



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

☐ Yes

☒ No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 7*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME 2840 Atlantic Holdings LLC

ADDRESS c/o LSC Development, LLC 777 Lake Zurich Road, #195

CITY/TOWN Barrington

ZIP CODE 60010

PHONE 847-382-0560

FAX 847-852-1301

E-MAIL steve@c3built.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

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

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

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

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

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

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

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

- the date that the remedial program is to start; and (See Attachment 1)
- 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	35,700 mg/kg	LNAPL - Fuel Oil	
Chlorinated Solvents	1,2-dichloroethane (0.23 mg/kg)		PCE (55 ug/m3), TCE (180 ug/m3)
Other VOCs	1,2,4-trimethylbenzene (5.10 mg/kg), BTEX (10.85 mg/kg)	Chloroform (19 ug/l)	Benzene (15 ug/m3), Toluene (170 ug/m3), Xylenes (280 ug/m3)
SVOCs			
Metals	Lead (429 mg/kg), Mercury (1.37 mg/kg)		
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: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 2840 Atlantic Avenue				
ADDRESS/LOCATION 2840 Atlantic Avenue				
CITY/TOWN Brooklyn		ZIP CODE 11207		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Borough of Brooklyn, City of New York				
COUNTY Kings		SITE SIZE (ACRES) 0.988		
LATITUDE (degrees/minutes/seconds) 40 ° 40 ' 35.30 "		LONGITUDE (degrees/minutes/seconds) 73 ° 53 ' 20.12 "		
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.
2840 Atlantic Avenue			3964	8, 4, 23
				Acreage
				0.988
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach a metes and bounds description of the property.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, identify census tract : 1198 Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

Not Applicable

Not Applicable

Not Applicable

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

NOTE: If a tangible property tax credit 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 by 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: CB SO JD SF _____

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 Steve Osborne			
ADDRESS 777 Lake Zurich Road, #195			
CITY/TOWN Barrington		ZIP CODE 60010	
PHONE 847-382-0560	FAX 847-852-1301	E-MAIL steve@c3built.com	
NAME OF REQUESTOR'S CONSULTANT Vertex Engineering, PC			
ADDRESS 45-18 Court Square, Suite 602			
CITY/TOWN Long Island City		ZIP CODE 11101	
PHONE 646-553-3500	FAX 646-553-3499	E-MAIL jdultz@vertexeng.com	
NAME OF REQUESTOR'S ATTORNEY Scott Furman, Sive Page & Riesel, P.C.			
ADDRESS 560 Lexington Avenue, 15th Floor			
CITY/TOWN New York		ZIP CODE 10022	
PHONE 212-421-2150	FAX 212-421-1891	E-MAIL sfurman@sprlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME 2840 Atlantic Holdings LLC		OWNERSHIP START DATE: 2/7/17	
ADDRESS 777 Lake Zurich Road, #195			
CITY/TOWN Barrington		ZIP CODE 60010	
PHONE 847-382-0560	FAX 847-852-1301	E-MAIL steve@c3built.com	
CURRENT OPERATOR'S NAME 2840 Atlantic Holdings LLC			
ADDRESS 777 Lake Zurich Road, #195			
CITY/TOWN Barrington		ZIP CODE 60010	
PHONE 847-382-0560	FAX 847-852-1301	E-MAIL steve@c3built.com	
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Section VII. Requestor Eligibility Information (continued)

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

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.

2. Current Use: ☐ Residential ☐ Commercial ☒ Industrial ☒ Vacant ☐ Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☐ Residential ☒ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☐ No

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

☒ Yes ☐ No

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

The site is located in an area zoned M1-4, which is a manufacturing district. Storage facilities are a permitted use in M1 districts.

☒ 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.

The site is located in a Special Mixed Use District (MX-16) which pairs the M1 manufacturing districts with residential districts. The site is also zoned for residential use (R8A). The proposed storage facility is permitted under the M1 zoning. The proposed use preserves the existing structure and is consistent with the existing mixed use and the goals of the Special Mixed Use District.

☒ 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: 3-21-17

Signature: _____

Print Name: Christopher S. Barry

(By a requestor other than an individual)

I hereby affirm that I am Owner (title) of 2840 Atlantic Holdings LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 3-21-17

Signature: _____

Print Name: Christopher S. Barry

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.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>From ECL 27-1405(31):</p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building 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>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

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

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a “pending” status. The Regulatory Agreement would need to be provided to the Department prior to issuance of the CoC in order for a positive determination to be made.);
- ☒ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(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, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

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

(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: 2840 Atlantic Avenue
City: Brooklyn

Site Address: 2840 Atlantic Avenue
County: Kings **Zip:** 11207

Tax Block & Lot

Section (if applicable): **Block:** 3964 **Lot:** 8, 4, 23

Requestor Name: 2840 Atlantic Holdings LLC
City: Barrington

Requestor Address: c/o LSC Development, LLC 777 Lake Zurich Road, #195
Zip: 60010 **Email:** steve@c3built.com

Requestor's Representative (for billing purposes)

Name: Steve Osborne
City: Barrington

Address: 777 Lake Zurich Road, #195
Zip: 60010

Email: steve@c3built.com

Requestor's Attorney

Name: Scott Furman, Sive Page & Riesel, P.C.
City: New York

Address: 560 Lexington Avenue, 15th Floor
Zip: 10022

Email: sfurman@sprlaw.com

Requestor's Consultant

Name: Vertex Engineering, PC
City: Long Island City

Address: 45-18 Court Square, Suite 602
Zip: 11101

Email: jdultz@vertexeng.com

Percentage of site within an En-Zone: ☐ 0% ☐ <50% ☐ 50-99% ☒ 100%

Requestor's Requested Status: ☒ Volunteer ☐ Participant

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

PART A:
SUPPLEMENTAL INFORMATION

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

Part A - Section I. Requestor Information

The requestor is the current owner of the property, 2840 Atlantic Holdings LLC, a Delaware limited liability company. Attached as Exhibit I is the New York State Department of State entity information for the requestor.

Pursuant to ECL § 27-1405(1), requestor is properly designated as a Volunteer because its liability will arise solely from its ownership acquired after the disposal/discharge of contamination and because it has taken and will take reasonable steps to (i) stop any continuing release, (ii) prevent any threatened future release, and (iii) prevent or limit human, environmental, or natural resource exposure to any previously released contamination.

Corporate Ownership Information

2840 Atlantic Holdings LLC c/o LSC Development, LLC

Owner Name	Address
Christopher S. Barry	777 Lake Zurich Road, #195 Barrington, IL 60010
Jean L. Jodoin	777 Lake Zurich Road, #195 Barrington, IL 60010

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

EXHIBIT 1:

**NEW YORK STATE DEPARTMENT OF STATE ENTITY
INFORMATION & DEED**

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 17, 2017.

Selected Entity Name: 2840 ATLANTIC HOLDINGS LLC

Selected Entity Status Information

Current Entity Name: 2840 ATLANTIC HOLDINGS LLC

DOS ID #: 4997490

Initial DOS Filing Date: AUGUST 23, 2016

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

C/O C T CORPORATION SYSTEM

111 EIGHTH AVENUE

NEW YORK, NEW YORK, 10011

Registered Agent

C T CORPORATION SYSTEM

111 EIGHTH AVENUE

NEW YORK, NEW YORK, 10011

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
AUG 23, 2016	Actual	2840 ATLANTIC HOLDINGS LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

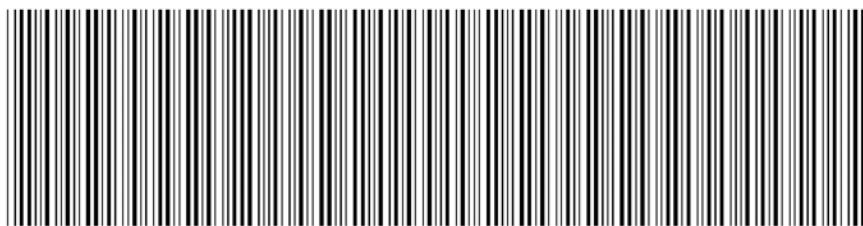
NOTE: New York State does not issue organizational identification numbers.

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

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2017013100989001001EE912

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 5

Document ID: 2017013100989001

Document Date: 01-20-2017

Preparation Date: 01-31-2017

Document Type: DEED

Document Page Count: 3

PRESENTER:

ALL SHORE ABSTRACT, LTD- ENE PICK UP
99 EAST MAIN STREET
EAST ISLIP, NY 11730
631-581-5236
ANDREA@ALLSHOREABSTRACT.COM

RETURN TO:

BULLARD LAW GROUP, PLLC
225 OLD COUNTRY ROAD
MELVILLE, NY 11747

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	3964	4	Entire Lot	N/A SCHENCK AVENUE

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot	Unit	Address
BROOKLYN	3964	8	Entire Lot	2840 ATLANTIC AVENUE

Property Type: COMMERCIAL REAL ESTATE

☒ Additional Properties on Continuation Page

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

2840 ATLANTIC AVE. REALTY CORP
2840 ATLANTIC AVENUE
BROOKLYN, NY 11207

GRANTEE/BUYER:

2840 ATLANTIC HOLDINGS LLC
C/O 777 LAKE ZURICH ROAD STE 200
BARRINGTON, IL 60010

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 58.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 290,062.50

NYS Real Estate Transfer Tax:

\$ 44,200.00

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

Recorded/Filed 02-07-2017 10:51

City Register File No.(CRFN):

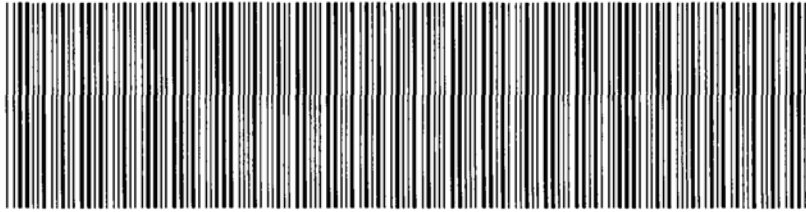
2017000052983



Ganette McMill

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2017013100989001001CEB92

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 5

Document ID: 2017013100989001

Document Date: 01-20-2017

Preparation Date: 01-31-2017

Document Type: DEED

PROPERTY DATA

Borough	Block Lot	Unit	Address
BROOKLYN	3964 23 Entire Lot		N/A BARBEY STREET
Property Type: COMMERCIAL REAL ESTATE			

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

THIS INDENTURE, made the 20th day of January, 2017

BETWEEN

2840 ATLANTIC AVE. REALTY CORP., a New York corporation with an address at 2840 Atlantic Avenue, Brooklyn, New York 11207

party of the first part, and

2840 Atlantic Holdings LLC, a Delaware limited liability company with an address at 777 Lake Zurich Road, Suite 200, Barrington, Illinois 60010

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

Ten (\$10.00) dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Borough of Brooklyn, County of Kings, City and State of New York, being more particularly bounded and described as follows:

SEE DESCRIPTION ON SCHEDULE A ANNEXED HERETO AND MADE A PART HEREOF

Being the same premises known and addressed as 2840 Atlantic Avenue, Brooklyn, New York and designated as Block 3964, Lots 4, 8 and 23 as shown on the tax map of the City of New York, Borough of Brooklyn

BIK
3964

Lot
4, 8 + 23

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

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

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

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

IN PRESENCE OF:

2840 ATLANTIC AVE. REALTY CORP.

By: Anthony T. Simari, Authorized Signatory

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATEState of New York, County of **Westchester**, ss:On the **17th** day of **January** in the year **2017**,
before me, the undersigned, personally appeared**Anthony T. Simari**

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

NOELEN MCGOVERN**Notary Public, State of New York****No. 01MC6331548****Qualified in Westchester County****Commission Expires October 13, 2019****ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____,
before me, the undersigned, personally appeared

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

SEAL**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE**

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____,
before me, the undersigned, a Notary Public in and for said State, personally appeared
the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____(if the place of residence is in a city, include the street and street number if any, thereof),
that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

*State of _____, County of _____, ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the _____ day of **January** in the year **2017**,
before me, the undersigned personally appeared

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

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

**Bargain and Sale Deed
With Covenants****Title No. ASA-608-K10233****2840 ATLANTIC AVE. REALTY CORP.****TO****2840 ATLANTIC HOLDINGS LLC**

SECTION:

BLOCK: **3964**LOT: **4, 8 and 23**COUNTY OR TOWN: **Kings****RETURN BY MAIL TO:****Bullard Law Group
225 Old Country Road
Melville, New York 11747
Attn: Edward Bullard, Esq.****DISTRIBUTED BY****YOUR TITLE EXPERTS****The Judicial Title Insurance Agency LLC
800-281-TITLE (8485) FAX: 800-FAX-9396**

Schedule A Description

Title Number ASA-608-K-10233

Page 1

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

PARCEL NO. 1

BEGINNING at a point on the easterly side of Schenck Avenue, distant 150 feet northerly from the corner formed by the intersection of the easterly side of Schenck Avenue with the northerly side of Liberty Avenue;

RUNNING THENCE easterly parallel with Liberty Avenue, 100 feet;

THENCE northerly parallel with Schenck Avenue, 100 feet;

THENCE westerly parallel with Liberty Avenue, 100 feet to the easterly side of Schenck Avenue;

THENCE southerly along the easterly side of Schenck Avenue, 100 feet to the point or place of BEGINNING.

PARCEL NO. 2

BEGINNING at the southeasterly corner of Atlantic Avenue and Schenck Avenue;

RUNNING THENCE southerly along the easterly side of Schenck Avenue, 135 feet;

THENCE easterly at right angles to Schenck Avenue, 100 feet;

THENCE southerly parallel with Schenck Avenue, 50 feet;

THENCE easterly at right angles to Schenck Avenue, 100 feet to the westerly side of Barbey Street;

THENCE northerly along the westerly side of Barbey Street, 201 feet to the southwesterly corner of Atlantic Avenue and Barbey Street;

THENCE westerly along the southerly side of Atlantic Avenue 200 feet 8 inches to the point or place of BEGINNING.

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2017013100989001001S2793

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2017013100989001
Document Type: DEED

Document Date: 01-20-2017

Preparation Date: 01-31-2017

ASSOCIATED TAX FORM ID: 2017011200025

SUPPORTING DOCUMENTS SUBMITTED:

Page Count
3

RP - 5217 REAL PROPERTY TRANSFER REPORT

FOR CITY USE ONLY

C1. County Code

C2. Date Deed

Recorded

Month Day Year

C3. Book

OR

C6. CRFN

C4. Page

FEB 06 2017



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location N/A SCHENCK AVENUE BROOKLYN 00000
STREET NUMBER STREET NAME BOROUGH ZIP CODE2. Buyer Name 2840 ATLANTIC HOLDINGS LLC
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

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

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 3 # of Parcels OR Part of a Parcel

4A. Planning Board Approval - N/A for NYC

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

6. Deed Property Size FRONT FEET X DEPTH OR ACRES

Check the boxes below as they apply:

6. Ownership Type is Condominium

7. New Construction on Vacant Land

8. Seller Name 2840 ATLANTIC AVE. REALTY CORP
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

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

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

SALE INFORMATION

10. Sale Contract Date 3 / 24 / 2016
Month Day Year11. Date of Sale / Transfer 1 / 20 / 2017
Month Day Year

12. Full Sale Price \$ 1,105,000.00

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

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

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

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

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

15. Building Class G 7 16. Total Assessed Value (of all parcels in transfer) 2 3 4 3 1 5 0

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

BROOKLYN 3964 4

BROOKLYN 3964 8

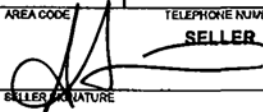
BROOKLYN 3964 23

201701120002520102

CERTIFICATION

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


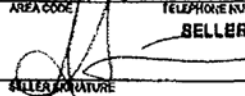
BUYER**BUYER'S ATTORNEY**

BUYER SIGNATURE C/O 777 LAKE ZURICH ROAD STE 200		DATE	LAST NAME		FIRST NAME
STREET NUMBER BARRINGTON	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER		
CITY OR TOWN	STATE IL	ZIP CODE 60010	SELLER SIGNATURE 		DATE 1/17/17

2017011200025201

CERTIFICATION

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

 <small>BUYER SIGNATURE</small> C/O 777 LAKE ZURICH ROAD STE 200 <small>STREET NUMBER</small>		BUYER DATE 1-20-17	BUYER'S ATTORNEY LAST NAME BULLARD FIRST NAME EDWARD AREA CODE 516 TELEPHONE NUMBER 368-8830
BARRINGTON <small>CITY OR TOWN</small>		IL <small>STATE</small>	60010 <small>ZIP CODE</small>
		 <small>SELLER SIGNATURE</small>	SELLER DATE 1/17/17

2017011200025201



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 3964 LOT: 4
- (2) Property Address: N/A SCHENCK AVENUE, BROOKLYN, NY 00000
- (3) Owner's Name: 2840 ATLANTIC HOLDINGS LLC
- Additional Name:

Affirmation:



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

Customer Billing Information:

Please Note:

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

Owner's Approval:

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

Print Name of Owner:

Signature: _____ Date (mm/dd/yyyy)

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

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES



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

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
BROOKLYN	3964	8	2840 ATLANTIC AVENUE	NY	NY	11207
BROOKLYN	3964	23	N/A BARBEY STREET	NY	NY	00000

201701120002510102

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

Part A - Section II. Project Description

The purpose of the environmental investigation and remediation is to support the proposed renovation of the existing site structures for use as a self-storage facility. The project scope of work is anticipated to include delineation of light non-aqueous phase liquid (LNAPL), removal of two underground storage tanks (USTs) that have been identified at the site, and delineation and on-site remediation of petroleum impacts in soil and groundwater. In addition to the investigation and remediation of the confirmed environmental impacts, the project will also include the closure of above ground storage tanks (ASTs), abandonment of two out-of-service groundwater production wells, characterization of drum contents for disposal, cleanup of spilled hydraulic fluid in the Press Room at the northeast corner of the site, and recovery of spilled hydraulic fluid that has accumulated in a floor drain in the Press Room.

The estimated project schedule is summarized in the following table:

Activities	Start	End
<u>Remedial Investigation (if necessary)</u>		
Submit Remedial Investigation Work Plan (if necessary)	-	04/03/2017
Comment Period and NYSDEC Review (30 days)	04/05/2017	05/22/2017
Implement Additional Remedial Investigation (if necessary)	05/29/2017	06/09/2017
<u>Remedial Investigation Report/ Alternatives Analysis / Remedial Action Plan</u>		
Prepare Remedial Investigation Report / Alternatives Analysis / Remedial Action Report (RIR / AAR / RAP)	06/12/2017	07/12/2017
Submit RIR / AAR / RAP to NYSDEC	-	07/14/2017
Comment Period and NYSDEC Review (60 days)	07/17/2017	09/15/2017
VERTEX Response to NYSDEC RIR / AAR / RAP Comments	09/18/2017	09/22/2017
NYSDEC Review of Vertex Response to RIR / AAR / RAP Comments	09/25/2017	09/29/2017
RIR / AAR / RAP Approved by NYSDEC	-	10/04/2017
<u>Remediation Work</u>		
Implement Remediation	10/09/2017	11/17/2017

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

Activities	Start	End
Prepare Final Engineering Report (FER), Site Management Plan (SMP) and Environmental Easement (EE)	-	12/15/2017
Comment Period and NYSDEC Review (60 days)	12/20/2017	02/18/2018
VERTEX Response to NYSDEC FER, SMP and EE Comments	02/20/2018	03/02/2018
Certificate of Completion	-	03/15/2018

Tax Parcel Information

Parcel Address	Section No.	Block No.	Lot No.	Acreage
2840 Atlantic Avenue	N/A	3964	8	0.701
Schenck Avenue	N/A	3964	4	0.229
Barbey Street	N/A	3964	23	0.0573

Location

The site is located in an urban area with a mix of industrial, commercial, and residential buildings. The property address is 2840 Atlantic Avenue, Brooklyn, New York 11207. The property consists of three contiguous parcels identified by the New York City Department of Finance as Block 3964, Lots 4, 8, and 23. The site is located on the south side of Atlantic Avenue, the east side of Schenck Avenue, and the west side of Barbey Street. The approximate site area is 43,050 square feet.

Site Features

An industrial complex consisting of five separate structures is located on Lot 8. The buildings occupy an estimated floor area of 76,400 square feet. Lots 4 and 23, which are located to the south of the industrial building, are paved with asphalt and used for parking.

Current Zoning and Land Use

The site is currently inactive. Based on a review of the New York City Department of City Planning Zoning and Land Use (ZoLa) mapping program, the site is zoned M1-4 and R8A. The M1 (manufacturing) zoning is described as a buffer zone between manufacturing and adjacent

Brownfield Cleanup Program (BCP) Application

2840 Atlantic Avenue – Brooklyn, New York

residential/commercial districts. The M1 typically includes light industrial uses, but nearly all industrial uses are allowed if they meet the M1 performance standards (minimum requirement or maximum allowable limit on noise, vibration, smoke, odor or other effects of industrial uses). Parking is not required in the M1-4 zone. The R8A (residential) zoning has mandatory Quality Housing regulations which results in high lot coverage with building height limitations to ensure compatibility with existing structures on the street.

The site is also identified in a Special Mixed Use District (MX-16). Effective on April 20, 2016, the zoning district was established to encourage investment in neighborhoods with mixed residential and industrial uses in close proximity. New residential and non-residential uses (commercial, community facility, and light industrial) can be developed as-of-right and be located side-by-side or within the same building.

In addition, the site is identified in a Special Enhanced Commercial District-5. Effective on April 20, 2016, the purpose of this zoning designation is to “promote and maintain a lively and engaging pedestrian experience along commercial avenues.”

The surrounding area consists of commercial, industrial, and residential buildings.

Past Use of the Site

According to a Phase I Environmental Site Assessment prepared by Hillman Consulting (Hillman) and dated January 21, 2016, the earliest identified use of the site included a lumber yard, retail buildings, and residences in 1887. The existing structures were constructed circa 1908 and expanded in 1914 / 1915. The property was operated as a dairy and food product manufacturing facility from at least 1908 to the mid to late 1970s. The site was operated as a plastics and floor tile products manufacturing facility from the 1980s until 2016.

Historic Sanborn Fire Insurance Maps indicate the presence of a gasoline tank on Lot 4 in 1951. A geophysical survey completed in June 2016 confirmed the presence of a metallic anomaly with a UST-like signature at this location. In addition, during the Phase II activities completed in June

Brownfield Cleanup Program (BCP) Application

2840 Atlantic Avenue – Brooklyn, New York

2016, Environmental Building Solutions located a previously unidentified heating oil UST located below a loading dock on the eastern side of the site building. The UST capacity is estimated to be 4,000 to 5,000-gallons. An approximate 8,500 square feet area of petroleum impacted soil with LNAPL on the groundwater table has been confirmed in the area around the ~5,000-gallon heating oil UST.

Hydraulic and lubricating oils were used in the plastic manufacturing machinery and were stored in drums and containers. A hydraulic laminating machine is located on a raised loading dock in an area at the northeast corner of the industrial complex identified as the Press Room. Dark staining and an accumulation of wet, dark sediment were observed in this area.

This area was investigated by VERTEX in January 2017. Approximately 12-inches of hydraulic oil was observed within a storm water floor drain for the Press Room loading dock. The basin for the storm water floor drain was determined to be brick lined and the discharge location could not be confirmed. Petroleum odors were noted at the 5.0 to 5.5 feet below ground surface (bgs) interval in soil boring VTX-3 that was advanced near the floor drain. Lead (220 mg/kg) and mercury (0.44 mg/kg) were detected at concentrations exceeding their respective NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCO) in one (VTX-3 (5-5.5)) of the four soil samples collected. Iron was detected in all four of the soil samples collected at concentrations exceeding the NYSDEC Residential Use Soil Cleanup Objective (RUSCO) of 2,000 mg/kg. Low levels of polychlorinated biphenyls (PCBs) were detected in two soil samples. Due to the detection of PCBs in the soil, a sample of the hydraulic fluid was analyzed for PCBs to determine if the hydraulic fluid contains PCBs to determine if the hydraulic fluid in the storm drain and the stained concrete will require handling as PCB-containing waste. Review of the PCB analysis of the hydraulic oil identified Aroclor-1254 at 0.923 mg/kg.

Site Geology and Hydrogeology

Based upon the information provided in the Limited Phase II Environmental Site Investigation report prepared by EBS and dated July 2016, subsurface soils at the site consist of brown sands,

Brownfield Cleanup Program (BCP) Application

2840 Atlantic Avenue – Brooklyn, New York

gravel, and silts and groundwater was encountered between 35 feet bgs and 40 feet bgs. Bedrock was not encountered to a depth of 40 feet bgs.

The groundwater flow direction at the site has not been confirmed through the installation and surveying of permanent monitoring wells. The Phase I and Phase II reports reference a regulatory database listing for the adjoining property to the east located at 2880 Atlantic Avenue, which indicates a groundwater flow direction towards the southwest.

Environmental Assessment

The impacted media and primary contaminants of concern are discussed below. The information is based on the Phase II investigations performed by EBS and documented in the Limited Phase II Environmental Site Investigation Report prepared by EBS dated July 2016 and additional investigations performed by VERTEX in January 2017. Refer to Figure 3 for sample locations and estimated extents of impacts.

Soil — Petroleum-impacted soil was identified in soil borings (SB-8 and SB-9) advanced near the approximately 5,000-gallon heating oil UST identified on the eastern side of the site. EBS installed 11 (01 through 11) additional soil borings and utilized an Ultra Violet Optical Screening Tool (UVOST) to delineate the petroleum impacts. Based upon this delineation, the petroleum contamination is present from 21 feet bgs to 50 feet bgs with the heaviest impacts between 35 feet to 40 feet bgs. Samples for total petroleum hydrocarbon (TPH) analysis were collected from soil borings 02, 03, 08, 10, and 11. The TPH concentrations ranged from 16,300 milligrams per kilogram (mg/kg) to 35,700 mg/kg. The petroleum-impacted soil area is estimated to be approximately 8,500 square feet. The southern extent of the petroleum impacts was confirmed. The northern, western, and eastern extents could not be confirmed due to limited access; therefore, the extent of the petroleum impacts was approximated.

Groundwater –LNAPL (heating oil) is present on the groundwater table in the area surrounding the ~ 5,000-gallon heating oil UST. The approximate depth to groundwater at the site is 40 feet

Brownfield Cleanup Program (BCP) Application

2840 Atlantic Avenue – Brooklyn, New York

bgs. LNAPL was present in the temporary monitoring well installed in soil boring SB-8 and a monitoring well located to the southeast of the UST in the sidewalk adjacent to Barbey Street. The LNAPL extent is assumed to be consistent with the estimated 8,500 square feet area of petroleum impacted soil.

VERTEX collected a sample of the LNAPL located in the monitoring well along Barbey Street in January 2017, and submitted the sample for fingerprint analysis. Total petroleum hydrocarbon (TPH) was identified at 543,000 mg/kg. The sample contained material in the low, mid-, and high molecular weight ranges of the chromatograph and is a combination of diesel fuel/No. 2 heating oil, which is degraded, and a material which is similar to lubricating, motor, or waste oil.

Soil Vapor – Two soil vapor samples were collected; one from below the south building (SV-01) and one from below the north building (SV-02). The volatile organic compounds (VOCs) 1,2,4-trimethylbenzene, 2-butanone, acetone, benzene, n-heptane, n-hexane, xylenes, tetrachloroethene (PCE), and toluene were detected in the soil vapor and indoor air at concentrations above their respective New York State Department of Health (NYSDOH) 25th and / or 75th percentile concentrations for indoor air.

In addition, trichloroethene (TCE) was detected in one soil vapor sample (SV-02) at a concentration of 180 ug/m³. TCE was not detected in the indoor air sample (AA-01) that was collected; however, indoor air sample AA-01 was not co-located with either of the soil vapor samples. Based upon the NYSDOH Soil Vapor / Indoor Air Matrix I, this concentration of TCE in the soil vapor requires monitoring. The source of the TCE in the soil vapor is not known.

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PART B:
SUPPLEMENTAL INFORMATION

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

Part B - Section VI. Current Property Owner/Operator Information

The following table provides a summary of the previous owner/operators for the site.

Name of Previous Owner / Operators	Address / Phone Numbers	Dates of Ownership	Relationship to Requestor
2840 Atlantic Avenue Realty Corporation	2840 Atlantic Avenue, Brooklyn, NY	7/22/1982 to 2/7/2017	None
Allied Tile Manufacturing Corporation	2840 Atlantic Avenue, Brooklyn, NY	N/A - Occupant from unknown date until 2016	None
Royal Plastics Corporation	2840 Atlantic Avenue #1, Brooklyn, NY	Unknown to 7/22/1982 – Remained occupant until 2016	None
Empire State Dairy Company / Borden Farm Products	502 Broadway, New York, NY	1/16/1913 to Unknown	None
Burke, Catherine and Frank	2332 Pitkin Avenue, Brooklyn, NY	Original Date of Ownership is Not Known To 1/16/1913	None

Part B - Section VII. Requestor Eligibility Information

Question #11 – During site investigation activities prior to the acquisition of the property in January 2017, the Requestor learned that there exists at the property one 10,000-gallon No. 2 heating oil AST for which the registration has expired (Petroleum Bulk Storage [PBS] No. 2-064742), and one approximately 4,000 to 5,000-gallon unregistered heating oil UST located below a loading dock on the eastern side of the site building. Furthermore, a previous environmental consultant at the site identified a “suspected” unknown capacity UST in the southwestern portion of the site, under the asphalt-paved parking area. This suspected UST is not properly registered.

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VERTEX and the Requestor are currently working with the NYSDEC to update all PBS registration information for PBS No. 2-064742, which includes completion of the NYSDEC *Petroleum Bulk Storage Application*. All existing USTs and the AST will be properly closed and removed as part of the BCP remediation project. VERTEX will complete and submit the NYSDEC *Pre-Work Notification for Bulk Storage (PBS or CBS) Tank Installation, Closing, Repair, or Reconditioning* form for the closure of the bulk storage tanks.

Part B Section IX. Site Contact List Information

Chief Executive Officers

New York City:

Mayor Bill de Blasio
City Hall
New York, NY 10007

Borough of Brooklyn:

Borough President
Eric L. Adams
Borough Hall
209 Joralemon Street
Brooklyn, NY 11201
Telephone: 718-802-3700
Fax: 718-802-3778

Planning Board Chairperson

New York City:

Carl Weisbrod, Chairman
New York City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271
Telephone: 212-720-3300
Fax: 212-584-8628

Brownfield Cleanup Program (BCP) Application

2840 Atlantic Avenue – Brooklyn, New York

Adjoining Property Owners

Property address	2864 Atlantic Avenue
Block	3965
Lot	11
Owner Full name	Hess Retail Stores LLC
Address	1 Hess Plaza
City state zip	Woodbridge, NJ 07095

Property address	259 Barbey Road
Block	3965
Lot	10
Owner Full name	Jenny Adamez-Cruz
Address	2629 Atlantic Avenue
City state zip	Brooklyn, NY 11207

Property address	211 Schenck Avenue
Block	3964
Lot	3
Owner Full name	1440 G Pacific Realty
Address	380 Crescent Street
City state zip	Brooklyn, NY 11208

Property address	278 Barbey Street
Block	3964
Lot	26
Owner Full name	1440 G Pacific Realty
Address	380 Crescent Street
City state zip	Brooklyn, NY 11208

Property address	276 Barbey Street
Block	3964
Lot	25
Owner Full name	1440 G Pacific Realty
Address	380 Crescent Street
City state zip	Brooklyn, NY 11208

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Property address **274 Barbey Street**
Block 3964
Lot 24
Owner Full name 1440 G Pacific Realty
Address 380 Crescent Street
City state zip Brooklyn, NY 11208

Property address **273 Barbey Street**
Block 3965
Lot 4
Owner Full name Roberto Galarzo
Address 273 Barbey Street
City state zip Brooklyn, NY 11207

Property address **271 Barbey Street**
Block 3965
Lot 5
Owner Full name Gregorio H. Javier
Address 271 Barbey Street
City state zip Brooklyn, NY 11207

Property address **269 Barbey Street**
Block 3965
Lot 6
Owner Full name Arelis Echievarria
Address 269 Barbey Street
City state zip Brooklyn, NY 11207

Property address **267 Barbey Street**
Block 3965
Lot 7
Owner Full name Clotilde Carrasquillo
Address 267 Barbey Street
City state zip Brooklyn, NY 11207

Property address **261 Barbey Street**
Block 3965
Lot 9
Owner Full name Betty Jo Kittrell
Address 67 Fort Greene Place
City state zip Brooklyn, NY 11217

Brownfield Cleanup Program (BCP) Application

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Property address **2834-2836**
Block 3963
Lot 14 and 15
Owner Full name DLB Holding LLC
Address 227-05 139th Avenue
City state zip Laurelton, NY 11413

Property address **2838 Atlantic Avenue**
Block 3963
Lot 16
Owner Full name Freddy Compres
Address 2838 Atlantic Avenue
City state zip Brooklyn, NY 11207

Property address **194 Schenck Avenue**
Block 3963
Lot 18
Owner Full name 194-8 Schenck Ave Co.
Address 682 Baldwin Avenue
City state zip N. Baldwin, NY 11510

Property address **202 Schenck Avenue**
Block 3963
Lot 20
Owner Full name Ramonita Beltran
Address 202 Schenck Avenue
City state zip Brooklyn, NY 11207

Property address **204 Schenck Avenue**
Block 3963
Lot 21
Owner Full name Angelo Consolo
Address 1133 Shore Parkway
City state zip Brooklyn, NY 11214

Brownfield Cleanup Program (BCP) Application

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Property address **208 Schenck Avenue**
Block 3963
Lot 22
Owner Full name Mary Ann Smith
Address 329 Patchen Avenue
City state zip Brooklyn, NY 11233

Property address **210 Schenck Avenue**
Block 3963
Lot 23
Owner Full name Madan Gurcharanjeet
Address 48-10 188th Street
City state zip Flushing, NY 11365

Property address **2835-2837 Atlantic Avenue**
Block 3948
Lot 35 and 36
Owner Full name Miguelina Linares
Address 2837 Atlantic Avenue
City state zip Brooklyn, NY 11207

Property address **208 Schenck Avenue**
Block 3963
Lot 22
Owner Full name Mary Ann Smith
Address 329 Patchen Avenue
City state zip Brooklyn, NY 11233

Property address **2841 Atlantic Avenue**
Block 3949
Lot 1
Owner Full name Jacqueline Alvarez
Address 382 West Merrick Road
City state zip Freeport, NY 11520

Property address **2853 Atlantic Avenue**
Block 3949
Lot 45
Owner Full name Jacqueline Alvarez
Address 382 West Merrick Road
City state zip Freeport, NY 11520

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Property address **2855 Atlantic Avenue**
Block 3949
Lot 44
Owner Full name Rautie Kanhoye
Address 76-20 Pitkin Avenue
City state zip Ozone Park, NY 11417

Property address **2861 Atlantic Avenue**
Block 3949
Lot 42
Owner Full name 2861 Atlantic Avenue Corp
Address c/o Freddy Compres 31-06 93rd Street
City state zip East Elmhurst, NY 11369

Property address **2863 Atlantic Avenue**
Block 3950
Lot 47
Owner Full name Brooklyn Management Services Corp
Address 4505 Fifth Avenue
City state zip Brooklyn, NY 11220

Water Service:

New York City Department of Environmental Protection
Bureau of Water Supply
Paul V. Rush, P.E.
Deputy Commissioner
465 Columbus Avenue
Valhalla, NY 10595
Phone: 845-340-7800
Fax: 845-334-7175
prush@dep.nyc.gov

Contact List Requests

No one has requested to be placed on the contact list.

Local News Media for Public Announcements

Brooklyn Daily Eagle
16 Court Street
Suite 1208
Brooklyn, NY 11241
718- 643-9099

Brownfield Cleanup Program (BCP) Application

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School and Day Care Facility Administrators

Salve Regina Catholic Academy

Ms. Roxanna Elder, Principal
237 Jerome Street
Brooklyn, NY 11207
(718) 277-9000

St. Malachy's Early Childhood Development Center

Ms. Alicia Alvarez
220 Hendrix Street
Brooklyn, NY 11207
(718) 647-1015

Local Document Repository

Brooklyn Public Library
New Lots Library
665 New Lots Avenue at Barbey Street
Brooklyn, NY 11207
(718) 649-0311

A copy of the approval emails sent from Mr. Jesse Montero, Director of Central Library, Brooklyn Public Library acknowledging its agreement to act as the document repository for the site is included in this attachment.

Community Board

Brooklyn Community Board 5
404 Pine Street, 3rd Floor
Brooklyn, NY 11208
929-221-8261
BK05@cb.nyc.gov

A copy of the approval email sent from Ms. Melinda Perkins, District Manager of Community Board 5, acknowledging its agreement to act as the document repository is included in this attachment.

Tim Biercz -- Vertex

From: Montero, Jesse <jmontero@bklynlibrary.org>
Sent: Wednesday, March 15, 2017 5:02 PM
To: Tim Biercz -- Vertex
Cc: Hayes, Craig
Subject: RE: Document Repository Request - Environmental Cleanup

Hi Tim. We've discussed the request and agree that we can take it on. Based on the 2840 Atlantic Ave. cleanup location we would try to site the repository close to the neighbors impacted it, most like in the New Lots Library or Arlington Library but we are trying to determine the best fit.

We would also request your instructions on when documents can be disposed and which ones supercede others. Do you have any sense of how large the repository might grow?

Jesse Montero | Director of Central Library
Brooklyn Public Library

718.230.2750
bklynlibrary.org

Tim Biercz -- Vertex

From: Montero, Jesse <jmontero@bklynlibrary.org>
Sent: Thursday, March 16, 2017 9:17 AM
To: Tim Biercz -- Vertex
Cc: Hayes, Craig; Schofer, Sheila; Palmer, Sharon; Wasserman, Chloe
Subject: RE: Document Repository Request - Environmental Cleanup

Thanks, Tim. We appreciate the consideration of our space concerns.

I'm cc:ing Sharon Palmer and Sheila Schofer, who lead our network of neighborhood libraries. Upon close examination they feel the [New Lots Library](#) is the best choice to house these documents. I will let you coordinate with them regarding next steps. Our counsel, Chloe Wasserman, is also cc:ed if you need anything formalized.

Best,

Jesse Montero | Director of Central Library
Brooklyn Public Library

718.230.2750
bklynlibrary.org

Tim Biercz -- Vertex

From: Perkins, Melinda <mperkins@cb.nyc.gov>
Sent: Wednesday, May 10, 2017 9:16 AM
To: BK05 (CB); Tim Biercz -- Vertex
Cc: Mitchell, Andre (CB); atmitchell01@gmail.com
Subject: RE: Document Repository Request - Brownfield Cleanup Program

Good Morning,

Yes, Community Board 5 will accept the Document Repository request for the Brownfield Cleanup Program, with the understanding that we are in a temporary shared location with another city agency and as the repository builds, we may need to change the decision, if the current space does not allow.

Also, can you please send me any guidelines that you have for proper process of the information and how/if it should be shared.

Thank you once again for your patience in this matter.

Regards,

Melinda Perkins
District Manager
Community Board 5, BROOKLYN
404 Pine Street, 3rd Floor
Brooklyn, New York 11208
Direct: 929-221-8256
Email: Mperkins@cb.nyc.gov

Brownfield Cleanup Program (BCP) Application
2840 Atlantic Avenue – Brooklyn, New York

Part B Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?

Based on a review of the New York City Department of City Planning Zoning and Land Use (ZoLa) mapping program, the site is zoned M1-4 and R8A. The M1 (manufacturing) zoning is described as a buffer zone between manufacturing and adjacent residential/commercial districts. The M1 typically includes light industrial uses, but nearly all industrial uses are allowed if they meet the M1 performance standards (minimum requirement or maximum allowable limit on noise, vibration, smoke, odor or other effects of industrial uses). Parking is not required in the M1-4 zone. The R8A (residential) zoning has mandatory Quality Housing regulations which results in high lot coverage with building height limitations to ensure compatibility with existing structures on the street.

The site is also identified in a Special Mixed Use District (MX-16). Effective on April 20, 2016, the zoning district was established to encourage investment in neighborhoods with mixed residential and industrial uses in close proximity. New residential and non-residential uses (commercial, community facility, and light industrial) can be developed as-of-right and be located side-by-side or within the same building.

In addition, the site is identified in a Special Enhanced Commercial District-5. Effective on April 20, 2016, the purpose of this zoning designation is to “promote and maintain a lively and engaging pedestrian experience along commercial avenues.”

2. Current Use: 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.

The most recent operations at the site included plastics and floor tile manufacturing. Royal Plastics Corporation and Allied Tile Manufacturing Corporation occupied the site from the mid-1980s until

Brownfield Cleanup Program (BCP) Application

2840 Atlantic Avenue – Brooklyn, New York

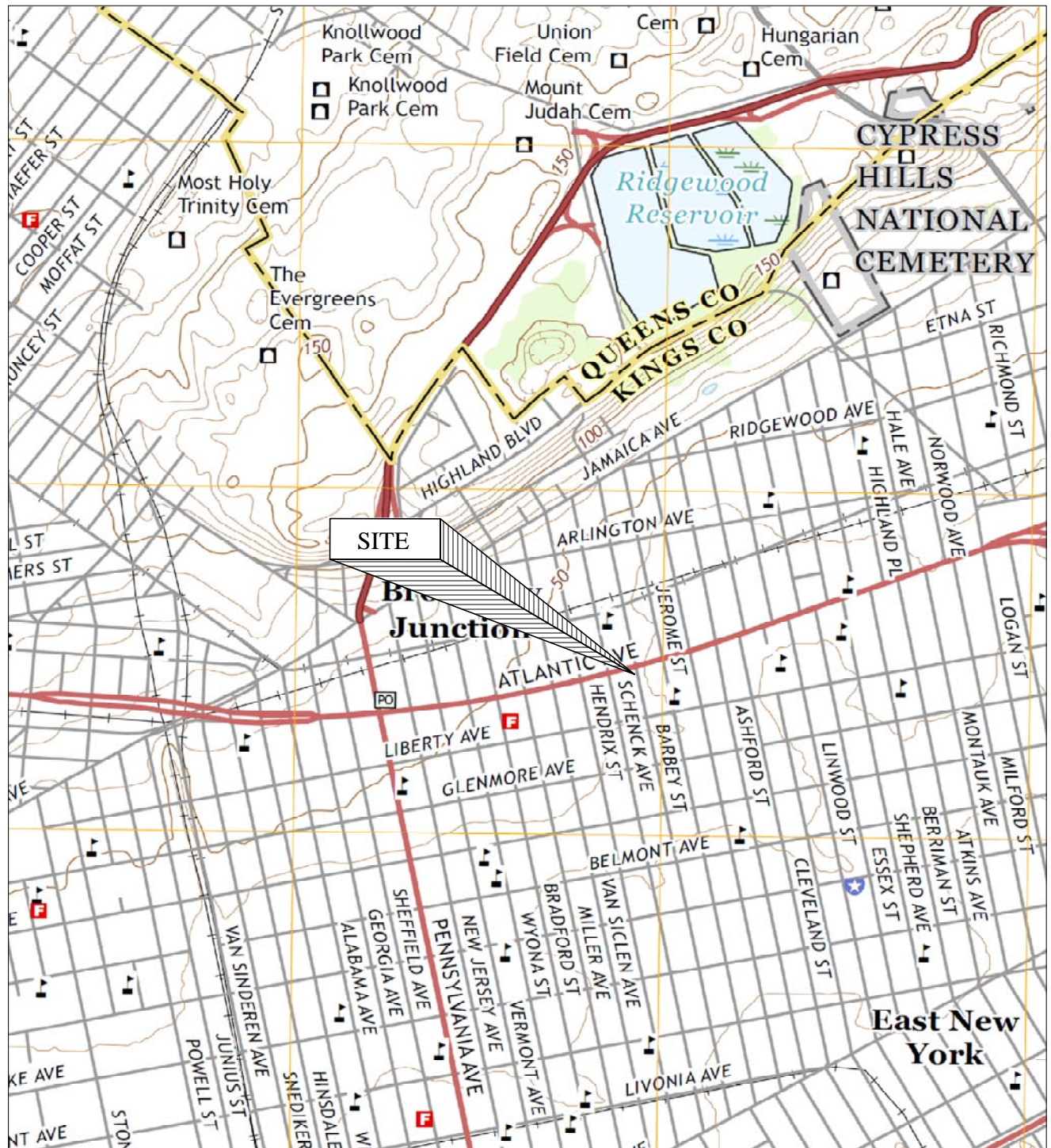
2016. The primary source of confirmed environmental impacts at the site appears to be a discharge from a ~ 5,000-gallon heating oil underground storage tank (UST) located under a loading dock on the eastern side of the site. Soil borings completed in the area surrounding the UST confirmed petroleum impacts in the soil between 21 feet below ground surface (bgs) and 50 feet bgs with light non-aqueous phase liquid (LNAPL) present on the groundwater table. The petroleum-impacted area is estimated at 8,500 square feet. In addition, hydraulic equipment in the Press Room at the northeast corner of the site has discharged hydraulic oil to a storm water floor drain located in this area and is a potential source of soil impacts. A suspected gasoline UST was identified in the parking area on the west side of the site during the Phase II investigation. In addition, silk screen ink, ethanol, isopropyl alcohol, and tetrahydrofuran were also used in the site operations.

3. Attach a statement detailing the specific proposed use:

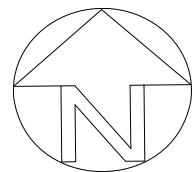
The proposed use for the property is to renovate the existing buildings for use as a self-storage facility. Storage units will be installed in the basement and all three floors of the existing structures. The project does not include the construction of any new buildings. A new driveway will be constructed to access the asphalt paved parking area (Lots 4 and 23) on the southern portion of the site. These lots are currently used for vehicle parking. The proposed self-storage facility is a permitted use for the site, which is zoned for manufacturing (M1-4).

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FIGURES



USGS Topographic Map, 2014
Brooklyn, New York Quadrangle
Contour Interval: 10 Feet



SITE LOCATION MAP

2840 Atlantic Avenue
Brooklyn, New York

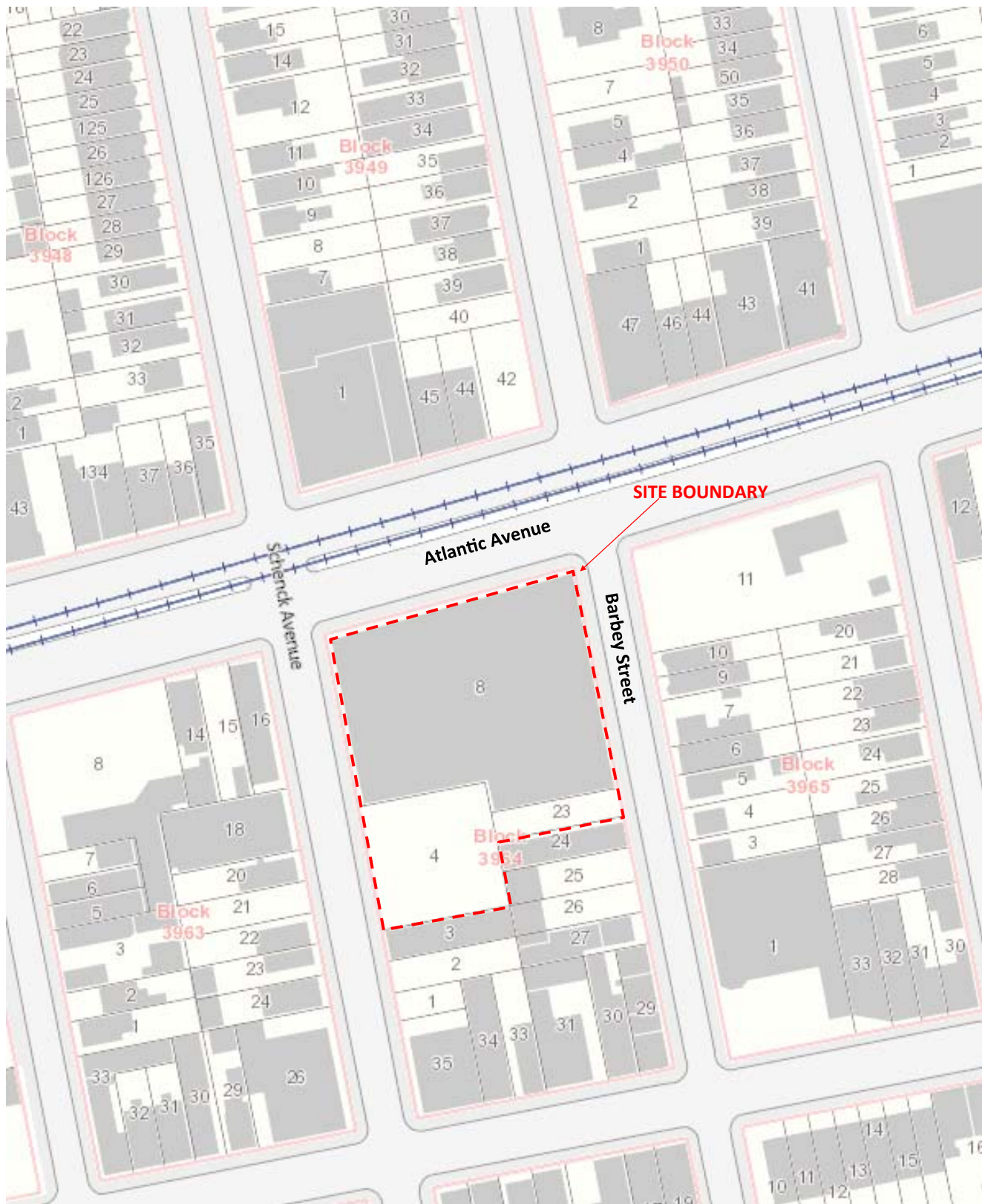
Not to Scale

January 2017

VERTEX Proj. No. 43163

VERTEX
ENGINEERING, PC

FIGURE NO. 1



Source: NYC Oasis online
mapping program



TAX MAP

2840 Atlantic Avenue
Brooklyn, New York

VERTEX Project No. 43163

VERTEX®

VERTEX ENGINEERING, PC
FIGURE NO. 2

LEGEND
 All Concentrations Provided in Milligrams per Kilogram (mg/kg)
 TPH=total petroleum hydrocarbons
 1,2-DCA=1,2-dichloroethane
 VC=vinyl chloride
 1,2,4-TMB=1,2,4-trimethylbenzene
 EthylB=ethylbenzene

Refer to Figure 4 for sampling summary in Press Room

Soil/Groundwater Impacted area based on Field Observations and UVOST/TPH Data (dashed area is assumed)

SB-8
 1,2-DCA=0.23
 VC=0.23
 1,2,4-TMB=5.10
 1,4-Dioxane=4.50
 Benzene=0.47
 EthylB=6.10
 Xylenes=3.90

5,000-gallon UST

Temporary Well with LNAPL

Monitoring Well with LNAPL

Unknown Capacity UST

LEGEND

- SOIL BORING SAMPLE LOCATION (JUNE 2016)
- SOIL BORING / GROUNDWATER SAMPLE LOCATION (JUNE 2016)
- ▲ SOIL VAPOR SAMPLE LOCATION (JUNE 2016)

- sewer cleanout
- UST vent
- fill port
- manhole cover
- ▲ Existing groundwater monitoring well

- catch basin or floor grate
- RC reinforced concrete
- ▨ metal-detector anomaly
- UST axis
- suspected UST

- p/r product/return line
- v vent line
- f fill line
- s sewer line
- ? suspected utility
- chain-link fence

Scale: One inch equals approximately twenty feet

Source: Site Plan with Sample Locations, Environmental Building Solutions, July 2016



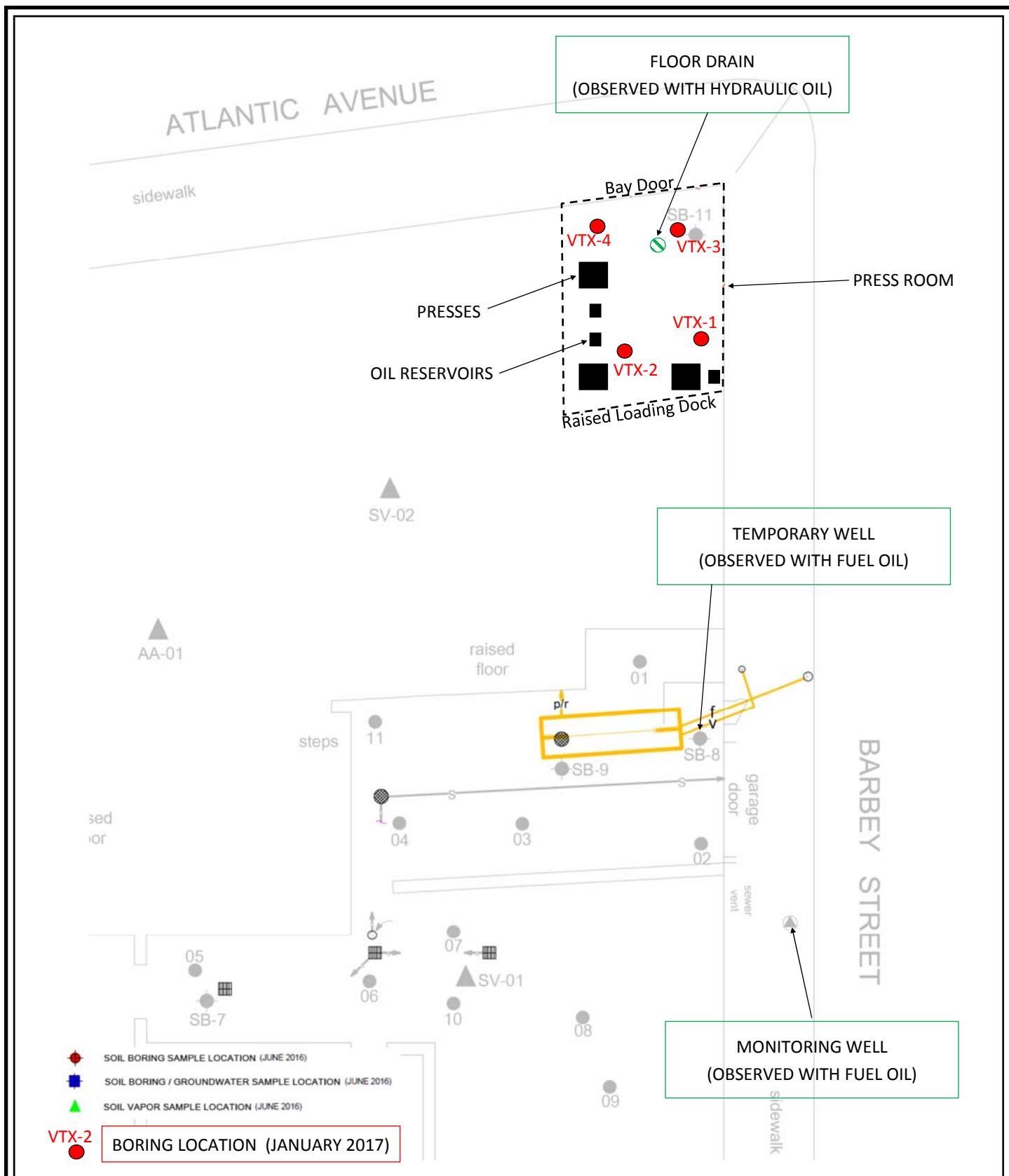
SOIL SAMPLE RESULTS MAP

2840 Atlantic Avenue
 Brooklyn, New York

VERTEX Project No. 43163

VERTEX®

VERTEX ENGINEERING, PC
 FIGURE NO. 3



Source: Site Plan with Sample Locations, Environmental Building Solutions, July 2016



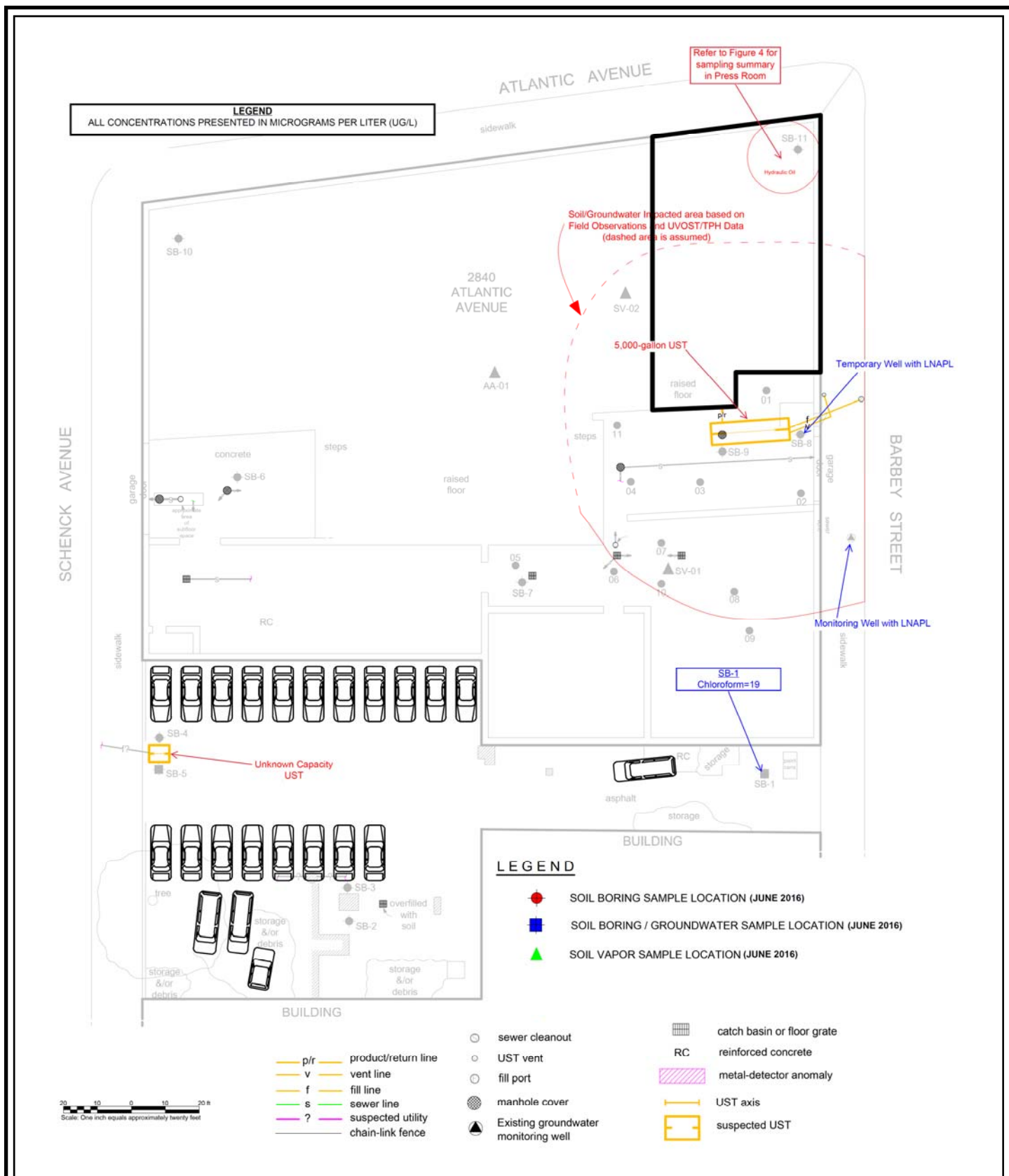
SOIL SAMPLE LOCATIONS

2840 Atlantic Avenue
Brooklyn, New York

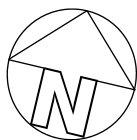
VERTEX Project No. 43163

VERTEX®

VERTEX ENGINEERING, PC
FIGURE NO. 4



Source: Site Plan with Sample Locations, Environmental Building Solutions, July 2016



GROUNDWATER RESULTS MAP

2840 Atlantic Avenue
Brooklyn, New York

VERTEX Project No. 43163

VERTEX®

VERTEX ENGINEERING, PC
FIGURE NO. 5

NOTES:

- PROPERTY KNOWN AND DESIGNATED AS LOTS 4, 8 & 23, IN BLOCK 3964 AS DESIGNATED ON THE NEW YORK CITY DIGITAL TAX MAP, HAVING AN EFFECTIVE DATE OF DECEMBER 8, 2008.
- AREA OF LOT 4: 10,000 S.F. OR 0.2296 AC.
AREA OF LOT 8: 31,100 S.F. OR 0.7140 AC.
AREA OF LOT 23: 2,500 S.F. OR 0.0574 AC.
TOTAL AREA: 43,600 S.F. OR 1.0010 AC.
- LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON PRIOR UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
- THIS SURVEY WAS PREPARED WITH REFERENCE TO A CERTIFICATE OF TITLE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE NUMBER ASA-608-K-10233 WITH AN EFFECTIVE DATE OF FEBRUARY 25, 2016 WHERE THERE ARE NO SURVEY RELATED EXCEPTIONS IN SCHEDULE B.
- ELEVATIONS ARE BASED UPON NAVD 88 DATUM.
- BY GRAPHIC PLOTTING, PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE AS IDENTIFIED ON NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 360497IND04, MAP REVISED SEPTEMBER 5, 2007, PANEL NO. 360497021TF.
- THERE ARE NO VISIBLE STREAMS OR NATURAL WATERCOURSES IN THE PROPERTY, AS SHOWN.
- THE LOCATION AND EXTENTS OF UNDERGROUND TANKS AND VAULTS, IF ANY EXIST, HAVE NOT BEEN DETERMINED BY THE SURVEYOR.
- CONSOLIDATED EDITION OF NY REFUSED TO ISSUE ELECTRIC MAPPING FOR THIS PROJECT.

TITLE REPORT DESCRIPTION

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

PARCEL NO.1 (TAX LOT 4)

BEGINNING AT A POINT ON THE EASTERLY SIDE OF SCHENCK AVENUE, DISTANT 150 FEET NORTHERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF SCHENCK AVENUE WITH THE NORTHERLY SIDE OF LIBERTY AVENUE;

RUNNING THENCE EASTERLY PARALLEL WITH LIBERTY AVENUE, 100 FEET;

THENCE NORTHERLY PARALLEL WITH SCHENCK AVENUE, 100 FEET;

THENCE WESTERLY PARALLEL WITH LIBERTY AVENUE, 100 FEET TO THE EASTERLY SIDE OF SCHENCK AVENUE;

THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF SCHENCK AVENUE, 100 FEET TO THE POINT OR PLACE OF BEGINNING.

PARCEL NO.2 (TAX LOTS 8 & 23)

BEGINNING AT THE SOUTHEASTERLY CORNER OF ATLANTIC AVENUE AND SCHENCK AVENUE;

RUNNING THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF SCHENCK AVENUE, 135 FEET;

THENCE EASTERLY AT RIGHT ANGLES TO SCHENCK AVENUE, 100 FEET;

THENCE SOUTHERLY PARALLEL WITH SCHENCK AVENUE, 50 FEET;

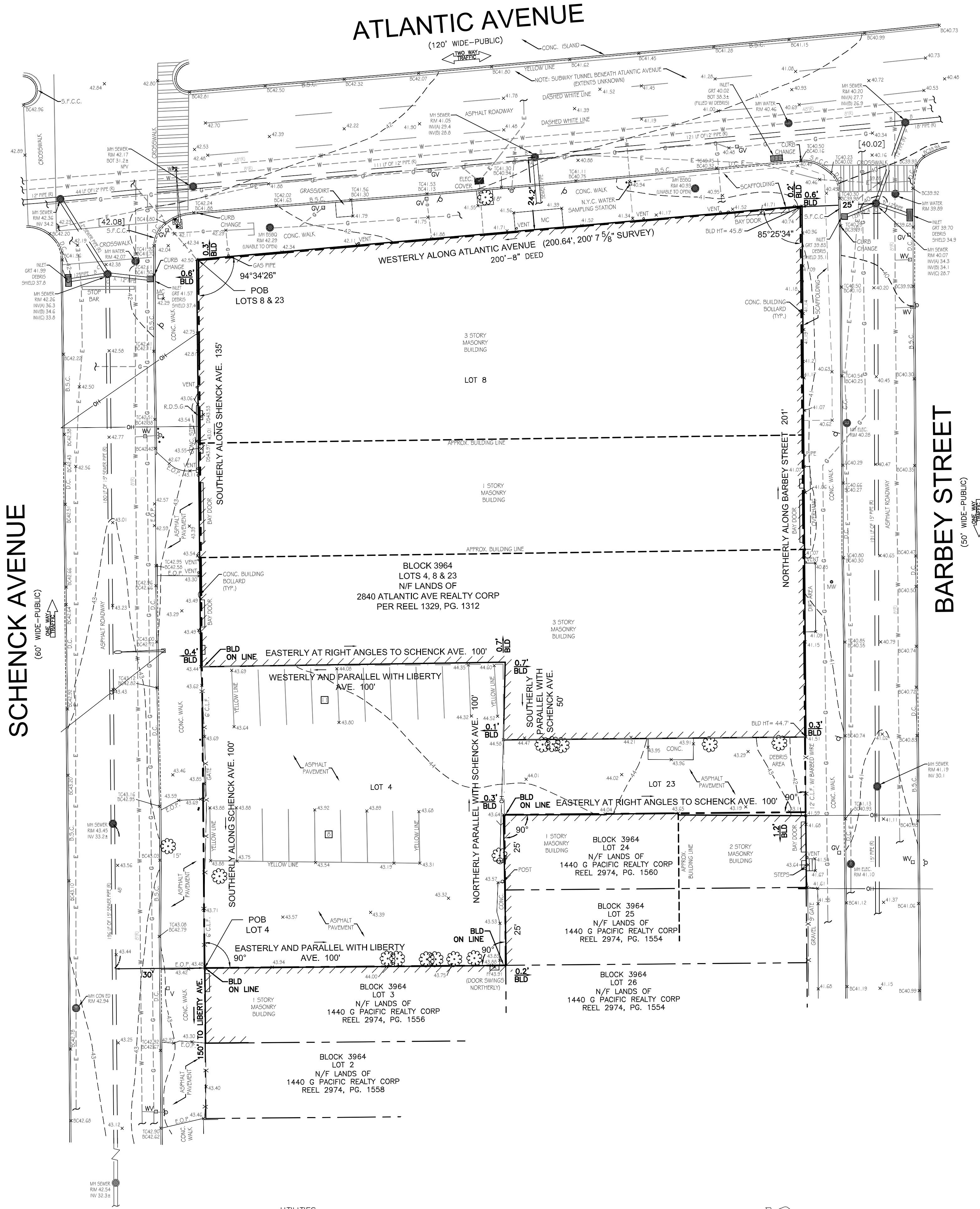
THENCE EASTERLY AT RIGHT ANGLES TO SCHENCK AVENUE, 100 FEET TO THE WESTERLY SIDE OF BARBEY STREET;

THENCE NORTHERLY ALONG THE WESTERLY SIDE OF BARBEY STREET, 201 FEET TO THE SOUTHWESTERLY CORNER OF ATLANTIC AVENUE AND BARBEY STREET;

THENCE WESTERLY ALONG THE SOUTHERLY SIDE OF ATLANTIC AVENUE, 200 FEET 8 INCHES DEED (200 FEET 7 7/8 INCHES SURVEY) TO THE POINT OR PLACE OF BEGINNING.

MAP LEGEND

	PROPERTY LINE
	EXIST. BUILDING FOOTPRINT AT GROUND LEVEL & DOORWAY
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
	EXIST. TOP OF CURB ELEVATION
	EXIST. GUTTER ELEVATION
	DOOR SILL ELEVATION
	FINISHED FLOOR ELEVATION
	EXIST. GRADE PER REFERENCE NO. 2 (CONVERTED TO NAVD 88)
	APPROX. LOCATION U.G. WATER LINE & SIZE PER REFERENCE NO. 5
	APPROX. LOCATION U.G. TELEPHONE LINE PER REFERENCE NO. 7
	APPROX. LOCATION U.G. GAS LINE PER UTILITY MARKOUT
	APPROX. LOCATION U.G. ELECTRIC LINE PER UTILITY MARKOUT
	FENCE
	HYDRANT
	WATER VALVE
	GAS VALVE
	UNKNOWN VALVE
	MANHOLE
	INLET
	TRAFFIC SIGNAL POLE
	PEDESTRIAN CROSSING SIGNAL
	STREET LIGHT
	OVERHEAD WIRES
	UTILITY POLE
	GUY ANCHOR
	BOLLARD
	SIGN
	CONCRETE CURB
	DEPRESSED CURB
	STEEL FACED CONC. CURB
	BLUESTONE CURB
	EDGE OF PAVEMENT
	CHAIN LINK FENCE
	METAL COVER
	ROLL DOWN SECURITY GATE
	MONITORING WELL
	RECORD MAPPING
	PARKING COUNT
	DENOTES OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE
	TREE & TRUNK SIZE

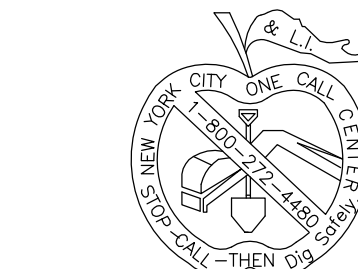
SCHENCK AVENUE
(60' WIDE-PUBLIC)

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY NEW YORK STATE ONE-CALL SYSTEM (1-800-272-4480) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 161041030

UTILITY COMPANY

NATIONAL GRID
CABLEVISION OF BROOKLYN
CONSOLIDATED EDISON CO. OF N.Y.
VERIZON COMMUNICATIONS



NEW YORK STATE REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft

REFERENCES:

- BOUNDARY & TOPOGRAPHIC SURVEY, 2840 ATLANTIC AVENUE, BLOCK 3964/LOTS 4 & 23, BOROUGH OF BROOKLYN, KINGS COUNTY, STATE OF NEW YORK PREPARED BY CONTROL POINT ASSOCIATES INC., DATED FEBRUARY 10, 2016.
- FINAL SECTION MAP NO. 29 PROVIDED BY THE OFFICE OF THE BROOKLYN BOROUGH PRESIDENT, CITY OF NEW YORK, TOPOGRAPHICAL BUREAU, DATED APRIL 25, 1997.
- PLANS SHOWING THE LOCATION OF UNDERGROUND GAS LINES PROVIDED BY NATIONAL GRID, MAP NOS. 42-67, 42-66, 42-75 & 42-76, RECEIVED APRIL 26, 2016.
- PLAN SHOWING THE LOCATION OF UNDERGROUND SEWER LINES PROVIDED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF WATER AND SEWER OPERATIONS, MAP PRINTED APRIL 13, 2016.
- PLAN SHOWING THE LOCATION OF UNDERGROUND WATER LINES PROVIDED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF WATER AND SEWER OPERATIONS, MAP PRINTED APRIL 13, 2016.
- PLAN SHOWING THE LOCATION OF UNDERGROUND FDNV COMMUNICATIONS LINES, MAP NO. 29, LAST REVISED JANUARY 15, 1996.
- PLAN SHOWING THE LOCATION OF UNDERGROUND TELEPHONE LINES PROVIDED BY EMPIRE CITY SUBWAY, RECEIVED APRIL 14, 2016.
- ATLANTIC AVENUE IMPROVEMENT L.I.R.R. PROFILE OF STREET GRADES DIVISION NUMBER 4, ADOPTED DECEMBER 18, 1903.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

2	REVISE PER NEW TITLE REPORT AND CHANGE IN CERTIFIED PARTIES, NO FIELD UPDATE PERFORMED	K.G.G.	07-18-16
1	REVISED PER RECEIPT OF TITLE REPORT	V.M.F.	05-18-16
No.	DESCRIPTION OF REVISION	DRAWN:	DATE

ALTA/ NSPS LAND TITLE SURVEY
LOTS 4, 8 & 23, BLOCK 3964

2840 ATLANTIC AVENUE
BOROUGH OF BROOKLYN
COUNTY OF KINGS
CITY & STATE OF NEW YORK

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DATE	SCALE	DRAWN:	CHECKED:
05-11-2016	1"=20'	K.G.G.	G.S.G./V.M.F.
FIELD DATE	FIELD BOOK	PAGE	FIELD CREW
04-26-2016	8	59	M.C./W.B.
FILE NO.:	DRAWING NAME/SHEET NO.		
G16078	G16078.DWG	1	OF 1

THIS SURVEY IS CERTIFIED TO:
2840 ATLANTIC HOLDINGS, LLC;
LSC DEVELOPMENT, LLC;
FIRST AMERICAN TITLE INSURANCE CO.;
ALL SHORE ABSTRACT;
WELLS FARGO BANK, N.A.;

THIS IS TO CERTIFY THAT THIS MAP OR WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR LAND SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY THE ENGINEERS, SURVEYORS, LAND SURVEYORS AND LAND SURVEYORS OF THE STATE OF NEW YORK, AND THAT THE SAME WERE COMPLETED ON 04-26-2016.

NOT VALID UNLESS EMBOSSED WITH PROFESSIONAL SEAL OR EMBOSSED WITH SEAL OF THE STATE OF NEW YORK
2012

GREGORY S. GALLAS
NEW YORK PROFESSIONAL LAND SURVEYOR #50124

DATE