

**480 FLUSHING
480 FLUSHING AVENUE
BROOKLYN, NEW YORK
Block 1716 Lot 30**

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

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

OCTOBER 2018

Prepared for:
480 Flushing LLC
17 Keap Street
Brooklyn, NY 11249

Prepared By:

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

1808 Middle Country Road
Ridge, NY 11961

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480 Flushing Avenue, Brooklyn, NY

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BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

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

Yes

No

If yes, provide existing site number: _____

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

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through September 25, 2018.

Selected Entity Name: 480 FLUSHING LLC

Selected Entity Status Information

Current Entity Name: 480 FLUSHING LLC

DOS ID #: 4601780

Initial DOS Filing Date: JULY 03, 2014

County: ROCKLAND

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

480 FLUSHING LLC

29 BLUEFIELD DR UNIT 101

SPRING VALLEY, NEW YORK, 10977

Registered Agent

NONE

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

***Stock Information**

of Shares

Type of Stock

\$ Value per Share

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUL 03, 2014	Actual	480 FLUSHING LLC

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

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

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Section III. Property's Environmental History

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

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

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

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

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

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes

No

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

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

Other: _____

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

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

No permits were identified

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: CA _____

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

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

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site 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;"> Residential Commercial Industrial </div> If zoning change is imminent, please provide documentation from the appropriate zoning authority.	
2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply) Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.	
3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) Attach a statement detailing the specific proposed use. If residential, does it qualify as single family housing? Yes No	
4. Do current historical and/or recent development patterns support the proposed use?	Yes No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.	Yes No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.	Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I 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 managing member (title) of 480 Flushing 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: Oct 4 18 Signature: 

Print Name: Chaim Silberman

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
Please answer questions below and provide documentation necessary to support answers.		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p>From ECL 27-1405(31):</p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p>From 6 NYCRR 375-3.2(I) as of 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 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 (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

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

SECTION I REQUESTOR INFORMATION

Requestor Name

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

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

Address, etc.

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

Document Certification

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

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

SECTION II PROJECT DESCRIPTION

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

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SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

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

Site Address

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

Site Size

Provide the approximate acreage of the site.

GIS Information

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

Tax Parcel Information

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

1. Tax Map Boundaries

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

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

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SECTION IV (continued)

3. En-zone

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

4. Multiple applications

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

10. Property Description Narrative

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

Location

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

Site Features:

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

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

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

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

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

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

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SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

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

Environmental Assessment

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

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

A typical Environmental Assessment would look like the following:

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

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

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

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

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

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

Consultant and Attorney Name, Address, etc.

Provide requested information.

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

Owner Name, Address, etc.

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

Operator Name, Address, etc.

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

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

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

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

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

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

1. CERCLA / NPL Listing

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

2. Registry Listing

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

3. RCRA Listing

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

4. Registry / RCRA sites owned by volunteers

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

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SECTION VIII (continued)

5. Existing Order

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

6. Enforcement Action Pending

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

SECTION IX CONTACT LIST INFORMATION

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

SECTION X LAND USE FACTORS

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

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

SECTION XI SIGNATURE PAGE

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

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DETERMINATION OF A COMPLETE APPLICATION

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

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DETERMINATION OF A COMPLETE APPLICATION (continued)

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

I REQUESTOR INFORMATION

Name: 480 Flushing LLC
Name of all members / owners: 95% Chaim Silberman, 5% Shimon Schwartz
Contact: Shimon Schwartz
Address: 17 Keap Street, Brooklyn, NY 11249
Phone: 201-762-4155
Email: 480flushingllc@gmail.com

480 Flushing LLC is the applicant for the project and is applying to the program as a Volunteer. 480 Flushing LLC is not affiliated in any way with the past property owners or operators, or the release of contaminants at the site. As the owner of the property, 480 Flushing LLC will have access to the Site to implement the required remedial actions that will be required under the BCP.

II PROJECT DESCRIPTION

The Requestor seeks to remediate a property located on the southwest corner of Flushing Avenue and Walworth Street in the Bedford Stuyvesant neighborhood of Brooklyn, NY (the "Site") (see **Figure 1**). The address of the Site is 480 Flushing Avenue, Brooklyn, Kings County, NY. It is comprised of a single tax lot identified as Block 1716, Lot 30 (**Figure 2 - Tax Map and Figure 3 - Site Plan**). The Site is currently vacant with no structures present. Historically the property, along with Lot 33 to the south, was part of Tectronics Ecological Corp., a paint mixing and storage facility.

The historic use of the property, the presence of elevated levels of contaminants in soil, groundwater and soil vapor are complicating redevelopment of the Site.

The Requestor plans a Track 1 cleanup and mixed use (community / commercial) redevelopment of the Site. Accordingly, the Requestor is submitting its application for entry into the BCP to the New York State Department of Environmental Conservation (NYSDEC). This document contains the supplemental information as required in the application package.

2.1 Project Overview

The Requestor intends to redevelop the property with a new four-story community building with a mezzanine and full cellar level. The new building will include a community center in the cellar, a Synagogue on the first floor and mezzanine, classrooms and office space on the second floor and storage and office space on the third and fourth floors.

2.2 Project Schedule

BCP Milestones Based on an assumed date of November 2018 for execution of the BCP agreement, the following schedule of BCP milestones is anticipated.

Submit Citizen Participation Plan and Scoping Sheet	November 2018
Submit Remedial Action Work Plan	With Application
Begin Remedial Action	December 2018
Anticipated Date Certificate of Completion Issued	December 2019

III ENVIRONMENTAL HISTORY

3.1 Summary of Previous Investigations

Investigations performed at the Site include the following:

- Site Characterization Report (Laurel, August 9, 2018)

3.1.1 August 2018 – Site Characterization Report (Laurel)

The field work portion of the SCR was conducted by Laurel on June 4 and June 5, 2018. The SCR was performed in accordance with an approved SCR Work Plan and consisted of a geophysical survey, eight soil borings with eight surface and sixteen subsurface soil samples, three monitoring wells / groundwater samples and three soil vapor samples.

Soil and groundwater samples were analyzed for VOCs by EPA method 8260 SVOCs by EPA method 8270, target analyte list (TAL) metals and dissolved metals by EPA method 6010 and Pesticides/PCBs by method 8081/8082. Soil vapor samples were analyzed for VOCs by EPA method TO15.

The Report concluded the following:

- Surface soils at the Site consist of historic fill materials and sandy soil. Subsurface soils are described as silt and fine grained sand with a clay layer in the southern portion of the Site encountered at depths of 5 to 10 ft below grade. Coarse sand, gravel and clay was noted from 10 to 20 ft below grade. Groundwater was reported to be present under confined or semi-confined conditions at approximately 14 ft below grade. Groundwater flow was estimated to be northwest.
- One (1) previously unknown UST was encountered in the central portion of the Site. The UST was estimated to be 550 gallons in capacity and was found to contain approximately four (4) inches of a black oily liquid. Soil sample analytical results from soil boring SB-3 (installed adjacent to the UST) indicates that a release from the UST has not occurred.
- A follow-up geophysical investigation conducted across the Site showed two (2) magnetic anomalies. Each anomaly was further investigated using a manually-driven tool, to a depth of three (3) feet below ground surface for the sidewalk anomaly and a depth of one (1) foot below ground surface for the east-central anomaly (apparent concrete prevented deeper assessment at this location). No evidence of USTs was identified at either location.
- All surface soil samples contained VOCs, SVOCs, PCBs, and / or metals at concentrations exceeding Unrestricted Use SCOs. In addition, sample SS-4B contained hexavalent chromium at a concentration above its Unrestricted Use SCO. Restricted Residential SCOs for SVOCs, PCBs, and/or metals were also exceeded in all of the surface soil samples.
- Subsurface soil sampling showed exceedances of Unrestricted Use SCOs for VOCs, SVOCs, pesticides, and metals in the shallow samples collected at borings SB-1, SB-3, and SB-5. In addition,

the sample SB-5A contained one PCB at a concentration exceeding the Unrestricted Use and Restricted Residential SCOs, and SB-8 showed acetone at a concentration slightly exceeding the Unrestricted Use SCO in the 8-10 foot interval (sample SB-8A) and cis-1,2-dichloroethene at a concentration slightly exceeding the Unrestricted Use SCO in the 13-15 foot interval (sample SB-8B).

- No parameters were detected at concentrations above Unrestricted Use SCOs in either sample from borings SB-2, SB-4, SB-6, and SB-7.
- The Site-specific groundwater flow direction was calculated to be from the southeast to the northwest. As a result, monitoring wells MW-B and MW-C are up gradient of monitoring well MW-A.
- Class GA groundwater standards and guidance values for VOCs, SVOCs, total metals, and dissolved metals were exceeded in each of the groundwater samples collected during this investigation. The most significant groundwater impacts detected at the Site are from VOCs which are likely from an off-site source.
- The VOC concentrations detected in groundwater were significantly higher in the samples from monitoring wells MW-B and MW-C, which in combination with the significantly elevated VOC concentrations detected in groundwater at the adjacent property to the south of the Site, indicate that the VOCs identified in groundwater were not derived from historic on-Site operations.
- Soil vapor sample results showed detections of 35 individual VOCs detected in one or more of the samples, including both petroleum-related and chlorinated VOCs. The soil vapor concentrations of several VOCs that are listed in the NYSDOH decision matrices would result in a decision of "mitigate", even if these VOCs were not detected in concurrent indoor air samples.

A copy of the SCR Report is provided in digital form in **Appendix A**.

IV PROPERTY INFORMATION

4.1 Tax Parcel Information

The address of the Site is 480 Flushing Avenue in Brooklyn, Kings County, NY. It is comprised of a single tax lot identified as Block 1716, Lot 30. The lot is located on the southwest corner of the intersection of Flushing Avenue and Walworth Street. It has 50 feet of frontage on Flushing Avenue and 89.25 feet of frontage on Walworth Street for a total area of 4,450 sf (0.102 acre).

The metes and bounds description is as follows:

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:

BEGINNING at a corner formed by the intersection of the southerly side of Flushing Avenue with the westerly side of Walworth Street;

THENCE westerly, along the southerly side of Flushing Avenue, 50.00 feet;

THENCE southerly, approximately parallel with Walworth Street, 88.58 feet;

THENCE easterly, approximately parallel with Flushing Avenue, 50.00 feet;

THENCE northerly, along the westerly side of Walworth Street, 89.25 feet, to the point or place of BEGINNING.

4.2 Enzone

In October 2003, the New York State Brownfield Cleanup Program was signed into law under Title 14 of the ECL, Article 27. The Department of Labor has mapped boundaries of Environmental Zones (En-Zone) in which tax credits offered under the BCP are enhanced. The subject site is within Census Tract 1237 which is designated as a Type B En-Zone (**Figure 7**). The Site is also located within a potential Environmental Justice Area (**Figure 8**).

4.3 Property Description Narrative

4.3.1 Location

The Site is located in the Bedford Stuyvesant section of Kings County and is comprised of a single tax parcel (**Figure 2**) totaling 4,450 square feet (0.102 acre). The Site is located in the City of New York and Borough of Brooklyn. The Site is rectangular shaped with 50 feet of frontage on Flushing Avenue and 89.25 feet of frontage on Walworth Street.

The north side of the property is bordered by Flushing Avenue, and the east side is bordered by Walworth Street. The west and south property lines are bordered by two NYSBCP sites; the 11 Spencer Site to the east and the 8 Walworth Site to the south.

4.3.2 Site Features

The Site is currently vacant with no structures present. An 8 foot high construction fence borders the property on the north and west sites to prevent unauthorized access. The property was most recently used as an auto repair shop.

4.3.3 Current Zoning and Land Use

The property is currently zoned M1-2. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right.

The Site is currently vacant with no structures present and is not being used. Surrounding land use (**Figure 6**) includes commercial and mixed-use (retail / residential) properties along the north side of Flushing Avenue, commercial / office use to the west, commercial (warehouses) properties to the south and to the east. The area surrounding the property is highly urbanized and predominantly consists of older industrial / commercial buildings with mixed use (retail / residential) buildings along main corridors such as Bedford Avenue, Flushing Avenue and Park Avenue.

There are ten schools located within 1,200 feet of the Site including Bnei Shimon Yisroel of Sopron approximately 150 feet to the east (see **Figure 5**). There were no nursing homes or hospitals identified within 1,000 feet of the Site.

4.3.4 Past Use of the Site

The environmental history of the subject property was previously investigated through the review of Federal and State Environmental databases, Environmental Sanborn Fire Insurance maps, NYC Department of Building records and the NYC Department of Finance databases.

According to the review of these sources the property was developed sometime prior to 1887 with two 2-story residences in the southern portion of the Lot with the northern portion vacant. A 1-story building was constructed on the northern portion which is shown as “broom manufacturers supply” till 1950. A new 1 story building is present in the southern portion of the Site in 1965 and identified as “paint mixing”. The northern building is shown as storage or warehouse. Both buildings remain unchanged till 2016 when the north building was demolished. The south building was demolished in 2018. The property was known to be most recently used by an auto repair shop and a fish market.

4.3.5 Site Geology and Hydrogeology

Subsurface soils at the Site consist of historic fill materials to a depth of approximately 1 foot below grade followed by native silty-sand and clay. According to the USGS topographic map for the area (Brooklyn Quadrangle), the elevation of the property is approximately 16 feet above mean sea level. The topography within the immediate area slopes gradually from south to north.

Groundwater was reported to be present under confined or semi-confined conditions at approximately 14 ft below grade. Groundwater flow was estimated to be northwest. As shown on **Figure 9**, the Site is not located within a designated flood zone area.

4.3.6 Environmental Assessment

Soil – One or more chlorinated VOCs including 1,1,1-tetrachloroethane (TCA), 1,2-dichloroethane (DCA), cis-1,2-dichloroethene (cis-1,2-DCE) and tetrachloroethane (PCE) were reported above soil cleanup objectives in surface and / or shallow soil at the site. PCE and TCE were reported in the highest concentrations with PCE reported at 99,000 ug/kg and TCE reported at 15,000 ug/kg in a 2-4 ft sample located in the west-central area of the Site. Elevated levels of SVOCs consistent with petroleum were reported in shallow soil at the same locations in which elevated CVOCs were reported suggesting a release of petroleum in these areas as well.

Shallow soil (upper 4 feet) in some locations contained SVOCs and metals including barium and lead above commercial SCOs. This is likely related to mixing of fill material with native soil during demolition and other site work. Fill materials appeared to be limited to surficial soils and, as is typical with historic fill throughout the area, contain elevated levels of metals and SVOCs. PCBs were reported above unrestricted SCOs in some of the samples as well.

Groundwater – Chlorinated VOCs including TCA, DCA, cis-1,2-DCE, 1,1-DCE, TCE and PCE were reported above groundwater standards on the Site. Total CVOC concentrations ranged from 214 ug/L to 3,521 ug/L. The highest concentrations were located in the southwest corner of the Site. The groundwater flow direction as determined from groundwater elevation measurements taken during the SCR was to the northwest.

Soil Vapor – elevated levels of CVOCs including TCA, cis-DCE, 1,1-DCE, PCE, TCE and methylene chloride were reported in soil vapor samples collected at the Site.

V ADDITIONAL REQUESTOR INFORMATION

5.1 Requestors Authorized Representative

Shimon Schwartz
17 Keap Street, Brooklyn, 11249
(201) 762-4155
480flushingllc@gmail.com

5.2 Consultant

Environmental Business Consultants (EBC)
1808 Middle Country Road, Ridge, New York 11961
(631) 504-6000
csosik@ebcincny.com; kbutler@ebcincny.com

5.3 Attorney

Theodore Firetog, Esq.
111 Thomas Powell Blvd.
Farmingdale, NY 11735
(516) 845-8087
tfiretog@eninternet.com



VI CURRENT PROPERTY OWNER / OPERATOR INFORMATION

480 Flushing LLC is the current owner of the property and is applying to the program as a Volunteer. (Appendix C).

Current Owner: 480 Flushing LLC
17 Keap Street, Brooklyn, New York, 11249

Operator / Tenant: None, the property is vacant and unoccupied.

VII REQUESTOR ELIGIBILITY INFORMATION

The Requestor qualifies as a volunteer because (i) it performed a *Phase II Subsurface Investigation* and then complied with the NYSDEC's request to perform a Site Characterization / Remedial Investigation (ii) all disposals/releases of hazardous substances occurred prior to the time of ownership and (iii) the Requestor does not have affiliation with potentially responsible parties. Pre-acquisition environmental diligence performed at the Site did not suggest a source of on-site contamination, nor did it recommend any further action. Since acquiring title, the Requestor has exercised appropriate care by performing a *Phase II Investigation and a Site Characterization / Remedial Investigation* and at DEC's request has applied to the BCP to address contaminants which occurred prior to the Requestor acquiring title. In addition, there have not been any ongoing releases and there have not been any new or threatened releases during Requestor's ownership of the Property. A listing of previous owners and operators for the property is as follows:

Table 1 – Previous Owners

Dates	Name	Comments	Contact Info
From sometime prior to 8/29/1989	12 Walworth Corp.	Deed	c/o Driscoll & Delaney, 415 Madison Avenue, New York, NY 10017
From 8/29/1989 to sometime prior to 9/15/2004	Leah Friedman	Deed	5405 12 th Avenue, Brooklyn, NY 11219
From 9/15/2004 to 11/27/2015	Shlomo Friedman	Deed	5405 12 th Avenue, Brooklyn, NY 11219
From 11/27/2015 to present	480 Flushing LLC	Deed	17 Keap Street, Brooklyn, New York, 11249

Note: 480 Flushing LLC is in no way affiliated with any of the prior owners of the property.

Table 2 – Previous Tenants

Dates	Name	Comments	Contact Info
1887-1950 South Portion	Residential	Sanborn Maps	Unknown
1950-1965 North Portion	Broom Manufacturing	Sanborn Maps	Unknown
1965 – 1996 South Portion	Paint Mixing	Sanborn Maps	Unknown
1965 – 1996 North Portion	Storage	Sanborn Maps	Unknown
Sometime after 1996 to 6/2016	Auto Repair Fish Market	Owner Knowledge	Unknown
Sometime after 1996 to 11/2017	Fish Market	Owner Knowledge	Unknown

Note: 480 Flushing LLC is in no way affiliated with any of the prior tenants of the property.

VIII PROPERTY ELIGIBILITY INFORMATION

None of the questions were answered in the affirmative.

IX CONTACT LIST INFORMATION

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

9.1 Local Government Contacts

City of New York

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

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

Tremaine Wright, Chair, Brooklyn Community Board 3
1360 Fulton Street
Brooklyn, NY, 11216

Charlene Phillips
District Manager, Brooklyn Community Board 3
1360 Fulton Street
Brooklyn, NY, 11216

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

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

Keith Bray
New York City Department of Transportation
Brooklyn Borough Commissioner
55 Water Street, 9th Floor
New York, NY 10041

Kings County Clerk's Office
Nancy Sunshine, County Clerk
360 Adams Street, Room 189
Brooklyn, NY 11201

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

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

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

Nilda Mesa, Director
NYC Office of Environmental Coordination
100 Gold Street– 2nd Floor
New York, NY 10038

Mark McIntyre
NYC Department of Environmental Remediation
100 Gold Street, 2nd Floor
New York, NY 10038

New York State
Daniel Squadron
NYS Senator
209 Joralemon Street, Suite 300
Brooklyn, NY 11201

Joseph Lentol
NYS Assembly Member
619 Lorimer Street
Brooklyn, NY 11211

Federal
Charles Schumer
U.S. Senator
757 Third Avenue, Suite 17-02
New York, NY 10017

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

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

9.2 Adjacent Property Owner Contacts

Properties adjacent to the project site are shown in **Figure 4**. Contact information for the identified owners, as listed in the New York City ACRIS Database, are as follows:

South

1. TOLDOS YEHUDAH, LLC
209 HARRISON AVE, BROOKLYN, NY 11206
BROOKLYN NY 11211-8919

West

2. THE W GROUP OF BROOKLYN LLC
2 SKILLMAN ST. STE 213
BROOKLYN NY 11205-1549

North

3. OWNER
YUN YANG
6923 CLOVERDALE BLVD.
FLUSHING NY 11364-3121

OCCUPANT / TENANT
491 FLUSHING AVENUE
BROOKLYN 11205

4. OWNER
493 FLUSHING REALTYCO
493 FLUSHING AVE.
BROOKLYN NY 11205-5122

OCCUPANT / TENANT
493 FLUSHING AVENUE
BROOKLYN 11205

5. OWNER
BETTER PLASTICS CORP.
497 FLUSHING AVE.
BROOKLYN NY 11205-1610

East

6. OWNER
FLUSHING AVE. REALTY CORP.
502 FLUSHING AVE.
BROOKLYN NY 11205-1616

7. OWNER
SANITATION 253
125 WORTH ST.
NEW YORK NY 10013-4006

OCCUPANT / TENANT
48 WARSOFF PLACE
BROOKLYN 11205

9.3 Local News Media

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

New York Daily News
4 New York Plaza
New York, NY 10004

New York Post
1211 Avenue of the Americas
New York, NY 10036-8790

NY 1 News
75 Ninth Avenue
New York, NY 10011

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

Brooklyn Daily Eagle
30 Henry Street
Brooklyn, NY 112019

9.4 Public Water Supplier

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

9.5 Requested Contacts

No requests have been made at this time.

9.6 Schools and Daycare Facilities

Schools or daycare facilities identified within 1,000 foot radius of the project Site are identified as follows (see **Figure 5**):

1. Bnei Shimon Yisroel of Sopron - School
18 Warsoff Place, Brooklyn, NY 11205
(718) 855-4092
Attn: Rosa Friedman, Principal
2. Cong Ahavas Shulem - School
237 Lee Avenue, Brooklyn, NY 11206
(718) 599-0660
Attn: Menashe Leifer, Principal
3. Mosdos Chasidei Square
105 Heyward Street, Brooklyn, NY 11206
(718) 852-0502
Attn: Eugene Greenwald, Principal
4. Beth Chana School For Girls
118 Wallabout Street, Brooklyn, NY 11249
(718) 625-4555
Attn: Mordechai Scheiner, Principal
5. Yeled Vyalda Head Start
12 Franklin Avenue, Brooklyn, NY 11249
(718) 858-0961
Attn: Naomi Auerbach, Director

6. P.S. 157 Benjamin Franklin
215 Heyward Street, Brooklyn, NY 11206
(718) 852-0502
Attn: Kourtney Boyd, Principal
7. Central Uta Inc
76 Rutledge Street, Brooklyn, NY 11249
(718) 797-2888
Attn: Max Mebowitch, Principal
8. Eis Laasois - Preschool
22 Middleton Street, Brooklyn, NY, 11206
(718) 782-4426
Attn: Shloma Weiss, Chief Operations Officer

9.7 Document Repository

The following location will serve as a repository for public access to documents generated under the BCP program:

Brooklyn Public Library – Marcy Branch

617 DeKalb Avenue
Brooklyn, NY 11216
718.935.0032

Hours

Mon 10:00 AM - 6:00 PM
Tue 1:00 PM - 8:00 PM
Wed 10:00 AM - 6:00 PM
Thu 10:00 AM - 8:00 PM
Fri 10:00 AM - 6:00 PM
Sat 10:00 AM - 5:00 PM
Sun - Closed

Brooklyn Community Board 3
1360 Fulton Street Rm. 202
Brooklyn, NY, 11216
718-622-6601

Repository acknowledgement letters are included in **Appendix C**.

X LAND USE FACTORS

10.1 Current Use

The property is currently vacant and unoccupied with no structures present. The most recent tenants were an auto repair shop which vacated the premises approximately 6 months after the property was purchased by the Requestor on 11/27/2015 and a fish market which vacated the property in November 2017.

10.2 Post- Remedial Use

The Requestor intends to redevelop the property with a new four-story community building with a mezzanine and full cellar level. The new building will include a community center in the cellar, a Synagogue on the first floor and mezzanine, classrooms and office space on the second floor and storage and office space on the third and fourth floors.

10.3 Proposed Project Use with Respect to Current Zoning

The property is currently zoned M1-2. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right.

The proposed use of the building for a house of worship and related community facilities and office space will be in full compliance with the current zoning.

10.4 Proposed Project Use with Respect to Community Master Plans

On May 9, 2001, the City Council approved the Flushing - Bedford rezoning action (CEQR No. 00DCP015K) covering 15 blocks in the Flushing Avenue and Bedford Avenue area of Community Districts 1 and 3 in the Bedford Stuyvesant neighborhood of Brooklyn. According to the Notice of Completion of The Final Environmental Impact Statement issued on March 16, 2001 by the NYC Planning Commission:

"The Flushing Bedford area, although zoned for manufacturing uses, contains a mix of residential uses, vacant land, open uses, auto-related uses, and commercial and industrial buildings. The rezoning area has experienced a significant decline in industrial activity over the last four decades resulting in an increase in auto related uses, junk yards and vacant land. Study findings indicate that over the last two decades, there has been a substantial growth in the residential population in the surrounding areas, resulting in a housing shortfall and increasing demand for new dwelling 'units. Since the mid 1980's there has been a marked increase in residential development, especially in the area north of Flushing Avenue."

"Although the existing manufacturing zoning does not permit as-of-right residential development, in recent years there has been new residential development in the area north of Flushing Avenue pursuant to zoning variances granted by the Board of Standards, and Appeals (BSA). In 1996 and 1998, two rezoning applications were approved changing the designation of a three block area immediately north of the rezoning area from manufacturing to residential. The presence of vacant and underutilized land, coupled with the increasing demand for housing in the adjacent communities, presents an opportunity for new residential development in this part of Brooklyn."

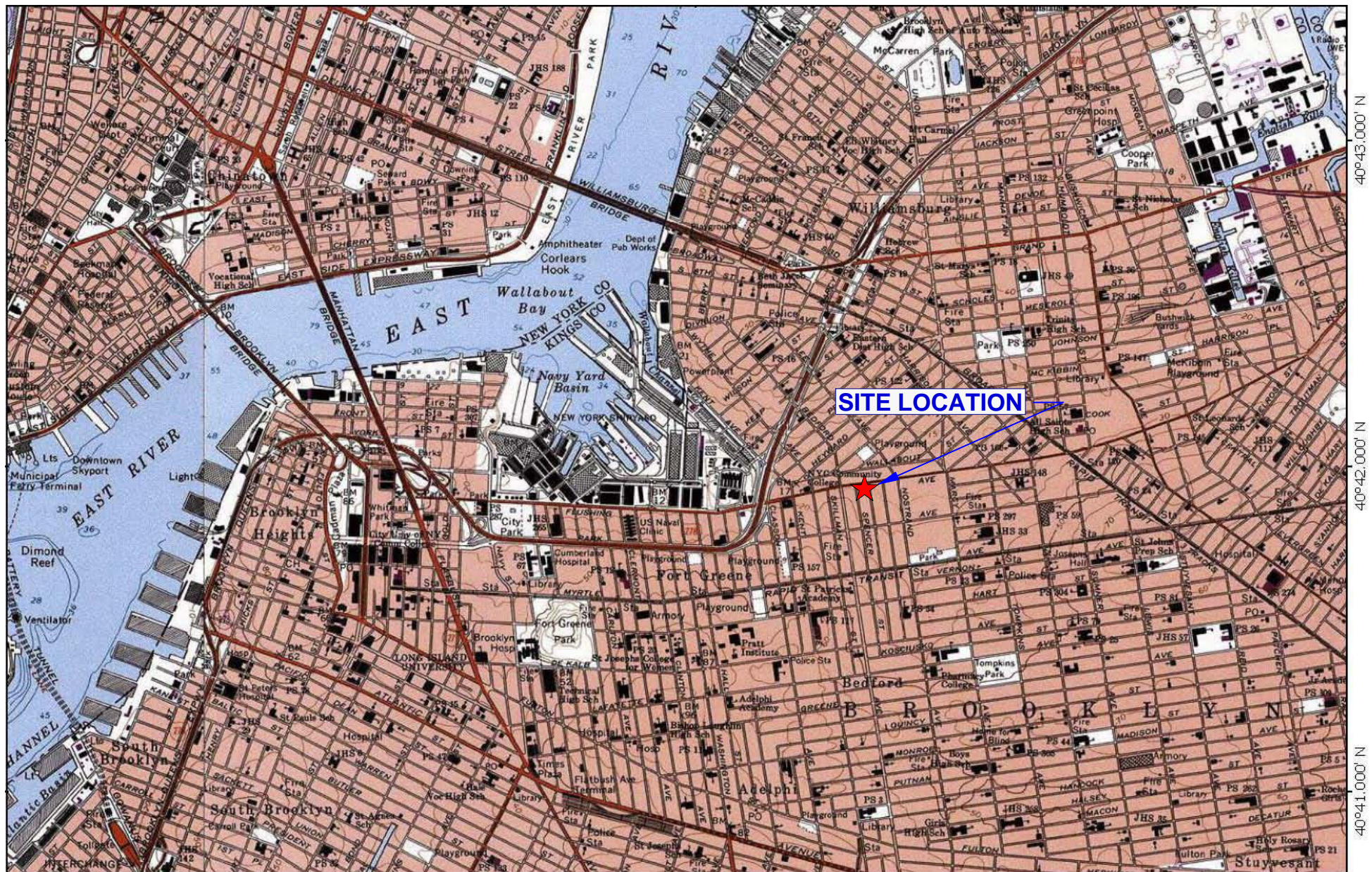
The objectives of the rezoning were to:

- provide opportunities for new residential development on vacant and under- utilized parcels;
- bring existing non-conforming residential uses into conformance, and would allow for their enlargement;
- allow for the continued presence and expansion of commercial and manufacturing uses;
- permit the introduction of new commercial and manufacturing uses; and,
- allow the residential re-use of underutilized and vacant land.

In general, the action would provide the land use controls necessary for appropriate residential development and the continued presence of viable manufacturing uses.

The proposed use of the property is in compliance with the current land use plans as identified in the Flushing Bedford Rezoning Action (CEQR No. 00DCP015K) adopted by the City on May 9, 2001.

FIGURES



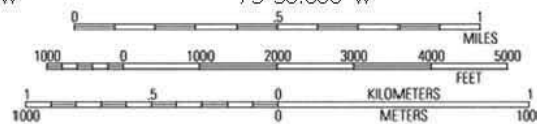
74°00.000' W

73°59.000' W

73°58.000' W

73°57.000' W

WGS84 73°56.000' W



10/30/11

EB

ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

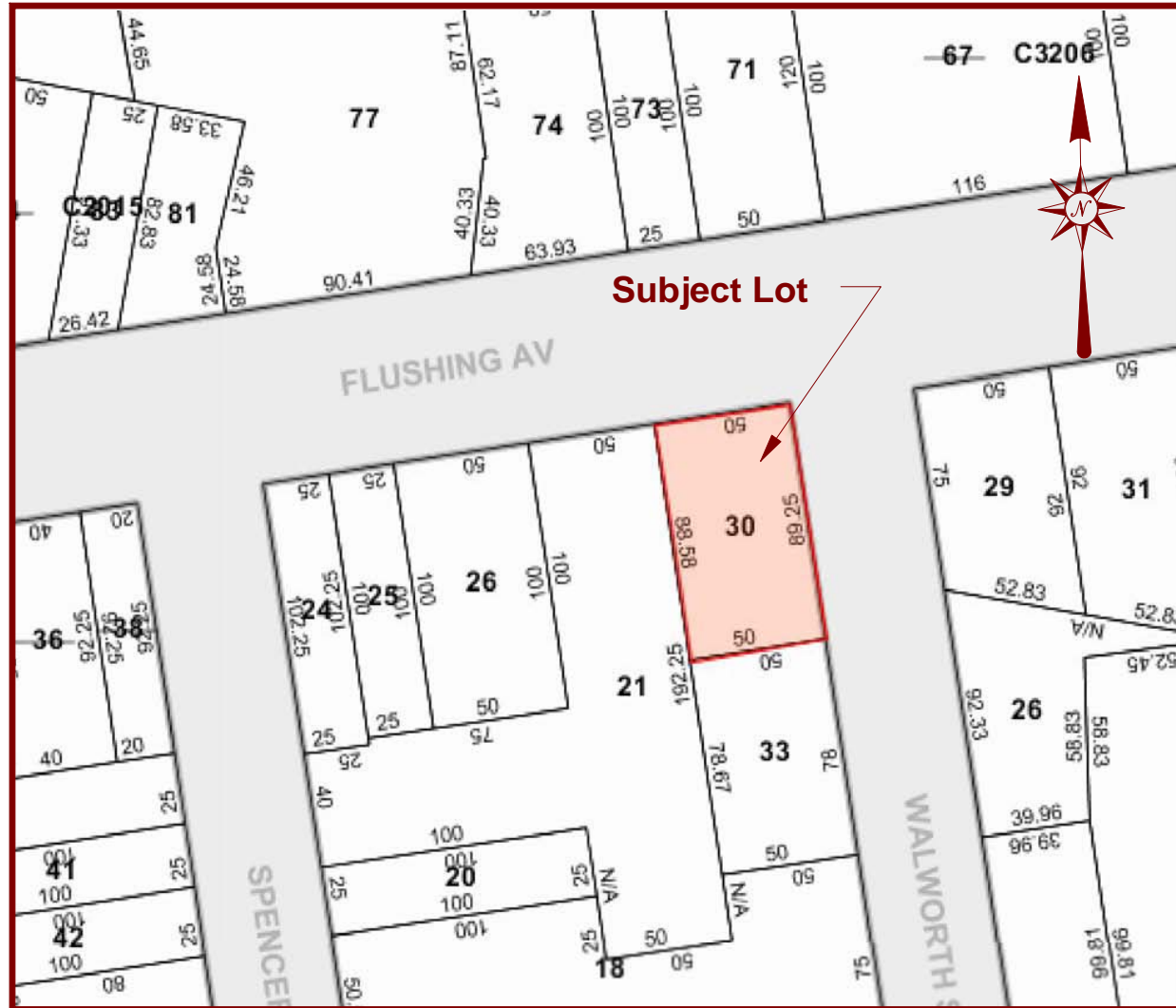
Figure No.

1

Site Name: 480 FLUSHING

Site Address: 480 FLUSHING AVENUE, BROOKLYN, NY

Drawing Title: SITE LOCATION MAP



ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

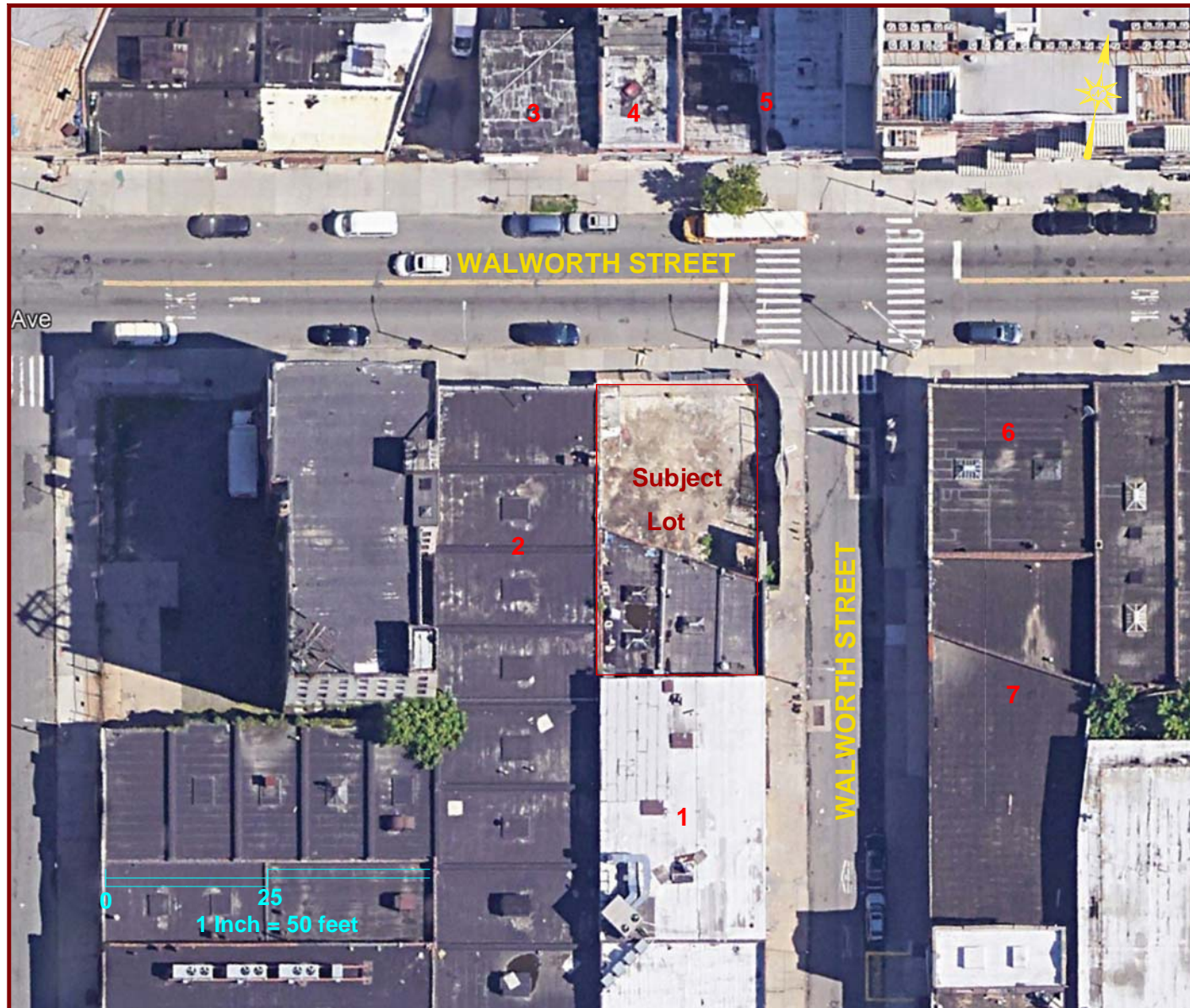
Phone 631.504.6000

Fax 631.924.2780

480 FLUSHING AVENUE, BROOKLYN, NY
BLOCK 1716 LOT 30

FIGURE 2

NYC TAX MAP



ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

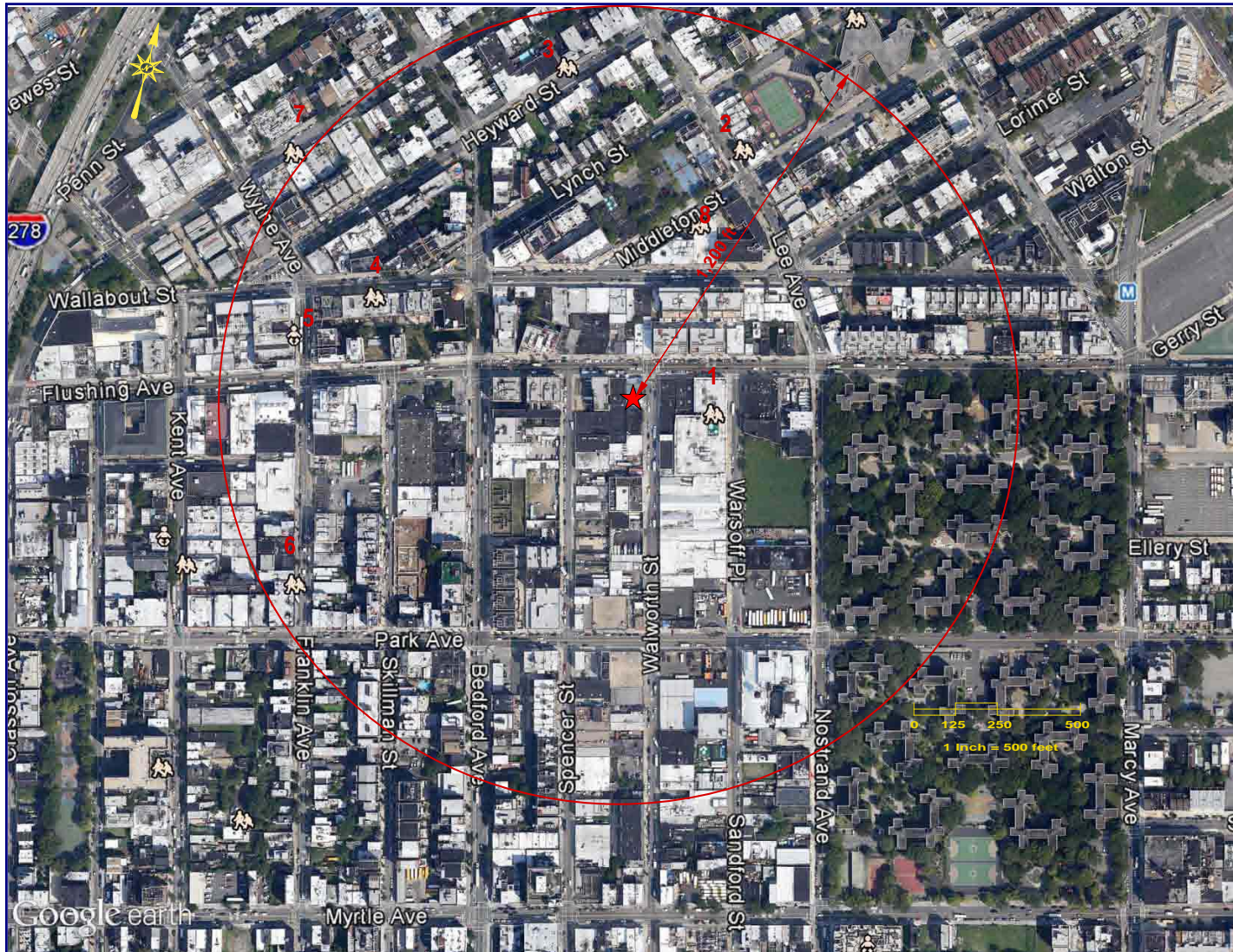
Phone: 631.504.6000

Fax: 631.924.2780

480 FLUSHING AVENUE
BROOKLYN, NY 11205

FIGURE 4

PROJECT SITE AND
ADJACENT PROPERTIES

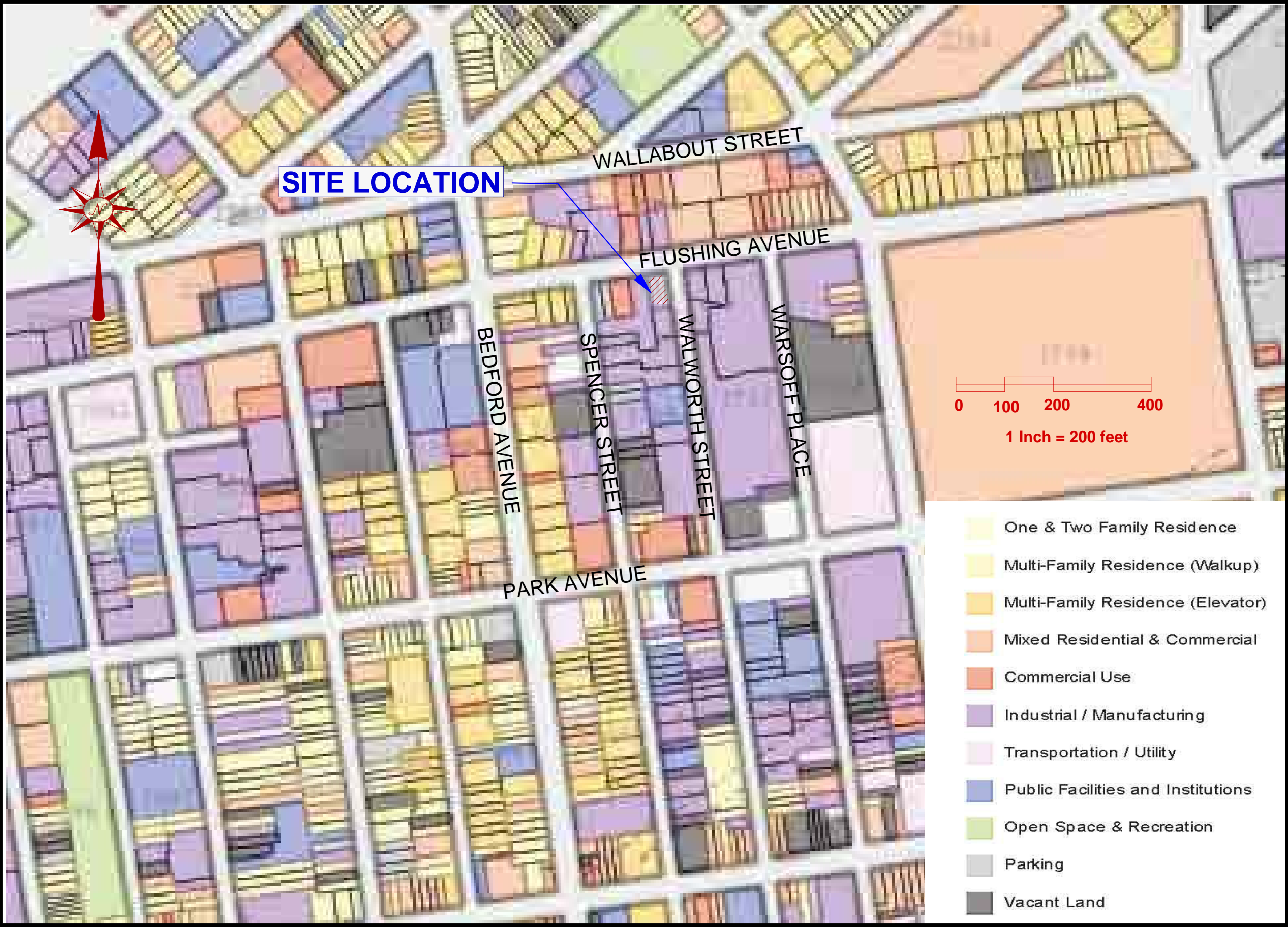


ENVIRONMENTAL BUSINESS CONSULTANTS
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000
Fax 631.924.2780

480 FLUSHING
480 FLUSHING AVENUE, BROOKLYN, NY

FIGURE 5 AREA SCHOOLS & DAYCARE CENTERS

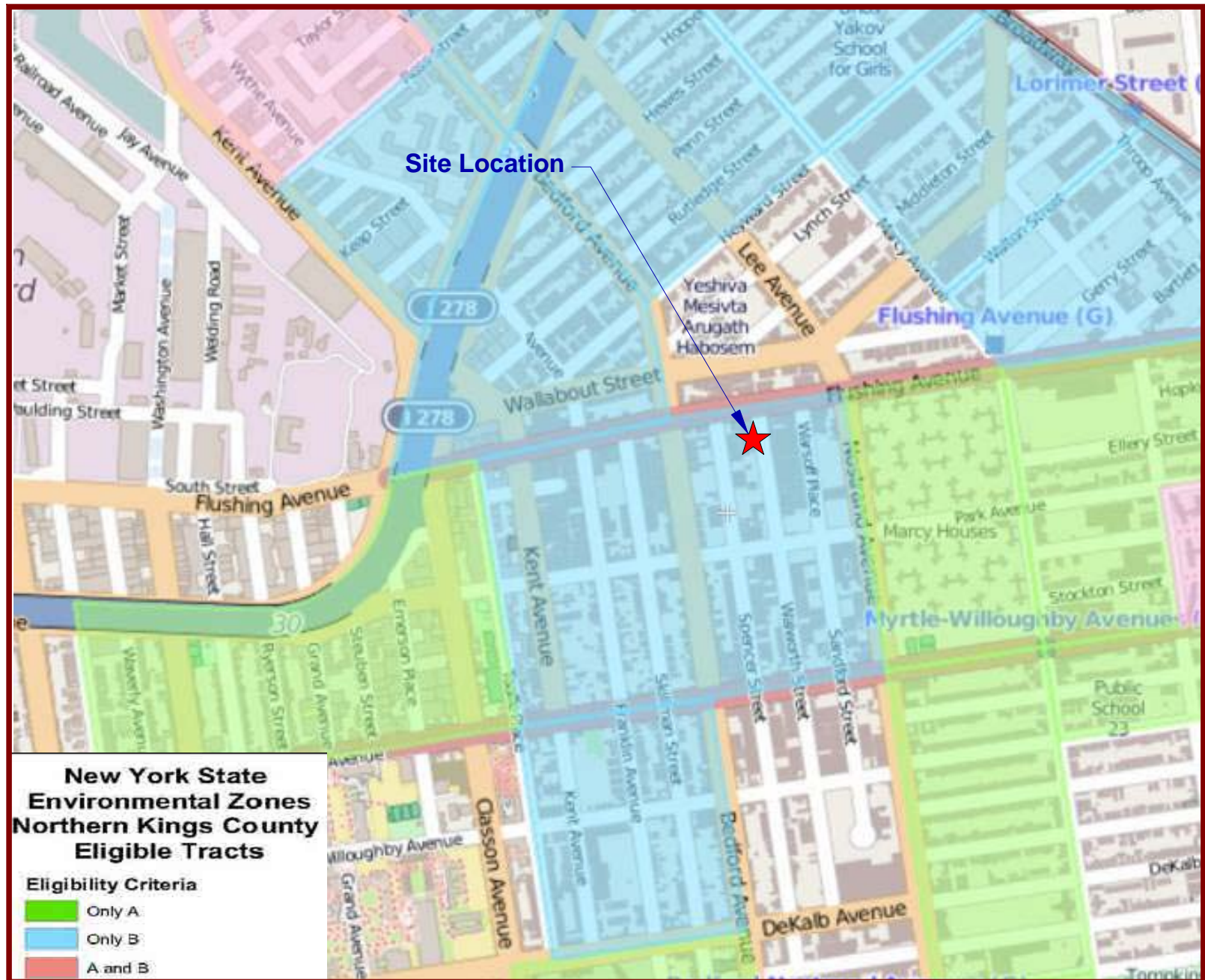


ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
6

Site Name:	480 FLUSHING
Site Address:	480 FLUSHING AVENUE, BROOKLYN, NY
Drawing Title:	SURROUNDING LAND USE



ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

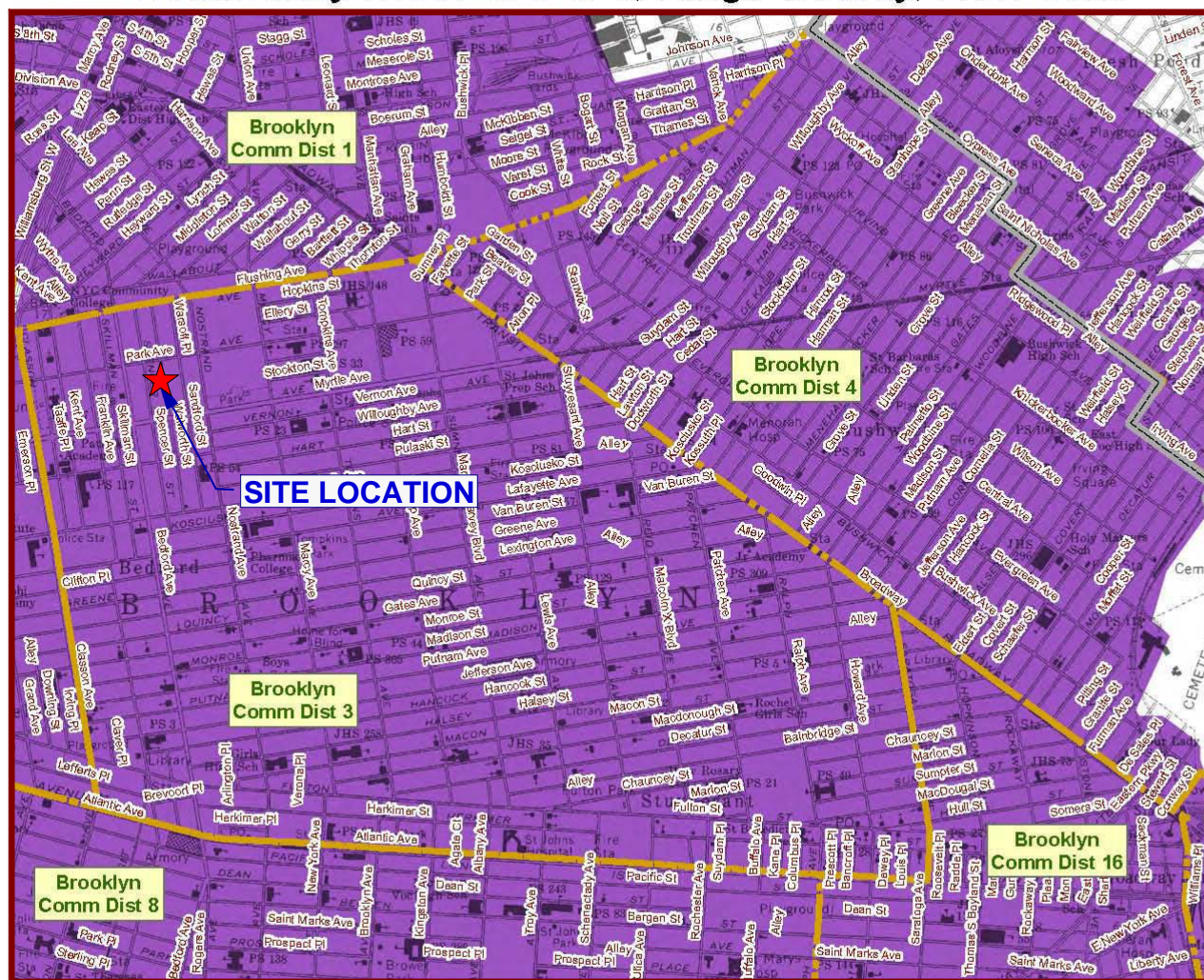
Phone: 631.504.6000

Fax: 631.924.2780

480 FLUSHING AVENUE, BROOKLYN, NY
NYS ENVIRONMENTAL ZONES

FIGURE 7

Potential Environmental Justice Areas in Brooklyn Community Districts 3 & 4, Kings County, New York



Legend

- Potential EJ Area
- County Boundary
- Community Districts

This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

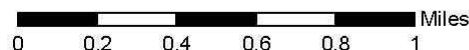
Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:
U.S. Census Bureau, 2000 U.S. Census

For questions about this map contact:
New York State Department of
Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, New York 12233-1500
(518) 402-8556
ej@gw.dec.state.ny.us



SCALE: 1:24,000



ENVIRONMENTAL BUSINESS CONSULTANTS

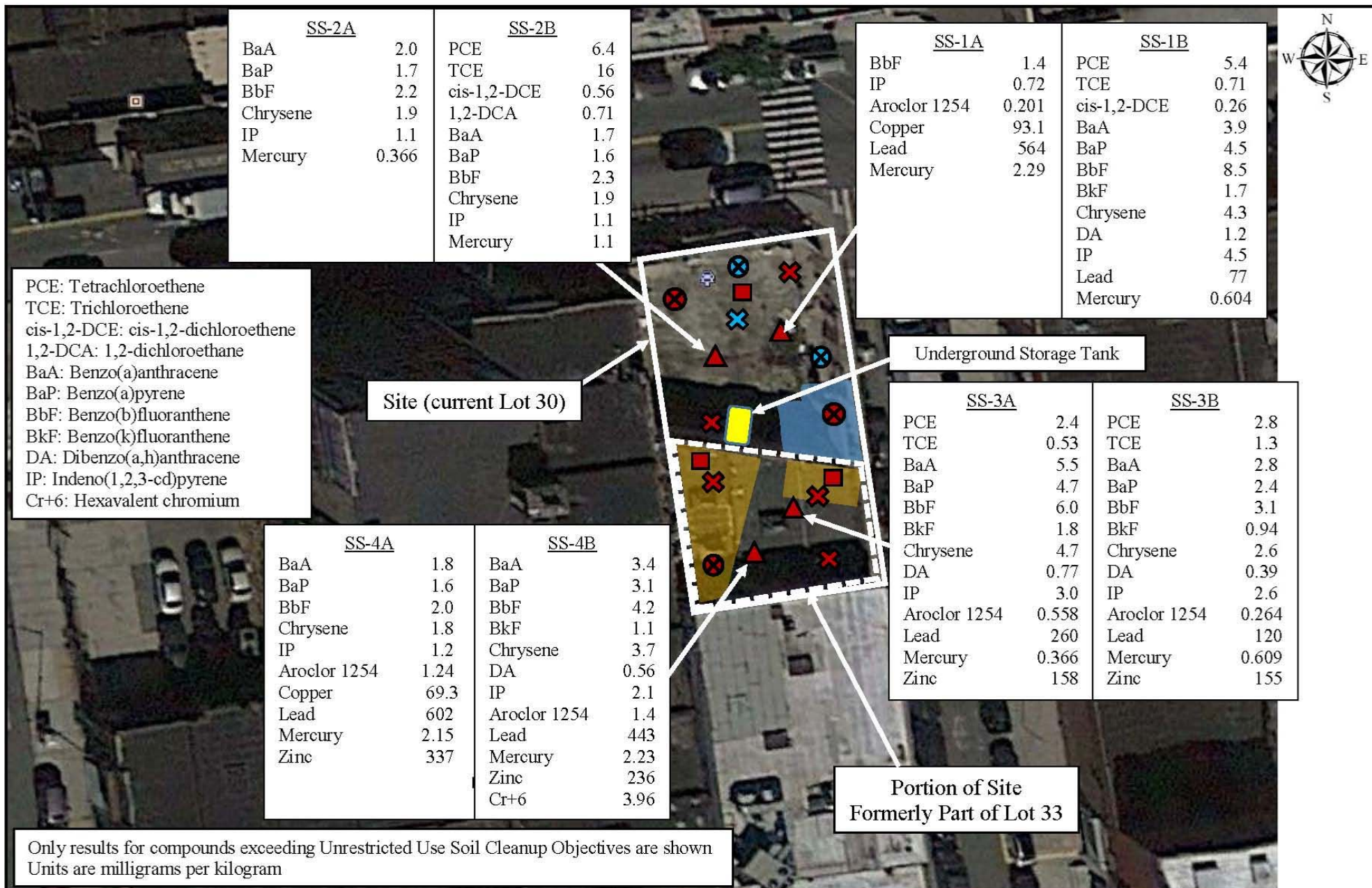
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000

Fax 631.924.2780

**480 FLUSHING AVENUE, BROOKLYN, NY
POTENTIAL ENVIRONMENTAL JUSTICE AREAS**

FIGURE 8



53 West Hills Road, Suite 1
Huntington Station, NY 11746

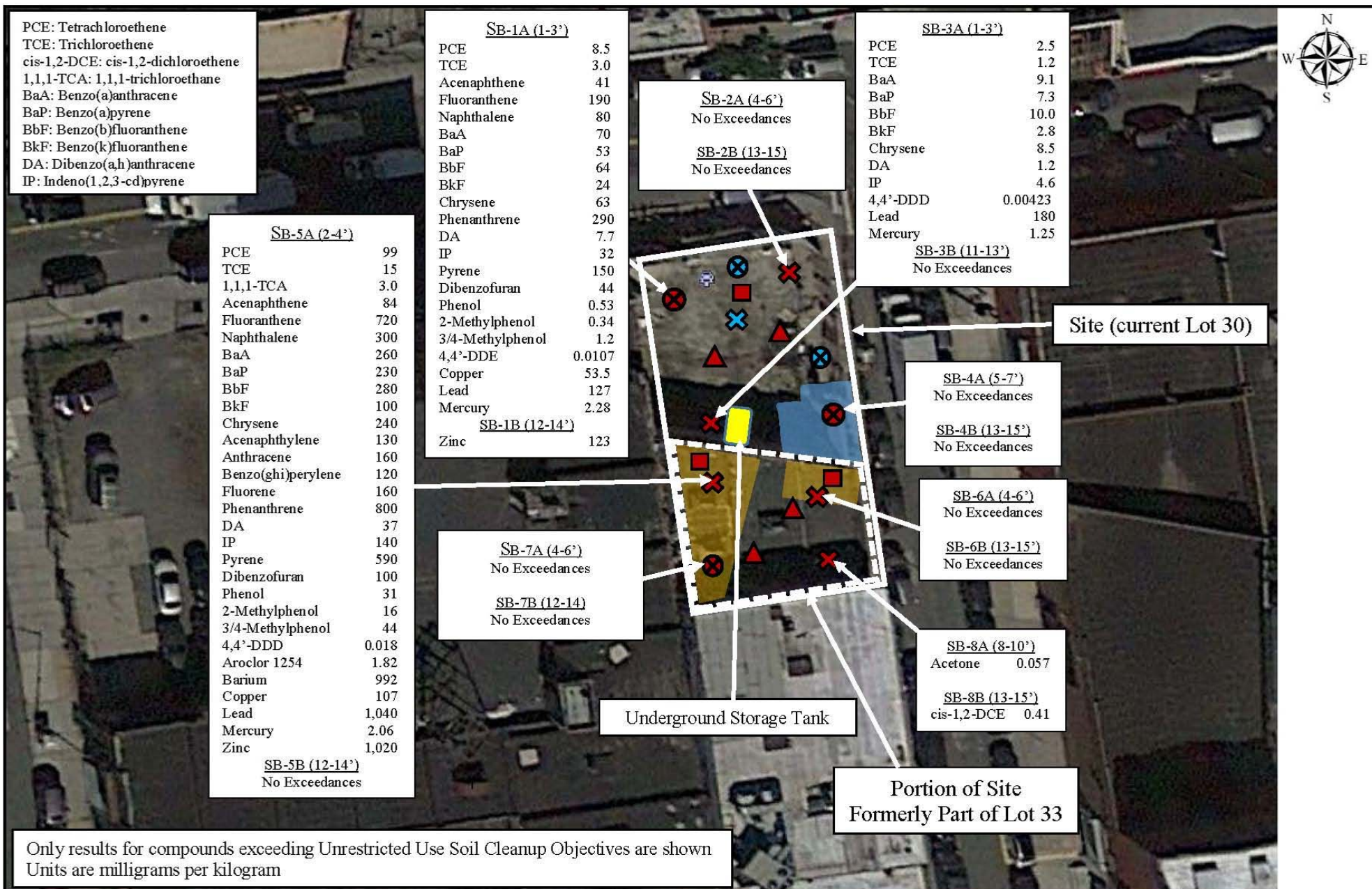
PHONE: 631-673-0612
FAX: 631-427-5323

FIGURE 10a
Surface Soil Results

480 FLUSHING AVENUE
BROOKLYN, NEW YORK

PROJECT #: 17-310
DRAWING DATE: 6-19-18
DRAWN BY: KW
CHECKED BY: SY

LEA makes no guarantees as to the accuracy of this drawing and it should only be used for informational purposes.



53 West Hills Road, Suite 1
Huntington Station, NY 11746

PHONE: 631-673-0612
FAX: 631-427-5323

FIGURE 10b
Subsurface Soil Results

480 FLUSHING AVENUE
BROOKLYN, NEW YORK

PROJECT #: 17-310

DRAWING DATE: 6-19-18

DRAWN BY: KW

CHECKED BY: SY

- X 2014 Soil boring
- X 2014 Soil boring/temporary monitoring well
- X 2018 Soil boring
- ▲ 2018 Surface soil sample
- X 2018 Soil boring/permanent monitoring well
- 2018 Soil vapor sample

LEA makes no guarantees as to the accuracy of this drawing and it should only be used for informational purposes.



53 West Hills Road, Suite 1
Huntington Station, NY 11746

PHONE: 631-673-0612
FAX: 631-427-5323

FIGURE 11
Groundwater Results

480 FLUSHING AVENUE
BROOKLYN, NEW YORK

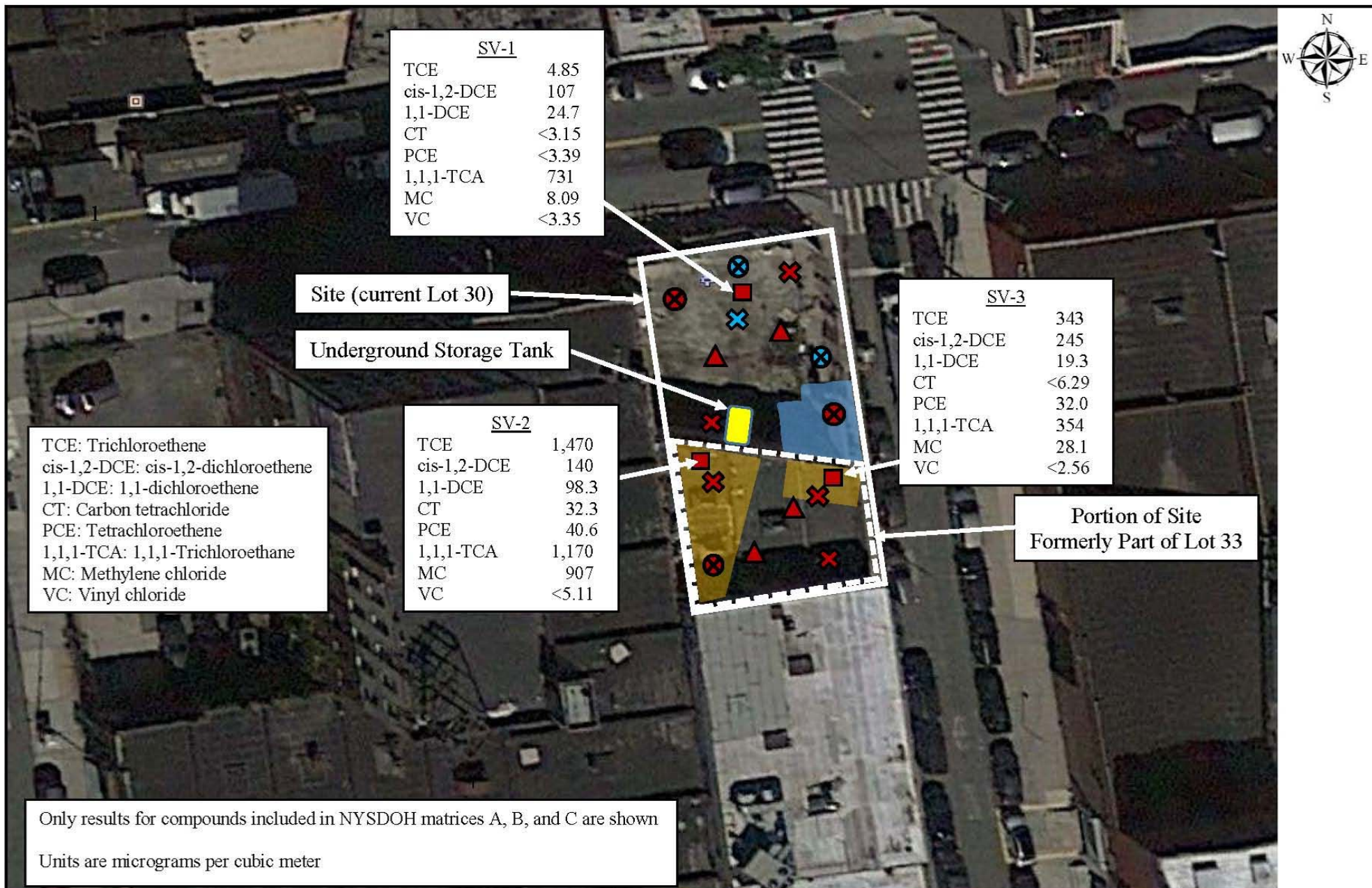
PROJECT #: 17-310

DRAWING DATE: 6-19-18

DRAWN BY: KW

CHECKED BY: SY

LEA makes no guarantees as to the accuracy of this drawing and it should only be used for informational purposes.



53 West Hills Road, Suite 1
Huntington Station, NY 11746

PHONE: 631-673-0612
FAX: 631-427-5323

FIGURE 12

Soil Vapor Results

480 FLUSHING AVENUE
BROOKLYN, NEW YORK

PROJECT #: 17-310

DRAWING DATE: 6-19-18

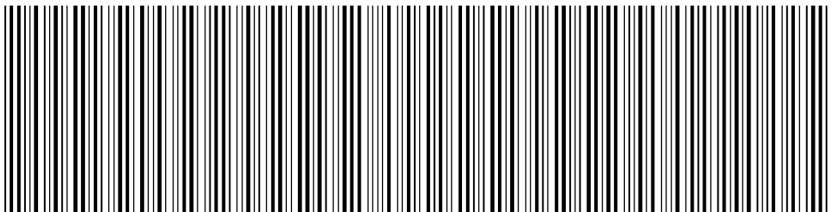


DRAWN BY: KW

CHECKED BY: SY

LEA makes no guarantees as to the accuracy of this drawing and it should only be used for informational purposes.

APPENDIX A
Environmental Reports (Digital Files on CD)

APPENDIX B
Deed

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.	 2015111701324001003E98E2																																							
RECORDING AND ENDORSEMENT COVER PAGE PAGE 1 OF 4																																								
Document ID: 2015111701324001 Document Date: 11-12-2015 Preparation Date: 11-19-2015 Document Type: DEED Document Page Count: 3																																								
PRESENTER: RIVERSIDE ABSTRACT LLC 3839 FLATLANDS AVE #208 - RANY-16865 BROOKLYN, NY 11234 718-252-4200 REC@RSABSTRACT.COM	RETURN TO: RIVERSIDE ABSTRACT LLC 3839 FLATLANDS AVE #208 - RANY-16865 BROOKLYN, NY 11234 718-252-4200 REC@RSABSTRACT.COM																																							
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Borough</th> <th style="text-align: left;">Block</th> <th style="text-align: left;">Lot</th> <th style="text-align: left;">Unit</th> <th style="text-align: left;">Address</th> </tr> <tr> <td>BROOKLYN</td> <td>1716</td> <td>30</td> <td>Entire Lot</td> <td>480 FLUSHING AVENUE</td> </tr> <tr> <td colspan="5">Property Type: COMMERCIAL REAL ESTATE</td> </tr> </table>		Borough	Block	Lot	Unit	Address	BROOKLYN	1716	30	Entire Lot	480 FLUSHING AVENUE	Property Type: COMMERCIAL REAL ESTATE																												
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BROOKLYN	1716	30	Entire Lot	480 FLUSHING AVENUE																																				
Property Type: COMMERCIAL REAL ESTATE																																								
CROSS REFERENCE DATA CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____																																								
PARTIES																																								
GRANTOR/SELLER: SHLOMO S. FREEDMANN 5405 12TH AVE BROOKLYN, NY 11219	GRANTEE/BUYER: 480 FLUSHING LLC 17 KEAP ST BROOKLYN, NY 11211																																							
FEES AND TAXES																																								
Mortgage : <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Mortgage Amount:</td> <td style="width: 10%;">\$</td> <td style="width: 30%; text-align: right;">0.00</td> </tr> <tr> <td>Taxable Mortgage Amount:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Exemption:</td> <td></td> <td></td> </tr> <tr> <td>TAXES: County (Basic):</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>City (Additional):</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Spec (Additional):</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>TASF:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>MTA:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>NYCTA:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Additional MRT:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>TOTAL:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Recording Fee:</td> <td>\$</td> <td style="text-align: right;">52.00</td> </tr> <tr> <td>Affidavit Fee:</td> <td>\$</td> <td style="text-align: right;">0.00</td> </tr> </table>	Mortgage Amount:	\$	0.00	Taxable Mortgage Amount:	\$	0.00	Exemption:			TAXES: County (Basic):	\$	0.00	City (Additional):	\$	0.00	Spec (Additional):	\$	0.00	TASF:	\$	0.00	MTA:	\$	0.00	NYCTA:	\$	0.00	Additional MRT:	\$	0.00	TOTAL:	\$	0.00	Recording Fee:	\$	52.00	Affidavit Fee:	\$	0.00	Filing Fee: \$ 250.00 NYC Real Property Transfer Tax: \$ 36,750.00 NYS Real Estate Transfer Tax: \$ 5,600.00
Mortgage Amount:	\$	0.00																																						
Taxable Mortgage Amount:	\$	0.00																																						
Exemption:																																								
TAXES: County (Basic):	\$	0.00																																						
City (Additional):	\$	0.00																																						
Spec (Additional):	\$	0.00																																						
TASF:	\$	0.00																																						
MTA:	\$	0.00																																						
NYCTA:	\$	0.00																																						
Additional MRT:	\$	0.00																																						
TOTAL:	\$	0.00																																						
Recording Fee:	\$	52.00																																						
Affidavit Fee:	\$	0.00																																						
RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK Recorded/Filed 11-27-2015 15:48 City Register File No.(CRFN): 2015000421217   City Register Official Signature																																								

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

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

THIS INDENTURE, made the 12th day of NOVEMBER, in the year 2015

BETWEEN

SHLOMO S. FREEDMANN, with an address at, 5405 12th AVENUE, BROOKLYN, NY 11219,

party of the first part, and

480 FLUSHING LLC, with an address at, 17 KEAP ST, BROOKLYN, NY 11211,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN (\$10) 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 Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

County of KINGS, and State of NEW YORK, bounded and described as follows

See Shedule A attached

Premises: 480 FLUSHING AVENUE, BROOKLYN, NY 11205

Block: 1716 Lot: 30

County: KINGS.

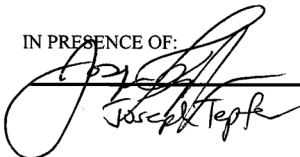
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; 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.

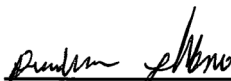
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:


Joseph Teple


SHLOMO S. FREEDMANN

KNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of KINGS, ss:

On the 12th day of NOV in the year 2015, before me, the undersigned, personally appeared

SHLOMO S. FREEDMANN

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

[Signature]
IDA S. KATZ
 NOTARY PUBLIC STATE OF NEW YORK
 No. 0145021507
 QUALIFIED IN NASSAU COUNTY
 COMMISSION EXPIRES DECEMBER 20, 2017

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

Bargain and Sale Deed With Covenants

Title No.

SHLOMO S. FREEDMANN
TO
480 FLUSHING LLC

**MADISON TITLE AGENCY L.L.C.**

1125 OCEAN AVENUE
 LAKEWOOD, NJ 08701
 P: (732) 905-9400
 F: (732) 905-9420
 WWW.MADISONTITLE.COM

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.

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 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), 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).

SECTION:

BLOCK: 1716

LOT: 30

COUNTY OR TOWN: KINGS

RETURN BY MAIL TO:

JEFFREY ZWICK, ESQ.
 JEFFREY ZWICK & ASSOCIATES, P.C.
 266 BROADWAY, SUITE 403
 BROOKLYN, NY 11211
 718-513-2050 x123
 JEFFREY@JZLEGAL.COM

RIVERSIDE ABSTRACT, LLC

**as Agent for
Stewart Title Insurance Company**

SCHEDULE A – DESCRIPTIONTitle No.: **RANY-16865**

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:

BEGINNING at the corner formed by the intersection of the southerly side of Flushing Avenue with the westerly side of Walworth Street;

RUNNING THENCE westerly along the southerly side of Flushing Avenue, 50 feet;

THENCE southerly and parallel with Walworth Street, 88.58 feet;

THENCE easterly and along a course forming an interior angle of 90 degrees 48 minutes 10 seconds with the last mentioned course, 50 feet to the westerly side of Walworth Street;

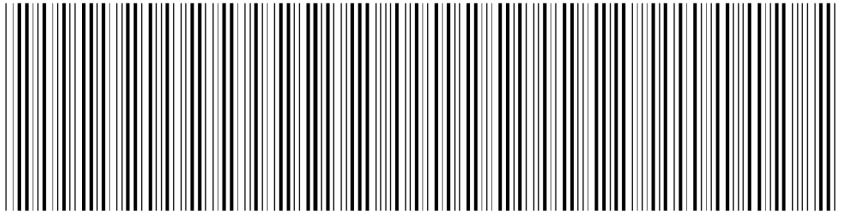
THENCE northerly along the westerly side of Walworth Street, 89.25 feet, to the point or place of BEGINNING.

PREPARED in accordance with survey dated November 17, 2015 made by AAA Group Land Surveyors Services.

BEING intended to be the same Premises as conveyed to Shlomo S. Freedmann by deed from Leah Friedman dated 8/26/2003 and recorded 9/15/2004 in the Office of the City Register of the City of New York at CRFN 2004000576875. AND as conveyed to Shlomo S. Freedmann by deed from Ignazio Bertino and Dorothy Bertino, his wife dated 11/6/2003 and recorded 1/23/2004 in CRFN 2004000046176.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 1716, Lot 30 Kings County and also known as 480 Flushing Avenue Brooklyn, NY.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER****2015111701324001003S5663****SUPPORTING DOCUMENT COVER PAGE****PAGE 1 OF 1****Document ID: 2015111701324001**

Document Date: 11-12-2015

Preparation Date: 11-19-2015

Document Type: DEED

ASSOCIATED TAX FORM ID: 2015110300067**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING

1

RP - 5217 REAL PROPERTY TRANSFER REPORT

2

SMOKE DETECTOR AFFIDAVIT

1

FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 Month Day Year

C3. Book OR C4. Page
 C5. CRFN



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location 480 FLUSHING AVENUE BROOKLYN 11205
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 480 FLUSHING LLC
 LAST NAME / COMPANY FIRST NAME

 LAST NAME / COMPANY FIRST NAME

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

 LAST NAME / COMPANY FIRST NAME

 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

8. Seller Name FREEDMANN SHLOMO S
 LAST NAME / COMPANY FIRST NAME

 LAST NAME / COMPANY FIRST NAME

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

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

Check the boxes below as they apply:

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

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 11 / 12 / 2015
 Month Day Year

11. Date of Sale / Transfer 11 / 12 / 2015
 Month Day Year

12. Full Sale Price \$ 1 4 0 0 0 0 0
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

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

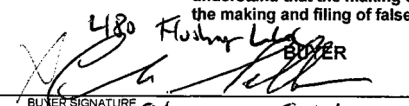

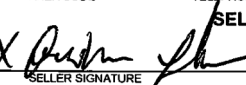
14. Check one or more of these conditions as applicable to transfer:
 A ☐ Sale Between Relatives or Former Relatives
 B ☐ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not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

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

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

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))
 BROOKLYN 1716 30

201511030006720103

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	
17 KEAP ST		TEPPER	
Chaim Silberman, MEMBER		JOSEPH	
STREET NUMBER		STREET NAME (AFTER SALE)	
BROOKLYN		718	
CITY OR TOWN		AREA CODE	
NY		854-7200	
STATE		TELEPHONE NUMBER	
11211		SELLER	
ZIP CODE		X 	
SELLER SIGNATURE		DATE	
Shlomo Freedman			

2015110300067201

Affidavit of Compliance with Smoke Detector Requirement for One and Two Family Dwellings

**AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York)
) SS.:
County of)

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

480 FLUSHING AVENUE

<u>Street Address</u>		<u>Unit/Apt.</u>
<u>BROOKLYN</u>	New York, <u>1716</u>	<u>30</u>
Borough	Block	Lot

(the "Premises");

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Shlomo S. Freedman
Name of Grantor (Type or Print)

X [Signature]
Signature of Grantor

Sworn to before me
this 12 date of NOV 2015

IDA S. KATZ
NOTARY PUBLIC, STATE OF NEW YORK
No. 01KA5021507
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES DECEMBER 20, 2017

480 Flushing LLC

Name of Grantee (Type or Print)

[Signature]
Signature of Grantee
Chaim Silberman, member

Sworn to before me
this 12 date of NOV 2015

IDA S. KATZ
NOTARY PUBLIC, STATE OF NEW YORK
No. 01KA5021507
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES DECEMBER 20, 2017

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.



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: 1716 LOT: 30
- (2) Property Address: 480 FLUSHING AVENUE, BROOKLYN, NY 11205
- (3) Owner's Name: 480 FLUSHING LLC
- Additional Name:

Affirmation:



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

CHANGE
~~1716~~

(1960) Site 451, 11211

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: Chaim Silberman Date (mm/dd/yyyy)

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

Chaim Silberman, member

BCS-7CRF-ACRIS REV. 8/08

APPENDIX C
Repository Acknowledgement Letters



ENVIRONMENTAL BUSINESS CONSULTANTS

October 1, 2018

Brooklyn Public Library
Marcy Branch
617 DeKalb Avenue at Nostrand Avenue
Brooklyn, NY 11216

**Re: NYS Brownfield Cleanup Program Application
480 Flushing Avenue, Brooklyn, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, the Brooklyn Public Library - Marcy Branch, located at 617 DeKalb Avenue, Brooklyn, NY 11216 agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by: Marcia M. McGibbon Date 10/1/18
for Brooklyn Public Library - Marcy Branch



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870



ENVIRONMENTAL BUSINESS CONSULTANTS

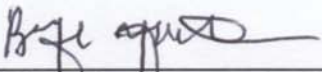
October 1, 2018

Brooklyn Community Board 3
1360 Fulton Street Rm. 202
Brooklyn, NY, 11216

**Re: NYS Brownfield Cleanup Program Application
480 Flushing Avenue, Brooklyn, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, Brooklyn Community Board 3, located at 1360 Fulton Street, Brooklyn, NY 11216 agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by:  Date 10/1/18
for Brooklyn Community Board 3



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870

APPENDIX D
Authorization to Sign on Behalf of LLC

RESOLUTION OF LIMITED LIABILITY COMPANY


The undersigned, being a member and manager of 480 Flushing LLC, a New York limited liability company (the "Company"), does hereby resolve that:

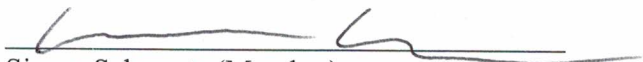
1. I, Chaim Silberman, am the managing member of the Company and has the full power and authority on behalf of the Company to:

- (a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");
- (b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the Company's participation in the BCP;
- (c) Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, and tax returns; and,
- (d) Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this unanimous consent are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by a member of this company, of the revocation hereof by a resolution duly adopted by this company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC's receipt of such notice.

3. The undersigned hereby represents and warrants that (i) the undersigned is a member and manager of the Company; and (ii) the consent of the only other member of the Company and the manager is sufficient to authorize the Company to take the aforementioned actions.


Chaim Silberman (Manager and Member)


Simon Schwartz (Member)

Date: October 4, 2018
Brooklyn, NY

APPENDIX E ***Sanborn Maps***



72

81

81

72

NOSTRAND

74

STREET

74

WALLABOUT

AVENUE

SANDFORD

WALWORTH

SPENCER

BEDFORD

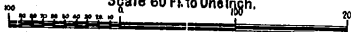
AVENUE

PARK

64

64

Scale 60 Ft. to One Inch.



56

52

ST.

SKILLMAN

AVE.

AVE.

30

BEDFORD

AVE.

SPENCER

ST.

55

WALWORTH

ST.

31

SANDFORD

ST.

PARK

FLUSHING

NOSTRAND

AVE.

32

Scale 60 ft. to One Inch.

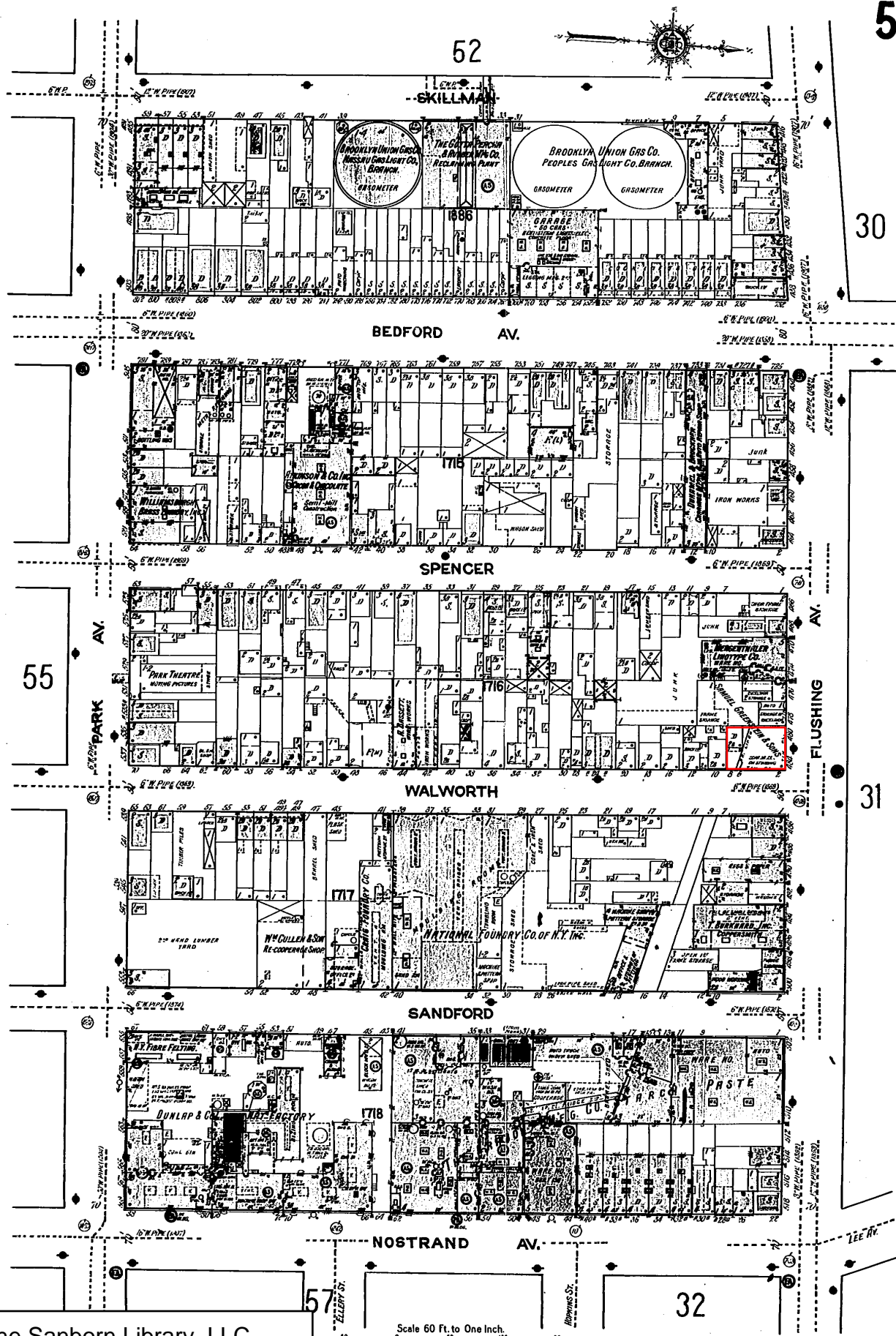


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AMB
EDR Research Associate

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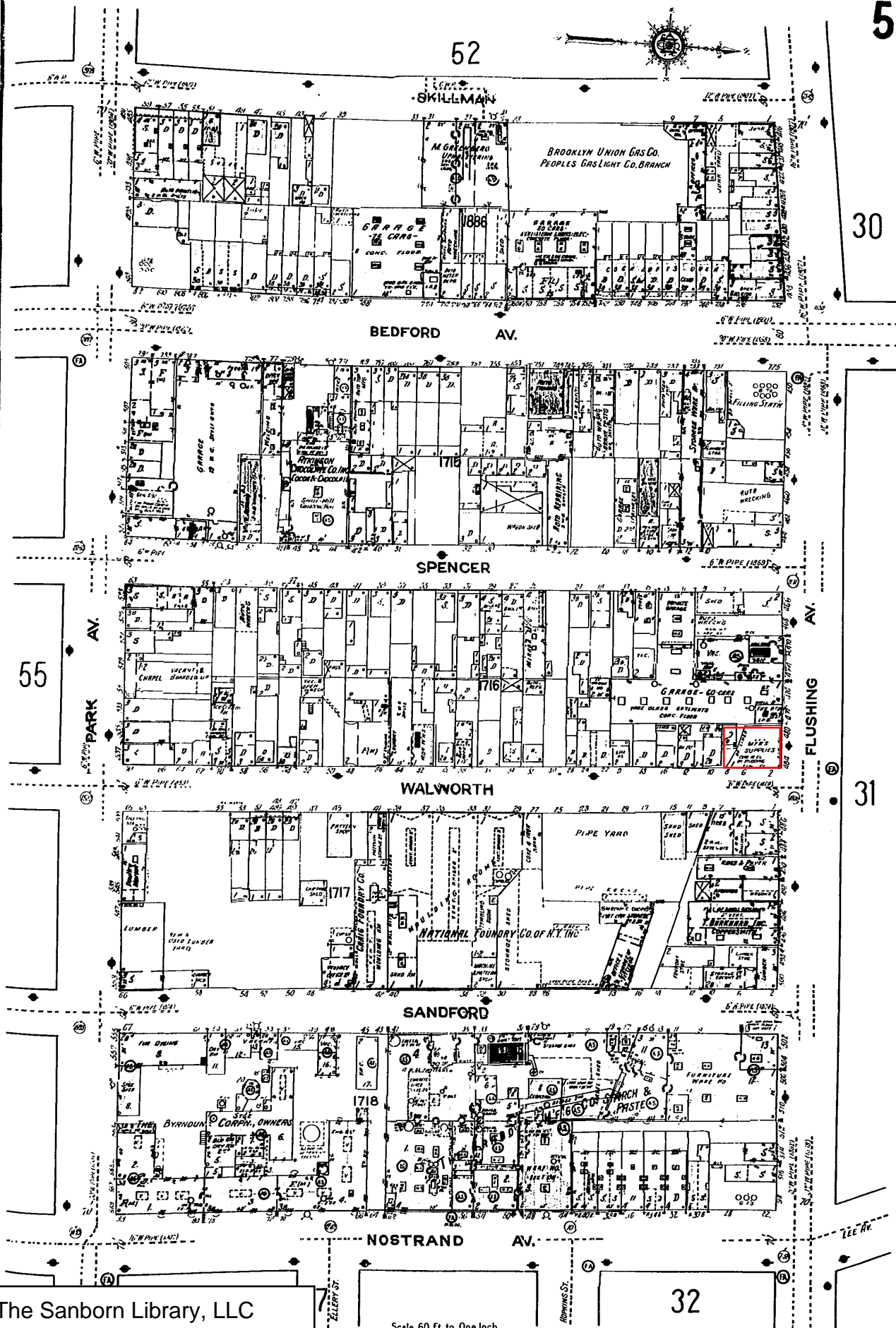
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SKILLMAN

BEDFORD AV.

SPENCER

WALWORTH

SANDFORD

NOSTRAND AV.

30

31

57



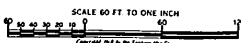
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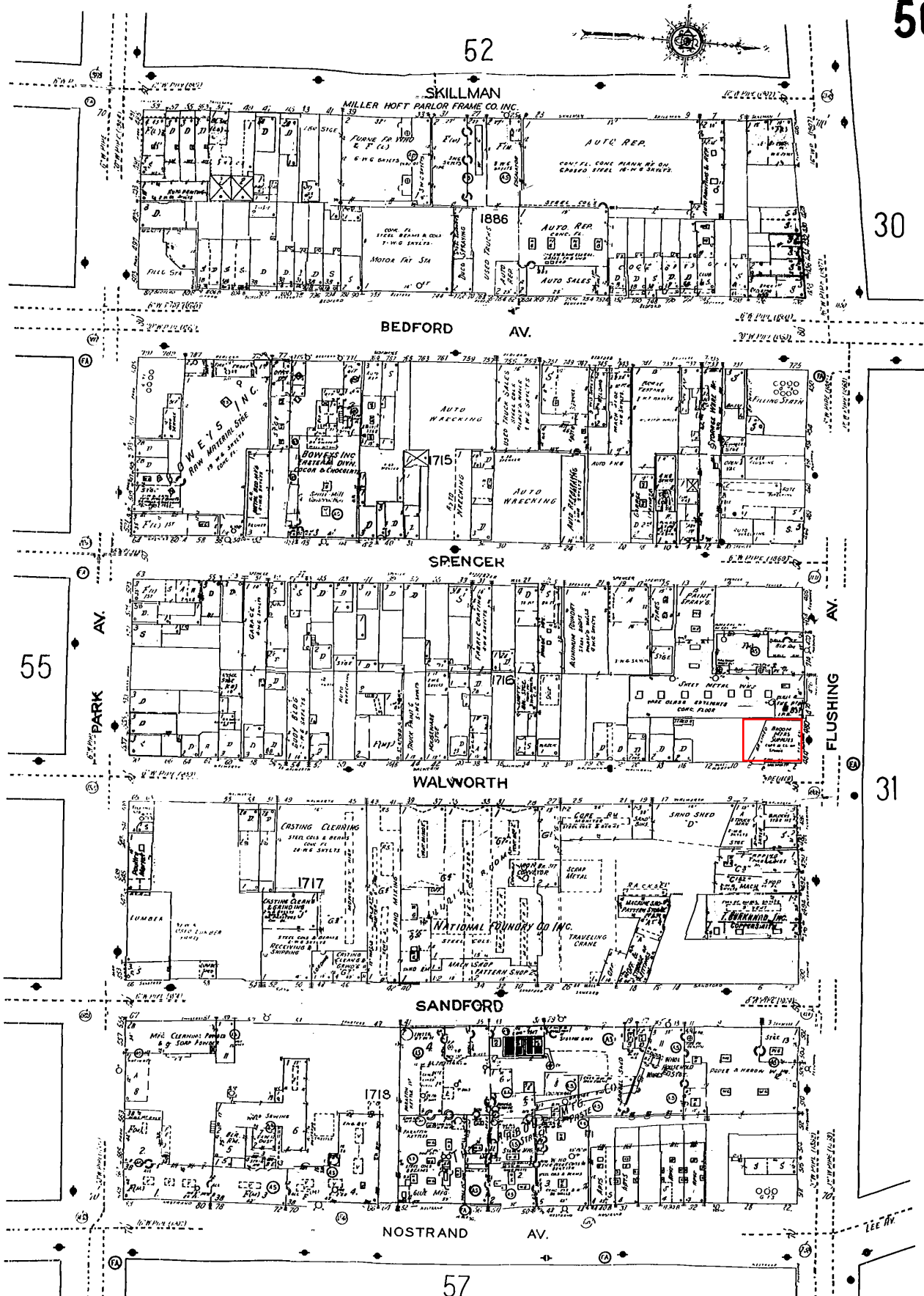
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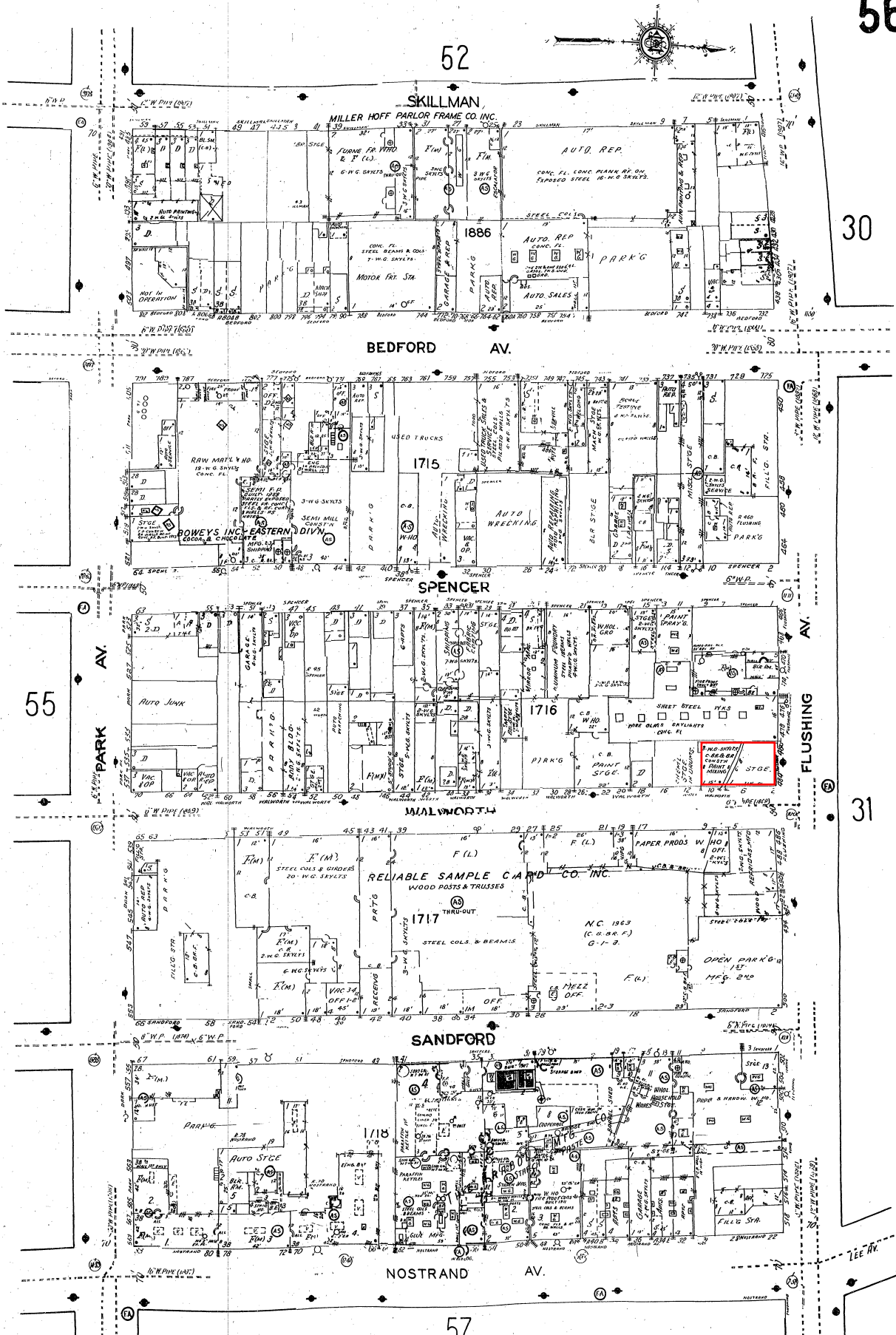
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City and State of New York

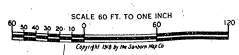
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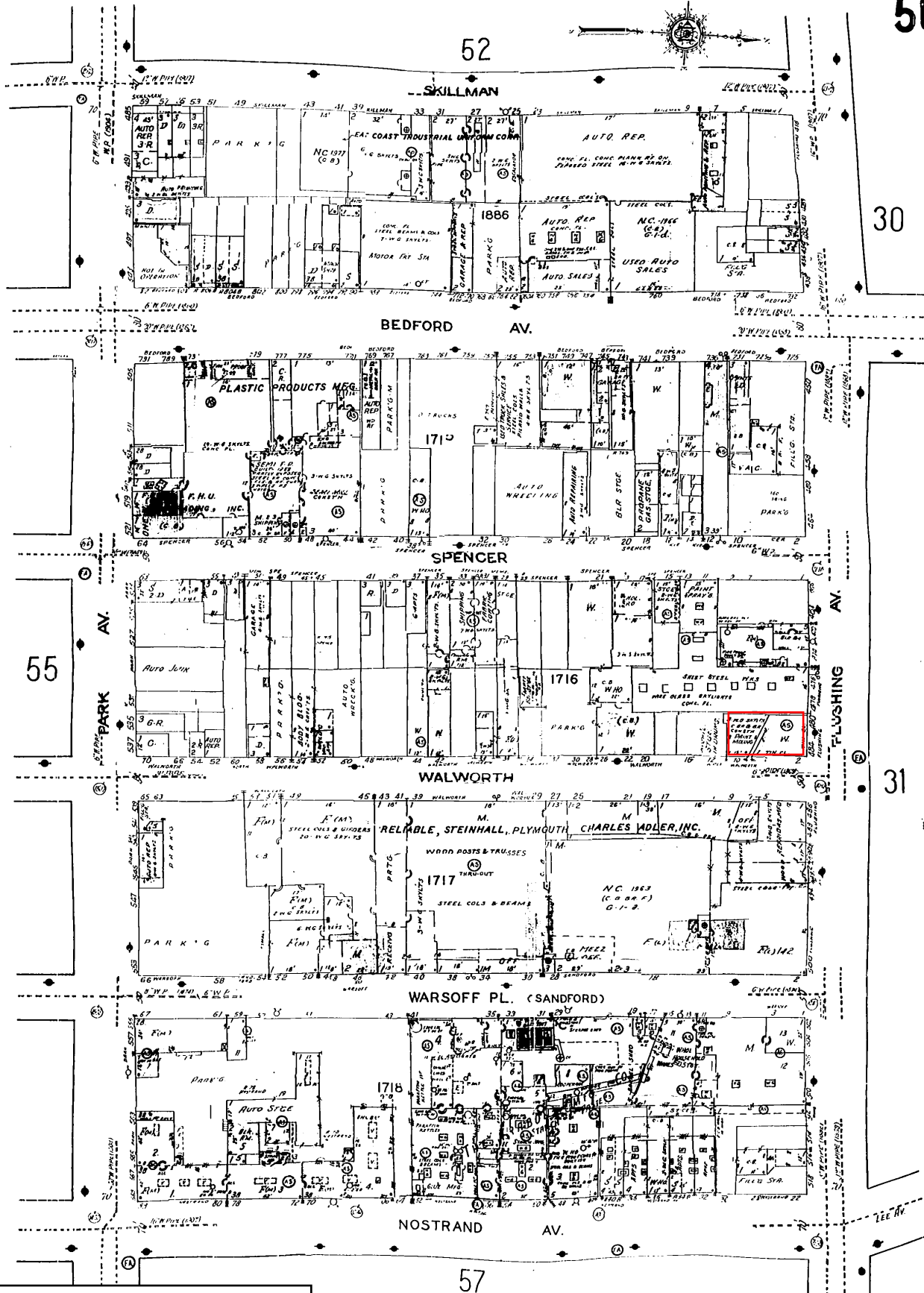


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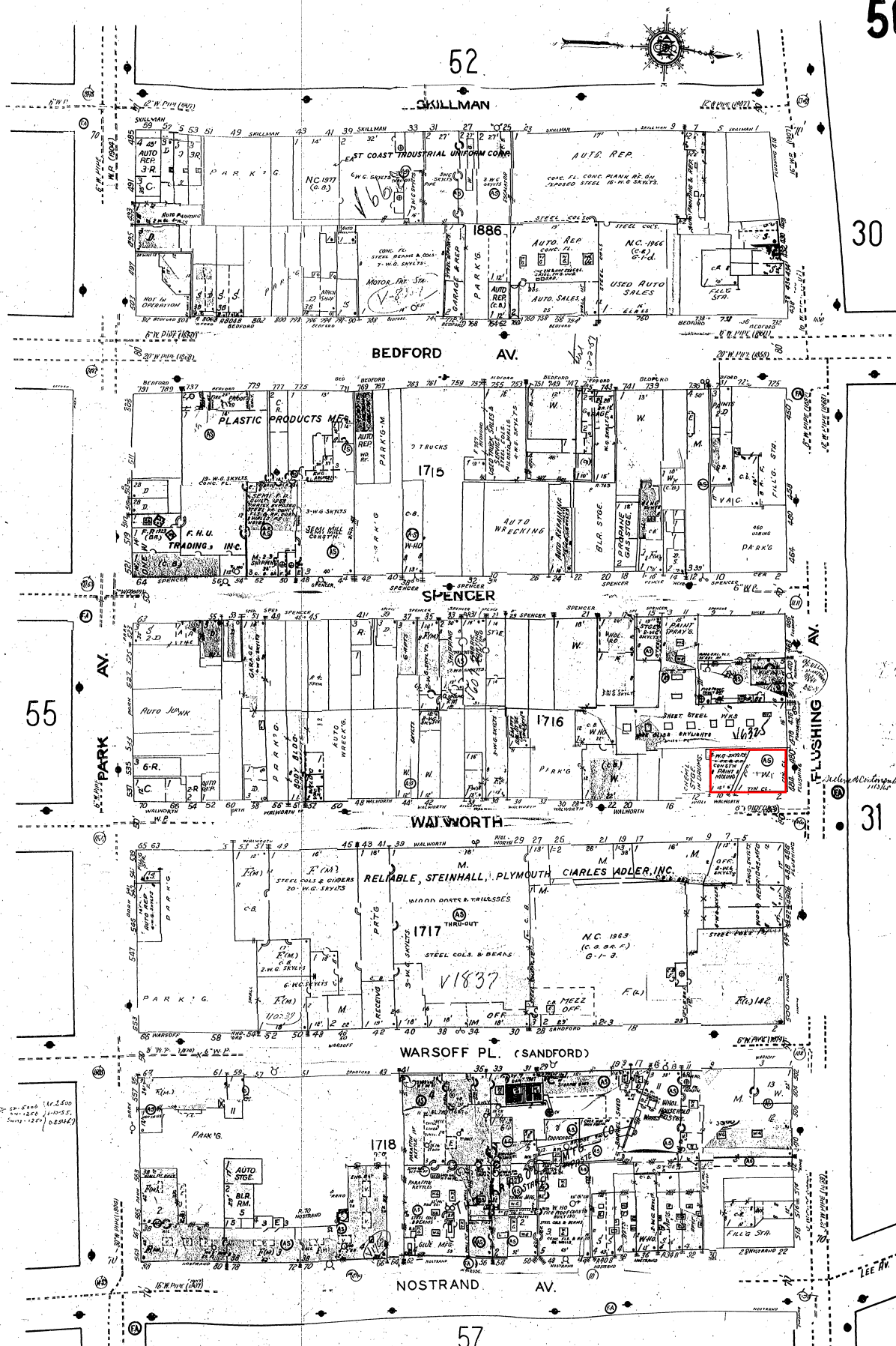
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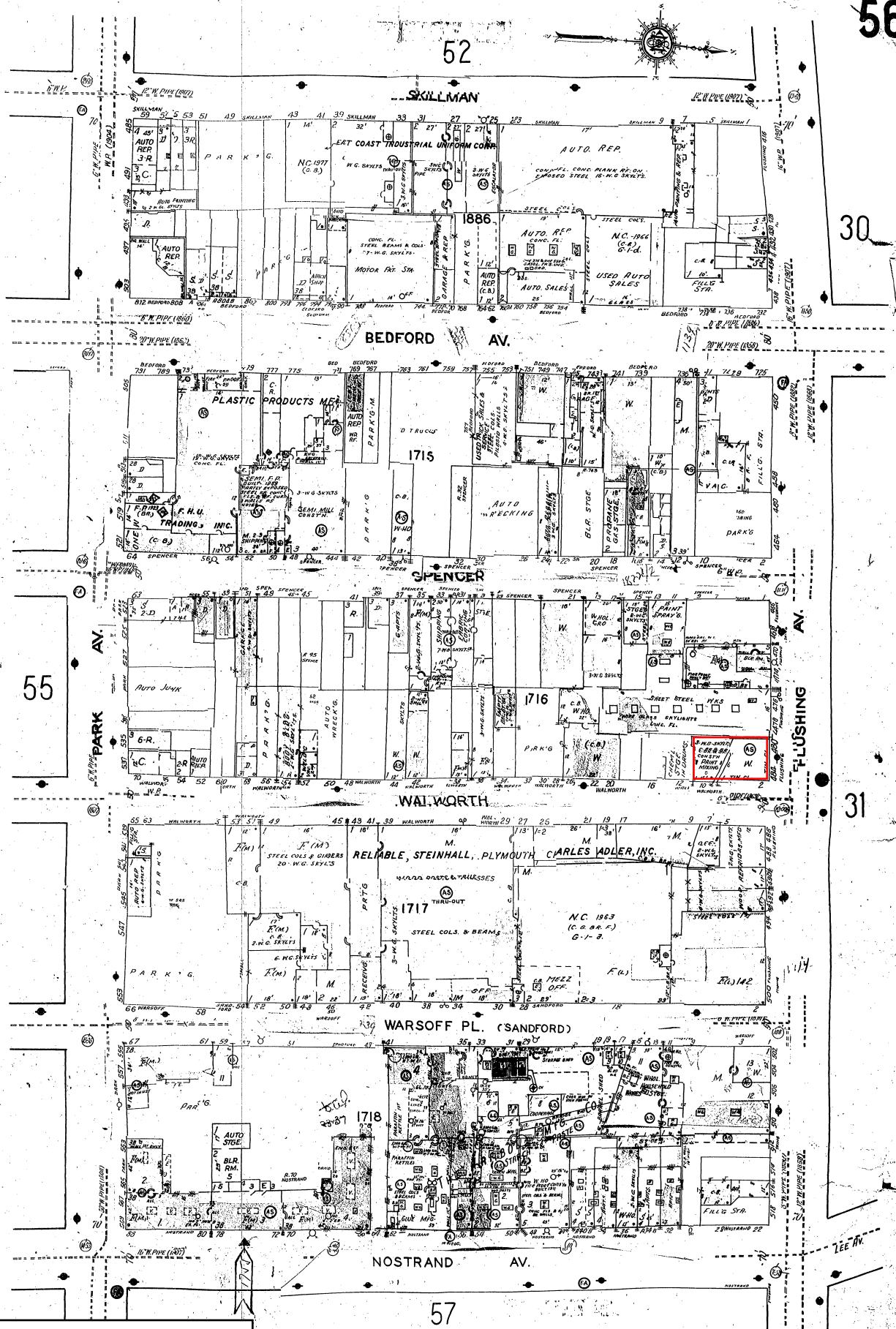
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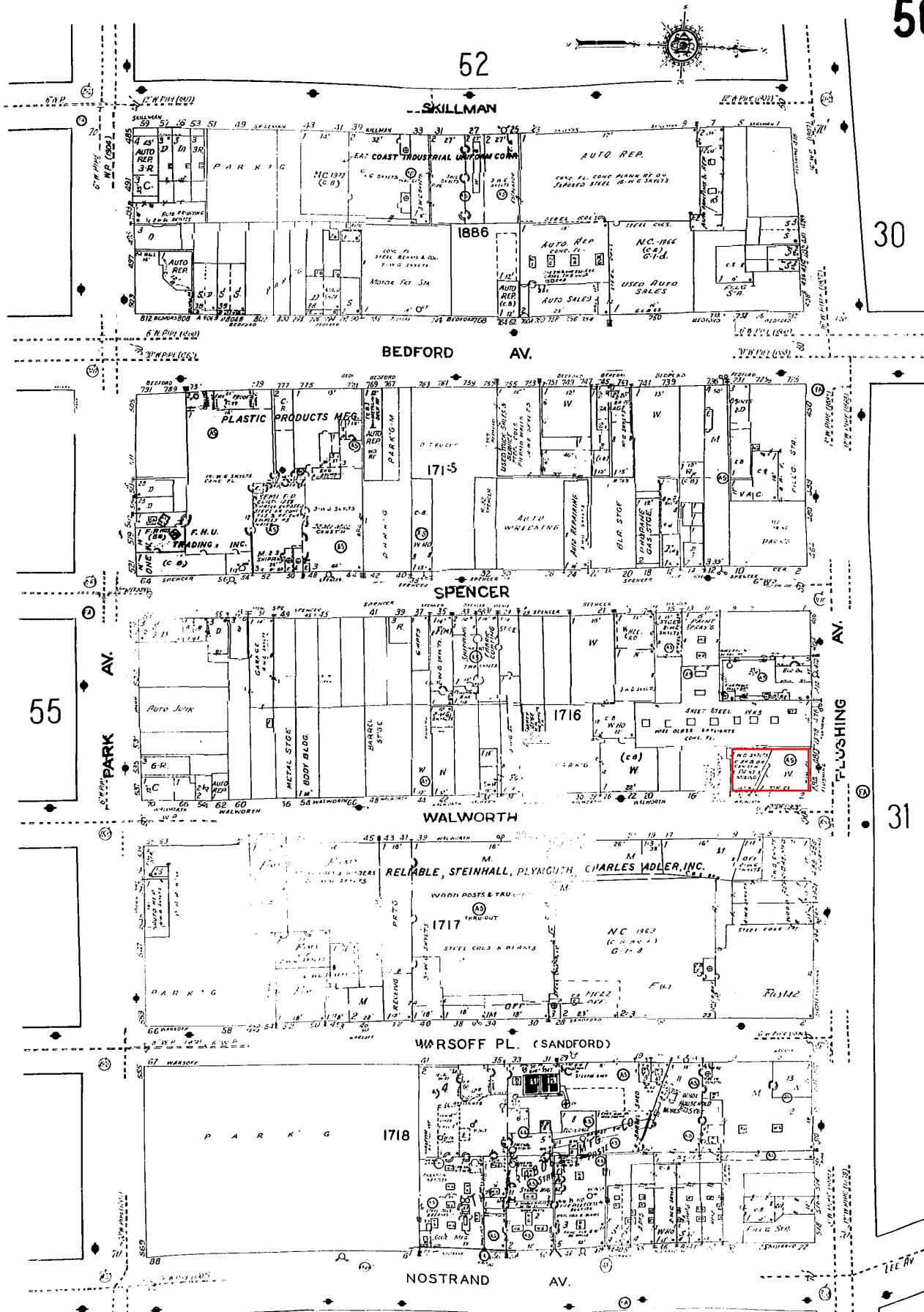
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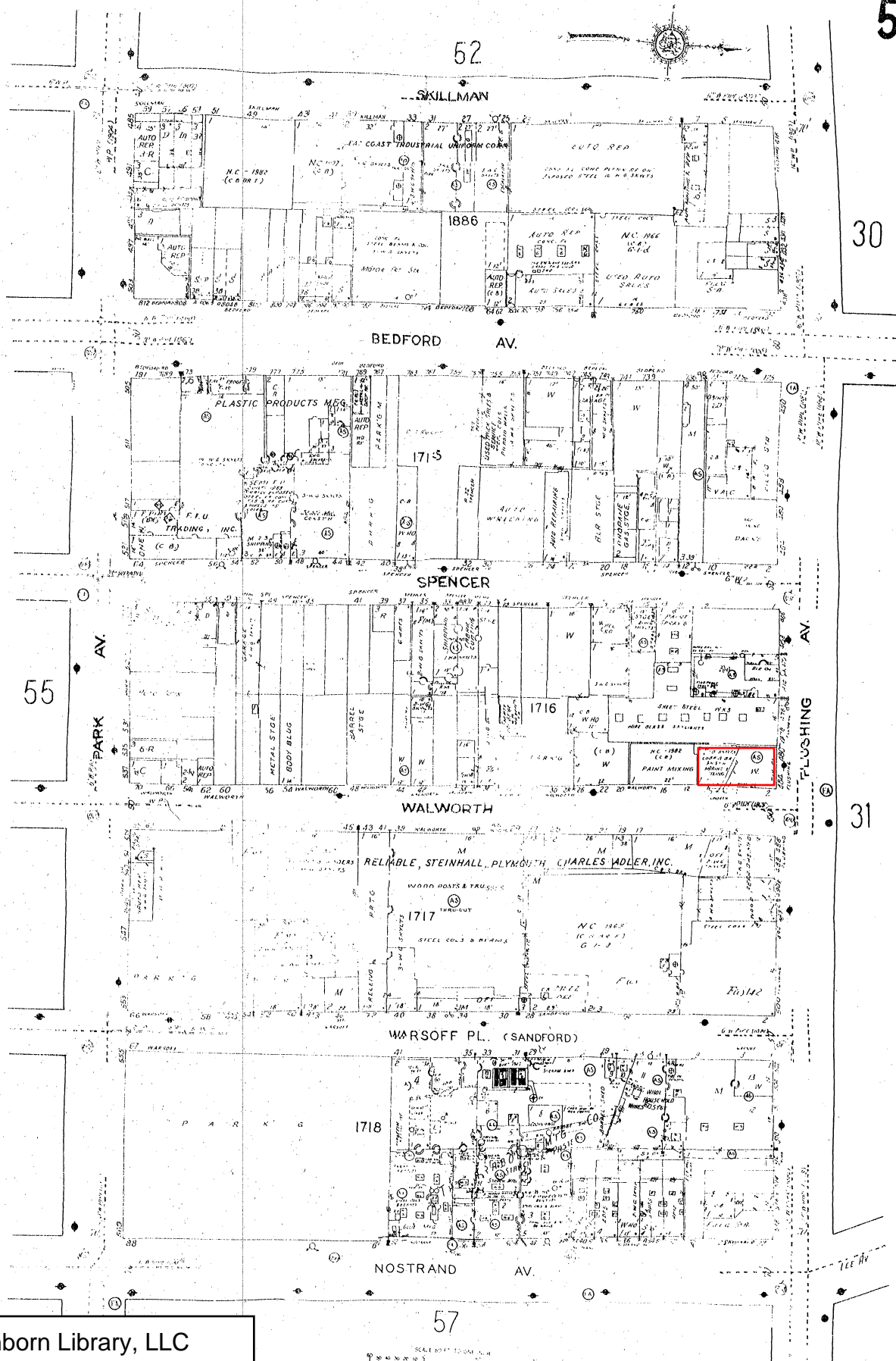
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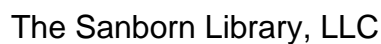


AMB

Yes

EDR Research Associate

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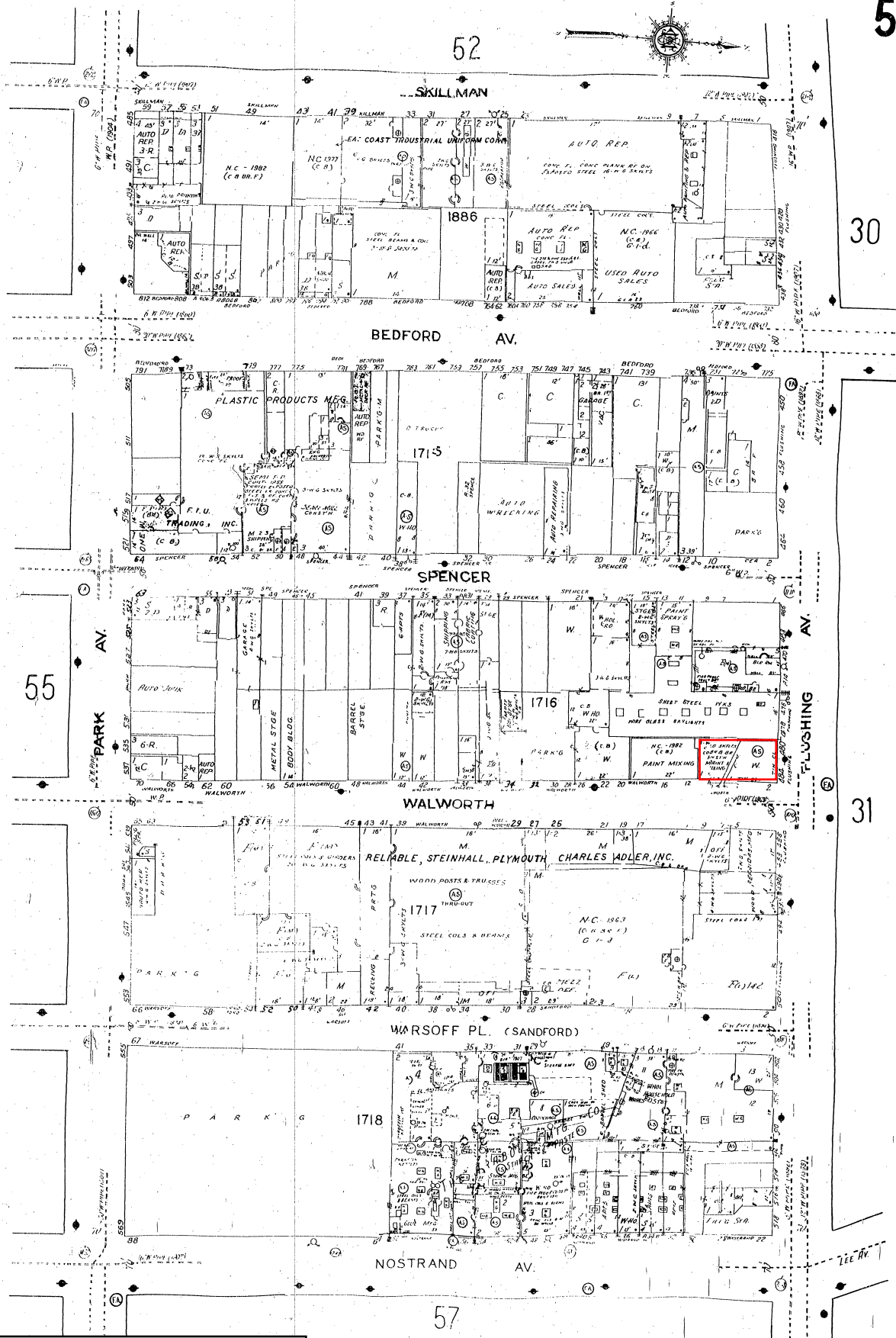


AMB

Yes

EDR Research Associate

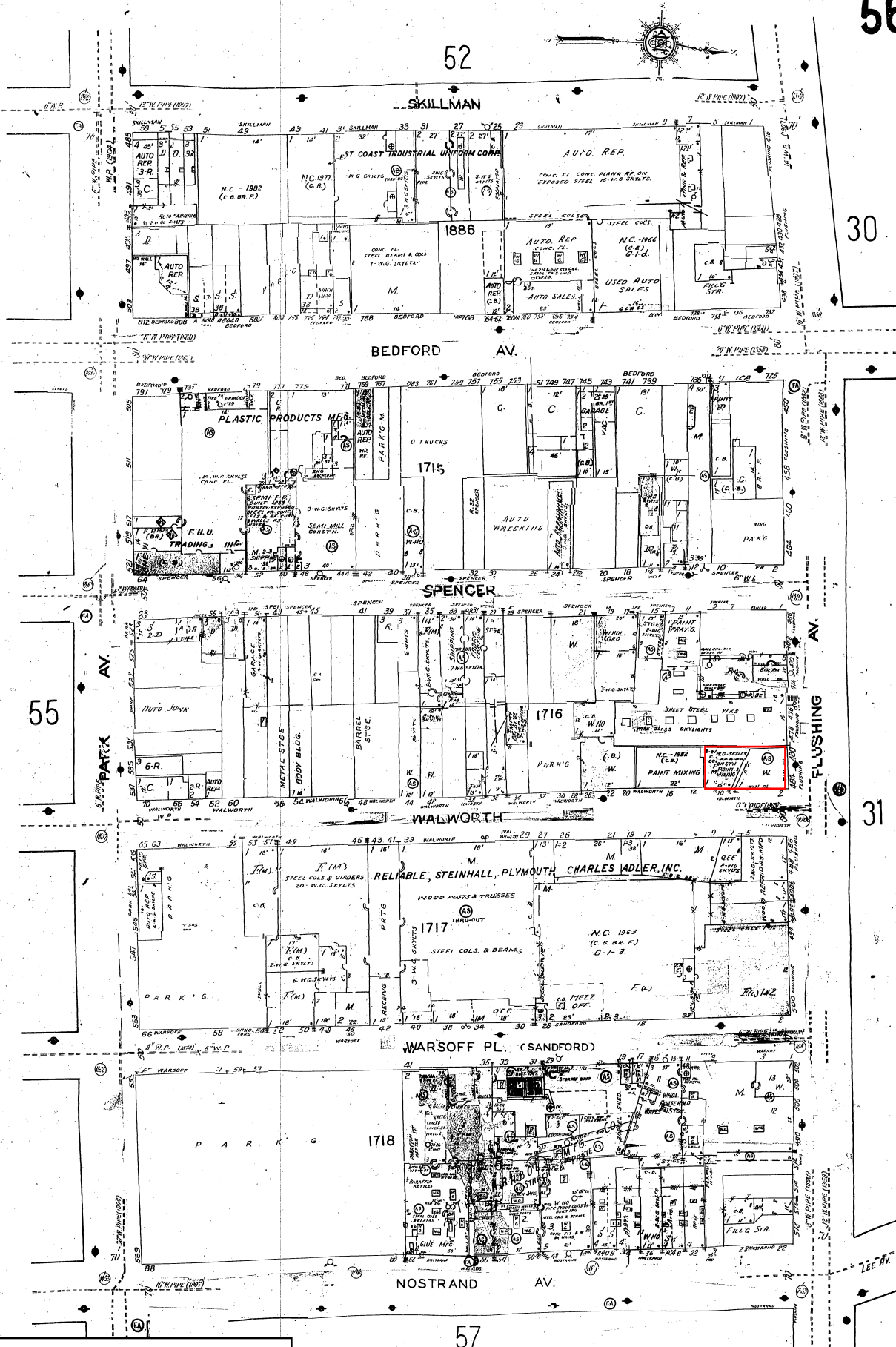
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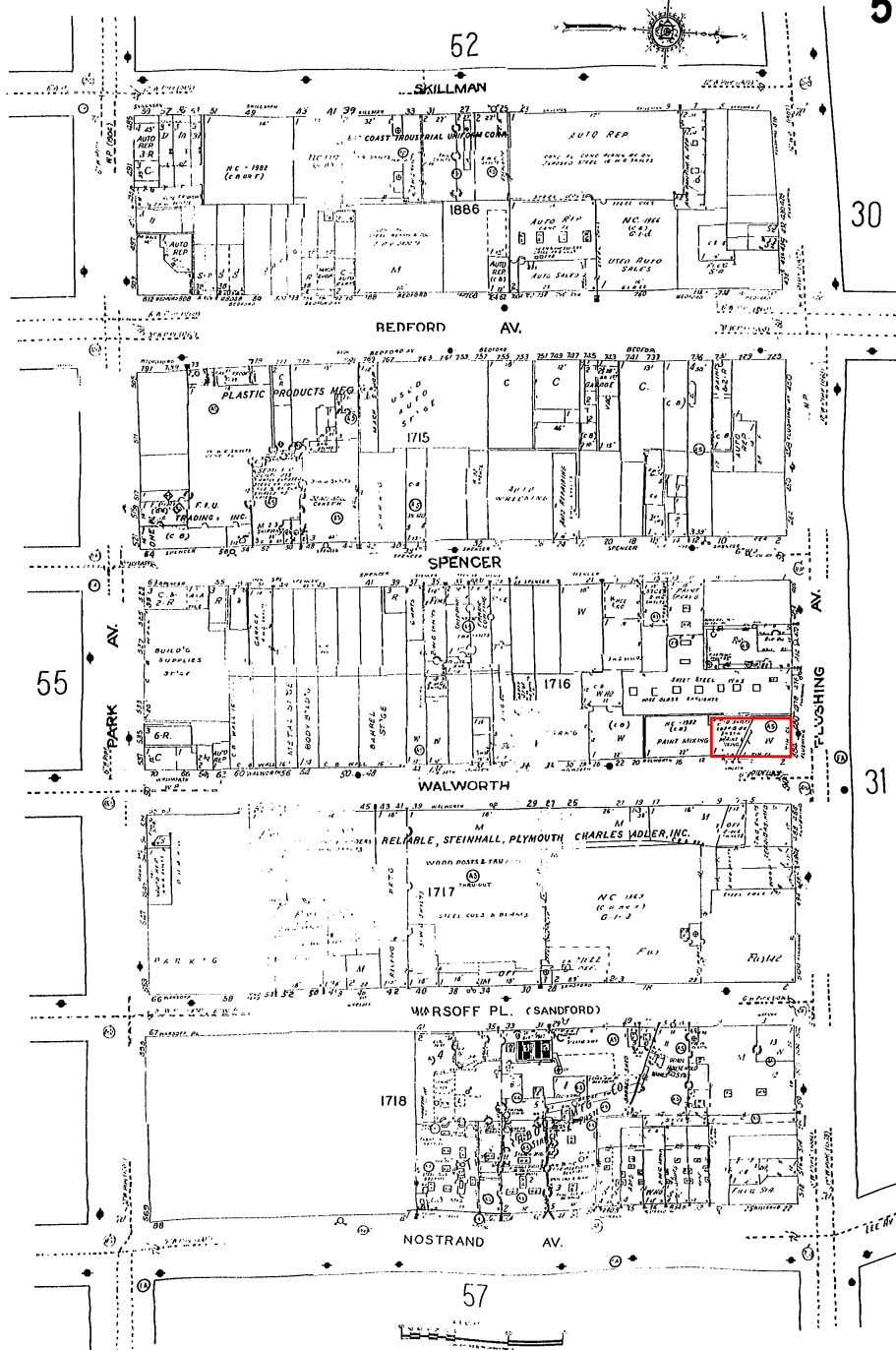
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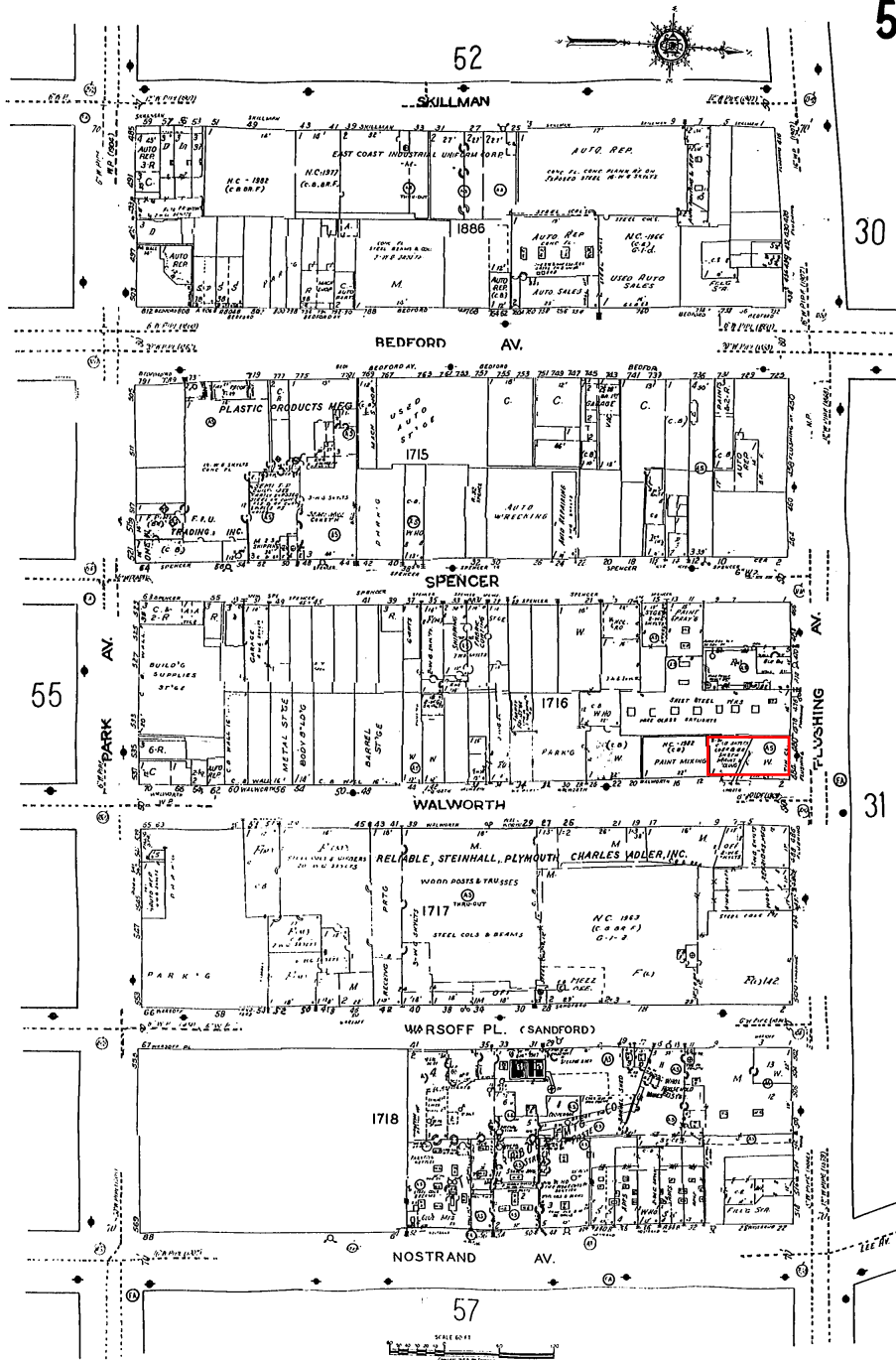
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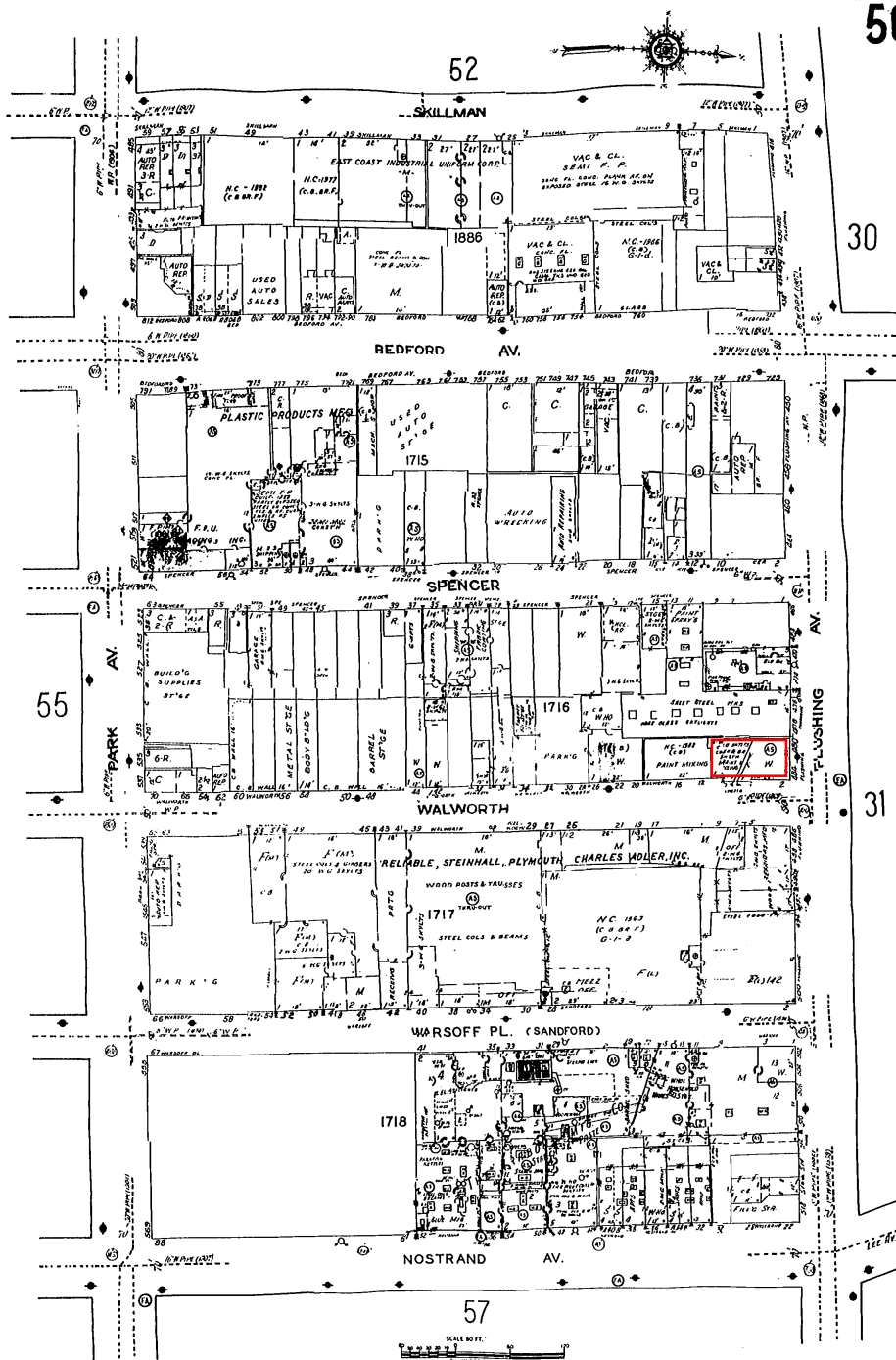


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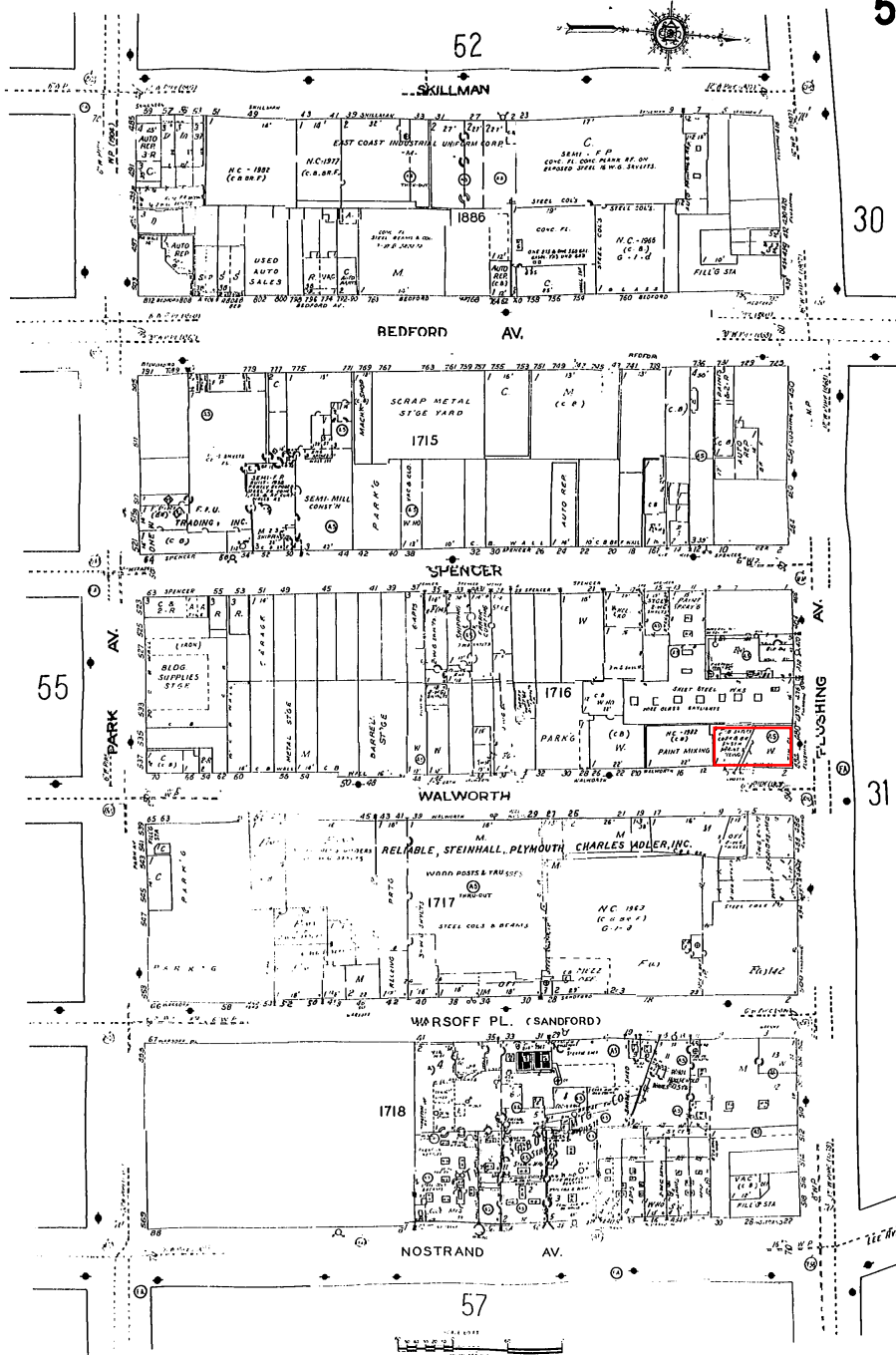
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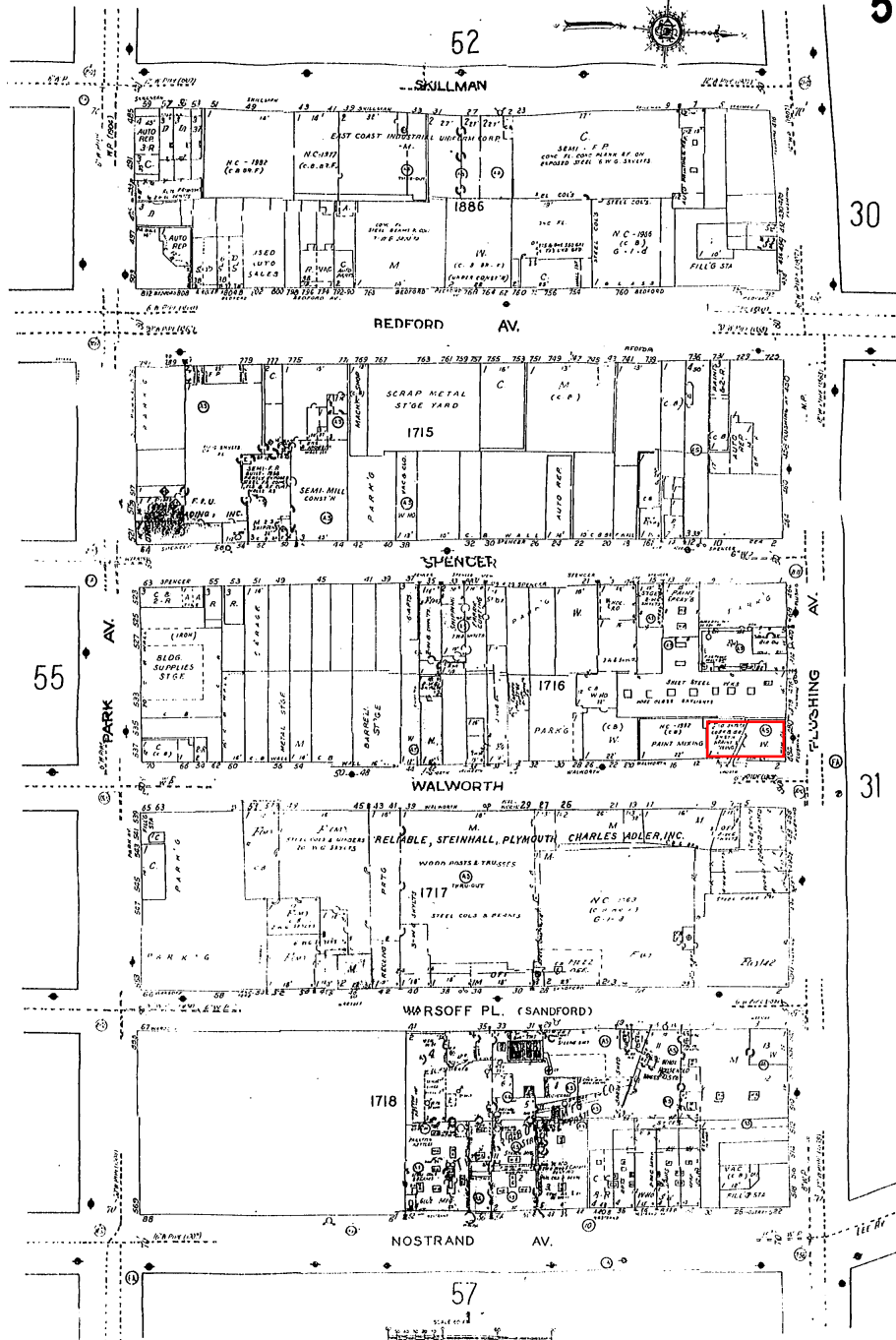
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