

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

FORMER A&A BRAKE SERVICE SITE
558 SACKETT STREET
BLOCK 433, LOT 14
BROOKLYN, NEW YORK 11217

PREPARED FOR:
SACKETT HEIGHTS LLC
199 LEE AVENUE, #257
BROOKLYN, NEW YORK



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments. Yes No
 If yes, provide existing site number: _____

Is this a revised submission of an incomplete application? Yes No
 If yes, provide existing site number: _____

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SECTION I: Property Information

PROPOSED SITE NAME Former A&A Brake Service Site

ADDRESS/LOCATION 558 Sackett Street

CITY/TOWN **Brooklyn** ZIP CODE **11217**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **Brooklyn**

COUNTY **Kings** SITE SIZE (ACRES) **0.147**

LATITUDE			LONGITUDE		
40	°	40	'	45N	"
73	°	59	'	11W	"

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage
558 Sackett Street	3	433	14	0.147

	Y	N
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the required property map provided in electronic format with the application? (Application will not be processed without a map)	<input checked="" type="radio"/>	<input type="radio"/>
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) If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% <input checked="" type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input checked="" type="radio"/>	<input type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>

6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	Y <input type="radio"/>	N <input checked="" type="radio"/>						
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	<input type="radio"/>	<input checked="" type="radio"/>						
8. 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.	<input type="radio"/>	<input checked="" type="radio"/>						
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.	<input type="radio"/>	<input checked="" type="radio"/>						
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____	<input type="radio"/>	<input checked="" type="radio"/>						
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: <u>224372</u> Class: <u>P</u>	<input checked="" type="radio"/>	<input type="radio"/>						
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><u>Easement/Right-of-Way Holder</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	<u>Easement/Right-of-Way Holder</u>	<u>Description</u>			<input type="radio"/>	<input checked="" type="radio"/>		
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>							
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><u>Type</u></td> <td style="width: 30%;"><u>Issuing Agency</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>				<input type="radio"/>	<input checked="" type="radio"/>
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>						
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?	<input checked="" type="radio"/>	<input type="radio"/>						
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.								
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.	Y <input checked="" type="radio"/>	N <input type="radio"/>						
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?	<input type="radio"/>	<input checked="" type="radio"/>						
17. If you have answered YES to Question 16 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?	<input type="radio"/>	<input type="radio"/>						
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions. Initials of each Requestor: _____								

SECTION II: Project Description

1. The project will be starting at: Investigation Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?

Yes No N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

RIWP RAWP IRM No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached? Yes No

SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? M1-4/R6A

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential Commercial Industrial

3. Current use (select all that apply):

Residential Commercial Industrial Recreational Vacant

4. Please provide 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 by which the site became vacant.
Is this summary included with the application?

Y	N
<input checked="" type="radio"/>	<input type="radio"/>

5. Reasonably anticipated post-remediation use (check all that apply):

Residential Commercial Industrial

If residential, does it qualify as single-family housing? N/A

<input type="radio"/>	<input checked="" type="radio"/>
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6. Please provide a statement detailing the specific proposed post-remediation use.
Is this summary attached?

<input checked="" type="radio"/>	<input type="radio"/>
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7. Is the proposed post-remediation use a renewable energy facility?
See application instructions for additional information.

<input type="radio"/>	<input checked="" type="radio"/>
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8. Do current and/or recent development patterns support the proposed use?

<input checked="" type="radio"/>	<input type="radio"/>
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9. Is the proposed use consistent with applicable zoning laws/maps?
Please provide a brief explanation and additional documentation if necessary.

<input checked="" type="radio"/>	<input type="radio"/>
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10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?
Please provide a brief explanation and additional documentation if necessary.

<input checked="" type="radio"/>	<input type="radio"/>
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SECTION IV: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit 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 ANY supporting documents.**
- 2. SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected:

- For each impacted medium above, include a site drawing indicating:
 - Sample location
 - Date of sampling event
 - Key contaminants and concentration detected
 - For soil, highlight exceedances of reasonably anticipated use
 - For groundwater, highlight exceedances of 6 NYCRR part 703.5
 - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application? YES NO

4. Indicate Past Land Uses (check all that apply):

<input type="checkbox"/> Coal Gas Manufacturing	<input checked="" type="checkbox"/>	Manufacturing	<input type="checkbox"/>	Agricultural Co-Op	<input type="checkbox"/>	Dry Cleaner
<input type="checkbox"/> Salvage Yard	<input type="checkbox"/>	Bulk Plant	<input type="checkbox"/>	Pipeline	<input type="checkbox"/>	Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/>	Tannery	<input type="checkbox"/>	Electroplating	<input type="checkbox"/>	Unknown

Other: Auto repair shop

SECTION V: Requestor Information			
NAME Sackett Heights LLC			
ADDRESS 199 Lee Avenue, #257			
CITY/TOWN Brooklyn		ZIP CODE 11211	
PHONE 646-580-7790		EMAIL sls@bornox.com	
1. Is the requestor authorized to conduct business in New York State (NYS)?		Y <input checked="" type="radio"/>	N <input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that that requestor is authorized to conduct business in NYS. Is this attached?		<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached?		<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.		<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility		
If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.		
	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)

	Y	N
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/>	<input checked="" type="radio"/>
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. 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:		
<p>PARTICIPANT</p> <p>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.</p>	<input type="checkbox"/>	<p>VOLUNTEER</p> <p>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.</p> <p>NOTE: By selecting this option, 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; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.</p> <p>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.</p>
<p>13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?</p> <p>Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/></p>		

SECTION VI: Requestor Eligibility (CONTINUED)

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

Previous Owner Current Owner Potential/Future Purchaser Other: _____

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?

Yes

No

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION VII: Requestor Contact Information**REQUESTOR'S REPRESENTATIVE**

Solomon Schwimmer

ADDRESS

199 Lee Avenue, #257

CITY

Brooklyn

ZIP CODE

11211

PHONE

646-580-7790

EMAIL

sls@bornox.com

REQUESTOR'S CONSULTANT (CONTACT NAME)

Mari Cate Conlon

COMPANY

Haley & Aldrich of New York

ADDRESS

237 West 35th Street, 16th Floor

CITY

New York, NY

ZIP CODE

10123

PHONE

(646) 277-5688

EMAIL

mconlon@haleyaldrich.com

REQUESTOR'S ATTORNEY (CONTACT NAME)

George Duke

COMPANY

Connell Foley LLP

ADDRESS

875 Third Avenue, 21st Floor

CITY

New York

ZIP CODE

10022

PHONE

(212) 542-3772

EMAIL

GDuke@connellfoley.com

SECTION VIII: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information. Is the appropriate documentation included with this application?	<input type="radio"/>	<input type="radio"/>

SECTION IX: Current Property Owner and Operator Information

CURRENT OWNER Sackett Heights LLC	
CONTACT NAME Solomon Schwimmer	
ADDRESS 199 Lee Avenue, #257	
CITY Brooklyn	ZIP CODE 11211
PHONE 646-580-7790	EMAIL sls@bornox.com
OWNERSHIP START DATE 11/8/2022	
CURRENT OPERATOR Not Applicable (vacant)	
CONTACT NAME	
ADDRESS	
CITY	ZIP CODE
PHONE	EMAIL
OPERATION START DATE	

SECTION X: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>

SECTION X: Property Eligibility Information (continued)

	Y	N
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents.</p> <p style="text-align: right;">N/A <input checked="" type="radio"/></p>	<input type="radio"/>	<input type="radio"/>
<p>5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.</p>	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XI: Site Contact List

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 mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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 XII: 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 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 a Member (title) of Sackett Heights LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. 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 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: 9/13/22 Signature: 

Print Name: Solomon Schwimmer

SUBMITTAL INFORMATION

- Two (2) copies, one unbound 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, 11th Floor
 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: _____

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY

Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27-1407(1-a) must be submitted if requestor is seeking this determination.

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Please respond to the questions below and provide additional information and/or documentation as required.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input checked="" type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input checked="" type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input checked="" type="radio"/>
Underutilized	<input type="radio"/>	<input checked="" type="radio"/>

From ECL 27-1405(31):

“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.

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):

375-3.2:

- (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
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (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
 - (c) there are no structures.

“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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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*
*Selecting this option 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

- Yes – planned renewable energy facility site
- No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

- Yes
- No

From ECL 75-0111 as of April 9, 2022:

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

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BCP APPLICATION SUMMARY (FOR DEC USE ONLY)			
SITE NAME Former A&A Brake Service Site		SITE ADDRESS 558 Sackett Street	
CITY Brooklyn	COUNTY Kings	ZIP 11217	
REQUESTOR NAME Sackett Heights LLC		REQUESTOR ADDRESS 199 Lee Avenue, #257	
CITY Brooklyn	ZIP 11211	EMAIL sls@bornox.com	

PROPERTY ADDRESS	SECTION	BLOCK	LOT
558 Sackett Street	3	433	14

REQUESTOR'S REPRESENTATIVE			
NAME Solomon Schwimmer		ADDRESS 199 Lee Avenue, #257	
CITY Brooklyn	ZIP 11211	EMAIL sls@bornox.com	
REQUESTOR'S ATTORNEY			
NAME George Duke		ADDRESS 875 Third Avenue, 21st Floor	
CITY New York	ZIP 10022	EMAIL GDuke@connellfoley.com	
REQUESTOR'S CONSULTANT			
NAME Mari Cate Conlon		ADDRESS 237 West 35th Street, 16th Floor	
CITY New York, NY	ZIP 10123	EMAIL mconlon@haleyaldrich.com	

REQUESTOR'S REQUESTED STATUS	PARTICIPANT <input type="checkbox"/>	VOLUNTEER <input checked="" type="checkbox"/>
DEC DETERMINATION	AGREE	DISAGREE

APPLIED FOR FEE WAIVER	YES <input type="radio"/>	NO <input checked="" type="radio"/>
ELIGIBLE FOR FEE WAIVER	YES	NO

PERCENTAGE WITHIN AN EN-ZONE	0% <input checked="" type="radio"/>	<50% <input type="radio"/>	50-99% <input type="radio"/>	100% <input type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

BCP APPLICATION SUMMARY (FOR DEC USE ONLY) (CONTINUED)

FOR SITES IN NEW YORK CITY ONLY

IS THE REQUESTOR SEEKING TANGIBLE PROPERTY CREDITS?	YES	<input checked="" type="radio"/>	NO	<input type="radio"/>
--	-----	----------------------------------	----	-----------------------

UPSIDE DOWN	YES	<input type="radio"/>	NO	<input type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

UNDERUTILIZED	YES	<input type="radio"/>	NO	<input type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

AFFORDABLE HOUSING STATUS	PLANNED	<input type="radio"/>	YES	<input type="radio"/>	NO	<input type="radio"/>
DEC DETERMINATION			AGREE		DISAGREE	

DISADVANTAGED COMMUNITY AND CONFORMING BOA	YES	<input type="radio"/>	NO	<input checked="" type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

RENEWABLE ENERGY FACILITY SITE	YES	<input type="radio"/>	NO	<input type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

NOTES:	
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ATTACHMENT A

Section I: PROPERTY INFORMATION

SECTION I: PROPERTY DESCRIPTION

Site Location

The Site's address is 558 Sackett Street, Brooklyn, NY 11217. The Site is located in Kings County, New York and is identified as Brooklyn Block 433, Lot 14 and is currently vacant.

The Site is located within an urban area of Brooklyn characterized by multi-story light industrial, commercial, and residential buildings. The Site is located approximately 3.25 miles west of the Belt Parkway. The Site is bound to the north by Erasmus Street and residential buildings, to the east by Rogers Avenue followed by commercial buildings, to the south by Snyder Avenue followed by commercial buildings, and to the west by Veronica Place followed by commercial buildings.

A Site location map is included in Figure 1. An aerial photograph of the subject Site is included in Figure 2. A tax map is included in Figure 3. A map showing surrounding land use is included as Figure 4.

Site Features

The Site is 0.147 acres in size and is improved with a 2-story, slab-on-grade, brick warehouse/garage building and a 1-story brick warehouse building. The buildings are all vacant.

The Site is currently identified as a Potential (Class P) Site for the Registry of Inactive Hazardous Waste Disposal Site (Site No. 224372).

Current Zoning and Land Use

According to the New York City Planning Commission Zoning Map 16c, the Site is located within a manufacturing and residential zoning district (M1-4 and R6A). R6 zoning districts are widely mapped in built-up, medium-density areas in Brooklyn, Queens, and the Bronx. The character of R6 districts can range from neighborhoods with a diverse mix of building types and heights to large-scale "tower in the park" developments. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. These districts range from the Garment District in Manhattan and Port Morris in the Bronx to parts of Red Hook or College Point. Nearly all industrial uses are allowed in M1 districts, with offices, hotels, and most retail uses also permitted.

The Site is currently improved with a 2-story, slab-on-grade, brick warehouse/garage building and a 1-story brick warehouse building. The majority of the Site was vacated circa 2017 with exception of one commercial tenant remaining on the second floor of the western building. The remaining tenant was vacated in 2022.

Past Site Use

Based on a Phase I ESA in May 2022, the Site was first developed as early as the late 1800s in which the Site was divided into three small tax parcels fronting along Sackett Street. Each of the parcels was developed with a low-rise residential or retail building occupying approximately half of their respective lots, with several small outbuildings also present. By the late 1930s, the eastern parcel was redeveloped with a one-story building occupying the entire parcel footprint and identified as a private garage. By 1950, the center parcel was developed with a two-story building occupying the entire parcel footprint and identified as a private garage. The eastern building was identified as an auto repair shop. The residence on the western lot was demolished in the mid- to late-1960s, with the center and eastern buildings both identified as auto repair shops. Between the early and mid-1980s, the western and central parcels were redeveloped a single two-story building identified as a warehouse. By 1988, this structure was identified as an auto repair shop.

Site Geology and Hydrogeology

Based on findings from previous investigations, the Site is underlain by urban fill generally consisting of brown silty sand with gravel and brick fragments from surface grade to approximately 7 to 12 feet below grade surface (ft bgs). The urban fill layer is underlain by a potential native layer consisting of brown to gray to black sand with varying amounts of gravel and silt. A smear zone of petroleum impacted soil was reported at the groundwater table to approximately 6 feet below the groundwater table (10 to 16 ft bgs).

The average depth to groundwater is approximately 10 ft bgs. The inferred regional groundwater flow direction for the area surrounding the Site is to the west toward the Gowanus Canal.

SECTION I.14: Environmental Assessment

The Requestor seeks entry into the New York State Department of Environmental Conservation (NYSDEC) BCP at the investigation stage. A Phase I Environmental Site Assessment (ESA) was completed in May 2022 by Brussee Environmental Corp. (Brussee). In addition, a Limited Phase II ESA was completed in May 2022 by Brussee.

Based on the findings of the Limited Phase II ESA, the primary contaminants of concern for the site are heavy metals and SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs), in soil; petroleum related VOCs in the groundwater; and petroleum related VOCs and chlorinated volatile organic compounds (CVOCs) in soil vapor. Additional investigation is necessary to determine if an onsite source of contamination exists.

Soil

Elevated metals were identified throughout the Site in shallow soils to 5 ft bgs. Six metals including arsenic [maximum concentration of 19.6 mg/kg in SB4 (0-2')], barium [maximum concentration of 1,540 mg/kg in SB4 (0-2')], cadmium [maximum concentration of 14.5 mg/kg in SB2 (1-3')], chromium [maximum concentration of 212 mg/kg in SB2 (2-4')], lead [maximum concentration of 2,900 mg/kg in SB2 (2-4')], and mercury [maximum concentration of 4.42 mg/kg in SB2 (2-4')] were detected above Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs) within four of the six soil samples.

Petroleum related VOCs were detected above RRSCOs within two soil samples at the Site. Four petroleum related VOCs including 1,2,4-trimethylbenzene (concentration of 170 mg/kg), 1,3,5-trimethylbenzene (concentration of 85 mg/kg), ethylbenzene (concentration of 63 mg/kg), and n-propylbenzene (concentration of 100 mg/kg) were detected above RRSCOs in soil sample SB2 (13-15'). Naphthalene was detected in soil sample SB7 (11-13') above the RRSCO at a concentration of 440 mg/kg.

Four SVOCs were detected above RRSCOs in soil sample SB7 (11-13') located in the southern region of the Site. Elevated SVOCs include benzo(a)anthracene (concentration of 1.4 mg/kg), benzo(a)pyrene (concentration of 1.5 mg/kg), indeno(1,2,3-cd)pyrene (concentration of 0.64 mg/kg), and naphthalene (concentration of 170 mg/kg).

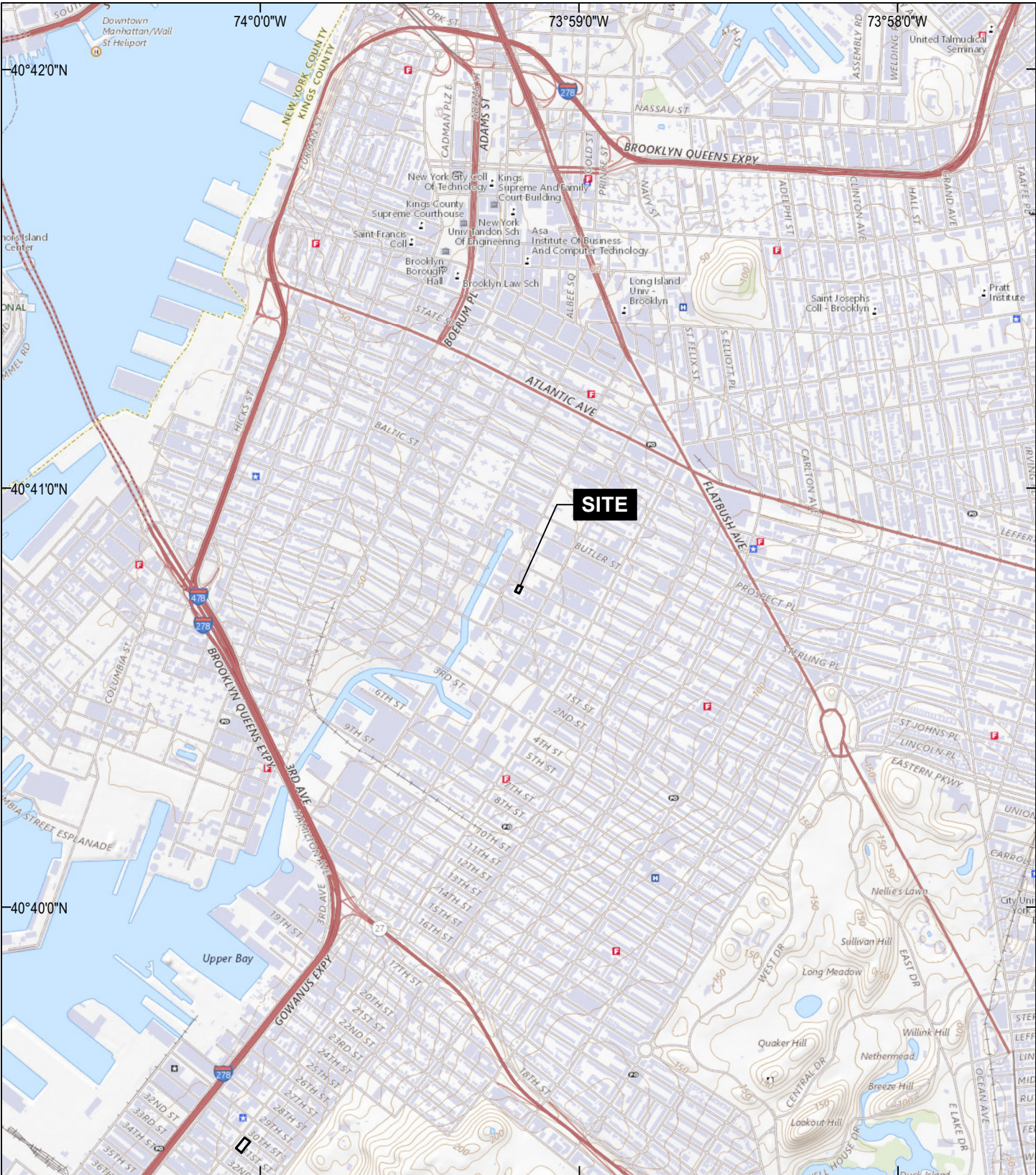
Groundwater

Groundwater analytical results were compared to (GQS).

Petroleum related VOCs were detected above NYSDEC 6 NYCRR Part 703.5 Class GA groundwater quality standards (AWQS) throughout the Site within all three groundwater samples. The highest VOC concentrations were detected within GW1 located in the northern region of the Site along Sackett Street, and the lowest concentrations of VOCs were detected within GW3 located in the southern region of the Site. VOCs detected above AWQS included 1,2,4-trimethylbenzene (maximum concentration of 330 µg/L), 1,3,5-trimethylbenzene (maximum concentration of 130 µg/L), benzene (maximum concentration of 25 µg/L), ethylbenzene (maximum concentration of 200 µg/L), isopropylbenzene (maximum concentration of 54 µg/L), naphthalene (maximum concentration of 54 µg/L), n-butylbenzene (maximum concentration of 15 µg/L), n-propylbenzene (maximum concentration of 150 µg/L), o-xylene (maximum concentration of 5.1 µg/L), and sec-butylbenzene (maximum concentration of 11 µg/L).

Soil Vapor

Elevated concentrations of acetone (maximum concentration of 8,500 µg/m³), methyl ethyl ketone (maximum concentration of 6,630 µg/m³), and tetrahydrofuran (maximum concentration of 3,860 µg/m³) were detected throughout the Site within each of the three soil vapor samples. CVOCs including tetrachloroethene (maximum concentration of 188 µg/m³) and trichloroethene (maximum concentration of 720 µg/m³) were also detected throughout the Site within all three soil vapor samples.



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MAP SOURCE: USGS
 SITE COORDINATES: 40°40'45"N, 73°59'10"W

**HALEY
 ALDRICH**

558 SACKETT STREET
 BROOKLYN, NEW YORK

PROJECT LOCUS


APPROXIMATE SCALE: 1 IN = 2000 FT
 SEPTEMBER 2022

FIGURE 1

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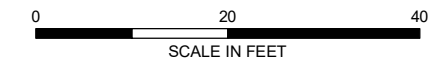


LEGEND

-  PARCEL BOUNDARY
-  SITE BOUNDARY

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
3. AERIAL IMAGERY SOURCE: ESRI



HALEY ALDRICH 558 SACKETT STREET
BROOKLYN, NEW YORK

SITE PLAN

AUGUST 2022

FIGURE 2

GIS FILE PATH: \\haleyaldrich.com\haleyaldrich\GIS\Projects\2021\577\GIS\Map\2022_08_20\6394\206394_000_0003_TAX_MAP.mxd — USER: hwaachbiz — LAST SAVED: 8/23/2022 3:39:51 PM

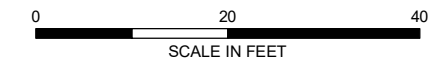


LEGEND

-  SITE BOUNDARY
-  PARCEL BOUNDARY

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
3. AERIAL IMAGERY SOURCE: ESRI



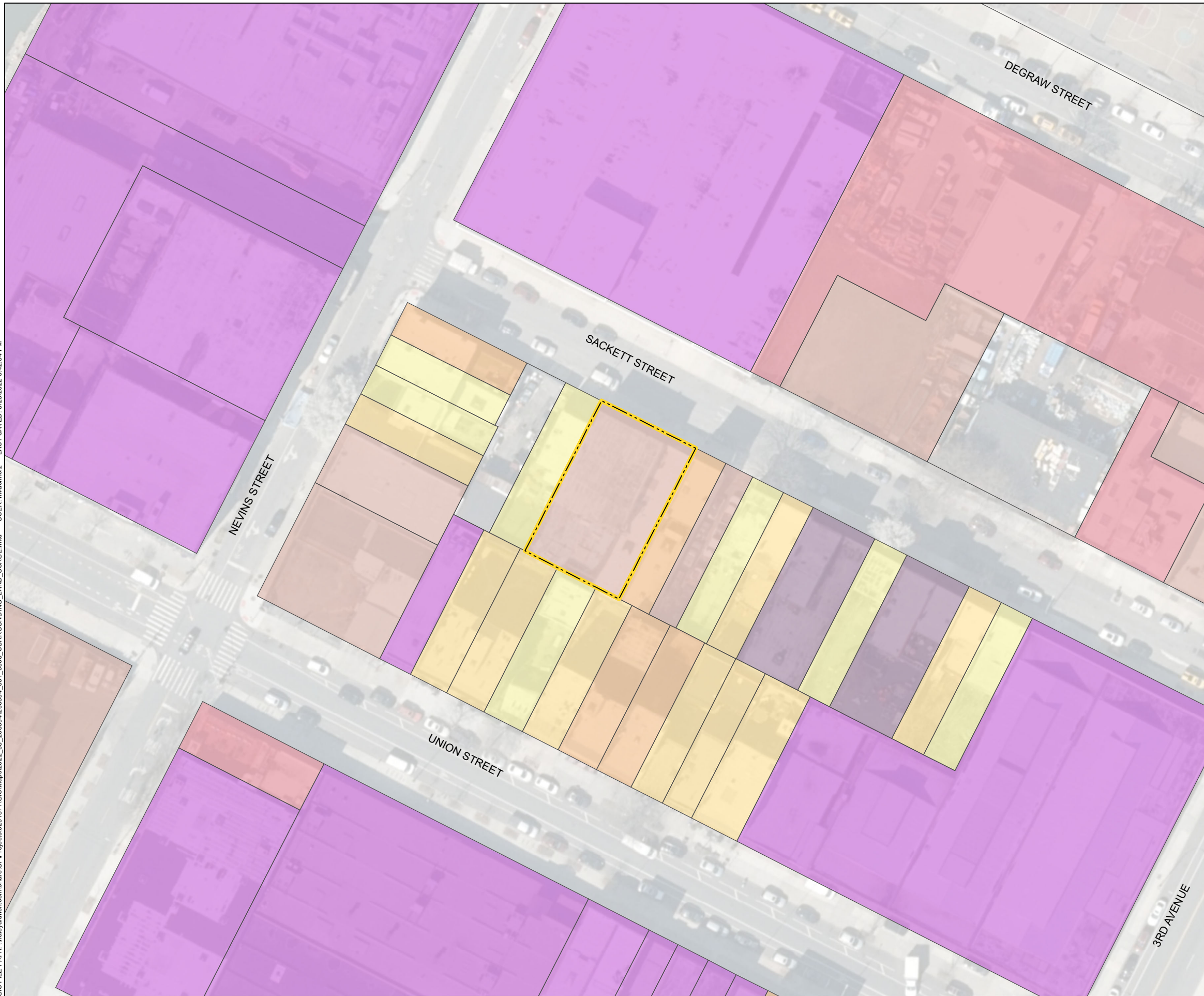
HALEY ALDRICH 558 SACKETT STREET
BROOKLYN, NEW YORK

TAX MAP









AUGUST 2022

FIGURE 3

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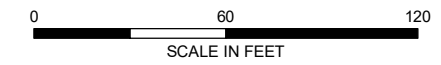


LEGEND

- LAND USE
-  INSTITUTIONS
 -  MULTI-FAMILY RESIDENTIAL
 -  MIXED USE
 -  COMMERCIAL
 -  PARKING
 -  TRANSPORTATION
 -  SITE BOUNDARY
 -  PARCEL BOUNDARY

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. LAND USE DATA SOURCE: NYC OPEN ACCESSIBLE SPACE INFORMATION SYSTEM (NYC OASIS), 29 APRIL 2022
3. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
4. AERIAL IMAGERY SOURCE: ESRI



HALEY ALDRICH 558 SACKETT STREET
BROOKLYN, NEW YORK

SURROUNDING LAND USE MAP

AUGUST 2022

FIGURE 4

ATTACHMENT B

Section II: PROJECT DESCRIPTION

SECTION II: PROJECT DESCRIPTION

The purpose of the project is to redevelop a contaminated property in addition to implementing remedial measures to protect human health and the environment. The Site is a rectangular-shaped lot and is improved with a 2-story, slab-on-grade, brick warehouse/garage building and a 1-story brick warehouse building currently converted into a residential/loft space. The buildings, currently vacant, were formerly occupied by an auto repair shop, specifically A&A Brake Service.

The proposed project will include:

1. Demolition of the existing buildings to facilitate the remedial investigation
2. A remedial investigation to characterize the nature and extent of contamination and identify remedial measures
3. Excavation and off-site disposal of contaminated soil, and
4. Implementation of remedial measures, as required, in tandem with site-wide redevelopment

Project Schedule

It is anticipated that the Remedial Investigation will commence once Requestor is accepted into the BCP and the Remedial Investigation Work Plan is approved by the Department. Implementation of the remedy would start within 6 to 8 months following acceptance of the Remedial Investigation Report by NYSDEC. Completion of the remedy is anticipated by mid-2023. A tentative project schedule is below.

Task	Duration	Start	End	2022		2023												
				Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
Application Execution, Permitting, Remedial Investigation, Remedy Design	240	8/1/2022	3/31/2023															
Remedy Implementation	180	4/1/2023	7/31/2023															
Preparation of FER and SMP	60	7/1/2023	9/30/2023															
NYSDEC & NYSDOH Review of FER & SMP	45	9/15/2023	10/31/2023															
NYSDEC Issues COC	30	11/1/2023	12/31/2023															

Notes:

FER = Final Engineering Report

IRM WP = Interim Remedial Measure Work Plan

SMP = Site Management Plan

COC = Certificate of Completion

ATTACHMENT C

Section III: LAND USE FACTORS

SECTION III: LAND USE FACTORS

Zoning and Current Use

According to the New York City Planning Commission Zoning Map 16c, the Site is located within a manufacturing and residential zoning district (M1-4 and R6A). The Site is also within the Special Downtown Brooklyn District, which establishes special height and setback regulations and urban design guidelines to promote and support the continued growth of Downtown Brooklyn as a unique mixed use area. The Site is currently vacant and is improved with a 2-story, slab-on-grade, brick warehouse/garage building and a 1-story brick warehouse building currently converted into a residential/loft space. The majority of the Site was vacated circa 2017 with exception of one commercial tenant remaining on the second floor of the western building. The remaining tenant was vacated in 2022.

Intended Use Post-Remediation

While the development plans are conceptual at this time, the planned project will consist of constructing a new 7-story residential building with 34 residential units of which 9 units will be affordable.

The post-remediation use of the Site is not proposed to be a renewable energy facility.

Compliance with Applicable Zoning Laws, Recent Development and Community Mast Plans

The proposed development of this property is consistent with the current zoning. The applicable zoning map is included as an attachment.

Click blue outline on map to view diagram of proposed zoning change

Disclaimer Jun 22 Reply X


The Web version of the Zoning Resolution of the City of New York

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
 The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT

 SPECIAL PURPOSE DISTRICT
 The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

 AREA(S) REZONED

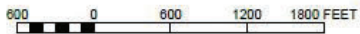
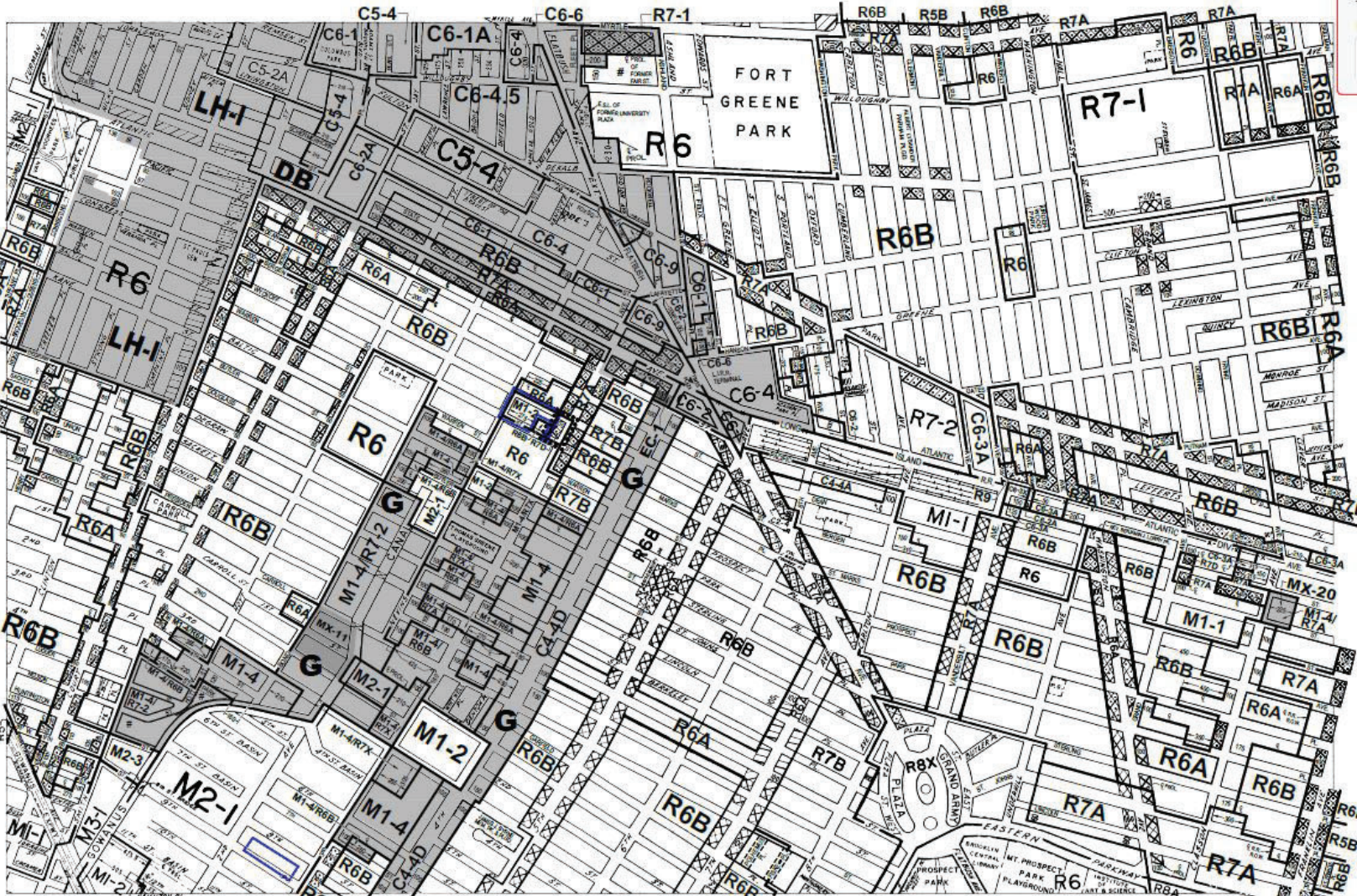
Effective Date(s) of Rezoning:
 06-16-2022 C 200.335 ZMK

Special Requirements:
 For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
 For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
 For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

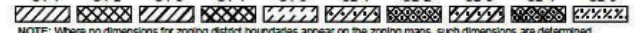
MAP KEY

12b	12d	13b
16a	16c	17a
16b	16d	17b

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NOTE: STREETS FOR STREET MAP CHANGES (C 030514 MMK - C 030516 MMK AND C 210179 MMK - C 210180 MMK) ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

 NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3251.

ZONING MAP 16c

ATTACHMENT D

Section IV: PROPERTY'S ENVIRONMENTAL HISTORY

SECTION IV.1: REPORTS

The following reports were prepared for the Site prior to the Requestors' application:

1. May 2022, Phase I Environmental Assessment, prepared by Brussee Environmental Corp.
2. May 2022, Limited Phase II Environmental Site Assessment Report, prepared by Brussee Environmental Corp.

Reports are summarized below and are included as separate files on the attached USB.

May 2022 Phase I Environmental Site Assessment prepared by Brussee Environmental Corp.

In May 2022, Brussee prepared a Phase I ESA for the Site. The following Recognized Environmental Conditions (RECs) were identified:

- Historical use of the Site as a former garage and/or auto repair shop from at least the late-1930s through the early-2020s. The former use as a garage and/or auto repair shop is suspected to have impacted the subsurface quality beneath the Site and is considered a REC at this time which warrants a Phase II along with a geophysical survey in order to determine if any buried tanks exist on the Site.
- Historical use of the surrounding properties for various industrial and manufacturing uses, machine shops, iron works/foundries, services stations, garages/repair shops, and manufactured gas plant facilities. There is the potential for historic operations at the surrounding properties, most notably the Fulton Municipal Works Former MGP Site, which was located across Sackett Street, to have impacted the subsurface.

The following Historic Recognized Environmental Condition (HREC) was identified:

- The Site was listed on the Petroleum Bulk Storage (PBS) database as having one 275-gallon waste oil underground storage tank (UST), installed in 1988 and closed-in-place in 2009, and one 275-gallon waste oil aboveground storage tank (AST) installed in 2009. During the site inspection, there was no evidence of the abandoned UST or the AST, except for a vent pipe observed protruding through the roof of the eastern building.

The following environmental concerns [(ASTM Non-Scope issues/Business Environmental Risks (BERs))] were identified:

- The Site was identified as an E-Designation site by the New York City Office of Environmental Remediation (NYCOER) and assigned E-Designation E-601 – Gowanus Neighborhood Rezoning as a result of a City Environmental Quality Review effective November 2021 (CEQR #19DCP157K). The requirements under the E-Designation program are satisfaction of the requirements for hazardous materials, noise, and air quality with the NYCOER.
- Fluorescent ballasts were observed within portions of the building during the site inspection. Brussee recommended that a PCB survey be performed prior to demolition and/or remediation activities.
- The potential for fill materials to be present on-site due to former retail and residential buildings located in the western and central portions of the Site.
- No friable asbestos-containing materials were observed in the areas inspected on-site; however, due to the age of the buildings, it is possible that roofing, roof flashing and other buildings

materials may contain asbestos. Brussee recommended that an asbestos survey be performed prior to any proposed work.

May 2022 Limited Phase II Environmental Site Assessment Report prepared by Brussee Environmental Corp.

In May 2022, Brussee conducted a Limited Phase II ESA to evaluate potential impacts related to historic use of the Site. The investigation included the installation of six soil borings up to 20 ft bgs, three temporary groundwater monitoring points, three soil vapor points, and collection of soil, groundwater, and soil vapor samples. A total of 12 soil samples, three groundwater samples, and three soil vapor samples were collected. Field observations and laboratory analytical results are summarized below:

Soil

Brussee identified urban fill generally consisting of brown silty sand with gravel and brick fragments in each boring extending to depths ranging from 7 to 12 ft bgs. A smear zone of petroleum impacted soil was encountered at the groundwater table to approximately 6 feet below the groundwater table (10-16 ft bgs) within each of the soil borings. Staining and odors were observed around the groundwater interface in each of the borings and Photoionization Detector (PID) readings ranged from non-detect to 15,000 parts per million (ppm). Elevated concentrations of heavy metals including arsenic (maximum concentration of 19.6 mg/kg), barium (maximum concentration of 1,540 mg/kg), cadmium (maximum concentration of 14.5 mg/kg), chromium (maximum concentration of 212 mg/kg), lead (maximum concentration of 2,900 mg/kg), and mercury (maximum concentration of 4.42 mg/kg) were detected above RRSCOs within four of the six soil samples.

Petroleum related VOCs were detected above RRSCOs within two soil samples across the Site. SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs), were detected above RRSCOs at one sample location.

Groundwater

Groundwater was encountered at a depth of approximately 10 ft bgs. Petroleum related VOCs were detected above New York State 6NYCRR Part 703.5 Class GA groundwater quality standards (GQS) within all three groundwater samples. The highest VOC concentrations were within GW1 located in the northern region of the Site along Sackett Street, and the lowest concentrations of VOCs were within GW3 located in the southern region of the Site.

Soil Vapor

Brussee installed three soil vapor implants at a depth of approximately 7 ft bgs. Soil vapor analytical results were compared to New York State Department of Health (NYSDOH) Final Guidance on Soil Vapor Intrusion (October 2006, updated May 2017) Matrix A, Matrix B, and Matrix C guidance values. Elevated concentrations of acetone (maximum concentration of 8,500 $\mu\text{g}/\text{m}^3$), methyl ethyl ketone (maximum concentration of 6,630 $\mu\text{g}/\text{m}^3$), and tetrahydrofuran (maximum concentration of 3,860 $\mu\text{g}/\text{m}^3$) were detected within each of the three soil vapor samples. The chlorinated VOCs, tetrachloroethene (maximum concentration of 188 $\mu\text{g}/\text{m}^3$), and trichloroethene (maximum concentration of 720 $\mu\text{g}/\text{m}^3$) were detected within soil vapor samples.

Based on the findings of the Limited Phase II ESA, Brussee recommended additional investigation to further characterize soil, groundwater, and soil vapor quality on-Site.

SECTION IV.2: SAMPLING DATA

Below are overview tables of the sampling data from the Limited Phase II ESA conducted at the Site in May 2022.

Soil Summary Table

Analytes > RRSCO	Detections > RRSCOs	Max Concentration (ppm)	RRSCO (ppm)	Depth (ft bgs)
1,2,4-Trimethylbenzene	1	170	52	13-15
1,3,5-Trimethylbenzene	1	85	52	13-15
Ethylbenzene	1	63	41	13-15
Naphthalene	1	440	100	11-13
n-Propylbenzene	1	100	100	13-15
Benzo(a)anthracene	1	1.4	1	11-13
Benzo(a)pyrene	1	1.5	1	11-13
Indeno(1,2,3-cd)pyrene	1	0.64	0.5	11-13
Naphthalene	1	170	100	11-13
Arsenic	2	19.6	16	3-5
Barium	3	1,540	400	3-5
Cadmium	2	14.5	4.3	2-4
Chromium	1	212	180	2-4
Lead	5	2,900	400	2-4
Mercury	4	4.42	0.81	2-4

Groundwater Summary Table

Analytes > RRSCO	Detections > AWQS	Max Concentration (µg/L)	GQS (µg/L)
1,2,4-Trimethylbenzene	3	330	5
1,3,5-Trimethylbenzene	3	130	5
Benzene	3	25	1
Ethylbenzene	3	200	5
Naphthalene	3	54	10
n-Butylbenzene	3	15	5
n-Propylbenzene	3	150	5
o-Xylene	1	5.1	5
sec-Butylbenzene	2	11	5

Soil Vapor Summary Table

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Acetone	3	8,500	Soil Vapor
1,1,1-Trichloroethene	2	17.3	Soil Vapor
cis-1,2-Dichloroethene	2	1.96	Soil Vapor
Ethanol	3	271	Soil Vapor
Hexane	2	564	Soil Vapor
Methyl Ethyl Ketone	3	6,630	Soil Vapor
Methylene Chloride	1	98.6	Soil Vapor
Tetrachloroethene	3	188	Soil Vapor
Tetrahydrofuran	3	4,360	Soil Vapor
Toluene	3	407	Soil Vapor
Trichloroethene	3	720	Soil Vapor
Total VOCs	NA	20118.60	Soil Vapor

Notes:

Ft bgs = Feet below grade surface

ppm= Parts per million

RRSCO = NYSDEC Restricted-Residential Use Soil Cleanup Objective

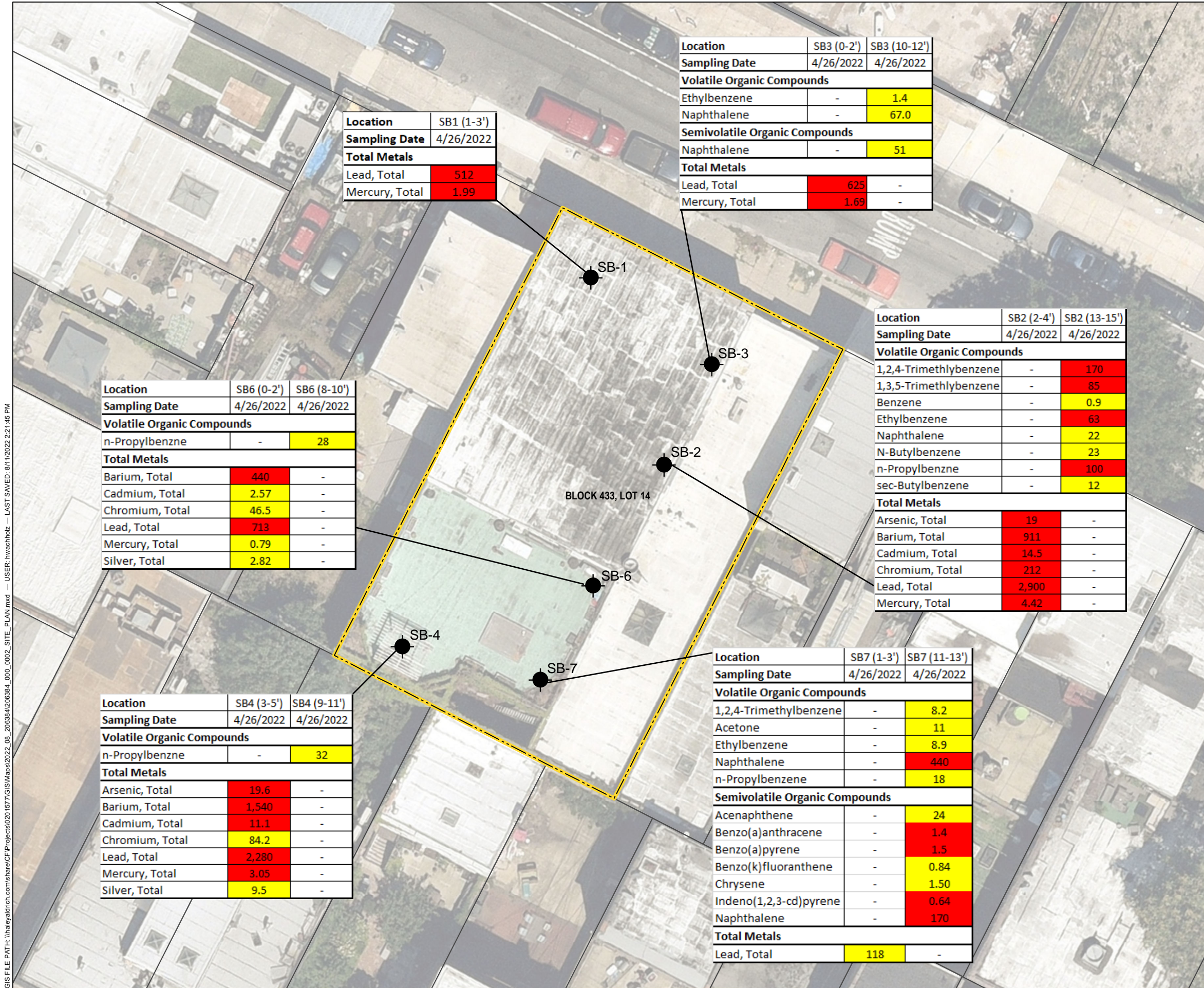
GQS = NYSDEC Groundwater Quality Standards

$\mu\text{g}/\text{m}^3$ = Microgram per cubic meter

SECTION IV.3: SAMPLING DATA

For each impacted medium above, see attached Figures 5, 6, and 7 below presenting data from the Limited Phase II ESA.

GIS FILE PATH: \\haleyaldrich.com\haleyaldrich\GIS\Projects\2021\577\GIS\Map\2022_08_20\6384206384_000_0002_SITE_PLAN.mxd — USER: hwshelz — LAST SAVED: 8/11/2022 2:21:45 PM



Location	SB1 (1-3')
Sampling Date	4/26/2022
Total Metals	
Lead, Total	512
Mercury, Total	1.99

Location	SB3 (0-2')	SB3 (10-12')
Sampling Date	4/26/2022	4/26/2022
Volatile Organic Compounds		
Ethylbenzene	-	1.4
Naphthalene	-	67.0
Semivolatile Organic Compounds		
Naphthalene	-	51
Total Metals		
Lead, Total	625	-
Mercury, Total	1.69	-

Location	SB2 (2-4')	SB2 (13-15')
Sampling Date	4/26/2022	4/26/2022
Volatile Organic Compounds		
1,2,4-Trimethylbenzene	-	170
1,3,5-Trimethylbenzene	-	85
Benzene	-	0.9
Ethylbenzene	-	63
Naphthalene	-	22
N-Butylbenzene	-	23
n-Propylbenzene	-	100
sec-Butylbenzene	-	12
Total Metals		
Arsenic, Total	19	-
Barium, Total	911	-
Cadmium, Total	14.5	-
Chromium, Total	212	-
Lead, Total	2,900	-
Mercury, Total	4.42	-

Location	SB6 (0-2')	SB6 (8-10')
Sampling Date	4/26/2022	4/26/2022
Volatile Organic Compounds		
n-Propylbenzene	-	28
Total Metals		
Barium, Total	440	-
Cadmium, Total	2.57	-
Chromium, Total	46.5	-
Lead, Total	713	-
Mercury, Total	0.79	-
Silver, Total	2.82	-

Location	SB4 (3-5')	SB4 (9-11')
Sampling Date	4/26/2022	4/26/2022
Volatile Organic Compounds		
n-Propylbenzene	-	32
Total Metals		
Arsenic, Total	19.6	-
Barium, Total	1,540	-
Cadmium, Total	11.1	-
Chromium, Total	84.2	-
Lead, Total	2,280	-
Mercury, Total	3.05	-
Silver, Total	9.5	-

Location	SB7 (1-3')	SB7 (11-13')
Sampling Date	4/26/2022	4/26/2022
Volatile Organic Compounds		
1,2,4-Trimethylbenzene	-	8.2
Acetone	-	11
Ethylbenzene	-	8.9
Naphthalene	-	440
n-Propylbenzene	-	18
Semivolatile Organic Compounds		
Acenaphthene	-	24
Benzo(a)anthracene	-	1.4
Benzo(a)pyrene	-	1.5
Benzo(k)fluoranthene	-	0.84
Chrysene	-	1.50
Indeno(1,2,3-cd)pyrene	-	0.64
Naphthalene	-	170
Total Metals		
Lead, Total	118	-

LEGEND

- PARCEL BOUNDARY
- SITE BOUNDARY

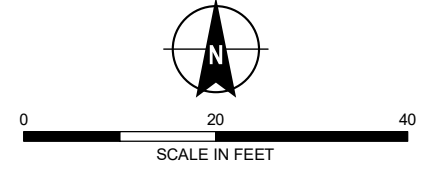
SOIL BORING FROM APRIL 2022 PHASE II ESA PERFORMED BY BRUSSEE ENVIRONMENTAL

Analyte	Units	NY-RESRR	NY-UNRES
Semivolatile Organic Compounds			
Acenaphthene	mg/kg	100	20
Benzo(a)anthracene	mg/kg	1	1
Benzo(a)pyrene	mg/kg	1	1
Benzo(k)fluoranthene	mg/kg	3.9	0.8
Chrysene	mg/kg	3.9	1
Indeno(1,2,3-cd)pyrene	mg/kg	0.5	0.5
Naphthalene	mg/kg	100	12
Total Metals			
Arsenic, Total	mg/kg	16	13
Barium, Total	mg/kg	400	350
Cadmium, Total	mg/kg	4.3	2.5
Chromium, Total	mg/kg	180	30
Lead, Total	mg/kg	400	63
Mercury, Total	mg/kg	0.81	0.18
Silver, Total	mg/kg	180	2
Volatile Organic Compounds			
1,2,4-Trimethylbenzene	mg/kg	52	3.6
1,3,5-Trimethylbenzene	mg/kg	52	84
Acetone	mg/kg	100	0.05
Benzene	mg/kg	4.8	0.06
Ethylbenzene	mg/kg	41	1
Naphthalene	mg/kg	100	12
n-Butylbenzene	mg/kg	100	12
n-Propylbenzene	mg/kg	100	3.9
sec-Butylbenzene	mg/kg	100	11

1. Yellow shaded results exceed Unrestricted SCOs.
2. Red shaded results exceed both Unrestricted and Restricted Residential SCOs.
3. NY-RESRR: New York NYCRR Part 375 Restricted-Residential Criteria, New York Restricted use Criteria per 6 NYCRR Part 375 Environmental Remediation Programs, effective December 14, 2006.
4. NY-UNRES: New York NYCRR Part 375 New York Unrestricted use Criteria Criteria per 6 NYCRR Part 375 Environmental Remediation Programs, effective December 14, 2006.
5. The units are mg/kg (Milligrams per kilogram)

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
3. AERIAL IMAGERY SOURCE: NEARMAP, 19 JULY 2022



HALEY ALDRICH 558 SACKETT STREET
BROOKLYN, NEW YORK

MAP OF SOIL CHEMISTRY

AUGUST 2022

FIGURE 5



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Location	GW1
Sampling Date	4/26/2022
Volatile Organic Compounds	
1,2,4-Trimethylbenzene	330
1,3,5-Trimethylbenzene	130
Benzene	25
Ethylbenzene	200
Isopropylbenzene	54
Naphthalene	54
n-Butylbenzene	15
n-Propylbenzene	150
o-Xylene	5.1
sec-Butylbenzene	11

Location	GW3
Sampling Date	4/26/2022
Volatile Organic Compounds	
1,2,4-Trimethylbenzene	54
1,3,5-Trimethylbenzene	29
Benzene	4.3
Ethylbenzene	39
Isopropylbenzene	10
Naphthalene	8.3
n-Butylbenzene	5.1
n-Propylbenzene	37

Location	GW2
Sampling Date	4/26/2022
Volatile Organic Compounds	
1,2,4-Trimethylbenzene	200
1,3,5-Trimethylbenzene	81
Benzene	14
Ethylbenzene	110
Isopropylbenzene	40
Naphthalene	38
n-Butylbenzene	14
n-Propylbenzene	100
sec-Butylbenzene	10

LEGEND

-  PARCEL BOUNDARY
-  SITE BOUNDARY



GROUNDWATER MONITORING WELL FROM APRIL 2022
PHASE II ESA PERFORMED BY BRUSSEE ENVIRONMENTAL

Ambient Water Quality (New York State Groundwater Effluent Limitations for Class GA Groundwater)		
Analyte	Value	Unit
1,2,4-Trimethylbenzene	5	µg/L
1,3,5-Trimethylbenzene	5	µg/L
Benzene	1	µg/L
Ethylbenzene	5	µg/L
Isopropylbenzene	5	µg/L
Naphthalene	10	µg/L
n-Butylbenzene	5	µg/L
n-Propylbenzene	5	µg/L
o-Xylene	5	µg/L
sec-Butylbenzene	5	µg/L

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
3. AERIAL IMAGERY SOURCE: NEARMAP, 19 JULY 2022
4. GROUNDWATER ANALYTICAL RESULTS COMPARED TO NYSDEC TECHNICAL AND OPERATIONAL GUIDANCE SERIES (TOGS) 1.1.1 AMBIENT WATER QUALITY STANDARDS AND GUIDANCE VALUES FOR CLASS A DRINKING WATER.
5. RESULTS SHOWN IN MICROGRAMS PER LITER (µg/L)
6. RESULTS IN EXCEEDANCE OF NYSDEC TOGS AWQS ARE HIGHLIGHTED



0 20 40
SCALE IN FEET

**HALEY
ALDRICH**

558 SACKETT STREET
BROOKLYN, NEW YORK

**MAP OF GROUNDWATER
CHEMISTRY**

AUGUST 2022

FIGURE 6

GIS FILE PATH: \\haleyaldrich.com\haleyaldrich\GIS\Projects\2021\577\GIS\Maps\2022_08_20\6384\206384_000_0002_SITE_PLAN.mxd — USER: hwachholz — LAST SAVED: 8/11/2022 2:21:45 PM

Location	SV1
Sampling Date	4/26/2022
Volatile Organic Compounds	
1,1,1-Trichloroethane	17.3
Acetone	4890
Cis-1,2-Dichloroethene	1.96
Methylene Chloride	98.6
Tetrachloroethene	158
Trichloroethene	720
Total BTEX	369.72
Total VOCs	13528
Total CVOCs	1012.06

SV1

SV2

BLOCK 433, LOT 14

SV3

Location	SV2
Sampling Date	4/26/2022
Volatile Organic Compounds	
1,1,1-Trichloroethane	17.3
Acetone	8500
Tetrachloroethene	101
Trichloroethene	51.6
Total BTEX	186
Total VOCs	20118.6
Total CVOCs	152.6

Location	SV3
Sampling Date	4/26/2022
Volatile Organic Compounds	
1,1,1-Trichloroethane	11
Acetone	8430
Cis-1,2-Dichloroethene	1.64
Tetrachloroethene	188
Trichloroethene	16.4
Total BTEX	426.93
Total VOCs	19494.25
Total CVOCs	217.04

LEGEND

 PARCEL BOUNDARY

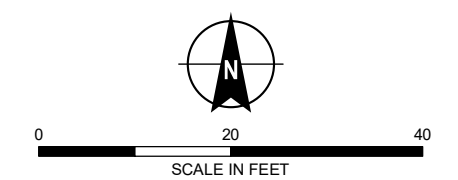
 SITE BOUNDARY

 SOIL VAPOR POINT FROM APRIL 2022 PHASE II ESA PERFORMED BY BRUSSEE ENVIRONMENTAL

New York DOH Air Guidance Values Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2006, and updated May 2017.		
Volatile Organics in Air	NYSDOH AGVs	Units
1,1,1-Trichloroethane	-	µg/m ³
Acetone	-	µg/m ³
Cis-1,2-Dichloroethene	-	µg/m ³
Methylene Chloride	60	µg/m ³
Tetrachloroethene	30	µg/m ³
Trichloroethene	2	µg/m ³

NOTES

1. ALL LOCATIONS ARE APPROXIMATE AND BASED ON FIELD MEASUREMENTS.
2. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING.
3. AERIAL IMAGERY SOURCE: NEARMAP, 27 FEBRUARY 2022
4. MICROGRAMS PER CUBIC METER (µg/m³)
5. NYSDOH AGV: NEW YORK DOH AIR GUIDANCE VALUES CONCENTRATIONS CRITERIA PER GUIDANCE FOR EVALUATING SOIL VAPOR INTRUSION, OCTOBER 2006, AND UPDATED MAY 2017.
6. EXCEEDANCES OF NYSDOH AGVS ARE SHADED YELLOW



HALEY ALDRICH 558 SACKETT STREET
BROOKLYN, NEW YORK

MAP OF SOIL VAPOR CHEMISTRY

AUGUST 2022

FIGURE 7

SECTION IV.4: PAST LAND USES

Based on a Phase I ESA in May 2022, the Site was first developed as early as the late 1800s in which the Site was divided into three small tax parcels fronting along Sackett Street. Each of the parcels was developed with a low-rise residential or retail building occupying approximately half of their respective lots, with several small outbuildings also present. By the late 1930s, the eastern parcel was redeveloped with a one-story building occupying the entire parcel footprint and identified as a private garage. By 1950, the center parcel was developed with a two-story building occupying the entire parcel footprint and identified as a private garage. The eastern building was identified as an auto repair shop. The residence on the western lot was demolished in the mid- to late-1960s, with the center and eastern buildings both identified as auto repair shops. Between the early and mid-1980s, the western and central parcels were redeveloped a single two-story building identified as a warehouse. By 1988, this structure was identified as an auto repair shop.

ATTACHMENT E

Section V: REQUESTOR INFORMATION

SECTION V: REQUESTOR INFORMATION

The Requestor for this BCP Application includes the following: Sackett Heights LLC, a New York State limited liability company. Solomon Schwimmer is the sole member of and an authorized representative for Sackett Heights LLC.

The contact information for the Requestor is:

Solomon Schwimmer, Member
199 Lee Avenue, #257
Brooklyn, New York 11211
Phone: 718-438-2804
Email: sls@bornox.com
Fax: N/A

The Requestor closed on the Site on 8 November 2022. A deed is attached herein.

A printout of the entity information from the NYS Department of state's Corporation & Business Entity Database for Sackett Heights LLC (the Requestor) are included as an attachment.

All documents will be certified by a Haley & Aldrich Licensed Professional Engineer (New York) and/or the Requestor in accordance with DER-10 Section 1.5.

Department of State Division of Corporations

Entity Information

[Return to Results](#)

[Return to Search](#)

Entity Details



ENTITY NAME: SACKETT HEIGHTS LLC

DOS ID: 6546337

FOREIGN LEGAL NAME:

FICTITIOUS NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 07/27/2022

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 07/27/2022

INACTIVE DATE:

FOREIGN FORMATION DATE:

STATEMENT STATUS: CURRENT

COUNTY: ALBANY

NEXT STATEMENT DUE DATE: 07/31/2024

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: SACKETT HEIGHTS LLC

Address: 199 LEE AVE #554, BROOKLYN, NY, UNITED STATES, 11211

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

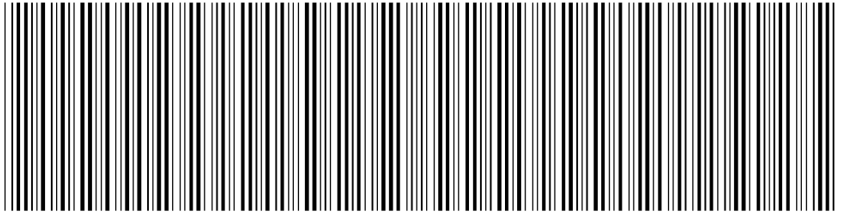
Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share
-------------	------------------	-----------------

**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.



2022110900137001002E815F

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 4

Document ID: 2022110900137001

Document Date: 11-08-2022

Preparation Date: 11-09-2022

Document Type: DEED

Document Page Count: 3

PRESENTER:

BETTER RECORDINGS, LLC
1 PARAGON DRIVE - RANY-48103
SUITE 150B
MONTVALE, NJ 07645
REC@BETTERTITLERESEARCH.COM

RETURN TO:

BETTER RECORDINGS, LLC
1 PARAGON DRIVE - RANY-48103
SUITE 150B
MONTVALE, NJ 07645
REC@BETTERTITLERESEARCH.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	433	14	Entire Lot	558 SACKETT STREET
Property Type: COMMERCIAL REAL ESTATE				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

ABATEMARCO REALTY CORPORATION
38 VALLEYVIEW DRIVE
NORTHPORT, NY 11768

GRANTEE/BUYER:

SACKETT HEIGHTS LLC
199 LEE AVENUE, SUITE 257
BROOKLYN, NY 11211

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:	\$	52.00
Affidavit Fee:	\$	0.00

Filing Fee:

Filing Fee:	\$	250.00
NYC Real Property Transfer Tax:	\$	147,000.00
NYS Real Estate Transfer Tax:	\$	36,400.00

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

CITY OF NEW YORK

Recorded/Filed 11-10-2022 15:08
City Register File No.(CRFN):
2022000420098



Annette McMill

City Register Official Signature

**BARGAIN AND SALE DEED
WITHOUT COVENANTS AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made as of the 8th day of November, 2022,

BETWEEN

ABATEMARCO REALTY CORPORATION, a New York corporation, having an address at c/o Anthony J. Dimaso, 38 Valleyview Drive, Northport, New York 11768, party of the first part,

and

SACKETT HEIGHTS LLC, a New York limited liability company, having an address at 199 Lee Avenue, Suite 257, Brooklyn, New York 11211, party of the second part;

WITNESSETH, that the party of the first part in consideration for Ten (\$10.00) Dollars and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

ALL those certain plots, pieces or parcels of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Kings, Borough of Brooklyn, and State of New York, known as 558 Sackett Street, Brooklyn, New York, and as Block: 433, Lot: 14 (fka Old Lots 14, 15 and 16) in Kings County, New York, and as more particularly described in Schedule A attached hereto;

Being and hereby intending to convey the premises conveyed to the party of the first part by:

As to Old Lots 14 and 15:

Deed from Carmela Abatemarco, Rose Abatemarco and Pauline Abatemarco, dated May 25, 1940, and recorded May 27, 1940 in the Office of the City Register of the City of New York, Kings County (the "Office of the City Register"), at Reel 5862, Page 522.

As to Old Lot 16:

(i) Deed from Thomas Abatemarco, John Abatemarco and Frank Abatemarco, dated October 29, 1934 and recorded January 28, 1935 in the Office of the City Register at Liber 5427 Page 70.

(ii) Deed from Michael Abatemarco, Rose Verrilli, Jennie Bennet and Thomas Abatemarco, dated May 28, 1987 and recorded September 15, 1987 in the Office of the City Register, at Reel 2091, Page 373.

(iii) Deed

from Alberta Kane, Albert Abatemarco, Rose Abatemarco and Salvatore Garofala, dated May 28, 1987 and recorded September 15, 1987 in the Office of the City Register, at Reel 2091, Page 375.

Deed from Rose Addelezzi, Michael Abatemarco, Antoinette Sicignano and Angelina Mancino, dated May 28, 1987 and recorded September 15, 1987 in the Office of the City Register, at Reel 2091 Page 377.

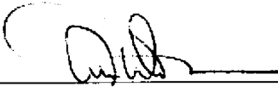
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premise;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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of any improvement and will apply the same first to the payment of the cost of any improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

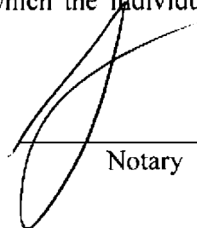
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

ABATEMARCO REALTY CORPORATION, a New York corporation

By: 
Name: Anthony J. Dimaso
Title: President

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

On the 8 day of November, in the year 2022, before me, the undersigned, personally appeared ANTHONY J. DIMASO, 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.


Notary

RECORD AND RETURN:

Riverside Abstract, LLC
3839 Flatlands Avenue, Suite 208
Brooklyn, New York 11234

Shera Holedorf
Notary Public, State of New York
No. 01H06078465
Qualified in Richmond County
Commission Expires October 5, 2028

RIVERSIDE ABSTRACT, LLC
As Agent for
FIDELITY NATIONAL TITLE INSURANCE COMPANY
LEGAL DESCRIPTION

Title No.: **RANY-48103**

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, bounded and described as follows:

BEGINNING at a point on Southerly side of Sackett Street distant 128.00 feet Easterly from the corner formed by the intersection of the Southerly side of Sackett Street with the Easterly side of Nevins Street;

RUNNING THENCE Southerly approximately parallel with Nevins Street, 100.00 feet;

THENCE Easterly approximately parallel with Sackett Street, 64.00 feet;

THENCE Northerly approximately parallel with Nevins Street, 100.00 feet;

THENCE Westerly along the Southerly side of Sackett Street, 64.00 feet, to the point or place of **BEGINNING**.

For Information Only:

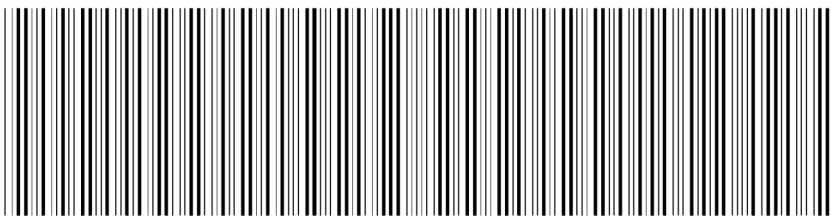
Said premises is also known as 558 Sackett Street, Brooklyn, New York
Block 433 Lot 14

Riverside Abstract, LLC
3839 Flatlands Avenue, Suite 208
Brooklyn, NY 11234
TEL: (718) 252-4200 FAX: (718) 252-4226

Schedule A Description

RANY-48103

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2022110900137001002S4FDE

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2022110900137001

Document Date: 11-08-2022

Preparation Date: 11-09-2022

Document Type: DEED

ASSOCIATED TAX FORM ID: 2022110400226

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 558 SACKETT STREET BROOKLYN 11217
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name SACKETT HEIGHTS 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

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

5. Deed Property Size FRONT FEET X DEPTH OR ACRES

8. Seller Name ABATEMARCO REALTY CORPORATION
 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

4A. Planning Board Approval - N/A for NYC
 4B. Agricultural District Notice - N/A for NYC
 Check the boxes below as they apply:
 5. Ownership Type is Condominium
 7. New Construction on Vacant Land

SALE INFORMATION

10. Sale Contract Date 4 / 15 / 2022
 Month Day Year

11. Date of Sale / Transfer 11 / 8 / 2022
 Month Day Year

12. Full Sale Price \$ 5,600,000
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

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

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

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

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


15. Building Class G, 2 16. Total Assessed Value (of all parcels in transfer) 2,839,500

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))
 BROOKLYN 433 14

202211040022620101

CERTIFICATION

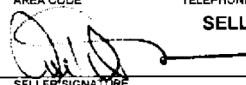
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing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

 BUYER SIGNATURE		11/7/22 DATE	BUYER'S ATTORNEY	
199 LEE AVENUE, SUITE 257 Abe Lipschitz, A.S			LAST NAME	FIRST NAME
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
BROOKLYN				SELLER
CITY OR TOWN	STATE	ZIP CODE	SELLER SIGNATURE	DATE
	NY	11211		

2022110400226201

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		DATE	LAST NAME		FIRST NAME
199 LEE AVENUE, SUITE 554					
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	
BROOKLYN				SELLER	
CITY OR TOWN	STATE	ZIP CODE	SELLER SIGNATURE		DATE
	NY	11211			11/8/22
			Anthony J Dimaso, President		

2022110400226201



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

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 433 LOT: 14
- (2) Property Address: 558 SACKETT STREET, BROOKLYN, NY 11217
- (3) Owner's Name: SACKETT HEIGHTS LLC
- Additional Name:

Affirmation:

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

Customer Billing Information:

Please Note:

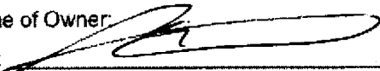
- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water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

Owner's Approval:

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

Print Name of Owner:

Signature:

 11/7/22 Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: Abe Lipschitz, A.S

BCS-7CRF-ACRIS REV 8/08

2022110400226101

ATTACHMENT F

Section VI: REQUESTOR ELIGIBILITY INFORMATION

SECTION VI: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Status

The Requestors qualify as a “Volunteer” in the BCP because they did not cause, contribute, or permit the disposal of any contaminants at the Site, nor did the Requestors control the Site when such contamination occurred.

The Requestor or its affiliated entities do not have, nor have they ever had, a relationship with the past owners or operators of the Site that caused the existing contamination. In addition, the Requestor reviewed and obtained reliance letters for the May 2022 Phase I ESA and May 2022 Limited Phase II Environmental Site Assessment Report completed by Brussee prior to taking ownership, attached below. Based on results of the previous investigation, the Requestor began the process of applying to the BCP. Upon taking ownership of the Site in November 2022, the Requestor exercised due-care by taking all necessary steps to prevent any threatened future release, and prevent and limit human, environmental or natural resource exposure to any previously released contamination at the Site, via vacating the last remaining commercial tenant, securing of the vacant buildings, and maintenance of the existing building slab. As such, the Requestor meets the criteria for Volunteer status as defined in ECL 27-1405(1)(b).

B R U S S E E
Environmental Corp.

August 8, 2022

Sackett Heights LLC
199 Lee Avenue, #554
Brooklyn, NY 11211
718-438-2804, ext 2101
JSchwimmer@clipperequity.com

Re: Phase I and Phase II Site Assessment Report Reliance Letter
Brussee Environmental Corp. Project BEC2202 / MND2202
558-562 Sackett Street, Brooklyn, NY 11217
Borough 3, Block 167, Lot No. 14

Dear Sir or Madam:

In connection with the Phase I Environmental Site Assessment (Phase I ESA) Report prepared for the abovementioned addresses (the “subject property”), dated May 2022, and prepared on behalf of Moundfield Equities, and the Limited Phase II Investigation prepared for the abovementioned addresses (the “subject property”), dated May 6, 2022, and prepared on behalf of Moundfield Equities, Brussee Environmental Corp. (BEC) hereby confirm that Sackett Heights LLC, their respective successors and/or assigns, may fully rely on the Phase I ESA and Limited Phase II Investigation reports and all matters contained therein, as if such reports were prepared for Sackett Heights LLC in the first instance.

Thanks,
Brussee Environmental Corp.



Kevin Brussee
Principal

ATTACHMENT G

Section IX: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

SECTION IX: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Current Owner and Operator

Sackett Heights LLC, a New York State Domestic Business Corporation, took ownership of the Site in November 2022. A copy of the deed is included in Section V.

The Site is currently vacant with no current operators.

Previous Owners and Operators

A list of the current and previous owners of Lot 14 is provided in the below table.

Date	Document Type	First Party	First Party Address/ Contact Information	Second Party	Relationship of First Party to Applicant
8 November 2022	Deed	Abatemarco Realty Corporation	224 3 rd Avenue, Brooklyn, NY Phone No.: 718-624-4488	Sackett Heights LLC	None
28 May 1987	Deed	Michael Abatemarco, Rose Addelezzi, Angelina Mancino, Antoinette Scignano, Robert Abatemarco, Rose Abatemarco, Salvatore Garofola, Alberta Kane, Thomas Abatemarco, Jennie Bennett, Rose Verrilli	1391 Schenectady Avenue, Brooklyn, NY Phone No.: Not Available	Abatemarco Realty Corporation	None
Prior to 28 May 1997	No available records				

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website: <https://a836-acris.nyc.gov/DS/DocumentSearch/Index>. Current and former addresses and telephone numbers of the previous property owners are not available. There is no relationship between the Requestor's corporate members and any of the previous owners.

The Site is currently vacant. A list of previous operators of 558 Sackett Street (Lot 14) is provided in the below table.

Date	Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
1976-2022	A&A Brake Service Co Inc., Kaletsch Sculpture, various residential occupants	Operator	558-562 Sackett Street Phone No.: (718) 624-4488	None

1960-1976	A&A Brake Svce, Abatemarco Thos R Contr	Operator	558-562 Sackett Street Phone No.: (718) 624- 4488 , (561) 315-8182	None
1934-1960	Firreno Jaroth Photo H	Operator	558-562 Sackett Street Phone No.: Not Available	None
Prior to 1934	No available records			

Reference: Phase I Environmental Site Assessment, dated May 2022 prepared by Brussee Environmental Corp. Current and former addresses and telephone numbers of the previous property operators are not available. There is no relationship between the Requestor's corporate members and any of the previous operators.

ATTACHMENT H

**Section XI: CONTACT LIST INFORMATION AND ACKNOWLEDGEMENT FROM
REPOSITORY**

SITE CONTACT LISTS

Executive

Role	Name	Phone	Mailing Address	Email / Contact
NYC Mayor	Eric Adams	212-NEW-YORK	City Hall New York, NY 10007	https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page
NYC Department of City Planning Chairperson	Dan Garodnick	212-720-3300	120 Broadway 31st Floor New York, NY 10271	https://www1.nyc.gov/site/planning/about/email-the-director.page
Brooklyn Borough President	Antonio Reynoso	718-802-3700	Brooklyn Borough Hall 209 Joralemon Street Brooklyn, NY 11201	AskReynoso@brooklynbp.nyc.gov
Brooklyn Community Board 6 District Manager	Craig Hammerman	718-643-3027	250 Baltic Street, Brooklyn, NY 11201	info@brooklyncb6.org
New York City Council District 39	Shahana Harif	718-499-1090	456 5 th Avenue, 3 rd Floor, Brooklyn, NY 11215	District39@council.nyc.gov
NY Senate District 25 Senator	Jabari Brisport	718-643-6140	55 Hanson Place, The Shirley Chisolm State Office Building, Suite 702, Brooklyn, NY 11217	brisport@nysenate.gov
NY State Assembly District 052 Member	Jo Anne Simon	718-246-4889	341 Smith Street, Brooklyn, NY 11231	simonj@nyassembly.gov
NYC Department of Health and Mental Hygiene (DOHMH)	Ashwin Vasan, M.D., PhD Commissioner	212-639-9675	42-09 28 th Street, Queens, NY 11101	opmc@health.ny.gov

Owners, Residents, Occupants

The Site is currently vacant and improved with a two-story, slab-on-grade, brick warehouse/garage building along Sackett Street, and a one-story brick warehouse building (with a partial basement). The tables below provide current contact information for upcoming owner of the Site.

Owner	Contact Name	Phone	Mailing Address	Email
Sackett Heights LLC	Solomon Schwimmer	718-438-2804	4611 12 th Avenue, Suite 1L Brooklyn, NY 11219	sls@bornox.com

Adjacent Properties

Below is a list of the adjoining properties which are also detailed on Figure 8.

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
Safet Cekic	Not Available	Multi-family Walk-up Building	556 Sackett Street, Brooklyn, NY 11215	414 Elmwood Drive, Brooklyn, NY 11230
Union Residence LLC	Not Available	Multi-family Walk-up Building	555 Union Street, Brooklyn, NY 11215	199 Lee Avenue, Suite 894, Brooklyn, NY 11211
Union Residence LLC	Not Available	Multi-family Walk-up Building	557 Union Street, Brooklyn, NY 11215	199 Lee Avenue, Suite 894, Brooklyn, NY 11211
Lillie Rebecca Burke	Not Available	Multi-family Walk-up Building	563 Union Street, Brooklyn, NY 11215	260 President Street, Apt 5, Brooklyn, NY 11231
Jose Padilla	Not Available	Multi-family Walk-up Building	565 Union Street, Brooklyn, NY 11215	126 Union Street, Brooklyn, NY 11231
Kaid N. Ali	Not Available	Multi-family Walk-up Building	567 Union Street, Brooklyn, NY 11215	567 Union Street, Brooklyn, NY 11215
Nene, Trustee, Humphrey	Not Available	Mixed Residential & Commercial Building	564 Sackett Street, Brooklyn, NY 11215	564 Sackett Street, Brooklyn, NY 11215

Local News and Media:

Owner/Entity Name	Type	Address	Phone	Website
The Brooklyn Eagle	Online	16 Court Street Brooklyn, NY 11241	718-422-7413	www.brooklyneagle.com
Spectrum 1 News	Television	75 Ninth Avenue New York, NY 10011	212-691-6397	https://www.ny1.com/nyc/all-boroughs/about-us/contact-us

Public Water Supply:

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Rohit T. Aggarwala - Commissioner	59-17 Junction Blvd. Flushing, NY 11373	718-595-7000	https://www1.nyc.gov/nyc-resources/mail/dep-email-the-commissioner.page
NYC Municipal Water Finance Authority	Olga Chernat- Executive Director	255 Greenwich Street 6th Floor New York, NY 10007	212-788-5889	https://www1.nyc.gov/site/nyw/about/contact.page

Additional Requests

We are unaware of any requests to be included on the contact list for the Former A&A Brake Service Site.

School or Day Care Located on or Proximal to the Site

The following schools or day care facilities are located within ½-mile radius to the site:

School Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Rivendell School	715' (Southeast)	Katy Hill	718-499-5667	277 3 rd Avenue, Brooklyn, NY 11215
P.S. 032 Samuel Mills Spole	1250' (West)	Denise Watson	718-222-6400	317 Hoyt Street, Brooklyn, NY 11231
P.S. 133 William A. Butler	1690' (East/Northeast)	Heather Foster Mann	718-398-5320	610 Baltic Street, Brooklyn, NY 11217
P.S. 038 The Pacific	2200' (Northeast)	Pascale Pradel	718-330-9305	450 Pacific Street, Brooklyn, NY 11217
P.S. 372 The Children's School	1000' (South)	Rosa Amato	718-624-5271	512 Carroll Street, Brooklyn, NY 11215
M.S. Math & Science Exploratory School	2400' (Northeast)	Arin Rusch	718-330-9328	345 Dean Street, Brooklyn, NY 11217
P.S. 282 Park Slope	2585' (East/Southeast)	Amy Rodriguez	718-622-1626	180 6 th Avenue, Brooklyn, NY 11217
Brooklyn High School of the Arts	2640' (Northeast)	Daniel Vecchiano	718-855-2412	345 Dean Street, Brooklyn, NY 11217

Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Daddy's Daycare 6	1400' (East)	Unlisted	917-647-4448	357 Douglass Street, Brooklyn, NY 11217
Tiny Steps MB	1380' (Southeast)	Unlisted	917-324-1536	256 4 th Avenue, Brooklyn, NY 11215
Bumble Bee Daycare	1380' (Southeast)	Unlisted	347-422-0998	258 4 th Avenue, Brooklyn, NY 11215

Regina's Daycare	1580' (East/Southeast)	Unlisted	646-961-0926	711 Sackett Street, Brooklyn, NY 11217
Le Paradis des Anges French Daycare	1920' (Northeast)	Unlisted	347-889-5760	93 4 th Avenue, Brooklyn, NY 11217
Tiny Steps Daycare Center	2585' (East)	Unlisted	347-323-0882	33 St Johns Place, Brooklyn, NY 11217

Document Repository

Brooklyn Community Board 6 and the Brooklyn Public Library – Pacific Branch were notified on 17 August 2022 via email regarding utilizing their space as document repositories. Documentation of the confirmation from the Brooklyn Public Library – Pacific Branch dated 25 August 2022 is attached below. Brooklyn Community Board 6 did not return a signed copy of the repository request letter but provided an email acknowledgement to act as a document repository on 9 September 2022, attached below. The repository information is detailed below:

Library Repository

Owner/Entity Name	Contact	Address	Phone	Email
Brooklyn Public Library – Pacific	Candice Vasquez	25 4 th Avenue at Pacific Street, Brooklyn, NY 11217	718-638-1531	cvasquez@brooklynpubliclibrary.org

Community Repository

Owner/Entity Name	Contact	Address	Phone	Email
Brooklyn Community Board 6	Craig Hammerman	250 Baltic Street, Brooklyn, NY 11201	718-643-3027	info@brooklyncb6.org

GIS FILE PATH: \\haleyaldrich.com\hstar\GIS\Projects\2021\577\GIS\Maps\2022_08_20\6394\206394_000_0002_SITE_PLAN.mxd — USER: hwchholz — LAST SAVED: 8/23/2022 3:49:50 PM

285 Nevins Street
Block 433 Lot 10
Mixed Residential & Commercial
Owner: 285 Nevins Street, LLC

554 Sackett Street
Block 433 Lot 12
Mixed Use Manufacturing / Residential
Owner: 554 Sackett St, LLC

537 Sackett Street
Block 426 Lot: 1
Industrial / Manufacturing
Owner: 545 Sackett LLC

560 Degraw Street
Block 426 Lot 17
Commercial / Office Building
Owner: 545 Sackett Swap
Parcel Owner LLC

287 Nevins Street
Block 433 Lot 9
One & Two Family Buildings
Owner: Dolan Eileen

556 Sackett Street
Block 433 Lot 13
One & Two Family Buildings
Owner: Cekic, Safet

553 Sackett Street
Block 426 Lot 49
Parking Facilities
Owner: 242 Nevins, INC.

289 Nevins Street
Block 433 Lot 8
One & Two Family Buildings
Owner: Cekic Rafet

291 Nevins Street
Block 433 Lot 7
Mixed Residential &
Commercial Buildings
Owner: Tree Lined Real
Estate Holdings LLC

566 Sackett Street
Block 433 Lot 18
Mixed Use Commercial / Parking
Owner: Block 433 Lot 18 LLC

295 Nevins Street
Block 433 Lot 5
Transportation & Utility
Owner: George A. Arab Family Trust

564 Sackett Street
Block 433 Lot 17
Mixed Use Residential & Commercial
Owner: Humphrey Trustee, NENE

568 Sackett Street
Block 433 Lot 19
One & Two Family Buildings
Owner: Digna Rodriguez

553 Union Street
Block 433 Lot 58
Industrial & Manufacturing
Owner: 553 Union Street LLC

555 Union Street
Block 433 Lot 57
Multi-Family Walk-Up Buildings
Owner: Union Residence LLC

570 Sackett Street
Block 433 Lot 20
Multi-Family Walk-Up Buildings
Owner: Perez Pedro

557 Union Street
Block 433 Lot 56
Multi-Family Walk-Up Buildings
Owner: Union Residence LLC

563 Union Street
Block 433 Lot 55
One & Two Family Buildings
Owner: Burke, Lille Rebecca

565 Union Street
Block 433 Lot 54
Multi-Family Walk-Up Buildings
Owner: Padilla Jose

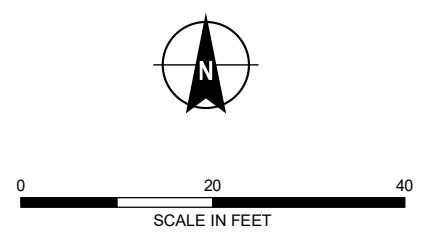
567 Union Street
Block 433 Lot 53
Mixed Residential & Commercial Buildings
Owner: Ali, Kaid N

LEGEND

▭ PARCEL BOUNDARY

▭ SITE BOUNDARY

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
 2. ASSESSOR PARCEL DATA SOURCE: NYC DEPARTMENT OF CITY PLANNING
 3. AERIAL IMAGERY SOURCE: ESRI



HALEY ALDRICH 558 SACKETT STREET
BROOKLYN, NEW YORK

ADJOINING SITE MAP

AUGUST 2022

Section IX: Brooklyn Public Library – Pacific Branch Acknowledgement to Act as Document Repository



HALEY & ALDRICH OF NEW YORK
237 W 35th Street
16th Floor
New York, NY 10123
Tel: 646.277.5686

17 August 2022
File No. 0206384-000

Brooklyn Public Library – Pacific Branch
25 4th Avenue at Pacific Street
Brooklyn, NY 11217
Via email: cvasquez@brooklynpubliclibrary.org
Attn: Candice Vasquez

Subject: Brownfield Cleanup Program Application – Request for Repository Use
558 Sackett Street
Brooklyn, NY 11217

Dear Ms. Vasquez:

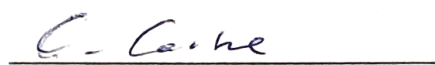
Haley & Aldrich of New York (Haley & Aldrich), on behalf of Sackett Heights LLC, is requesting use of the Brooklyn Public Library – Pacific Branch as a document repository for the anticipated project located at 558 Sackett Street, Brooklyn, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

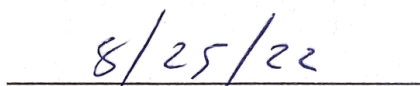
Should you have any questions, please do not hesitate to give me a call at (646) 277-5686.


Thank you,
HALEY & ALDRICH OF NEW YORK


James M. Bellew
Senior Associate

The Brooklyn Public Library – Pacific Branch is willing to act as a public document repository holding and making available of all provided environmental documents related to the 558 Sackett Street Brownfield Cleanup Project.


Name


Date


Title

Section IX: Brooklyn Community Board 6 Acknowledgement to Act as Document Repository

Conlon, Mari

From: Brooklyn Community Board Six <infobkcb6@gmail.com>
Sent: Friday, September 9, 2022 9:53 AM
To: Conlon, Mari
Subject: Re: Document Repository Requirement - 558 Sackett Street

CAUTION: External Email

Good morning,

Cb6 will serve as a repository for your project but please understand our office does not have the capacity to hold any paper documents. Please send only digital copies.(Disc)

Thank you
CB6

On Wed, Sep 7, 2022 at 1:43 PM Conlon, Mari <MConlon@haleyaldrich.com> wrote:

Hello,

Following up on the below request. Please let me know if you have any questions.

Thank you

Mari Cate

Mari Cate Conlon

Senior Project Manager

Haley & Aldrich of New York

237 West 35th Street, 16th Floor

New York, NY 10123

T: 646-277-5688

M: 347-271-1521

From: Conlon, Mari
Sent: Tuesday, September 6, 2022 12:42 PM
To: infobkcb6@gmail.com
Subject: Document Repository Requirement - 558 Sackett Street
Importance: High

Hello

We've been trying to get in touch with CB 6 regarding a Brownfield site in your area located at 558 Sackett Street, Brooklyn, NY. We are in the process of applying to the New York State Brownfield Cleanup Program in hopes of remediating and revitalizing this property. In order to be accepted into the program we need to have the local Community Boards act as document repositories for future environmental reports, meaning a location where community members may be able to view or download documents.

This is a requirement from the NY State Dept. of Environmental Conservation. Would you be able to review and sign the attached letter indicating CB 6 will act as a repository?

Please let me know if you have any questions regarding this request. Thank you.

Mari Cate Conlon

Senior Project Manager

Haley & Aldrich of New York

237 West 35th Street, 16th Floor

New York, NY 10123

T: 646-277-5688

M: 347-271-1521

ATTACHMENT I

Section XII: Statement of Certification and Signatures

**SACKETT HEIGHTS LLC AUTHORIZATION
TO COMPLETE REMEDIAL REQUIREMENTS**

The undersigned, being all of the members of Sackett Heights LLC, a New York limited liability company (the "Company") hereby certify as of November 18, 2022, as follows and adopt the following resolutions and authorize the Company to authorize and direct Solomon Schwimmer (the "Authorized Signatory") to take the following actions on behalf of the Company:

WHEREAS, the Company desires to authorize the Authorized Signatory to undertake actions necessary to redevelop 559 Sackett, Brooklyn, New York; Block 433, Lot 14 (the "Property" or the "Site").

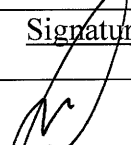
WHEREAS, in connection with the redevelopment of the Property, the Company has or will prepare and submit an application to participate in the New York State Brownfield Cleanup Program ("BCP") and, if accepted into the BCP, enter into a Brownfield Cleanup Agreement ("BCA"); file related documents with the New York State Department of Environmental Conservation ("DEC") to participate in the BCP; and undertake certain environmental remediation work related thereto consistent with applicable laws, regulations and guidance under the BCP (collectively referred to as the "Remedial Program Requirements");

NOW THEREFORE, BE IT

RESOLVED, the Authorized Signatory be, and hereby is, authorized and directed, in the name of and on behalf of the Company, to execute and to deliver all applications, documents and instruments required to effectuate the BCA, and make any filings required to comply with the BCA, including the ability to record an environmental easement on the Property, if required, consistent with the Remedial Program Requirements; and be it further;

RESOLVED, that this Authorization may be signed in any number of counterparts, including but not limited to electronic, and shall become effective as of the date herein below written when each person named below shall have signed a copy hereof; and

RESOLVED, The Authorized Signatory is authorized to bind the Company as an Authorized Signatory for the purposes set forth in this Authorization, the signature set forth opposite his name below is his actual signature:

<u>Authorized Signatory</u>	<u>Signature</u>
Solomon Schwimmer	

IN WITNESS WHEREOF, the undersigned have signed and sealed this Member Consent on November 18, 2022.

MEMBERS:

Sackett Heights LLC



By: Solomon Schwimmer