

1015 ATLANTIC
1013-1015 ATLANTIC AVENUE, BROOKLYN, NY
Block 2019 Lot 51

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

April 2019

Program Requestor:

1015 Holdings LLC
143 Division Avenue
Brooklyn, New York, 11211

Prepared By:

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

1808 Middle Country Road
Ridge, NY 11961

TABLE OF CONTENTS
BCP APPLICATION - SUPPLEMENTAL INFORMATION
1015 Atlantic Avenue, Brooklyn, NY

BCP Application Form

I	REQUESTOR INFORMATION	1
II	PROJECT DESCRIPTION	1
	2.1 Project Overview.....	1
	2.2 Project Schedule.....	1
III	ENVIRONMENTAL HISTORY	2
	3.1 Summary of Previous Investigations.....	2
	3.1.1 Phase I Environmental Site Assessment (Middleton - September 2014)	2
	3.1.2 Phase II Subsurface Investigation (EBC – September 2018).....	3
IV	PROPERTY INFORMATION	4
	4.1 Tax Parcel Information.....	4
	4.2 Enzone.....	4
	4.3 Property Description Narrative	4
	4.3.1 Location	4
	4.3.2 Site Features	5
	4.3.3 Current Zoning and Land Use	5
	4.3.4 Past Use of the Site	6
	4.3.5 Site Geography and Geology	6
	4.3.6 Environmental Assessment.....	6
V	ADDITIONAL REQUESTOR INFORMATION	6
	5.1 Requestors Authorized Representative	6
	5.2 Consultant	7
	5.3 Attorney.....	7
VI	CURRENT PROPERTY OWNER / OPERATOR INFORMATION	7
VII	REQUESTOR ELIGIBILITY INFORMATION	7
VIII	PROPERTY ELIGIBILITY INFORMATION	8
IX	CONTACT LIST INFORMATION	8
	9.1 Local Government Contacts.....	8
	9.2 Adjacent Property Owner Contacts.....	10
	9.3 Local News Media	12
	9.4 Public Water Supplier	13
	9.5 Requested Contacts	13
	9.6 Schools and Daycare Facilities	13
	9.7 Document Repository.....	13



TABLE OF CONTENTS
BCP APPLICATION - SUPPLEMENTAL INFORMATION
1015 Atlantic Avenue, Brooklyn, NY

X	LAND USE FACTORS	14
	10.1 Current Use	14
	10.2 Post- Remedial Use	14
	10.3 Proposed Project Use with Respect to Current Zoning	14
	10.4 Proposed Project Use with Respect to Community Master Plans	14

FIGURES

Figure 1	USGS 7.5 Minute Quadrangle
Figure 2	NYC Tax Map - Current
Figure 3	Site Plan
Figure 4	Project Site and Adjacent Properties
Figure 5	Area Schools and Daycare Centers
Figure 6	Surrounding Land Use
Figure 7	Environmental Justice Area
Figure 8	Flood Zone Map
Figure 9	Posted Soil Results

APPENDICES

Appendix A	Access Agreement
Appendix B	Environmental Reports (Digital Files on CD):
Appendix C	Repository Acknowledgement Letters



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 10*

Section I. Requestor Information - See Instructions for Further Guidance		DEC USE ONLY BCP SITE #:
NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
<p>Is the requestor authorized to conduct business in New York State (NYS)? Yes No</p> <ul style="list-style-type: none"> • 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. Please note: If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. <p>Do all individuals that will be certifying documents meet the requirements detailed below? Yes No</p> <ul style="list-style-type: none"> • 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
<p>NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.</p>		
2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):	Yes	No
<p>3. Please attach a short description of the overall development project, including:</p> <ul style="list-style-type: none"> • 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 March 5, 2019.

Selected Entity Name: 1015 HOLDINGS LLC

Selected Entity Status Information

Current Entity Name: 1015 HOLDINGS LLC

DOS ID #: 5454728

Initial DOS Filing Date: DECEMBER 06, 2018

County: ALBANY

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)

1015 HOLDINGS LLC
390 BERRY STREET, SUITE 200
BROOKLYN, NEW YORK, 11249

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
DEC 06, 2018	Actual	1015 HOLDINGS LLC

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

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

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

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

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). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

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 proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. 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 an accurate map of the proposed site.

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: klw _____

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
-------	-----	--------

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".

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.

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 X. Land Use Factors

1. What is the current municipal zoning designation for the site? _____

What uses are allowed by the current zoning? (Check boxes, below)

Residential Commercial Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

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

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

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

If residential, does it qualify as single family housing? Yes No

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

Yes No

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

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 hererby 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 Sole Member (title) of 1015 Holdings LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (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: 3/14/19 Signature: 

Print Name: Abraham Mandel

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 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
Please answer questions below and provide documentation necessary to support answers.		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
From ECL 27-1405(31):		
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>		
<p>From 6 NYCRR 375-3.2(I) as of 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: City:	Address:	Zip: Email:	
Requestor's Attorney			
Name: City:	Address:	Zip: Email:	
Requestor's Consultant			
Name: City:	Address:	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**

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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: 1015 Holdings LLC
Name of all members / owners: Abraham Mandel (sole owner)
Contact: Simon Drummer
Address: 143 Division Avenue, Brooklyn, New York, 11211
Phone: 347-425-7781
Email: simon@keydevelopers.com

1015 Holdings LLC is the applicant for the project and is applying to the program as a Volunteer. 1015 Holdings LLC is not affiliated in any way with the past property owners or operators, or the release of contaminants at the site. 1015 Holdings LLC is the contract vendee and will have access to the Site to implement the required remedial actions that will be required under the BCP (see **Appendix A**).

II PROJECT DESCRIPTION

The Requestor seeks to remediate a property located on Atlantic Avenue in the Prospect Heights neighborhood of Brooklyn, NY (the "Site") (see **Figure 1**). The address of the Site is 1015 Atlantic Avenue, Brooklyn, Kings County, NY. It is comprised of a single tax lot, Block 2019, Lot 51 (**Figure 2 - Tax Map and Figure 3 - Site Plan**). The Site is currently utilized as a BP branded service station. Historically, the property has been used as a gas station since the building was constructed in 1961. Prior to that it was occupied by a diner since at least 1934.

Contaminants in soil related to a petroleum release are present on the property. The historic use of the property as well as the presence of elevated levels of contaminants in soil are complicating redevelopment of the Site for the zoned and planned residential use.

The Requestor plans a Track 1 cleanup and residential redevelopment of the Site. The nature and extent of existing and suspect contamination, however, complicates the redevelopment plan. 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 6-story residential building with a cellar level and 38 condominium units.

As discussed in more detail in this application, contamination at the Site requires remediation because contaminants exceed the restricted residential and commercial soil cleanup objectives. The BCP will allow the applicant to satisfy this requirement as well as to limit its liability to on-site contamination by virtue of its status as a "volunteer" under the BCP.

As a result, the lender/investors for this project will require any cleanup be conducted with oversight of the NYSDEC so that the NYSDEC can issue a certificate of completion and liability release from the State of New York. The remediation of the existing contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be scheduling impacts associated with soil sampling and excavation site constraints that will extend the timeframes customarily required for traditional site excavation. Moreover, the BCP will enable the applicant to qualify for hazardous waste program fee exemption.

2.2 Project Schedule

BCP Milestones Based on an assumed date of early May 2019 for execution of the BCP agreement, the following schedule of BCP milestones is anticipated.

Submit Remedial Investigation Work Plan	With Application
Submit Citizen Participation Plan and Scoping Sheet	May 2019
Complete Remedial Investigation	May 2019
Submit Remedial Investigation Report	June 2019
Submit Remedial Action Work Plan	June 2019
Begin Building Construction and Remedial Action	August 2019
Continue Remedial Action	Approximately 15 months
Submit Draft Final Engineering Report	September 2020
Anticipated Date Certificate of Completion Issued	December 2020

III ENVIRONMENTAL HISTORY

3.1 Summary of Previous Investigations

Investigations performed at the Site include the following:

- Phase I Environmental Site Assessment (Middleton Environmental, September 2014)
- Phase II Subsurface Investigation (EBC, September 2018)

3.1.1 September 2014 – Phase I Environmental Site Assessment (Middleton)

Middleton reported that fifteen 550-gallon USTs were removed in 1999 along with a 3,000-gallon diesel fuel storage tank. The property owner supplied documentation which indicated that these tanks were removed by Arek Petro Corp between September 28 and October 14, 1999. Although there were no spill reports pertaining to this removal project, there was no soil quality information available for review pertaining to this removal project.

Middleton also observed the presence of one floor drain inside the service area of the building and one storm water drywell outside the building.

The Phase I identified the Subject Property as a listed E-Designation Site under CEQR 07DCP066K that was promulgated on July 25, 2007 for possible hazardous materials and noise impacts. The E Designation would require that the owner of the site conduct a testing and sampling protocol and remediation (where appropriate), to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings should any redevelopment of the Subject Property occur.

Middleton identified the following Recognized Environmental Conditions (REC):

- possible contamination associated with an on-site storm water drywell, and;
- the former underground storage tank area

Middleton recommended that soil samples be collected from the perimeter of the tank bed area to determine if any contamination from past tank leakage has impacted the subsurface. The report also recommended dye testing the floor drain to determine its discharge endpoint and sampling the on-site storm water drywell to determine if any contamination from past improper chemical disposal has impacted the subsurface.

A copy of the Phase I Report is provided in digital form in **Appendix B**.

3.1.2 September 2018 – Phase II subsurface Investigation Report (EBC)

Field work for the Subsurface Investigation was performed on August 9, 2018. Prior to the installation of soil borings, a geophysical survey was performed to locate and mark-out the location of any underground storage tanks. Field work consisted of the installation of eight soil borings (SB1 through SB8). The depth to groundwater was estimated to be 70-75 feet below surface and was not encountered during the investigation.

Eight soil samples were analyzed for VOCs by EPA method 8260 and SVOCs by EPA method 8270. In addition three samples representative of fill materials encountered were analyzed for target analyte list (TAL) metals.

The Report concluded the following:

Soil at the Site consists of fill material to a depth between 5 to 10 feet below grade underlain by silt and clay from 10 to 20 feet across the Site. Concrete possibly related to the removal of the former 50 gallon USTs was encountered at one location at 15 feet below grade. Groundwater is approximately 70 to 75 feet below grade and was not encountered during the subsurface investigation.

The fill materials at the Site contain elevated levels (above restricted residential or restricted commercial SCOs) of SVOCs and metals including barium, lead and mercury.

Petroleum impacted soil encountered at soil boring SB8 at levels above restricted residential SCOs) appears to be related to a former release in the vicinity of the tanks. Since the contamination was encountered at the 18-20 ft level and not in shallow soil, it is likely related to the tanks and not the dispensers or piping. Given that both in-service gasoline tanks are constructed of double wall fiberglass reinforced plastic (FRP) with interstitial monitoring, it is unlikely that the contamination is related to the existing tank system. Based on the constituents present in soil which show enrichment

in xylenes and trimethylbenzene, and deficiency in benzene, this is an older spill that is probably related to the former 550 gallon USTs.

Based on the findings of this investigation, the historic use of the property as a gas station, has impacted the soil quality beneath the building. Given that the groundwater is deep in this area at a depth of approximately 75 feet below the surface, it is unlikely to be impacted.

Remediation of the Site will be required during redevelopment under a work plan approved by both the NYSDEC and the NYCOER. As this is a "facility" as defined by the NYSDEC, a spill must be reported by the owner of the facility. As a result, spill No. 1806331 as assigned to the Site. A copy of the Phase II Report is provided in digital form in **Appendix B**.

IV PROPERTY INFORMATION

4.1 Tax Parcel Information

The address of the Site is 1013-1015 Atlantic Avenue in Brooklyn, Kings County, NY. It is comprised of a single tax lot identified as Block 2019, Lot 51 (**Figure 2**). The metes and bounds description is as follows:

ALL that certain plot, piece, 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, to wit:

BEGINNING at the corner formed by the intersection of the westerly side of Classon Avenue with the northeasterly side of Atlantic Avenue; running thence North 8° 37' 20" East along the westerly side of Classon Avenue 128.25 feet; running thence North 81° 22' 40" West and part of the distance through a party wall 73.67 feet; running thence South 8° 37' 20" West and parallel with Classon Avenue 13.33 feet;

RUNNING THENCE: South 57° 22' 05" East and parallel with Atlantic Avenue 15.39 feet; running thence South 32° 37' 55" West 75 feet to the northeasterly side of Atlantic Avenue; and running thence South 57° 22' 05" East along the northeasterly side of Atlantic Avenue 98.67 feet to the corner 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 located within Census Tract 227 which is not a designated En-Zone. However, the Site is located within a potential Environmental Justice Area (**Figure 7**).

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 7,650 square feet (0.175 acres). The Site is located in the City of New York and Borough of Brooklyn. The Site is irregular in shape with 96.87 feet of frontage along Atlantic Avenue and 128.25 feet of frontage along Classon Avenue.

The north and west sides of the property are bordered by multi-unit residential buildings. The south side is bordered by Atlantic Avenue and the east side is bordered by Classon Avenue. Commercial properties including a gas station, storage facility and refrigerator manufacture are present along the south side of Atlantic Avenue. A tire shop and church are present along the east side of Classon Avenue.

4.3.2 Site Features

The Site is developed with a gasoline filling station with a single-story auto repair shop with three service bays and three dispenser islands in the south and east portions of the Site. There are three underground storage tanks registered to the property and which remain in use including: a 4,000 gallon diesel fuel tank, a 12,000 gallon gasoline tank and a 6,000 gallon gasoline tank. Fifteen 550 gallon tanks were previously removed from the property in 1999.

4.3.3 Current Zoning and Land Use

The property is currently zoned R7A with a C2-4 commercial overlay. Residence districts are the most common zoning districts in New York City, accounting for about 75 percent of the city's zoned land area. These districts accommodate an extraordinary variety of residential building forms - ranging from the single-family homes set amid wide lawns on the city's outskirts to the soaring towers of Manhattan. All residence districts permit most community facilities, such as schools, houses of worship and medical facilities. In certain districts, the maximum permitted floor area ratio (FAR) for community facilities exceeds the maximum permitted FAR for residential uses in order to accommodate needed services, such as medical centers or schools.

Contextual districts are designed to maintain the scale and form of the city's traditional moderate- and higher-density neighborhoods. These districts, which have an A, B, D or X letter suffix (R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X) are mapped where buildings of similar size and shape form a strong neighborhood context, or where redevelopment would create a uniform context. The bulk regulations for these districts are known as Quality Housing regulations.

Commercial activities in the city are permitted in eight commercial districts based on their functional similarities and locational requirements. Small retail and service shops in C1 and C2 districts serve the immediate needs of surrounding residential communities. Some C1 and C2 districts are mapped as overlays, usually within low- and medium-density residential neighborhoods. In these districts, residential bulk is governed by the residence district within which the overlay is mapped, whereas all other commercial districts that permit residential use are assigned a specific residential district equivalent. In all mixed buildings, commercial uses must be located below any residential use.

The planned residential use of the building will be in full compliance with the R7A/C2-4 zoning.

Adjacent land use (**Figure 4**) includes multi-family residential properties to the north and west, a warehouse and tire shop to the east and a gas station, storage facility and refrigerator manufacturer to the south. The area surrounding the property (**Figure 6**) is highly urbanized and predominantly consists of commercial buildings with mixed use (retail / residential) buildings north of the Atlantic Avenue corridor and commercial/ industrial properties, lightly interspersed with residential properties to the south.

There are three schools located within 1,000 feet of the Site including the Brooklyn Prospect Charter School located approximately 550 feet to the northeast and the Brooklyn Waldorf School located approximately 998 feet to the north-northeast (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. Historically, the property has been used as a gas station since 1961. Prior to that, it was occupied by a diner since at least 1934.

The Requestor purchased the property in November 2018.

4.3.5 Site Geography and Geology

Subsurface soils at the Site consist of historic fill materials to a depth of approximately 5 to 10 feet 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 88 feet above mean sea level. The topography within the immediate area slopes gradually to the northeast.

Groundwater occurs beneath the Site at a depth of approximately 70 to 75 feet below grade. Based on regional groundwater flow maps the site is located near a groundwater divide though flow would be expected to be generally north-northeast. As shown on **Figure 9**, the Site is not located within a designated flood zone area.

4.3.6 Environmental Assessment

Soil – Petroleum volatile organic compounds (VOCs) including 1,3,4-trimethylbenzene, ethylbenzene, m&p-xylene, o-xylene and toluene were present above restricted residential soil cleanup objectives (SCOs). The petroleum VOCs are related to a historic release of gasoline associated with a storage and / or dispenser system at the Site. The petroleum contamination extends to approximately 22 feet below grade.

Fill materials are present on the property at depths ranging from 5 to 10 feet below grade. The fill contains elevated levels (above restricted residential or restricted commercial SCOs) of metals and semi-volatile organic compounds (SVOCs).

V ADDITIONAL REQUESTOR INFORMATION

5.1 Requestors Authorized Representative

Simon Drummer
670 Myrtle Ave Suite 370
347.425.7781
Simon@keydevelopersny.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

Jesse Hiney
Jesse Hiney Law, PLLC
PO Box 9 Shoreham, NY 11786
(917) 543-5247
jesse@jhenvirolaw.com

VI CURRENT PROPERTY OWNER / OPERATOR INFORMATION

1015 Atlantic Holdings LLC is the Contract Vendee to purchase the property from the current owner Atlantic Classon Group. 1015 Atlantic Holdings LLC is applying to the program as a Volunteer. There are two commercial tenants occupying the property who are in the process of vacating following the transfer of ownership.

Current Owner: Atlantic Classon Group LLC 963 Fulton Street, Brooklyn, New York, 11238
Tenant 1: JSM Service Station, 1013 Atlantic Avenue, Brooklyn, NY (718) 398-4118
Tenant 2: Atlantic Auto Repair, 1013 Atlantic Avenue, Brooklyn, NY (718) 230-1174

VII REQUESTOR ELIGIBILITY INFORMATION

The Requestor qualifies as a volunteer because (i) a *Phase I Environmental Site Assessment* that complies with the EPA All-Appropriate Inquiries Rule (40 CFR 312) was performed, (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 including a Phase I and Phase II investigation identified petroleum contamination at the Site and a Spill was reported prior to Requestor's purchase. The Requestor has exercised appropriate care by applying to the BCP to address contaminants which occurred prior to the Requestor's purchase. 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 6/9/1980	Sun Oil Company of Pennsylvania	Deed	1608 Walnut Street, Philadelphia, PA 19103
From 6/9/1980 to 1/7/2000	Jim Quinones Domitila Quinones	Deed	176 Bergen Street, Brooklyn, NY 11217
From 1/7/2000 to 10/31/2005	Jim Jr. Quinones	Deed	176 Bergen Street, Brooklyn, NY 11217
From 10/31/2005 to 7/31/2015	Pentastar LLC	Deed	176 Bergen Street, Brooklyn, NY 11217
From 7/31/2015 to Present	Atlantic Classon Group LLC	Deed	936 Fulton Street, Brooklyn, NY 11238

Note: 1015 Holdings LLC is in no way affiliated with any of the prior owners of the property.

Table 2 – Previous Tenants

Dates	Name	Comments	Contact Info
1934	Rialto Diners	City Directory	Unknown
1940-1945	A Makarczyk Diner	City Directory	Unknown
1949	Central Diner	City Directory	Unknown
1960	Steve’s Diner	City Directory	Unknown
1965	P&M Service	City Directory	Unknown
1970-1976	C&B Service Station	City Directory	Unknown
1985-1992	Quinones Gas Station	City Directory	176 Bergen Street, Brooklyn, NY 11217
1997-2000	D&J Service Station	City Directory	Unknown
2005- 2008	BK Auto Repair	City Directory	1013 Atlantic Avenue, Brooklyn, NY (718) 230-1174
2013 to Present	JSM Service Station Atlantic Auto Repair	City Directory	1013 Atlantic Avenue, Brooklyn, NY (718) 398-4118 (JSM) (718) 230-1174 (Atlantic)

Note: 1015 Holdings 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

Shirley McRae, Chair, Brooklyn Community Board 2
350 Jay Street, 8th Floor
Brooklyn, NY, 11201

Robert Perris
District Manager, Brooklyn Community Board 2
350 Jay Street, 8th Floor
Brooklyn, NY, 11201

Robert E. Cornegy, Jr.
36th District
1360 Fulton Street, Suite 500
Brooklyn, NY 11216

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

Velmanette Montgomery – 25th District
NYS Senator
30 Third Avenue, Suite 207
Brooklyn, NY 11217

Walter T. Mosley
NYS Assembly Member – District 57
55 Hanson Place
Brooklyn, NY 11217

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:

North

1. C/O COMERFORD & DOUGHERTY, LLP
130 LEFFERTS OWNERS LLC
1122 FRANKLIN AVENUE STE 4061122
GARDEN CITY NY 11530-1643

OCCUPANT / TENANT
128 LEFFERTS PLACE,
BROOKLYN 11238

2. 144 LEFFERTS PL. LLC
1208 AVE. M. SUITE 2301
BROOKLYN NY 11230

OCCUPANT / TENANT
144 LEFFERTS PLACE,
BROOKLYN 11238

3. DAHLIA YVONNE MIGGINS
146 LEFFERTS PLACE
BROOKLYN NY 11238-2909

OCCUPANT / TENANT
146 LEFFERTS PLACE,
BROOKLYN 11238

East

4. BRUCE BARNARD
ADVISORY BOARD OF THE NY DISTRICT OF THE CH
201 WEST VALLEY STREAM B
VALLEY STREAM NY 11580

OCCUPANT / TENANT
597 CLASSON AVENUE,
BROOKLYN 11238

5. 1025 REALTY CORP.
P.O. BOX 70458
BROOKLYN NY 11207-0458

OCCUPANT / TENANT
1025 ATLANTIC AVENUE,
BROOKLYN 11238

South

6. 1064 FUEL CORP.
MANNY ENTERPRISES LLC
1062 ATLANTIC AVENUE
BROOKLYN NY 11238-2903

7. PTA-CS 837
CUBESMART, L.P.
PO BOX 320099 N/A
ALEXANDRIA VA 22320

OCCUPANT / TENANT
1050 ATLANTIC AVENUE,
BROOKLYN 11238

West

8. 1007 ATLANTIC HILL LP.
936 FULTON STREET
BROOKLYN NY 11238-2578

OCCUPANT / TENANT
1007 ATLANTIC AVENUE,
BROOKLYN 11238

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. Brooklyn Prospect Charter School Clinton Hill Middle - School
1100 Fulton Street, Brooklyn, NY 11238
(718) 783-1570
Daniel Rubenstein - Chief Executive Officer
2. The Brooklyn Waldorf School
11 Jefferson Avenue, Brooklyn, NY 11238
(718) 783-3270
Denese Giordano, Administrative Director
3. Bethel Elementary School
457 Grand Avenue, Brooklyn, NY 11238
(718) 783-3630
Celestine Creighton, Principal

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 – Bedford Branch

496 Franklin Avenue, Brooklyn, NY 112381 - (718) 623-0012

Hours

Mon 10:00 AM - 6:00 PM
Tue 10:00 AM - 6:00 PM
Wed 1:00 PM - 8:00 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 2
350 Jay Street, 8th Floor
Brooklyn, NY, 11201
Phone: 718-596-5410
Email: cb2k@nyc.rr.com

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

X LAND USE FACTORS

10.1 Current Use

The property is currently in use as a service station and auto repair shop. The tenants are in the process of vacating the premises.

10.2 Post- Remedial Use

The Requestor intends to redevelop the property with a new 6-story residential building with a cellar level and 38 condominium units.

10.3 Proposed Project Use with Respect to Current Zoning

The property is currently zoned R7A with a C2-4 commercial overlay. Residence districts are the most common zoning districts in New York City, accounting for about 75 percent of the city's zoned land area. These districts accommodate an extraordinary variety of residential building forms - ranging from the single-family homes set amid wide lawns on the city's outskirts to the soaring towers of Manhattan.

Contextual districts are designed to maintain the scale and form of the city's traditional moderate- and higher-density neighborhoods. These districts, which have an A, B, D or X letter suffix (R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X) are mapped where buildings of similar size and shape form a strong neighborhood context, or where redevelopment would create a uniform context.

Commercial activities in the city are permitted in eight commercial districts based on their functional similarities and locational requirements. Small retail and service shops in C1 and C2 districts serve the immediate needs of surrounding residential communities. Some C1 and C2 districts are mapped as overlays, usually within low- and medium-density residential neighborhoods. In all mixed buildings, commercial uses must be located below any residential use.

The planned residential use of the building will be in full compliance with the R7A/C2-4 zoning.

10.4 Proposed Project Use with Respect to Community Master Plans

On July 25, 2007, the City Council approved the Fort Greene – Clinton Hill rezoning action (CEQR No. 07DCP066K) covering 99 blocks in the Fort Greene – Clinton Hill area of Community District 1

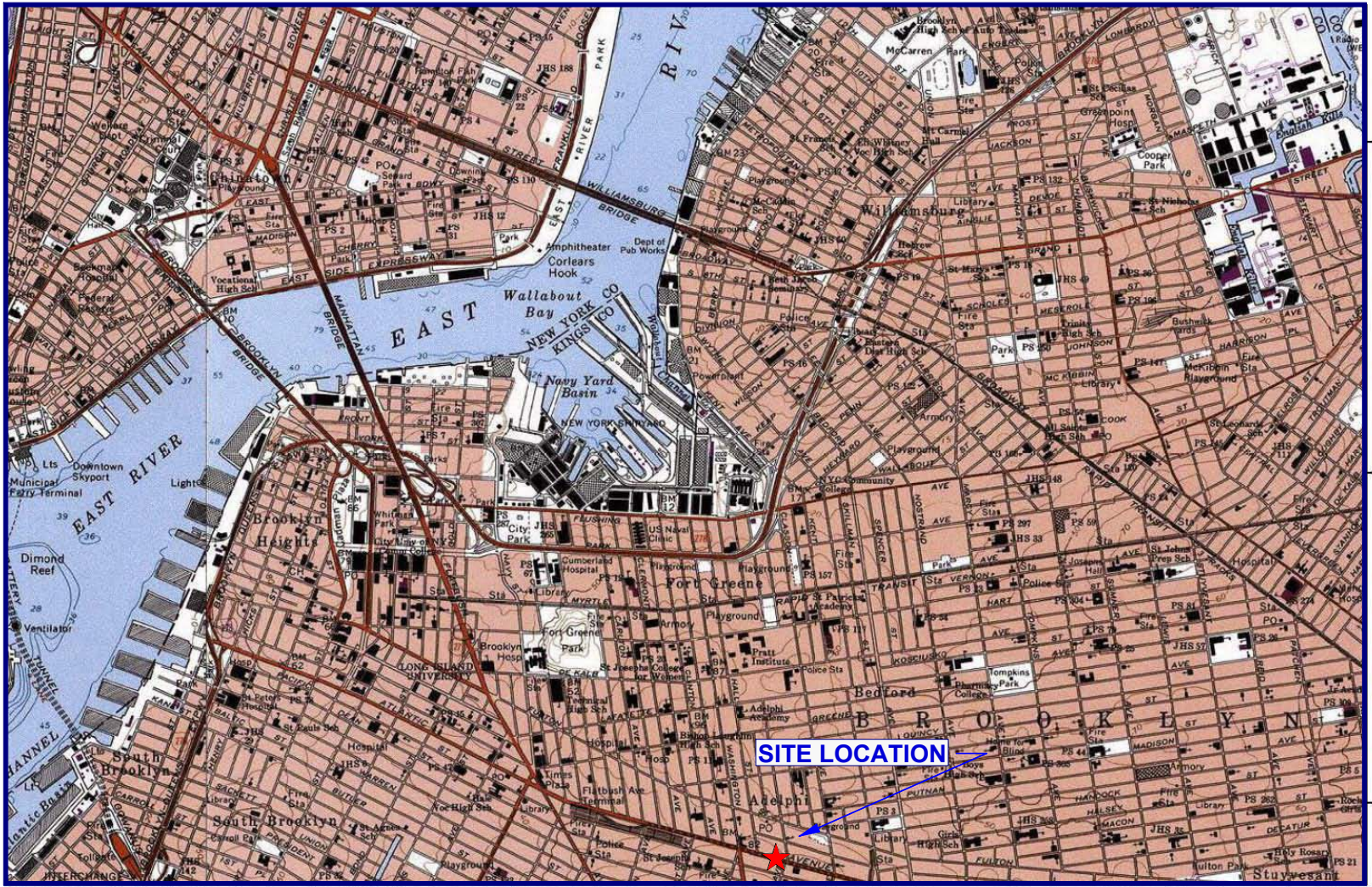
and 2, Brooklyn. According to the Negative Declaration issued on June 18, 2007 by the NYC Planning Commission:

The DCP is proposing a zoning text amendment, pursuant to Zoning Resolution Section 23-922 which would allow the use of an Inclusionary Housing bonus to be made applicable in all proposed R7A zoning districts along Myrtle Avenue, Fulton Street and Atlantic Avenue within the Fort Clinton Hill neighborhoods.

The proposed action would result in a net increase of 546 residential units, 259 of which would be affordable. The proposed action would also result in an increase of 35,278 square feet of commercial space and a decrease of 166,781 square feet of community facility space. A total of 29 projected development sites and 28 potential development sites have been identified in the area.

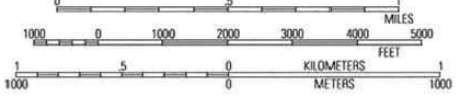
The proposed use of the property will be in compliance with the current land use plans as identified in the Fort Greene – Clinton Hill rezoning action (CEQR No. 07DCP066K) adopted by the City on July 25, 2007.

FIGURES



40°43.000' N
40°42.000' N
40°41.000' N

74°00.000' W 73°59.000' W 73°58.000' W 73°57.000' W WGS84 73°56.000' W



MN ↑ TN
13°
10/30/11

USGS Brooklyn Quadrangle 1995, Contour Interval = 10 feet

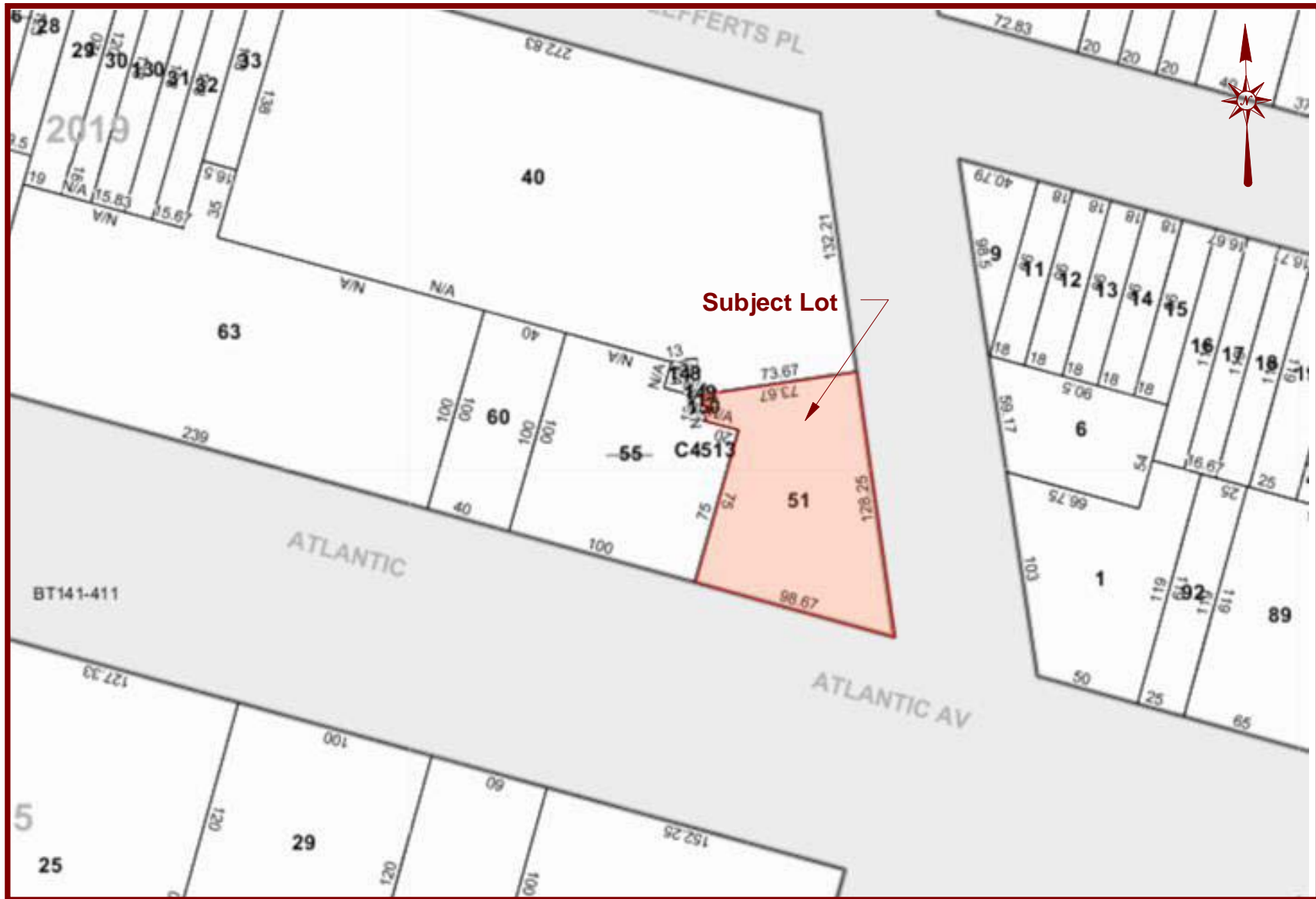


Environmental Business Consultants
1808 Middle Country Road, Ridgely, NY 11961

Phone 631.504.6000
Fax 631.924.2780

1013 Atlantic Avenue
Brooklyn, NY

FIGURE 1 Site Location Map

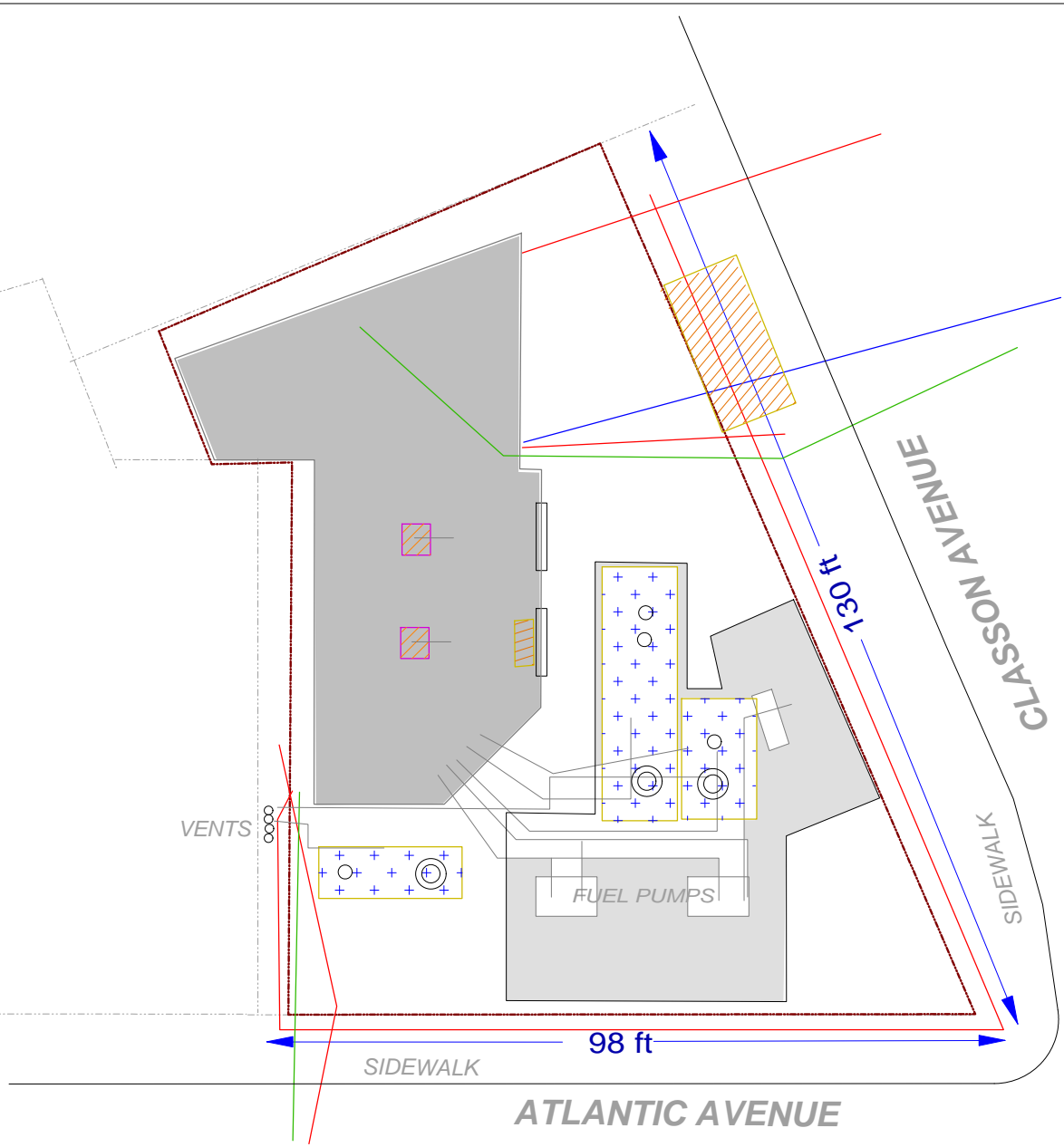


ENVIRONMENTAL BUSINESS CONSULTANTS
 1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000
 Fax 631.924.2780

1015 ATLANTIC AVENUE, BROOKLYN, NY
 BLOCK 2019 LOT 51

FIGURE 2 NYC TAX MAP



SCALE:
0 12.5 25
Scale: 1 inch = 25 feet

- KEY:**
- Property Boundary
 - Underground Sewer Line
 - Underground Electric Line
 - Underground Water Line
 - Former Hydraulic Tank & Pit
 - Underground Fuel Tank
 - Unknown Anomaly

BBC
ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
3

Site Name: 1015 ATLANTIC AVENUE
Site Address: 1013-1015 ATLANTIC AVENUE, BROOKLYN, NY 11238
Drawing Title: **SITE PLAN**



EBC

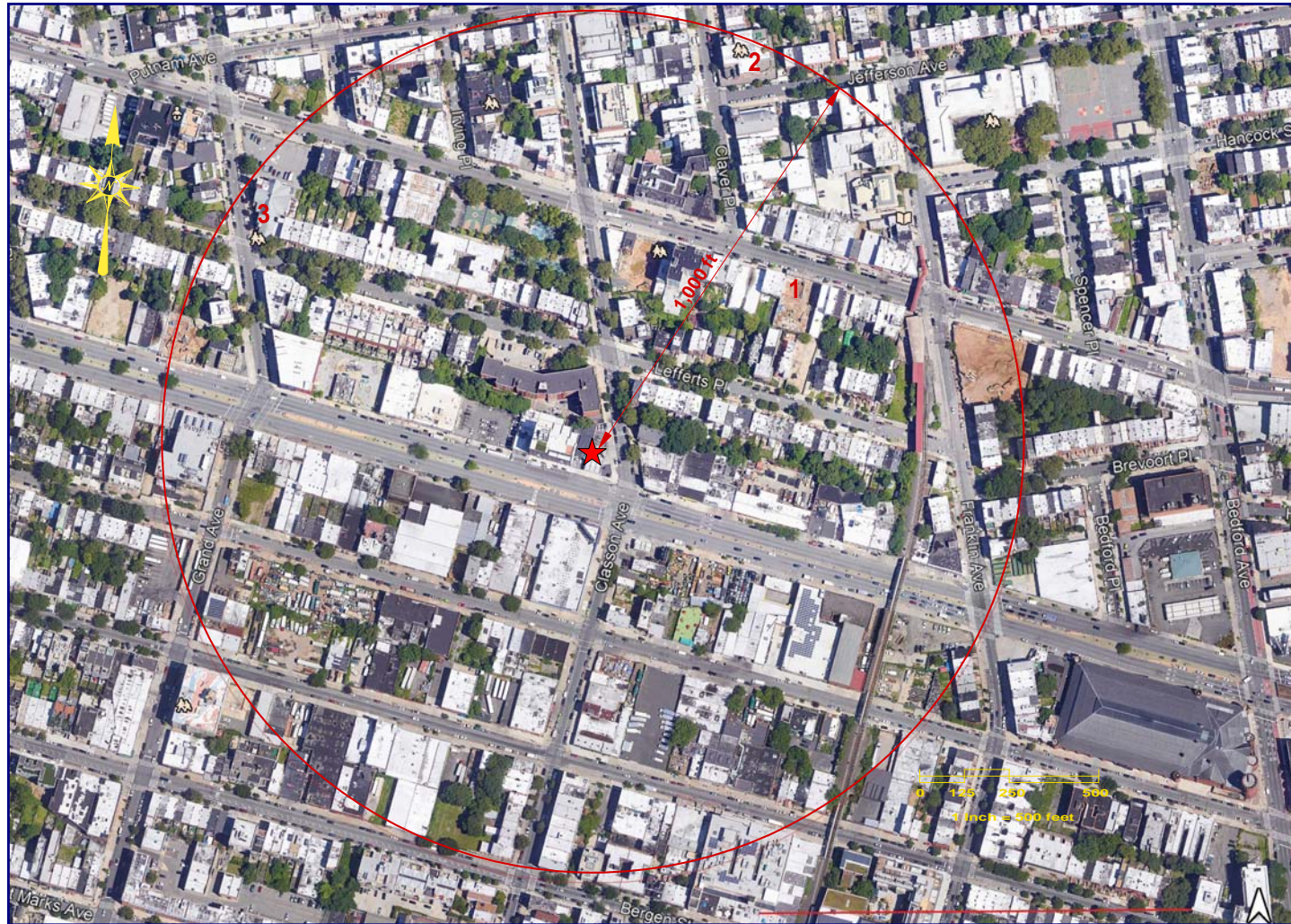
ENVIRONMENTAL BUSINESS CONSULTANTS
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone: 631.504.6000
Fax: 631.924.2780

1015 ATLANTIC AVENUE
BROOKLYN 11238

FIGURE 4

PROJECT SITE AND
ADJACENT PROPERTIES

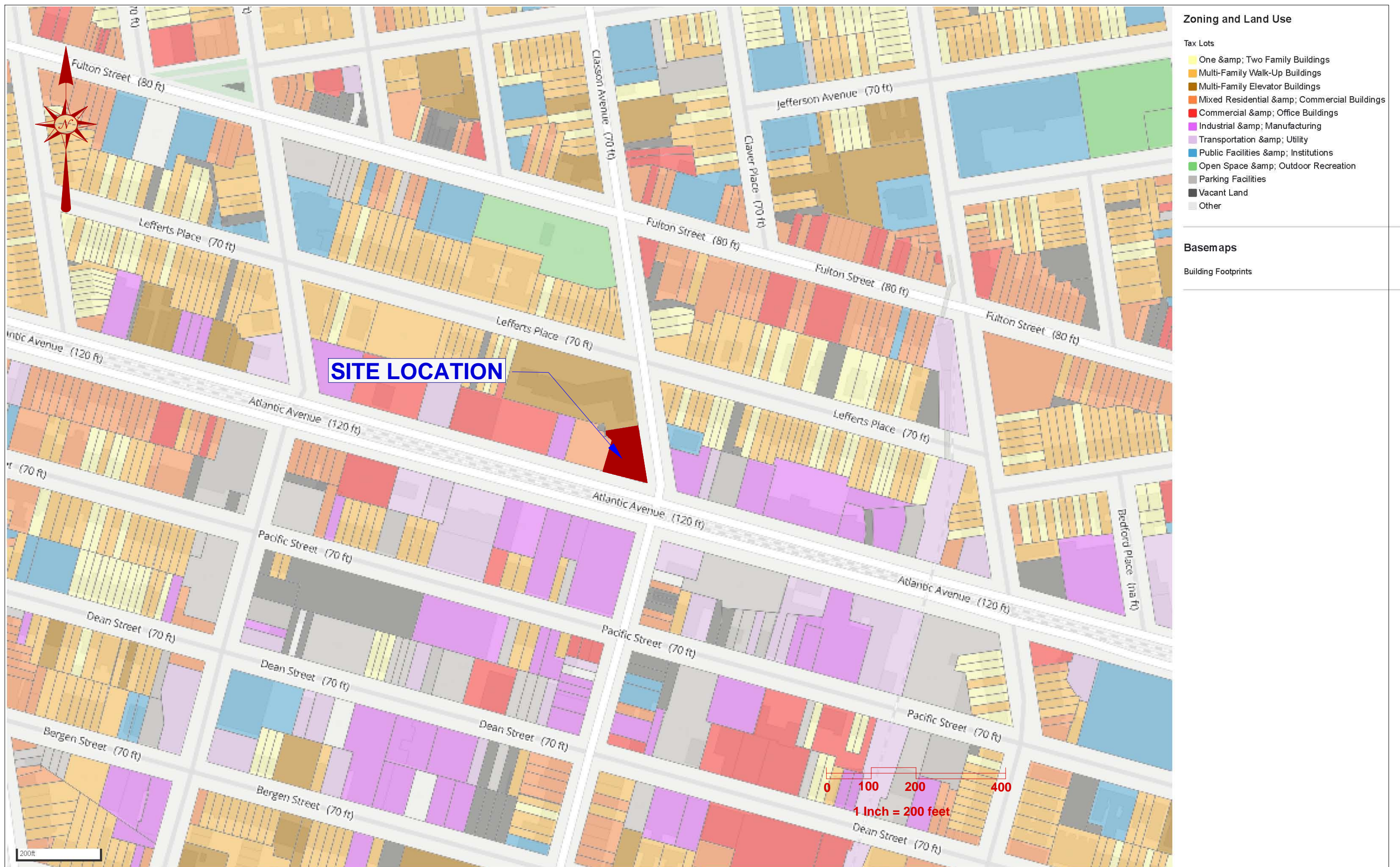


ENVIRONMENTAL BUSINESS CONSULTANTS
 1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

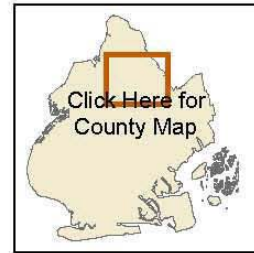
Phone 631.504.6000
 Fax 631.924.2780

1015 ATLANTIC
 1013-1015 ATLANTIC AVENUE, BROOKLYN, NY

FIGURE 5 AREA SCHOOLS & DAYCARE CENTERS



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.

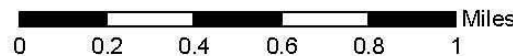
Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

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

1015 ATLANTIC AVENUE, BROOKLYN, NY
POTENTIAL ENVIRONMENTAL JUSTICE AREAS

FIGURE 7



ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone: 631.504.6000

Fax: 631.924.2780

1015 ATLANTIC AVENUE
BROOKLYN, NY

FIGURE 8

**FEMA FLOOD
ZONE MAP**

SB1 (8-10") - 8/9/2018	
SVOCs	mg/Kg
Benz(a)anthracene	2.6
Benzo(a)pyrene	1.5
Benzo(b)fluoranthene	2.0
Benzo(k)fluoranthene	1.7
Chrysene	2.6
Dibenz(a,h)anthracene	0.36
Indeno(1,2,3-cd)pyrene	1.5

SB3 (0-2") - 8/9/2018	
Metals	mg/Kg
Lead	240
Mercury	0.36
Zinc	159

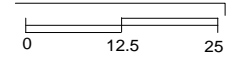
SB5 (0-2") - 8/9/2018	
Metals	mg/Kg
Barium	799
Copper	61.3
Lead	817
Mercury	0.87
Zinc	490

SB8 (0-2') - 8/9/2018	
Metals	mg/Kg
Lead	93.1
SB8 (18-20") - 8/9/2018	
VOCs	mg/Kg
1,2,4-Trimethylbenzene	180
1,3,5-Trimethylbenzene	52
Benzene	1.2
Ethylbenzene	860
m&p-Xylene*	310
Naphthalene	210
n-Propylbenzene	290
o-Xylene*	130
Toluene	250
SB8 (20-22") - 10/9/2018	
VOCs	mg/Kg
m&p-Xylene	1.4
o-Xylene	0.55
SB8 (22-24") - 10/9/2018	
No Exceedences	

* The sum of all isomers >500 mg/kg

Results	
Above Unrestricted SCOs	
Above Restricted Residential SCOs	
Above Restricted Commercial SCOs	

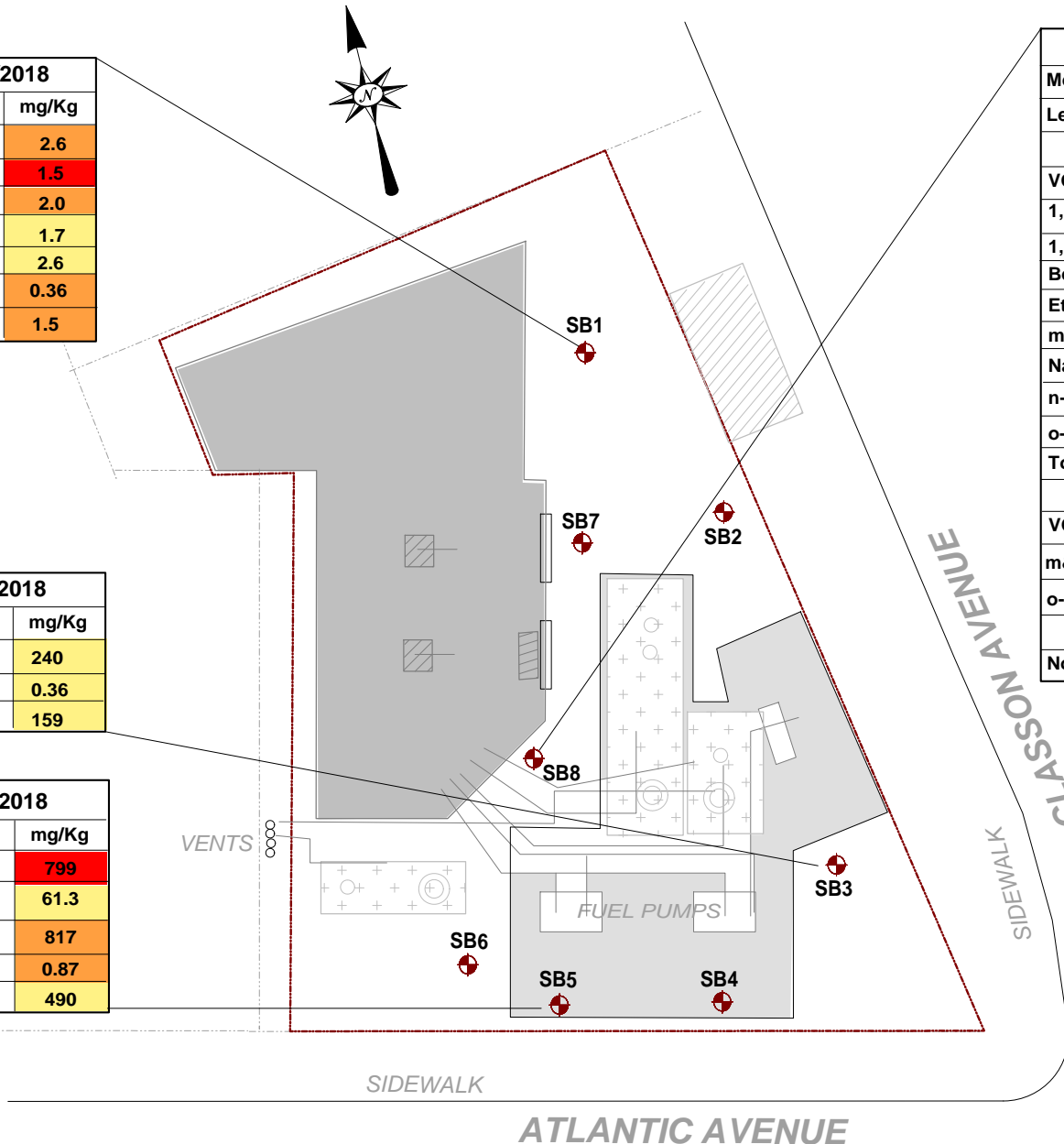
SCALE:



Scale: 1 inch = 25 feet

KEY:

- Site Boundary
- SBx Soil Boring Location



BC
ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
9

Site Name:	1015 ATLANTIC AVENUE
Site Address:	1013-1015 ATLANTIC AVENUE, BROOKLYN, NY 11238
Drawing Title:	SOIL SAMPLE RESULTS

APPENDIX A
Access Agreement

Atlantic Classon group LLC

Mr. Abraham Mandel
1015 Holdings LLC
143 Division Avenue
Brooklyn, New York, 11211

Re: 1015 Atlantic Avenue, Brooklyn, NY

Dear Mr. Mendel,

This letter confirms that 1015 Holdings LLC, its manager, officers, employees, agents, representatives, and consultants have access to the above-referenced site to implement any investigation or remedial work required and/or authorized by the New York State Department of Environmental Conservation (NYSDEC) pursuant to the Brownfield Cleanup Program (BCP), and to otherwise comply with all obligations under the Brownfield Cleanup Agreement (BCA) from the date hereof until such time as the BCA is terminated or NYSDEC issues a Certificate of Completion ("COC").

Sincerely,

ATLANTIC CLASSON GROUP LLC

By: 

Sam Fraifeld
Authorized Representative

APPENDIX B
Environmental Reports (Digital Files on CD)

APPENDIX C
Repository Acknowledgement Letter



ENVIRONMENTAL BUSINESS CONSULTANTS

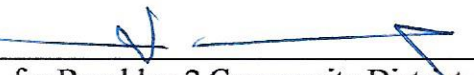
March 11, 2019

**Brooklyn Community Board 2
350 Jay Street, 8th Floor
Brooklyn, NY, 11201**

**Re: NYS Brownfield Cleanup Program Application
1015 Atlantic Avenue, Brooklyn, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, Brooklyn Community Board 2, located at 350 Jay Street, Brooklyn, NY 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 03/12/2019
for Brooklyn 2 Community District

ROBERT FERRIS
DISTRICT MANAGER



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870



ENVIRONMENTAL BUSINESS CONSULTANTS

March 11, 2019

Brooklyn Public Library – Bedford Branch
496 Franklin Avenue
Brooklyn, NY 112381

Re: NYS Brownfield Cleanup Program Application
1015 Atlantic Avenue, Brooklyn, NY

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, the Brooklyn Public Library, Bedford Branch, located at 496 Franklin Avenue, Brooklyn, NY 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: Alison Pritchard Date 3/14/19
for Brooklyn Public Library – Bedford Branch



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870
