

Brownfield Cleanup Program Application - REVISED

Table of Contents

1301 Metropolitan Avenue

Brooklyn, NY 11237

<u>DOCUMENT NAME.....</u>	<u>PDF PAGE #</u>
BROWNFIELD CLEANUP PROGRAM APPLICATION.....	6
SUPPLEMENTAL INFORMATION.....	20
SECTION I. REQUESTOR INFORMATION.....	21
SECTION II. PROJECT DESCRIPTION.....	28
SECTION III. PROPERTY'S ENVIRONMENTAL HISTORY.....	29
SECTION IV. PROPERTY INFORMATION	
TAX MAP.....	39
PROPERTY BASE MAP WITH OWNERS.....	40
TOPOGRAPHIC MAP (USGS).....	41
BOUNDARY SURVEY MAP.....	42
PROPERTY DESCRIPTION NARRATIVE.....	43
SECTION VI. CURRENT PROPERTY OWNER/OPERATOR INFORMATION.....	48
SECTION VII. REQUESTOR ELIGIBILITY INFORMATION.....	63
SECTION IX. CONTACT LIST INFORMATION.....	64
SECTION X. LAND USE FACTORS	
CURRENT USE.....	74
POST REMEDIATION.....	75



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 12*

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. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

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

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.

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

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

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

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and 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). Please do not submit paper copies of supporting documents.**

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO 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? If no, please attach an accurate map of the proposed site.			Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)			Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)			Yes	No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one):		0-49%	50-99%	100%
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No				
If yes, identify name of properties (and site numbers if available) in related BCP applications:_____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?			Yes	No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.			Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			Yes	No

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

Yes No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Yes No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? Yes No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

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

Initials of each Requestor: _____

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

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.

A volunteer statement is provided in Supplemental documentation for Section VII.

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). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

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 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 1301 Metro - 255, 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: 11/2/21 Signature: 

Print Name: James Juliano

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of **ONLY** the application form and a table of contents.

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

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Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Managing member (title) of 1301 Metro - Triple JQ, 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: 11/2/21

Signature: 

Print Name: James Juliano

SUBMITTAL INFORMATION:

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 - Chief, Site Control Section
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Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Managing member (title) of 1301 Metro - Rudolph Q, 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: 11/2/21 Signature: 

Print Name: Raymond Rudolph

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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

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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 12

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:

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

**1301 Metropolitan Avenue
Brooklyn NY**

**Revised BCP Application
Supplemental Information**

SECTION I. REQUESTER INFORMATION

1. 1301 Metro – 255, LLC
James Juliano – Sole member
jjuliano@iljiv.com
Phone: 718-465-5600
Fax: 718-465-5100
213-19 99th Avenue, Queens Village, NY 11429
2. 1301 Metro – Triple JQ, LLC
James Juliano – Sole member
jjuliano@iljiv.com
Phone: 718-465-5600
Fax: 718-465-5100
213-19 99th Avenue, Queens Village, NY 11429
3. 1301 Metro – Rudolph Q, LLC
Raymond Rudolph – Sole member
rrudolph@iljiv.com
Phone: 718-465-5600
Fax: 718-465-5100
213-19 99th Avenue, Queens Village, NY 11429

Department of State Division of Corporations

Entity Information

[Return to Results](#)

[Return to Search](#)

Entity Details

ENTITY NAME: 1301 METRO-255, LLC	DOS ID: 6027095
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW	ENTITY STATUS: Active
DATE OF INITIAL DOS FILING: 06/02/2021	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 06/02/2021	INACTIVE DATE:
FOREIGN FORMATION DATE:	STATEMENT STATUS: CURRENT
COUNTY: Queens	NEXT STATEMENT DUE DATE: 06/30/2023
JURISDICTION: New York, United States	NFP CATEGORY:

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: 1301 METRO-255, LLC

Address: 213-19 99TH AVENUE, QUEENS VILLAGE, NY, United States, 11429

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address:

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information:

Share Value

Number Of Shares

Value Per Share

Department of State Division of Corporations

Entity Information

[Return to Results](#)

[Return to Search](#)

Entity Details

ENTITY NAME: 1301 METRO-RUDOLPH Q, LLC	DOS ID: 6027114
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW	ENTITY STATUS: Active
DATE OF INITIAL DOS FILING: 06/02/2021	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 06/02/2021	INACTIVE DATE:
FOREIGN FORMATION DATE:	STATEMENT STATUS: CURRENT
COUNTY: Queens	NEXT STATEMENT DUE DATE: 06/30/2023
JURISDICTION: New York, United States	NFP CATEGORY:

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: 1301 METRO-RUDOLPH Q, LLC

Address: 213-19 99TH AVENUE, QUEENS VILLAGE, NY, United States, 11429

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Officer or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

Share Value	Number Of Shares	Value Per Share

Department of State Division of Corporations

Entity Information

[Return to Results](#)

[Return to Search](#)

Entity Details

ENTITY NAME: 1301 METRO-TRIPLE JQ, LLC	DOS ID: 6027102
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW	ENTITY STATUS: Active
DATE OF INITIAL DOS FILING: 06/02/2021	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 06/02/2021	INACTIVE DATE:
FOREIGN FORMATION DATE:	STATEMENT STATUS: CURRENT
COUNTY: Queens	NEXT STATEMENT DUE DATE: 06/30/2023
JURISDICTION: New York, United States	NFP CATEGORY:

[ENTITY DISPLAY](#) [NAME HISTORY](#) [FILING HISTORY](#) [MERGER HISTORY](#) [ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: 1301 METRO-TRIPLE JQ, LLC

Address: 213-19 99TH AVENUE, QUEENS VILLAGE, NY, United States, 11429

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name And Address:

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information:

Share Value

Number Of Shares

Value Per Share

SECTION II. PROJECT DESCRIPTION

Redevelopment of the property includes upgrading the on-site drainage system and upgrading/replacing the bulkhead.

Implementation of the RIWP is expected to begin in April 2022.

The Certificate of Occupancy is anticipated to be obtained in June 2023.

Please note that the dates provided above are estimates due to potential difficulties regarding access to certain areas of the property and potential supply chain difficulties. Large cranes, equipment, and vehicles from the lessees of the property have already posed limited access to the site during the Phase II that was completed in March and April 2021. Regardless, all required work will be completed as per NYSDEC guidance/deadlines.

SECTION III. PROPERTY'S ENVIRONMENTAL HISTORY

The following documents are enclosed as follows:

1.0 REPORTS

- Phase I Environmental Site Assessment – 3/11/2021
- Phase II Subsurface Investigation Report – 6/11/2021
- Spill Incidents Database Search Spill Record – 6/11/2021

2.0 SAMPLING DATA

- Summary Tables (NYSDEC Template/Format)
- Table 1 - Summary of Analytical Results for Soil Samples
- Table 2 – Summary of Analytical Results for Groundwater Samples
- Table 3 – Summary of Analytical Results for Stormwater Drainage Structure Sediment Samples

3.0 SITE DRAWINGS

- Figure #3 Phase II Soil Sampling Results – 9/22/2021 (revised)
- Figure #4 Phase II Groundwater Sampling Results – 9/22/2021 (revised)
- Figure #5 Phase II Stormwater Drainage Structure Sampling Results – 9/22/2021 (revised)



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 2

Spill Number: 2102352

Spill Date/Time

Spill Date: 06/11/2021 **Spill Time:** 10:00:00 AM

Call Received Date: 06/11/2021 **Call Received Time:** 12:27:00 PM

Location

Spill Name: COMMERCIAL

Address: 1301 METROPLITIAN AVE

City: BROOKLYN **County:** Kings

Spill Description

Material Spilled	Amount Spilled	Resource Affected
unknown petroleum	UNKNOWN	Soil

Cause: Other

Source: Commercial/Industrial

Waterbody:

Record Close

Date Spill Closed: Not closed

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

Refine This Search

Return To Results

Summary Tables (NYSDEC Format)
1301 Metropolitan Avenue
Brooklyn, NY

Soil Table:

Analytes > NYSDEC Part 375 UU SCOs	Detections > UU SCOs< CU SCOs	Maximum Detection (ppm)	UU SCOs (ppm)	Depth (ft bgs)
VOCs				
1,2,4-Trimethylbenzene	1	4.5	3.6	5-6
Total Xylenes	3	1.62	0.26	5-14
SVOCs				
Benzo(a)anthracene	5	2.7	1	5-15
Benzo(b)fluoranthene	4	2.7	1	5-14
Benzo(k)fluoranthene	5	5.2	0.8	5-15
Chrysene	8	11	1	5-15
Dibenzo(a,h)anthracene	1	0.46	0.33	12-14
Indeno(1,2,3)pyrene	5	1.9	0.5	5-14

Analytes > NYSDEC Part 375 CU SCOs	Detections > CU SCOs	Maximum Detection (ppm)	CU SCOs (ppm)	Depth (ft bgs)
SVOCs				
Benzo(a)anthracene	2	12	5.6	6-10
Benzo(a)pyrene	6	12	1	5-14
Benzo(b)fluoranthene	1	9.5	5.6	6-8
Dibenzo(a,h)anthracene	1	2.3	0.56	6-8
Indeno(1,2,3)pyrene	1	6.9	5.6	6-8

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Maximum Detection (ppb)	AWQS (ppb)
VOCs			
1,24-Trimethylbenzene	2	37	5
1,3,5-Trimethylbenzene	2	15	5
Benzene	1	1.3	1
m&p-Xylene	1	17	5
Naphthalene	2	32	10
o-Xylene	1	10	5
Toluene	1	5.2	5
SVOCs			
Benzo(a)anthracene	6	1.6	0.002
Benzo(a)pyrene	6	1.4	ND
Benzo(b)fluoranthene	5	0.97	0.002
Benzo(k)fluoranthene	6	1.1	0.002
Chrysene	7	4.3	0.002
Indeno(1,2,3-cd)pyrnee	4	0.95	0.002
Naphthalene	1	34	10

Soil Table for Drywell Sampling:

Analytes > NYSDEC Part 375 Protection of Groundwater Criteria	Detections > Protection of Groundwater Criteria < CU SCOs	Maximum Detection (ppm)	Protection of Groundwater Criteria (ppm)	Depth (ft bgs)
SVOCs				
Benzo(a)anthracene	3	3.1	1	4-9
Benzo(b)fluoranthene	3	3.4	1.7	4-9
Benzo(k)fluoranthene	2	2	1.7	4-8.5
Chrysene	3	4.4	1	4-9
Metals				
Barium	1	3,3,50	820	0
Chromium	3	94.2	30	4
Lead	1	469	450	8.5
Mercury	3	1.66	0.73	0

Analytes > NYSDEC Part 375 CU SCOs	Detections > CU SCOs	Maximum Detection (ppm)	CU SCOs (ppm)	Depth (ft bgs)
SVOCs				
Benzo(a)pyrene	2	2.7	1	8.5
Metals				
Arsenic	3	62.4	16	4
Barium	2	604	400	4
Lead	1	1,020	1,000	0



Table 1

Summary of Analytical Results for Soil Samples

1301 Metropolitan Avenue
Brooklyn, NY

Analytical Parameter (depth)	GP-05 (5' - 6') 3/30/2021	GP-06 (5' - 6') 3/30/2021	GP-07 (6'-8') 3/30/2021	GP-9 (6'-8') 4/28/2021	GP-14 (5'-8') 4/28/2021	GP-15 (7'-10') 4/28/2021	GP-18 (10'-15') 4/28/2021	GP-19 (12'-14') 4/28/2021	GP-20 (10'-12') 4/28/2021	NYSDEC Part 375 Unrestricted Use Soil Cleanup Objectives	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)*											
1,2,4-Trimethylbenzene	4.5	ND	1.7	1.3	ND	0.13	ND	0.94	ND	3.6	190
Total Xylenes	1.62	0.0025	ND	1.12	ND	ND	ND	0.266	ND	0.26	500
SVOCs (mg/kg)											
Benzo(a)anthracene	ND	1.5	12	1.9	0.98	5.9	1.4	2.7	2.1	1	5.6
Benzo(a)pyrene	ND	1.5	12	1.5	0.93	4.3	ND	2.7	1.8	1	1
Benzo(b)fluoranthene	ND	1.2	9.5	1.2	0.8	ND	ND	2.7	1.6	1	5.6
Benzo(k)fluoranthene	ND	0.96	5.2	1.1	0.77	ND	ND	1.9	1.5	0.8	56
Chrysene	ND	1.5	11	1.9	1	6.4	1.2	3	1.7	1	56
Dibenzo(a,h)anthracene	ND	ND	2.3	ND	ND	ND	ND	0.46	ND	0.33	0.56
Indeno(1,2,3)pyrene	ND	0.86	6.9	0.81	0.7	ND	ND	1.9	1.2	0.5	5.6

- Notes:**
1. Only detected analytes are reported.
 2. Concentration Units = ppm, mg/kg (milligrams per kilogram).
 3. Laboratory analysis via EPA Methods CP-51 (VOCs) and CP-51 (SVOCs).
 4. ND = Not detected above the laboratory method detection limit.
 5. VOCs = Volatile Organic Compounds
 6. SVOCs = Semi-Volatile Organic Compounds
 7. NYSDEC = New York State Department of Environmental Conservation
 8. * = The detected VOCs were also detected in groundwater and exceed their respective NYSDEC Protection of Groundwater Criteria.
 9. **Bolded** values indicate an exceedance of the NYSDEC Soil Cleanup Objective.



Table 2

Summary of Analytical Results for Groundwater Samples

1301 Metropolitan Avenue

Analytical Parameter	GP-01 3/22/2021	GP-02 3/22/2021	GP-03 3/30/2021	GP-07 3/30/2021	GP-09 4/28/2021	GP-13 4/28/2021	GP-15 4/28/2021	GP-18 4/28/2021	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs (ug/L)									
1,24-Trimethylbenzene	ND	ND	ND	ND	37	25	ND	ND	5*
1,3,5-Trimethylbenzene	ND	ND	ND	ND	15	9.6	ND	ND	5*
Benzene	ND	1.3	ND	ND	0.86	ND	ND	ND	1
m&p-Xylene	ND	ND	ND	ND	17	2.5	ND	ND	5*
Naphthalene	ND	5.2	ND	ND	32	13	ND	ND	10
o-Xylene	ND	ND	ND	ND	10	ND	ND	ND	5*
Toluene	ND	1.5	ND	ND	5.2	ND	ND	ND	5*
SVOCs (ug/L)									
Benzo(a)anthracene	0.16	0.28	ND	1.5	1.6	ND	0.11	0.51	0.002
Benzo(a)pyrene	0.13	0.27	ND	1.4	1.4	ND	0.06	0.19	ND
Benzo(b)fluoranthene	0.11	0.23	ND	ND	0.97	ND	0.04	0.15	0.002
Benzo(k)fluoranthene	0.14	0.18	ND	1.1	0.95	ND	0.03	0.12	0.002
Chrysene	0.17	0.27	4.3	1.4	1.4	ND	0.17	0.32	0.002
Indeno(1,2,3-cd)pyrnee	0.12	0.25	ND	ND	0.95	ND	ND	0.09	0.002
Naphthalene	0.58	3.8	ND	ND	34	7.9	ND	ND	10

Notes:

- 1. Only detected analytes are reported.
- 2. Concentration Units = ug/L (micrograms per liter).
- 3. Laboratory analysis via EPA Methods CP-51 (VOCs) and CP-51 (SVOCs).
- 4. ND = Not detected above the method detection limit of the laboratory.
- 5. VOCs = Volatile Organic Compounds
- 6. SVOCs = Semi-Volatile Organic Compounds
- 7. NYSDEC = New York State Department of Envirionmental Conservation
- 8. * = The principal organic contaminant standard applies.
- 9. **Bolded** values indicate an exceedance of the NYSDEC Class GA Ambient Water Quality Standards.



Table 3

Summary of Analytical Results for Stormwater Drainage Structure Sediment Samples

1301 Metropolitan Avenue
Brooklyn, NY

Analytical Parameter	S-1 4' 3/30/2021	S-2 8.5' 3/30/2021	S-3 Grade 3/30/2021	S-4** 9' 3/30/2021	NYSEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)						
Acetone	ND	0.12 S	ND	0.067 S	0.05	500
SVOCs (mg/kg)						
Benzo(a)anthracene	1.9	3.1	ND	1.7	1	5.6
Benzo(a)pyrene	1.5	2.7	ND	ND	22	1
Benzo(b)fluoranthene	1.8	3.4	ND	2.5	1.7	5.6
Benzo(k)fluoranthene	1.7	2	ND	ND	1.7	56
Chrysene	2.7	4.4	ND	2.6	1	56
Metals (mg/kg)						
Arsenic	62.4	30.5	20.5	5	16	16
Barium	604	395	3,350	520	820	400
Chromium	94.2	51.6	86.1	12.6	30*	1,500
Lead	291	469	1,020	149	450	1,000
Mercury	0.89	1.21	1.66	0.24	0.73	2.80

Notes:

1. Only detected analytes are reported.
2. Concentration Units = ppm, mg/kg (milligrams per kilogram).
3. Laboratory analysis via EPA Methods CP-51 (VOCs) and CP-51 (SVOCs).
4. ND = Not detected above the laboratory method detection limit.
5. VOCs = Volatile Organic Compounds
6. SVOCs = Semi-Volatile Organic Compounds
7. NYSDEC = New York State Department of Environmental Conservation
8. S = Laboratory solvent, contamination is possible.
9. * - The Unrestricted Use Soil Cleanup Objective for trivalent chromium was used.
10. ** - S-4 was later determined to not be part of the Site.
11. **Bolded** and shaded values indicate an exceedance of the NYSDEC Part 375 Soil Cleanup Objectives.



Analytical Parameter	GP-9 6'-8' 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	3.77	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	1.9	1	5.6
Benzo(a)pyrene	1.5	22	1
Chrysene	1.9	1	56
TSVOCs	25.5	-	-

Analytical Parameter	GP-01 5' - 6' 3/22/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	1.2	-	-
SVOCs (mg/kg)			
TSVOCs	4.6	-	-

Analytical Parameter	GP-10 5'-8' 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	ND	-	-
SVOCs (mg/kg)			
TSVOCs	13	-	-

Analytical Parameter	GP-11 5'-7' 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	0.13	-	-
SVOCs (mg/kg)			
TSVOCs	ND	-	-

Analytical Parameter	GP-06 5' - 6' 3/30/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	1.7	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	1.5	1	5.6
Benzo(a)pyrene	1.5	22	1
Chrysene	1.5	1	56
TSVOCs	23.6	-	-

Analytical Parameter	GP-03 5' - 6' 3/30/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	1	-	-
SVOCs (mg/kg)			
TSVOCs	3.9	-	-

Analytical Parameter	GP-17 12'-15' 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	0.2	-	-
SVOCs (mg/kg)			
TSVOCs	ND	-	-

Analytical Parameter	GP-16 7'-10'	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
4/28/2021			
VOCs (mg/kg)			
TVOCs	0.47	-	-
SVOCs (mg/kg)			
TSVOCs	14.7	-	-

Analytical Parameter	GP-15 7"-10" 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSECC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	0.26	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	5.9	1	5.6
Benzo(a)pyrene	4.3	22	1
Chrysene	6.4	1	56
TSVOCs	55.4	-	-

Analytical Parameter	GP-07 6'-8'	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	10.7	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	12	1	5.6
Benzo(a)pyrene	12	22	1
Benzo(b)fluoranthene	9.5	1.7	5.6
Benzo(k)fluoranthene	5.2	1.7	56
Chrysene	11	1	56
Dibenzo(a,h)anthracene	2.3	1,000	0.56
Indeno(1,2,3)pyrene	6.9	8.2	5.6
TSVOCs	159.1	-	-

Analytical Parameter	GP-18 10'-15' 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSECC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	ND	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	1.4	1	5.6
Chrysene	1.2	1	56
TSVOCs	10.6	-	-

Analytical Parameter	GP-12 7'-10' 4/28/2021	NYSDC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
OCs	0.18	-	-
SVOCs (mg/kg)			
IVOCs	ND	-	-

Analytical Parameter	GP-14 5'-8'	NYSDEC Part 375 Protection of Groundwater Criteria	NYSDEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	0.00	-	-
SVOCs (mg/kg)			
Chrysene	1	1	56
TSVOCs	14.6	-	-

Analytical Parameter	GP-20 10"-12" 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSDEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	0.2	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	2.1	1	5.6
Benzo(a)pyrene	1.8	22	1
Chrysene	1.7	1	56
TSVOCs	22.7	-	-

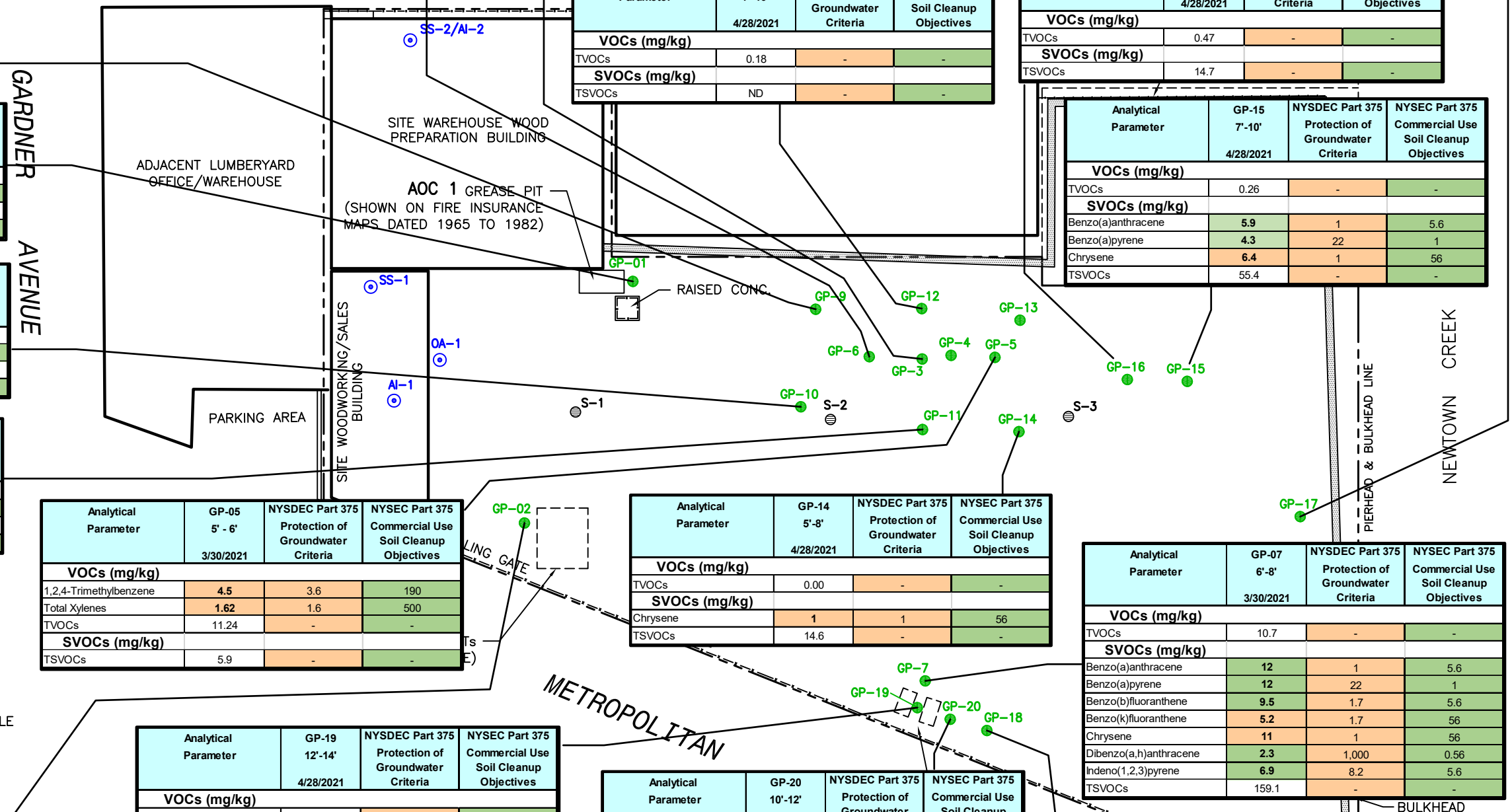
Analytical Parameter	GP-19 12'-14' 4/28/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	2.0	-	-
SVOCs (mg/kg)			
Benzo(a)anthracene	2.7	1	5.6
Benzo(a)pyrene	2.7	22	1
Benzo(b)fluoranthene	2.7	1.7	5.6
Benzo(k)fluoranthene	1.9	1.7	56
Chrysene	3	1	56
TSVOCs	36.9	-	-

Analytical Parameter	GP-05 5' - 6' 3/30/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSDEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
1,2,4-Trimethylbenzene	4.5	3.6	190
Total Xylenes	1.62	1.6	500
TVOCs	11.24	-	-
SVOCs (mg/kg)			
TSVOCs	5.9	-	-

LEGEND:

— x —	FENCE
[-]	FORMER GASOLINE UST (SHOWN ON VARIOUS HISTORICAL FIRE INSURANCE MAPS)
⊗	STORM DRAIN (AOC 5)
●	PHASE II INVESTIGATION GEOPROBE LOCATION
⊙	PHASE II INVESTIGATION VAPOR/AMBIENT AIR SAMPLE
TVOCs	TOTAL VOLATILE ORGANIC COMPOUNDS
TVOCs	TOTAL SEMI-VOLATILE ORGANIC COMPOUNDS
ND	NOT DETECTED
*	APPARENT OIL OBSERVED
	CONCENTRATION UNITS = mg/kg

Analytical Parameter	GP-02 5' - 6' 3/22/2021	NYSDEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
TVOCs	0.002	-	-
SVOCs (mg/kg)			
TSVOCs	3.1	-	-



0 50
SCALE IN FEET

REVISION DATE: 12/9/2021 REVISED BY: BS

1301 METROPOLITAN AVENUE
BROOKLYN, NEW YORK

PHASE II SOIL SAMPLING RESULTS

FIGURE #
3



Analytical Parameter	GP-03*	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs		
TVOCs	ND	-
SVOCs		
Chrysene	4.3	0.002
TSVOCs	46.3	-

Analytical Parameter	GP-05*	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs		
TVOCs	ND	-
SVOCs		
TSVOCs	16	-

LEGEND:

- x — FENCE
- [] FORMER GASOLINE UST (SHOWN ON VARIOUS HISTORICAL FIRE INSURANCE MAPS)
- ⊙ STORM DRAIN
- PHASE II INVESTIGATION GEOPROBE LOCATION
- ⊙ PHASE II INVESTIGATION VAPOR/AMBIENT AIR SAMPLE
- TVOCs TOTAL VOLATILE ORGANIC COMPOUNDS
- TSVOCs TOTAL SEMI-VOLATILE ORGANIC COMPOUNDS
- ND NOT DETECTED
- * APPARENT OIL OBSERVED
- CONCENTRATION UNITS = ug/L

SOURCE:

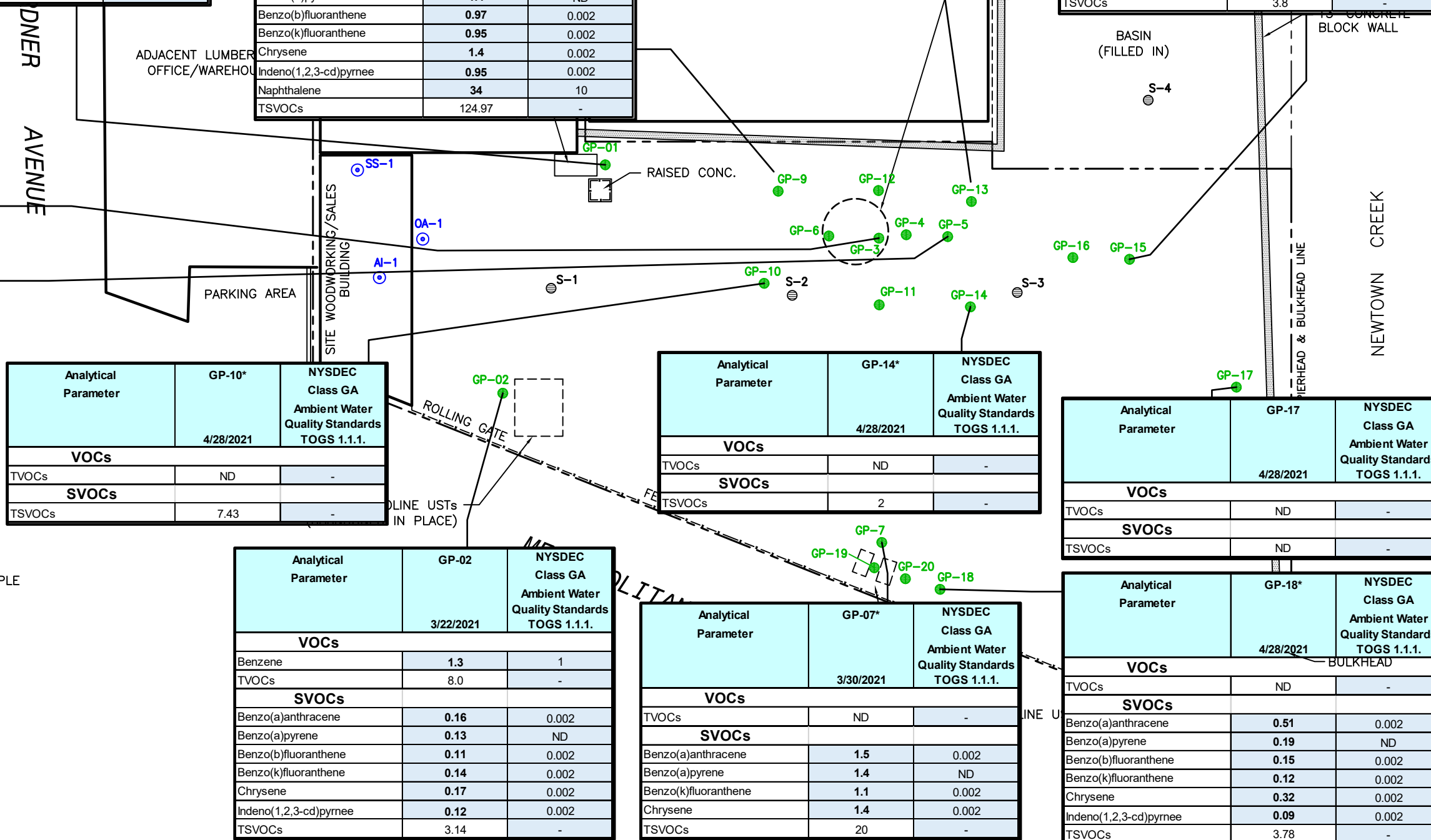
SITE PLAN BASED ON A SURVEY PREPARED BY BORO LAND SURVEYING, P.C. — MARCH 19, 2021.

Analytical Parameter	GP-01	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs		
TVOCs	ND	-
SVOCs		
Benzo(a)anthracene	0.16	0.002
Benzo(a)pyrene	0.13	ND
Benzo(b)fluoranthene	0.11	0.002
Benzo(k)fluoranthene	0.14	0.002
Chrysene	0.17	0.002
Indeno(1,2,3-cd)pyrnee	0.12	0.002
TSVOCs	3.14	-

Analytical Parameter	GP-09*	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs		
1,24-Trimethylbenzene	37	5*
1,3,5-Trimethylbenzene	15	5*
m&p-Xylene	17	5*
Naphthalene	32	10
o-Xylene	10	5*
Toluene	5.2	5*
TVOCs	125.36	-
SVOCs		
Benzo(a)anthracene	1.6	0.002
Benzo(a)pyrene	1.4	ND
Benzo(b)fluoranthene	0.97	0.002
Benzo(k)fluoranthene	0.95	0.002
Chrysene	1.4	0.002
Indeno(1,2,3-cd)pyrnee	0.95	0.002
Naphthalene	34	10
TSVOCs	124.97	-

Analytical Parameter	GP-13	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs		
1,24-Trimethylbenzene	25	5*
1,3,5-Trimethylbenzene	9.6	5*
Naphthalene	13	10
TVOCs	51.4	-
SVOCs		
TSVOCs	68	-

Analytical Parameter	GP-15*	NYSDEC Class GA Ambient Water Quality Standards TOGS 1.1.1.
VOCs		
TVOCs	ND	-
SVOCs		
Benzo(a)anthracene	0.11	0.002
Benzo(a)pyrene	0.06	ND
Benzo(b)fluoranthene	0.04	0.002
Benzo(k)fluoranthene	0.03	0.002
Chrysene	0.17	0.002
Indeno(1,2,3-cd)pyrnee	ND	0.002
Naphthalene	ND	10
TSVOCs	3.8	-





Analytical Parameter	S-1 4' 3/30/2021	NYSEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
SVOCs (mg/kg)			
Benzo(a)anthracene	1.9	1	5.6
Benzo(a)pyrene	1.5	22	1
Benzo(b)fluoranthene	1.8	1.7	5.6
Benzo(k)fluoranthene	1.7	1.7	56
Chrysene	2.7	1	56
Metals (mg/kg)			
Arsenic	62.4	16	16
Barium	604	820	400
Chromium	94.2	30*	1,500*
Mercury	0.89	0.73	2.80

Analytical Parameter	S-3 Grade 3/30/2021	NYSEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
Metals (mg/kg)			
Arsenic	20.5	16	16
Barium	3,350	820	400
Chromium	86.1	30*	1,500*
Lead	1,020	450	1,000
Mercury	1.66	0.73	2.80

- LEGEND:**
- x — FENCE
 - [] FORMER GASOLINE UST (SHOWN ON VARIOUS HISTORICAL FIRE INSURANCE MAPS)
 - ⊙ STORM DRAIN (AOC 5)
 - PHASE II INVESTIGATION GEOPROBE LOCATION
 - ⊙ PHASE II INVESTIGATION VAPOR/AMBIENT AIR SAMPLE
 - * THE NYSDEC PART 375 UNRESTRICTED USE SOIL CLEANUP OBJECTIVE FOR TRIVALENT CHROMIUM WAS USED

SOURCE:
SITE PLAN BASED ON A SURVEY PREPARED BY
BORO LAND SURVEYING, P.C. — MARCH 19, 2021.

Analytical Parameter	S-2 8.5' 3/30/2021	NYSEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
Acetone	0.120 S	0.05	500
SVOCs (mg/kg)			
Benzo(a)anthracene	3.1	1	5.6
Benzo(a)pyrene	2.7	22	1
Benzo(b)fluoranthene	3.4	1.7	5.6
Benzo(k)fluoranthene	2	1.7	56
Chrysene	4.4	1	56
Metals (mg/kg)			
Arsenic	31	16	16
Chromium	52	30*	1,500*
Lead	469	450	1,000
Mercury	1.21	0.73	2.80

Analytical Parameter	S-4 9' 3/30/2021	NYSEC Part 375 Protection of Groundwater Criteria	NYSEC Part 375 Commercial Use Soil Cleanup Objectives
VOCs (mg/kg)			
Acetone	0.067 S	0.05	500
SVOCs (mg/kg)			
Benzo(a)anthracene	1.7	1	5.6
Benzo(b)fluoranthene	2.5	1.7	5.6
Chrysene	2.6	1	56
Metals (mg/kg)			
Barium	520	820	400

SECTION IV.

1 & 2. TAX MAP, PROPERTY BASE MAP WITH OWNERS, USGS TOPO & SURVEY

The following documents are enclosed as follows:

- Tax Map of Property
- Surrounding Area Use with Property Owners Map – 9/22/2021
- USGS 7.5 minute quadrangle Topographic Map
- Boundary Survey – 9/14/2021 (revised 12/22/2021)

NYC Digital Tax Map

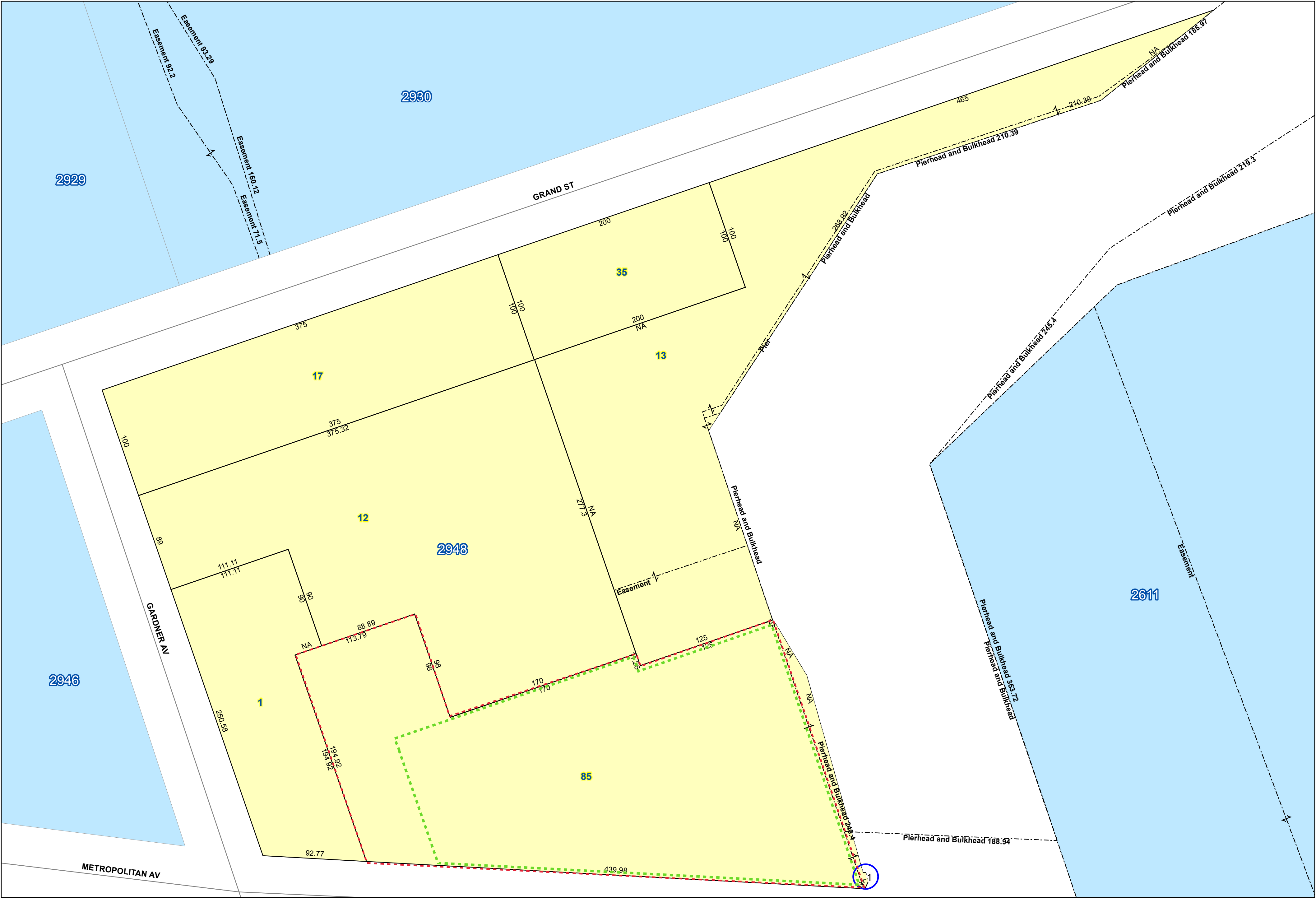
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End Date : Current
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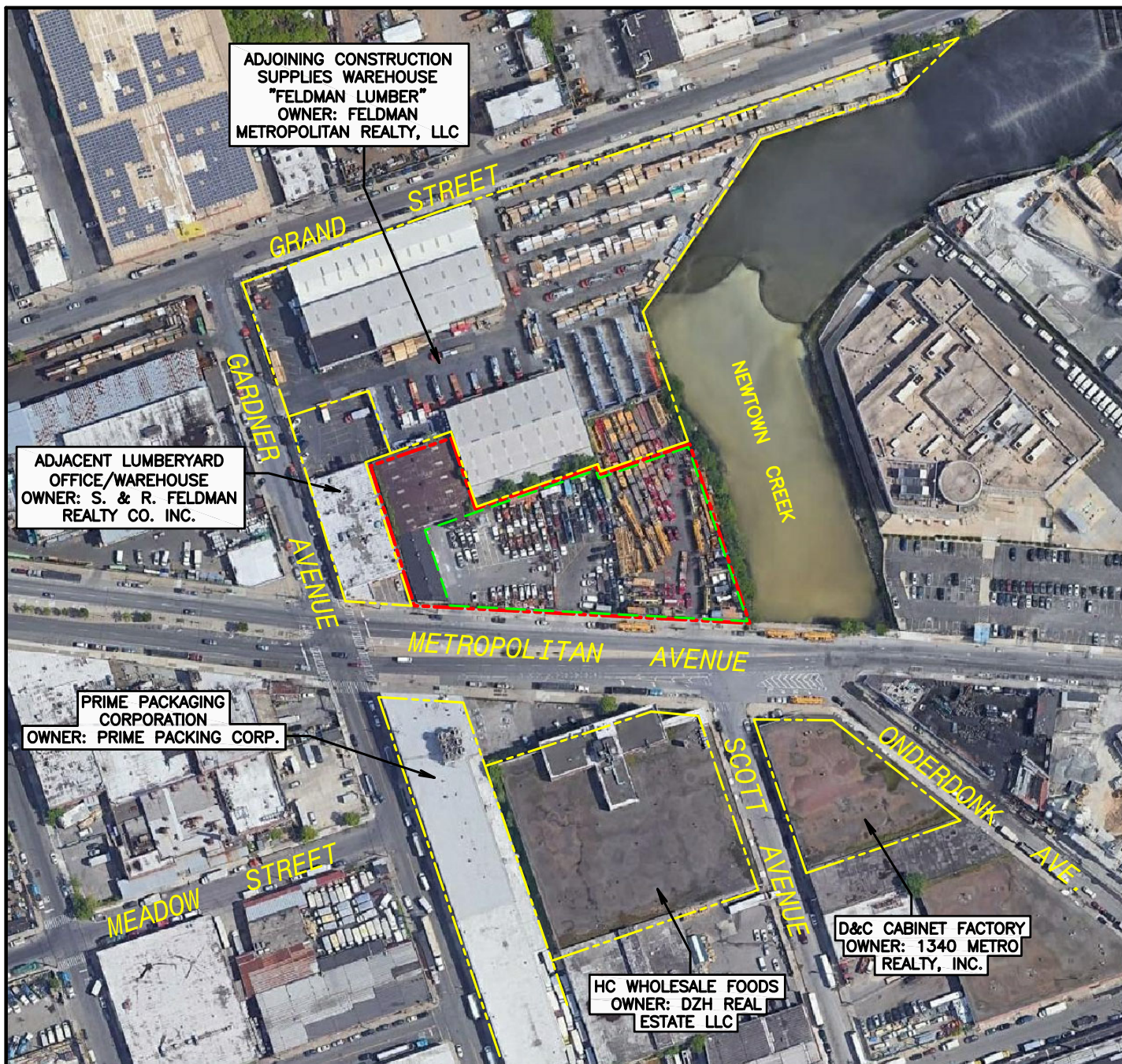


Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

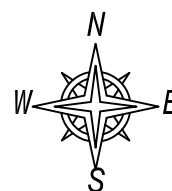
- Proposed Brownfield Property Boundary
- Tax Lot





LEGEND:

- SITE LOCATION
- PROPOSED BROWNFIELD PROPERTY BOUNDARY



0 200
SCALE IN FEET

FIGURE #
1

**SURROUNDING AREA USE WITH
PROPERTY OWNERS MAP**
1301 METROPOLITAN AVENUE
BROOKLYN, NEW YORK

DRAWN BY: B.S.

REVISION DATE:
9/22/2021

EnviroTrac
ENVIRONMENTAL SERVICES

5 OLD DOCK ROAD, YAPHANK, NEW YORK 11980
PHONE: (631)924-3001 FAX: (631)924-5001

TOPOGRAPHIC MAP

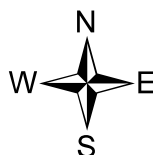


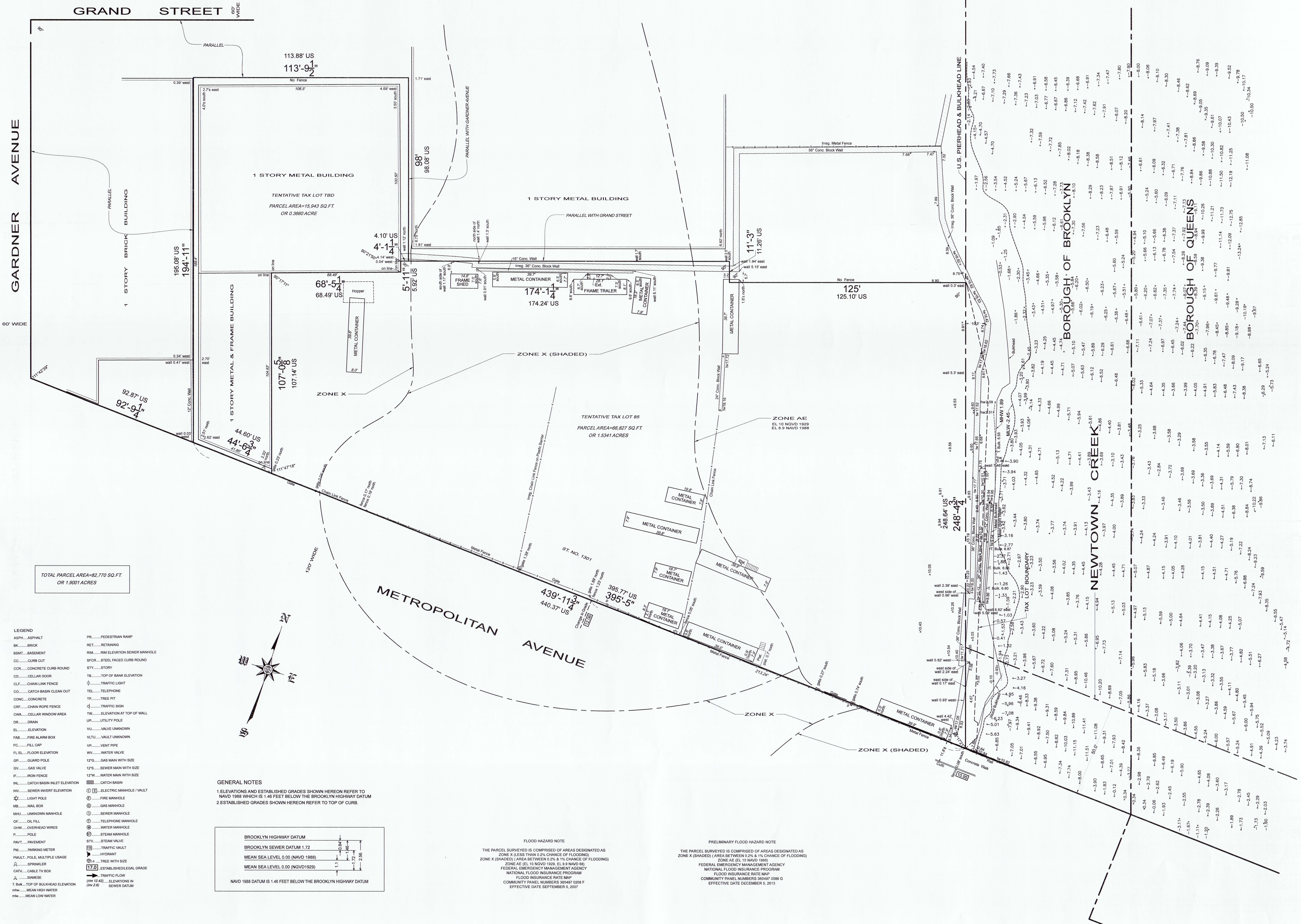
Figure 1
Topographic Map

1301 Metropolitan Avenue
Brooklyn, NY 11237

USGS Quadrangle:
Brooklyn

Approx. Elevation:
12 feet





ESTABLISHED 1876 • SUCCESSOR TO:

B.G. MENKHEIM C.S.*U. POWELL C.E.S.*U. L. SMITH C.S.*NATHAN CAMPBELL C.E.S.*U. WHITSON C.E.S.*

WILLIAM L. SAVACCO C.E.S.*U. WHITSON INC. C.E.S.*G. WEBER L.S.C.*G. STODOL R.L.S.*WHITSON &

POWELL INC. P.E.L.S.*KELLER & POWELL P.E.L.S.C.S.*LOUIS MONTROSE C.E.S.C.*RYAN J. POWELL P.E.L.S.C.S.*

REV	DATE	DESCRIPTION	ck
09-14-21	BOUNDARY SURVEY WITH ELEVATIONS ALONG SHORE LINE		
12-22-21	HYDROGRAPHIC ELEVATIONS & SUBDIVISION ADDED		

STANDARD: BUSHWICK STANDARD

EXCEPT WHERE OTHERWISE NOTED U.S.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS PROHIBITED AND IS THE RESPONSIBILITY OF THE PERSON OR PERSONS WHO MAKE SUCH ALTERATION OR ADDITION. THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LICENSED INSTITUTIONS ARE NOT RESPONSIBLE FOR ANY SUCH ALTERATION OR ADDITION.

MONTROSE

SURVEYING CO., LLP.

CITY & LAND SURVEYORS

116 20 METROPOLITAN AVE. • RICHMOND HILL, NY 11418-1090 • (718) 860-0600

STATE OF NEW YORK

SEAL OF JAILLARD

050236

LICENSED LAND SURVEYOR

CITY OF NEW YORK

COUNTY KINGS

TAX BLOCK 2948

TAX LOT 85

SCALE: 1" = 20'

SECTION IV.

10. PROPERTY DESCRIPTION NARRATIVE

Location:

The 1301 Metropolitan Avenue Site is located in a heavily industrialized area. The site is approximately 140 feet east of the intersection of Metropolitan Avenue and Gardner Avenue.

Metes & Bounds Description:

BEGINNING at a point where the northerly line of Metropolitan Avenue intersects the westerly line of Newtown Creek;

RUNNING THENCE westerly along the northerly line of Metropolitan Avenue, 395 feet 5 inches to a point on the northerly side of Metropolitan Avenue, distant 137 feet 4 inches easterly from the corner formed by the intersection of the northerly line of Metropolitan Avenue with the easterly line of Gardner Avenue;

RUNNING THENCE in a northerly direction parallel with Gardner Avenue, 107 feet 5/8 inches;

THENCE easterly parallel with Grand Street, 68 feet 5 1/4 inches;

THENCE northerly parallel with Gardner Avenue, 5 feet 11 inches;

THENCE easterly parallel with Grand Street, 174 feet 1 1/4 inches;

THENCE southerly parallel with Gardner Avenue, 11 feet 3 inches;

THENCE easterly parallel with Gardner Avenue, 125 feet to the westerly side of Newtown Creek;

THENCE southerly along the westerly side of Newtown Creek, 248 feet 4 3/4 inches to the point or place of BEGINNING.

Site Features:

The main site features include a warehouse building and garage on the western portion of the property and an asphalt and concrete-paved storage/parking area throughout the exterior of the property, adjacent to Metropolitan Avenue to the south. The English Kills leg of Newtown Creek adjoins the property to the east.

Current Zoning and Land Use:

The site is currently active and is zoned for areas with heavy industries that generate noise, traffic, or pollutants (M3-1). The warehouse and garage are used for storage of vehicles, equipment, and materials for asphalt paving and roadway paving, general maintenance of vehicles and equipment, and offices.

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

Past Use of the Site:

Since 1924, the site appeared to be utilized for commercial purposes with either several buildings or several piles of materials/equipment/vehicles stored outdoors. Based on city directory records review, the property was reportedly occupied by an asphalt company, several trucking companies, a concrete company, a rigging company, and a lumber company throughout the years. Previous tanks shown to exist at the Site include an apparent large above-ground tank (AST) for the storage of oil and several gasoline underground storage tanks (USTs). These former tanks along with a grease pit were identified as potential areas where the subsurface soil and/or groundwater could have been impacted. A subsurface investigation was conducted for the Site in April 2015. Minor volatile organic compound (VOC), semi-volatile organic compounds (SVOC), and metal impacts were reported for the soil, stormwater sediment, and groundwater samples previously collected. A Phase II was completed for the Site in March and April 2021 which showed the presence of petroleum contamination (black staining and the presence of oil/sheen in soil and groundwater) in the area of the former AST and minor petroleum impacts to soil and groundwater throughout the Site. Based on the results of the Phase II, NYSDEC Spill #2102352 was assigned to the Site on June 11, 2021.

Site Geology and Hydrogeology:

The site is abutting the English Kills portion of Newtown Creek along the eastern perimeter of the property. Based on the United States Geological Survey (USGS) Groundwater Conditions on Long Island database and the property's proximity to a surface water body, groundwater flow direction is expected to flow to the east, towards the English Kills portion of Newtown Creek. However, generally for the surrounding area, groundwater flows to the northeast, towards the East River. Depth to groundwater ranges from approximately 10 to 12 feet below grade.

Environmental Assessment:

Based upon investigations conducted to date, the primary contaminants of concern for the site include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and metals.

Results of the Phase II investigation, which was completed in March and April 2021, showed the presence of petroleum contamination within the completed borings in the area of the former AST (northerly border of parking lot) and minor petroleum impacts to soil and groundwater throughout the site [there are a total of seven (7) areas of concern (AOCs) across the site]. Contamination was found at relatively shallow depths from approximately 4 to 15 feet below grade surface (bgs). Concentrations of the primary contaminants are marginally above soil cleanup objectives but enough to warrant remedial efforts.

Soil Borings

VOCs – petroleum

1,2,4-Trimethylbenzene (4.5 mg/kg) and total xylenes (1.62 mg/kg) exceed their respective NYSDEC Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) (3.6 and 0.26 mg/kg, respectively) at GP-5, 5'-6'. This is AOC #4 in the area of the former oil above-ground storage tank (AST) on the northern portion of the yard.

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

Total xylenes (1.12 and 0.266 mg/kg) exceed their respective NYSDEC Part 375 UUSCO (0.26 mg/kg) at GP-9, 6'-8' and GP-19, 12'-14', respectively.

SVOCs

Benzo(a)anthracene (1.5 mg/kg), benzo(b)fluoranthene (1.2 mg/kg), benzo(k)fluoranthene (0.96 mg/kg), chrysene (1.5 mg/kg), and indeno(1,2,3)pyrene (0.86 mg/kg) exceeded their respective NYSDEC Part 375 UUSCOs (1, 1, 0.8, 1, 0.33, and 0.5 mg/kg, respectively) at GP-6, 5'-6'. Benzo(a)pyrene (1.5 mg/kg) exceeded its NYSDEC Part 375 Commercial Use SCO (1 mg/kg) in GP-6, 5'-6'. This is AOC #4 in the area of the former oil AST on the northern portion of the yard.

Benzo(k)fluoranthene (5.2 mg/kg) and chrysene (11 mg/kg) exceeded their respective NYSDEC Part 375 UUSCOs (0.8 and 1 mg/kg, respectively) at GP-7, 6'-8'. Benzo(a)anthracene (12 mg/kg), benzo(a)pyrene (12 mg/kg), benzo(b)fluoranthene (9.5 mg/kg), dibenzo(a,h)anthracene (2.3 mg/kg), and indeno(1,2,3-cd)pyrene (6.9 mg/kg) exceeded their respective NYSDEC Part 375 Commercial Use SCOs (5.6, 1, 5.6, 0.56, and 5.6 mg/kg, respectively) at GP-7, 6'-8'. This is AOC #3 in the area of the former gasoline underground storage tanks (USTs) on the southern portion of the yard.

Benzo(a)anthracene (1.9 mg/kg), benzo(b)fluoranthene (1.2 mg/kg), benzo(k)fluoranthene (1.1 mg/kg), chrysene (1.9 mg/kg), and indeno(1,2,3)pyrene (0.86 mg/kg) exceeded their respective NYSDEC Part 375 UUSCOs (1, 1, 1, 0.8, 1, and 0.5 mg/kg, respectively) at GP-9, 6'-8'. Benzo(a)pyrene (1.5 mg/kg) exceeded its NYSDEC Part 375 Commercial Use SCO (1 mg/kg) at GP-9, 6'-8'. This is AOC #4 in the area of the former oil AST on the northern portion of the yard.

Chrysene (1 mg/kg) and indeno(1,2,3)pyrene (0.7 mg/kg) exceeded their respective NYSDEC Part 375 UUSCOs (1 and 0.5 mg/kg, respectively) at GP-14, 5'-8'. This is AOC #4 in the area of the former oil AST on the northern portion of the yard.

Benzo(a)anthracene (5.9 mg/kg) and benzo(a)pyrene (4.3 mg/kg) exceeded their respective NYSDEC Part 375 Commercial Use SCOs (5.6 and 1 mg/kg, respectively) at GP-15, 7'-10'. Chrysene (6.4 mg/kg) exceeded its NYSDEC Part 375 UUSCO (1 mg/kg) at GP-15, 7'-10'. This is in the northeastern portion of the yard.

Benzo(a)anthracene (1.4 mg/kg) and chrysene (1.2 mg/kg) exceeded their respective NYSDEC Part 375 UUSCO (1 and 1 mg/kg) at GP-18, 10'-15'. This is AOC #3 in the area of the former gasoline USTs on the southern portion of the yard.

Benzo(a)anthracene (2.7 mg/kg), benzo(b)fluoranthene (2.7 mg/kg), benzo(k)fluoranthene (1.9 mg/kg), chrysene (3.0 mg/kg), dibenzo(a,h)anthracene (0.46 mg/kg), and indeno(1,2,3)pyrene (1.9 mg/kg) exceeded their respective NYSDEC UUSCOs (1, 1, 0.8, 1, 0.33, and 0.5 mg/kg, respectively) at GP-19, 12'-14'. Benzo(a)pyrene (2.7 mg/kg) exceeded its NYSDEC Part 375 Commercial Use SCO (1 mg/kg) at GP-19, 12'-14'. This is AOC #3 in the area of the former gasoline USTs on the southern portion of the yard.

Benzo(a)anthracene (2.1 mg/kg), benzo(b)fluoranthene (1.6 mg/kg), benzo(k)fluoranthene (1.5 mg/kg) chrysene (1.7 mg/kg), and indeno(1,2,3)pyrene (1.2 mg/kg) exceeded their respective NYSDEC Part 375 UUSCOs (1, 1, 0.8, 1, and 0.5 mg/kg, respectively) in GP-20, 10'-12'. Benzo(a)pyrene (1.8 mg/kg) exceeded its NYSDEC Part 375 Commercial Use SCO (1 mg/kg) in GP-20, 10'-12'. This is AOC #3 in the area of the former gasoline USTs on the southern portion of the yard.

Groundwater

VOCs – petroleum

Benzene (1.3 ug/L) exceeded its NYSDEC Class GA Ambient Water Quality Standard (Groundwater Standard) (1 µg/L) in GP-2. This is AOC #2 in the area of the former gasoline USTs on the southwestern portion of the yard.

1,2,4-Trimethylbenzene (37 ug/L), 1,3,5-trimethylbenzene (15 ug/L), m&p-xylene (17 ug/L), naphthalene (32 ug/L), o-xylene (10 ug/L), and toluene (5.2 ug/L) exceeded their respective NYSDEC Groundwater Standards (5, 5, 5, 10, 5, and 5 µg/L, respectively) in GP-9. This is AOC #4 in the area of the former oil AST on the northern portion of the yard.

1,2,4-Trimethylbenzene (25 ug/L), 1,3,5-trimethylbenzene (9.6 ug/L), and naphthalene (13 ug/L) exceeded their respective NYSDEC Groundwater Standards (5, 5, and 10 µg/L, respectively) in GP-13. This is AOC #4 in the area of the former oil AST on the northern portion of the yard.

SVOCs

Benzo(a)anthracene (0.16 ug/L), benzo(a)pyrene (0.13 ug/L), benzo(b)fluoranthene (0.11 ug/L), benzo(k)fluoranthene (0.14 ug/L), chrysene (0.17 ug/L), and indeno(1,2,3-cd)pyrene (0.12 ug/L) exceeded their respective NYSDEC Groundwater Standards (0.002, ND, 0.002, 0.002, 0.002, and 0.002 µg/L, respectively) in GP-1. This is AOC #1 in the area of the former grease pit on the northwestern portion of the yard, near the warehouse.

Benzo(a)anthracene (0.28 ug/L), benzo(a)pyrene (0.27 ug/L), benzo(b)fluoranthene (0.23 ug/L), benzo(k)fluoranthene (0.18 ug/L), chrysene (0.27 ug/L), and indeno(1,2,3-cd)pyrene (0.25 ug/L) exceeded their respective NYSDEC Groundwater Standards (0.002, ND, 0.002, 0.002, 0.002, and 0.002 µg/L, respectively) in GP-2. This is AOC #2 in the area of the former gasoline USTs on the southwestern portion of the yard.

Chrysene (4.3 ug/L) exceeded its NYSDEC Groundwater Standard (0.002 µg/L) in GP-3. This is AOC #2 in the area of the former oil AST on the northern portion of the yard.

Benzo(a)anthracene (1.5 ug/L), benzo(a)pyrene (1.4 ug/L), benzo(k)fluoranthene (1.1 ug/L), and chrysene (1.4 ug/L) exceeded their respective NYSDEC Groundwater Standards (0.002, ND, 0.002, and 0.002 µg/L, respectively) in GP-7. This AOC #3 in the area of the former gasoline USTs on the southern portion of the yard.

Benzo(a)anthracene (1.6 ug/L), benzo(a)pyrene (1.4 ug/L), benzo(b)fluoranthene (0.97 ug/L), benzo(k)fluoranthene (0.95 ug/L), chrysene (1.4 ug/L), indeno(1,2,3-cd)pyrene (0.95 ug/L), and naphthalene (34 ug/L) exceeded their respective NYSDEC Groundwater Standards (0.002, ND, 0.002, 0.002, 0.002, 0.002, and 10 µg/L, respectively) in GP-9. This is AOC #4 in the area of the former oil AST on the northern portion of the yard.

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

Benzo(a)anthracene (0.11 ug/L), benzo(a)pyrene (0.06 ug/L), benzo(b)fluoranthene (0.04 ug/L), benzo(k)fluoranthene (0.03 ug/L), and chrysene (0.17 ug/L) exceeded their respective NYSDEC Groundwater Standards (0.002, ND, 0.002, 0.002, and 0.002 µg/L, respectively) in GP-15. This is on the northeastern portion of the yard.

Benzo(a)anthracene (0.51 ug/L), benzo(a)pyrene (0.19 ug/L), benzo(b)fluoranthene (0.15 ug/L), benzo(k)fluoranthene (0.12 ug/L), chrysene (0.32 ug/L), and indeno(1,2,3-cd)pyrene (0.09 ug/L) exceeded their respective NYSDEC Groundwater Standards (0.002, ND, 0.002, 0.002, 0.002, and 0.002 µg/L, respectively) in GP-18. This is AOC #3 in the area of the former gasoline USTs on the southern portion of the yard.

Storm Drains (not including acetone because this is a lab contaminant)

SVOCs

Benzo(a)anthracene (1.9 mg/kg), benzo(b)fluoranthene (1.8 mg/kg), benzo(k)fluoranthene (1.7 mg/kg), and chrysene (2.7 mg/kg) exceeded their respective NYSDEC Part 375 Protection of Groundwater Criteria (1, 1.7, 1.7, and 1 mg/kg respectively) in S-1. Benzo(a)pyrene (1.5 mg/kg) exceeded its NYSDEC Part 375 Commercial SCO (1 mg/kg) in S-1.

Benzo(a)anthracene (3.1 mg/kg), benzo(b)fluoranthene (3.4 mg/kg), benzo(k)fluoranthene (2 mg/kg), and chrysene (4.4 mg/kg) exceeded their respective NYSDEC Part 375 Protection of Groundwater Criteria (1, 1.7, 1.7, and 1 mg/kg respectively) in S-2. Benzo(a)pyrene (2.7 mg/kg) exceeded its NYSDEC Part 375 Commercial SCO (1 mg/kg) in S-2.

Benzo(a)anthracene (1.7 mg/kg), benzo(b)fluoranthene (2.5 mg/kg), and chrysene (2.6 mg/kg) exceeded their respective NYSDEC Part 375 Protection of Groundwater Criteria (1, 1.7, and 1 mg/kg respectively) in S-4.

Metals

Arsenic (62.4 mg/kg) and barium (604 mg/kg) exceeded their respective NYSDEC Part 375 Commercial Use SCOs (0.016 and 0.4 mg/kg) in S-1. Chromium (94.2 mg/kg) and mercury (0.89 mg/kg) exceeded their respective NYSDEC Part 375 Protection of Groundwater Criteria (0.03 and 0.00073 mg/kg, respectively) in S-1.

Arsenic (0.031 mg/kg) exceeded its NYSDEC Part 375 Commercial Use SCO (0.016 mg/kg) in S-2. Chromium (0.052 mg/kg), lead (0.469 mg/kg), and mercury (0.00121 mg/kg) exceeded their respective NYSDEC Part 375 Protection of Groundwater Criteria (0.03, 0.45, and 0.00073 mg/kg, respectively) in S-2.

Arsenic (0.0205 mg/kg) and lead (1.02 mg/kg) exceeded their respective NYSDEC Part 375 Commercial Use SCOs (0.016 and 1 mg/kg, respectively) in S-3. Barium (3.35 mg/kg), chromium (0.0861 mg/kg), and mercury (0.00166 mg/kg) exceeded their respective NYSDEC Part 375 Protection of Groundwater Criteria (0.82, 0.03, and 0.00073 mg/kg, respectively) in S-3.

Barium (0.52 mg/kg) exceeded its NYSDEC Part 375 Commercial Use SCO (0.4 mg/kg) in S-4.

SECTION VI.

CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The following documents are enclosed as follows:

- Property Deed (proof of ownership)
- ACRIS Parcel Search with Ownership Details

The requestors acquired title to the property on 6/10/2021.

The previous owners/current operators have no relationship to the current owner.

List of previous owners/operators of the property:

Date	Previous Owner	Last Known Address	Relationship to Current Owner
Prior to 1972 - 1975	MF Hickey Company, Inc.	4106 Glenwood Rd Brooklyn, NY 11210	None
1975 – 1988	Ajax Block Corp.	2368 East 69 th Street Brooklyn, NY	None
1988 – 1992	Joseph A. Cincotta	1588 E. 46 th Street Brooklyn, NY 11234	None
1992 – 8/31/1994	Joseph J. Cincotta	4106 Glenwood Rd Brooklyn, NY 11210	None
8/31/1994 – 1/3/2005	Constance Cincotta	144-03 Neponsit Ave Neponsit, NY 11694	None
1/3/2005 – 6/10/2021	Peabody Weber Holdings, LLC	4100 Glenwood Road Brooklyn, NY 11210	None
6/10/2021 – Present	1310 Metro – 255, LLC 1310 Metro – Triple JQ, LLC 1301 Metro Rudolph Q, LLC	213-19 99 th Avenue Queens Village, NY 11429	Current Owner

City Directories* were obtained during the initial Phase I Environmental Site Assessment (ESA) on March 11, 2021. Records were available from 1937 to 2018 which indicated the following operators of the property during their respective lease time frame:

Date	Previous Occupant/Operator	Relationship to Current Owner
1937	Borough Asphalt Company and Cadmac Material Company	None
1945-1965	MF Hickey Company, Inc. (building materials)	None
1973-1985	Krasilovsky Bros. Trucking and Millwright Co. Inc. and others (trucking companies)	None
1985-1990	Mione John Concrete & Transit Mix, Metropolitan Rigging Corp. National Rigging Corp.	None

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

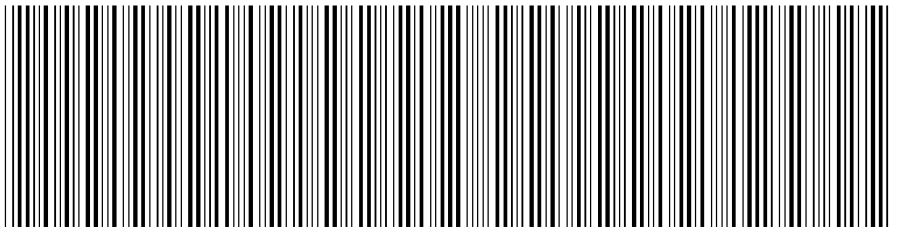
2013-2018 Lumber yard

None

*The City Directory report is provided in Appendix H of the attached Phase I ESA.

**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.



2021062800723001002EDCC4

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 6

Document ID: 2021062800723001

Document Date: 06-10-2021

Preparation Date: 07-08-2021

Document Type: DEED

Document Page Count: 4

PRESENTER:

GOLD STAR ABSTRACT, LLC
1981 MARCUS AVENUE, SUITE C114
GOL-21-25371-K
LAKE SUCCESS, NY 11042
516-327-4500
ralph@TITLESR.US

RETURN TO:

GOLD STAR ABSTRACT, LLC
1981 MARCUS AVENUE, SUITE C114
GOL-21-25371-K
LAKE SUCCESS, NY 11042
516-327-4500
ralph@TITLESR.US

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2948	85	Entire Lot	1301 METROPOLITAN AVENUE
Property Type: COMMERCIAL REAL ESTATE				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

PEABODY WEBSTER HOLDINGS, LLC
4100 GLENWOOD ROAD
BROOKLYN, NY 11210

GRANTEE/BUYER:

1301 METRO-255, LLC
213-19 99TH AVENUE
QUEENS VILLAGE, NY 11429

☒ Additional Parties Listed on Continuation Page

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 57.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 477,093.75

NYS Real Estate Transfer Tax:

\$ 118,137.50

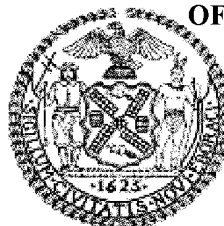
**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**

CITY OF NEW YORK

Recorded/Filed 07-08-2021 12:29

City Register File No.(CRFN):

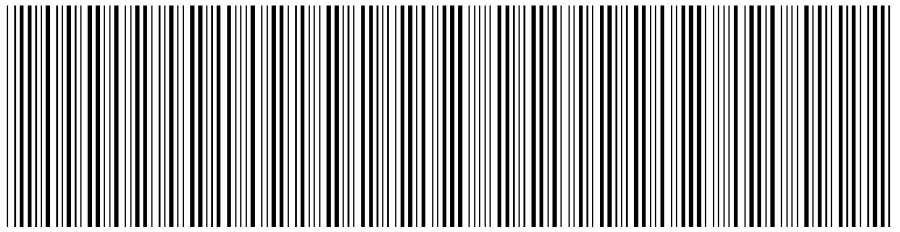
2021000259317



Annette McMill

City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2021062800723001002CDE44

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 6

Document ID: 2021062800723001

Document Date: 06-10-2021

Preparation Date: 07-08-2021

Document Type: DEED

PARTIES

GRANTEE/BUYER:

1301 METRO-TRIPLE JQ, LLC
213-19 99TH AVENUE
QUEENS VILLAGE, NY 11429

GRANTEE/BUYER:

1301 METRO-RUDOLPH Q LLC
213-19 99TH AVENUE
QUEENS VILLAGE, NY 11429

GOL-21-25371-K

DEED

pm THIS INDENTURE, made the ^{ASOF} 10 day of June, 2021 between PEABODY WEBSTER HOLDINGS, LLC, a New York limited liability company, having an office at 4100 Glenwood Road, Brooklyn, New York 11210 ("Grantor"), and 1301 METRO-255, LLC (as to an undivided 58.50% interest), 1301 METRO-TRIPLE JQ, LLC (as to an undivided 20.75% interest) and 1301 METRO-RUDOLPH Q, LLC (as to an undivided 20.75% interest), each a New York limited liability company having an office at 213-19 99th Avenue, Queens Village, New York 11429 (collectively, "Grantee"),

WITNESSETH, that the Grantor, in consideration of Ten and 00/100 Dollars (\$10.00) and other valuable consideration paid by the Grantee, does hereby grant and release unto Grantee, and its successors and assigns forever, all that certain plot, piece or parcel of land, with the buildings and improvements thereon erected situate, lying and being in the Borough and County of Kings, City and State of New York, bounded and described as set forth on Exhibit A annexed hereto.

2948
85 Being and intended to be all of the Grantor's right, title and interest in the premises conveyed to Grantor by deed dated as of January 3, 2005 from Constance M. Cincotta and recorded in the Office of the City Register, Kings County on January 27, 2005 in CRFN 2005000053871.

TOGETHER with all right, title and interest, if any, of Grantor 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 Grantor in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors and assigns forever.

AND the Grantor, in compliance with Section 13 of the Lien Law, hereby covenants that the Grantor 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 purposes 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 same for any other purposes.

IN WITNESS WHEREOF, Grantor has executed this Deed as of the date set forth above.

PEABODY WEBSTER HOLDINGS, LLC,
a New York limited liability company

By: 

Name: Constance M. Cincotta

Title: Authorized Signatory

ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF KINGS)

On the 8 day of June in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Constance M. Cincotta, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Seal

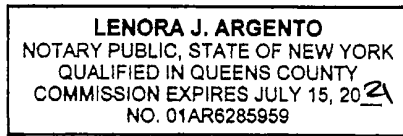


EXHIBIT A

DESCRIPTION OF THE LAND

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

BEGINNING at a point where the northerly line of Metropolitan Avenue intersects the westerly line of Newtown Creek;

RUNNING THENCE westerly along the northerly line of Metropolitan Avenue, 439 feet 11-3/4 inches to a point on the northerly side of Metropolitan Avenue, distant 92 feet 9 1/4 inches easterly from the corner formed by the intersection of the northerly line of Metropolitan Avenue with the easterly line of Gardner Avenue;

RUNNING THENCE in a northerly direction parallel with Gardner Avenue, 194 feet 11 inches;

THENCE easterly parallel with Grand Street, 113 feet 9 1/2 inches;

THENCE southerly parallel with Gardner Avenue, 98 feet;

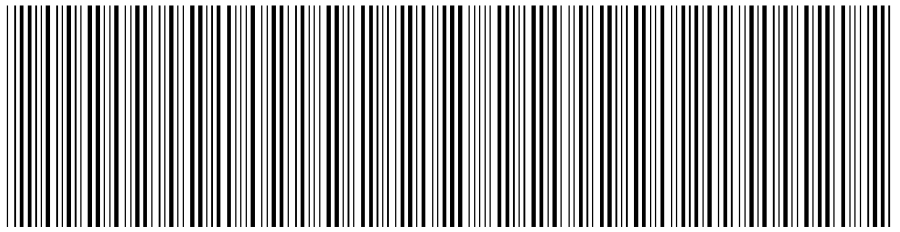
THENCE easterly parallel with Grand Street, 170 feet to the westerly side of a basin;

THENCE southerly along the westerly side of said basin, 11 feet 3 inches to the southerly side of said basin;

THENCE easterly along the southerly side of said basin, 125 feet to the westerly line of Newtown Creek;

THENCE southerly along the westerly line of Newtown Creek, 248 feet 4 3/4 inches to the point or place of BEGINNING.

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



2021062800723001002S1245

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2021062800723001
Document Type: DEED

Document Date: 06-10-2021

Preparation Date: 07-08-2021

ASSOCIATED TAX FORM ID: 2021060800404

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

RP - 5217 REAL PROPERTY TRANSFER REPORT

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 1301 METROPOLITAN AVENUE BROOKLYN 11237
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 1301 METRO-255, LLC
 LAST NAME / COMPANY FIRST NAME

1301 METRO-TRIPLE JQ LLC
 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

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 ☐

8. Seller Name PEABODY WEBSTER HOLDINGS, LLC
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

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

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

SALE INFORMATION

10. Sale Contract Date 6 / 11 / 2021
 Month Day Year

11. Date of Sale / Transfer 6 / 11 / 2021
 Month Day Year

12. Full Sale Price \$ 1,817,500.00

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

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

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

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

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

15. Building Class E, 9 16. Total Assessed Value (of all parcels in transfer) 1,450,800.00

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

BROOKLYN 2948 85

202106080040420101

CERTIFICATION

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

BUYER**BUYER'S ATTORNEY**

BUYER SIGNATURE 213-19 99TH AVENUE		DATE		LAST NAME		FIRST NAME	
STREET NUMBER QUEENS VILLAGE		STREET NAME (AFTER SALE)		AREA CODE		TELEPHONE NUMBER	
CITY OR TOWN		STATE NY		ZIP CODE 11429		SELLER <i>Constance Cincotta</i>	
				SELLER SIGNATURE		DATE 8 June 2021	

CONSTANCE CINCOTTA

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.

By: <i>h</i> BUYER SIGNATURE 213-19 99TH AVENUE		DATE 6/9/21	BUYER'S ATTORNEY FRISONI ROBERT	
STREET NUMBER QUEENS VILLAGE		STREET NAME (AFTER SALE) NY		ZIP CODE 11429
CITY OR TOWN ROBERT FRISONI		STATE NY	AREA CODE 631	TELEPHONE NUMBER 390-4343 SELLER ROBERT

Grantee (Buyer)

1301 METRO-RUDOLPH Q LLC

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

Grantee (Buyer)

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Grantee (Buyer)

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Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

FIRST NAME

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.

BUYERS

By: 1301 Metro + 255, LLC
Buyer Signature ROBERT FRISONI Date 6/9/21
By: 1301 Metro - TRISTIA JR, LLC
Buyer Signature ROBERT FRISONI Date 6/9/21
By: 1301 Metro - FIDELPH & LLC
Buyer Signature ROBERT FRISONI Date 6/9/21

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

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Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

Buyer Signature _____ Date _____

SELLERS

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

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Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

Seller Signature _____ Date _____

2021060800404201

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

SECTION VI.

ACRIS Parcel Search with Ownership Details

Records 1 - 23 << previous next >> Max Rows 99 ▾ [Search Options] [New BBL Search] [Edit Current Search] [View Tax Map] [Print Index]														
View	Reel/Pg/File	CRFN	Lot	Partial	Doc Date	Recorded / Filed	Document Type	Pages	Party1	Party2	Party 3/ Other	More Party 1/2 Names	Corrected/ Remarks	Doc Amount
DET IMG		2021000259317	85	ENTIRE LOT	6/10/2021	7/8/2021 12:29:24 PM	DEED	6	PEABODY WEBSTER HOLDINGS, LLC	1301 METRO-255, LLC		✓		18,175,000
DET IMG		2020000101556	85	PARTIAL LOT	3/13/2020	3/20/2020 7:49:59 AM	UCC3 CONTINUATION	13	PEABODY WEBSTER HOLDINGS LLC	BCB COMMUNITY BANK				0
DET IMG		2015000204316	85	PARTIAL LOT	3/18/2015	6/16/2015 11:16:00 AM	INITIAL UCC1	11	PEABODY WEBSTER HOLDINGS LLC	BCB COMMUNITY BANK				
DET IMG		2015000204308	85	ENTIRE LOT	3/19/2015	6/16/2015 11:15:52 AM	ASSIGNMENT OF LEASES AND RENTS	22	MACWAVE PROPERTIES LLC	BCB COMMUNITY BANK		✓		8,500,000
DET IMG		2015000204307	85	ENTIRE LOT	3/19/2015	6/16/2015 11:15:51 AM	AGREEMENT	68	BCB COMMUNITY BANK	MACWAVE PROPERTIES LLC		✓		8,500,000
DET IMG		2015000204306	85	ENTIRE LOT	3/19/2015	6/16/2015 11:15:50 AM	MORTGAGE	22	MACWAVE PROPERTIES LLC	BCB COMMUNITY BANK		✓		5,281,814
DET IMG		2015000204302	85	ENTIRE LOT	11/30/2011	6/16/2015 11:15:46 AM	PARTIAL RELEASE OF MORTGAGE	6	NATIONAL BANK OF NEW YORK CITY	CINCOTTA, CONSTANCE		✓		0
DET IMG		2006000636104	85	PARTIAL LOT	9/8/2006	11/16/2006 10:24:45 AM	UCC3 TERMINATION	3	PEABODY WEBSTER HOLDINGS LLC	NATIONAL BANK OF NEW YORK CITY				0
DET IMG		2005000658248	85	ENTIRE LOT	11/24/2005	11/29/2005 9:27:23 AM	INITIAL UCC1	8	PEABODY WEBSTER HOLDINGS LLC	NATIONAL BANK OF NEW YORK CITY				0
DET IMG		2005000053871	85	ENTIRE LOT	1/3/2005	1/27/2005 1:52:31 PM	DEED	4	CINCOTTA, CONSTANCE M	PEABODY WEBSTER HOLDINGS LLC				0
DET IMG		2004000020817	85	ENTIRE LOT	11/4/2003	1/13/2004 3:09:17 PM	AGREEMENT	12	GLENCORD BUILDING CORP.	NATIONAL BANK OF NEW YORK CITY		✓		2,000,000
DET IMG	4008/2468		85	ENTIRE LOT		8/29/1997	SATISFACTION OF MORTGAGE	2	CINCOTTA, CONSTANCE M	CINCOTTA, JOSEPH J				0
DET IMG	3371/906		85	ENTIRE LOT		8/31/1994	SATISFACTION OF MORTGAGE	2	CINCOTTA, JOSEPH A	AJAX BLOCK CORP		✓		0
DET IMG	3371/784		85	ENTIRE LOT		8/31/1994	MORTGAGE	4	CINCOTTA, CONSTANCE M	CINCOTTA, JOSEPH J				275,000
DET IMG	3371/782		85	ENTIRE LOT	8/31/1994	8/31/1994	DEED	2	CINCOTTA, JOSEPH J	CINCOTTA, CONSTANCE M				0
DET IMG	3058/136		85	ENTIRE LOT	6/1/1993	6/4/1993	DEED	4	CINCOTTA, JOSEPH A/EX OF	CINCOTTA, JOSEPH J				0
DET IMG	2191/1563		85	ENTIRE LOT		3/23/1988	MORTGAGE	4	CINCOTTA, JOSEPH A	AJAX BLOCK CORP		✓		50,000
DET IMG	2191/1561		85	ENTIRE LOT	3/9/1988	3/23/1988	DEED	2	AJAX BLOCK CORP	CINCOTTA, JOSEPH A		✓		0
DET IMG	1405/1333		85	ENTIRE LOT		6/22/1983	SATISFACTION OF MORTGAGE	2	M.F. HICKEY COMPANY	CENTRAL STATE BANK				0
DET IMG	1309/1300		85	ENTIRE LOT		4/19/1982	SATISFACTION OF MORTGAGE	2	M.F. HICKEY CO INC	HAMILTON FEDL SAV&LNASO				0
DET IMG	841/130		85	ENTIRE LOT	4/14/1976	4/14/1976	DEED	2	MF HICKEY COMPANY CORP	AJAX BLOCK CORP				0
DET IMG	615/1419		85	ENTIRE LOT	2/22/1973	2/22/1973	MORTGAGE	4	MF HICKEY CO INC	CENTRAL STATE BANK				0
DET IMG	547/648		85	ENTIRE LOT	3/28/1972	3/28/1972	MORTGAGE	4	MF HICKEY CO INC	HAMILTON FEDL SAVS & LOAN ASSN OF BKLYN				0

Search Options

New Parcel Identifier Search

Edit Current Search

View Tax Map

SECTION VII. REQUESTOR ELIGIBILITY INFORMATION

VOLUNTEER STATEMENT

Requestor qualifies as a “Volunteer” due to the following reasons:

- 1) Review of historical data for the Site for the past 130 years indicates that previous occupants included a lumber company, asphalt company, building materials and concrete company, a trucking company, an auto repair shop, and warehouse storage. Previous tanks were shown to exist at the Site and include an above-ground storage tank (AST) for the storage of oil and several gasoline underground storage tanks (USTs) along with a grease pit. The above uses and former tanks have the potential to impacted the subsurface at the Site;
- 2) EnviroTrac Ltd. (EnviroTrac) conducted a Phase I Environmental Site Assessment (ESA) for the Site, dated March 11, 2021. Recognized environmental conditions (RECs) identified for the Site included:
 - a. The former oil AST;
 - b. The former gasoline USTs;
 - c. The former grease pit;
 - d. The Site's proximity to Newtown Creek/English Kills, adjoining to the east, which is listed on the US Environmental Protection Agency (EPA) National Priorities List (NPL) or Superfund site; and
 - e. Clogged and potentially impacted stormwater drywells observed at the Site.
- 3) EnviroTrac conducted a Phase II ESA subsurface investigation on March 22, March 30, and April 28, 2021, to determine if the identified RECs had impacted the Site. Slight to strong petroleum odors, black staining, evidence of product, and elevated photoionization detector (PID) readings were reported for some of the borings advanced at the Site. Soil, drywell sediment, and groundwater samples were collected for laboratory analysis of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals. Some sample results showed exceedances of their respective New York State Department of Environmental Conservation (NYSDEC) Part 375 Soil Cleanup Objectives, Protection of Groundwater Criteria, and NYSDEC Class GA Ambient Water Quality Standards for select VOCs, SVOCs, and metals;
- 4) Upon receipt of the Phase II ESA subsurface investigation results, the current owner reported a spill to the NYSDEC on June 11, 2021. NYSDEC Spill # 2102352 was assigned to the Site. The current owner is working towards entering the Site into the Brownfields Cleanup Program and to conduct the remediation of the impacted subsurface soil, sediment, and groundwater.

SECTION IX. CONTACT LIST INFORMATION

1. Government Officials:

New York City Mayor
William de Blasio
City Hall
New York, NY 10007

Brooklyn Borough President
Mr. Eric Leroy Adams
Brooklyn Borough Hall
209 Joralemon Street
Brooklyn, NY 11201

NYC Department of City Planning Director (Brooklyn office)
Winston Von Engel
16 Court Street, 7th Fl.
Brooklyn, NY 11241-0103

2. Owner(s) of the Property:

1301 Metro - 255, LLC & 1301 Metro - Triple JQ, LLC
James Juliano – Sole Member
213-19 99th Avenue, Queens Village, NY 11429

1301 Metro - Rudolph Q, LLC
Raymond Rudolph – Sole Member
213-19 99th Avenue, Queens Village, NY 11429

3. Occupant(s) of the Property:

Metro Express
Mr. Greg Fine
10 Fifth Street (2nd floor)
Valley Stream, NY 11581

Tow Boy, Inc.
Zigmond Matuszko
300 McGuinness Blvd.
Brooklyn, NY 11222

Cranes Express
Billy
1301 Metropolitan Avenue
Brooklyn, NY 11222

4. Adjacent Property Owner(s):

Feldman Lumber 1281
Metropolitan Avenue Brooklyn
NY 11237

4. Adjacent Property Owner(s) (con't.):

D&C Cabinet Factory
1340 Metropolitan Avenue
Brooklyn, NY 11237

HC Wholesale Foods
1300 Metropolitan Avenue
Brooklyn, NY 11237

Prime Packaging Corporation
1290 Metropolitan Avenue
Brooklyn, NY 11237

5. Local News Media Outlet(s):

The Brooklyn Paper
One MetroTech Center
Brooklyn, NY 11201
<https://www.brooklynpaper.com/contact-us/>

6. Public Water Supplier:

New York City System
59-17 Junction Blvd.
Flushing, NY 11373

7. Additional Contact List:

None

8. School or Daycare Facilities:

None

9. Document Repository:

Brooklyn Public Library Bushwick Branch
340 Bushwick Avenue
Brooklyn, NY 11206

Community Board 1
435 Graham Avenue
Brooklyn, NY 11211

***Following this page, documentation of multiple attempts to reach the Community Board 1 are attached. EnviroTrac also reached out to Community Board 1 via phone. A representative for the Community Board 1 verbally stated that they would accept any documents for this BCP site in the future that would be provided to them in person and that a letter of receipt would be provided once documents were received.**

1301 Metropolitan Avenue, Brooklyn, NY – BCP Application Supplemental Information

An email was received from the Brooklyn Library stating that they would act as a repository is attached as well. Attempts to retrieve an official letter, not just an email correspondence, stating that the Brooklyn Public Library would act as a repository were made. No response is likely due to COVID-19 pandemic.

From: [Balsan, Michelle](#)
To: [Crystal Bakewicz](#)
Cc: [Waldron, Marc](#)
Subject: Brownfield Clean Up Program
Date: Friday, September 24, 2021 1:15:51 PM

Good afternoon,

Marc asked me to reach out to you with regard to using the Bushwick branch as a repository for information about your project. We have frequently served as a repository site and can do so for you. We're happy to accept your materials and have them here for the public to access. I know frequently an email like this is sufficient for accepting those materials, but if you need anything further, let us know.

Have a great afternoon,

**Michelle Balsan (she/her) | Library Information Supervisor, Bushwick
Brooklyn Public Library**
Tel: 718.602.1348
bklynlibrary.org

From: [Crystal Bakewicz](#)
To: [Balsan, Michelle](#)
Cc: [Waldron, Marc](#); [Tracy Wall, PG](#)
Subject: RE: Brownfield Clean Up Program
Date: Thursday, December 9, 2021 4:41:00 PM

Good afternoon Ms. Balsan.

We have recently submitted our BCP application to the NYSDEC and they have provided us with some comments which include that they would like a formal letter from the accepted repositories. Could you please send us a letter (via email should suffice) stating that the Brooklyn Public Library is acknowledging that they will act as a repository for BCP #C224344 located at 1301 Metropolitan Avenue, Brooklyn, NY 11237?

Could you also help me out with getting in touch with the liaison for the Community Board 1 located at 435 Graham Avenue, Brooklyn, NY? I believe I am supposed to contact board chair Dealice Fuller? It would be great to have them as another confirmed repository.

Thank you so much,

From: Balsan, Michelle <MBalsan@bklynlibrary.org>
Sent: Friday, September 24, 2021 1:16 PM
To: Crystal Bakewicz <crystalb@envirotrac.com>
Cc: Waldron, Marc <mwaldron@bklynlibrary.org>
Subject: Brownfield Clean Up Program

Good afternoon,

Marc asked me to reach out to you with regard to using the Bushwick branch as a repository for information about your project. We have frequently served as a repository site and can do so for you. We're happy to accept your materials and have them here for the public to access. I know frequently an email like this is sufficient for accepting those materials, but if you need anything further, let us know.

Have a great afternoon,

**Michelle Balsan (she/her) | Library Information Supervisor, Bushwick
Brooklyn Public Library**
Tel: 718.602.1348
bklynlibrary.org

From: [Tracy Wall, PG](#)
To: bk12@cb.nyc.gov
Cc: [Crystal Bakewicz](#)
Subject: 1301 Metropolitan Avenue, Brooklyn, NY
Date: Tuesday, December 21, 2021 12:13:20 PM

Good Afternoon Mr. Barry Spitzer,

EnviroTrac Ltd. is the environmental consultant for the above-referenced property that is submitting an application to the New York State Department of Environmental Conservation (NYSDEC) Brownfields Cleanup Program (BCP) on behalf of the property owners. Please confirm that environmental documents for this property can be sent to Brooklyn Community Board 1 to be available for review by the public.

Should you have any questions, please feel free to contact me. I am working from home today, so please reach out at 631-905-4259 if you have any questions.

Thanks,

Tracy Wall

From: [Tracy Wall, PG](#)
To: BKCB12@gmail.com
Cc: [Crystal Bakewicz](#)
Subject: 1301 Metropolitan Avenue, Brooklyn, NY
Date: Tuesday, December 21, 2021 12:11:47 PM

Good Afternoon Mr. Barry Spitzer,

EnviroTrac Ltd. is the environmental consultant for the above-referenced property that is submitting an application to the New York State Department of Environmental Conservation (NYSDEC) Brownfields Cleanup Program (BCP). Please confirm that environmental documents for this property can be sent to Brooklyn Community Board 1 to be available for review by the public.

Should you have any questions, please feel free to contact me. I am working from home today, so please reach out at 631-905-4259 if you have any questions.

Thanks,

Tracy Wall

From: [Tracy Wall, PG](#)
To: bk01@cb.nyc.gov
Cc: [Crystal Bakewicz](#)
Subject: 1301 Metropolitan Avenue, Brooklyn, NY - NYSDEC BCP Applicant
Date: Wednesday, December 22, 2021 2:17:25 PM

To whom it may concern:

EnviroTrac Ltd. is the environmental consultant for the property owner at 1301 Metropolitan Avenue, Brooklyn, NY. Our client is entering into the NYSDEC BCP. Please provide an email response to indicate that the Community Board 1 of Brooklyn will be the repository for environmental documents for the above-referenced property.

Should you have any questions, please feel free to contact me.

Thanks,

Tracy Wall

From: [Tracy Wall, PG](#)
To: [Crystal Bakewicz](#)
Subject: FW: 1301 Metropolitan Avenue, Brooklyn, NY
Date: Thursday, January 6, 2022 10:58:23 AM

Please save this email as an attempt to make contact for the BCP application.

From: Tracy Wall, PG
Sent: Tuesday, December 28, 2021 3:11 PM
To: bk12@cb.nyc.gov
Cc: Crystal Bakewicz <crystalb@envirotrac.com>
Subject: RE: 1301 Metropolitan Avenue, Brooklyn, NY

Following up on the below email request for the Community Board 1 of Brooklyn to be a repository for environmental documents. I need a written email response stating that this is acceptable.

Thanks,
Tracy Wall

From: Tracy Wall, PG
Sent: Tuesday, December 21, 2021 12:13 PM
To: bk12@cb.nyc.gov
Cc: Crystal Bakewicz <crystalb@envirotrac.com>
Subject: 1301 Metropolitan Avenue, Brooklyn, NY

Good Afternoon Mr. Barry Spitzer,

EnviroTrac Ltd. is the environmental consultant for the above-referenced property that is submitting an application to the New York State Department of Environmental Conservation (NYSDEC) Brownfields Cleanup Program (BCP) on behalf of the property owners. Please confirm that environmental documents for this property can be sent to Brooklyn Community Board 1 to be available for review by the public.

Should you have any questions, please feel free to contact me. I am working from home today, so please reach out at 631-905-4259 if you have any questions.

Thanks,

Tracy Wall

From: [Tracy Wall, PG](#)
To: [Crystal Bakewicz](#)
Subject: FW: BCP Repository Acceptance - 1301 Metropolitan Avenue, Brooklyn, NY
Date: Thursday, January 6, 2022 10:58:53 AM

Same thing

From: Tracy Wall, PG
Sent: Monday, January 3, 2022 10:57 AM
To: bk01@cb.nyc.gov
Subject: BCP Repository Acceptance - 1301 Metropolitan Avenue, Brooklyn, NY

Chairperson Fuller,

My client is submitting an application to the New York State Department of Environmental Conservation (NYSDEC) to be placed into the Brownfield Cleanup Program (BCP). The Brooklyn Community Board 1 is the second repository for the above-referenced site. Please respond to this email to indicate that the Brooklyn Community Board 1 will be the second repository for this site. This is my third email to the Community Board and a response is required for acceptance into the program.

Should you have any questions, please feel free to contact me at 631-905-4259.

Thanks,

Tracy Wall, PG

SECTION X. LAND USE FACTORS

2. CURRENT USE

The site is located in a historical industrial developed area of Brooklyn, NY. The warehouse and garage of the site property are used for storage of vehicles, equipment, and materials for asphalt paving and roadway paving, general maintenance of vehicles and equipment, and offices. The proposed Brownfield property boundary which only includes the asphalt parking lot adjacent to Metropolitan Avenue is occupied by three (3) tenants.

Current Occupants - Usage:

Metro Express – Office, warehouse storage, yard storage of equipment and vehicles.

Tow Boy Inc. – Storage of vehicles.

Cranes Express – Storage of cranes.

SECTION X. LAND USE FACTORS

3. POST REMEDIATION

The Site is currently utilized for temporary storage/parking of heavy equipment and vehicles which is consistent with the intended future use.