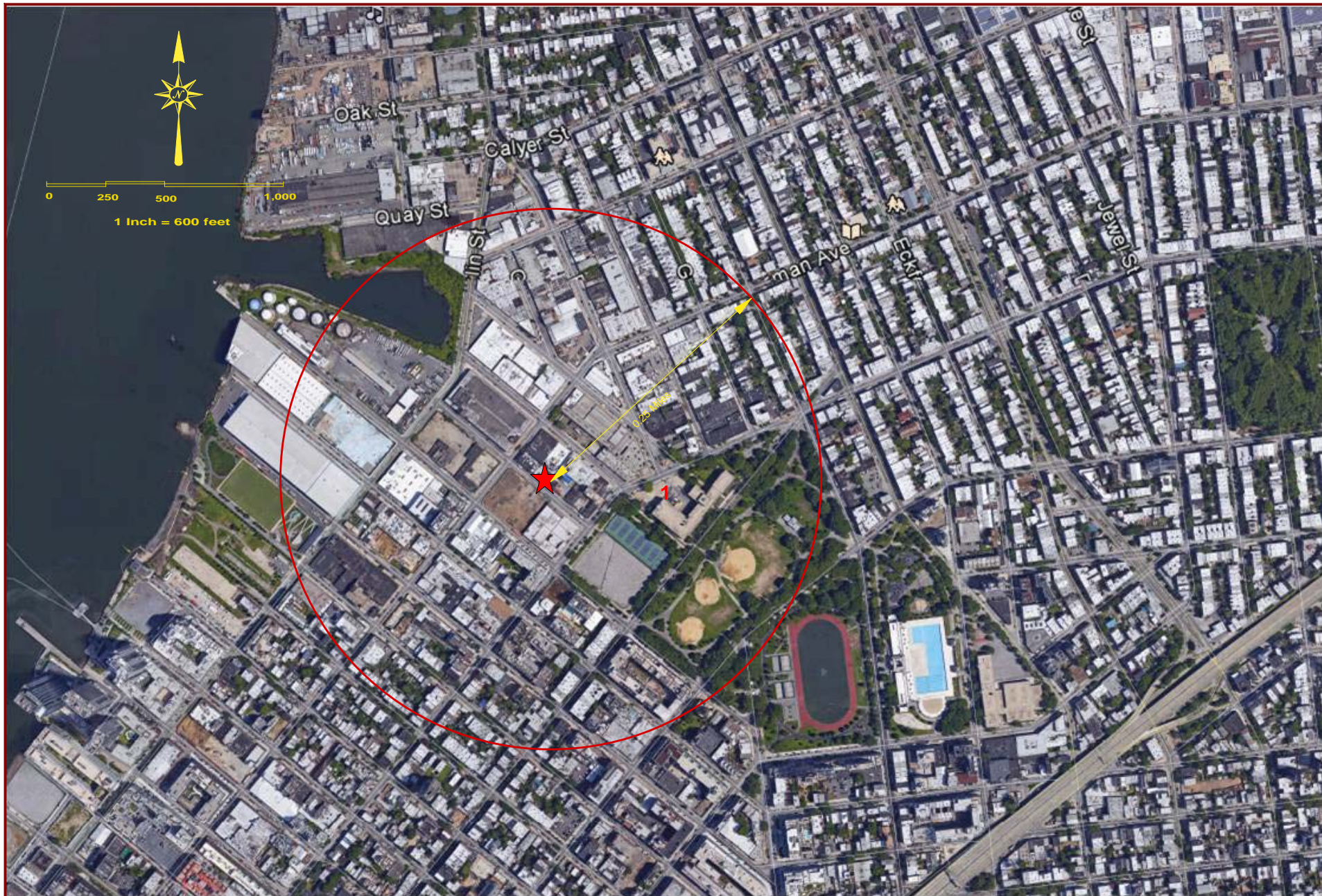
ENVIRONMENTAL BUSINESS CONSULTANTS

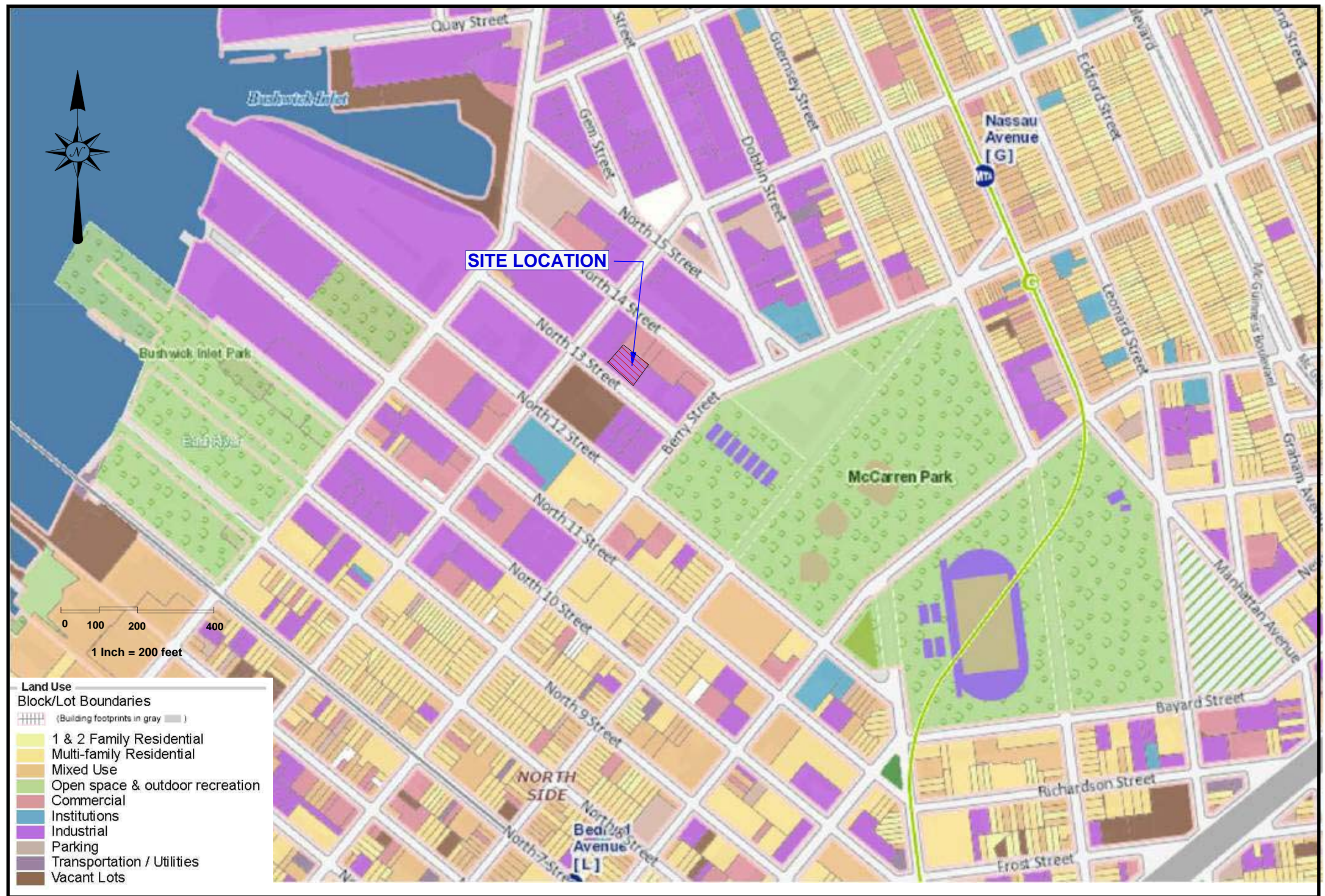
Phone 631.504.6000
Fax 631.924.2870

Figure No. 2

Site Name:	FORMER F&S CENTRAL MANUFACTURING SITE
Site Address:	103 NORTH 13TH STREET, BROOKLYN, NY
Drawing Title:	NYC TAX MAP







ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
6

Site Name: FORMER F CENTRAL MANUFACTURING SITE
Site Address: 103 NORTH 13TH STREET, BROOKLYN, NY
Drawing Title: SURROUNDING LAND USE

New York State Environmental Zones Northern Kings County Eligible Tracts

Eligibility Criteria

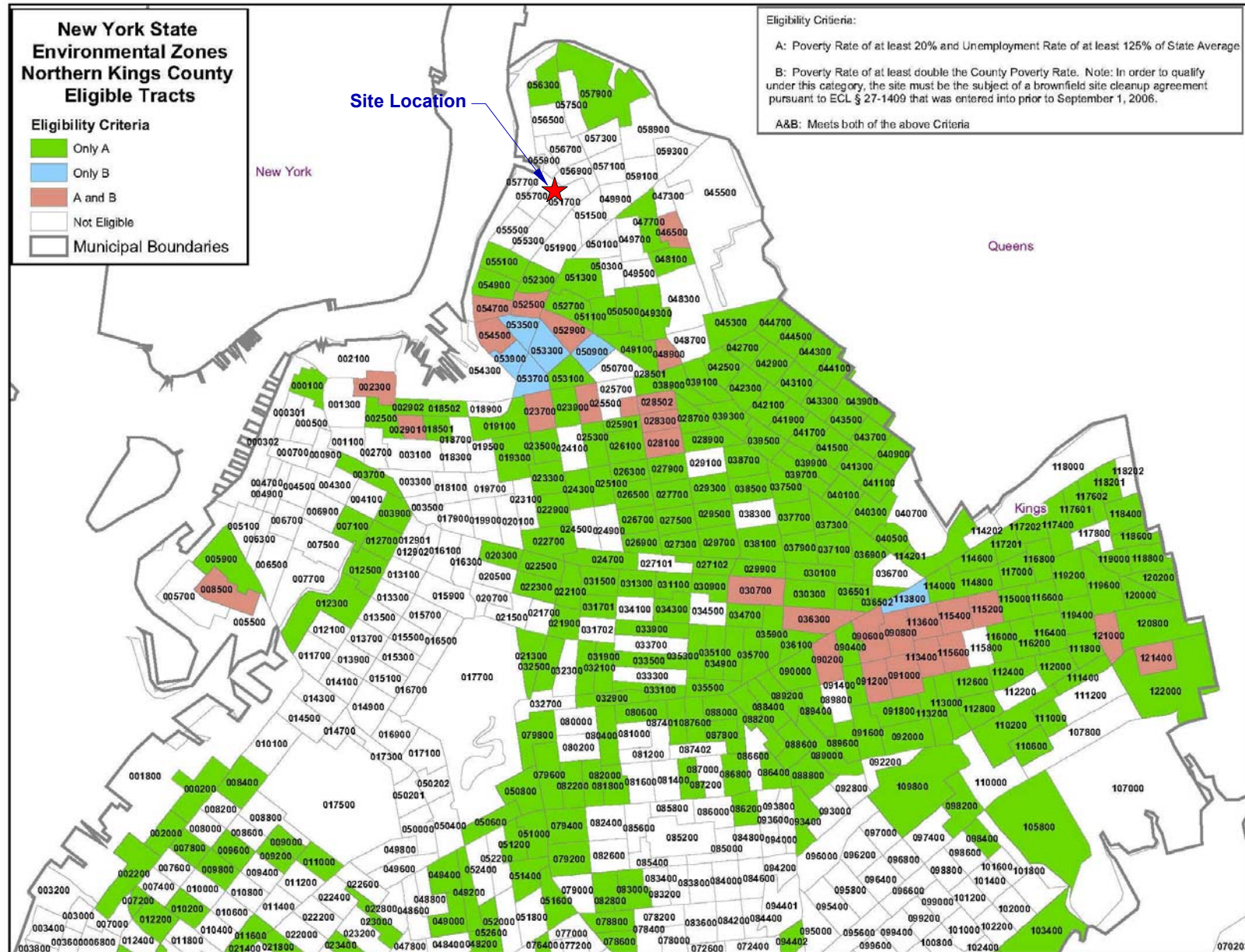
- Only A
- Only B
- A and B
- Not Eligible
- Municipal Boundaries

Eligibility Criteria:

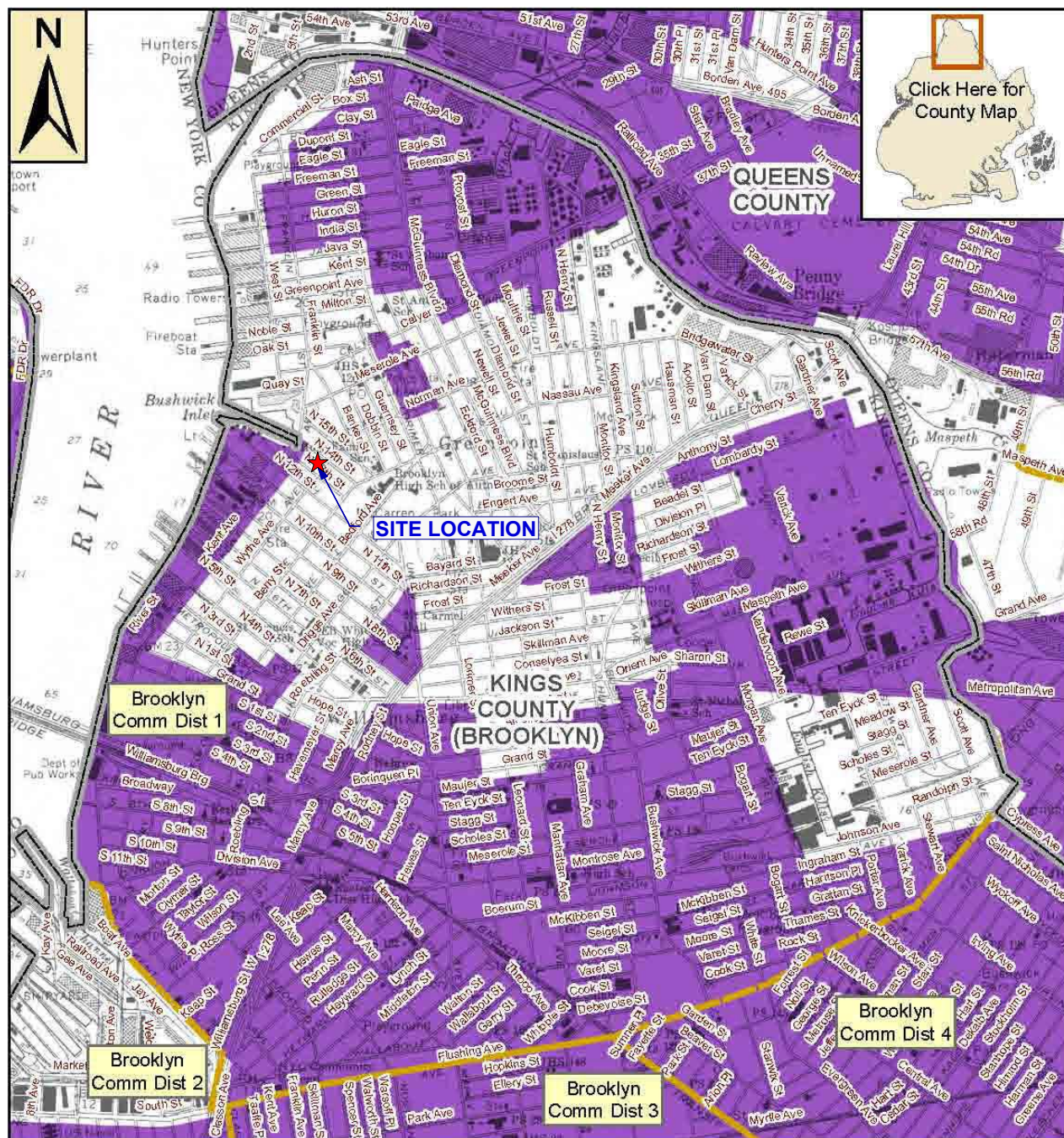
A: Poverty Rate of at least 20% and Unemployment Rate of at least 125% of State Average

B: Poverty Rate of at least double the County Poverty Rate. Note: In order to qualify under this category, the site must be the subject of a brownfield site cleanup agreement pursuant to ECL § 27-1409 that was entered into prior to September 1, 2006.

A&B: Meets both of the above Criteria



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

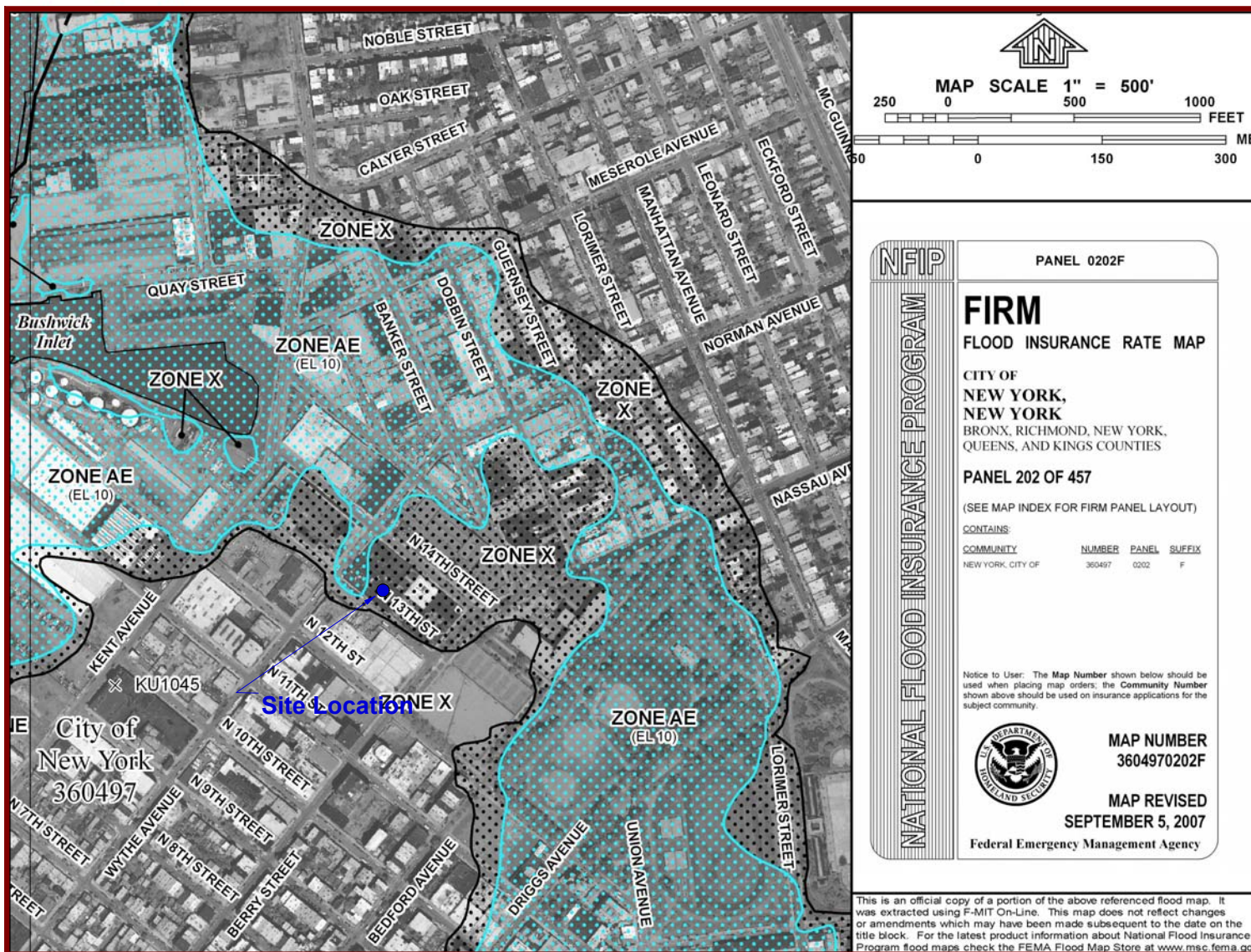
Legend

- 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





IBC

ENVIRONMENTAL BUSINESS CONSULTANTS

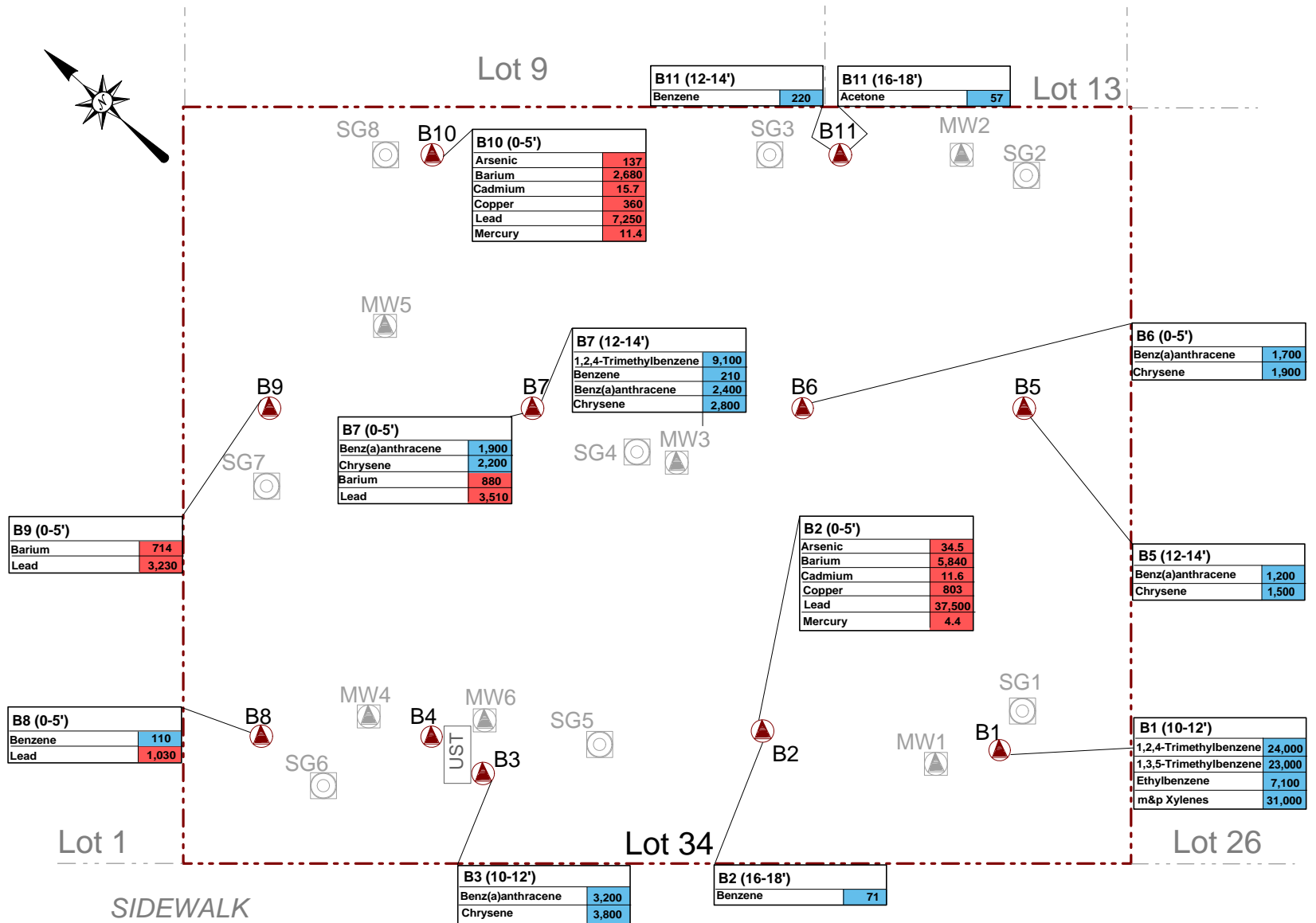
Phone 631.504.6000
Fax 631.924.2870

Figure No.
9

Site Name: **FORMER F&S CENTRAL MANUFACTURING SITE**

Site Address: **103 NORTH 13TH STREET, BROOKLYN, NY**

Drawing Title: **FEMA FLOOD MAP**



NORTH 13TH STREET

All soil boring soil samples were collected on 9/25/2015

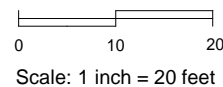
KEY:

- Property Boundary
- Groundwater Sampling Location
- Soil Boring Location
- Soil Gas Sampling Location

SVOCs Reported in PPB
Metals Reported in PPM

- Commercial SCO Exceedance
- Protection of Groundwater SCO exceedance

SCALE:

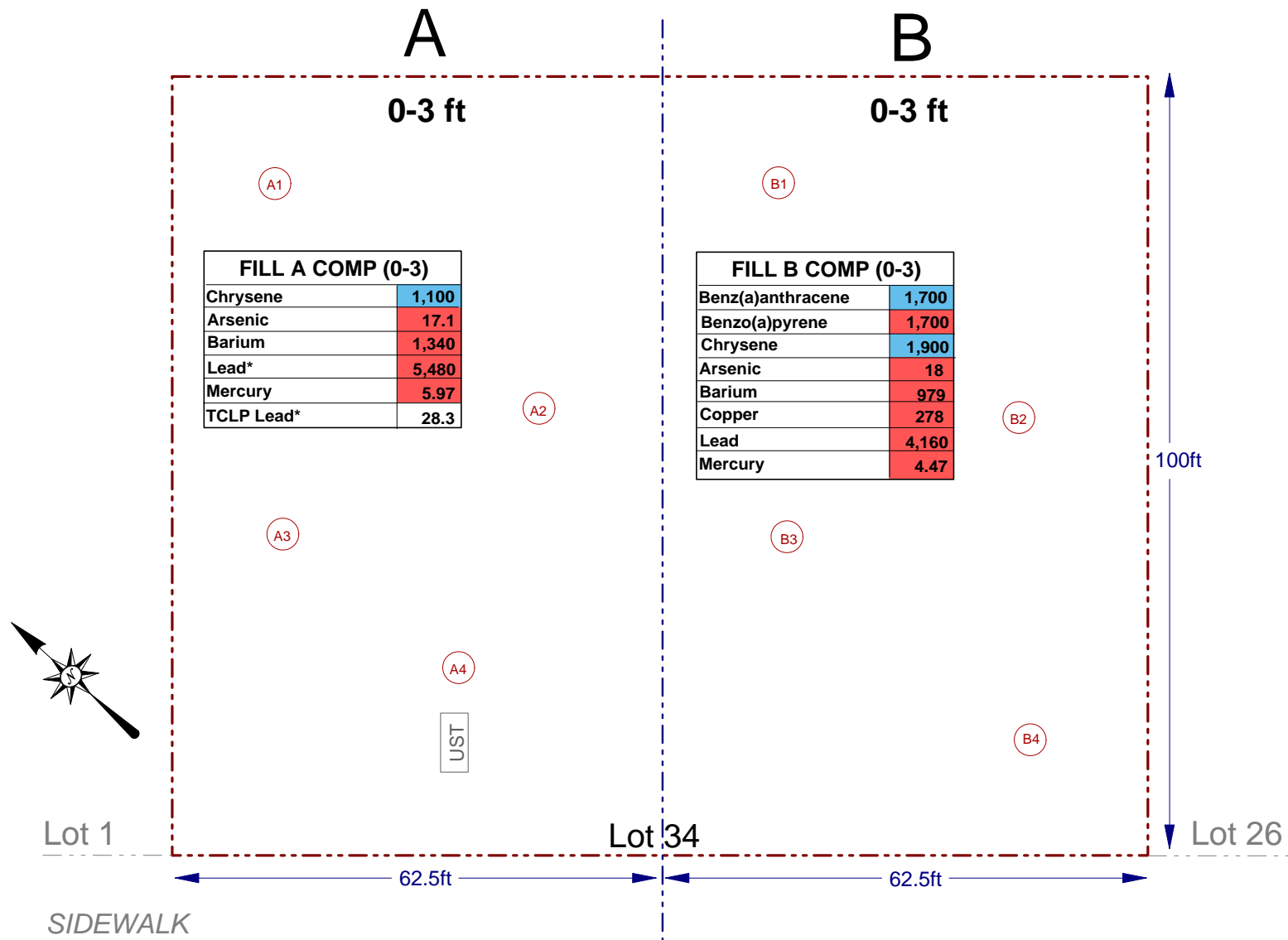


BC
ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
10

Site Name: **FORMER F&S CENTRAL MANUFACTURING SITE**
Site Address: **103 NORTH 13TH STREET, BROOKLYN, NY**
Drawing Title: **SOIL BORING SCO EXCEEDENCES MAP**



FILL A COMP (0-3)	
Chrysene	1,100
Arsenic	17.1
Barium	1,340
Lead*	5,480
Mercury	5.97
TCLP Lead*	28.3

FILL B COMP (0-3)	
Benz(a)anthracene	1,700
Benzo(a)pyrene	1,700
Chrysene	1,900
Arsenic	18
Barium	979
Copper	278
Lead	4,160
Mercury	4.47

NORTH 13TH STREET

SVOCs Reported in PPB
Metals Reported in PPM

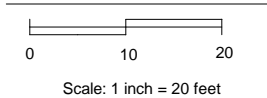
Waste Characterization Soil Samples representing 0-3ft
were collected on 9/3/2015 and 9/4/2015

KEY:

- Property Boundary
- Commercial SCO Exceedance
- Protection of Groundwater SCO exceedance

* TCLP Lead Concentration Greater than 5.0 mg/L

SCALE:



EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

**Figure No.
11A**

Site Name: **FORMER F&S CENTRAL MANUFACTURING SITE**

Site Address: **103 NORTH 13TH STREET, BROOKLYN, NY**

Drawing Title: **WASTE CHARACTERIZATION SAMPLE SCO EXCEEDENCES 0-3**

FILL A (4-8)	
Arsenic	21.5
Barium	1,750
Copper	405
Lead	9,490
Mercury	902
TCLP Lead (HAZ)*	14.9

FILL A (8-12)	
Benz(a)anthracene	1,200
Benzo(a)pyrene	1,100
Chrysene	1,300
Mercury	3.47

FILL A (12-16)	
Benz(a)anthracene	5,100
Benzo(b)fluoranthene	4,700
Benzo(k)fluoranthene	4,600
Chrysene	6,900
Dibzeno(a,h)anthracene	750
Lead	1,050
Mercury	16.8
TCLP Lead (HAZ)*	5.84

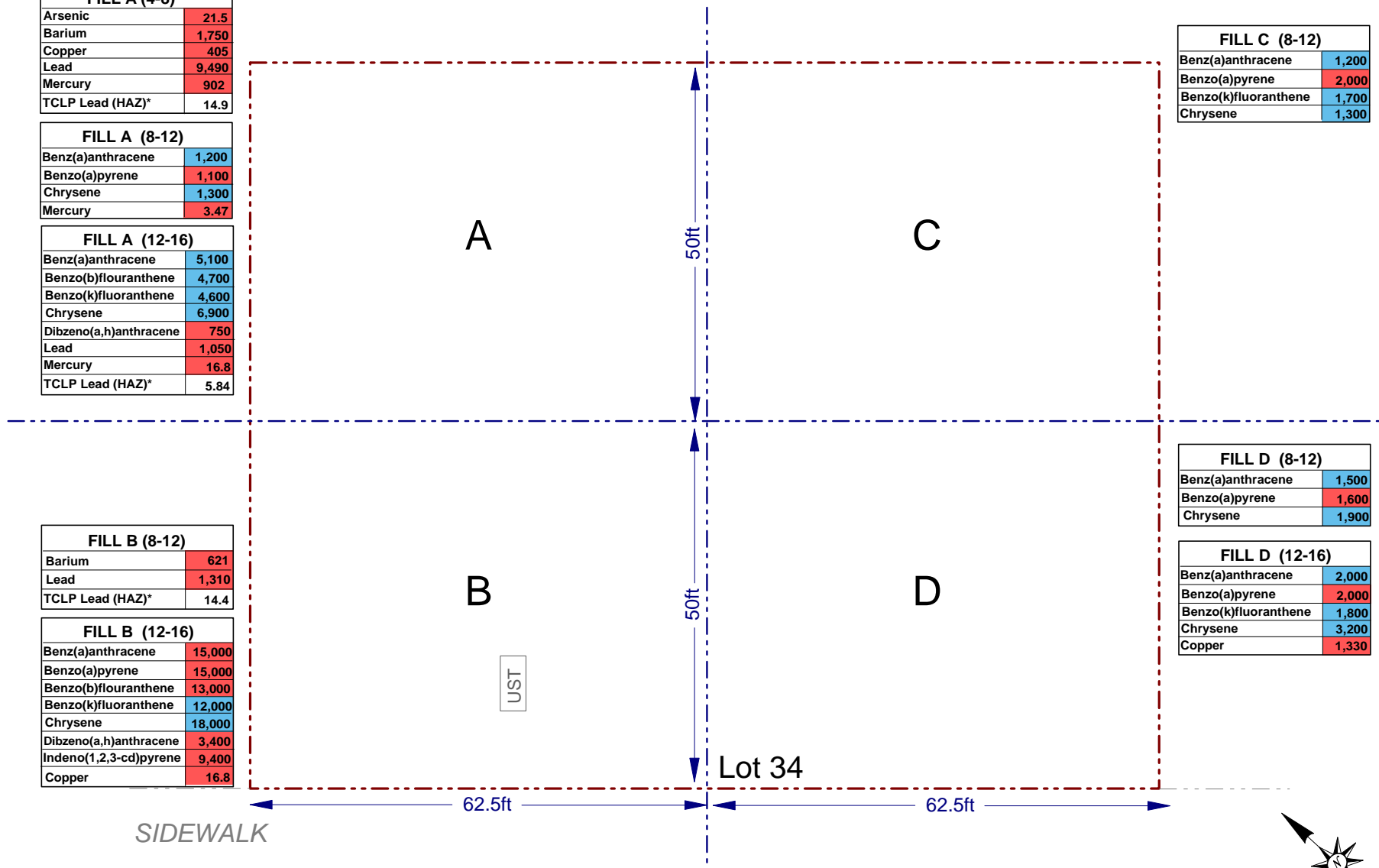
FILL B (8-12)	
Barium	621
Lead	1,310
TCLP Lead (HAZ)*	14.4

FILL B (12-16)	
Benz(a)anthracene	15,000
Benzo(a)pyrene	15,000
Benzo(b)fluoranthene	13,000
Benzo(k)fluoranthene	12,000
Chrysene	18,000
Dibzeno(a,h)anthracene	3,400
Indeno(1,2,3-cd)pyrene	9,400
Copper	16.8

FILL C (8-12)	
Benz(a)anthracene	1,200
Benzo(a)pyrene	2,000
Benzo(k)fluoranthene	1,700
Chrysene	1,300

FILL D (8-12)	
Benz(a)anthracene	1,500
Benzo(a)pyrene	1,600
Chrysene	1,900

FILL D (12-16)	
Benz(a)anthracene	2,000
Benzo(a)pyrene	2,000
Benzo(k)fluoranthene	1,800
Chrysene	3,200
Copper	1,330



NORTH 13TH STREET

SVOCs Reported in PPB

Metals Reported in PPM

Waste Characterization Soil Samples representing 0-4ft
4-8ft, 8-12ft, and 12-16ft were collected on 9/17/2015

KEY:

Property Boundary

Commercial SCO Exceedance

Protection of Groundwater SCO exceedance

* TCLP Lead Concentration Greater than 5.0 mg/L

SCALE:



Scale: 1 inch = 20 feet

BC

ENVIRONMENTAL BUSINESS CONSULTANTS

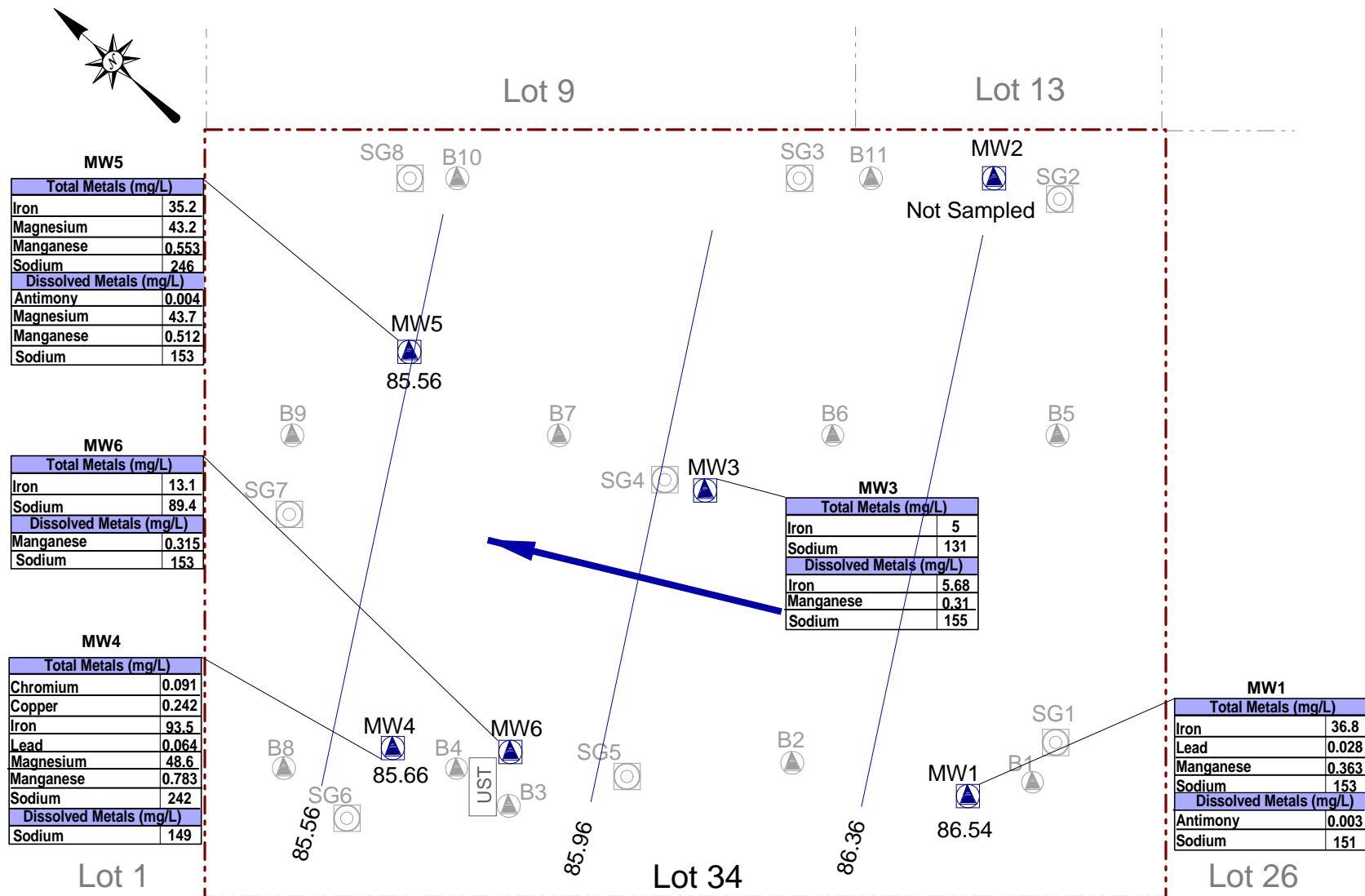
Phone 631.504.6000
Fax 631.924.2870

Figure No.
11B

Site Name: **FORMER F&S CENTRAL MANUFACTURING SITE**

Site Address: **103 NORTH 13TH STREET, BROOKLYN, NY**

Drawing Title: **WASTE CHARACTERIZATION SAMPLING EXCEEDENCES (4-16')**

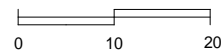


Groundwater Samples were Collected on 9/25/2015

KEY:

- Property Boundary
- Groundwater Sampling Location
- Soil Boring Location
- Soil Gas Sampling Location

SCALE:



Scale: 1 inch = 20 feet



ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
12

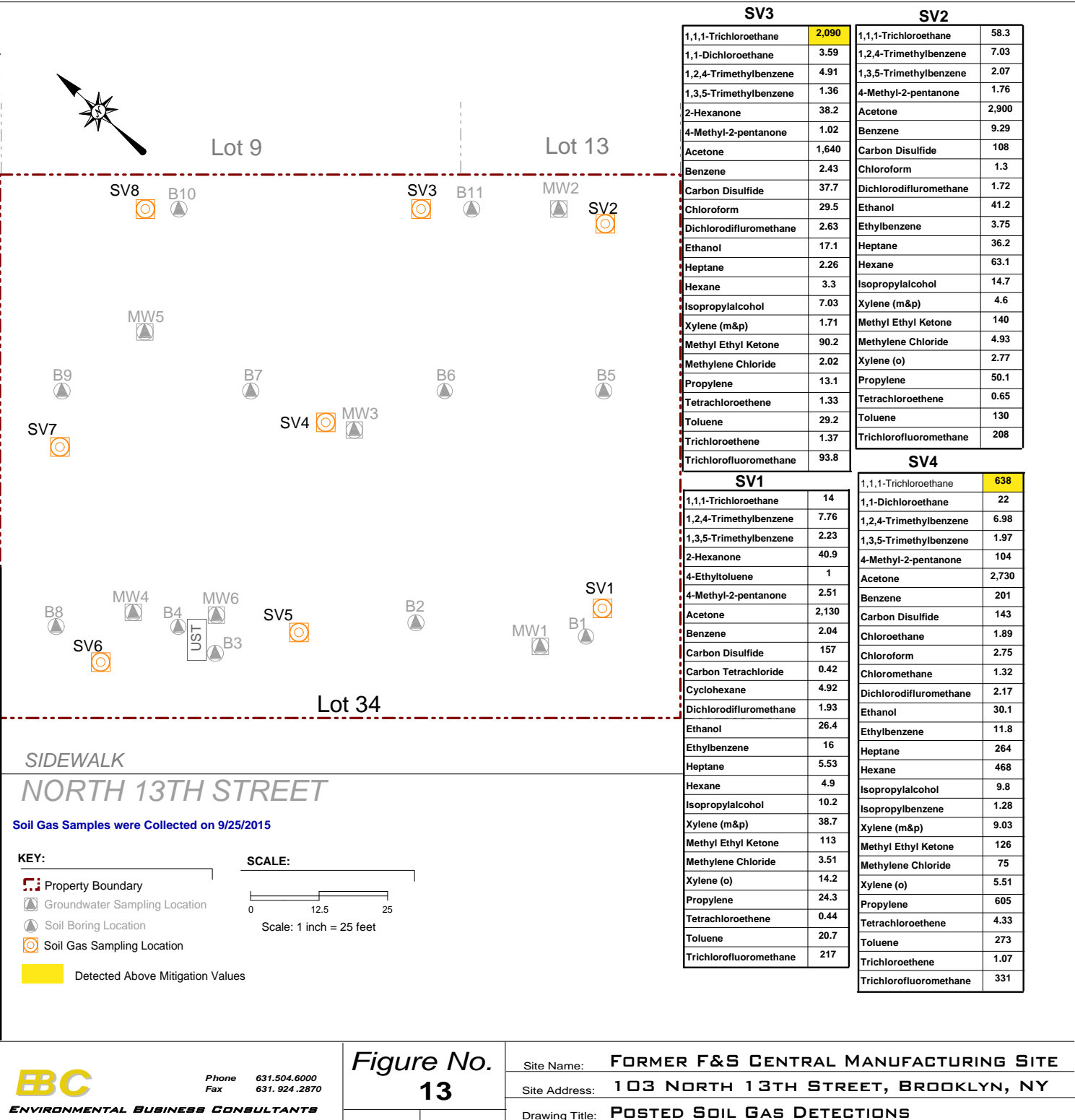
Site Name: **FORMER F&S CENTRAL MANUFACTURING SITE**
Site Address: **103 NORTH 13TH STREET, BROOKLYN, NY**
Drawing Title: **GROUNDWATER EXCEEDENCES MAP**

SV6	
1,1,1-Trichloroethane	28
1,2,4-Trimethylbenzene	9.04
1,3,5-Trimethylbenzene	2.81
2-Hexanone	95
4-Ethyltoluene	1.17
4-Isopropyltoluene	1.03
4-Methyl-2-pentanone	6.14
Acetone	2,780
Benzene	172
Carbon Disulfide	2,210
Chloroethane	1.72
Chloroform	6.29
Chloromethane	1.73
Dichlorodifluoromethane	1.66
Ethanol	23.2
Ethylbenzene	15.3
Heptane	115
Hexane	335
Isopropylalcohol	17.5
Isopropylbenzene	1.57
Xylene (m&p)	24.6
Methyl Ethyl Ketone	146
Methylene Chloride	12.2
Xylene (o)	15.4
Propylene	125
Tetrachloroethene	2.51
Toluene	1,760
Trichloroethene	2.49
Trichlorofluoromethane	14.4

SV8	
1,1,1-Trichloroethane	42.7
1,2,4-Trimethylbenzene	12.3
1,3,5-Trimethylbenzene	3.39
4-Ethyltoluene	1.35
Acetone	4,080
Benzene	78.5
Carbon Disulfide	118
Carbon Tetrachloride	0.4
Chloroethane	14.5
Chloroform	3.06
Chloromethane	2.79
Dichlorodifluoromethane	1.38
Ethanol	48.8
Ethylbenzene	3.22
Heptane	77.8
Hexane	504
Isopropylalcohol	19.5
Xylene (m&p)	4.64
Methyl Ethyl Ketone	166
Methylene Chloride	108
Xylene (o)	2.71
Propylene	879
Tetrachloroethene	12.2
Toluene	128
Trichloroethene	173
Trichlorofluoromethane	22.3
Vinyl Chloride	0.61

SV5	
1,1,1-Trichloroethane	77.4
1,2,4-Trimethylbenzene	5.21
1,3,5-Trimethylbenzene	1.54
2-Hexanone	50.8
4-Methyl-2-pentanone	8.97
Acetone	4,250
Benzene	4.73
Carbon Disulfide	159
Carbon Tetrachloride	0.35
Chloroform	5.71
Cyclohexane	21.2
Dichlorodifluoromethane	1.78
Ethanol	51.6
Ethylbenzene	1.57
Heptane	7.13
Hexane	10.7
Isopropylalcohol	16.4
Xylene (m&p)	4.69
Methyl Ethyl Ketone	168
Methylene Chloride	4.48
Xylene (o)	2.7
Propylene	56.8
Tetrachloroethene	0.7
Toluene	164
Trichlorofluoromethane	254

SV7	
1,1,1-Trichloroethane	36.9
1,2,4-Trimethylbenzene	14.1
1,3,5-Trimethylbenzene	4.2
4-Ethyltoluene	1.44
4-Methyl-2-pentanone	34.1
Acetone	5,200
Benzene	120
Carbon Disulfide	569
Chloromethane	1.05
Dichlorodifluoromethane	1.59
Ethanol	54.8
Ethylbenzene	5.9
Heptane	97.1
Hexane	277
Isopropylalcohol	85.5
Xylene (m&p)	6.77
Methyl Ethyl Ketone	225
Methylene Chloride	12.5
Xylene (o)	4.17
Propylene	296
Tetrachloroethene	18.6
Toluene	211
Trichloroethene	98.8
Trichlorofluoromethane	25.5



ATTACHMENT A
Environmental Reports (Digital Files on CD)

ATTACHMENT B
***Detailed Cost Analysis of Established
Environmental Conditions***

Table 1 of 6
FORMER F AND S CENTRAL MANUFACTURING CORP. SITE
103 NORTH 13th STREET, BROOKLYN, NY

Summary of Project Costs

**NYS Brownfields Cleanup Program
Costs by Task**

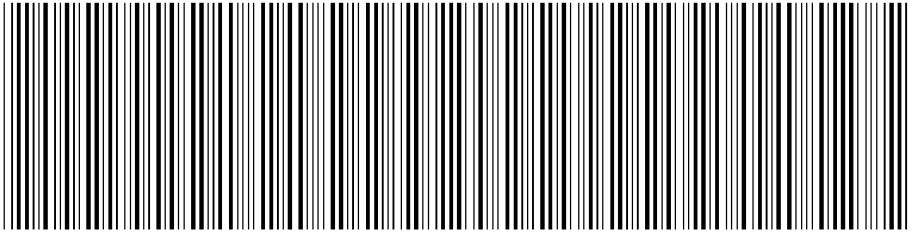
TASK - ENVIRONMENTAL REMEDIATION

BCP Entry Documents	\$	17,450.00
Remedial Investigation and RI Report	\$	92,570.00
Remedial Work Plan, Remedy Scoping & Coordination	\$	18,450.00
Remedial Program Implementation	\$	2,493,777.50
Final Engineering Report, Site Management Plan & IC/ECs	\$	50,450.00
<i>Subtotal</i>	\$	2,672,697.50
<i>15% Contingency</i>	\$	400,904.63
<i>Total</i>	\$	3,073,602.13

ATTACHMENT C
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.



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RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 4

Document ID: 2014060600778001

Document Date: 06-02-2014

Preparation Date: 06-06-2014

Document Type: DEED

Document Page Count: 3

PRESENTER:

INFINITY LAND SERVICES LLC IL6299
AS AGENT FOR OLD REPUBLIC NATIONAL TITLE
974 EAST 27TH STREET
BROOKLYN, NY 11210
718-338-4200
SHEERA@ILSTITLE.COM

RETURN TO:

NORTH 13 HOLDINGS LLC
C/O JEFFREY ZWICK, ESQ.
4309 13TH AVENUE
BROOKLYN, NY 11219

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2279	34	Entire Lot	103 NORTH 13 STREET
Property Type: COMMERCIAL REAL ESTATE				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

LEVY REALTY, LLC
610 JOHNSON AVENUE
BROOKLYN, NY 11237

GRANTEE/BUYER:

NORTH 13 HOLDINGS LLC
C/O JEFFREY ZWICK, ESQ., 4309 13TH AVENUE
BROOKLYN, NY 11219

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 52.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 215,250.00

NYS Real Estate Transfer Tax:

\$ 32,800.00

RECORDED OR FILED IN THE OFFICE

OF THE CITY REGISTER OF THE

CITY OF NEW YORK

Recorded/Filed 06-10-2014 15:06

City Register File No.(CRFN):

2014000199306



G. M. Hill

City Register Official Signature

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

This Indenture made 6/2/2014

Between

Levy Realty, LLC with an address at 610 Johnson Avenue Brooklyn NY 11237

party of the first part, and

North 13 Holdings LLC with an address at C/O Jeffrey Zwick, Esq. 4309 13th Avenue Brooklyn, NY 11219

party of the second part,

Witnesseth, that the party of the first part, in consideration of Ten Dollars and other 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,

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the **County of KINGS, State of NY**

SEE LEGAL DESCRIPTION ATTACHED HERETO

FOR INFORMATIONAL PURPOSES ONLY: Also known as Block 2279 Lot 34 on the KINGS County Tax Map.

SAID premises is known as: 103-111 North 13th Street, Brooklyn, N.Y.

BEING and intended to be the same premises conveyed to the grantor (or the grantor's predecessor in interest) in deed recorded in Reel 5008 Page 2211..

Together with all right, title and interest, if any, of the party of the first part of, 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 whatsoever, except as aforesaid.

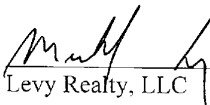
And the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of 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 THE PRESENCE OF:

By:


Levy Realty, LLC

{SEAL}

Infinity Land Services LLC
as agent for Old Republic National Title Insurance Company

Title No: IL6299

SCHEDULE A
LEGAL DESCRIPTION

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

BEGINNING at a point on the northerly side of North 13th Street distant 100 feet easterly from the corner formed by the intersection of the northerly side of North 13th Street and the easterly side of Wythe Avenue;

RUNNING THENCE northerly parallel with Wythe Avenue 100 feet more or less to the center line of a party wall erected partly on the premises herein described and partly on the premises adjoining on the north;

THENCE easterly parallel with North 13th Street and part of the distance through said party wall 125 feet,

THENCE southerly again parallel with Wythe Avenue 100 feet more or less to the northerly side of North 13th Street; and

THENCE westerly along the northerly side of North 13th Street 125 feet to the point or place of **BEGINNING**.

FOR INFORMATIONAL PURPOSES ONLY: 103-111 North 13th Street, Brooklyn, NY a/k/a Block 2279 Lot 34 on the KINGS County Tax Map.

For conveyancing only:

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of _____ } ss.:

On 6/2/2014, 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.

MORDECAI CHEN
Notary Public, State of New York
No. 01FU6090431
Qualified in Kings County
Commission Expires April 14, 2015

(signature and office of individual taking acknowledgment)

ACKNOWLEDGEMENT FORM FOR USE WITHIN NEW YORK STATE ONLY:
{New York Subscribing Witness Acknowledgment Certificate}

State of New York, County of _____ } ss.:

On 6/2/2014, before me, the undersigned, personally appeared

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number, if any, thereof); that he/she/they know(s) _____ to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness was present and saw said _____ execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

(signature and office of individual taking acknowledgment)

USE ACKNOWLEDGEMENT FORM BELOW WITHIN NEW YORK STATE ONLY:

State of New York, County of Kings } ss.:

On 6/2/2014, before me, the undersigned, personally appeared

~~Levy Realty, LLC~~ by Michael Levy

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.

(signature and office of individual taking acknowledgment)

ACKNOWLEDGEMENT FORM FOR USE OUTSIDE NEW YORK STATE ONLY:
{Out of State or Foreign General Acknowledgment Certificate}

State of _____, County of _____ } ss.:

{Complete Venue with State, Country, Province or Municipality}

On _____, 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, and that such individual made such appearance before the undersigned in the

(insert the city or other political subdivision and the state or county or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed
WITH COVENANTS AGAINST GRANTOR'S ACTS

Title No. IL6299

Levy Realty, LLC

TO

North 13 Holdings LLC

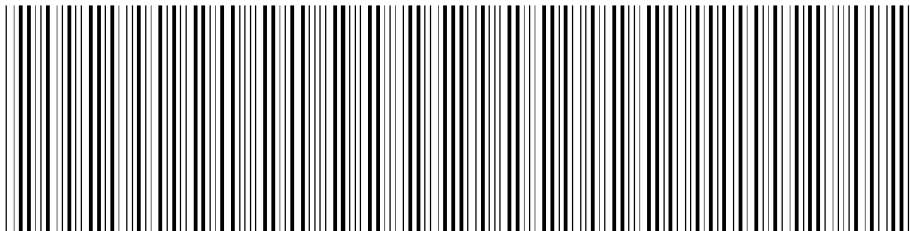
TAX ID Block 2279 Lot 34
COUNTY OR TOWN KINGS

RECORDED AT REQUEST OF
Infinity Land Services, LLC
RETURN BY MAIL TO

North 13 Holdings LLC
c/o Jeffrey Zwick, Esq.
4309 13th Avenue
Brooklyn, NY 11219

Reserve this space for use of Recording office.

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



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SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2014060600778001

Document Date: 06-02-2014

Preparation Date: 06-06-2014

Document Type: DEED

ASSOCIATED TAX FORM ID: 2014060200261

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING

1

RP - 5217 REAL PROPERTY TRANSFER REPORT

3



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: 2279** **LOT: 34**
- (2) Property Address: **103 NORTH 13 STREET, BROOKLYN, NY 11249**
- (3) Owner's Name: **NORTH 13 HOLDINGS 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:

North 13 Holdings LLC

[Handwritten Signature]

Date (mm/dd/yyyy)

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

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 103 NORTH 13 STREET BROOKLYN 11249
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name NORTH 13 HOLDINGS LLC
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

 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 1 # of Parcels OR ☐ Part of a Parcel

4A. Planning Board Approval - N/A for NYC
 4B. Agricultural District Notice - N/A for NYC

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐7. New Construction on Vacant Land ☐

8. Seller Name LEVY REALTY, LLC
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

9. 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 10 / 2 / 2013
 Month Day Year

11. Date of Sale / Transfer 6 / 2 / 2014
 Month Day Year

12. Full Sale Price \$ 8 2 0 0 0 0 0
 (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) 3 0 6 0 0 0
 3 0 6 0 0 0

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))

BROOKLYN 2279 34

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 C/O JEFFREY ZWICK, ESQ. 4309 13TH AVENUE		DATE	LAST NAME		FIRST NAME
STREET NUMBER BROOKLYN	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER		
CITY OR TOWN		STATE NY	ZIP CODE 11219		SELLER
		SELLER SIGNATURE	DATE		

Please see signature Page attached.

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

DATE

LAST NAME

FIRST NAME

C/O JEFFREY ZWICK, ESQ. 266 BROADWAY, SUITE 403

STREET NUMBER

STREET NAME (AFTER SALE)

AREA CODE

TELEPHONE NUMBER

BROOKLYN

NY

11211

CITY OR TOWN

STATE

ZIP CODE

SELLER

SELLER SIGNATURE

DATE

Levy Realty LLC
by: Michael Levy, Member

ATTACHMENT D
Authorization to Sign on Behalf of LLC

RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being the sole manager of TRG N BLVD LLC, a New York limited liability company (the "Company"), which in turn is the sole member of North 13 Holdings LLC, also a New York limited liability company ("North 13 Holdings"), does hereby resolve that:

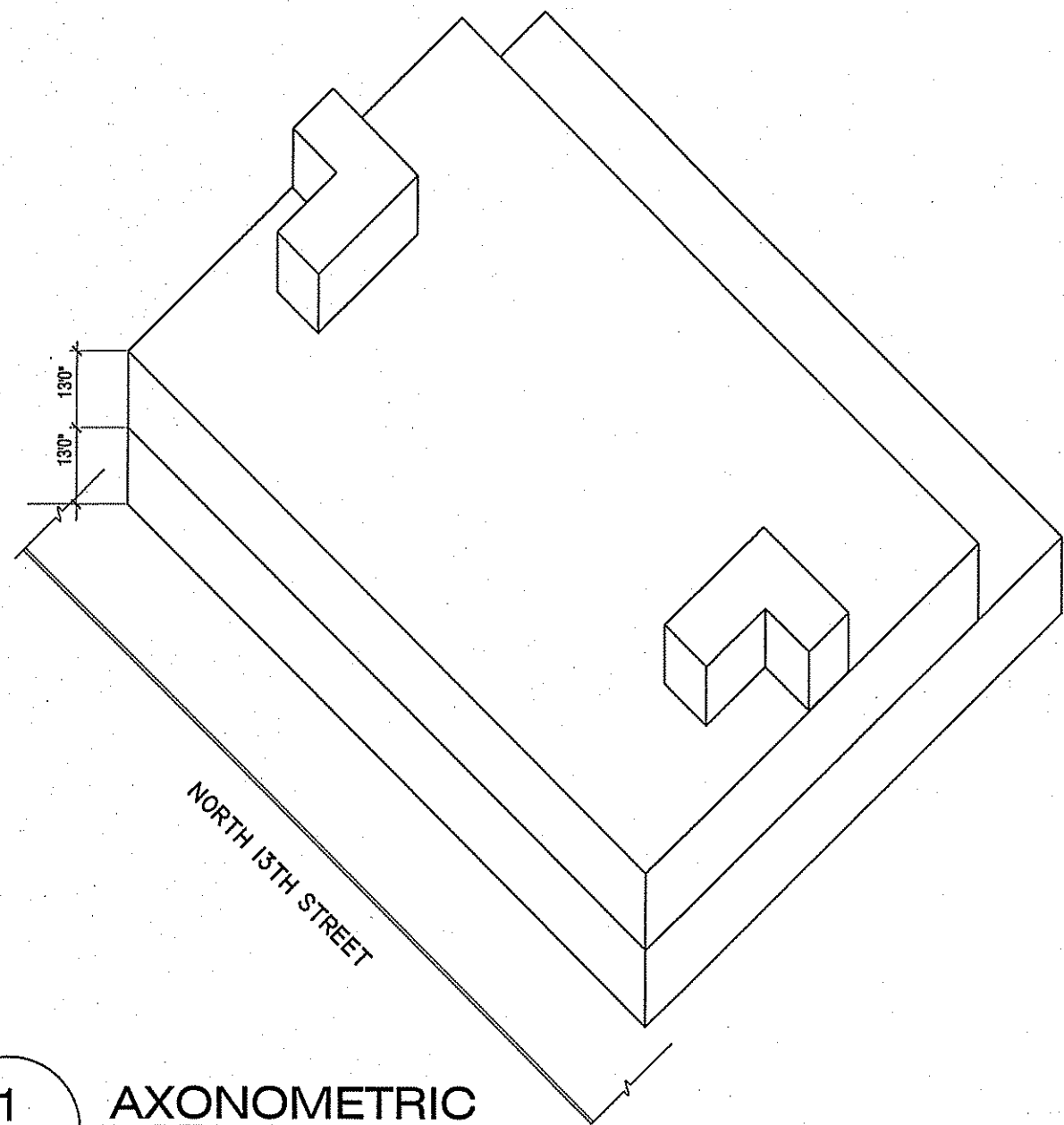
1. Simon Dushinsky is the sole manager of the Company and has the full power and authority on behalf of the Company to:
 - (a) Execute documents in connection with the application of North 13 Holdings for participation in the New York State Brownfield Cleanup Program (the "BCP")
 - (b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the participation of North 13 Holdings in the BCP;
 - (c) Execute and any and all documents in connection with the participation of North 13 Holdings in the BCP, including but not limited to applications, agreements and tax returns; and
 - (d) Take any action necessary to the furtherance of the participation of North 13 Holdings in the BCP, including but not limited to conducting negotiations on its behalf.
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 Company is the sole member of North 13 Holdings LLC; (ii) the undersigned is the sole manager of the Company; and (iii) the consent of the manager is sufficient to authorize the Company to take the aforementioned actions.

NORTH 13 HOLDINGS LLC

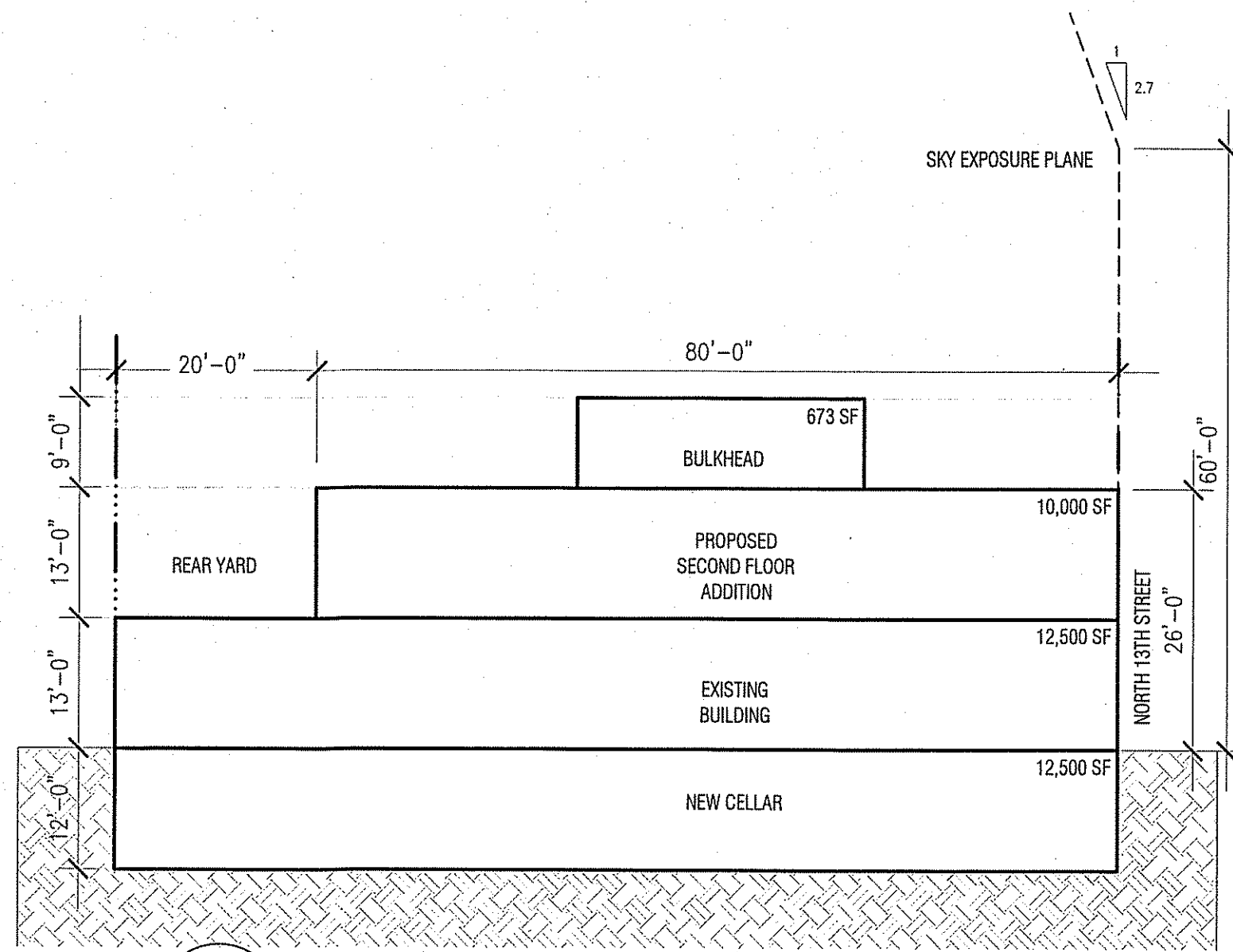
By: TRG N BLVD LLC
Its Sole Member

By: _____
Simon Dushinsky
Sole Manager

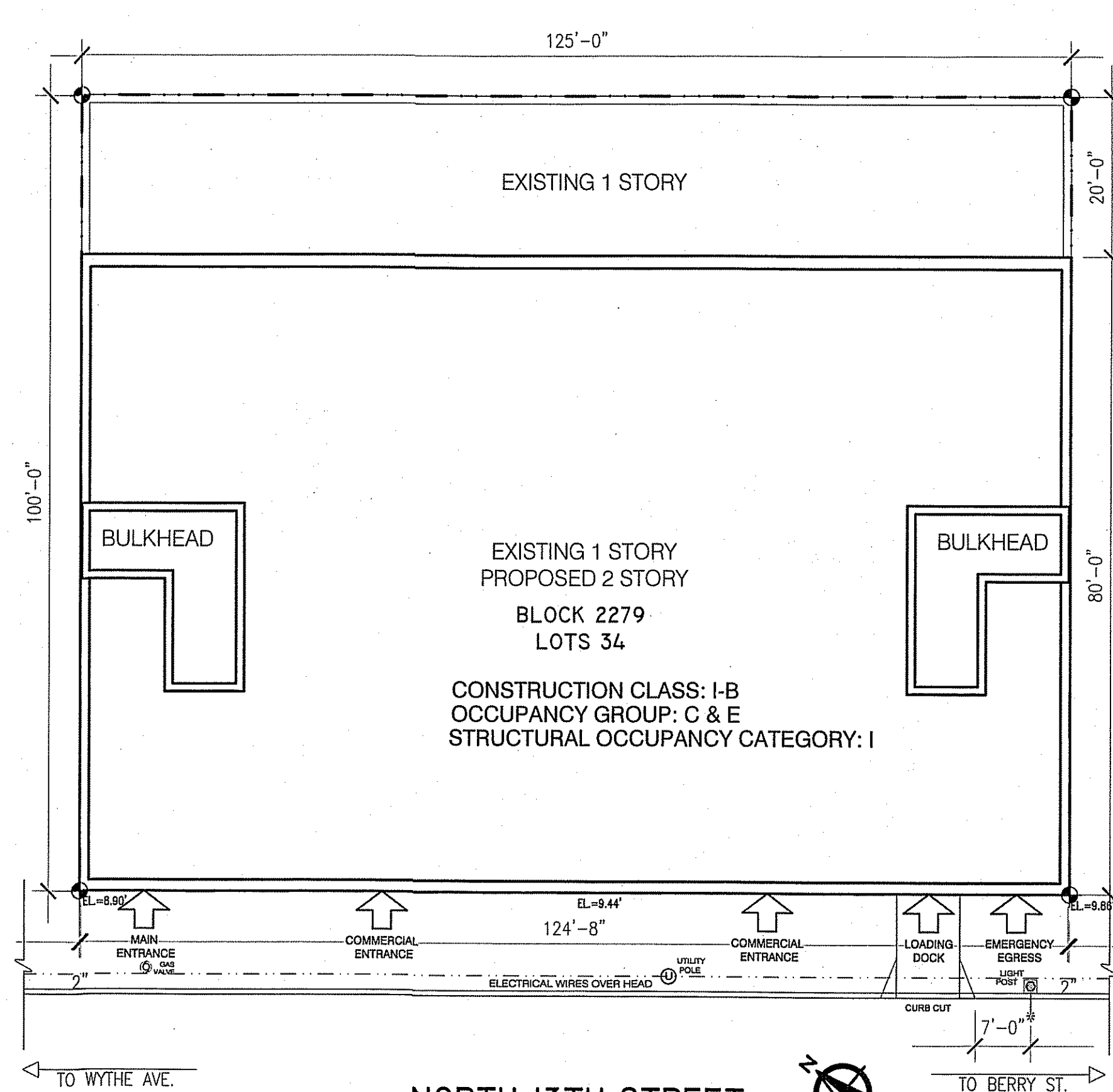
ATTACHMENT E
Preliminary Development Plans



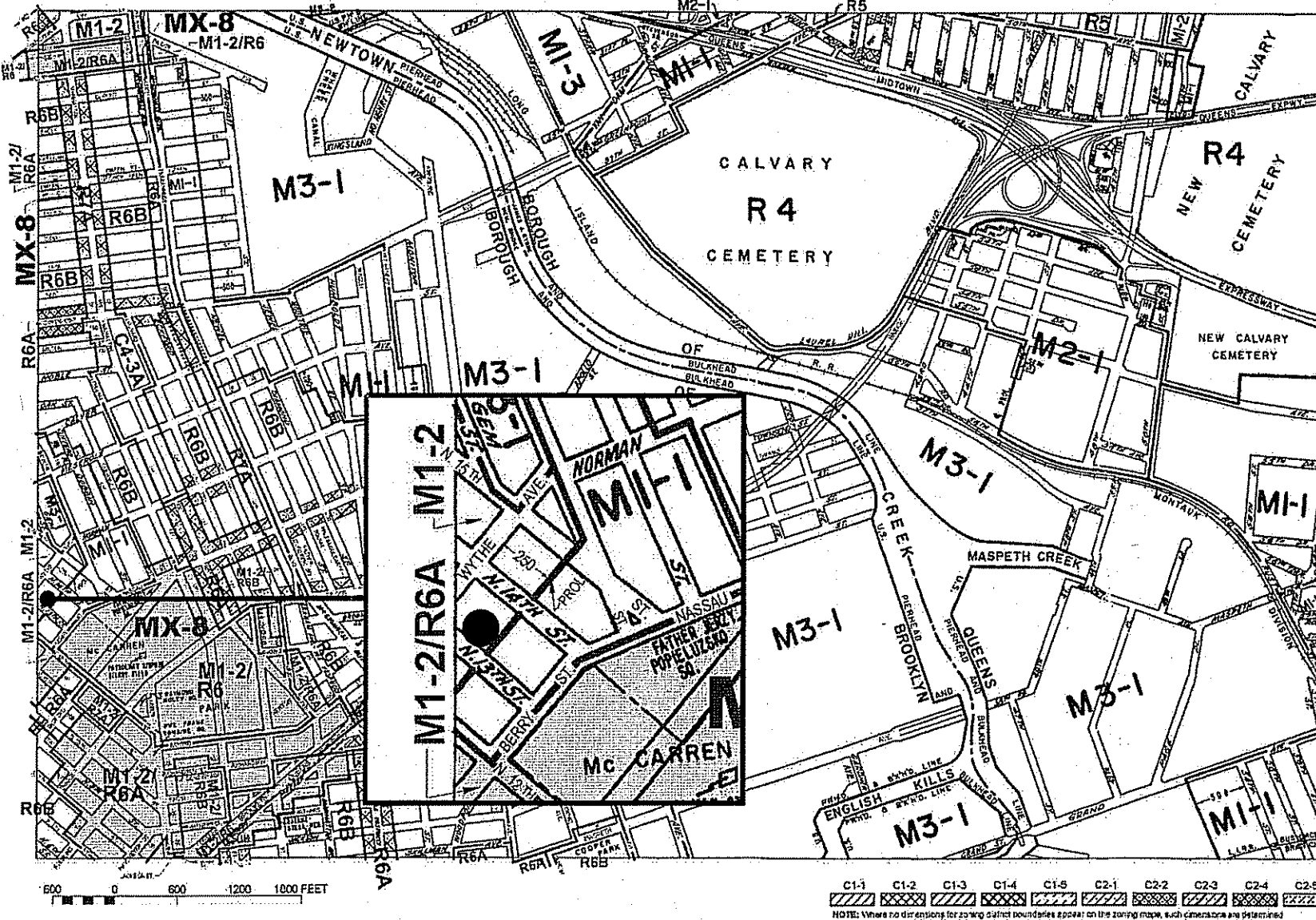
1 AXONOMETRIC
N.T.S.



2 ZONING DIAGRAM - SECTION
1" = 15'-0"



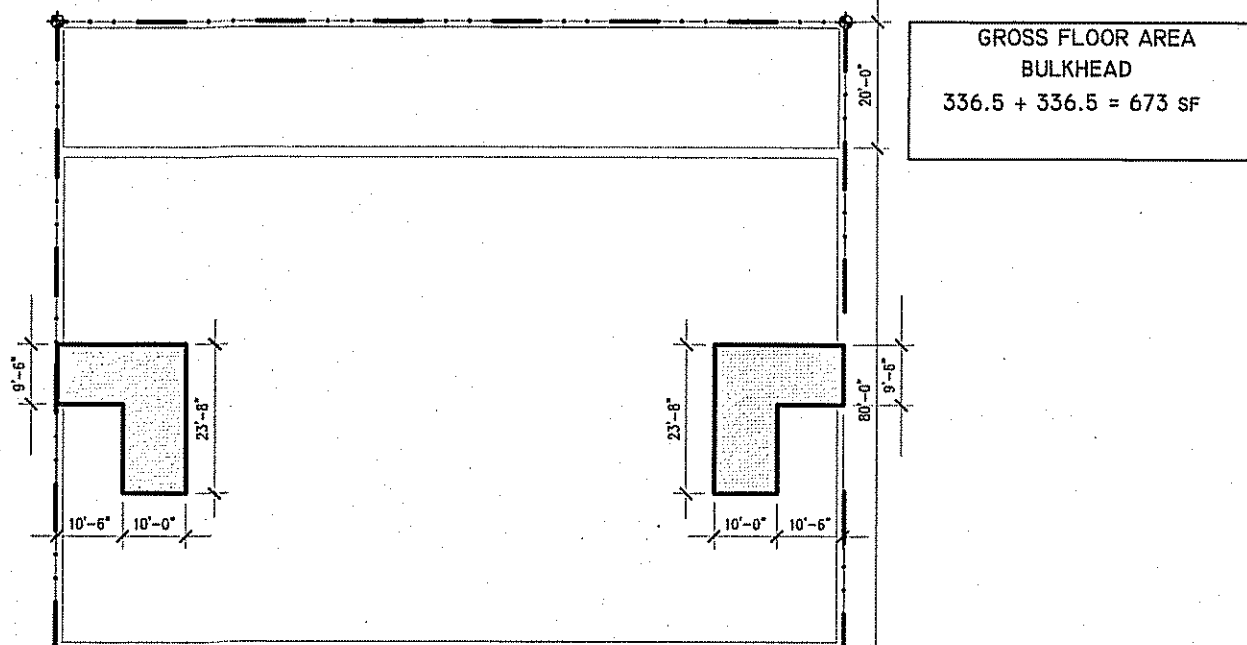
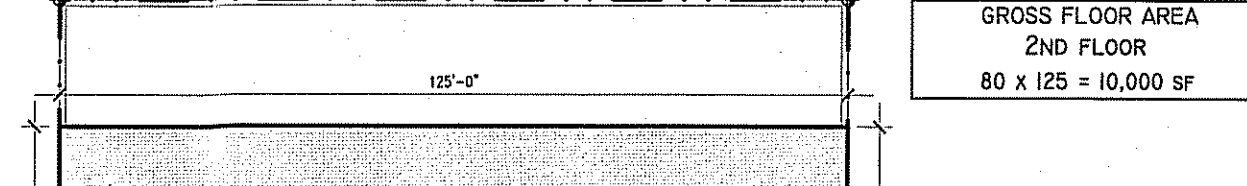
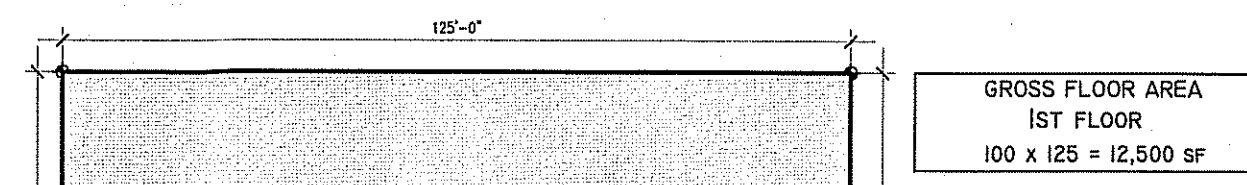
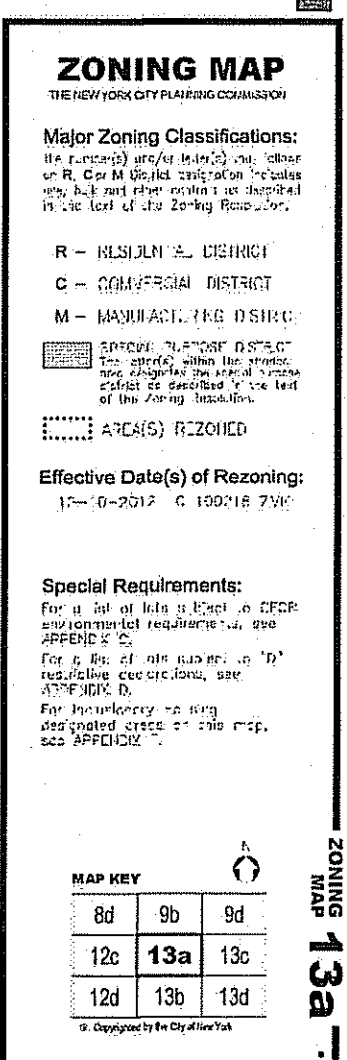
3 SITE PLAN
1" = 15'-0"



4 ZONING MAP - MAP 13a
N.T.S.



5 FEMA MAP - ZONE X
1" = 30'-0"



6 ZONING DIAGRAM - GROSS AREA
1" = 30'-0"

VERTICAL EXTENSION FOR EXISTING ONE STORY COMMERCIAL BUILDING

ZONING ANALYSIS

LOT AREA: 12,500 S.F.	ZONING: M1-2
BLOCK #: 2279	PROPOSED USE: COMMERCIAL
LOT #: 34	ZONING MAP #: 13a

REGULATIONS:	CONFORMING CONDITIONS:
ZR 43-12 MAXIMUM PERMITTED ZONING AREA: FAR 2.0 = 25,000 SF	ZONING FLOOR AREA = 23,173 SF (FAR 1.85) (GROSS FLOOR AREA = 35,673 SF)
ZR 43-03(a) STREET TREE PLANTING: 1 TREE FOR EVERY 25' OF STREET FRONTAGE	125' / 25 = 5 TREES REQUIRED TREES PLANTED OFFSITE
ZR 43-43 MAXIMUM HEIGHT OF FRONT WALL AND REQUIRED SETBACKS 60' HEIGHT ABOVE STREET LINE	BUILDING HEIGHT: 26'
ZR 43-25 MINIMUM REQUIRED SIDE YARD: NO SIDE YARD REQUIRED 8' MINIMUM IF SIDE YARD IS PROVIDED	NO SIDE YARDS PROVIDED
ZR 43-26 MINIMUM REQUIRED REAR YARD: 20'	20' REAR YARD PROVIDED AT SECOND FLOOR
ZR 43-23(b) PORTION OF BUILDING IS A PERMITTED OBSTRUCTION IF IT DOES NOT EXCEED ONE STORY OR 23' IN HEIGHT	BUILDING IS 13' IN HEIGHT AT REAR.
ZR 44-52 REQUIRED ACCESSORY OFF-STREET LOADING BERTHS: IN M1-2 ONE REQUIRED FOR FIRST 8,000 SF OF COMMERCIAL SPACE	ONE LOADING BERTH PROVIDED
ZR 44-60 BICYCLE PARKING 1 BICYCLE REQUIRED FOR EVERY 10,000 SF OF COMMERCIAL SPACE	STORAGE FOR 4 BICYCLES PROVIDED (60 SF)
ZR 36-711 ACCESSORY PARKING REQUIREMENTS FOR GENERAL RETAIL OR SERVICE USES: 1 PER 300 SF OF FLOOR AREA	4,337 SF/ 300 = 14.4 14 PARKING SPACES REQUIRED
ZR 44-23 WAIVER REQUIREMENTS FOR SPACES BELOW MINIMUM NUMBER = 15	14 < 15 = PARKING WAIVED

7 ZONING ANALYSIS
N.T.S.

KEY PLAN

BLOCK: 2279 LOT: 34

issue	rev	date	description
04		08/14/15	ISSUED TO DOB
03		11/13/14	ISSUED TO DOB
02		08/03/14	ISSUED TO DOB
01		07/30/14	ISSUED TO DOB

ISSUES/REVISIONS

MEP ENGINEER:

STRUCTURAL ENGINEER:

CLIENT:

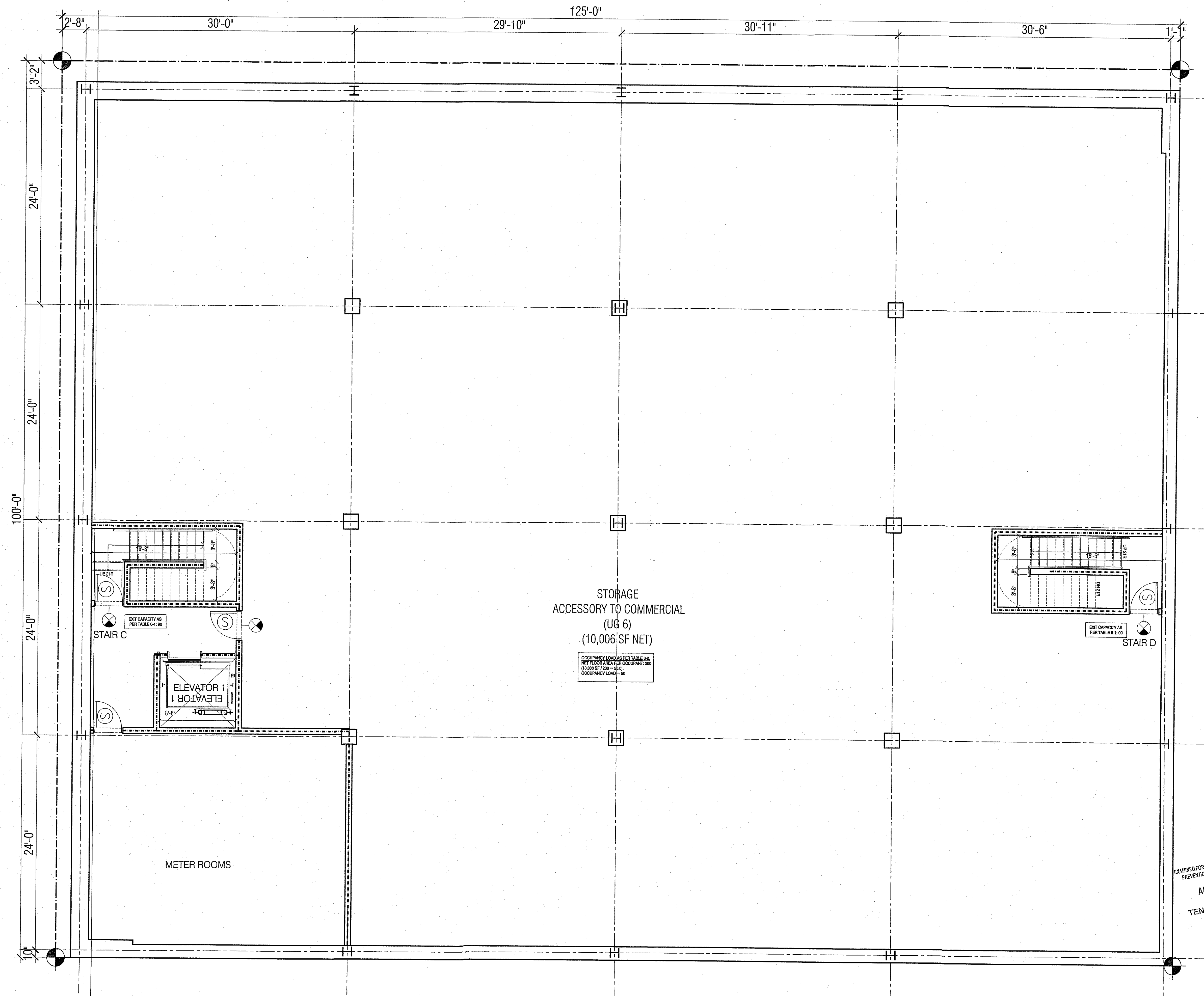
KARL FISCHER ARCHITECT
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WEB SITE: WWW.KFARCHITECT.COM
E-MAIL: KFI@KFARCHITECT.COM

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105 North 13th Street, NY 11249.

drawing title
ZONING

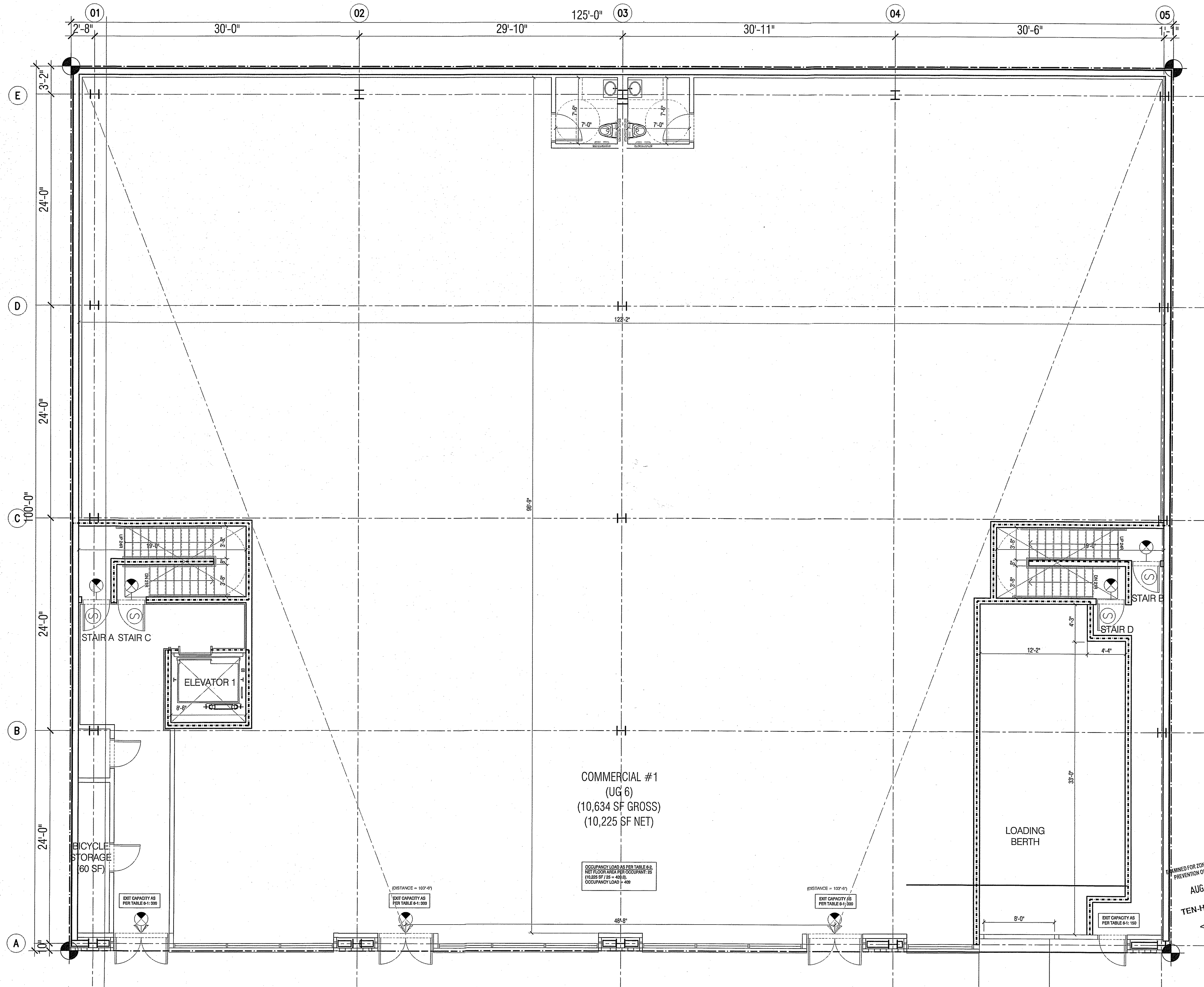
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sheet no. OF
drawing no.
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ISSUES/REVISIONS			
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03		11/13/14	ISSUED TO DOB
02		08/03/14	ISSUED TO DOB
01		07/30/14	ISSUED TO DOB
MEP ENGINEER:			
STRUCTURAL ENGINEER:			
CLIENT:			
KARL FISCHER ARCHITECT ORG CAA BAC AIA 530 BROADWAY, 9th FLOOR, NEW YORK, NY 10012 TEL: (212) 219-9733 FAX: (212) 219-8950 1420 NOTRE-DAME WEST, MONTREAL, QC H3C 1H3 TEL: (514) 933-4137 FAX: (514) 933-0409 WEB SITE: WWW.KFARCHITECT.COM E-MAIL: KARL@KFARCHITECT.COM			
project title 105 NORTH 13TH STREET 105 North 13th Street, NY 11249.			
drawing title CELLAR PLAN			
dob no DEPT 24000 Job No. 320034058 Draw Code 			
scale 3/16" = 1'-0"	project no. 14-XX	sheet no. OF	
date JULY 2014	drawing no. A-100.00		
drawn	checked KF		

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AUG 20 2015
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KEY PLAN			
BLOCK: 2279 LOT: 34			
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03	11/13/14	ISSUED TO DOB	
02	08/03/14	ISSUED TO DOB	
01	07/30/14	ISSUED TO DOB	
ISSUE	REV	DATE	DESCRIPTION
ISSUES/REVISIONS			

MEP ENGINEER:

STRUCTURAL ENGINEER:

CLIENT:

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REGISTERED ARCHITECT
STATE OF NEW YORK

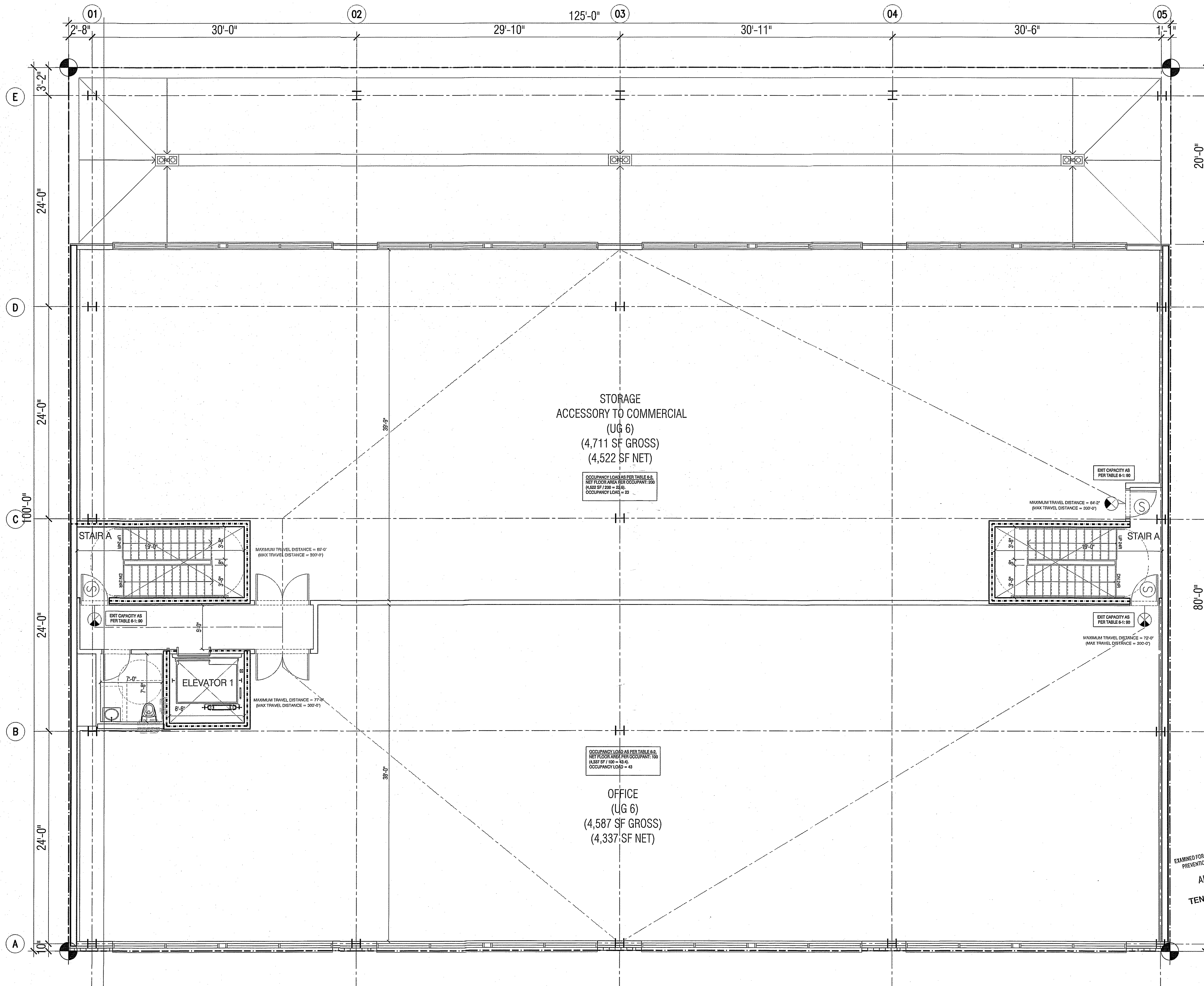
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105 North 13th Streets, NY 11249.

drawing title
1ST FLOOR PLAN

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Scan Code: ESHS2746943

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date July 2014	sheet no. OF
drawn	drawing no.
checked KF	A-101.00

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AUG 20 2015
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KEY PLAN

BLOCK: 2279 LOT: 34

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03		11/13/14	ISSUED TO DOB
02		08/03/14	ISSUED TO DOB
01		06/24/14	ISSUED TO DOB

ISSUES/REVISIONS

M.E.P. ENGINEER:

STRUCTURAL ENGINEER:

CLIENT:

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KARL FISCHER
021282
STATE OF NEW YORK

project title
105 NORTH 13TH STREET
105 North 13th Street, NY 11249.

drawing title
2ND FLOOR PLAN

dob no
DEPT REGIST DOB NO. 320834058
E-135132041

scale
3/16" = 1'-0"

date
JULY 2014

drawn
TEN-HSI CHEN, P.E.

checked
K.F.

project no.
14-xx

sheet no.
OF

drawing no.
A-102.00

scale
3/16" = 1'-0"

date
JULY 2014

drawn
TEN-HSI CHEN, P.E.

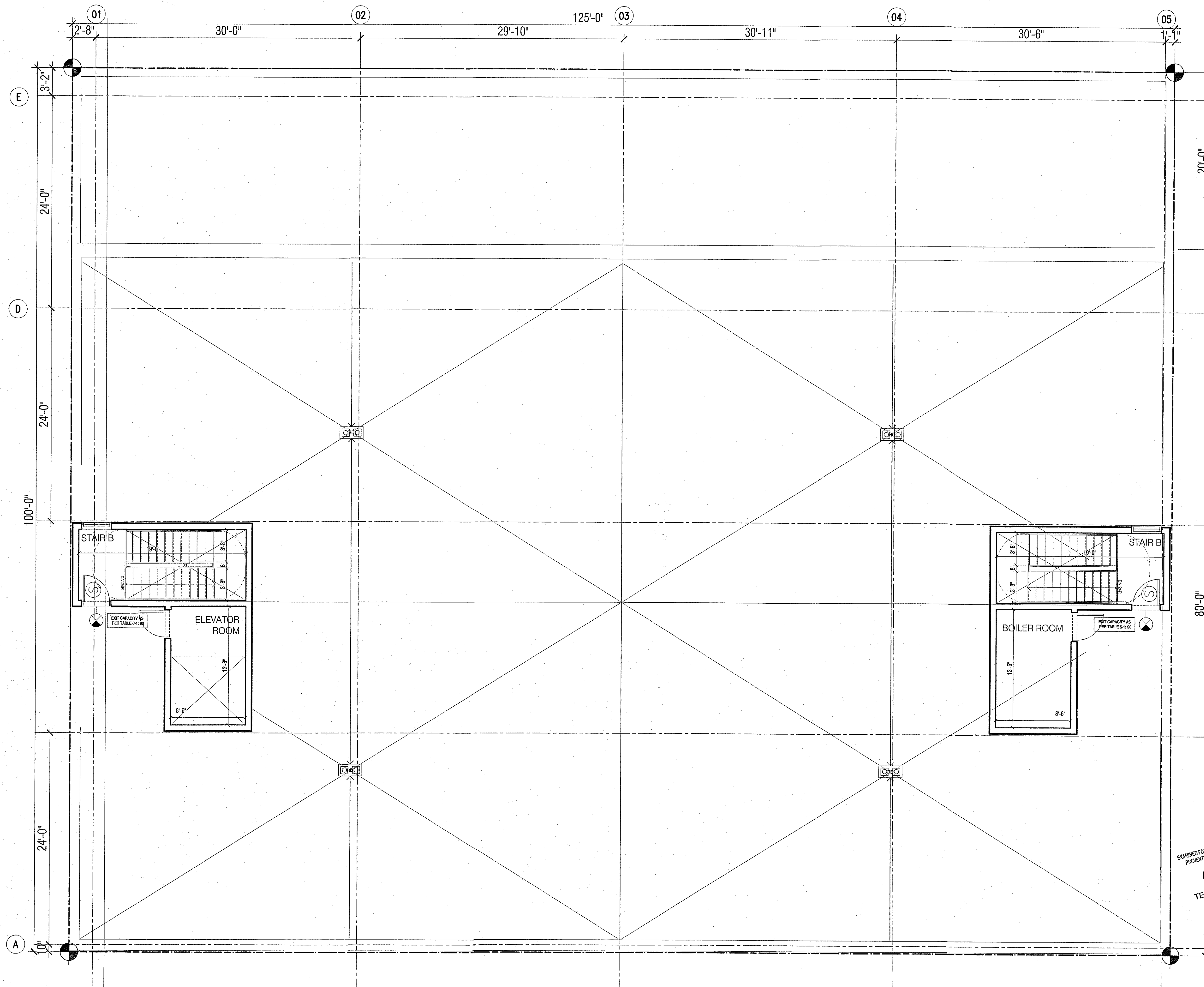
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project no.
14-xx

sheet no.
OF

drawing no.
A-102.00

BUILDING AREA: 10,000 SF.



KEY PLAN	
BLOCK: 2279 LOT: 34	

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01		06/24/14	ISSUED TO DOB
ISSUES/REVISIONS			

MEP ENGINEER:

STRUCTURAL ENGINEER:

CLIENT:

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WEB SITE: WWW.KARLFISCHERARCHITECT.COM
E-MAIL: KARL@KFARCHITECT.COM

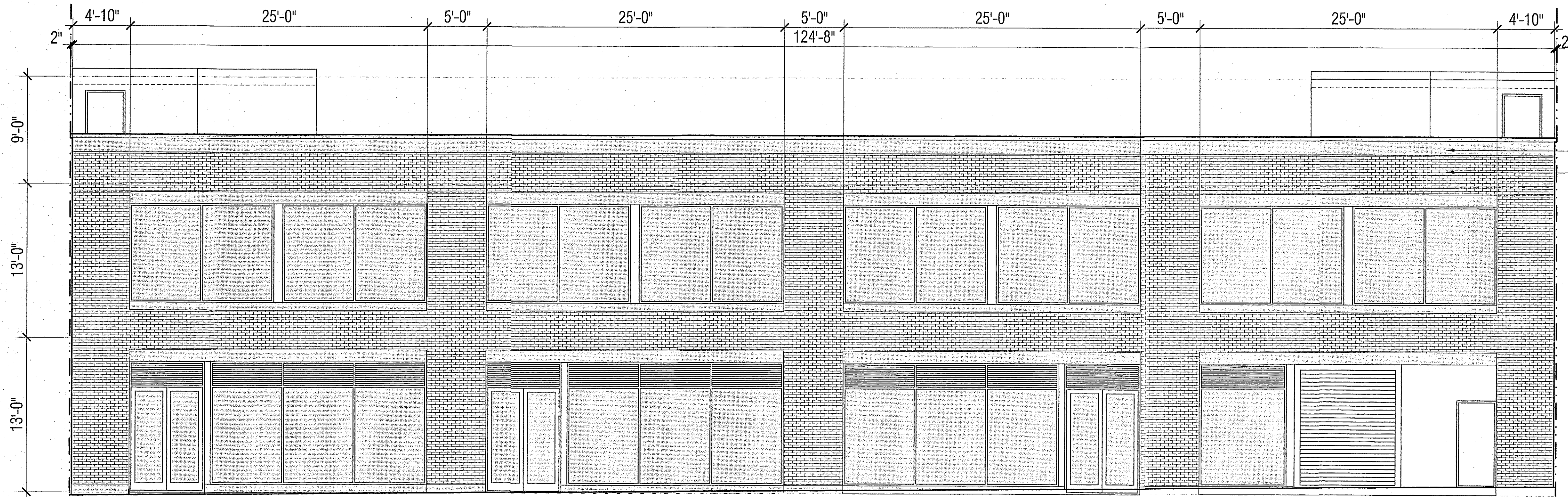
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105 North 13th Street, NY 11249.

drawing title
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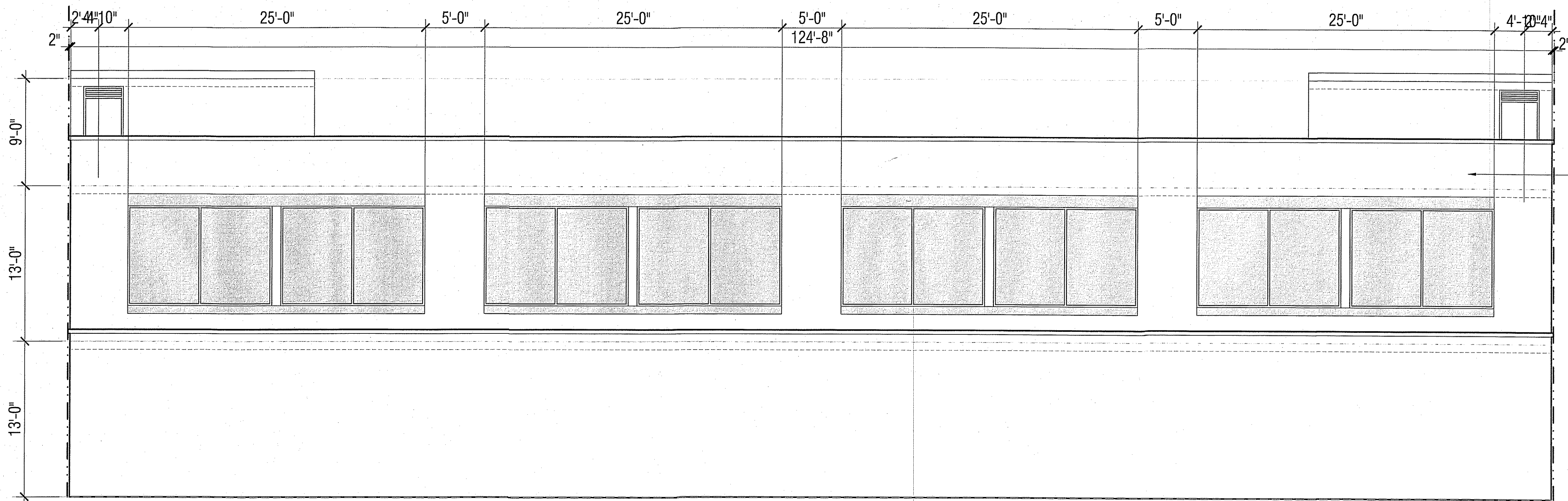
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drawn	drawing no. A-103.00
checked KF	



1 FRONT ELEVATION



1 REAR ELEVATION

PROPOSED
SECOND FLOOR
ADDITION

EXISTING
BUILDING

CAST STONE
BRICK

PROPOSED
SECOND FLOOR
ADDITION

EXISTING
BUILDING

STUCCO

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AUG 20 2015
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KEY PLAN

BLOCK: 2279

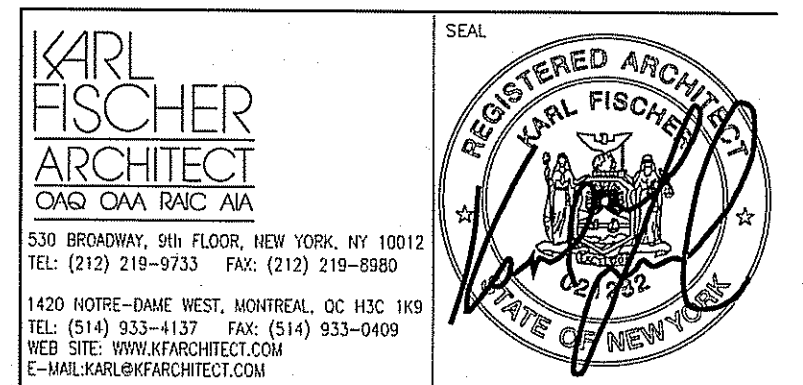
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01		07/30/14	ISSUED TO DOB
ISSUES/REVISIONS			

MEP ENGINEER:

STRUCTURAL ENGINEER:

CLIENT:



project title
105 NORTH 13TH STREET
105 North 13th Street, NY 11249.

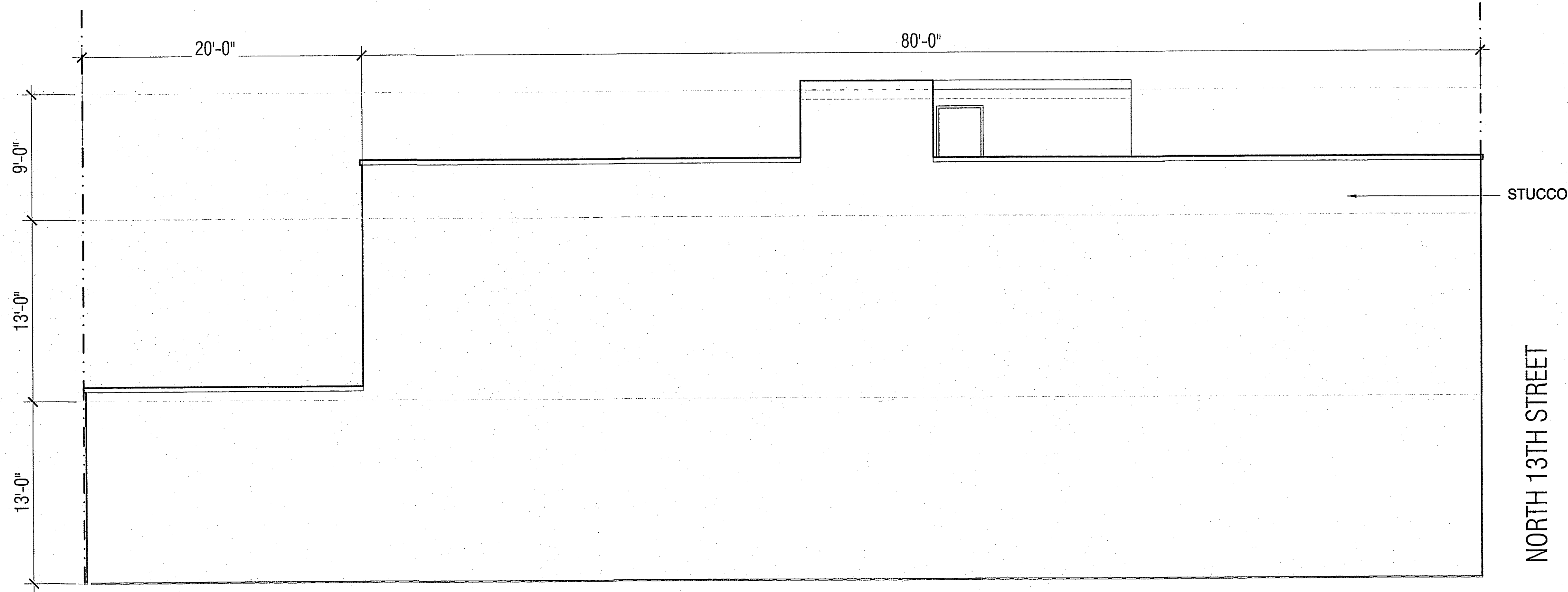
drawing title
FRONT & REAR ELEVATIONS

dob no
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Scan Code ESHS6167451

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date July 2014	sheet no. OF
drawn	drawing no.
checked KF	A-200.00

PROPOSED
SECOND FLOOR
ADDITION

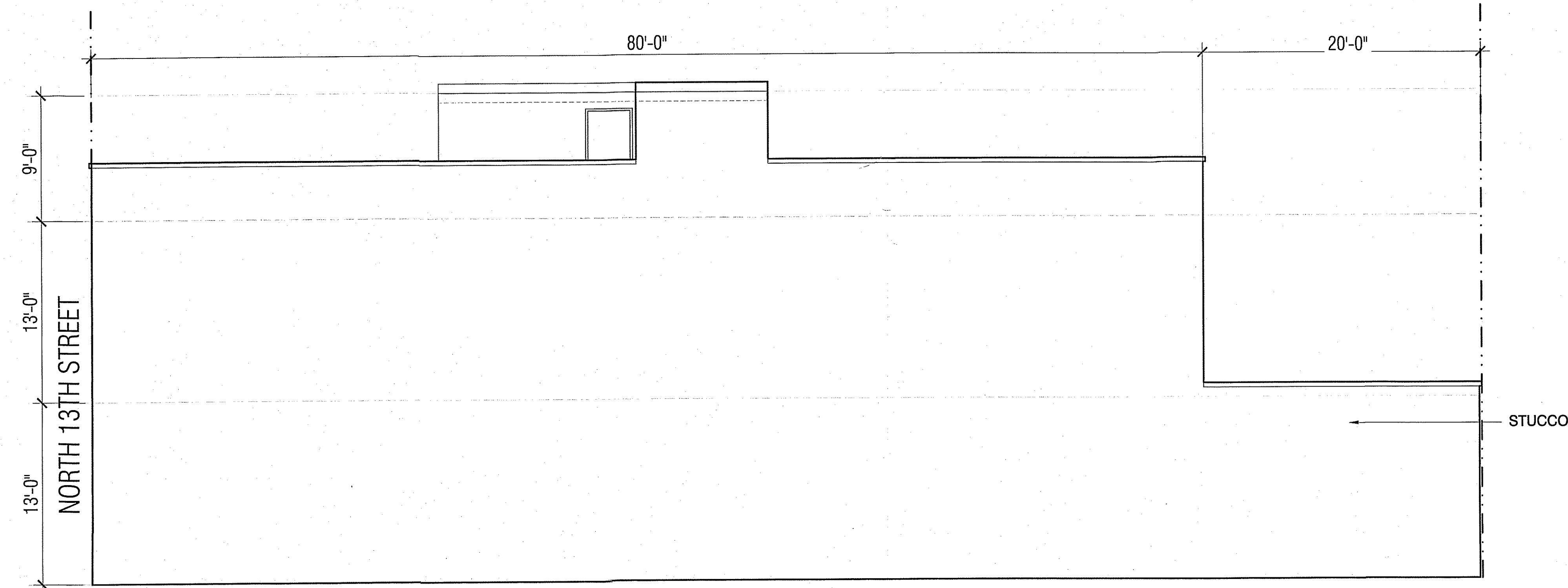
EXISTING
BUILDING



1 SIDE ELEVATION - NORTH-WEST

PROPOSED
SECOND FLOOR
ADDITION

EXISTING
BUILDING



1 REAR ELEVATION - SOUTH-EAST

KEY PLAN

BLOCK: 2279

LOT: 34

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MEP ENGINEER:

STRUCTURAL ENGINEER:

CLIENT:

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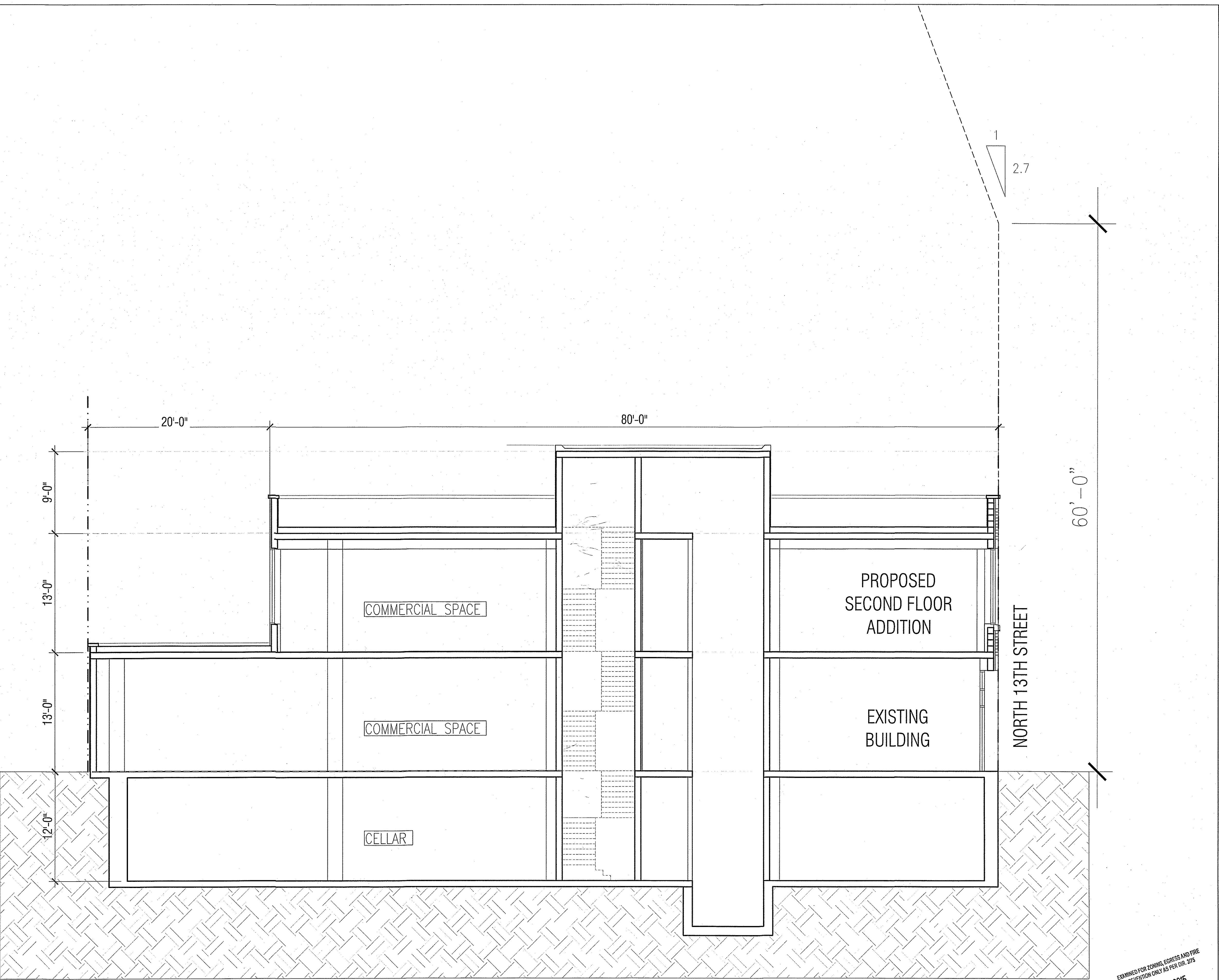
SEAL
REGISTERED ARCHITECT
KARL FISCHER
STATE OF NEW YORK

project title
105 NORTH 13TH STREET
105 North 13th Street, NY 11249,
drawing title
SIDE ELEVATIONS

dob no
DEPT. RECORDS Job No. 320934058
Date Recd. E-S-157763002

scale 3/16" = 1'-0"	project no. 14-xx
date JULY 2014	sheet no. OF
drawn	drawing no.
checked KF	A-201.00

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PREVENTION ONLY AS PER DTD: 2015
AUG 20 2015
TEN-HSI CHEN, P.E.
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KEY PLAN			
BLOCK: 2279 LOT: 34			
ISSUES/REVISIONS			
04	08/14/15	ISSUED TO DOB	
03	11/13/14	ISSUED TO DOB	
02	08/03/14	ISSUED TO DOB	
01	07/30/14	ISSUED TO DOB	
issue	rev	date	description
MEP ENGINEER:			
STRUCTURAL ENGINEER:			
CLIENT:			
KARL FISCHER ARCHITECT 530 BROADWAY, 9TH FLOOR, NEW YORK, NY 10012 TEL: (212) 318-9133 FAX: (212) 218-6980 1420 AVENUE-DAVEE WEST, MONTREAL, QC H3C 1Y9 TEL: (514) 933-4137 FAX: (514) 933-0409 WEB SITE: WWW.KFARCHITECT.COM E-MAIL: KARL@KFARCHITECT.COM			
project title 105 NORTH 13TH STREET 105 North 13th Streets, NY 11249.			
drawing title BUILDING SECTIONS			
dob no DEPT BLDG Job No. 320934058 Scan Code ESHS4082065			
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