



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 [x] 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
NAME Atlantic Chestnut Affordable Housing LLC
ADDRESS 902 Broadway, 13th Floor
CITY/TOWN New York ZIP CODE 10010
PHONE (646) 388-8216 FAX (646) 336-5850 E-MAIL mwadman@phippsny.org
Is the requestor authorized to conduct business in New York State (NYS)? [x] Yes [] No
Do all individuals that will be certifying documents meet the requirements detailed below? [x] Yes [] No

Section II. Project Description
1. What stage is the project starting at? [x] 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 Not Applicable; see attached.
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.

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			X
Chlorinated Solvents		X	X
Other VOCs			
SVOCs			
Metals	X	X	
Pesticides			
PCBs			
Other*			

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

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

Other: Columbia Machine Works and Malleable Iron Company, Columbia Cable and Electric Corporation, Chloe Foods Corp., Blue Ridge Farms Inc.

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? 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)? Yes No
(See [DEC's website](#) for more information)
If yes, identify census tract : _____
Percentage of property in En-zone (check one): 0-49% 50-99% 100%
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No
If yes, attach relevant supporting documentation.
7. Are there any lands under water? Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

See Attached

See Attached

See Attached

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: MWK _____

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. Are there any unregistered bulk storage tanks on-site? Unknown; see attached. 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:

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	
<p>1. What is the current zoning for the site? What uses are allowed by the current zoning? Residential Commercial Industrial If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>	
<p>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.</p>	
<p>3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) Attach a statement detailing the specific proposed use.</p> <p>If residential, does it qualify as single family housing? Yes No</p>	
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 Vice President (title) of Atlantic Chestnut Affordable Housing 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: 2/16/2016

Signature: 

Print Name: Matthew Kelly VP

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.	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
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>		
<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: City:	Address: Zip:	Email:		
Requestor's Attorney Name: City:	Address: Zip:	Email:		
Requestor's Consultant Name: City:	Address: Zip:	Email:		
Percentage of site within an En-Zone:	0%	<50%	50-99%	100%
Requestor's Requested Status:	Volunteer	Participant		

Brownfield Cleanup Program Application Supporting Documentation

PART A

SECTION I. Requestor Information

The NYS Department of State's Corporation and Business Entity Database is included as *Attachment A*.

1. Member/Owner:

Phipps Houses
902 Broadway, 13th Floor
New York, NY 10010

SECTION II. Project Description

3. Remedial Investigation Report

A Final Remedial Investigation Report (RIR) is not included. A Subsurface (Phase II) Investigation was conducted and the Subsurface (Phase II) Investigation Report (Phase II Report) was prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). The Phase II Report is the document being used to support this Brownfield Cleanup Program (BCP) Application. The Phase II Report is included in *Attachment B*.

4. Description of Development Project

The Atlantic Chestnut – Lot 1 project site (Site) is located at 3264 Fulton Street in the Cypress Hills neighborhood of Brooklyn, New York and is legally defined as Tax Block 4143, Lot 1. The Site is approximately 65,944 square feet and consists of a concrete and asphalt-paved parking and loading area (northern portion) and the northern extents of a series of vacant, interconnected, fire-damaged factory buildings (southern portion). The Site is rectangular in shape, and is bound by Fulton Street and the elevated J and Z Metropolitan Transit Authority (MTA) subway tracks to the north, Euclid Avenue, followed by residential properties to the east; vacant manufacturing buildings to the south; and Chestnut Street, followed by commercial properties to the west. The Site is located in a developed area predominantly consisting of residential, commercial, transportation, and manufacturing properties. A Site Location map is included as *Figure 1* in *Attachment B*.

The Site is part of Census Tract 3140. According to the 2009-2013 American Community Survey (ACS) Profile Survey Data, 20.3% of the population in Census Tract 3140 is living below the poverty line, compared to the national poverty rate of 11.3% and the New York State poverty rate of 14.2%. The unemployment rate for Census Tract

3140 is 10.6%, compared to the New York City unemployment rate of 6.1% (as of April 2015) and the national unemployment rate of 5.5% (as of May 2015).

The Cypress Hills neighborhood in East New York has suffered economically since the 1960s and 1970s when blockbusting left the neighborhood virtually abandoned. Resulting housing mortgage scandals caused mass foreclosures and most of the original housing stock was vacated and left to deteriorate. Since the late 1950s, East New York has been plagued by gang activity, drug use, high crime rates, and underperforming public schools. The economic conditions of the neighborhood have contributed to the Site vacancy.

The Site is located within the Cypress Hills/East New York Brownfield Opportunity Area (BOA). The objectives of the BOA include expanding affordable housing, creating green manufacturing opportunities, and improving access to public transit and open space. The proposed redevelopment and end use are consistent with the Cypress Hills/East New York BOA objectives.

Historic records indicated that the Site was historically developed with industrial and manufacturing uses, including the Columbia Machine Works and Malleable Iron Company, the Columbia Cable and Electric Corporation, Blue Ridge Farms, Inc., and Chloe Foods Corp. between 1908 and 2012. The Site has remained vacant since a July 2012 fire caused severe structural damage to the southeastern portion of the Site. Since that time, these vacant industrial buildings have blighted the neighborhood. A photographic log of the Site is included in *Attachment B*.

The Site has also remained vacant due to the presence of contamination. The January 2016 Subsurface (Phase II) Investigation Report prepared by AKRF concluded that contaminated soil, groundwater, and soil vapor are present at the Site. Metals, likely related to historic operations, the 2012 fire at the Site, and/or past filling at the Site, were detected at elevated concentrations in soil and groundwater. The elevated detections of chloroform and TCE in groundwater appear to be related to past industrial operations at the Site. The elevated detections of petroleum-related compounds in soil vapor appear to be related to historic industrial operations and also may be related to the current and/or former on-site fuel oil storage tanks. The presence of contamination creates an impediment to development in low-income areas and low-income projects, as these areas/projects are less likely to experience improving market conditions, which would allow for the absorption of added costs related to remediation and construction time and risk.

Entry into the Brownfield Cleanup Program (BCP) would facilitate the cleanup and redevelopment of this vacant and fire-damaged lot into the proposed residential project named Atlantic Chestnut – Lot 1. The proposed redevelopment includes the demolition of the existing buildings and the construction of a new 6 to 14-story mixed-use building with 391 affordable apartment units, approximately 26,934 ground square feet (GSF) of commercial and/or community facility space, and approximately 61,600 GSF of

basement-level parking. The project is proposed to be developed in accordance with New York City’s Quality Housing Program and will satisfy one of the objectives of the Cypress Hills BOA. A Site Plan and Tax Map are included as *Figures 2* and *3*, respectively, in *Attachment B*. The proposed redevelopment plans are included in *Attachment B*.

Job estimates during the construction period and operation of the proposed 391 unit multi-family residential apartment building are shown in *Table 1* and *Table 2*, respectively.

**Table 1
Construction Job Estimates (Person-Years of Employment)¹**

	New York City	New York State
Direct	560	560
Indirect	242	254
Induced	170	204
Total	972	1,018
Notes: Based on a construction budget of \$144.6 million, which includes hard costs of \$115.3 million, soft costs of \$29.3 million. 1) A person-year is the equivalent of one person working full time for one year.		
Sources: The construction cost estimates of the proposed development; AKRF, Inc. distributed costs to appropriate IMPLAN sector categories.		

**Table 2
Full- and Part-Time Jobs generated during Annual Operations**

	New York City	New York State
Direct	109	109
Indirect	12	12
Induced	14	18
Total	135	139
Notes: Model assumed the 382,962 sf of residential space would include approximately 391 units (16 direct employees). The 26,934 sf of commercial use would result in approximately 90 direct employees. Parking would include approximately 165 spaces (3 direct employees).		

The Applicant’s plan is to remediate the soil, soil vapor, and groundwater in conjunction with the required Site preparation excavation for the proposed redevelopment. The additional construction costs involved with remediating the soil, soil vapor, and groundwater, including the removal and disposal of potentially hazardous wastes, treatment of groundwater, and the incorporation of a vapor barrier and sub-slab depressurization system (SSDS) into the redevelopment plan, challenge the project’s viability. The remediation of the contamination will increase project costs because of expenses or premiums associated with the remedial activities, increased labor or trade premiums due to the need to use specialized workers and procedures in and around the contaminated materials, and ancillary monitoring and reporting costs. In addition, there will be scheduling impacts associated with the remediation and excavation constraints that will extend the timeframe customarily required for traditional site excavation. The

construction delays associated with the remediation will result in increased carrying costs.

Margins on affordable housing are already very small compared to market rate projects. The creation of affordable housing requires a tremendous amount of public investment from government subsidies and private equity. The additional costs and risks associated with Site remediation may cause construction lenders to require further infusions of equity that could significantly impact the financial feasibility of the project. In addition, the lender(s) will require evidence/acknowledgement that the work has been completed in accordance with NYSDEC requirements and will restrict the use of redevelopment funding prior to the completion of remedial actions.

The remedial program is planned to begin in July 2018 and the Certificate of Completion (COC) is anticipated to be obtained in December 2020. The BCP project will likely include some or all of the activities listed below. The preliminary project schedule, shown in Table 3, is subject to change.

**Table 3
Preliminary Project Schedule**

Activity	Time To Complete
Submittal of BCP Application	February 2016
NYSDEC Completeness Check of BCP Application and Determination that Application is Complete	February/March 2016
30-day Public Comment Period Initiated (Environmental News Bulletin, Newspaper)	March 2016
BCP Acceptance	April 2016
Execute BCP Agreement	April 2016
Citizen Participation Plan	April/May 2016
Building Demolition	April to June 2016
Submittal of Draft Remedial Investigation Work Plan (RIWP) and Fact Sheet	June 2016
Public Comment Period is Initiated	July 2016
Public Comment Period Ends	August 2016
Final RIWP Submitted/DEC Approves Work Plan	September 2016
Remedial Investigation is Initiated	October 2016
Remedial Investigation is Completed	November 2016
Draft Remedial Investigation Report (RIR) Submitted to NYSDEC	January 2017
Submittal of Draft Remedial Action Work Plan (RAWP) and Fact Sheet	February 2017
45-day Public Comment Period for RIR and RAWP is Initiated	March 2017
Public Comment Period for RIR and RAWP Ends	April 2017
Final RAWP Submitted/DEC Approves and Issues Decision Document	April/May 2017
Construction Closing	June 2018
Issue Remedial/Construction Notice Fact Sheet	July 2018
Begin Redevelopment (Construction) with Implementation of RAWP	July 2018
Draft Site Management Plan (SMP) Submitted to NYSDEC	July 2019
Execution of Environmental Easement	30 days after SMP approval
Draft Final Engineering Report and Fact Sheet	September 2019

Activity	Time To Complete
Certificate of Completion and Fact Sheet	December 2020
Completion of Building	December 2020

SECTION III. Property's Environmental History

Figures are included in *Attachment B*.

Figure 1 – Site Location Map

Figure 2 – Site Plan

Figure 3 – Tax Map

Figure 4 – Existing Land Use

Figure 5 – Zoning Map

Figure 6 – Soil Sample Concentrations Above NYSDEC RRSCOs

Figure 7 – Groundwater Sample Locations Above NYSDEC AWQSSs

Figure 8 – Soil Vapor Sample Concentrations Above AGVs or Matrix Values

1. *Environmental Reports*

Copies of the following previous investigation reports for the project Site are included as *Attachment C*:

- *Subsurface (Phase II) Investigation* – Blue Ridge Farms, 3301 Atlantic Avenue, 84 Dinsmore Place, and 111 Dinsmore Place, Brooklyn, New York, AKRF, May 2001.
- *Phase I Environmental Site Assessment (ESA)* – 3301 Atlantic Avenue, 3428 Fulton Street, 226-296 (even) Euclid Avenue, and 215-279 (odd) Chestnut Street, Brooklyn, New York, Property Solutions, Inc., June 2010.
- *Asbestos Investigation and Bulk Sample/Laboratory Analysis* – 3301 Atlantic Avenue, Brooklyn, New York, Safety Environmental Co. of NY, Inc., July 2013.
- *Phase I Environmental Site Assessment (ESA)* – 3301 Atlantic Avenue (Block 4143, Lot 1), Brooklyn, New York, Legette, Brashears, & Graham, Inc., April 2014.
- *Chain of Title Summary Report* – 3301 Atlantic Avenue and 242 Chestnut Street, Brooklyn, New York, Phipps Houses, 2015.
- *Phase I Environmental Site Assessment (ESA)* – 3301 Atlantic Avenue and 242 Chestnut Street, Brooklyn, New York, AKRF, September 2015.
- *Subsurface (Phase II) Investigation* – 2364 Fulton Street, Brooklyn, New York, AKRF, January 2016.

Summaries of previous investigations are provided below. The Applicant believes that there is sufficient information to proceed expeditiously with this BCP application. The

Applicant, as a Volunteer under the BCP, seeks to enroll in the program to investigate and remediate the Site in a timely manner under the oversight of NYSDEC.

Subsurface (Phase II) Investigation – Blue Ridge Farms, 3301 Atlantic Avenue, 84 Dinsmore Place, & 111 Dinsmore Place, Brooklyn, New York, AKRF, May 2001

AKRF conducted a Subsurface (Phase II) Investigation of a larger area including the Site in May 2001. The Subsurface (Phase II) Investigation included a geophysical survey across exterior portions of the Site and the advancement of four soil borings with the collection and analysis of soil and groundwater samples. The scope of the investigation was based on a December 2000 Phase I ESA of the Site by IVI Environmental, Inc.

Due to reinforced concrete and asphalt across the Site, the geophysical survey was inconclusive. Soil beneath the Site consisted of fill material (brick, concrete, asphalt, clay, silt, sand, and gravel) up to six feet below grade, underlain by native soil (sand, gravel, silt and clay) to 16 feet below grade. Groundwater was encountered at approximately 32 feet below grade.

Phase I Environmental Site Assessment (ESA) – 3301 Atlantic Avenue, 3428 Fulton Street, 226-296 (even) Euclid Avenue, and 215-279 (odd) Chestnut Street, Brooklyn, New York, Property Solutions, Inc., June 2010

Property Solutions, Inc. (PSI) conducted a Phase I ESA of a larger area including the Site in April 2014. The Phase I ESA identified historical uses at the Site including a machine and iron works facility, an electrical cable manufacturer, and a food processing plant; records indicating that five USTs were previously located on the Site; and Historic Recognized Environmental Conditions (HRECs) at the Site including the Site's listing in the Leaking Underground Storage Tank (LUST) and Spills databases. PSI recommended conducting a subsurface investigation, including a geophysical survey, to investigate the potential impacts associated with historic operations and fuel oil storage at the Site.

Asbestos Investigation and Bulk Sample/Laboratory Analysis – 3301 Atlantic Avenue, Brooklyn, New York, Safety Environmental Co. of NY, Inc., July 2013

Safety Environmental Co. of NY, Inc. (Safety) conducted an asbestos survey of the buildings located on the southern portion of the Site and south-adjacent to the Site in July 2013. A total of 131 samples were collected for laboratory analysis from on-site and off-site portions of the building. The findings of the asbestos investigation identified asbestos within the building at the following locations: boiler No. 4 door insulation, boiler No. 3 caulking, first floor pipe insulation, roof transite shingles, roof membranes, roof flashing, and roof vent membranes. Safety recommended removal of all asbestos-containing material (ACM) prior to demolition of the Site building.

Phase I Environmental Site Assessment (ESA) – 3301 Atlantic Avenue (Block 4142, Lot 1), Brooklyn, New York, Legette, Brashears, & Graham, Inc., March 2014

Legette, Brashears, & Graham, Inc. (LBG) conducted a Phase I ESA of the Site and the south-adjointing area in April 2014. The Phase I ESA identified RECs associated with former uses at the Site, including: blacksmithing and stamping, a machine and iron works shop, an electric cable manufacturer, a gasoline filling station, and listings in the Spills database. The report noted the following de Minimis conditions: nearby hazardous materials/waste storage, use, or releases; and the potential presence of ACM, lead based paint, and fluorescent lighting at the Site. LBG recommended that contaminated soil discovered during redevelopment of the Site should be handled according to applicable federal, state, and local regulations.

Chain of Title Summary Report – 3301 Atlantic Avenue and 242 Chestnut Street, Brooklyn, New York, Phipps Houses, 2015

A Chain of Title Summary Report was compiled by Phipps Houses, which outlined ownership of the Site and south-adjacent and nearby properties between 2004 and 2015. The report showed the transfer of ownership from Blue Ridge Farms, Inc. to 3301 Atlantic Avenue, LLC in May 2004; from 3301 Atlantic Avenue, LLC to Sapphire Luxury Estates, LLC in July 2013; a foreclosure and sale judgement for the Site and north-adjacent properties to be sold at public auction in September 2013; and an agreement for assignment of rights and claims from Blue Ridge Farms, Inc. to 3301 Atlantic Partners, LLC in March 2014.

Phase I Environmental Site Assessment (ESA) – 3301 Atlantic Avenue and 242 Chestnut Street, Brooklyn, New York, AKRF, September 2015

AKRF conducted a Phase I ESA of a larger area including the Site in September 2015. The Phase I ESA identified the following:

- Historic on-site industrial operations, including the Columbia Machine Works and Malleable Iron Company, and the Columbia Cable and Electric Corporation. Undocumented releases from historic industrial uses may have affected subsurface conditions at the Site.
- The address 3301 Atlantic Avenue was formerly associated with the entirety of Block 4143. At the time of the Phase I ESA, 3301 Atlantic Avenue was listed in the following databases: Petroleum Bulk Storage (PBS) database for the storage of several USTs and aboveground storage tanks (ASTs), some of which may still be present; the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS); Chemical Bulk Storage (CBS); Spill database; Toxic Release Inventory Site (TRIS); and Air Discharge databases. These listings may be related to the Site and/or south-adjacent property(ies).

- The interconnected factory buildings on the southern portion of the Site were damaged by a fire in 2012. Abundant debris, including metal, wood, and ash were observed throughout the buildings during the Site inspection. Based on the documented storage of petroleum and chemicals, undocumented discharges due to the fire may have affected subsurface conditions at the Site, including high concentrations of metals and semivolatile organic compounds (SVOCs) in the ash.
- Two July 2013 Asbestos Reports identified asbestos-containing material (ACM) throughout the buildings' interiors and on exterior built-up roofing materials. Interior and exterior building materials were observed to be in fair to poor condition, with the majority of the eastern portion of the Site buildings damaged by fire. Observed painted surfaces were generally in fair to poor condition. Based on the age of the Site buildings, lead-based paint (LBP) may have been present and the fluorescent lighting fixtures and remaining electrical equipment may have contained mercury and/or polychlorinated biphenyls (PCBs). No evidence of leaks or stains from these fixtures and equipment was observed; however, releases may have occurred during the fire that were not able to be investigated due to inaccessibility and/or debris throughout the Site buildings.

AKRF concluded that these soil, groundwater, and soil vapor contaminants appear to be associated with former industrial operations at the Site. The elevated concentrations of solvents, metals, petroleum-related compounds, and VOCs appear to be concentrated on the western portion of Site.

Subsurface (Phase II) Investigation – 2364 Fulton Street, Brooklyn, New York, AKRF, January 2016

AKRF conducted a Subsurface (Phase II) Investigation at the Site in January 2016. The Subsurface (Phase II) Investigation included the advancement of three soil borings with the collection and laboratory analysis of six soil samples; the installation of one temporary, one-inch diameter PVC groundwater monitoring well at one of the boring locations with the collection and laboratory analysis of one groundwater sample; and the installation of one temporary soil vapor point with the collection and laboratory analysis of one soil vapor sample. An ambient air sample was collected for comparison and quality assurance/quality control (QA/QC) purposes. The scope of the investigation was based on the September 2015 Phase I ESA by AKRF.

Soil beneath the Site consisted of fill material (sand, gravel, silt, concrete, brick, ash, and asphalt) to depths up to approximately 11 feet below grade, underlain by apparent native soil (sand and gravel) to 40 feet below grade. Groundwater was encountered at approximately 30 feet below grade.

The Subsurface (Phase II) Investigation Report concluded that contaminated soil, groundwater, and soil vapor are present at the Site. PCE, toluene, and TCE were detected in at least one of the soil samples. TCE was detected in soil samples L1-SI-SB-3 (0-2) and L1-SI-SB-9 (0-2) at respective concentrations of 1.6 mg/kg and 2.5 mg/kg, above its UUSCO of 0.47 mg/kg but below its RRSCO of 21 mg/kg. Twenty-one metals

were detected in one or more of the soil samples. Arsenic was detected in soil samples L1-SI-SB-9 (0-2) and L1-SI-SB-9 (14-15) at respective concentrations of 20 mg/kg and 27 mg/kg, above its UUSCO of 13 mg/kg and RRSCO of 16 mg/kg. Copper was detected in soil sample L1-SI-SB-3 (0-2) at a concentration of 85 mg/kg, above its UUSCO of 50 mg/kg but below its RRSCO of 270 mg/kg, and copper was detected in soil sample L1-SI-SB-9 (0-2) at a concentration of 520 mg/kg, above its UUSCO and RRSCO. Lead was detected in soil sample L1-SI-SB-9 (0-2) at a concentration of 430 mg/kg, above its UUSCO of 63 mg/kg and its RRSCO of 400 mg/kg. Zinc was detected in soil sample L1-SI-SB-9 (0-2) at a concentration of 340 mg/kg, above its UUSCO of 109 mg/kg but below its RRSCO of 10,000 mg/kg. No other metals were detected above applicable standards in the soil samples.

The VOCs bromodichloromethane, chloroform, PCE, and TCE were detected in groundwater sample L1-SI-GW-3. Chloroform was detected in the groundwater sample at a concentration of 7.7 µg/L, slightly above its AWQS of 7 µg/L. Sixteen metals were detected in the unfiltered (total analysis) and in the filtered (dissolved analysis) groundwater sample. Sodium was detected in the unfiltered and filtered groundwater sample at respective concentrations of 74,400 µg/L and 69,800 µg/L, above its AWQS of 20,000 µg/L.

VOCs associated with petroleum were detected at individual concentrations up to 161 µg/m³. Solvent-related VOCs were detected at individual concentrations up to 903 µg/m³. Carbon tetrachloride was detected in the soil vapor sample at a concentration of 4.4 µg/m³, below its Matrix value of 60 µg/m³. Methylene chloride was detected in the soil vapor sample at a concentration of 11.2 µg/m³, below its AGV of 60 µg/m³. PCE was detected in the soil vapor sample at a concentration of 18.4 µg/m³, below its AGV of 30 µg/m³. TCE was detected in the soil vapor sample at concentrations of 903 µg/m³, above its AGV of 2 µg/m³. According to NYSDOH Soil Vapor/Indoor Air Matrix 1, the applicable matrix for TCE, sub-slab soil vapor concentrations of 250 µg/m³ and above result in a mitigate action, even if the indoor air concentration is less than 0.25 µg/m³.

AKRF concluded that these soil, groundwater, and soil vapor contaminants appear to be associated with former industrial operations at the Site. The concentrations of solvents, appear to be distributed across the Site.

2. Sampling Data

AKRF's January 2016 Subsurface (Phase II) Investigation Report concluded that contaminated soil, groundwater, and soil vapor are present at the Site. TCE was detected in soil samples L1-SI-SB-3 (0-2) and L1-SI-SB-9 (0-2) on the western portion of the Site at respective concentrations of 1.6 milligrams per kilogram (mg/kg) and 2.5 mg/kg, above its Unrestricted Use Soil Cleanup Objective (UUSCO) of 0.47 mg/kg, but below its Restricted Residential Soil Cleanup Objective (RRSCO) of 21 mg/kg. Arsenic was detected in soil samples L1-SI-SB-9 (0-2) and L1-SI-SB-9 (14-15) at respective concentrations of 20 mg/kg and 27 mg/kg, above its UUSCO of 13 mg/kg and its

RRSCO of 16 mg/kg. Copper was detected in soil sample L1-SI-SB-3 (0-2) at a concentration of 85 mg/kg, above its UUSCO of 50 mg/kg but below its RRSCO of 270 mg/kg. Copper was also detected in soil sample L1-SI-SB-9 (0-2) at a concentration of 520 mg/kg, above its UUSCO and RRSCO. Lead was detected in soil sample L1-SI-SB-9 (0-2) at a concentration of 430 mg/kg, above its UUSCO of 63 mg/kg and its RRSCO of 400 mg/kg. Zinc was detected in soil sample L1-SI-SB-9 (0-2) at a concentration of 340 mg/kg, above its UUSCO of 109 mg/kg but below its RRSCO of 10,000 mg/kg.

Chloroform was detected in the groundwater sample at a concentration of 7.7 micrograms per liter ($\mu\text{g/L}$), slightly above its Ambient Water Quality Standard (AWQS) of 7 $\mu\text{g/L}$. Sodium was detected in the unfiltered and filtered groundwater sample at respective concentrations of 74,400 $\mu\text{g/L}$ and 69,800 $\mu\text{g/L}$, above its AWQS of 20,000 $\mu\text{g/L}$. PCE was detected at a concentration of 10 $\mu\text{g/L}$ and TCE was detected at a concentration of 17 $\mu\text{g/L}$, exceeding their respective Ambient Water Quality Standards (AWQSs) of 5 $\mu\text{g/L}$ in groundwater sample L2-SI-GW-2 collected from the western portion of the Site.

Petroleum-related compounds were detected in the soil vapor sample at individual concentrations up to 161 micrograms per cubic meter ($\mu\text{g/m}^3$). Solvent-related compounds were detected at individual concentrations up to 903 $\mu\text{g/m}^3$.

Carbon tetrachloride was detected in the soil vapor sample at a concentration of 4.4 $\mu\text{g/m}^3$, below its Matrix value of 60 $\mu\text{g/m}^3$. Methylene chloride was detected in the soil vapor sample at a concentration of 11.2 $\mu\text{g/m}^3$, below its AGV of 60 $\mu\text{g/m}^3$. PCE was detected in the soil vapor sample at a concentration of 18.4 $\mu\text{g/m}^3$, below its AGV of 30 $\mu\text{g/m}^3$. TCE was detected in the soil vapor sample at concentrations of 903 $\mu\text{g/m}^3$, above its AGV of 2 $\mu\text{g/m}^3$. According to NYSDOH Soil Vapor/Indoor Air Matrix 1, the applicable matrix for TCE, sub-slab soil vapor concentrations of 250 $\mu\text{g/m}^3$ and above result in a mitigate action, even if the indoor air concentration is less than 0.25 $\mu\text{g/m}^3$.

These soil, groundwater, and soil vapor contaminants appear to be associated with former industrial operations at the Site. The concentrations of solvents and metals appear to be concentrated on the eastern portion of Site. Figures showing the soil sample concentrations above NYSDEC RRSCOs, groundwater sample concentrations above NYSDEC AWQSs, and soil vapor concentrations above NYSDOH AGVs and Matrix Values are provided as *Figures 6, 7, and 8*, respectively.

Section IV. Property Information

Proposed Site Name

Block 4143 was formerly known to NYSDEC as “Chloe Foods Corporation”. However, that name referred to the entirety of Block 4143 under an owning entity that is no longer associated with the Site. The proposed Site name is “Atlantic Chestnut – Lot 1”.

2. Tax Map

A tax map of the Site and adjacent properties is provided as *Figure 3*. Block 4143 was tentatively apportioned into Lots 1, 2, and 3 to support future redevelopment activities. The RP-602 Application for Apportionment is provided in Attachment B. It is noted that the City's tax map has not been updated yet.

6. Remediation Pursuant to Navigation Law Article 12

Spill No. 8805745 was assigned to the historic address 3301 Atlantic Avenue when two 4,000-gallon tanks failed tank tightness tests. Spill No. 8805745 was combined with Spill No. 0101620 when field evidence of petroleum contamination and volatile organic compounds (VOCs) above applicable standards were identified in soil and groundwater samples collected adjacent to a closed-in-place tank system on the southern portion of Block 4143. According to Conestoga-Rovers & Associates February 2007 Status Report, approximately 600 pounds of permanganate mixed with approximately 3,300 gallons of water was injected into 19 chemical oxidation injection points located on the south-central portion of the Site. Post-treatment groundwater laboratory results indicated that detections of petroleum-related VOCs and SVOCs were below applicable standards and/or laboratory detection limits and the spill was closed in March 2003. Details of the listing and available environmental reports indicate that the spill occurred south of the Site on the southern portion of Block 4143.

Spill No. 9412423 was reported when a tank gauge failed and approximately three gallons of No. 2 fuel oil were released onto the concrete at an exterior portion of the Site. According to the listing, the product was cleaned up and the spill closed the same day.

Spill No. 205903 was reported when a traffic accident caused approximately 100 gallons of diesel fuel to be released into the subsurface, affecting soil. No further details were listed. The spill was closed on September 9, 2002. Based on details in the database, the spill most likely occurred on the street adjacent to the Site.

Based on listing details, the majority of these spill listings most likely occurred off-site. Spill No. 941243 potentially occurred on-site, but appears not to be related to contamination identified during AKRF's January 2016 Subsurface (Phase II) Investigation.

9. Permits Issued by DEC or USEPA

The following permits were issued for the facility that formerly occupied the entirety of Block 4143:

- Air Discharge Site – USEPA Facility ID 36047N1202 was issued for Blue Ridge Farms, Inc.; Operational State Implementation Plan (SIP) source and Title V

Permits for nitrogen dioxide. According to the listing, the Site was in compliance with procedural requirements and in violation with regard to procedural compliance.

- Toxic Release Inventory System – USEPA Facility ID 11208BLRDG3301A was issued for Blue Ridge Foods, Inc.; Fugitive or non-point air emissions of 6,000 pounds per year of ammonia in 1990.
- CERCLIS – USEPA Facility ID NYN000206581 was issued for Chloe Foods; Removal of a potential tank of anhydrous ammonia in the Site building after a fire in 2012.

No permits are currently anticipated for the proposed Site.

10. Property Description and Environmental Assessment

Location

The Site is approximately 65,994 square feet and consist of a concrete and asphalt-paved parking and loading area (northern portion) and the northern extents of a series of vacant, interconnected, fire-damaged factory buildings (southern portion). The Site is rectangular in shape, and is bound by Fulton Street and the elevated J and Z MTA subway tracks to the north, Euclid Avenue, followed by residential properties to the east; vacant manufacturing buildings to the south; and Chestnut Street, followed by commercial properties to the west. The Site is located in a developed area predominantly consisting of residential, commercial, transportation, and manufacturing properties.

Site Features

The Site is developed with a concrete and asphalt-paved parking and loading area (northern portion) and the northern extents of a series of vacant, interconnected, fire-damaged factory buildings (southern portion).

Current Zoning and Land Use

The Site is currently vacant and is zoned as M1-1 and C8-2 for manufacturing and commercial use. The surrounding area is developed with residential, commercial, manufacturing, transportation, and industrial uses. The elevated J and Z MTA subway tracks are located above Fulton Street to the north and the LIRR tracks are located beneath Atlantic Avenue to the south. A Zoning Map is attached in *Appendix B* as *Figure 5*.

Past Use of the Site

Historic records indicated that, historically, the Site was developed with residences and a road in 1887 and with industrial and manufacturing uses, including the Columbia Machine Works and Malleable Iron Company, the Columbia Cable and Electric Corporation, Blue Ridge Farms, Inc., and Chloe Foods Corp. between 1908 and 2012. Prior uses that appear to have led to Site contamination include blacksmithing and

stamping, a brass foundry, wood working, a blacksmith, a machine stope, tank and engine rooms, an iron works, wire braiding, and cable manufacturing.

Previous sampling at the Site identified elevated levels of heavy metals in soil; elevated levels of solvents in groundwater; and elevated levels of solvents and petroleum-related compounds in soil vapor.

Site Geology and Hydrogeology

Surface topography at the Site is generally level, except for the former loading bays, which slope down to the south toward the Site buildings. According to the April 2015 ALTA/ACSM Land Title Survey prepared by Roguski Land Surveying, P.C., the Site lies at an elevation of approximately 40 feet above mean sea level. Historic fill materials (including sand, gravel, silt, concrete, brick, ash, and asphalt) were observed from just below the surface to depths up to approximately 11 feet below grade within the soil borings underlain by apparent native sand and gravel to approximately 40 feet below grade. Bedrock was not encountered during any of the investigations conducted at the Site. The surrounding area slopes down to the south. Groundwater was encountered approximately 30 feet below grade at the Site during the Subsurface (Phase II) Investigation. Based on information from an investigation at 3319-3325 Atlantic Avenue, located east of the Site across Euclid Avenue, groundwater is expected to flow southerly in the Site vicinity.

Environmental Assessment

According to AKRF's January 2016 Subsurface (Phase II) Investigation Report, the primary contaminants of concern for the Site include the solvent-related VOCs trichloroethene (TCE) and tetrachloroethene (PCE).

Soil: TCE was detected in soil samples L1-SI-SB-3 (0-2) and L1-SI-SB-9 (0-2) collected from the western portion of the Site at respective concentrations of 1.6 mg/kg and 2.5 mg/kg, above its UUSCO of 0.47 mg/kg but below its RRSCO of 21 mg/kg. Arsenic was detected in soil samples L1-SI-SB-9 (0-2) and L1-SI-SB-9 (14-15) collected from the western portion of the Site at respective concentrations of 20 mg/kg and 27 mg/kg, above its UUSCO of 13 mg/kg and RRSCO of 16 mg/kg. Copper was detected in soil sample L1-SI-SB-3 (0-2) western portion of the Site at a concentration of 85 mg/kg, above its UUSCO of 50 mg/kg but below its RRSCO of 270 mg/kg, and copper was detected in soil sample L1-SI-SB-9 (0-2) western portion of the Site at a concentration of 520 mg/kg, above its UUSCO and RRSCO. Lead was detected in soil sample L1-SI-SB-9 (0-2) western portion of the Site at a concentration of 430 mg/kg, above its UUSCO of 63 mg/kg and its RRSCO of 400 mg/kg. Zinc was detected in soil sample L1-SI-SB-9 (0-2) western portion of the Site at a concentration of 340 mg/kg, above its UUSCO of 109 mg/kg but below its RRSCO of 10,000 mg/kg.

Groundwater: Chloroform was detected in the groundwater sample western portion of the Site at a concentration of 7.7 µg/L, slightly above its AWQS of 7 µg/L. Sodium was

detected in the unfiltered and filtered groundwater sample at respective concentrations of 74,400 µg/L and 69,800 µg/L, above its AWQS of 20,000 µg/L.

Soil Vapor: Petroleum-related compounds were detected in the soil vapor sample western portion of the Site at individual concentrations up to 161 µg/m³. Solvent-related compounds were detected in the soil vapor sample western portion of the Site at individual concentrations up to 903 µg/m³. Carbon tetrachloride was detected in the soil vapor sample at a concentration of 4.4 µg/m³, below its Matrix value of 60 µg/m³. Methylene chloride was detected in the soil vapor sample at a concentration of 11.2 µg/m³, below its AGV of 60 µg/m³. PCE was detected in the soil vapor sample at a concentration of 18.4 µg/m³, below its AGV of 30 µg/m³. TCE was detected in the soil vapor sample at concentrations of 903 µg/m³, above its AGV of 2 µg/m³. According to NYSDOH Soil Vapor/Indoor Air Matrix 1, the applicable matrix for TCE, sub-slab soil vapor concentrations of 250 µg/m³ and above result in a mitigate action, even if the indoor air concentration is less than 0.25 µg/m³.

PART B

Section VI. Previous Property Owners/Operators

Table 4
Property Owners/Operators

Property Owners/Operators	Years of Ownership	Status of Entity (Alive, Deceased, Active, Dissolved)	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor	Owner/Operator
*Atlantic Chestnut Affordable Housing, LLC	2015-Present	Active	902 Broadway, 13 th Floor New York, NY 10010	Requestor	Owner; Operator Unknown
Atlantic Chestnut, LLC c/o Platte, Klarsfeld, Levin, & Latchman, LLP	2014-2015	Unknown	10 East 40 th Street, 46 th Floor New York, NY 10016	None	Owner; Operator Unknown
Sapphire Luxury Estates, LLC	2013-2014	Unknown	756 Calhoun Avenue Bronx, New York 10456	None	Owner; Operator Unknown
3301 Atlantic Avenue, LLC	2004-2013	Unknown	90-04 161 st Street Jamaica, NY 11432	None	Owner; Operator Unknown
Blue Ridge Farms, Inc.	1984-2004	Unknown	3301 Atlantic Avenue Brooklyn, New York 11208	None	Owner; Operator Unknown
Avnal Inc.	1908-1984	Unknown	529 Fifth Avenue, Suite 1600 New York, NY 10017	None	Owner; Operator Unknown
Columbia Electric Realty Inc.	Prior to 1980	Unknown	255 Chestnut Street Brooklyn, New York 11208	None	Owner; Operator Unknown

* Proper due diligence was conducted prior to purchase. As historic operations believed to have caused the contamination are no longer occurring and the Site has been secured by Atlantic Chestnut Affordable Housing, LLC, there no longer is any continuing discharge, potential future releases have been prevented,

and any exposure or potential exposure has been eliminated. As such, the Applicant should be considered a volunteer.

Section VII. Requestor Eligibility Information

11. Unregistered Bulk Storage Tanks

Although no bulk storage tanks requiring registration with NYSDEC were observed during the Phase I ESA, access was limited and the potential exists for aboveground and/or underground storage tanks at the Site.

Section VIII. Property Eligibility Information

1. CERLCA/NPL Listing

3301 Atlantic Avenue, the address historically associated with the entirety of Block 4143, was listed in the CERCLIS database for the removal of a potential tank of anhydrous ammonia after a fire engulfed the eastern portion of the Site in July 2012. According to a July 2012 United States Environmental Protection Agency (USEPA) Pollution Situation Report, approximately 18,800 pounds of anhydrous ammonia previously used for refrigeration at the Site, had been removed prior to the fire in 2012. An inspection by the USEPA in association with the NYC Office of Emergency Management (OEM), NYC Housing Preservation and Development (HPD), New York State Department of Environmental Conservation (NYSDEC) concluded that little damage occurred in the portion of the building that potentially housed the ammonia refrigeration system. Additionally, perimeter air monitoring conducted during the July 2012 inspection reportedly did not indicate evidence of an ammonia release.

2. Registry Listings

a. Chemical Bulk Storage

The Site is listed as Chemical Bulk Storage Facility ID 2-000338. Details of the facility data is listed in Table 5.

Table 5
Chemical Bulk Storage Facility Data

Facility	Capacity (gallons)	Product Stored	Status
Blue Ridge Farms 3301 Atlantic Avenue Brooklyn, New York	1,500 AST	Sodium Hypochlorite	In Service
	1,000 AST	Sodium Hydroxide	In Service
	1,000 AST	Potassium Hydroxide	In Service
	2 x 3,664 AST	Ammonia	Converted/ Non-Regulated
Notes: AST = aboveground storage tank			

b. Petroleum Bulk Storage

The Site is listed as Petroleum Bulk Storage Facility 2-095923. Details of the facility data is listed in Table 6.

Table 6
Petroleum Bulk Storage Facility Data

Location	Capacity (gallons)	Product Stored	Status
Blue Ridge Farms, Inc. 3301 Atlantic Avenue Brooklyn, New York	10,000 UST	No. 2 Fuel Oil	Closed - Removed
	6 x 4,000 UST	Gasoline	Closed - Removed
	10,000 AST	No. 2 Fuel Oil	Temporarily Out of Service
	300 AST	Lubrication Oil	In Service
	4,000 UST	Diesel	Closed - Removed
Notes: UST = underground storage tank; AST = aboveground storage tank			

c. Spills

3301 Atlantic Avenue, the address historically associated with the entirety of Block 4143, is listed in the Spills Database with the following spills:

- Spill No. 9412423 was reported in December 1994 when a tank gauge failed and approximately three gallons of No. 2 fuel oil were released onto the concrete at an exterior portion of the Site. According to the listing, the product was cleaned up and the spill closed the same day.
- Spill No. 205903 was reported in September 2002. A traffic accident caused approximately 100 gallons of diesel fuel to be released into the subsurface, affecting soil. No further details were listed. The spill was closed on September 9, 2002. Based on details in the database, the spill most likely occurred on the street adjacent to the Site.

Section IX. Contact List Information

1. Local, State, and Federal Officials

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007-1200	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street New York, NY 10007
Hon. Eric L. Adams Brooklyn Borough President 209 Joralemon Street Brooklyn, New York 11201	Hon. James Sanders Jr. NY State Senator 142-01 Rockaway Boulevard South Ozone Park, New York 11436
Hon. Rafael Espinal New York City Council District 37 76 Knickerbocker Avenue Brooklyn, New York 11207	Department of City Planning City Government Office 120 Broadway, 31 st Floor New York, NY 10271
Department of City Planning Brooklyn Borough Office 16 Court Street, 7 th Floor Brooklyn, New York 11241	Daniel Walsh, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038
Hon. Governor Andrew M. Cuomo NYS State Capitol Building Albany, New York 12224	Hon. Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510
Hon. Gregory W. Meeks U.S. House of Representatives 2234 Rayburn House Office Building Washington, DC 20515	Hon. Kirsten Gillibrand U.S. Senate 478 Russell Senate Office Building Washington, DC 20510

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site, Block 4143, Lot 1, is currently owned by Atlantic Chestnut Affordable Housing, LLC, located at 902 West Broadway, 13th Floor, New York, NY 10010. A list of adjacent properties and owners is provided below:

<u>Adjacent to the north:</u>	<u>Adjacent to the south:</u>
<p><u>Block 4128, Lot 1</u> Current Occupant 3247 Fulton Street Brooklyn, New York 11208</p> <p>TJA Realty, LLC (Owner) 2415 Ocean Parkway Brooklyn, New York 11235</p> <p><u>Block 4128, Lot 71</u> Current Occupant 3249 Fulton Street Brooklyn, New York 11208</p> <p>TJA Realty, LLC (Owner) 2415 Ocean Parkway Brooklyn, New York 11235</p> <p><u>Block 4128, Lot 70</u> Jenkins, Clifford (Occupant/Owner) 3255 Fulton Street Brooklyn, New York 11208</p> <p><u>Block 4128, Lot 66</u> Hakim, Mohamed A. (Occupant/Owner) 3263 Fulton Street Brooklyn, New York 11208</p> <p><u>Block 4128, Lot 54</u> RC CH Blessed Sacrament (Occupant/Owner) 204 Euclid Avenue Brooklyn, New York 11208</p>	<p><u>Block 4143, Lot 2</u> 235 Chestnut Street Brooklyn, New York 11208 % Atlantic Chestnut Affordable Housing, LLC (Occupant/Owner) 902 Broadway, 13th Floor New York, NY 10010</p>

<u>Adjacent to the east:</u>	<u>Adjacent to the west:</u>
<p><u>Block 4145, Lot 32</u> Current Occupant 3286 Fulton Street Brooklyn, New York 11208</p>	<p><u>Block 4141, Lot 25</u> Ishmail, Amir Alli (Occupant/Owner) 3244 Fulton Street Brooklyn, New York 11208</p>
<p>Eber & Southern, Inc. (Owner) 102-22 Park Lane South Richmond Hill, New York 11418</p>	<p><u>Block 4141, Lot 26</u> Current Occupant/Owner 232 Chestnut Street Brooklyn, New York 11208</p>
<p><u>Block 4145, Lot 31</u> Roopnarine, Premwatt (Occupant/Owner) 241 Euclid Avenue Brooklyn, New York 11208</p>	<p><u>Block 4141, Lot 26</u> Current Occupant 232 Chestnut Street Brooklyn, New York 11208</p>
<p><u>Block 4145, Lot 30</u> Hiralal, Harry P. (Occupant/Owner) 243 Euclid Avenue Brooklyn, New York 11208</p>	<p>Hard Eight, LLC (Owner) 234 Chestnut Street Brooklyn, New York 11208</p>
<p><u>Block 4145, Lot 29</u> Ramkissoon, Balkissoon (Occupant/Owner) 245 Euclid Avenue Brooklyn, New York 11208</p>	<p><u>Block 4141, Lot 27</u> Hard Eight, LLC (Occupant/Owner) 234 Chestnut Street Brooklyn, New York 11208</p>
<p><u>Block 4145, Lot 28</u> Doreen, Deane (Occupant/Owner) 269 Euclid Avenue Brooklyn, New York 11208</p>	
<p><u>Block 4145, Lot 27</u> Elvia, Bautista (Occupant/Owner) 249 Euclid Avenue Brooklyn, New York 11208</p>	
<p><u>Block 4145, Lot 26</u> Ellis, Winston (Occupant/Owner) 251 Euclid Avenue Brooklyn, New York 11208</p>	
<p><u>Block 4145, Lot 25</u> Kemrajh, Deepoo (Occupant/Owner) 253 Euclid Avenue Brooklyn, New York 11208</p>	

<u>Adjacent to the east:</u>	
<u>Block 4145, Lot 123</u> Sulaiman, Suknanand (Occupant/Owner) 257 Euclid Avenue Brooklyn, New York 11208	

3. Local News Media

Brooklyn Daily Eagle 16 Court Street, Suite 1208 Brooklyn, New York 11241	WABC-TV 7 Lincoln Square New York, NY 10023
New York 1 News 75 Ninth Avenue New York, NY 10011 Email: ny1news@ny1.com	1010 Wins – CBS Radio 888 7 th Avenue, 10 th Floor New York, New York 10106
The New York Times 229 West 43 rd Street New York, NY 10036	WNYW Fox 5 205 East 67 th Street New York, NY 10021
New York Daily News 4 New York Plaza New York, NY 10004	WNBC News 4 30 Rockefeller Plaza, 7 th Floor New York, NY 10112

4. Public Water Supply

Public water is provided by The City of New York, Department of Environmental Protection (Customer Service Center, 59-17 Junction Boulevard, 13th Floor, Flushing, New York 11373).

5. Additional Contacts

None

6. Nearby School and Day Care Centers

Daycares:

Cypress Hills Child Care Center
3295 Fulton Street
Brooklyn, New York 11208
Maria Contreras-Collier
(718) 235-3949
Distance: 575 feet northeast of the Site

Papayas Place Child Care
308 Hemlock Street
Brooklyn, New York 11208
Carolina Rodriguez
(347) 803-8043
Distance: 960 feet east of the Site

Lil Roses Group Family Daycare
15 Campus Place
Brooklyn, New York 11208
(718) 827-5420
Jovita Arzu
Distance: 1,190 feet northeast of the Site

I Love Me Early Childhood Center
93 Norwood Avenue
Brooklyn, New York 11208
Layota Simon
(718) 235-3416
Distance: 1,500 feet northwest of the Site

Saint Peter's Evangelical Lutheran Church Daycare
109 Highland Place
Brooklyn, New York 11208
David H. Benke
(718)647-1014
Distance: 1,760 feet northwest of the Site

Schools:

Blessed Sacrament School
187 Euclid Avenue
Brooklyn, New York 11208
Marylou Celmer
(718) 235-4863
Distance: 660 feet north of the Site

Achievement First East New York Middle School
158 Richmond Street
Brooklyn, New York 11208
Injy Carpenter
(718) 235-2570
Distance: 820 feet northwest of the Site

East New York High School of Transit Technology/ Transit Tech Career and Technical Educational High School
1 Wells Street
Brooklyn, New York 11208
Marlon Bynum
(718) 647-4458
Distance: 1,050 feet south-southwest of the Site

7. Document Repository

Cypress Hills Branch Library
1197 Sutter Avenue
Brooklyn, New York 11208
Rowshon Perveen
(718) 227-6004

8. Local Community Board

Brooklyn Community Board District 5
127 Pennsylvania Avenue
Brooklyn, New York 11207
(718) 498-5711

Section X. Land Use Factors

1. Zoning

The Site is currently vacant and is zoned as M1-1 and C8-2 for manufacturing and commercial use. The proposed use of the Site is mixed-use commercial and residential. As part of the required approvals for the redevelopment, the zoning will be changed to accommodate the proposed future use of the Site.

2. Current Site Use

The Site consists of a series of vacant, interconnected, fire-damaged factory buildings. The Site was historically used for industrial operations, including the Columbia Machine Works and Malleable Iron Company, and the Columbia Cable and Electric Corporation. The Site was most recently used as a food processing plant (Blue Ridge Farms, Inc. and Chloe Foods Corp.) before it was burned in a fire in July 2012. The Site has remained vacant since that time.

3. Proposed Site Use

The proposed redevelopment includes the demolition of the existing buildings and the construction of a new 6 to 14-story mixed-use building with 391 affordable apartment units, approximately 26,934 ground square feet (GSF) of commercial and/or community facility space, and approximately 61,600 GSF of basement-level parking.

ATTACHMENT A

**NEW YORK STATE DEPARTMENT OF STATE'S CORPORATION
AND ENTITY DATABASE**

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 28, 2015.

Selected Entity Name: ATLANTIC CHESTNUT AFFORDABLE HOUSING LLC

Selected Entity Status Information

Current Entity Name: ATLANTIC CHESTNUT AFFORDABLE HOUSING LLC

DOS ID #: 4794257

Initial DOS Filing Date: JULY 23, 2015

County: NEW YORK

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

902 BROADWAY

13TH FLOOR

NEW YORK, NEW YORK, 10010

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
JUL 23, 2015	Actual	ATLANTIC CHESTNUT AFFORDABLE HOUSING 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.

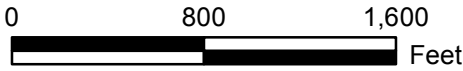
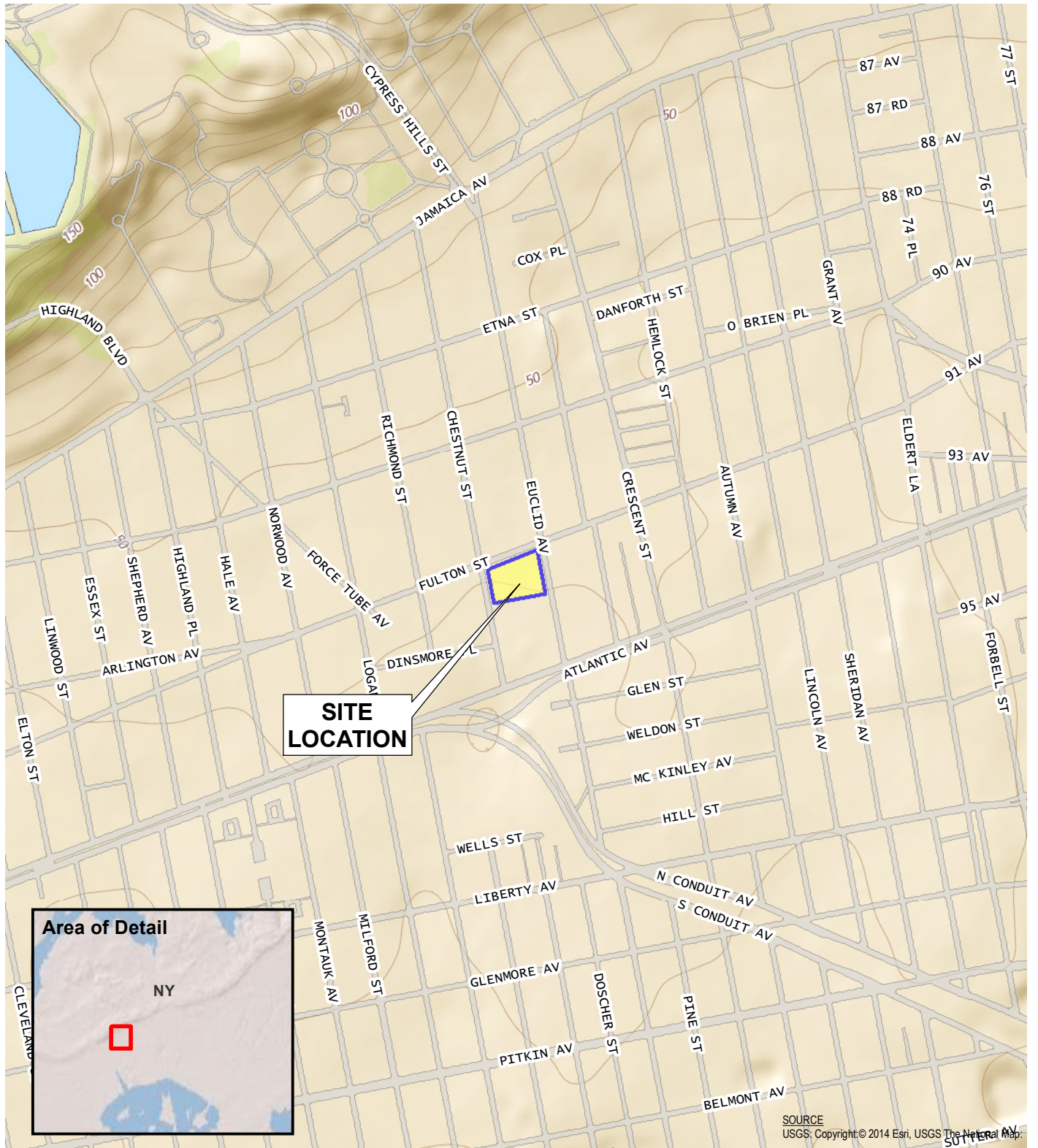
NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS](#)
[Homepage](#) | [Contact Us](#)

ATTACHMENT B

FIGURES



3264 Fulton Street
Brooklyn, New York

SITE LOCATION



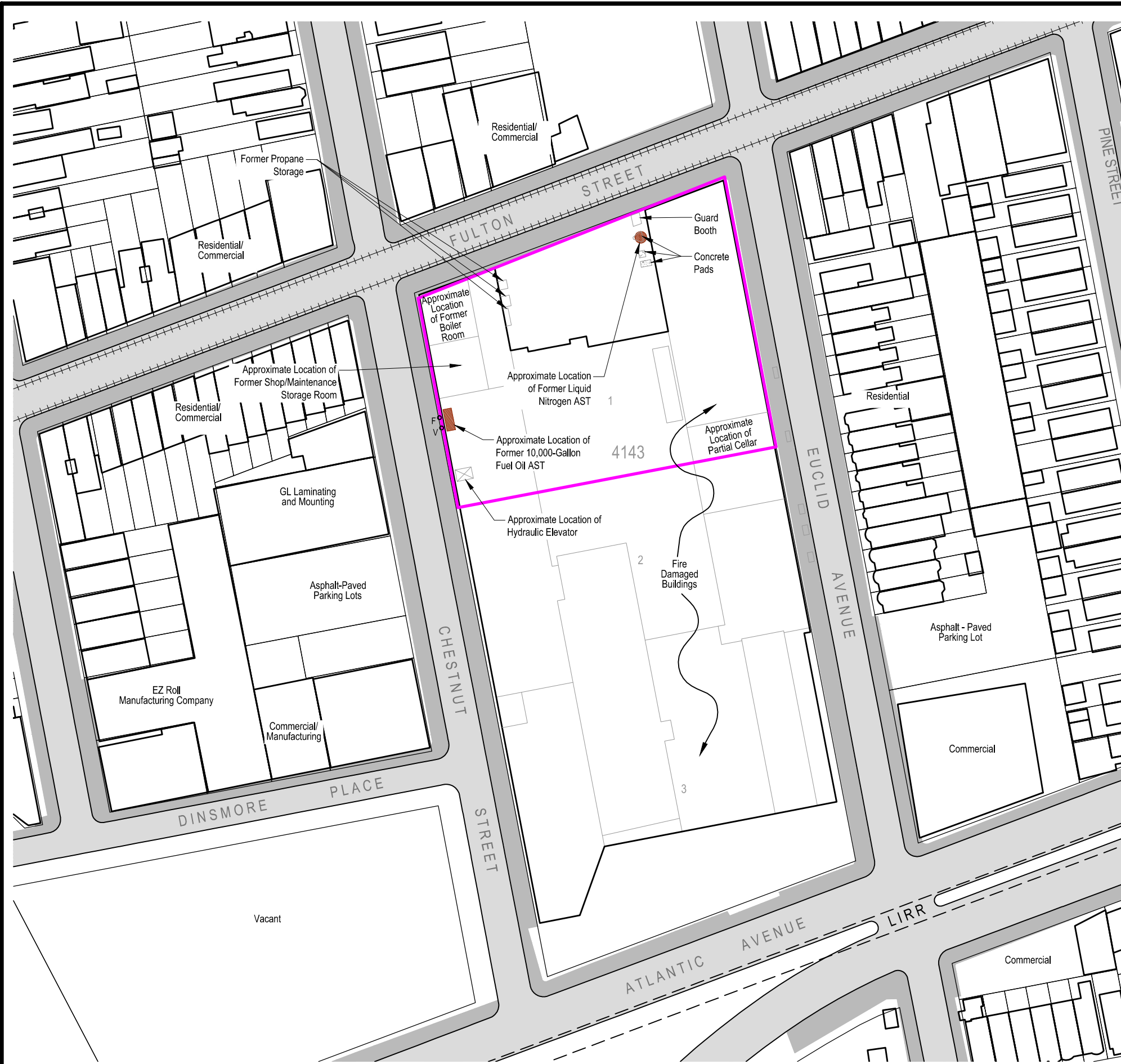
Environmental Consultants
440 Park Avenue South, New York, NY 10016

DATE
2/5/2016

PROJECT No.
12184






FIGURE
1

© 2016 AKRF, Inc. Environmental Consultants w:\projects\12184 - phipps 3301- atlantictchnical\hazmat\3264 fulton street (north lot)\cad\12184 fig 2 site plan.dwg



Map Source:
- NYCDP (NYC Dept. of City Planning) GIS database.



- LEGEND:**
-  PROJECT SITE BOUNDARY
 -  LOT BOUNDARY
 - 4143** BLOCK NUMBER
 -  BUILDING LINE
 -  MTA RAILROAD ELEVATED TRACKS
 -  LIRR SUBTERRANEAN TRACKS



AKRF
Environmental Consultants
440 Park Avenue South, New York, NY 10016

3264 Fulton Street
Brooklyn, New York

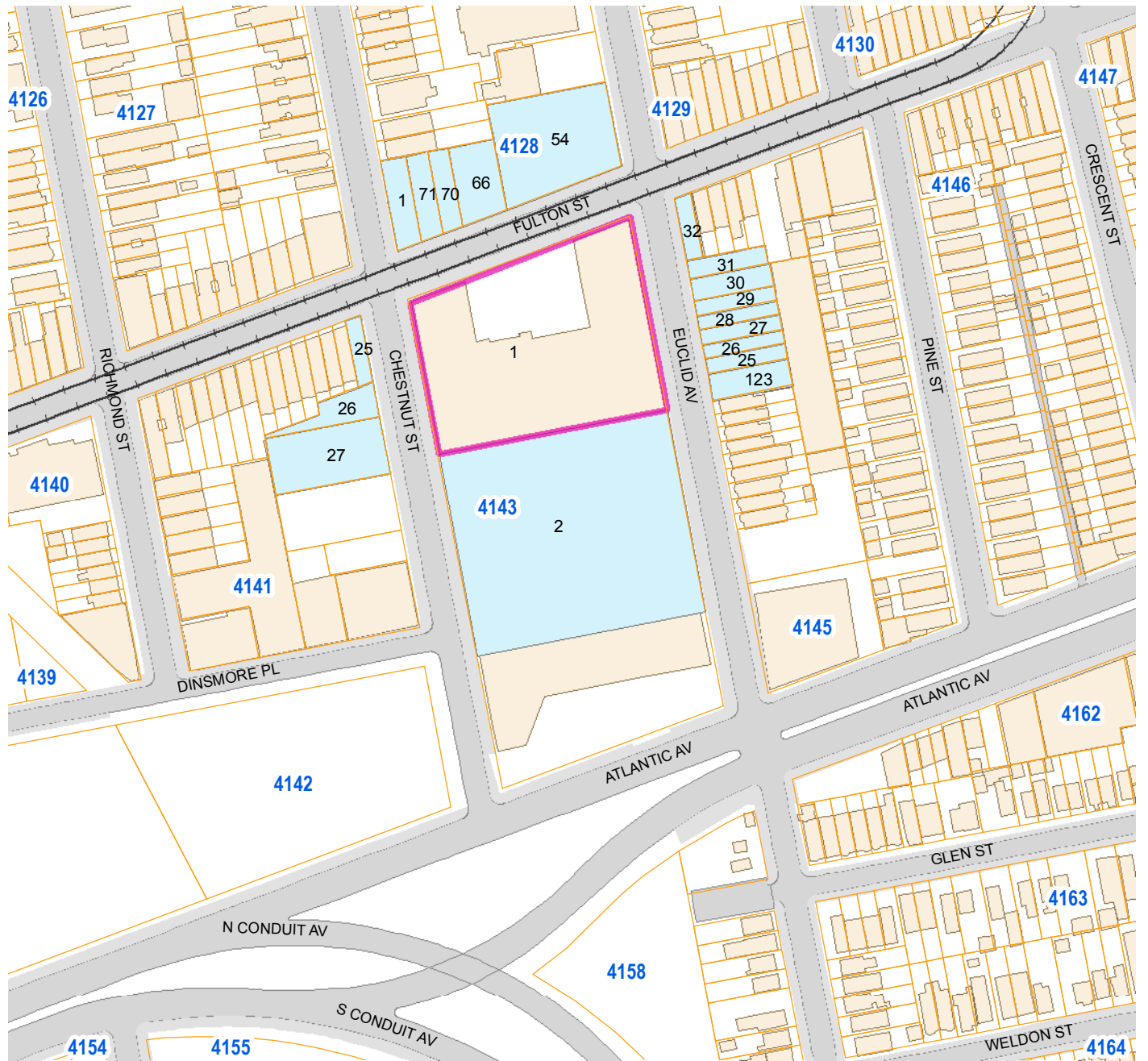
SITE PLAN

DATE
2/5/2016

PROJECT NO.
12184

SCALE
as shown

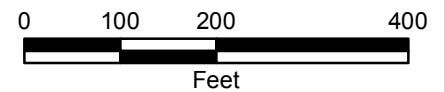
FIGURE
2



Legend

- Lots
- Project Site Location
- Adjacent Property Owners
- 4143** Block Number

Adjacent Property Owners			
Block	Lot	Owner Name	
4128	1	TJA Realty, LLC	
4128	71	TJA Realty, LLC	
4128	70	Jenkins, Clifford	
4128	66	Hakim, Mohamed A.	
4128	54	RC CH Blessed Sacrament	
4141	27	Hard Eight, LLC	
4141	26	Hard Eight, LLC	
4141	25	Ishmail, Amir Alli	
4143	2	Atlantic Chestnut Affordable Housing, LLC	
4145	32	Eber & Southern, Inc.	
4145	31	Roopnarine, Premwatt	
4145	30	Hiralal, Harry P.	
4145	29	Ramkissoon, Balkissoon	
4145	28	Doreen, Deane	
4145	27	Elvia, Bautista	
4145	26	Ellis, Winston	
4145	25	Kenrajh, Deepoo	
4145	123	Sulaiman, Suknanand	



3264 Fulton Street
Brooklyn, New York



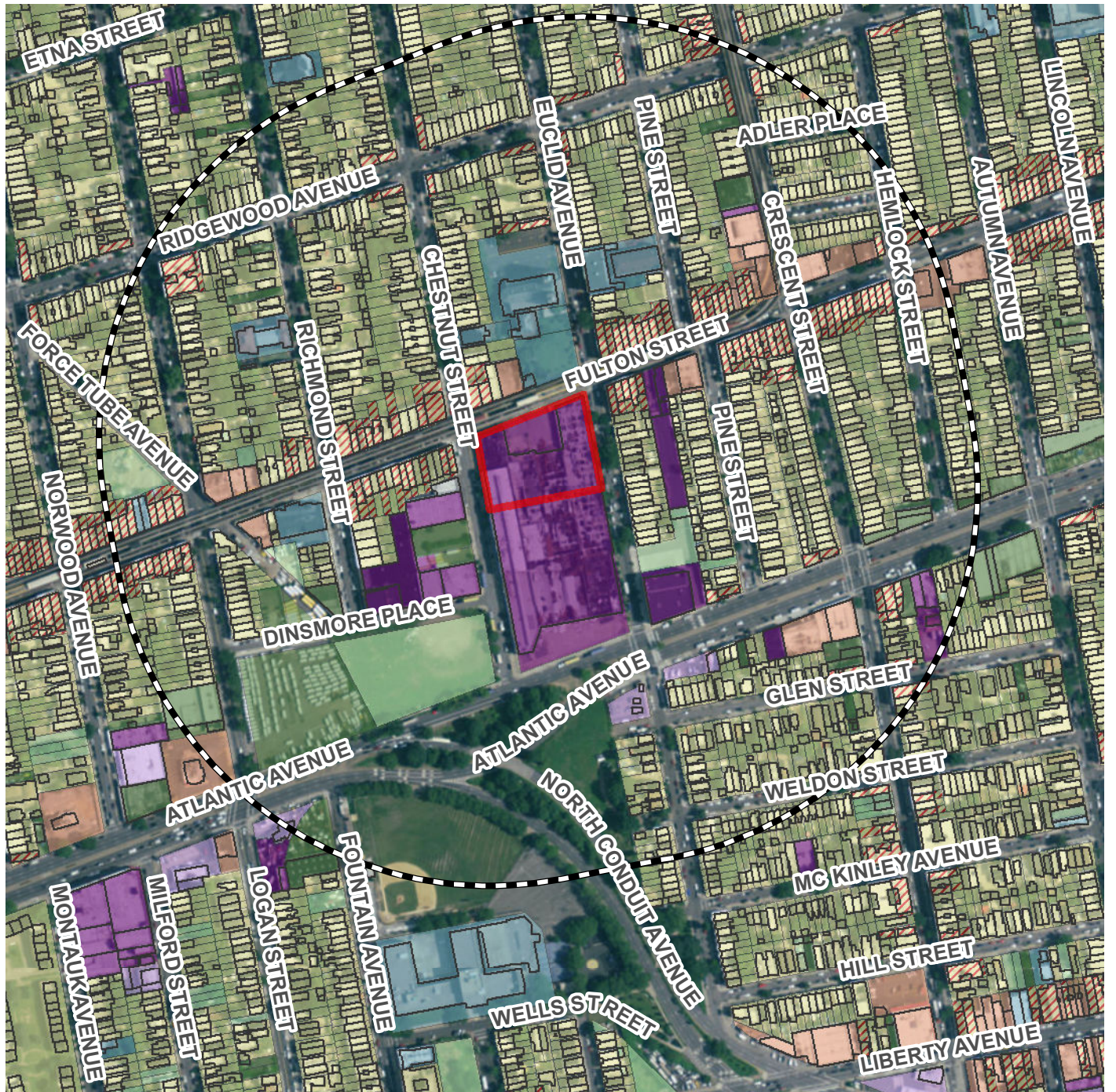
Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
2/5/2016












PROJECT No.
12184

FIGURE
3

TAX MAP

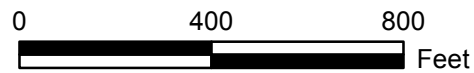


Legend

-  1000-Foot Site Radius
-  Site Location
-  Commercial and Office Buildings
-  Vacant Land
-  Industrial and Manufacturing
-  Parking Facilities
-  Public Facilities and Institutions
-  Residential
-  Residential with Commercial Below
-  Transportation and Utility
-  Under Construction

Source

Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



3264 Fulton Street
Brooklyn, New York

EXISTING LAND USE

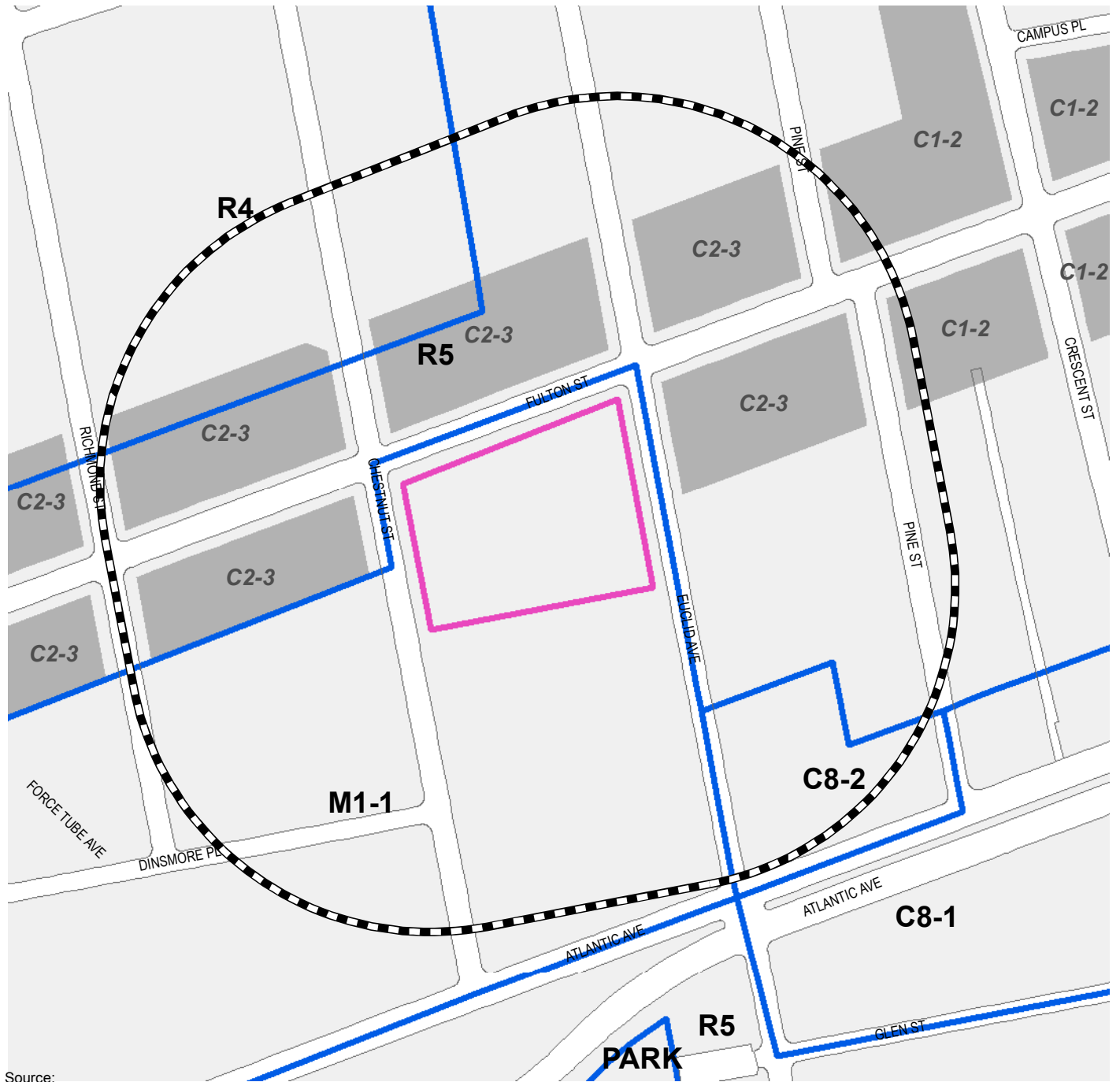


Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
2/5/2016

PROJECT No.
12184





FIGURE
4

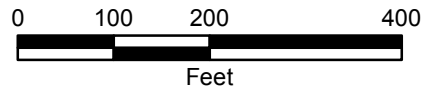


Source:
NYC Department of City Planning, Technical Review Division



Legend

-  400-Foot Buffer
-  Project Site Location
-  Zoning Districts
-  Commercial Overlay Districts



3264 Fulton Street
Brooklyn, New York



DATE
2/5/2016

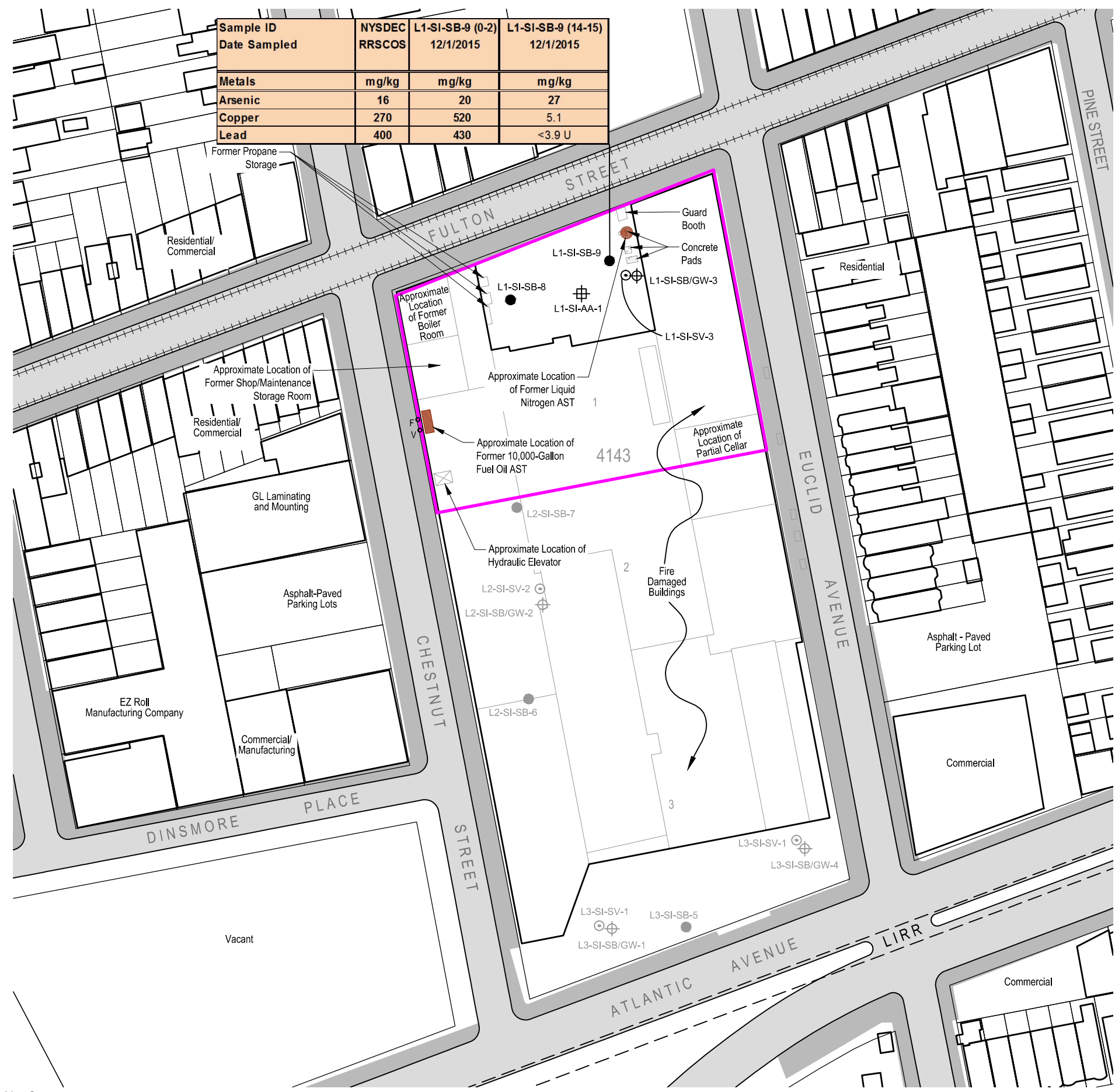
PROJECT No.
12184

ZONING MAP

Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

FIGURE
5

Sample ID	NYSDEC	L1-SI-SB-9 (0-2)	L1-SI-SB-9 (14-15)
Date Sampled	RRSCOS	12/1/2015	12/1/2015
Metals	mg/kg	mg/kg	mg/kg
Arsenic	16	20	27
Copper	270	520	5.1
Lead	400	430	<3.9 U



- LEGEND:**
- PROJECT SITE BOUNDARY
 - LOT BOUNDARY
 - 4143 BLOCK NUMBER
 - BUILDING LINE
 - MTA RAILROAD ELEVATED TRACKS
 - LIRR SUBTERRANEAN TRACKS
 - SOIL BORING LOCATION
 - SOIL BORING/GROUNDWATER SAMPLE LOCATION
 - SOIL VAPOR SAMPLE LOCATION
 - AMBIENT AIR SAMPLE LOCATION
 - OFF-SITE SAMPLE LOCATIONS (IDENTIFIED IN GRAY)

SOIL

Part 375 Soil Cleanup Objectives listed in NYSDEC (New York State Department of Environmental Conservation) "Part 375" Regulations (6 NYCRR Part 375). Objectives

mg/kg : milligrams per kilogram = parts per million (ppm)

Exceedances of Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs) are highlighted in gray.

U : The analyte was not detected at the indicated concentration.

Sample ID	NYSDEC	L1-SI-SB-9 (0-2)	L1-SI-SB-9 (14-15)
Date Sampled	RRSCOS	12/1/2015	12/1/2015
Metals	mg/kg	mg/kg	mg/kg
Arsenic	16	20	27
Copper	270	520	5.1
Lead	400	430	<3.9 U

Analyte/Compound in Soil



© 2016 AKRF, Inc. Environmental Consultants w:\projects\12184 - phipps 3301-atlantictech\civil\hazmat\bc\3264-fulton street (north lot)\cad\12184-figs 6.7 and 8.dwg

Map Source:
- NYCDP (NYC Dept. of City Planning) GIS database.

© 2016 AKRF, Inc. Environmental Consultants w:\projects\12184 - phipps 3301-atlantictchnical\hazmat\3264-fulton street (north lot)\cad\12184-figs 6.7 and 8.dwg



Sample ID	NYSDEC Class GA AWQS	L1-SI-GW-3 12/1/2015
VOCs	µg/L	µg/L
Chloroform	7	7.7
Metals	µg/L	µg/L
Sodium, Total	20,000	74,400
Sodium, Dissolved	20,000	69,800



LEGEND:

- PROJECT SITE BOUNDARY
- LOT BOUNDARY
- 4143 BLOCK NUMBER
- BUILDING LINE
- +++++ MTA RAILROAD ELEVATED TRACKS
- - - - - LIRR SUBTERRANEAN TRACKS
- L1-SI-SB-8 SOIL BORING LOCATION
- ⊕ L1-SI-SB/GW-3 SOIL BORING/GROUNDWATER SAMPLE LOCATION
- ⊙ L1-SI-SV-3 SOIL VAPOR SAMPLE LOCATION
- ⊞ L1-SI-AA-1 AMBIENT AIR SAMPLE LOCATION
- ⊕ ⊙ OFF-SITE SAMPLE LOCATIONS (IDENTIFIED IN GRAY)

GROUNDWATER

NYSDEC Class GA Ambient Water Quality Standards
 New York State Department of Environmental Conservation Technical and Operational Guidance Series (1.1.1): Class GA Ambient Water Quality Standards and Guidance Values.

µg/L : micrograms per Liter = parts per billion (ppb)

Exceedances of **NYSDEC Class GA Ambient Water Quality Standards (AWQSs)** are highlighted in bold font.

Sample ID	NYSDEC Class GA AWQS	L1-SI-GW-3 12/1/2015
VOCs	µg/L	µg/L
Chloroform	7	7.7
Metals	µg/L	µg/L
Sodium, Total	20,000	74,400
Sodium, Dissolved	20,000	69,800

← Sample ID
 ← Sample Date
 ← Concentration in Groundwater
 ← Analyte/Compound in Groundwater



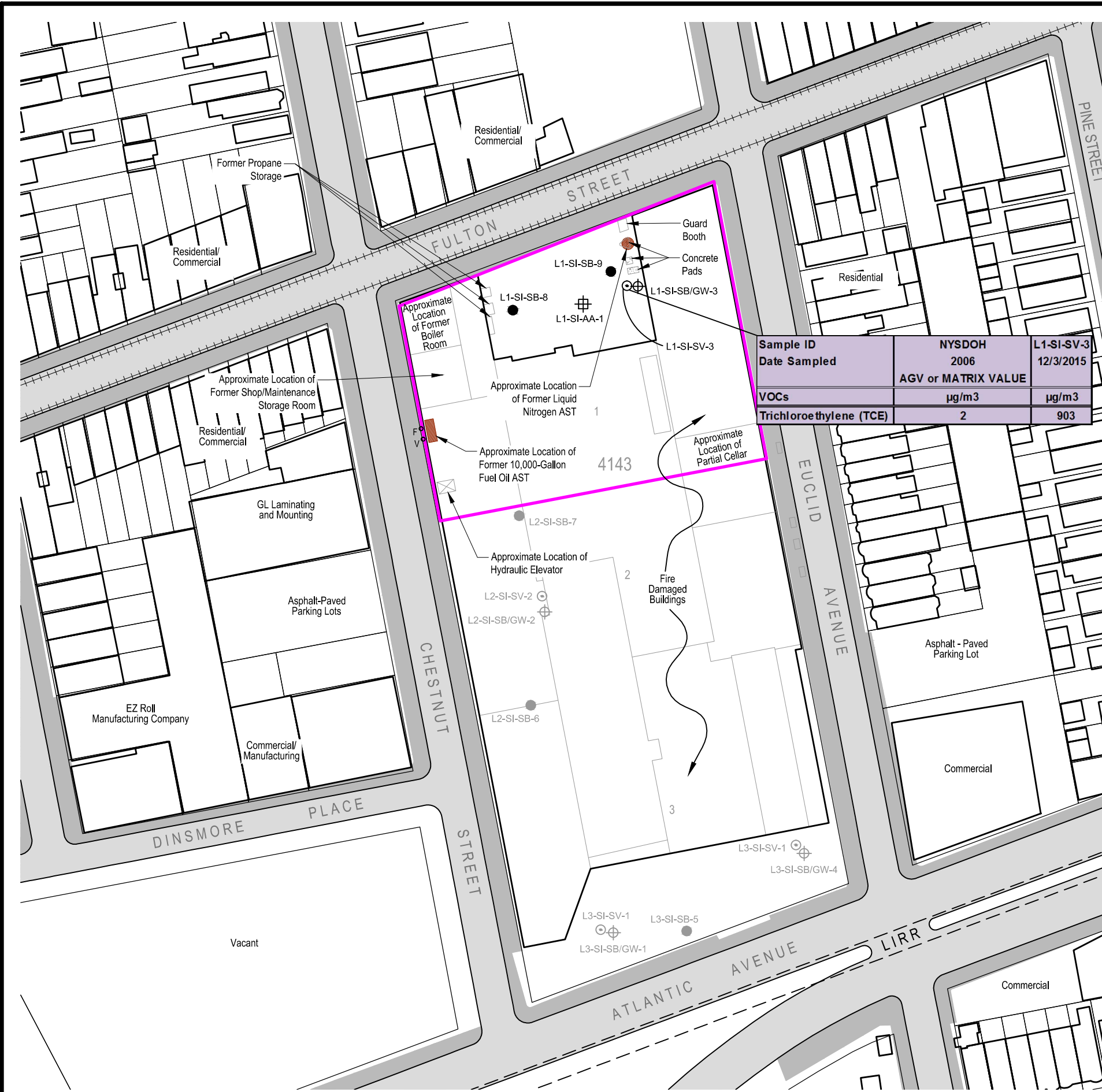
AKRF
 Environmental Consultants
 440 Park Avenue South, New York, NY 10016

3264 Fulton Street
 Brooklyn, New York
GROUNDWATER SAMPLE CONCENTRATIONS ABOVE NYSDEC AWQS

DATE
2/5/2016
 PROJECT NO.
12184
 SCALE
as shown
 FIGURE
7

Map Source:
 - NYCDP (NYC Dept. of City Planning) GIS database.

© 2016 AKRF, Inc. Environmental Consultants w:\projects\12184 - phipps 3301-atlantictchnical\hazmat\3264_fulton_street (north lot)\cad\12184_figs 6.7 and 8.dwg



Sample ID	NYSDOH 2006	L1-SI-SV-3
Date Sampled	2006	12/3/2015
VOCs	µg/m ³	µg/m ³
Trichloroethylene (TCE)	2	903

LEGEND:

- PROJECT SITE BOUNDARY
- LOT BOUNDARY
- 4143 BLOCK NUMBER
- BUILDING LINE
- MTA RAILROAD ELEVATED TRACKS
- LIRR SUBTERRANEAN TRACKS
- SOIL BORING LOCATION
- SOIL BORING/GROUNDWATER SAMPLE LOCATION
- SOIL VAPOR SAMPLE LOCATION
- AMBIENT AIR SAMPLE LOCATION
- OFF-SITE SAMPLE LOCATIONS (IDENTIFIED IN GRAY)

SOIL VAPOR

NYSDOH Soil Vapor Intrusion Air Guidance Value
 NYSDOH Air Guideline Values (AGVs) and Table 3.3 Matrix 1 and 2 Chemicals presented in the Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated October 2006 ("NYSDOH Vapor Intrusion Guidance Document"), updated September 2013 for change of AGV for PCE, updated August 2015 for change of AGV for TCE.

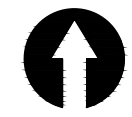
µg/m³ : micrograms per cubic meter of air

Exceedances of NYSDOH Soil Vapor Intrusion Air Guidance Values or Matrix Values are highlighted in bold font.

Sample ID	NYSDOH 2006	L1-SI-SV-3
Date Sampled	2006	12/3/2015
VOCs	µg/m ³	µg/m ³
Trichloroethylene (TCE)	2	903

← Sample ID
 ← Sample Date
 ← Concentration in Soil Vapor

← Compound in Soil Vapor



Map Source:
 - NYCDP (NYC Dept. of City Planning) GIS database.

PHOTOGRAPHIC LOG



Photograph 1: View of the eastern exterior portion of the Site, facing south.



Photograph 2: Former receiving area on the central portion of the Site, facing south.



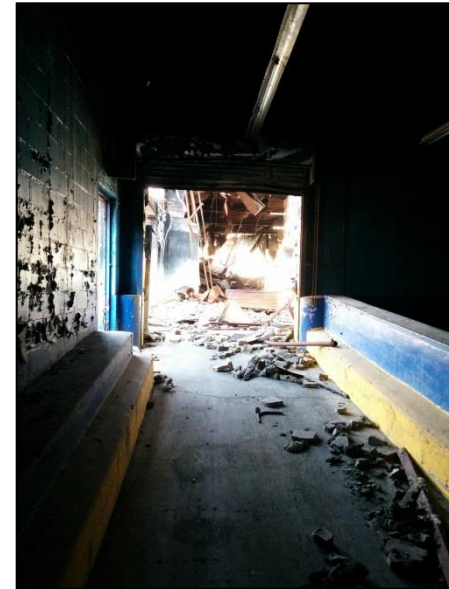
Photograph 3: Former receiving area on the western portion of the Site, facing southwest.



Photograph 4: Former apparent fuel oil fill ports on the eastern portion of the Site.



Photograph 5: Concrete pads at former liquid nitrogen tank locations on the eastern portion of the Site, facing south.



Photograph 6: Former receiving area within the western portion of the Site buildings.

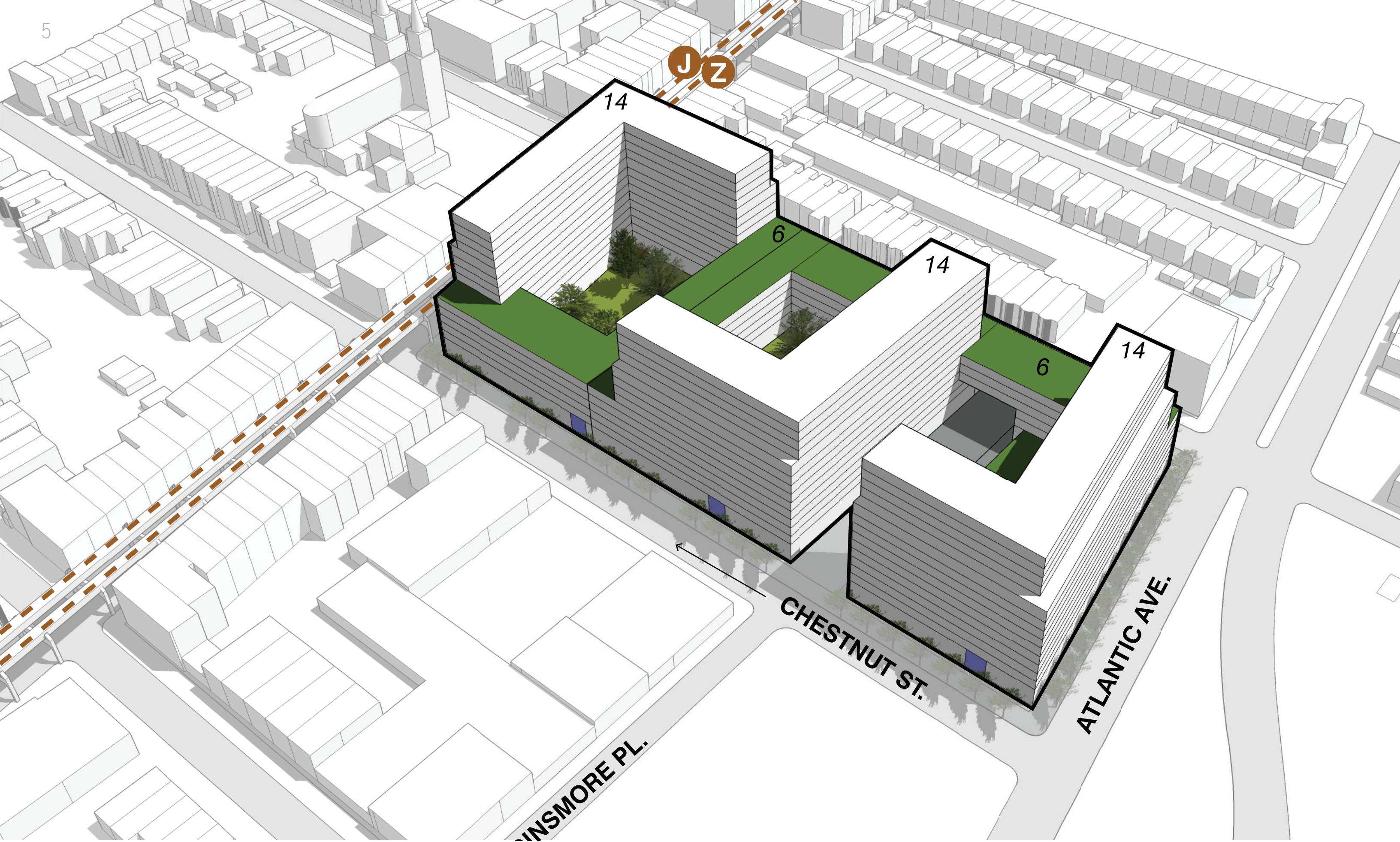


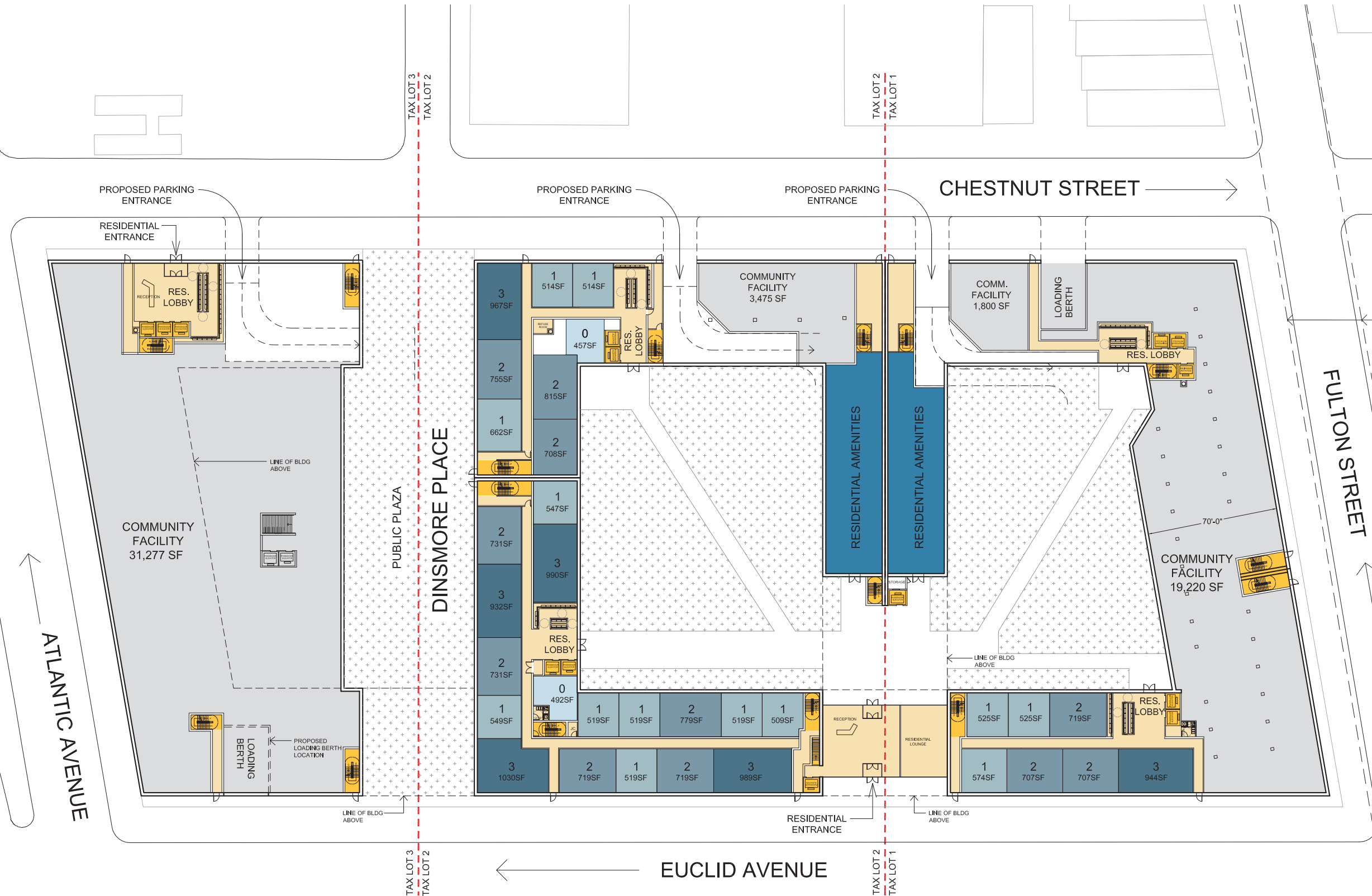
Photograph 7: Former boiler room in the northwestern portion of the Site buildings.



Photograph 8: Fire damage to the eastern portions of the Site buildings.

PROPOSED REDEVELOPMENT PLANS



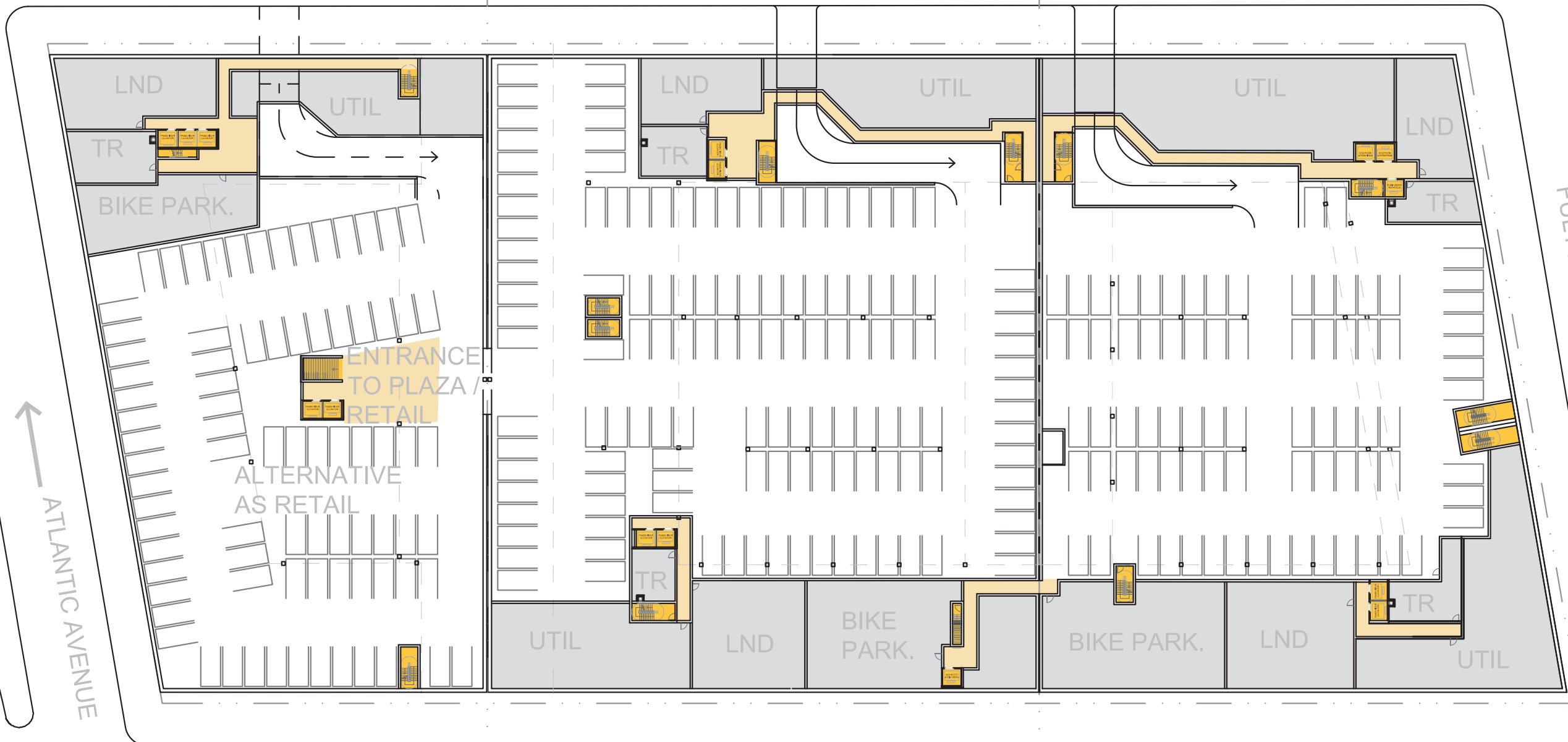


- LEGEND:**
- RETAIL
 - AMENITY
 - 0 BD UNIT
 - 1 BD UNIT
 - 2 BD UNIT
 - 3 BD UNIT
 - CORRIDOR/LOBBY
 - VERTICAL CIRCULATION

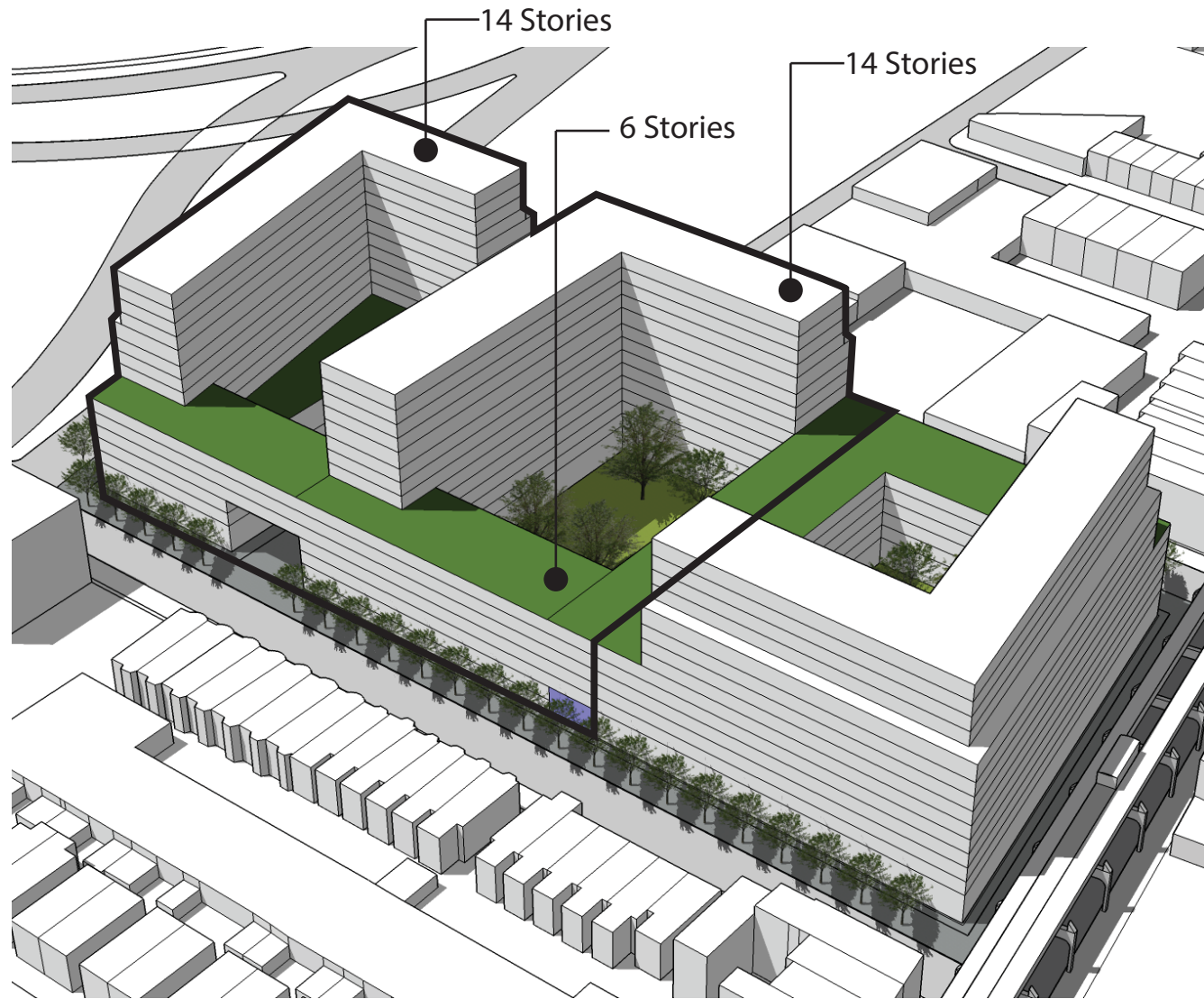
Lot 3 - 36,000sf
 Self Park = 120 Spaces Per Zoning
 Attended Parking = 180 Spaces
 80 Spaces Shown

Lot 2 - 48,000sf
 Self Park = 160 Spaces
 Attended Parking = 240 Spaces
 129 Spaces Shown

Lot 1 - 33,000sf
 Self Park = 110 Spaces
 Attended Parking = 165 Spaces
 81 Spaces Shown



**Lot 3 -
 Alternative Cellar Retail
 in Lieu of Parking**



ALL AREAS APPROXIMATE

Lot Area (Tax lot 1, 2 & 3): 196,286
 ZQA Maximum FAR (w/ IH Bonus): 7.20
 ZQA Maximum Floor Area: 1,413,259 SF

TOTAL GSF, ALL LOTS (INC. PARKING): 1,344,242 SF
 TOTAL RESIDENTIAL GSF: 1,053,417 SF
 TOTAL COMMERCIAL/COMM. FAC. GSF: 106,934 SF
 TOTAL CELLAR / PARKING GSF: 183,891 SF

Unit Distribution - Tax Lot 1											Unit Distribution - Tax Lot 2											
Floor	Building 1A					Building 1B					Project Total	Building 1C					Building 1D					Project Total
	0 BR	1 BR	2 BR	3 BR	Total	0 BR	1 BR	2 BR	3 BR	Total		0 BR	1 BR	2 BR	3 BR	Total	0 BR	1 BR	2 BR	3 BR	Total	
1					0	0	3	3	1	7	7	1	7	5	4	17	1	3	3	1	8	25
2	0	8	9	4	21	1	7	7	4	19	40	1	7	10	3	21	1	6	8	4	19	40
3	0	7	10	4	21	1	6	8	4	19	40	1	7	10	3	21	1	6	8	4	19	40
4	0	7	10	4	21	1	6	8	4	19	40	1	7	10	3	21	1	6	8	4	19	40
5	0	7	10	4	21	1	6	8	4	19	40	1	7	10	3	21	1	6	8	4	19	40
6	0	7	10	4	21	1	6	8	4	19	40	1	7	10	3	21	1	7	7	4	19	40
7	1	5	3	1	10	1	6	7	2	16	26	0	5	2	1	8	1	5	6	3	15	23
8	1	5	3	1	10	1	6	7	2	16	26	0	5	2	1	8	1	5	6	3	15	23
9	1	5	3	1	10	1	6	7	2	16	26	0	5	2	1	8	1	5	6	3	15	23
10	1	5	3	1	10	1	6	7	2	16	26	0	5	2	1	8	1	5	6	3	15	23
11	1	3	2	1	7	1	8	4	0	13	20	0	5	2	1	8	1	5	5	1	12	20
12	1	3	2	1	7	1	8	4	0	13	20	0	5	2	1	8	1	5	5	1	12	20
13	1	3	2	1	7	1	8	4	0	13	20	0	5	2	1	8	1	5	5	1	12	20
14	1	3	2	1	7	1	8	4	0	13	20	0	5	2	1	8	1	5	5	1	12	20
Total	8	68	69	28	173	13	90	86	29	218	391	6	82	71	27	186	14	74	86	37	211	397
	5%	39%	40%	16%	44%	6%	41%	39%	13%	56%	100%	3%	44%	38%	15%	47%	7%	35%	41%	18%	53%	100%

Project Total - Tax lot 1				
0 BR	1 BR	2 BR	3 BR	Total
21	158	155	57	391
5%	40%	40%	15%	100%

Project Total - Tax lot 2				
0 BR	1 BR	2 BR	3 BR	Total
20	156	157	64	397
5%	39%	40%	16%	100%

LOT 1 TOTAL GSF: 471,226 SF
 LOT 1 RESIDENTIAL GSF: 382,692 SF
 LOT 1 COMMERCIAL /
 COMMUNITY FACILITY GSF: 26,934 SF
 LOT 1 CELLAR/PARKING GSF: 61,600 SF

LOT 2 TOTAL GSF : 479,385 SF
 LOT 2 RESIDENTIAL GSF: 410,802 SF
 LOT 2 COMMERCIAL /
 COMMUNITY FACILITY GSF: 5,000 SF
 LOT 2 CELLAR/PARKING GSF: 63,583 SF

LOT 3 TOTAL GSF: 393,631 SF
 LOT 3 RESIDENTIAL GSF: 259,923 SF
 LOT 3 COMMERCIAL /
 COMMUNITY FACILITY GSF: 75,000 SF
 LOT 3 CELLAR/PARKING GSF: 58,708 SF

Unit Distribution - Tax Lot 3					
Floor	Building 1E				
	0 BR	1 BR	2 BR	3 BR	Total
1					0
2	3	9	12	6	30
3	3	9	12	6	30
4	3	10	14	7	34
5	3	10	14	7	34
6	3	10	14	7	34
7	1	7	10	4	22
8	1	7	10	4	22
9	1	7	10	4	22
10	1	7	10	4	22
11	1	11	5	1	18
12	1	11	5	1	18
13	1	11	5	1	18
14	1	11	5	1	18
Total	23	120	126	53	322
	7%	37%	39%	16%	100%

Project Total - Tax lot 3				
0 BR	1 BR	2 BR	3 BR	Total
23	120	126	53	322
7%	37%	39%	16%	100%

Project Grand Total For Lot 2 & 3				
0 BR	1 BR	2 BR	3 BR	Total
43	276	283	117	719
6%	38%	39%	16%	100%

Project Grand Total				
0 BR	1 BR	2 BR	3 BR	Total
64	434	438	174	1110
6%	39%	39%	16%	100%

DOCUMENT REPOSITORY LETTER



Environmental and Planning Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

January 7, 2016

Ms. Rowshon Perveen
New York Public Library Cypress Hills Branch
1197 Sutter Avenue
Brooklyn, New York 11208

Re: Document Repository for 3264 Fulton Street, Brooklyn, New York

Dear Ms. Perveen:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Atlantic Chestnut Affordable Housing LLC for the project site located at 3264 Fulton Street in Brooklyn, New York. As required by NYSDEC, the Cypress Hills Branch of the New York Public Library will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter using either the envelope provided or via email to dshapiro@akrf.com. Please call me at 646-388-9544 with any questions. Thank you.

Sincerely,

Deborah Shapiro, QEP
Senior Technical Director

ACKNOWLEDGED AND ACCEPTED:

<u>Rowshon A. Perveen</u>	<u>Neighborhood Library Supervisor</u>	<u>R. Perveen</u>
Name	Title	Signature

**RP-602 APPLICATION FOR
APPORTIONMENTS**



APPLICATION FOR MERGERS OR APPORTIONMENTS

Instructions: Please complete this application and *submit in person to: Department of Finance, Property Division - Tax Map Office, 66 John Street, 13th floor, New York, NY 10038.* Please read the instructions for further details before completing this form. Print clearly.

SECTION A: PROPERTY INFORMATION

Borough: Brooklyn Block: 4143 Present Lot(s): 1

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Merger Apportionment Number of Lots Requested 3
 Air Subterranean

New Lot Number: 1, 2, 3

New Lot(s) Usage (check one): Residential Building Gross Sq/Ft: _____ Commercial Building Gross Sq/Ft: _____ Mix (Residential & Commercial) Building Gross Sq/Ft: _____

Property
1. Owner's Name: Atlantic Chestnut Affordable Housing LLC
LAST NAME FIRST NAME
Property
2. Address: 902 Broadway, 13th Floor New York New York 10010
NUMBER AND STREET CITY STATE ZIP CODE

SECTION B: APPLICANT INFORMATION

1. Architect/Engineer/Applicant's Name: Stein William
LAST NAME FIRST NAME
2. Address: Dattner Architects - 1385 Broadway New York New York 10018
NUMBER AND STREET CITY STATE ZIP CODE
3. Telephone Number: 212.247.2660 4. Email Address: wstein@dattner.com

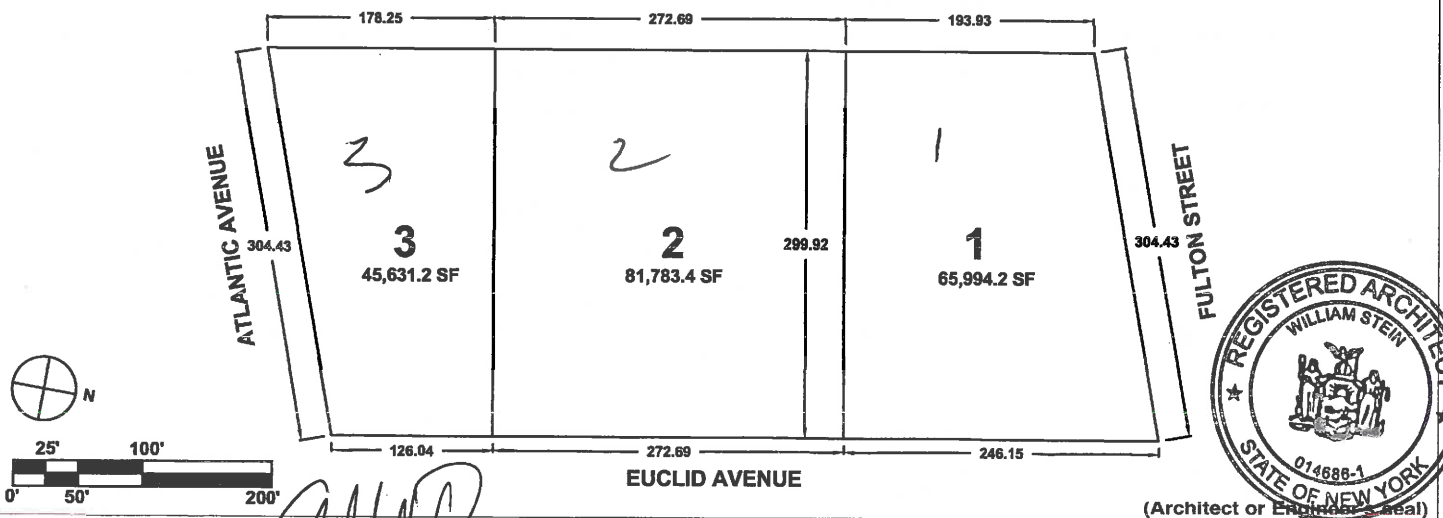
SECTION C: CERTIFICATION

The applicant hereby certifies that, in making this application for merger/apportionment, s/he is the owner, or acting under the direction of the owner.

Signature of Architect/ Engineer/Applicant: [Signature] Date: 1 / 18 / 16

TAX MAP CHANGE WILL NOT BE MADE UNTIL PRESENTATION OF REQUIRED DOCUMENTS (see reverse for the required documents)

DRAW SKETCH TO SCALE 1" = 50', IF POSSIBLE INDICATE NORTH ARROW
CHESTNUT STREET



Lot(s) issued: _____ Customer Service Representative: [Signature] Date: 1 / 20 / 16 New Lot(s): 2, 3 Lot(s) Affected: 1 Lot(s) Dropped: N/A

Please note: Map changes will not be made until presentation of all required documents is reviewed and approved by the Cartographer.
Map Updated: _____ Tax Map Cartographer: _____ Date: ____/____/____



REQUIREMENTS FOR TAX MAP UPDATES

THE FOLLOWING DOCUMENTS ARE REQUIRED FOR LOT APPORTIONMENTS:

NEW BUILDINGS:

- Completed application for Mergers or Apportionments
- Final survey prepared by a licensed Land Surveyor, which must include square footage
- A subdivision PW1 filing approved as well as an approved NB filing as per Operations Policy And Procedure Notice #30/92.
- PW1: Plan/Work Application
- Review Application Details for correct house number(s), block and lot. If the application is before 2008, the metes and bounds will be at the bottom of the last page of the application. PW1's after 2008 will generate a PD1 with metes and bounds that must be scanned at the DOB.
Note: All DOB applications must be approved and Alt 1's and NB's are required for apportionment.
- Outstanding taxes, charges or tax liens for prior tax years must be satisfied.
Real estate taxes for the current year must be up-to-date.
- Deed on record showing property ownership
- Payment of fees

ALTERATION ON EXISTING BUILDINGS AND VACANT LAND:

- Completed application for Mergers or Apportionments
- A subdivision PW1 filing approved as well as an approved ALT1 filing for alteration on existing buildings as per Operations Policy And Procedure Notice #30/92 , not required for vacant land.
- Survey for alteration on existing building
- Outstanding taxes, charges or tax liens for prior tax years must be satisfied.
Real estate taxes for the current year must be up-to-date.
- Deed on record showing property ownership
- Payment of fees

LOT MERGERS:

- Completed application for Merger
- Deed on record showing common ownership. (If the deed lacks a metes and bounds description but refers only to a filed map, please provide a current metes and bounds description, prepared by a licensed surveyor.)
- Outstanding taxes, charges or tax liens for prior tax years must be satisfied.
Real estate taxes for the current year must be up-to-date.
- Payment of fees
- Merging of exempt parcels with non-exempt parcels is not allowed.

NEW LOT ASSIGNMENT AND FEES:

- The Tax Map Office now issues new lot numbers for all apportionments, including condominiums, in a one step process (eliminating the assignment of "tentative" and "final" lots). Finance collects a single fee (\$73) for each new lot number, payable at the time of the initial request.
- Tax map certification: \$10.00

Return completed application and package to:

NYC Department of Finance
Property Division- Tax Map Office
66 John Street, 13th floor
New York, NY 10038

ATTACHMENT C (CD-ROM)

PREVIOUS ENVIRONMENTAL REPORTS