

19 Patchen Avenue Site Brownfield Cleanup Program Application and Supplemental Information

19 Patchen Avenue
Brooklyn, New York 11211
Section 3, Block 1618, Lot 8

Submitted to:
Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

Prepared for:
19 Patchen LLC
826 Broadway, 11th Floor
New York, NY 10003

Prepared by:



121 West 27th Street, Suite 303
New York, NY 10001

February 2016

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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 19 Patchen LLC

ADDRESS 826 Broadway, 11th Floor

CITY/TOWN New York

ZIP CODE 10003

PHONE 212-777-9500

FAX 212-777-9501

E-MAIL akoffman@hudsoninc.com

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.

See attached Brownfield Cleanup Program Addendum.

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). See attached Brownfield Cleanup Program Addendum.

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

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents		X	X
Other VOCs			
SVOCs			
Metals			
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? See attached Brownfield Cleanup Program Addendum.

(*answering No will result in an incomplete application)

☒ Yes ☐ No

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

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

Other: _____

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME 19 Patchen Avenue

ADDRESS/LOCATION 19 Patchen Avenue

CITY/TOWN Brooklyn

ZIP CODE 11221

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York City

COUNTY Kings

SITE SIZE (ACRES) 0.042

LATITUDE (degrees/minutes/seconds)

40 ° 41 ' 30.26 "

LONGITUDE (degrees/minutes/seconds)

-73 ° 55 ' 39.24 "

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

See attached Brownfield Cleanup Program Addendum.

Parcel Address

Section No.

Block No.

Lot No.

Acreage

19 Patchen Avenue

3

1618

8

0.042

1. Do the proposed site boundaries correspond to tax map metes and bounds?

☒ Yes ☐ No

If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application?

☒ Yes ☐ No

(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?

(See [DEC's website](#) for more information)

Yes ☒ No ☐

If yes, identify census tract : 387

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 ☒ No6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☒ No

If yes, attach relevant supporting documentation.

7. Are there any lands under water?

☐ Yes ☒ No

If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

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: Dh _____

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 Aaron Koffman			
ADDRESS 826 Broadway, 11th Floor			
CITY/TOWN New York		ZIP CODE 10003	
PHONE 212-777-9500	FAX 212-777-9501	E-MAIL akoffman@hudsoninc.com	
NAME OF REQUESTOR'S CONSULTANT Matthew Carroll, PE / Tenen Environmental, LLC			
ADDRESS 121 West 27th Street, Suite 303			
CITY/TOWN New York		ZIP CODE 10001	
PHONE 646-606-2332	FAX 646-606-2379	E-MAIL mcarroll@tenen-env.com	
NAME OF REQUESTOR'S ATTORNEY David Yudelson, Sive, Paget & Riesel, P.C.			
ADDRESS 460 Park Avenue, 10th Floor			
CITY/TOWN New York		ZIP CODE 10022	
PHONE 212-421-2150	FAX 212-421-1891	E-MAIL dyudelson@sprlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME 19 Patchen LLC		OWNERSHIP START DATE: 10/7/2015	
ADDRESS 826 Broadway, 11th Floor			
CITY/TOWN New York		ZIP CODE 10003	
PHONE 212-777-9500	FAX 212-777-9501	E-MAIL akoffman@hudsoninc.com	
CURRENT OPERATOR'S NAME Rodriguez Dry Cleaners			
ADDRESS 19 Patchen Avenue			
CITY/TOWN Brooklyn		ZIP CODE 11221	
PHONE 718-574-9866	FAX 212-967-2240	E-MAIL mrodriguez520@gmail.com	
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. See attached Brownfield Cleanup Program Addendum. 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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site? ☐ 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? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

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: See attached Brownfield Cleanup Program Addendum.

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?
☒ Residential ☐ Commercial ☐ Industrial See attached Brownfield Cleanup Program Addendum.
 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) See attached Brownfield Cleanup Program Addendum.

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.**

See attached Brownfield Cleanup Program Addendum.

If residential, does it qualify as single family housing?

☐ Yes ☒ No

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

See attached Brownfield Cleanup Program Addendum.

☒ Yes ☐ No

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

See attached Brownfield Cleanup Program Addendum.

☒ 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.

See attached Brownfield Cleanup Program Addendum.

☒ 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 Director (title) of 19 Patchen 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: 1/11/16

Signature: 

Print Name: Dan Matthew

SUBMITTAL INFORMATION:

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

FOR DEC USE ONLY

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

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

BCP App Rev 5

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
From ECL 27-1405(31):	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
From 6 NYCRR 375-3.2(l) as of July 1, 2015: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
<p>(l) "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:** 19 Patchen Avenue**City:** Brooklyn**Site Address:** 19 Patchen Avenue**County:** Kings**Zip:** 11221**Tax Block & Lot****Section (if applicable):** 3**Block:** 1618**Lot:** 8**Requestor Name:** 19 Patchen LLC**City:** New York**Requestor Address:** 826 Broadway, 11th Flo**Zip:** 10003**Email:** akoffman@hud**Requestor's Representative (for billing purposes)****Name:** Aaron Koffman**Address:** 826 Broadway, 11th Floor**City:** New York**Zip:** 10003**Email:** akoffman@h**Requestor's Attorney****Name:** David Yudelson, Sive, Page**Address:** 460 Park Avenue, 10th Floor**City:** New York**Zip:** 10022**Email:** dyudelson@sprl**Requestor's Consultant****Name:** Matthew Carroll, PE / Tenen**Address:** 121 West 27th Street, Suite 303**City:** New York**Zip:** 10001**Email:** mcarroll@tenen.**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..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

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. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

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.

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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 send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. 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)

4. 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.
5. 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.

Section I. Requestor Information

The requestor is 19 Patchen LLC, a New York limited liability company.

Attached as Exhibit I is the New York State Department of State entity information for the requestor.

The Application is signed by the following representative of the requestor: Dan Matthew, Director. A corporate authorization is included in Exhibit II.

Section II. Project Description

The prior investigations of the Site have confirmed the presence of on-Site contamination that is complicating the development and re-use of the property as a commercial and residential space. Specifically, Site investigations conducted in 2015 have identified chlorinated solvents at concentrations above regulatory levels in environmental media. Specific contaminants and maximum concentrations are further detailed in Section II. In particular, the soil vapor is impacted with tetrachloroethene (PCE), consistent with the historic use of the Site as a dry cleaner for a period of at least 55 years. Groundwater samples, collected immediately off-site in the presumed downgradient direction, also contain PCE impacts. Based upon the location and distribution of elevated PCE concentrations, these impacts are attributable to the historic dry cleaning operations.

The Site is currently occupied by a commercial tenant and residential tenants. While redevelopment of the property is not currently contemplated, remediation of soil vapor impacts is necessary to ensure continued occupancy of the Site and for restoration of the commercial unit to productive use. As a Participant, the Applicant would be responsible for investigating and remediating any identified offsite impacts.

4. Schedule. The remedial program (investigation) is estimated to begin in June 2016 and the remedial actions are estimated to begin in December 2016. The Certificate of Completion (COC) is estimated by the end of 2017. An estimated project schedule is included as Exhibit III.

Section III. Property's Environmental History

1. Reports. All referenced environmental reports are provided in Exhibit IV and include:

Phase I Environmental Site Assessment Report, 19 and 25 Patchen Avenue, Brooklyn, New York. Tenen Environmental (Tenen), June 2015.

Phase II Environmental Site Investigation, 19 and 25 Patchen Avenue, Brooklyn, New York. Tenen Environmental (Tenen), August 21, 2015.

3. Drawings. Three drawings, two for vapor and one for off-site groundwater, are included in Exhibit V. The data for these drawings are the Phase II Environmental Site Investigation (ESI) referenced above.

Section IV. Property Information

A Site Location Map, Site Figure Map, Property Map, Tax Map and Survey are attached hereto as Exhibit V. The Survey is of the Site (Lot 8) and the adjoining property (Lot 9).

1. Tax Map Metes and Bounds

The boundaries of the Site correspond to the tax lot (Block 1618, Lot 8). Adjacent sidewalks are outside of the tax lot and are outside of the site boundaries.

10. Property Description Narrative

Location. The Site, with an address of 19 Patchen Avenue, is located in an urban area and is identified as Block 1618, Lot 8. The Site is located at the southeast corner of Patchen Avenue and Van Buren Street in the Bedford Stuyvesant area of Brooklyn.

Site Features. The Site is developed with a four-story, residential/commercial building with residential spaces on floors one through four; commercial space on the first floor and basement. Some building mechanicals and storage not associated with the commercial space are also in the basement. A small at-grade yard is located on the eastern portion of the Site.

Current Zoning and Land Use. The Site use is currently residential and commercial. The Site is zoned R6A, which denotes medium density areas with high lot coverage buildings. The present commercial use of the first floor is allowed as a pre-existing non-conforming use under the New York City Zoning Resolution. The adjacent properties are residential, mixed use (residential/commercial) and parking facilities.

Past Use of the Site. The Site use has been residential and commercial since at 1908, with a dry cleaning facility for at least 55 years. The prior use of the Site as a dry cleaner has led to documented impacts to soil vapor at the Site and groundwater off-site, in the presumed downgradient direction. These impacts were discovered during sampling in June through August of 2015. No remediation has been completed at the Site to-date.

Site Geology and Hydrogeology. The surface topography slopes down to the northeast. Based on the U.S. Geological Survey (Brooklyn-NY 2010 Quadrangle) topographic map, the property lies at an elevation of approximately 55 feet above the National Geodetic Vertical Datum of 1929 (an approximation of mean sea level). The shallow soils include historic fill material (sands mixed with cobbles and brick) to depths of up to 5.5 feet below the basement level, underlain by native silts and sands to depths of at least 50 feet below grade. The approximate depth to bedrock is 350 feet from grade surface.

Groundwater has been measured at a depth of approximately 42 feet below grade. The assumed groundwater flow direction is toward the northwest.

Environmental Assessment. Based upon investigations conducted to date, the primary contaminant of concern for the Site is tetrachloroethene (PCE) and trichloroethene (TCE).

PCE was detected in soil vapor at elevated concentrations [max: 5,380 micrograms per cubic meter (ug/m³)] and was also detected in indoor air at a concentration of 535 ug/m³. TCE, a degradation compound of PCE, was also detected in soil vapor at moderately elevated concentrations (max: 48.6 ug/m³) and was also detected in indoor air at a low concentration (2.65 ug/m³).

Concentrations of PCE in downgradient, off-site groundwater samples ranged up to 23 micrograms per liter (ug/L), above the groundwater standard of 5 ug/L. TCE was detected below the groundwater standard of 5 ug/L. The groundwater impacts have not been horizontally or vertically delineated.

Section VI. Current Property Owner/Operator Information

Prior owners and operators for the Site are provided below.

Previous Owners

Dates Owned	Owner Last Known Address	Requestor's Relationship to Owner
Pre 1966	Julius A. Siegel Newport Avenue Neponsit, NY 11694 Telephone: unknown	None
1966 – 1981	Ruby A. Short (1981) 89-08 196 th Street Hollis, NY 11423 (1966) 957 Greene Avenue Brooklyn, NY 11211 Telephone: unknown	None
1981 – 1988	James McAllister 1439 Gipson Street Far Rockaway, NY 11691 Telephone: unknown	None
1988	Reagan International Trading Corp. 76-18 Woodside Avenue Elmhurst, NY 11373 Telephone: unknown	None
1986 – 1990	City of New York c/o NYC Department of Finance 66 John Street, Room 104 New York, NY 10038 Telephone: 212.669.4855	None

Dates Owned	Owner Last Known Address	Requestor's Relationship to Owner
1990 to 2015	Vernon P. Buffalo Associates 67 Hanson Place Brooklyn, NY 11217 Telephone: 718.858.8803	Partner
2015 to present	19 Patchen LLC 826 Broadway, 11 th Floor New York, NY Telephone: 212.777.9500	Requestor

Previous Operators

Operating Dates	Operator	Requestor's Relationship to Operator
Between 1949/1960 – Between 1960/1965	Brothers Cleaners Site is last known address Telephone: unknown	None
Between 1949/1960 – Between 1960/1965	Torres Luncheonette Site is last known address Telephone: unknown	None
Between 1960/1965 – Between 1965/1980	Cafeteria Arecibo Site is last known address Telephone: unknown	None
Between 1965/1980 – Between 1980/1992	Patchen Cleaners Site is last known address Telephone: unknown	Tenant of Partner
Between 1980/1992 – Between 1992/1997	Shrewsbury Construction Site is last known address Telephone: unknown	Tenant of Partner
Between 1980/1997 – Between 2000/2005	Lazardos Dry Cleaners Site is last known address Telephone: unknown	Tenant of Partner
Between 2000/2005 – Current	Rodriguez Dry Cleaners Site is last known address Telephone: unknown	Tenant of Partner

Section IX. Contact List Information

1. The Chief Executive Officer And Planning Board Chairperson Of Each County, City, Town And Village In Which The Property Is Located.

Mayor Bill de Blasio
City of New York
253 Broadway
New York, NY 10007-1200

Velmanette Montgomery
NYS Senate – District 25
30 Third Avenue, Room 207
Brooklyn, NY 11217

Eric M. Dilan
NYS Assembly – District 54
366 Cornelia Street
Brooklyn, NY 11237

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

Darlene Mealy
Council Member - District 41
1757 Union Street, 2nd Floor
Brooklyn, NY 11213

Carl Weisbrod, Director
Department of City Planning
22 Reade Street
New York, NY 10007-1216

Department of City Planning
Brooklyn Borough Office
16 Court Street
Brooklyn, NY 11241

2. Residents, Owners, And Occupants Of The Property And Properties Adjacent To The Property.

19 Patchen Avenue (Block 1618, Lot 8)

Owner:

19 Patchen LLC (Requestor)

Management Company:
Lisa Management, Inc.
826 Broadway, 11th Floor
New York, NY 10003

25 Patchen Avenue (Block 1618, Lot 3)

Owner:
Skipp to My Lilly LLC
826 Broadway, 11th Floor
New York, NY 10003

Management Company:
Lisa Management, Inc.
826 Broadway, 11th Floor
New York, NY 10003

540 Van Buren Street (Block 1618, Lot 9)

Owner:
Louis Ramos, Jr.
94 Summit Street
Brooklyn, NY 11231

537 Van Buren Street (Block 1613, Lot 26)

Owner:
G Loft LLC
45 North Station Plaza, Suite 315
Great Neck, NY 11021

17 Patchen Avenue (Block 1613, Lot 1)

Owner:
Annie Frances
32 Patchen Avenue
Brooklyn, NY 11221

24 Patchen Avenue (Block 1612, Lot 50)

Owner/Occupant:
Joseph E. Holley
24 Patchen Avenue
Brooklyn, NY 11221

26 Patchen Avenue (Block 1617, Lot 41)

Owner / Occupant:
Santa J. Melo
26 Patchen Avenue
Brooklyn, NY 11221

Occupant:
Jenesis' Grocery Corp.
26 Patchen Avenue
Brooklyn, NY 11221

3. Local News Media From Which The Community Typically Obtains Information.

The New York Times
229 West 43rd Street
New York, NY 10036

Brooklyn Eagle
30 Henry Street
Brooklyn, NY 11201

1010 WINS-CBS Radio
888 7th Avenue, 10th Floor
New York NY 10106

News 12 Brooklyn
164 20th Street
Brooklyn, NY 11232

4. The Public Water Supplier Which Services The Area In Which The Property Is Located

Public water is provided from upstate New York reservoirs by the City of New York, Department of Environmental Protection (Consumer Service Center: 59-17 Junction Boulevard, 10th Floor, Flushing, NY 11373).

5. Any Person Who Has Requested To Be Placed On The Contact List.

We are unaware of any requests for inclusion on the contact list.

6. The Administrator Of Any School Or Day Care Facility Located On Or Near The Property.

Foosteps Childcare, Inc.
1125 Broadway
Brooklyn, NY 11221
Monica McDonald

Verny Daycare, Inc.
992 Greene Avenue, 1A
Brooklyn, NY 11221
Violet Williams-Rouse, MS
Frederick Douglass Academy IV Secondary School

1014 Lafayette Avenue
Brooklyn, NY 11221
Elvin Crespo

Brooklyn Excelsior Charter School
856 Quincy Street
Brooklyn, NY 11221
Bob Morgenstein

PS 274
800 Bushwick Avenue
Brooklyn, NY 11221
Migdalia Surita

Balloons and You Day Care
25 Patchen Avenue
Brooklyn, NY 11221
Michelle D. Williams

Charles Churn Christian Academy
1052 Greene Avenue
Brooklyn NY 11221
Linda Hunt

EBC High School for Public Service
1155 Dekalb Avenue
Brooklyn, NY 11221
Shawn Brown

Bushwick Leaders' High School for Academic Excellence
797 Bushwick Avenue
Brooklyn, NY 11221
Catherine Reilly

7. Location of the Document Repository

Brooklyn Public Library
Dekalb Branch
790 Bushwick Avenue
Brooklyn, NY 11221

A letter from the repository is included as Exhibit VI.

8. In Cities With A Population of One Million or More, The Local Community Board If The Proposed Site Is Located Within Such Community Board's Boundaries

Community Board #3 Brooklyn
1360 Fulton Street
Brooklyn, NY 11216

Section IX. Land Use Factors

1. The Site use is currently residential and commercial. The Site is zoned R6A, which denotes medium density areas with high lot coverage buildings. The present commercial use of the first floor is allowed as a pre-existing non-conforming use under the New York City Zoning Resolution.

2. The property is currently occupied by residences and a commercial space. The commercial space is currently used as a dry cleaner.

3. The anticipated post-remedial use: the existing residential/commercial Site building is proposed to remain. The residential units are being maintained as affordable housing. Information from the 2009-2013 American Community Survey (ACS) indicates that the median household income in the Stuyvesant Heights census tract is less than 80% of the median household income for all of Brooklyn (and less than 70% for all of New York City).

4. Based on U.S. Census data, the population of Kings County (Brooklyn) grew approximately 1.6 percent between 2010 and 2012. Neighborhood statistics compiled by the New York City Department of City Planning (NYCDCP) indicate that the population in the Stuyvesant Heights census tract increased by approximately 2.7 percent between 2000 and 2010.

See: gis.nyc.gov/census/.

5. The existing use is consistent with the applicable zoning (R6A) with a non-conforming commercial use.

6. There are no applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans or other adopted land use plans for the Site.

Exhibit I

NYSDOS Entity Information

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through October 27, 2015.

Selected Entity Name: 19 PATCHEN LLC

Selected Entity Status Information

Current Entity Name: 19 PATCHEN LLC

DOS ID #: 4825505

Initial DOS Filing Date: SEPTEMBER 25, 2015

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)

C/O BEC NEW COMMUNITIES HOUSING DEVELOPMENT FUND COMPANY INC
67 HANSON PLACE
BROOKLYN, NEW YORK, 11217

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
SEP 25, 2015	Actual	19 PATCHEN 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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Exhibit II

Corporate Authorization

RESOLUTION

The Board of Directors of BEC NC Management, Inc., a New York not-for-profit corporation (the "Corporation") does hereby consent to and adopt the following resolutions:

WHEREAS, the Corporation is the sole member of 19 Patchen LLC, a New York limited liability company (the "LLC"); and

WHEREAS, the LLC owns the fee interest in the property located at 19 Patchen Avenue, Brooklyn, New York (Block 1618, Lot 8 on the Tax Map of Kings County (the "Property");

WHEREAS, the LLC and the Corporation desire to include the Property in the New York State Department of Environmental Conservation Brownfields Cleanup Program (the "BCP"); and

WHEREAS, the LLC desires to enter into a Brownfield Site Cleanup Agreement with the New York State Department of Environmental Conservation (the "Agreement") to evidence the inclusion of the Property in the BCP.

WHEREAS, the Members of the Corporation deem it advisable and in the best interests of the Corporation and the LLC to authorize, approve and ratify the execution, delivery and performance of the Environmental Easement by the LLC.

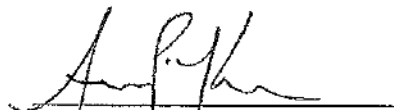
NOW, THEREFORE, BE IT RESOLVED, that the Members of the Corporation hereby authorizes and direct Dan Mathew, as authorized signatory (the "Authorized Signatory") to acknowledge, execute and deliver for and on behalf of the Corporation and the LLC, any and all agreements, resolutions, documents, certificates, easements, and authorizations which may be necessary, convenient or advisable to effect the inclusion of the Property in the BCP, including but not limited to, the Agreement, and to take such additional actions as he deems desirable and appropriate to carry out the intent and to accomplish the purposes of these resolutions;

RESOLVED FURTHER, that any and all lawful action taken in good faith by the Authorized Signatory prior to the date hereof on behalf of the Corporation and in furtherance of the transactions contemplated by the foregoing resolution are in all respects ratified, confirmed and approved by the Corporation as its own acts and deeds, and shall conclusively be deemed to be the acts and deeds of the Corporation for all purposes.

IN WITNESS WHEREOF, the undersigned has executed this Written Consent in the capacity noted below as of this 10th day of November 2015.

576 AK
BEC NC Management, Inc.,

By:



Aaron Koffman
Chairman of the Board of Directors

ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On this 5th day of November, 2015, before me, the undersigned, personally appeared David Koffman, personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

ELIZABETH CLARKE
Notary Public - State of New York
No. 01GL6173833
Qualified in New York County
Commission Expires September 4, 2019

Exhibit III

Estimated Project Schedule

19 Patchen Avenue – Brooklyn, NY
Estimated Project Schedule

02/17/2016	BCP Application submittal to NYSDEC
02/24/2016	ENB, contact list and local newspaper publication of Applicant's request to participate in BCP
03/25/2016	Close of 30 day public comment period on BCP Application
04/04/2016	CPP and Draft RIWP submittal to NYSDEC
04/20/2016	ENB, contact list notification of Draft RIWP
05/20/2016	Close of 30 day public comment period on Draft RIWP
06/01/2016 – 06/30/2016	Implement RIWP
08/01/2016	Draft RIR submittal to NYSDEC
08/10/2016	ENB, contact list notification of Draft RIR
09/09/2016	Close of 30 day public notice period on Draft RIR
10/03/2016	Draft RAWP submittal to NYSDEC
10/12/2016	ENB, contact list notification of Draft RAWP
11/28/2016	Close of 45 day public comment period on Draft RAWP
12/01/2016	Notice of start of remedial action
12/03/2016 – 12/31/2016	Implement RAWP
05/30/2017	Environmental Easement package submittal to NYSDEC
07/01/2017	Draft SMP submittal to NYSDEC
08/15/2017	Draft FER submittal to NYSDEC
12/15/2017	COC Issuance

Note: based on RIR results, IRM Work Plans may be submitted.

Exhibit IV

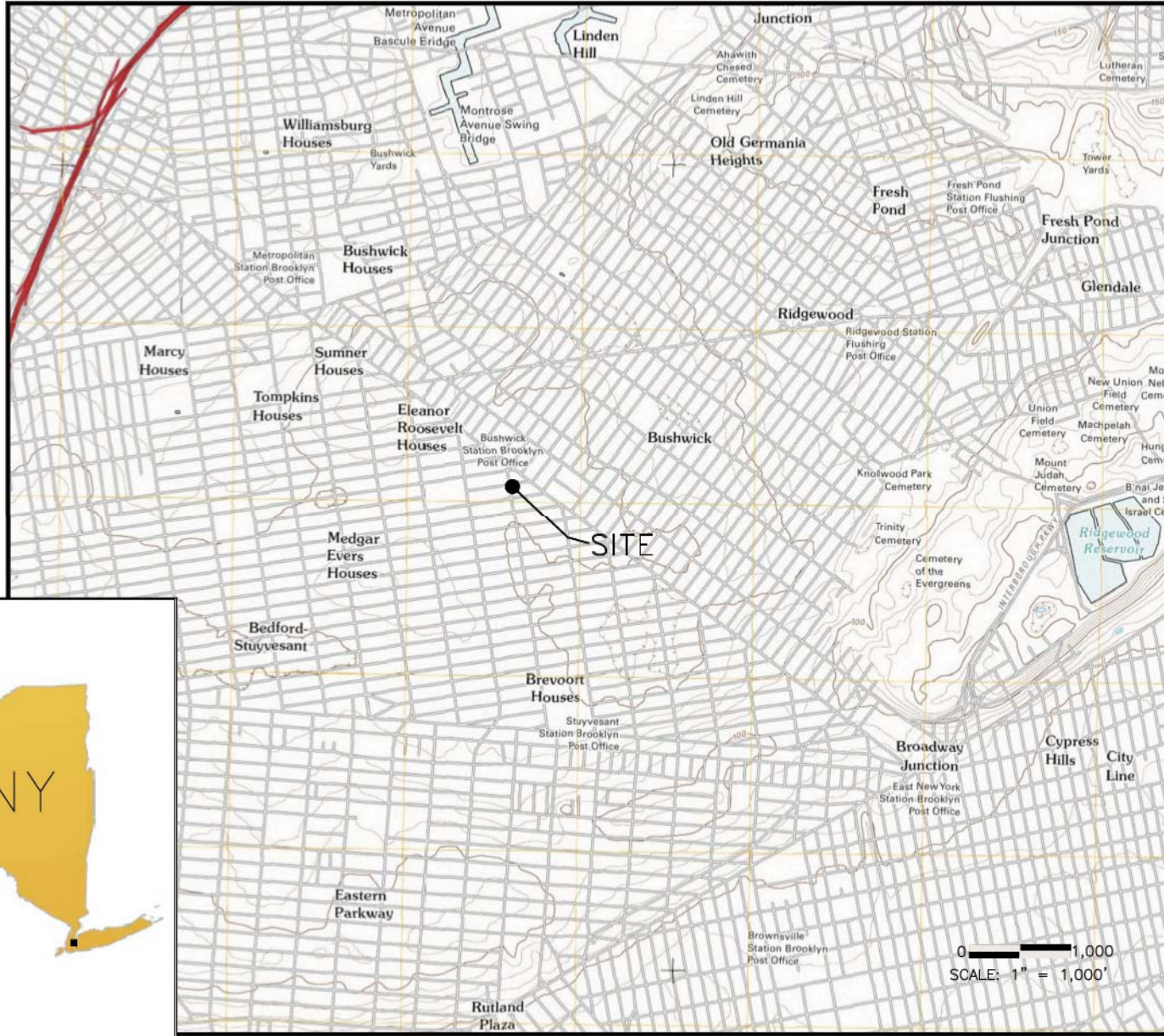
Environmental Reports (on CD only)

Exhibit V

Figures

RE: USGS BROOKLYN-NY QUADRANGLE, 2010

QUADRANGLE
LOCATION



CLIENT
19 PATCHEN AVENUE
BROOKLYN, NY

TENEN ENVIRONMENTAL

TENEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CONSULTANT

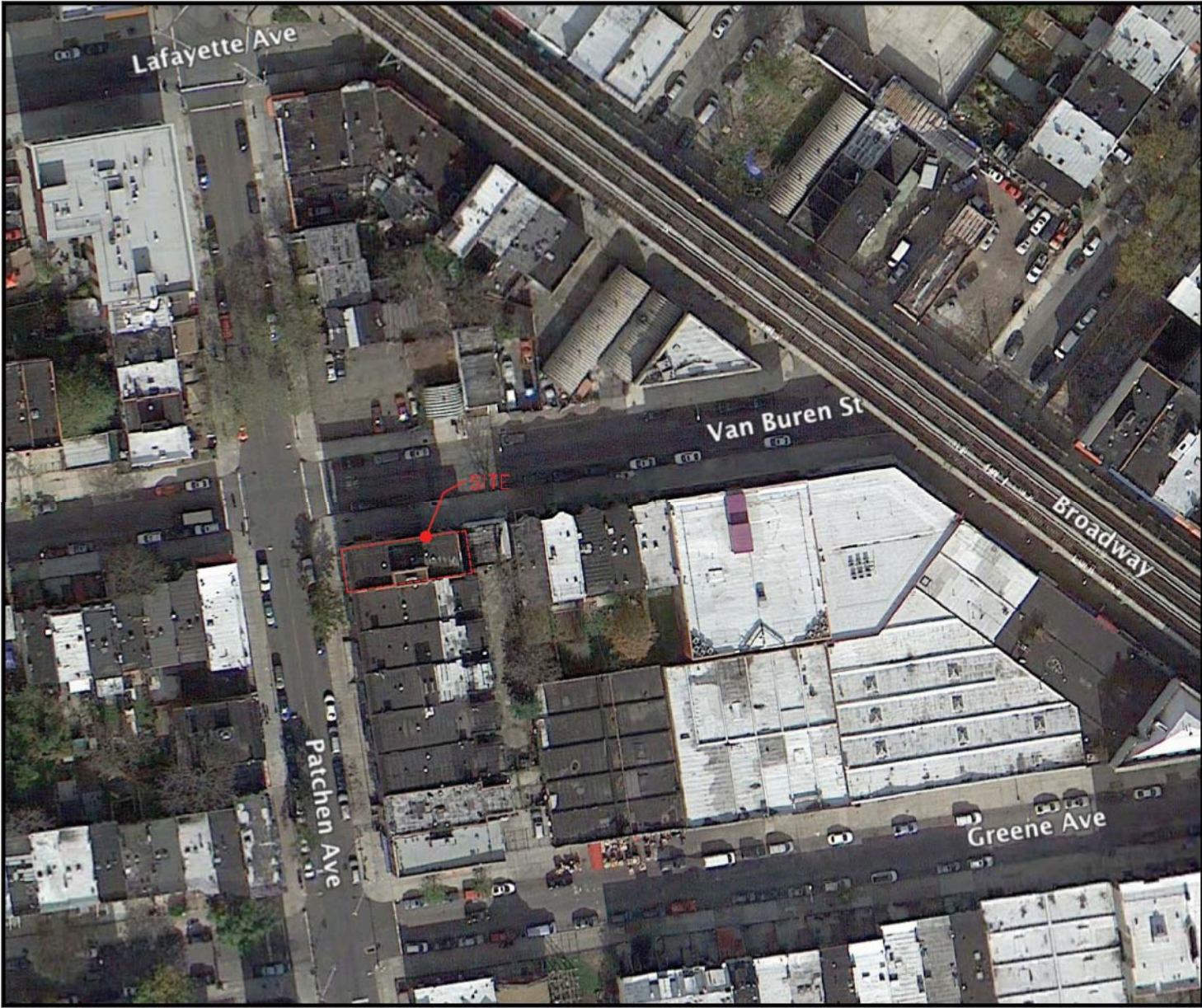
DRAWN BY	MC
CHECKED BY	KM
DATE	11/4/15
SCALE	AS NOTED

DRAWING TITLE
SITE LOCATION MAP

DRAWING NO.
FIGURE 1

RE: GOOGLE EARTH PRO, 11/2012 PHOTO

0 60
SCALE: 1" = 60'



DRAWING TITLE

SITE FIGURE MAP

DRAWING NO.

FIGURE 2

DRAWN BY

MC

CHECKED BY

KM

DATE

2/3/15

SCALE

AS NOTED

CONSULTANT

TENEN ENVIRONMENTAL

TENEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CLIENT

19 PATCHEN AVENUE
BROOKLYN, NY



DRAWING TITLE	TAX MAP		DRAWING NO.	FIGURE 2
	DRIVEN BY	MC		
DATE		11/4/15		
SCALE		AS NOTED		
CONSULTANT		TENEN ENVIRONMENTAL		
CLIENT		19 PATCHEN AVENUE BROOKLYN, NY		
TENEN ENVIRONMENTAL, LLC 121 West 27th Street Suite 303 New York, NY 10001 Tel: 646-606-2332 Fax: 646-606-2379				

ID	OWNER	ADDRESS
A	SKIPP TO MY LILLY LLC	25 PATCHEN AVENUE
B	LOUIS RAMOS, JR.	540 VAN BUREN STREET
C	G LOFT LLC	537 VAN BUREN STREET
D	ANNIE FRANCES	17 PATCHEN AVENUE
E	JOSEPH E. HOLLEY	24 PATCHEN AVENUE
F	SANTA J. MELO	26 PATCHEN AVENUE



CLIENT
19 PATCHEN AVENUE
BROOKLYN, NY

CONSULTANT
TENEN ENVIRONMENTAL

TENEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CONSULTANT

DRAWN BY	MC
CHECKED BY	KM
DATE	2/23/16
SCALE	AS NOTED

DRAWING TITLE
ADJACENT PROPERTY
OWNERS

DRAWING NO.

FIGURE 4



Sample Name	19P-SV1
Sample Date	6/3/2015
cis-1,2-Dichloroethene	44
Trichloroethene	21.4
Tetrachloroethene	366
Ethylbenzene	1.59
p/m-Xylene	6.34
o-Xylene	5.21
1,3,5-Trimethylbenzene	<0.983
1,2,4-Trimethylbenzene	1.66

Sample Name	19P-SV2
Sample Date	6/3/2015
cis-1,2-Dichloroethene	7.93
Trichloroethene	48.6
Tetrachloroethene	5380
Ethylbenzene	11.9
p/m-Xylene	46.5
o-Xylene	26.8
1,3,5-Trimethylbenzene	229
1,2,4-Trimethylbenzene	418

LEGEND

▲ Sub-Slab Vapor Point

Concentrations in micrograms
per cubic meter (ug/m3)

PATCHEN AVENUE

VAN BUREN STREET

19P-SV1

19P-SV2

19 Patchen Avenue

Rear
Yard

Site Border

0 10
SCALE: 1" = 10'

CLIENT
19 PATCHEN AVENUE
BROOKLYN, NY

TENEN ENVIRONMENTAL

TENEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CONSULTANT

MC

KM

DATE
2/9/16

SCALE
AS NOTED

DRAWING TITLE
SOIL VAPOR RESULTS
JUNE 3, 2015

DRAWING NO.

FIGURE 5



LEGEND

- ▲ Sub-Slab Vapor Point
- ▽ Indoor Air Sample Location

Concentrations in micrograms
per cubic meter (ug/m³)

Sample Name	19P-SV-2R
Sample Date	7/6/2015
cis-1,2-Dichloroethene	0.936
Trichloroethene	2.65
Tetrachloroethene	667
Ethylbenzene	4.43
p/m-Xylene	15.2
o-Xylene	4.65
1,3,5-Trimethylbenzene	2.4
1,2,4-Trimethylbenzene	5.95

Sample Name	19P-IA-1
Sample Date	7/6/2015
cis-1,2-Dichloroethene	0.845
Trichloroethene	1.95
Tetrachloroethene	535
Ethylbenzene	2.7
p/m-Xylene	8.77
o-Xylene	2.28
1,3,5-Trimethylbenzene	2.81
1,2,4-Trimethylbenzene	7.28

VAN BUREN STREET

PATCHEN AVENUE

19 Patchen Avenue

19P-SV2R ▲
19P-IA1 ▽

Rear
Yard

Site Border

0 10
SCALE: 1" = 10'

CLIENT
19 PATCHEN AVENUE
BROOKLYN, NY

TEEN ENVIRONMENTAL

TEEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CONSULTANT

DRAWN BY	MC
CHECKED BY	KM
DATE	2/9/16
SCALE	AS NOTED

DRAWING TITLE
SOIL VAPOR AND
INDOOR AIR RESULTS
JULY 6, 2015

DRAWING NO.

FIGURE 6



Sample Name	NY-TOGS-GA	19P-MW-1
Sample Date		7/24/2015
Tetrachloroethene	5	23

19P-MW-1, depth to water (DTW): 43.6 feet below top of casing (TOC), sample collected approximately one foot below DTW.

Sample Name	NY-TOGS-GA	19P-MW-2
Sample Date		7/24/2015
Tetrachloroethene	5	10

19P-MW-2, depth to water (DTW): 42.9 feet below top of casing (TOC), sample collected approximately one foot below DTW.



Permanent Monitoring Well

Concentrations in micrograms
per liter (ug/L)

NY-TOGS-GA: New York TOGS 111 Groundwater Effluent
Limitations

VAN BUREN STREET



19P-MW1

19P-MW2



19 Patchen Avenue

PATCHEN AVENUE

Rear
Yard

0 10
SCALE: 1" = 10'

LEGEND

CLIENT
19 PATCHEN AVENUE
BROOKLYN, NY

CONSULTANT
TENEN ENVIRONMENTAL

TENEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CONSULTANT

DRAWN BY MC
CHECKED BY KM
DATE 2/23/16
SCALE AS NOTED

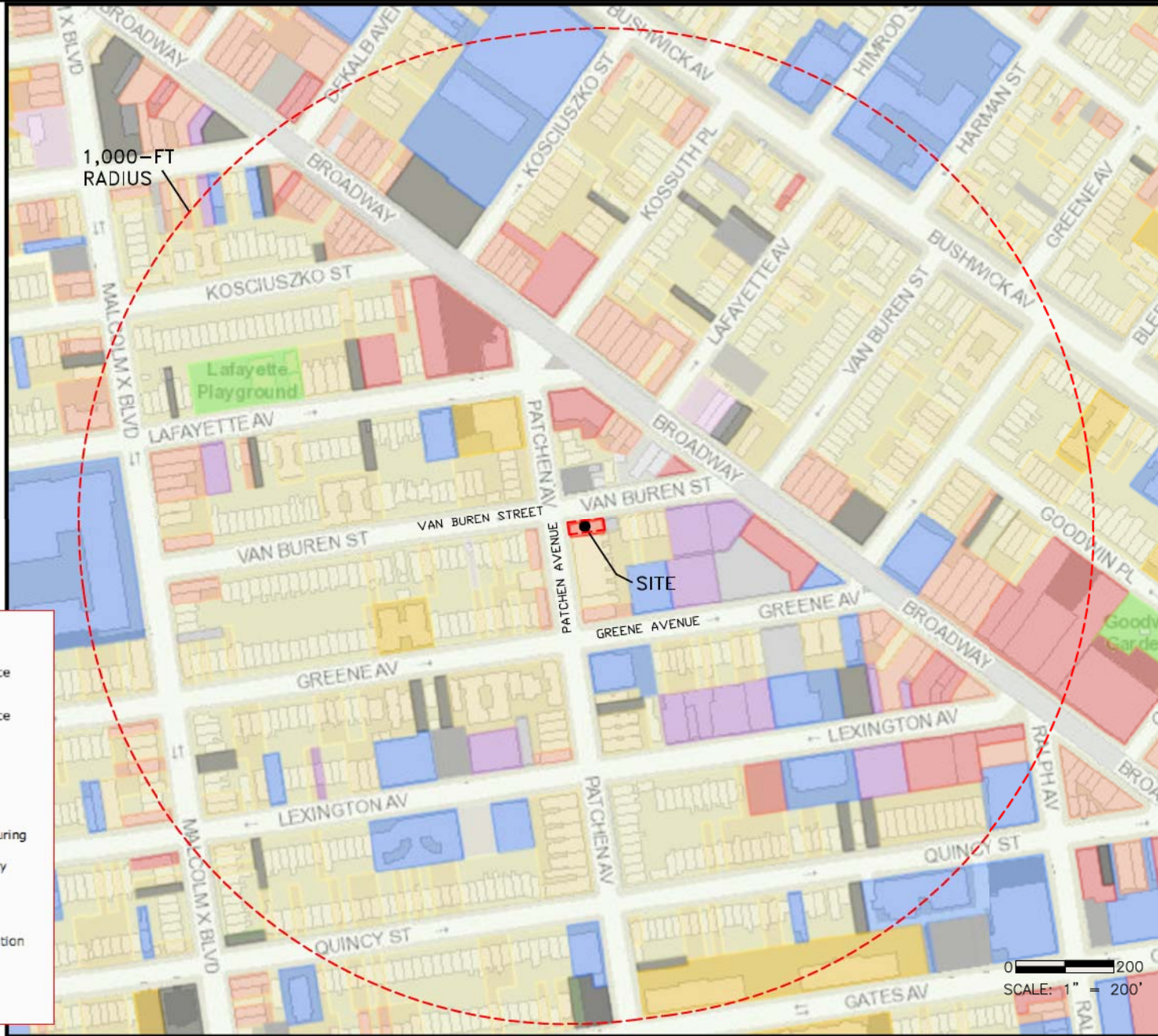
DRAWING TITLE
OFF-SITE
GROUNDWATER RESULTS
JULY 24, 2015

DRAWING NO.
FIGURE 7



ZONING KEY

	One & Two Family Residence
	Multi-Family Residence (Walkup)
	Multi-Family Residence (Elevator)
	Mixed Residential & Commercial
	Commercial Use
	Industrial / Manufacturing
	Transportation / Utility
	Public Facilities and Institutions
	Open Space & Recreation
	Parking
	Vacant Land

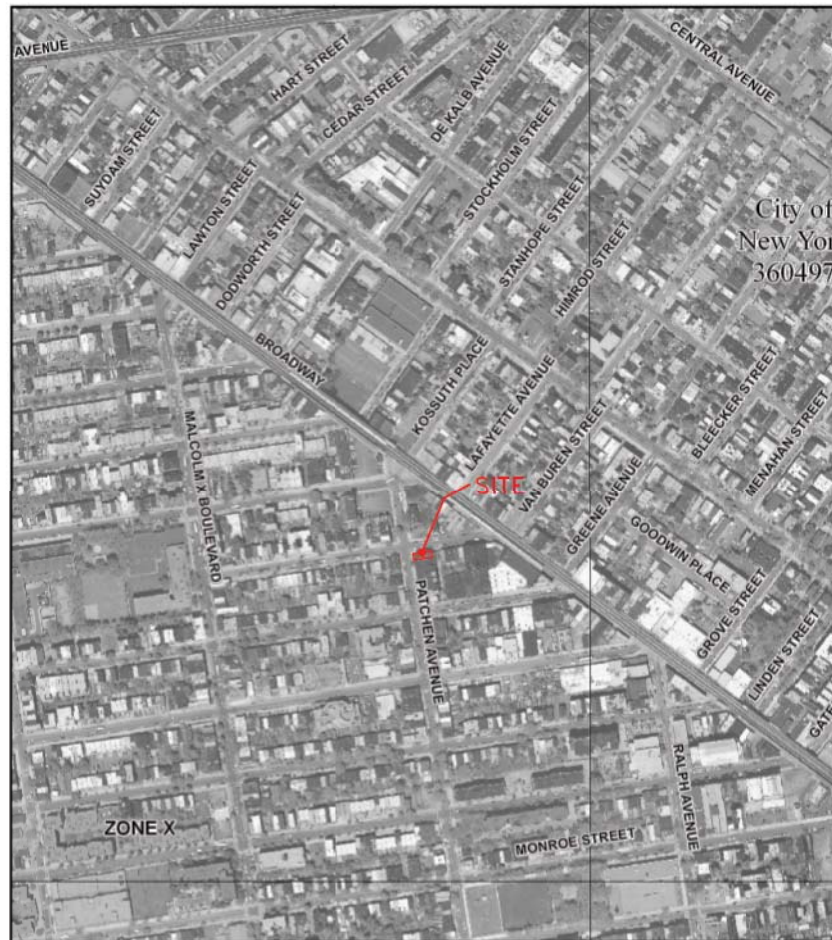


CLIENT
 19 PATCHEN AVENUE
 BROOKLYN, NY

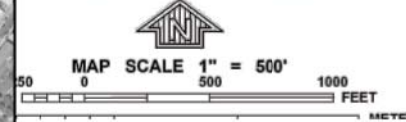
CONSULTANT
TENEN ENVIRONMENTAL
 TENEN ENVIRONMENTAL, LLC
 121 West 27th Street
 Suite 303
 New York, NY 10001
 O: 646-606-2332
 F: 646-606-2379

DRAWING TITLE LAND USE MAP	DRAWN BY MC	CHECKED BY KM	DATE 11/4/15	SCALE AS NOTED
	DRAWING NO.			

FIGURE 8



If flood insurance is available in this community, contact your local Flood Insurance Program at 1-800-638-6620.



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0203F

FIRM

FLOOD INSURANCE RATE MAP

CITY OF NEW YORK, NEW YORK

BRONX, RICHMOND, NEW YORK, QUEENS, AND KINGS COUNTIES

PANEL 208 OF 457

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY: NEW YORK CITY OF

DANGER: FLOOD

STATUS: F

MAP NUMBER: 3604970208F

MAP REVISED: SEPTEMBER 5, 2007

Federal Emergency Management Agency

Seal of the Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

0 500
SCALE: 1" = 500'

CLIENT
19 PATCHEN AVENUE
BROOKLYN, NY

TENEN ENVIRONMENTAL

TENEN ENVIRONMENTAL, LLC
121 West 27th Street
Suite 303
New York, NY 10001
Tel: 646-606-2332
Fax: 646-606-2379

CONSULTANT

DRAWN BY	MC
CHECKED BY	KM
DATE	1/4/16
SCALE	AS NOTED

DRAWING TITLE
FLOOD INSURANCE
RATE MAP

DRAWING NO.

FIGURE 9

TITLE NO.: FTS-NY-30424-K

that the survey prepared by me, entitled "ALTA /ACSM Land Title Survey", dated May 14, 2015, was actually made by instrument survey upon the ground and that this survey fully and correctly represents the property, including all buildings, structures, improvements and parking areas thereon.

2. The survey and the information, courses and distances shown therein are correct;
3. All physical evidence of boundary lines and lines of possession of occupancy have been shown and proper notation made where in conflict with the legal description;
4. The surveyor has ascertained the discrepancies and deficiencies in the quantity of the land described in the legal description;
4. The property depicted on the survey is the same property as that shown on the Title Commitment No. 105-25-24-000-0000-0000, recorded in the Public Records of the County of Los Angeles, CA and the title lines and lines of actual possession are the same;
5. The size, location and type of all buildings and improvements are as set forth and all are within the boundary of the survey;
6. The building, structures and improvements shown on the survey constitute all of the improvements on the property;
7. There are no violations of zoning ordinances, setback restrictions or other rules and regulations with reference to the building, structures and improvements shown on the survey;
8. There are no encroachments or rights of way, encroachments by improvements located on adjacent property, or other matters affecting, or likely to affect, the title to the property or the interests therein for the benefit of and appurtenant to this property, other than those shown and depicted on the survey;
9. There are no encroachments or rights of way, encroachments located on said property into adjacent property or onto easement areas of others, other than as shown and depicted on the survey;
10. Any discharge into streams, rivers or other conveyance system is shown on the survey and there are no streams, rivers, creeks, ponds, lakes, ditches or drains located on or bordering on or running through the property except as shown;
11. The survey shows the location and direction of all storm drainage systems for the collection and disposal of all roof runoff;
12. There are no gaps, gaps or overlaps between parcels or roads, highways, streets or ways and all parcels which comprises the property are contiguous;
13. The survey shows the location of all easements disclosed by applicable zoning, subdivision or building codes are shown;
14. All utility service required for the operation of the property either enters through adjoining public streets, or the survey shows the point of entry and location of any utility which passes through or is located on adjoining private property;
15. The property has direct highway and pedestrian access to dedicated public utility, in particular Pathway Avenue and Van Buren Street;
16. The property depicted herein does not lie within flood hazard areas in accordance with the document entitled Map Panel No. 390-07-0200-F and is subject in Flood Zone X;
17. The land depicted on the survey is a rectangular shape and a mathematically closed figure;
18. The survey shows the location of all easements disclosed by applicable zoning, subdivision or building codes and the boundary lines;

Richard Tom
Registration No. 049848
Phone: May 14, 2005



GRAPHIC SCALE

ALL INVERTED GRAVIMETERS AND OFFSETS NOTED ON THIS SURVEY SHALF-DECK GRAVIMETERS SCALED TO THIS PLOT.

SCALE 1:20



— SYMBOLS AND ABBREVIATIONS

[illegible]

BAR SURFACE UTILITIES ARE NOT GUARANTEED BY QUALITY OR. HIGH CAUTION RECOMMENDED AND IDENTIFICATION BY THE PROJECT CITY AGENCIES, IS MANDATORY BEFORE COMMENCING ALL WORK HERE.

[illegible]

UNDERGROUND, OVERHEAD AND GROUND LEVEL UTILITIES ARE NOT GUARANTEED AS TO ACCURACY, EXACT LOCATION, TYPE OR USE. ACTIVE OR INACTIVE. VERIFICATION IS MANDATORY WITH MUNICIPAL AGENCIES, PUBLIC UTILITIES AND RECORDS DEPARTMENTS.

AND PRIVATE UTILITY COMPANIES PRIOR TO TAKING TITLE AND/OR DESIGN WORK. BOUNDARIES ARE NOT GUARANTEED UNLESS SO NOTED.

ALL OPERATIONS OF UNDERGROUND FACILITIES AND ALL EXCAVATORS ARE OBLIGATED TO COMPLY WITH ARTICLE 36 OF THE GENERAL BUSINESS LAW AND WITH PROVISIONS OF INDUSTRIAL CODE PART (RULE NO. 36) BEFORE AN EXCAVATION OR DEMOLITION IS COMMENCED. EVERY EXCAVATOR IS REQUIRED BY THESE LAWS TO GIVE ADVANCE NOTICE TO EVERY OPERATOR OF UNDERGROUND FACILITIES OF HIS INTENT TO PERFORM EXCAVATION OR DEMOLITION WORK IN THE SPECIFIED AREA.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INDEED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE VALID COPIES. GUARANTEES OR CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE AGENTS OF THE LENDING INSTITUTION. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

GUARANTEED TO: Commonwealth Land Title Insurance Company; Federated Title Services, LLC; The Hudson Companies, Inc.; The City of New York, acting by and through its Department of Housing Preservation and Development, its Successors and/or assigns; Bank of America, N.A., its successors and assigns; Skipp to my Lilly LLC; Skipp to my Lilly HDfC, Inc.; Hudson BEC I LLC;

COUNTY: KINGS	CITY: BROOKLYN
SECTION:	BLOCK: 1618 LOT(S): 8, 9
PROPERTY ADDRESS: 19 PATCHEN AVENUE a/k/a 522 VAN BUREN STREET	

PREPARED BY

PERFECT POINT
LAND SURVEYING RT
brooklyn - queens - manhattan - bronx
staten island - nassau
phone: (718) 474-7700
fax: (718) 872-9699
info@ppsurveying.com
www.perfectpointsurveying.com

NY 9.1.1.8.0004

Exhibit VI

Document Repository Letter



Matthew Carroll <mcarroll@tenen-env.com>

19 Patchen Avenue - BCP Application

Brogan, Thomas <tbrogan@bklynlibrary.org>
To: Matthew Carroll <mcarroll@tenen-env.com>
Cc: *DeKalb <DeKalb@bklynlibrary.org>

Mon, Nov 2, 2015 at 10:32 AM

Hi Matthew,

Good morning! Yes, you have my permission to use the Brooklyn Public Library-DeKalb Branch as a document repository for a property applying for entry into the New York State Brownfield Cleanup Program (BCP).

Sincerely,

Tom

Thomas Brogan, Neighborhood Library Supervisor, Dekalb Branch

Brooklyn Public Library

790 Bushwick Avenue

Brooklyn, N.Y. 11221

Tel: 718.455-3898

Cell: 718-573-1763

tbrogan@bklynlibrary.org

From: Matthew Carroll [mcarroll@tenen-env.com]
Sent: Tuesday, October 27, 2015 1:57 PM
To: Brogan, Thomas
Subject: 19 Patchen Avenue - BCP Application

Dear Tom,

It was a pleasure speaking with you earlier. We are requesting permission to use the Brooklyn Public Library - Dekalb Branch as a document repository for a property applying for entry into the New York State Brownfield Cleanup Program (BCP). The BCP application process requires the designation of a repository so that documents can be reviewed by concerned citizens. The site is located at 19 Patchen Avenue in Brooklyn, NY.

We will require shelf space for the reports for approximately 18 to 24 months. Approximately seven reports will be produced and total shelf space would likely be less than twelve inches.

Please reply in writing that the use of the Brooklyn Public Library - Dekalb Branch as the document repository, as noted above, is permissible. Feel free to contact me if you need any additional information. Thank you.

Sincerely,
Matthew Carroll, PE
Tenen Environmental
[646.606.2332](tel:646.606.2332) x103