



## 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 9*

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #: \_\_\_\_\_

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

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

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

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

#### Section II. Project Description

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

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

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

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

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

### Section III. Property's Environmental History

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

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

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

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

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

\*Please describe: \_\_\_\_\_

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

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

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

**ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\***

(\*answering No will result in an incomplete application)

Yes No

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

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

Other: \_\_\_\_\_

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

#### Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

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: \_\_\_\_\_

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

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		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	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
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	
<b>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.</b> <b>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".</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
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 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?  
If yes, please provide:      Site # \_\_\_\_\_      Class # \_\_\_\_\_

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

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

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

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

Yes    No

## Section IX. Contact List Information

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

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

Section X. Land Use Factors	
1. What is the current zoning for the site? What uses are allowed by the current zoning? <div style="display: flex; justify-content: space-around; margin-bottom: 5px;"> <span>Residential</span> <span>Commercial</span> <span>Industrial</span> </div> If zoning change is imminent, please provide documentation from the appropriate zoning authority.	
2. Current Use:    Residential    Commercial    Industrial    Vacant    Recreational    (check all that apply) <b>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.</b>	
3. Reasonably anticipated use Post Remediation:    Residential    Commercial    Industrial    (check all that apply) <b>Attach a statement detailing the specific proposed use.</b>  If residential, does it qualify as single family housing? <span style="float: right;">Yes    No</span>	
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 hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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 Treasurer (title) of Stewart Purchaser 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: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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: October 16, 2017 Signature: [Signature]

Print Name: Daina Mansky

### 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: \_\_\_\_\_

## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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 Treasurer (title) of Gardner Purchaser 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: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, 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: October 16, 2017

Signature: \_\_\_\_\_

Print Name: Davina Mansur

### 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 9**

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
<b>Please answer questions below and provide documentation necessary to support answers.</b>		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p><b>From ECL 27-1405(31):</b></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><b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (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 will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended 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:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage claimed within an En-Zone:****0%****<50%****50-99%****100%****DER Determination:**

Agree

Disagree

**Requestor's Requested Status:****Volunteer****Participant****DER/OGC Determination:**

Agree

Disagree

**Notes:****For NYC Sites, is the Requestor Seeking Tangible Property Credits:**

Yes

No

**Does Requestor Claim Property is Upside Down:**

Yes

No

**DER/OGC Determination:**

Agree

Disagree

Undetermined

**Notes:****Does Requestor Claim Property is Underutilized:**

Yes

No

**DER/OGC Determination:**

Agree

Disagree

Undetermined

**Notes:****Does Requestor Claim Affordable Housing Status:**

Yes

No

Planned, No Contract

**DER/OGC Determination:**

Agree

Disagree

Undetermined

**Notes:**

New York State Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM

BROWNFIELD CLEANUP PROGRAM APPLICATION  
SUPPLEMENTAL AND SUPPORTING INFORMATION

for

STEWART PURCHASER LLC and  
GARDNER PURCHASER LLC

OCTOBER 2017

## Section I – Requestor Information

There are two requestors, each owning a portion of the property for which BCP admission is requested (the “Site”).

1. Stewart Purchaser LLC is a Delaware limited liability company that owns property at 140 Stewart Avenue, Brooklyn, NY 11237 (Brooklyn Block 02977, Lot 1). A printout from the New York State Department of State's Corporation & Business Entity Database, reflecting this entity's registration with the NYS Department of State, is included in Exhibit A

The sole member of Stewart Purchaser LLC is S & G Realty Holdings LLC, a Delaware limited liability company. That entity is not registered to do business in New York State. A printout from the Delaware Department of State's entity database, describing this entity, is included in Exhibit A

2. Gardner Purchaser LLC is a Delaware limited liability company that owns property at 111 Gardner Ave, Brooklyn, NY 11237 (Brooklyn Block 02977, Lots 14, 15, 16). A printout from the New York State Department of State's Corporation & Business Entity Database, reflecting this entity's registration with the NYS Department of State, is included in Exhibit A.

The sole member of Stewart Purchaser LLC is S & G Realty Holdings LLC, a Delaware limited liability company. That entity is not registered to do business in New York State. A printout from the Delaware Department of State's entity database, describing this entity, is included in Exhibit A

The following individual will be certifying the documents and meets the NYS DER-10 requirements:

Qualified Environmental Professional:

David J. Umbach, PG, LSRP  
PSG Engineering DPC  
362 5<sup>th</sup> Ave., Ste 501  
New York, NY 10001  
(646) 273-1290  
dumbach@partneresi.com

## Section II - Project Description

### II.4 - Narrative Description

The site is presently used as an indoor and outdoor concert venue and event space, and will be renovated post-remediation to enhance this use. The final development will include indoor restroom facilities, multiple bar areas, dance floors, performance areas, offices, and storage areas. Specifically, development will consist of the restoration of the two existing buildings and a large outdoor event space

The Requestors, Stewart Purchaser LLC and Gardner Purchaser LLC, propose to enter the Brownfield Cleanup Program ("BCP") as Volunteers. (See Section VII below.)

The goal of the remedial project will be to delineate, remediate and mitigate the contaminants of concern, prior to the further redevelopment of this former industrial site. Requestors anticipate that the Remedial Investigation and a subsequent Remedial Action could be completed by June 2018, with a Certificate of Completion issued by December 2018.

### Section III – Property’s Environmental History

#### III.1– Environmental Reports

The environmental reports prepared for the Site include the following, which are attached as Exhibit B:

- Phase I Environmental Site Assessment Report, prepared by GRS Group (Jan. 2016)
  - *Included in April 2017 Draft RIWP, starting at pdf p. 48.*
- Phase II Environmental Site Assessment Report, prepared by GRS Group (Feb. 2016)
  - *Included in April 2017 Draft RIWP, starting at pdf p. 1113.*
- Phase III Environmental Site Assessment Report, prepared by GRS Group (March 2016)
  - *Included in April 2017 Draft RIWP, starting at pdf p. 1226.*
- Sub-Slab Depressurization System Installation & Air Sampling Report for 140 Stewart Ave, prepared by NYCO Environmental & Dewatering Corp. (May 2016)
  - *Included in April 2017 Draft RIWP, starting at pdf p. 1486.*
- Sampling & Excavation Plan, prepared by G.C. Environmental, Inc. (Jan. 2017)
- Limited Site Investigation Report, prepared by G.C. Environmental, Inc. (Feb. 28, 2017)
  - *Note: there are references in the April 2017 RIWP to an April 2017 “Additional Limited Site Investigation Report, prepared by G.C. Environmental, Inc.” (See pages 1, 3.) G.C. Environmental, Inc. has confirmed that this reference was mistaken, and that no such report was prepared.*
- Geotechnical Engineering Report, prepared by GZA GeoEnvironmental of New York (April 2017)
  - *Included in April 2017 Draft RIWP, starting at pdf p. 1536.*
- Remedial Investigation Work Plan, prepared by G.C. Environmental, Inc. (April 18, 2017)
- Soil Management Plan, prepared by G.C. Environmental, Inc. (April 21, 2017)



- Vapor Intrusion System Diagnostic Results Letter Report for 140 Stewart Ave, prepared by East Coast Vapor LLC (May 22, 2017).
- Sub-Slab Depressurization System Activation Summary for 111 Gardner Ave, prepared by NYCO Environmental & Dewatering Corp. (June 22, 2017).
- Soil/Materials Management Plan, prepared by Partner Engineering and Science, Inc. (June 2017).
- Cap Operation and Maintenance Plan, prepared by Partner Assessment Corporation (June 29, 2017).

### III.2– Sampling Data

Laboratory reports for sampling data are included within the investigation reports referenced above.

### III.3 – Site Drawings

Drawings for soil, groundwater, and soil vapor are attached as Exhibit C.

## **Section IV – Property Information**

The following maps have been attached as Exhibit D:

- Tax map
- USGS 7.5-minute quad map, indicating the site’s location
- Property base map

### IV.10 - Property Description Narrative

Location: The Site is located in the Williamsburg section of Brooklyn, New York and is identified as Block 2977, Lots 1, 14, 15, and 16 on the New York City Tax Map. The Site is approximately 80,000 square feet and is bound by Meserole Street to the north, railroad tracks to the south, Gardner Avenue to the east, and Stewart Avenue to the west.

Site Features: The site is currently occupied by two (2) one-story buildings, one on the northeast corner (111 Gardner Avenue) and one on the southwest corner (140 Stewart Avenue), with a paved area, formerly used for parking, throughout most of the remaining areas of the site.

Current Zoning and Land Use: The site and the surrounding area are currently zoned M3-1 (Manufacturing/Industrial). The property is used as an indoor and outdoor concert venue and event space.

### Past Use of the Site:

The Property appears to have been undeveloped land in 1888 and developed with an iron and steel works building at 140 Stewart Avenue and a liquid bleach manufacturer at 111 Gardner Ave by 1933.

At the 140 Stewart Ave portion of the site (Lot 1), the iron and steel works was in operation until approximately 1960. It was occupied by Skorr Steel Company, a stainless steel supplier, from 1992 to approximately April 2016.

At the 111 Gardner Ave portion of the site (Lots 14, 15, 16), several chemical companies, including a liquid bleach manufacturer, previously occupied the 111 Gardner site from at least 1931 to 1995. Based on the review of Sanborn Maps, the manufacturing operations were conducted in a set of connecting buildings on the southeastern portion of this parcel. Regulatory records indicate chemicals were stored in four ASTs and drums; however, data included in the regulatory database only date back to the 1980s. No information is known on the use, storage or disposal of hazardous materials or the chlorine manufacturing operations prior to the 1980s. A spill from abandoned drums was reported for the facility in 1994. Corrective actions were completed and the case closed the same day. Additionally, property records indicate a release or substantial threat of release of ammonia, butyl cellosolve, monoethylamine, and glycol ether, at the Alfred Chemical Co. at 111 Gardner Ave on or about October 8, 1993. The New York City Department of Environmental Protection ordered remedial action and acknowledged compliance with the order on September 28, 1995.

The bleach house was no longer located on the property by 2001.

Filco Carting occupied the 111 Gardner Ave portion of the site from 2000 to May 2016. Filco Carting operated a rubbish removal service and rented out roll-off containers. Additional improvements included a steel storage area, parking lots, and a roll-off storage container staging area. Filco Carting used a portion of their building as an active truck maintenance garage for routine maintenance and repair of its trucks. The garage used de-greasers, lubricants, hydraulic oils and antifreeze; all were stored in tanks, 55-gallon drums and other assorted containers. The 2016 Phase I Report observed poor housekeeping at this facility and the potential for the related use and disposal of these hazardous materials to have impacted environmental conditions at the Property.

Site Geology and Hydrogeology: Depth to groundwater ranges from 9 to 14 feet below grade at the Site. Groundwater flows in a westerly direction to the west-southwest.

#### Environmental Assessment:

Based on investigations conducted to date, the primary contaminants of concern for the site include chlorinated solvents (e.g. tetrachloroethylene (PCE) and associated degradation compounds) metals (e.g., arsenic, barium, chromium, mercury, and lead), and SVOCs, all of which are present at the Site at concentrations in excess of applicable standards.

#### *Soil*

Sampling to date has found concentrations of metals (namely arsenic, barium, chromium, mercury and lead) and SVOCs at concentrations exceeding NYSDEC's Part 375 Commercial Use Soil Cleanup Objectives ("CSCOs") throughout the Site.

Metal contamination in excess of the CSCOs appears to be ubiquitous throughout Site soil, without a specific area of concentration.

The highest concentration of SVOC impacts identified to date was found in former boring DS-15, near the northeast corner of the 140 Stewart Ave building. Of note, shallow (3') samples found benzo(a)anthracene at 223 mg/kg (CSCO is 5.6 mg/kg), benzo(a)pyrene at 196 mg/kg (CSCO is 1 mg/kg), benzo(b)fluoranthene at 217 mg/kg (CSCO is 5.6 mg/kg), chrysene at 165 mg/kg (CSCO is 56 mg/kg), dibenz(ab)anthracene at 29.5 mg/kg (CSCO is .56 mg/kg) and ideno(1,2,3-co)pyrene at 93.6 mg/kg (CSCO is 5.6 mg/kg).

The highest concentration of chlorinated solvent impacts identified to date are concentrated in former boring SB-2, located beneath the 111 Gardner Ave building. However, these concentrations do not exceed the NYSDEC CSCOs.

#### *Groundwater*

Significant chlorinated solvent groundwater impacts were shown at a cluster of samples southwest of the 111 Gardner Ave building, near the center of Lot 14. For example, at MGW-2, PCE was found at 34,900 µg/L (NYSDEC ambient water quality standard ("AWQS") for this contaminant is 5 µg/L) and TCE was found at 3360 µg/L (NYSDEC AWQS is 5 µg/L), both at a depth of 18 feet. At GW-5, PCE was found at 12,000 µg/L at a depth of 28-30 feet and 1,400 µg/L at depth of 43-45 ft.

Groundwater SVOC exceedances of the AWQS are located throughout the site, but are minor in magnitude and have only exceeded 1 µg/L in one instance, for bis(2-ethylhexyl)phthalate in GW-1. Metal groundwater exceedances of the AWQS have been found throughout the Site. Most such exceedances are minor, except for those presented by lead, chromium, and arsenic, which have been found at greater than 1 magnitude of the AWQS.

#### *Soil Vapor and Indoor Air*

Concentrations of VOCs requiring mitigation pursuant to NYS Department of Health's guidance matrices have been found at the Site. Sub-slab soil gas concentrations below the 140 Stewart Avenue building, in combination with the indoor air concentrations, required mitigation per NYSDOH Soil Vapor/Indoor Air Matrix A; though indoor air concentrations alone were not elevated. In May 2016, a sub-slab depressurization system (SSDS) was activated at the 140 Stewart Ave building.

Two (2) soil vapor investigations were conducted in the 111 Gardner Ave building in May of 2017. Sub-slab sampling indicated elevated levels of VOCs (PCE as high as 131,000 µg/m<sup>3</sup>, and TCE as high as 1,640 µg/m<sup>3</sup>, at SG-2), as did soil vapor samples taken in the courtyard area near the southern boundary of the Site, at SV-2 and SV-3 (PCE as high as 1,440 µg/m<sup>3</sup> and TCE as high as 4490 µg/m<sup>3</sup>, at SV-3). Although the indoor air concentrations of VOCs at the 111 Gardner building were low on both sampling occasions, mitigation was required under the NYSDOH Soil Vapor/Indoor Air Matrices due to the elevated levels of VOCs detected in the sub-slab samples. Accordingly, an SSDS was installed in the 111 Gardner building in June 2017. As an additional measure to reduce potential risk of human exposure to soil vapor, on June 29, 2017, storm drain covers were installed in the outdoor venue area.

## **Section V – Property Information. Additional Requestor Information**

### Additional attorney representing the Requestors:

Jeffrey B. Gracer  
Sive, Paget & Riesel, P.C.

560 Lexington Ave, 15<sup>th</sup> Floor.  
New York, NY 10022  
Ph: (212) 421-2150  
Fax: (212) 421-1891  
jgracer@sprlaw.com

## Section VI. Current Property Owner/Operation Information

### CURRENT OWNERS AND OPERATORS

#### Current Owner of 140 Stewart Avenue (Brooklyn Block 02977, Lot 1)

Stewart Purchaser LLC  
130 East 7<sup>th</sup> Street #3  
New York, NY 10009  
Ph: (646) 659-0921  
Fax: N/A  
Email: [davina@wiederkehrre.com](mailto:davina@wiederkehrre.com)  
*Ownership start date: May 16, 2017*

#### Current Owner of 111 Gardner Avenue (Brooklyn Block 02977, Lots 14, 15, 16)

Stewart Purchaser LLC  
130 East 7<sup>th</sup> Street #3  
New York, NY 10009  
Ph: (646) 659-0921  
Fax: N/A  
Email: [davina@wiederkehrre.com](mailto:davina@wiederkehrre.com)  
*Ownership start date: May 16, 2017*

#### Current Operator of both 140 Stewart Avenue and 111 Gardner Avenue

Attn: Benjamin Roshia  
Avant Gardner, LLC  
67 West Street, Suite 323  
Brooklyn, NY 11222  
Ph: (347) 987-3146  
Fax: N/A  
Email: [ben@avant-gardner.com](mailto:ben@avant-gardner.com)

Avant Gardner, LLC has operated at the site as a concert venue and event space since May 5, 2016.

### PREVIOUS OWNERS AND OPERATORS OF 140 STEWART AVE:

#### Previous Owners of 140 Stewart Ave property (Block 2977, Lot 1)

Dates	Owner
2013 – May 2017	Nancy Skorr (25%) Joseph A. Piela (75%)  <i>Last Known Address for both Individuals</i>

	<p>c/o Joseph M. Mattone, Jr., Esq., 134-01 20<sup>th</sup> Ave, College Point, NY 11356</p> <p>Relationship to Requestors: None</p>
July 22, 2004 - 2013	<p>Nancy Skorr (25%) Carol Skorr Piela (75%)</p> <p><i>Last known addresses:</i> Carol Skorr Piela (deceased), 68 Wellsboro Rd, Valley Stream, NY 11580 Nancy Skorr, c/o Joseph M. Mattone, Jr., Esq., 134-01 20<sup>th</sup> Ave, College Point, NY 11356</p> <p>Relationship to Requestors: None</p>
June 28, 2004 – July 22, 2004	<p>Nancy Skorr (25%) Carol Skorr Piela (50%) Carol Skorr Piela and Skorr Steel Co., Inc. (25%)</p> <p><i>Last known addresses:</i> Carol Skorr Piela (deceased), 68 Wellsboro Rd, Valley Stream, NY 11580 Nancy Skorr, c/o Joseph M. Mattone, Jr., Esq., 134-01 20<sup>th</sup> Ave, College Point, NY 11356 Skorr Steel Co., Inc., 140 Stewart Ave, Brooklyn, NY</p> <p>Relationship to Requestors: None</p>
1995 - 2004	<p>Carol Skorr Piela (50%), Nancy Skorr (25%), James Skorr (25%), as tenants in common</p> <p><i>Last known addresses:</i> Carol Skorr Piela (deceased), 68 Wellsboro Rd, Valley Stream, NY 11580 Nancy Skorr, c/o Joseph M. Mattone, Jr., Esq., 134-01 20<sup>th</sup> Ave, College Point, NY 11356 James Skorr (deceased), 446-11 Corona Ave, Valley Stream, NY 11580</p> <p>Relationship to Requestors: None</p>
1980 - 1995	<p>Henry J. Skorr and Carol Skorr Piela (50%), as tenants in common</p> <p><i>Last known addresses:</i>  Henry J. Skorr (deceased), 20 Wallace Court, Valley Stream, NY Carol Skorr Piela (deceased), 68 Wellsboro Rd, Valley Stream, NY 11580</p> <p>Relationship to Requestors: None</p>
_____ - 1980	<p>Milton Silverman</p> <p><i>Last known address:</i> 75 Johnson Place Woodmere, NY</p>

	Relationship to Requestors: None
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Previous Operators of 140 Stewart Ave (Block 2977, Lot 1)

<b>Dates</b>	<b>Operator</b>
1992 – approximately April 2016	<p>Skorr Steel Company, a stainless steel supplier</p> <p>On information and belief, Skorr Steel was acquired by Atlantic Stainless Co., Inc. in 2016. See <a href="https://www.atlanticstainless.com/news/skorr-steel-customers-welcomed-atlantic-stainless-family">https://www.atlanticstainless.com/news/skorr-steel-customers-welcomed-atlantic-stainless-family</a>. Contact information for Atlantic Stainless Co., Inc. is below.</p> <p>Atlantic Stainless Co., Inc. 140 John Diestch Square North Attleboro, MA 02763 Phone: (866) 530-8904 Fax: (508) 699-8311</p> <p>Relationship to Requestors: None</p>
1992	<p>General Building Prods. Co.</p> <p><i>Per the NYS Department of State's Business Entity Database, this entity dissolved on March 11, 1999.</i></p> <p><i>Last known address for service</i> Miller, Singer, Raives &amp; Brandes, P.C. 1 Rockefeller Plaza New York, NY 10020</p> <p>Relationship to Requestors: None</p>
1992	<p>Bridge Lumber Co.</p> <p><i>Per the NYS Department of State's Business Entity Database, this entity dissolved on June 25, 2003.</i></p> <p><i>Last known address for service</i> Attn: Joseph M. Matarese 503 Union Ave Brooklyn, NY 11211</p> <p>Relationship to Requestors: None</p>
1976	<p>Varick Trucking Co.</p> <p>An entity by the name of Varick Trucking &amp; Logistics, Inc. is listed in the NYS Department of State's Business Entity Database with the following contact information:</p> <p>Varick Trucking &amp; Logistics, Inc. 2000 Garden City Plaza Suite 224</p>

	Garden City, NY 11530  Relationship to Requestors: None
1970	The Weyerhaeuser Co.  <i>Address for Service</i> c/o Corporation Service Company 80 State Street Albany, NY 12207  Relationship to Requestors: None
1945 – 1960 (approx.)	Weinstein Barnet & Sons Iron Goods  Contact Information: Unavailable Relationship to Requestors: None
1933	Iron and steel works apparent on the property, ownership unknown
1924	Building apparent on property, ownership unknown

Previous Owners of 111 Gardner Ave (Block 2977, Lots 14 – 16)

<b>Dates</b>	<b>Owner</b>
1995 - Approximately April 2016	Industrial Specialty Metals, Inc.  <i>Last Known Address:</i> c/o Joseph M. Mattone, Jr, Esq. 134-01 20 <sup>th</sup> Ave College Point, NY 11356  Relationship to Requestors: None
1993 - 1995	Ingraham Realty Company  <i>Last Known Address:</i> 610 Johnson Avenue Brooklyn, NY 11237  Relationship to Requestors: None
1985 - 1993	Kostein Realty Corp. <i>Per NYS Dept. of State Entity Database, this entity dissolved in 1995</i>  <i>Last Known Address:</i> 171 Lombardy St Brooklyn, NY 11222  Relationship to Requestors: None
1985 - 1985	Karen Kobell, Sheppard Goldstein, Kenneth Goldstein, tenants in common



	<p><i>Last Known Addresses:</i>  Karen Kobell, 1 Newkirk Ave, East Rockaway, NY  Sheppard Goldstein, 451 Benito St., East Meadow, NY  Kenneth Goldstein, 93 Barberry Lane, East Hills, NY</p> <p>Relationship to Requestors: None</p>
1983 - 1985	<p>Ruth Goldstein</p> <p><i>Last Known Address:</i>  26-23 S. Grand Central Parkway  Floral Park, NY</p> <p>Relationship to Requestors: None</p>
1980 - 1983	<p>David Goldstein (deceased)</p> <p><i>Last Known Address:</i>  26-23 S. Grand Central Parkway  Floral Park, NY</p> <p>Relationship to Requestors: None</p>
1978 - 1980	<p>Starco Chemical, Inc.</p> <p><i>Per NYS Dept. of State Entity Database, this entity dissolved in 1995</i></p> <p><i>Last Known Addresses:</i>  550 Meserole St  Brooklyn, NY 11237</p> <p><i>and</i></p> <p>100 Hackensack Ave.  South Carney, NJ</p> <p>Relationship to Requestors: None</p>
1965 - 1978	<p>Super Pak Co.</p> <p><i>Last Known Address:</i>  550 Meserole St  Brooklyn, NY 11237</p> <p>Relationship to Requestors: None</p>
____ - 1965	<p>Super Pak Corp.</p> <p><i>Last Known Address:</i>  550 Meserole St  Brooklyn, NY 11237</p> <p>Relationship to Requestors: None</p>

Previous Operators of 111 Gardner Ave (Block 2977, Lots 14 – 16)

<b>Dates</b>	<b>Operator</b>
2000 – at least January 2016	<p>Filco Carting Corp. 197 Snediker Ave Brooklyn, NY 11207 (718) 456-5000</p> <p>Relationship to Requestors: None</p>
2005	<p>Meserole St. Recycling</p> <p><i>Per the NYS Department of State’s Business Entity Database, this entity dissolved on Dec. 14, 2015</i></p> <p><i>Last Known Address</i> 568 Meserole Street Brooklyn, NY 11237</p> <p>Relationship to Requestors: None</p>
2000 - 2013	<p>C. Filiberto &amp; Sons, Inc.</p> <p>c/o Rudolph Filiberto P.O. Box 176 672 Grand Boulevard Deer Park, NY 11729</p> <p>Relationship to Requestors: None</p>
As of 1992	<p>Royal Chemical Services, Inc.</p> <p><i>Address for Service:</i> United States Corporation Company 70 Pine Street New York, NY 10270</p> <p>Relationship to Requestors: None</p>
As of 1992	<p>Chloral Group</p> <p><i>Per the NYS Department of State’s Business Entity Database, this entity dissolved on June 24, 1998 .</i></p> <p><i>Last Known Address</i> GC Inc., F/K/A Chloral Group, Inc. 111 Gardner Ave Brooklyn, NY 11237</p> <p>Relationship to Requestors: None</p>
1985-1992	<p>Alfred Chemical Co.</p>

	<p><i>Per the NYS Department of State's Business Entity Database, this entity dissolved on June 24, 1998.</i></p> <p><i>Last Known Address</i>  111 Gardner Ave  Brooklyn, NY 11222</p> <p>Relationship to Requestors: None</p>
1985	<p>OPL Systems Inc.</p> <p><i>Per the NYS Department of State's Business Entity Database, this entity dissolved on Sept. 25, 1991</i></p> <p><i>Last Known Address</i>  c/o Howard Unterberg  485 Madison Avenue  New York, NY 10022</p> <p>Relationship to Requestors: None</p>
1985	<p>OTL Systems Inc. (111 Gardner Ave)</p> <p>Contact Information: Unavailable</p> <p>Relationship to Requestors: None</p>
1940 – 1949	<p>Various chemical companies listed at 548, 550, and 560 Meserole St. (these are alternate addresses for the 111 Gardner Ave property). Company names include Marvel Bleach &amp; Chemical Co. and Arden Chemical Co.</p> <p>A 3<sup>rd</sup> Party website contained the following information about Arden Chemical Co., Inc.: 100 North Hackensack Avenue, Kearny, NJ 07032, (732) 465-7450. Further contact information was not available.</p> <p>Relationship to Requestors: None</p>
1924	Undeveloped

## Section VII – Requestor Eligibility Information

### Statement Regarding Requested Volunteer Status

The Requestors should be considered Volunteers because their liability arises solely as a result of ownership of the Site. Requestors hereby certify that they have exercised appropriate care with respect to the hazardous waste found at the Site 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.

The Requestor entities conducted due diligence activities at the Site in January through March of 2016. In anticipation of purchasing the Site and in order to address conditions identified during due diligence, Requestor entities leased the Site from April 2016 through May 16, 2017. They acquired title to the Site on May 16, 2017. Requestors notified NYSDEC of contamination at the Site in early 2017. In consultation with NYSDEC, an SSDS was installed at the Stewart Ave building in May 2016. Subsequent testing indicated soil vapor issues also existed at the Gardner Ave building; accordingly, an SSDS was installed in that building in June 2017. In addition, soil sampling for waste characterization was conducted and contaminated soils were removed from the Site in April and May of 2016. Requestors consulted with NYSDEC prior to such disposal. Requestors initially applied to the BCP in June 2016 and have continued coordinating with NYSDEC. Because Requestors took action to address the contamination even prior to purchase and have coordinated extensively with NYSDEC to ensure that any potential exposure to contamination at the Site was addressed prior to placing the Site into use, Requestors should be considered Volunteers under the BCP.

## Section IX – Contact List Information

IX.1 - The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.

Hon. Bill de Blasio New York City Mayor City Hall New York, NY 10007	Eric L. Adams Brooklyn Borough President 209 Joralemon Street Brooklyn, NY 11201 P: 718-802-3700 F: 718-802-3778
Carl Weisbrod Chair, New York City Planning Commission 120 Broadway, 31st Floor New York, NY 10271	

IX.2– Residents, owners and occupants of the property and properties adjacent to the property.

The owners of the Site are the Requestors, which are described elsewhere in this application. The operator, Avant Gardner LLC is the tenant of the Site. Contact information for the owners and operator is set forth in Section VI of this Supplement.

Residents, owners, and occupants of adjacent properties are as follows (see Property Base Map for reference):

Block/Lot	Parcel Address	Owner Entity	Owner Mailing Address	Tenant(s)/ Occupant(s)	Notes
2977/35		Long Island Rail Road	MTA Long Island Rail Road Jamaica Station Jamaica, NY 11435-4380	(Railroad tracks)	South of Site
2976/45	127 Stewart Ave, Brooklyn, NY 11237	Stewart Randolph LLC	60 East 56 <sup>th</sup> Street New York, NY 10022	NYC Dept. of Sanitation (parking lot)	Southwest of Site
2976/43	108 Varick Ave Brooklyn, NY 11237	Packin Realty Company, LLC	147 Stewart Ave P.O. Box 370716 Brooklyn, NY 11237	Fung Trading Group Co., Ltd.	Southwest of Site
2976/1	110 Varick Ave, Brooklyn, NY 11237	Packin Realty Company, LLC	147 Stewart Ave P.O. Box 370716 Brooklyn, NY 11237	D&M Lumber Products Co., Inc.  (718) 386-6119	West of Site
2969/22	505 Meserole St	RML Associates LLC	131 Princeton St Roslyn Heights, NY 11577  <i>Address for Service</i> Leonard B. Nathanson, c/o Robinson Brog et al 875 3 <sup>rd</sup> Ave New York, NY 10022	ASD Trading Corporation (718) 418-9888	Northwest of Site
2969/30	516 Scholes St	IBCO USA, LLC	c/o Seamark (USA) Inc 31 Tyler Ave, Ste	Seamark USA Inc and IBCO USA, LLC (718) 418-7706	Northwest of Site

			3201 Iselin, NJ 08830		
2964/44	146 Stewart Ave, Brooklyn, NY 11237	Lucky Sons LLC	Same as parcel address	Best Choice Trading Corp., a/k/a Best Choice Seafood  (718) 366-2999 BestChoiceSeafood@yahoo.com	North of Site
2964/7501  Aka  2964/ Lots 1001 and 10002	135 Gardner Ave, Brooklyn, NY 11237	This property is part of a condominium  The owner of Unit 1 (Lot 1001) is Gardner Estate LLC  The owner of Unit 2, Lot 1002, is PSK Realty, LLC	Gardner Estate, LLC 135 Gardner Ave Brooklyn, nY 11205  PSK Realty, LLC c/o Paul Minarsky 25 Pine Hill Court Briarcliff Manor, New York, 10510	Alexander Supply Corp.	North of Site
2971/1	575 Meserole St	585 Meserole St. Corp.	8 Washington Avenue Spring Valley, NY 10977	<i>3<sup>rd</sup> Party websites identified the following businesses at this address:</i>  JCL Paper Inc (718) 788-7788  Zong Han Training (718) 381-5058  Grand Laser Works (718) 832-3810	Northeast of Site
2978/1	568 Meserole St., Brooklyn, NY 11237	Meserole St. Associates LLC.	430 Maspeth Avenue Brooklyn, NY 11211	Oriental Lumber (718) 386-8200	East of Site
2979/41	113A Scott Ave, Brooklyn, NY 11237	Long Island Rail Road	MTA Long Island Rail Road Jamaica Station Jamaica, NY 11435-4380	(Railroad Tracks)	Southeast of Site
2978/78	106 Gardner	Mc Clinch	Corporation	United Rentals	Southeast

	Ave, Brooklyn, NY 11237	Incorp.	<i>dissolved in 1990. Last known address for service:</i>  185 Thorpe St. Fairfield, CT 06430	104 Gardner Ave Brooklyn, NY	of Site
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IX.3– Local news media from which the community typically obtains information.

Entity	Address	Phone Number and/or Email Address
Brooklyn Daily Eagle	16 Court Street Brooklyn, NY 11241	<a href="http://www.brooklyn eagle.com/">http://www.brooklyn eagle.com/</a>

IX.4 – The public water supplier which services the area in which the property is located.

Entity	Address	Phone Number and/or Email Address
NYC Department of Environmental Protection	59-17 Junction Boulevard 13th Floor Flushing, NY 11373	212-639-9675

IX.5 – Any person who has requested to be placed on the contact list

Person	Address	Phone Number and/or Email Address
Davina Mansur	130 East 7 <sup>th</sup> Street, 3 <sup>rd</sup> Floor New York, NY 10009	646-659-0921 <a href="mailto:davina@wiederkehrre.com">davina@wiederkehrre.com</a>

IX.6 – The administrator of any school or day care facility located on or near the property

School	Address	Administrator Contact Information	Notes
JHS 162- The Willoughby	1390 Willoughby Avenue Brooklyn NY 11237	718-821-4860 Amanda Lazerson, Principal	Nearest school to site

IX.7 – The location of a document repository for the project (e.g., local library)

Facility	Address	Phone Number and/or Email Address
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Brooklyn Public Library, Williamsburg Branch	240 Division Ave Brooklyn, NY 11206 Managing Librarian: Catherine Skrzypek	718-302-3485
Community Board Brooklyn 1	435 Graham Avenue, Brooklyn, NY, 11211	718-389-0009 <a href="mailto:bk01@cb.nyc.gov">bk01@cb.nyc.gov</a>  Chairperson: Dealice Fuller District Manager: Gerald A. Esposito

Note: Acknowledgement from library and Community Board 1 regarding the use as a repository is attached in Exhibit E.

IX.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

Entity	Address	Phone Number and/or Email Address
Community Board Brooklyn 1	435 Graham Avenue, Brooklyn, NY, 11211	718-389-0009 <a href="mailto:bk01@cb.nyc.gov">bk01@cb.nyc.gov</a>  Chairperson: Dealice Fuller District Manager: Gerald A. Esposito

## Section X – Land Use Factors

### X.2– Summary of Current Business Operations or Uses:

Currently the site is being used as an indoor and outdoor concert venue and event space. In addition to entertainment areas in the outdoor space, the buildings provide additional space for entertainment, restroom facilities, and bar services. Contaminant source areas are not likely to have been caused by current uses. Past industrial uses are described in Section IV.

X.3 Summary of Proposed Business Operations or Uses Post-Remediation: The site will continue to be used as an indoor and outdoor concert venue and event space, with renovations to enhance this use. The final development will include indoor restroom facilities, multiple bar areas, dance floors, performance areas, offices, and storage areas. Specifically, development will consist of the restoration of the two existing buildings and a large outdoor event space. The development of the 140 Stewart Ave building will include the construction of a two-story concrete and steel structure, a performance stage, four bars, bathrooms, and a 7,000-square foot wood dance floor. The 111 Gardner Ave building will include a bar, a performance stage, a dance floor, bathrooms, and will retain the current office and storage areas. The outdoor event space would occupy approximately 46,000-square feet and include a series of temporary multi-level scaffolding structures which will be utilized during the summer season to

accommodate the outdoor music venue. The outdoor space will include a performance stage, three bars, and a series of temporary food stands. Trenching will be required to install the necessary utilities and support systems.

**EXHIBIT A**  
**ENTITY INFORMATION**

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through October 11, 2017.

---

Selected Entity Name: STEWART PURCHASER LLC

Selected Entity Status Information

**Current Entity Name:** STEWART PURCHASER LLC

**DOS ID #:** 5111314

**Initial DOS Filing Date:** MARCH 30, 2017

**County:** KINGS

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

C/O CT CORPORATION SYSTEM  
111 EIGHTH AVENUE  
NEW YORK, NEW YORK, 10011

**Registered Agent**

CT 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
MAR 30, 2017	Actual	STEWART PURCHASER 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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[Homepage](#) | [Contact Us](#)

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through October 11, 2017.

---

Selected Entity Name: GARDNER PURCHASER LLC

Selected Entity Status Information

**Current Entity Name:** GARDNER PURCHASER LLC

**DOS ID #:** 5111310

**Initial DOS Filing Date:** MARCH 30, 2017

**County:** KINGS

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

C/O CT CORPORATION SYSTEM  
111 EIGHTH AVENUE  
NEW YORK, NEW YORK, 10011

**Registered Agent**

CT 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
MAR 30, 2017	Actual	GARDNER PURCHASER 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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Department of State: Division of Corporations

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Corporate Fees

UCC Forms and Fees

Taxes

Expedited Services

Service of Process

Registered Agents

GetCorporate Status

Submitting a Request

How to Form a New Business Entity

Certifications, Apostilles & Authentication of Documents

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Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

[File Number:](#)

6349969

[Incorporation Date /](#)

3/16/2017

[Formation Date:](#)

(mm/dd/yyyy)

[Entity Name:](#)

S & G REALTY HOLDING LLC

[Entity Kind:](#)

Limited Liability Company

[Entity Type:](#)

General

[Residency:](#)

Domestic

State:

DELAWARE

[REGISTERED AGENT INFORMATION](#)

Name:

THE CORPORATION TRUST COMPANY

Address:

CORPORATION TRUST CENTER 1209 ORANGE ST

City:

WILMINGTON

County:

New Castle

State:

DE

Postal Code:

19801

Phone:

302-658-7581

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like ☒ Status ☐ Status, Tax & History Information

For help on a particular field click on the Field Tag to take you to the help area.

site map | privacy | about this site | contact us | translate | delaware.gov

https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx

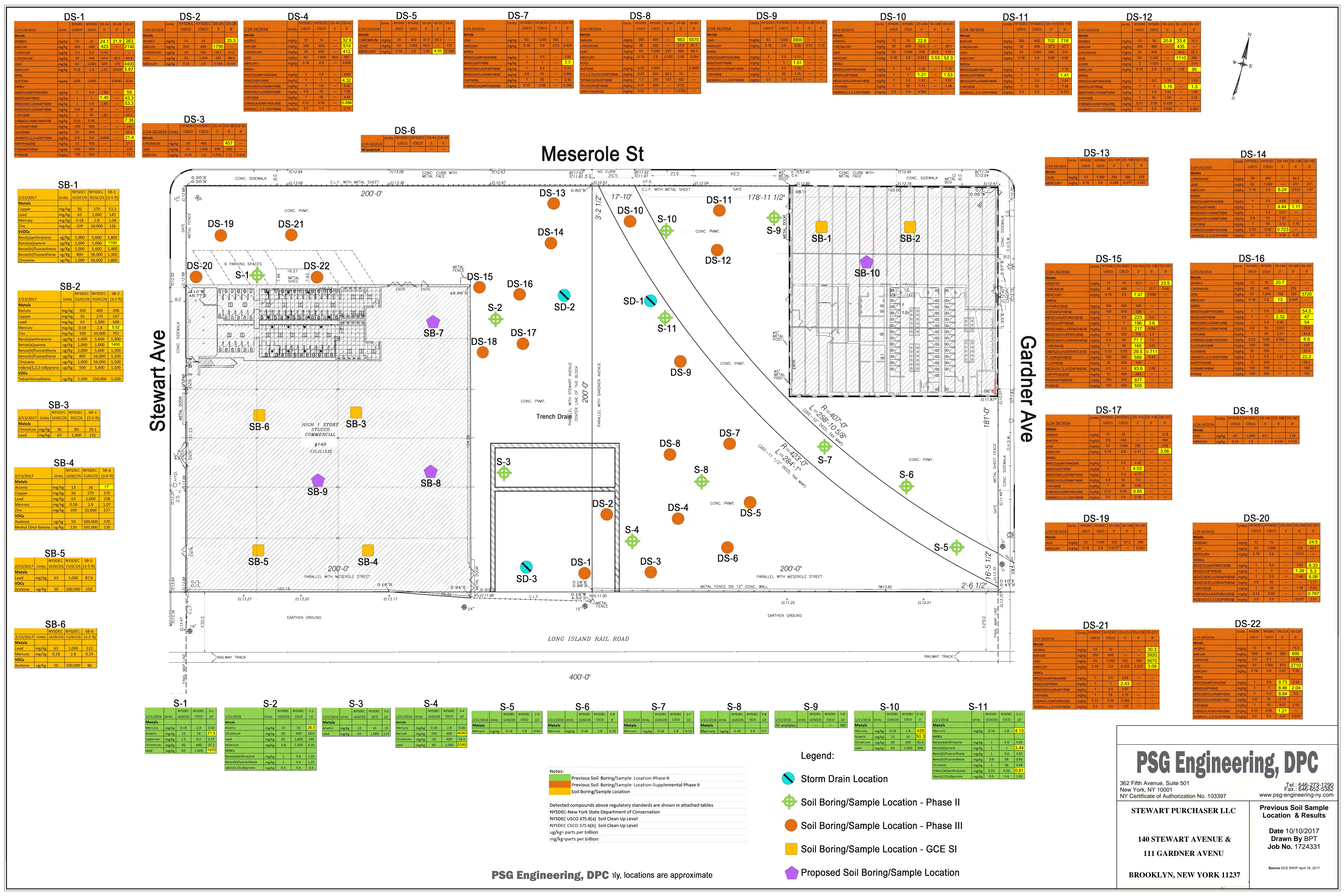
1/1



**EXHIBIT B**  
**PRIOR REPORTS**  
**(INCLUDED AS SEPARATE**  
**FILES ON DISC)**

**EXHIBIT C**  
**SITE DRAWINGS**





# PSG Engineering, DPC

362 Fifth Avenue, Suite 501  
New York, NY 10001  
NY Certificate of Authorization No. 103397

Tel: 848-272-1380  
Fax: 848-272-3382  
www.psg-engineering-ny.com

**STEWART PURCHASER LLC**

**140 STEWART AVENUE &  
111 GARDNER AVENUE**

**BROOKLYN, NEW YORK 11237**

**Previous Soil Sample Location & Results**

Date 10/10/2017  
Drawn By BPT  
Job No. 1724331





Meserole St

Stewart Ave

Gardner Ave

GW Flow Direction

KING ISLAND RAIL ROAD

RAILWAY TRACK

2/23/2016	Units	NYSDEC	GW-3
Metals		AWQS	14'
Arsenic, dissolved	ug/l	25	0.297
Chromium	ug/l	0.002	0.357
Chrysene	ug/l	0.002	0.144
Diethylstilbestrol	ug/l	0.002	0.144

2/23/2016	Units	NYSDEC	GW-4
Metals		AWQS	10'
Arsenic, dissolved	ug/l	25	224
Chromium	ug/l	0.002	0.17
Chrysene	ug/l	0.002	0.07
Diethylstilbestrol	ug/l	0.002	0.231
Diethylstilbestrol	ug/l	0.002	0.086

2/24-26/2016	Units	NYSDEC	MGW-3
Metals		AWQS	15'
Arsenic, dissolved	ug/l	25	166
Chromium	ug/l	0.002	697
Chrysene	ug/l	0.002	672
Diethylstilbestrol	ug/l	0.002	0.884

2/13/2017	Units	NYSDEC	GW-2	GW-2	GW-2
VOCs		AWQS	(13-15)	(28-30)	(43-45)
1,1-Dichloroethane	ug/L	5	---	7	---
1,2-Dichloroethane	ug/L	5	---	12	29
p-Isopropyltoluene	ug/L	5	---	---	7
Tetrachloroethene	ug/L	5	---	---	22
Vinyl chloride	ug/L	2	---	---	3.1

2/23/2016	Units	NYSDEC	GW-3
Metals		AWQS	11'
Arsenic, dissolved	ug/l	0.7	7.35
Chromium	ug/l	25	125
Lead	ug/l	25	1610
VOCs			
Benzofluoranthene	ug/l	0.002	0.025
Benzofluoranthene	ug/l	0.002	0.259
Chrysene	ug/l	0.002	0.87
Diethylstilbestrol	ug/l	0.002	0.204
VOCs			
Tetrachloroethene	ug/l	5	48.1
Trichloroethene	ug/l	5	9.85
1,2-Dichloroethane	ug/l	5	124
Vinyl chloride	ug/l	2	17.8

2/23/2016	Units	NYSDEC	GW-2
Metals		AWQS	9'
Lead	ug/l	25	148

2/24-26/2016	Units	NYSDEC	MGW-3
VOCs			
1,1-Dichloroethane	ug/l	3	19.9
1,2-Dichloroethane	ug/l	5	10.8
p-Isopropyltoluene	ug/l	5	7.9
Tetrachloroethene	ug/l	5	34900
Toluene	ug/l	8	7.25
Trichloroethene	ug/l	5	3360
1,2,4-Trimethylbenzene	ug/l	5	15.8
1,2,3-Trimethylbenzene	ug/l	5	8.41
Vinyl chloride	ug/l	2	660
1,2,3-Trimethylbenzene	ug/l	5	7.86
Xylenes, Total	ug/l	5	10.3
VOCs			
Methoxyphenyl	ug/l	0.002	0.493
Benzofluoranthene	ug/l	0.002	0.647
Benzofluoranthene	ug/l	0.002	0.212
Chrysene	ug/l	0.002	0.526
Diethylstilbestrol	ug/l	0.002	0.275

2/24-26/2016	Units	NYSDEC	MGW-3
Metals		AWQS	14'
Arsenic, dissolved	ug/l	25	30.5

2/24-26/2016	Units	NYSDEC	MGW-4
Metals		AWQS	15'
Arsenic, dissolved	ug/l	25	37.9
Lead	ug/l	25	37
VOCs			
Tetrachloroethene	ug/l	5	12.2
Benzofluoranthene	ug/l	0.002	0.151
Benzofluoranthene	ug/l	0.002	0.182
Benzofluoranthene	ug/l	0.002	0.0591
Chrysene	ug/l	0.002	0.179
Diethylstilbestrol	ug/l	0.002	0.0824

2/8/2017	Units	NYSDEC	GW-5	GW-5	GW-5
VOCs		AWQS	(13-15)	(28-30)	(43-45)
1,1-Dichloroethane	ug/L	5	---	13	10
1,2,4-Trimethylbenzene	ug/L	5	---	7.6	---
1,2-Dichlorobenzene	ug/L	NS	---	4.8	---
Benzene	ug/L	1	2.5	2	---
1,2-Dichloroethane	ug/L	5	910	490	---
Naphthalene	ug/L	10	210	92	12
Tetrachloroethene	ug/L	5	27	12000	1400
Toluene	ug/L	5	5.3	---	---
Total Xylenes	ug/L	5	5.7	5.5	---
1,2,3-Trichloroethene	ug/L	5	6	---	---
Trichloroethene	ug/L	5	5.5	330	29
Vinyl chloride	ug/L	2	64	---	2.6

2/13/2017	Units	NYSDEC	GW-4	GW-4	GW-4
VOCs		AWQS	(13-15)	(28-30)	(43-45)
1,1-Dichloroethane	ug/L	5	---	6.6	15
1,2-Dichloroethane	ug/L	5	---	---	9.8

2/8/2017	Units	NYSDEC	GW-1	GW-1	GW-1
Metals		AWQS	(13-15)	(28-30)	(43-45)
Aluminum	mg/L	0.1	444	NA	NA
Aluminum (Dissolved)	mg/L	0.1	0.585	NA	NA
Antimony	mg/L	0.005	0.104	NA	NA
Arsenic	mg/L	0.025	0.389	NA	NA
Arsenic (Dissolved)	mg/L	0.025	0.027	NA	NA
Barium	mg/L	1	2.84	NA	NA
Beryllium	mg/L	0.005	0.026	NA	NA
Cadmium	mg/L	0.005	0.025	NA	NA
Chromium	mg/L	0.05	4.74	NA	NA
Chromium (Dissolved)	mg/L	0.05	0.097	NA	NA
Copper	mg/L	0.2	1.94	NA	NA
Iron	mg/L	0.3	782	NA	NA
Iron (Dissolved)	mg/L	0.3	1.79	NA	NA
Lead	mg/L	0.025	5.92	NA	NA
Lead (Dissolved)	mg/L	0.025	0.044	NA	NA
Magnesium	mg/L	35	144	NA	NA
Manganese	mg/L	0.3	8.7	NA	NA
Mercury	mg/L	0.0007	0.0516	NA	NA
Nickel	mg/L	0.1	1.08	NA	NA
Sodium	mg/L	20	1330	NA	NA
Sodium (Dissolved)	mg/L	20	1310	NA	NA
Zinc	mg/L	5	6.36	NA	NA
VOCs					
1,1-Dichloroethane	ug/L	5	---	9.2	7.8
1,2-Dichloroethane	ug/L	5	21	---	---
Tetrachloroethene	ug/L	5	---	---	7.1
Total Xylenes	ug/L	5	10	---	---
Vinyl chloride	ug/L	2	6.1	---	---
VOCs					
Benzofluoranthene	ug/L	0.002	0.06	NA	NA
Chrysene	ug/L	0.002	0.06	NA	NA
Nitrobenzene	ug/L	0.4	0.7	NA	NA
Bis(2-ethylhexyl)phthalate	ug/L	5	39	NA	NA

2/13/2017	Units	NYSDEC	GW-3	GW-3	GW-3
VOCs		AWQS	(13-15)	(28-30)	(43-45)
Tetrachloroethene	ug/L	5	---	---	28

Legend:

- Storm Drain Location
- Groundwater Sample Location - Supplemental Phase II
- Groundwater Sample Location - Phase II
- Groundwater Sample Location - GCE SI
- Proposed Static Groundwater Boring Location

Notes:  
Groundwater Sample Location - Supplemental Phase II  
Groundwater Sample Location - Phase II  
Groundwater Sample Location - GCE SI  
Detected compounds above regulatory standards are shown in attached tables  
NYSDEC AWQS - New York State Department of Conservation Ambient Water Quality Standards  
mg/l - milligram per liter  
ug/l - microgram per liter

For reference use only, locations are approximate

PSG Engineering, DPC

362 Fifth Avenue, Suite 501  
New York, NY 10001  
NY Certificate of Authorization No. 103397

Tel.: 646-273-1990  
Fax: 646-552-5352  
www.psg-engineering-ny.com

STEWART PURCHASER LLC

140 STEWART AVENUE &  
111 GARDNER AVENUE

BROOKLYN, NEW YORK 11237

Previous Groundwater  
Sample Location &  
Results

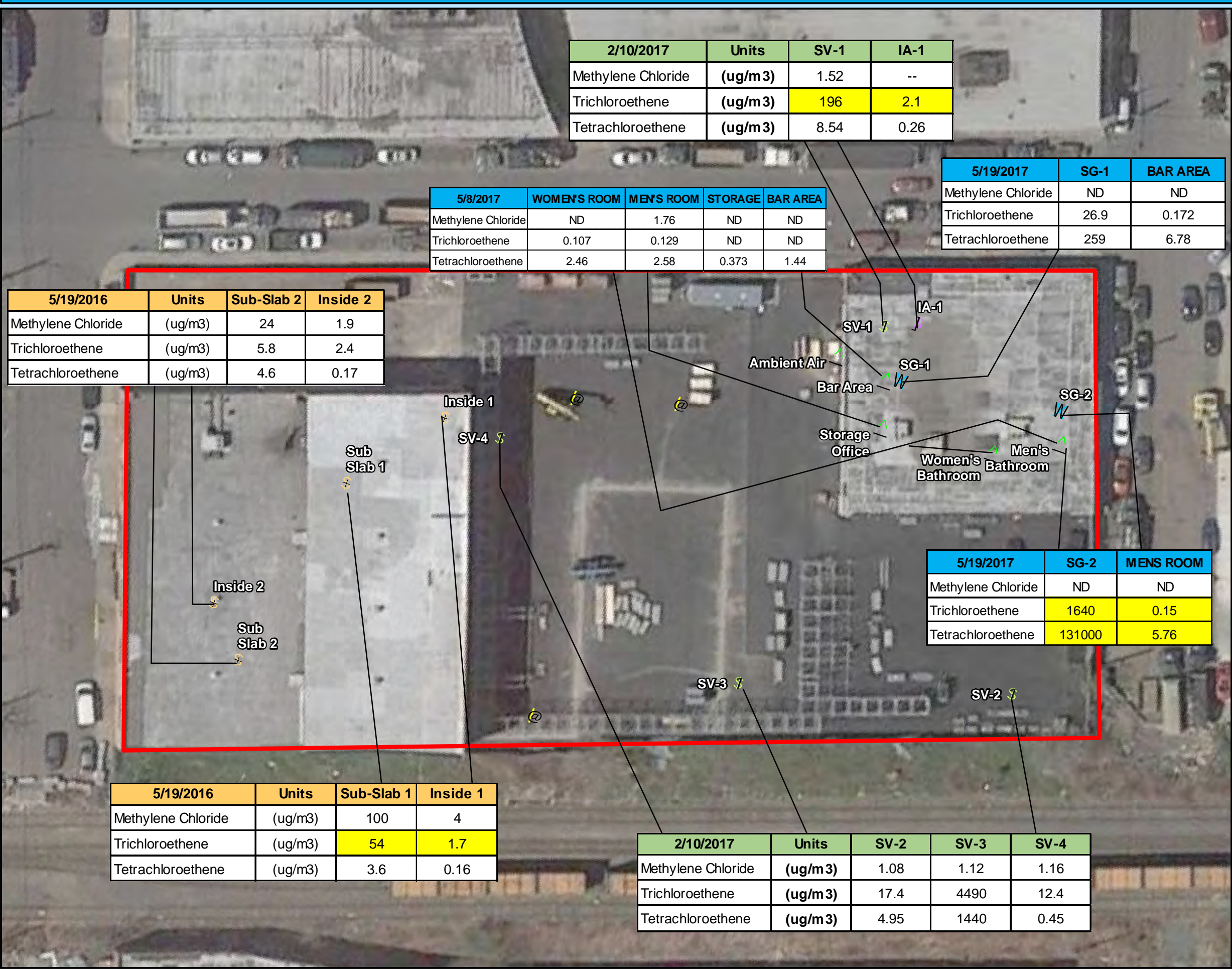
Date 10/10/2017  
Drawn By BPT  
Job No. 1724331

Source GCE RIWP April 18, 2017



Soil Vapor/Indoor Air Sample Location and Results Map

Brooklyn, New York



STEWART PURCHASER LLC

140 STEWART AVENUE &  
111 GARDNER AVENUE  
BROOKLYN, NEW YORK 11237

SOIL VAPOR/INDOOR AIR  
SAMPLE LOCATION & RESULTS MAP

Legend

Site Boundary

May 19, 2017 Sub-Slab Soil Gas Samples

May 8&19, 2017 Indoor/Ambient Air Samples

February 10, 2017 Indoor Air Sample

Mary 19, 2016 Soil Vapor & Air Samples

February 10, 2017 Soil Vapor Samples

Storm Drains

Notes:

- All results were compared to the NYSDOH May 2017 Updated Soil Vapor/Indoor Air Matrices.

- None of the May 2017 Indoor/Ambient Air samples exceeded their applicable standard.

- The February 10, 2017 and May 19, 2016 sampling event were conducted by previous consultants.

560 Exceedance of NYSDOH SV/Indoor Air Matrices

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Coord. System: NAD 1983 StatePlane New York East FIPS 3101 Feet  
Projection: Transverse Mercator  
False Easting: 492,125.0000  
False Northing: 0.0000  
Central Meridian: -74.5000  
Scale Factor: 0.9999  
Latitude Of Origin: 38.8333  
Units: Foot US

E

0204080

Feet

PSG Engineering, DPC

362 Fifth Avenue, Suite 501  
New York, NY 10001  
NY Certificate of Authorization No. 103397

Tel.: 646-273-1290  
Fax.: 646-652-5382  
www.psg-engineering-ny.com

Sources:  
Google Earth Imagery

SCALE  
1 in = 40 ft

Job No:  
File Name: Soil Vapor Indoor Air

DRAWN BY  
ALH

DATE  
10/10/2017

File: \\pac.local\root\Solutions\Jobs\Stewart Purchaser LLC\17243313-NY-EN\GIS\Former Vapor Sample Map.mxd  
User: ahasler  
Date: 10/11/2017

# **EXHIBIT D**

## **MAPS**



Avant Gardner Tax Map  
140 Stewart Avenue and 111 Gardner Avenue, Brooklyn, NY

LEGEND

50

50

~~50~~

50.5

+/-5.5

C50

A50

S50

R

1

Misc

1500 - 1550

Borough Boundary

Tax Block Boundary

Tax Block Number

Tax Lot Boundary

Tax Lot Number

Condo FKA Tax Lot Number

Tax Lot Dimension

Approximate Tax Lot Dimension

Condo Flag/Condo Number

Air Right Flag/Lot Number

Subterranean Right Flag/Lot Number

REUC Flag

Under Water Tax Lot Boundary

Other Boundary

Possession Hook

Miscellaneous Text

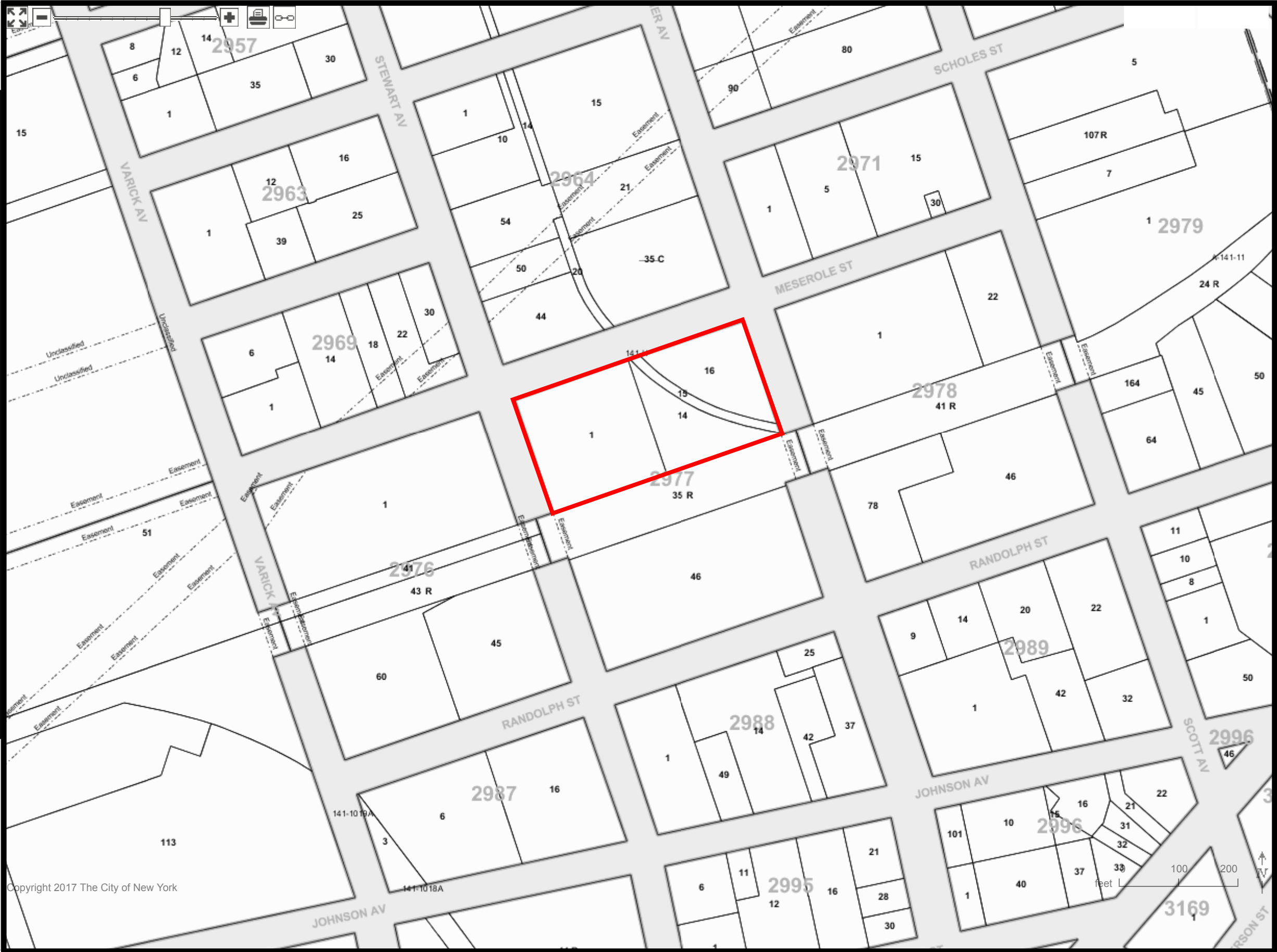
Condo Units Range Label

Small Tax Lot Dimension

Building Footprint

Surface Water

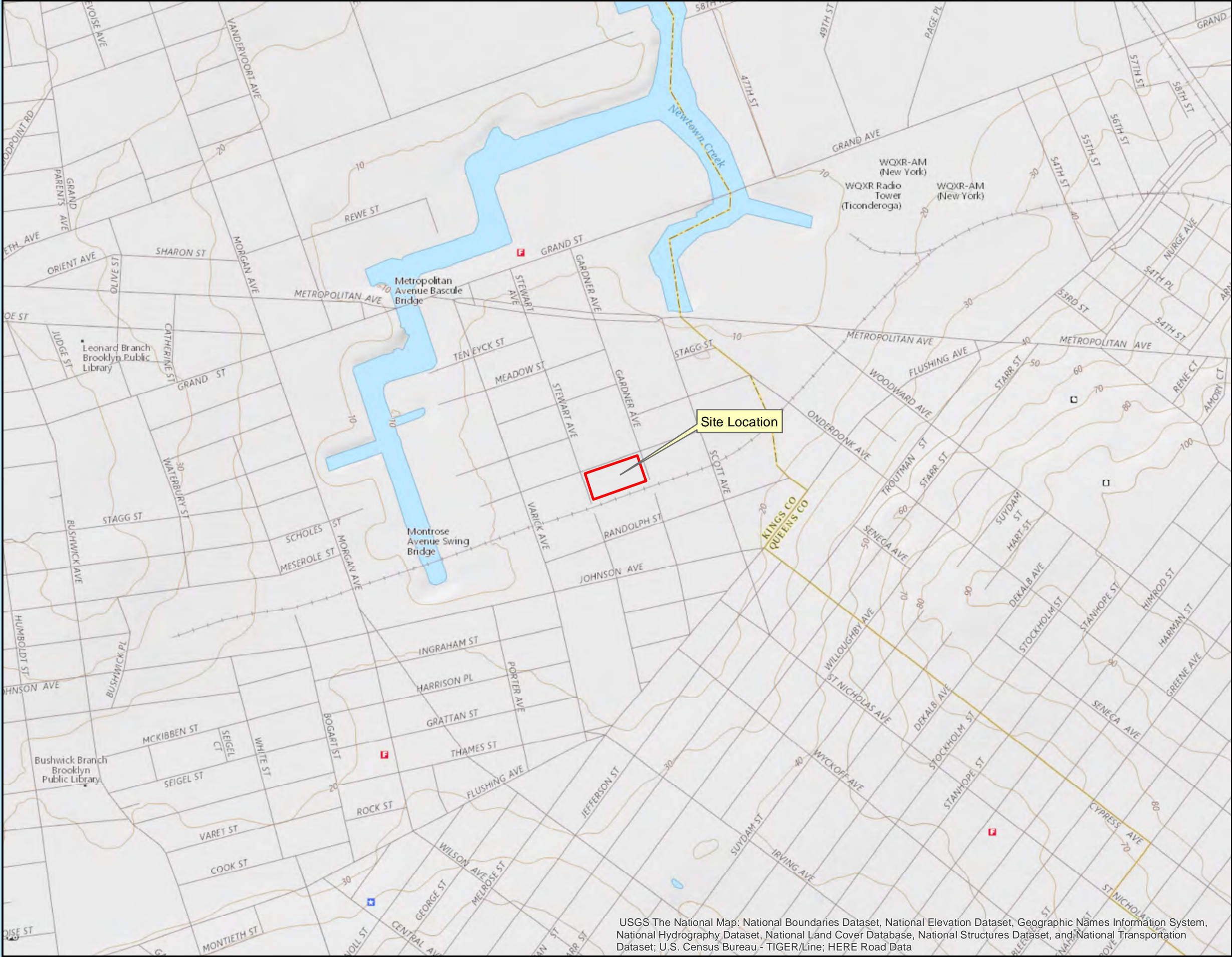
Site Boundary





Topographic Map

Brooklyn, New York



STEWART PURCHASER LLC

140 STEWART AVENUE &  
111 GARDNER AVENUE  
BROOKLYN, NEW YORK 11237

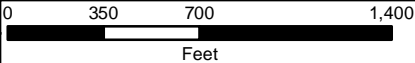
TOPOGRAPHIC MAP

Legend

Site Boundary

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Coord. System: NAD 1983 StatePlane New York East FIPS 3101 Feet  
Projection: Transverse Mercator  
False Easting: 492,125.0000  
False Northing: 0.0000  
Central Meridian: -74.5000  
Scale Factor: 0.9999  
Latitude Of Origin: 38.8333  
Units: Foot US



PSG Engineering, DPC

362 Fifth Avenue, Suite 501  
New York, NY 10001  
NY Certificate of Authorization No. 103397

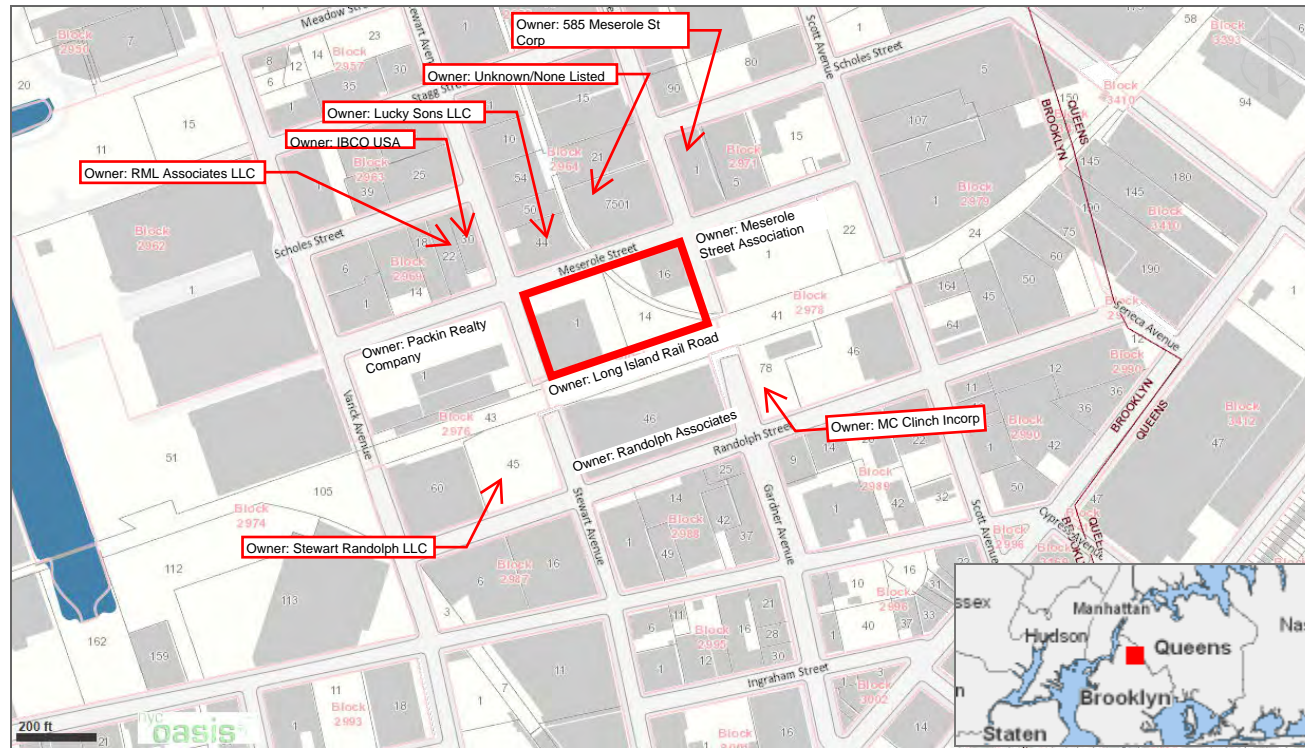
Tel.: 646-273-1290  
Fax.: 646-652-5382  
www.psg-engineering-ny.com

Sources: Google Earth Imagery		SCALE 1 in = 700 ft	
Job No: 17244793	DRAWN BY ALH	DATE 10/12/2017	

USGS The National Map: National Boundaries Dataset, National Elevation Dataset, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; U.S. Census Bureau - TIGER/Line; HERE Road Data



140 Stewart Avenue and 111 Gardner Avenue, Brooklyn, NY



### LEGEND

### Site and Brownfield Property Boundary Limits

Map information as of October 9, 2017

**EXHIBIT E**  
**REPOSITORY**  
**CONFIRMATION**

## Gregory Collins

---

**From:** Skrzypek, Catherine <cskrzypek@bklynlibrary.org>  
**Sent:** Monday, May 22, 2017 5:24 PM  
**To:** Gregory Collins  
**Cc:** 'cskrzypek@brooklynpubliclibrary.com'; Fulya Toylular  
**Subject:** RE: document repository

Yes, you are welcome to send us your documents. We will accept either paper or cd. We can't accept them on flash drives. Thanks!

~Catherine

**Catherine Skrzypek | Neighborhood Library Supervisor, Williamsburgh Branch  
Brooklyn Public Library**

718.302.3485  
Internal extension: 60116  
[bklynlibrary.org](http://bklynlibrary.org)

---

From: Gregory Collins [gc@GCEnvironmental.com]  
Sent: Monday, May 22, 2017 4:07 PM  
To: Skrzypek, Catherine  
Cc: 'cskrzypek@brooklynpubliclibrary.com'; Gregory Collins; Fulya Toylular  
Subject: document repository

Hello Ms. Skrzypek,

We are working on an application for a project in your area and the DEC needs confirmation that we can use your library for a document repository.

Please let me know if this is ok and if so please reply with confirmation.

Thanks,

**GREGORY A. COLLINS  
G.C. ENVIRONMENTAL, INC.**

**22 OAK STREET**

**BAY SHORE, NY 11706**

**TEL: 631-206-3700, EXT. 111**

**FAX: 631-206-3729**

**EMAIL: [GC@GCENVIRONMENTAL.COM](mailto:gc@gcenvironmental.com)**

**WEBSITE: [WWW.GCENVIRONMENTAL.COM](http://WWW.GCENVIRONMENTAL.COM), [WWW.GREENCLEANENV.COM](http://WWW.GREENCLEANENV.COM)**

View my profile on 

From: [BK01 \(CB\)](#)  
To: [Fulya Toylular](#)  
Subject: RE: document repository  
Date: Thursday, June 01, 2017 10:18:48 AM  
Attachments: [image001.png](#)  
[image002.png](#)

---

Yes.

---

From: Fulya Toylular [ftoylular@GCEnvironmental.com]  
Sent: Thursday, June 01, 2017 9:15 AM  
To: 'bk01@cb.nyc.gov'  
Cc: Gregory Collins  
Subject: FW: document repository

Hello,

I just wanted to follow up the e-mail below.

Thanks,

**Ms. Fulya Toylular**  
**Project Manager**  
**G. C. Environmental, Inc.**  
**22 Oak Street, Bay Shore, NY 11706**  
**Tel: 631-206-3700, ext: 106**  
**Email: [ftoylular@gcenvironmental.com](mailto:ftoylular@gcenvironmental.com)**

---

From: Gregory Collins  
Sent: Monday, May 22, 2017 5:14 PM  
To: 'bk01@cb.nyc.gov'  
Cc: Gregory Collins; Fulya Toylular  
Subject: document repository

Hello,

We are working on an application for a project in your area and the DEC needs confirmation that we can use the Community Board for a document repository.

Please let me know if this is ok and if so please reply with confirmation.

Thanks,

**GREGORY A. COLLINS**  
**G.C. ENVIRONMENTAL, INC.**  
**22 OAK STREET**  
**BAY SHORE, NY 11706**  
**TEL: 631-206-3700, EXT. 111**  
**FAX: 631-206-3729**  
**EMAIL: [GC@GCENVIRONMENTAL.COM](mailto:GC@GCENVIRONMENTAL.COM)**  
**WEBSITE: [WWW.GCENVIRONMENTAL.COM](http://WWW.GCENVIRONMENTAL.COM), [WWW.GREENCLEANENV.COM](http://WWW.GREENCLEANENV.COM)**

## Community Board 1

**Neighborhoods:** Flushing Avenue, Williamsburg, Greenpoint, Northside, and Southside

**CB Info:**

**Address:**  
Brooklyn Community Board 1  
435 Graham Avenue,  
Brooklyn, NY 11211  
**Phone:** 718-389-0009  
**Fax:** 718-389-0098  
**Email:** [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)  
[Website](#)

**Chair:** Dealice Fuller  
**District Manager:** Gerald A. Esposito  
**Board Meeting:** Second Tuesday, 6:30pm  
**Cabinet Meeting:** Third Thursday, 10:30am

**Precinct(s):** 90, 94

**Precinct Phone(s):** 90: 718-963-5311  
94: 718-383-3879