

**STRUCTURAL
ENGINEERING
TECHNOLOGIES, P.C.**

40-12 28TH Street, Long Island City, NY 11101 • (P) 718-706-7196 • (F) 718-472-4464 • (E) info@set-ny.com

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- Attachment B: Document Repository Letter Correspondence

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.
If yes, provide existing site number: _____ Yes No

Is this a revised submission of an incomplete application?
If yes, provide existing site number: C224396 Yes No

BCP App Rev 14 – January 2023

SECTION I: Property Information

PROPOSED SITE NAME: 60-66 Gerry Street
 ADDRESS/LOCATION: 60-66 Gerry Street
 CITY/TOWN: Brooklyn ZIP CODE 11206
 MUNICIPALITY (LIST ALL IF MORE THAN ONE): Williamsburg
 COUNTY: Kings SITE SIZE (ACRES) 0.23
 LATITUDE: 40 ° 42 ' 4.3632 " LONGITUDE: -73 ° 56 ' 50.8704 "

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
66 Gerry Street		2269	3	0.23

	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: <u>507</u> Percentage of property in En-zone (check one): 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input checked="" type="radio"/>	<input checked="" type="radio"/>	<input 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: _____	<input type="radio"/>	<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 checked="" type="radio"/>	<input type="radio"/>

SECTION I: Property Information (CONTINUED)

9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.	Y <input type="radio"/>	N <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: _____ Class: ____	<input type="radio"/>	<input checked="" 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" data-bbox="203 556 1161 588"> <tr> <td style="text-align: left;"><u>Easement/Right-of-Way Holder</u></td> <td style="text-align: right;"><u>Description</u></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" data-bbox="203 850 1161 892"> <tr> <td style="text-align: left;"><u>Type</u></td> <td style="text-align: left;"><u>Issuing Agency</u></td> <td style="text-align: left;"><u>Description</u></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"/>			
<p>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</p>					
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 10-12 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 checked="" type="radio"/>			
<p>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.</p>					
<p>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.</p> <p>Initials of each Requestor:</p> <p>_____</p>					

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? R7A

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

	Y	N
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?	<input checked="" type="radio"/>	<input type="radio"/>
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> If residential, does it qualify as single-family housing? <input type="radio"/> N/A	<input type="radio"/>	<input checked="" type="radio"/>
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?	<input checked="" type="radio"/>	<input type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
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"/>
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"/>

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" 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

- Indicate Past Land Uses (check all that apply):

Coal Gas Manufacturing	<input type="checkbox"/>	Manufacturing	<input checked="" 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	<input type="checkbox"/>

Other: A tetrachloroethylene (PCE) reclamation business is believed to have been present on the site prior to the late 1940's and is believed to have been the source of the chlorinated solvent contamination. Thereafter, Pfizer acquired the site, which was known as Site D on or about 1947 and used the property for storage and general maintenance work. In or about 1987 through 2007, the Site was occupied by Arlington Press, Inc. The buildings at the Site were vacant from 2008 through at least 2014 and were demolished between 2014 and 2017. Despite past cleanup efforts, a recent Phase II has revealed contamination still remains on-site beneath the former building 25A area which cannot simply be addressed through the existing Site Management Plan.

SECTION V: Requestor Information		
NAME: 66 Gerry LLC		
ADDRESS: 505 Flushing Avenue #1D		
CITY/TOWN: Brooklyn		ZIP CODE 11205
PHONE: (646) 881-5600	EMAIL: rafael@rabskygroup.com	
	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<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? N/A <input type="radio"/>	<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"/>
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"/>

SECTION VI: Requestor Eligibility (CONTINUED)			
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"/>	Y	N
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 type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<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:			
PARTICIPANT <input type="checkbox"/> A requestor who either (1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum, or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.	VOLUNTEER <input checked="" type="checkbox"/> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. NOTE: By 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. 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.		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>			
14. Requestor relationship to the property (check one; if multiple applicants, check all that apply): <input type="checkbox"/> Previous Owner <input checked="" type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> 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? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A			
Note: A purchase contract or lease agreement does not suffice as proof of site access.			

SECTION VII: Requestor Contact Information

REQUESTOR'S REPRESENTATIVE: Zelig Weiss		
ADDRESS: Rabsky Group 505 Flushing Avenue, Suite 1-D		
CITY: Brooklyn		ZIP CODE: 11205
PHONE: (646) 881-5600	EMAIL: rafael@rabskygroup.com; zelig@rabskygroup.com	
REQUESTOR'S CONSULTANT (CONTACT NAME): Rachel Ataman		
COMPANY: Structural Engineering Technologies, P.C.		
ADDRESS: 40-12 28th Street		
CITY: Queens		ZIP CODE: 11101
PHONE: (631) 315-2733	EMAIL: rachelataman@touchstoneenvironmental.com	
REQUESTOR'S ATTORNEY (CONTACT NAME): Linda Shaw, Esq.		
COMPANY: Knauf Shaw LLP		
ADDRESS: 2600 Innovation Square, 100 S. Clinton Avenue		
CITY: Rochester		ZIP CODE: 14604
PHONE: (585) 546-8430	EMAIL: lshaw@nyenvlaw.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? N/A	<input type="radio"/>	<input type="radio"/>

SECTION IX: Current Property Owner and Operator Information

CURRENT OWNER: 66 Gerry LLC		
CONTACT NAME: Rafael Rabinowitz @ The Rabsky Group		
ADDRESS: 505 Flushing Avenue #1D		
CITY: Brooklyn		ZIP CODE: 11205
PHONE: (646) 881-5600	EMAIL: rafael@rabskygroup.com	
OWNERSHIP START DATE: January 3, 2023		
CURRENT OPERATOR: N/A - 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"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
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. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.	<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 Sole Member (title) of 66 Gerry 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: 4/21/23 Signature: 

Print Name: Rafael Rabinowitz

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) on an external storage device (such as thumb drive or CD), 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 SUPPORTING DOCUMENTS WITH THE HARD COPY APPLICATION FORM.
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 checked="" type="radio"/>	<input 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 with documentation

Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation 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.

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 plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance 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.

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.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP) INSTRUCTIONS FOR COMPLETING A BCP APPLICATION

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional Office](#) to schedule a meeting. To add a party to an existing BCP Agreement, use the [BCP Agreement Amendment Application](#).

For further information regarding the determination of a complete application, please refer to the guidance following these instructions, as well as the [NYSDEC BCP website](#).

SUBMITTAL INSTRUCTIONS

Please submit **one unbound paper copy of ONLY the application form and a table of contents** to the address below:

Chief, Site Control Section
New York State Department of Environmental Conservation
625 Broadway, 11th Floor
Albany, NY 12233-7020

Additionally, please submit an electronic (Portable Document Format [PDF]) version of the application as follows, provided on an external storage device (e.g., flash drive, CD, etc.):

- One file containing the application form, table of contents, and supporting documentation, excluding historical environmental reports and draft work plans
- One file for each historical environmental report (not merged with each other or with the application file)
- One file for each draft work plan, if applicable

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

SECTION I: Property Information

PLEASE NOTE	If any changes to SECTION I are required prior to application approval, a new page 2, initialed by each requestor, must be submitted with the revisions.
Proposed Site Name	Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e., ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.
Site Address	Provide a street address, city/town, zip code, and each municipality and county in which the site is located.
Site Size	Provide the approximate acreage of the site.
GIS Information	Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

SECTION I: Property Information (continued)	
Tax Parcel Information	Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5-minute quad map on which the property appears and clearly indicate the proposed site's location.
Tax Map Boundaries	State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/ reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.
Site Map	Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: (i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and (ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.
En-zone	Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see DEC's website . Note that new En-zone boundaries are effective January 1, 2023.
Disadvantaged Communities	For additional information on disadvantaged communities, please refer to the Climate Leadership and Community Protection Act website .
Brownfield Opportunity Area (BOA)	For more information on designated BOAs, please refer to the NYS DOS website . Additional information on BOA conformance determinations can be found at the Office of Planning and Development website . A BOA conformance determination cannot be made until a Decision Document has been issued for the site.
Multiple Applications	Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where (1) the development project spans more than 25 acres; (2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and (3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).
Previous BCP Applications	If all or part of the proposed site has been the subject of a previous BCP application (whether accepted, denied or withdrawn), please provide the assigned DEC site number from the previous application as well as any relevant information regarding why the property is not currently in the program.

SECTION I: Property Information (continued)

<p>Registry Listing and P-site Status</p>	<p>If all or part of the proposed site is now or ever was listed on the Registry of Inactive Hazardous Waste Disposal Sites, or is currently the subject of investigation as a Potential Site, please provide the assigned DEC site number.</p>
<p>Property Description Narrative</p>	<p>Provide a property description in the format provided below. Each section should be no more than one paragraph long.</p> <p><u>Location:</u></p> <p>Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}</p> <p><u>Site Features:</u></p> <p>Example: "The main site features include several large, abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."</p> <p><u>Current Zoning and Land Use:</u> (Ensure the current zoning is identified)</p> <p>Example: "The site is currently inactive and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility rights-of-way. The nearest residential area is 0.3 miles east on Route 55."</p> <p><u>Past Use of the Site:</u> include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).</p> <p>Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."</p> <p>When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.</p> <p><u>Site Geology and Hydrogeology:</u></p> <p>As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.</p>

SECTION I: Property Information (continued)

<p>Environmental Assessment</p>	<p>The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/ actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semi-volatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.</p> <p>The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.</p> <p>A typical Environmental Assessment would look like the following:</p> <p>Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).</p> <p><i>Soil</i> - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).</p> <p><i>Groundwater</i> - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.</p> <p><i>Soil Vapor & Indoor Air</i> - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.</p>
<p>Questions 15-17: New York City Sites</p>	<p>These questions pertain ONLY to sites located within the five counties comprising New York City. If the requestor is seeking a determination that the site is eligible for tangible property tax credits, this section and the <i>Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</i> must be completed.</p>

SECTION II: Project Description

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

SECTION III: Land Use Factors

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

This information consists of responses to the “land use” factors to be considered relative to the “Land Use” section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a “brownfield site” pursuant to ECL 27-1405(2).

This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

Zoning and Current Use	Provide the current municipal zoning designation and uses permitted by that designation. Provide a summary of the current use of the site, including identifying possible contaminant source areas. If the site is no longer in use, provide the date by which operations ceased.
Anticipated Use	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
Renewable Energy Facility Site	Indicate if the post-remediation use of the site is proposed to be a renewable energy facility. A “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. Section 66-p of the Public Service Law: "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. Provide any detailed plans or documentation to support this. Appropriate documentation must be provided as follows: for planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, a local land use approval must be provided. For planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, a permit issued by the Office of Renewable Energy Siting must be provided
Compliance with Zoning Laws, Recent Development, and Community Master Plans	Provide additional explanation and/or documentation as necessary to support the responses to these items.

SECTION IV: Property's Environmental History

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data include site drawings and data summary tables requested in Section IV, #3 of the BCP application form. Specific instructions regarding the data summary tables are attached at the end of these instructions.

SECTION V: Requestor Information

Requestor Name	<p>Provide the name of the person(s)/entity requesting participation in the BCP (if more than one, attach additional sheets with requested information.) The requestor is the person or entity seeking DEC review and approval of the remedial program.</p> <p>If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.</p>
Address, etc.	Provide the requestor's mailing address, telephone number and e-mail.
LLC Information	If the requestor(s) is/are an LLC, the names of the members/owners need to be provided on a separate attachment.
Document Certification	<p>All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of DER-10. Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:</p> <ul style="list-style-type: none"> • New York State licensed professional engineers (P.E.s), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a P.E. with current license and registration for work that was done by them or those under their direct supervision. The firm by which the P.E. is employed must also be authorized to practice engineering in New York State; • qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49; • remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or • site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION VI: Requestor Eligibility

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

Volunteer Statement	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.
Proof of Site Access	If a requestor is not the current owner of the entirety of the site, a site access agreement must be provided that demonstrates that the requestor will have access to the property before signing the BCA and throughout the BCP project. Additionally, the access agreement must include language allowing the requestor the ability to place an environmental easement on the site should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

SECTION VII: Requestor Contact Information

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

SECTION VIII: Program Fee

If the requestor is applying for a fee waiver, sufficient documentation must be provided to demonstrate financial hardship. To demonstrate financial hardship, the applicant must show that with the payment of the program fee, remediation of the brownfield site would not be economically viable. This documentation may be in the form of federal tax returns with applicable schedules, financial statements and balance sheets, proof that the applicant has waived its right to tax credits, or any other documentation deemed acceptable by the Department.

SECTION IX: Current Property Owner and Operator Information

Owner Information	Provide requested information of the current owner of the property. List <u>all</u> parties holding an interest in the property and, if the requestor is not the current owner, describe the requestor's relationship to the current owner. If the property consists of multiple parcels, be sure to include the ownership start date of each.
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SECTION IX: Current Property Owner and Operator Information (continued)	
Operator Information	Provide requested information of the current operator(s). If multiple operators, attach the requested information for each operator, including the date each operator began utilizing the property.
Historical Owners and Operators	Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owners and operators, include any relationship between the requestor's corporate members and the previous owners and operators.

SECTION X: Property Eligibility Information	
As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.	
CERCLA / NPL Listing	Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.
Registry Listing	Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.
RCRA Listing	Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 et seq? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.
Registry/RCRA Sites Owned by Volunteers	If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27- 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

SECTION X: Property Eligibility Information (continued)

<p>Existing Order</p>	<p>Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.</p>
<p>Pending Enforcement Actions</p>	<p>Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information as an attachment.</p>

SECTION XI: Site Contact List

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project. For sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.

SECTION XII: Statement of Certification and Signatures

The requestor must sign the application or designate a representative who is authorized to sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each requestor must sign a signature page. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

DATA SUMMARY TABLE INSTRUCTIONS

Data summary tables should include the following columns:

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m3) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e., "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m3) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DETERMINATION OF A COMPLETE APPLICATION

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

**NEW YORK STATE
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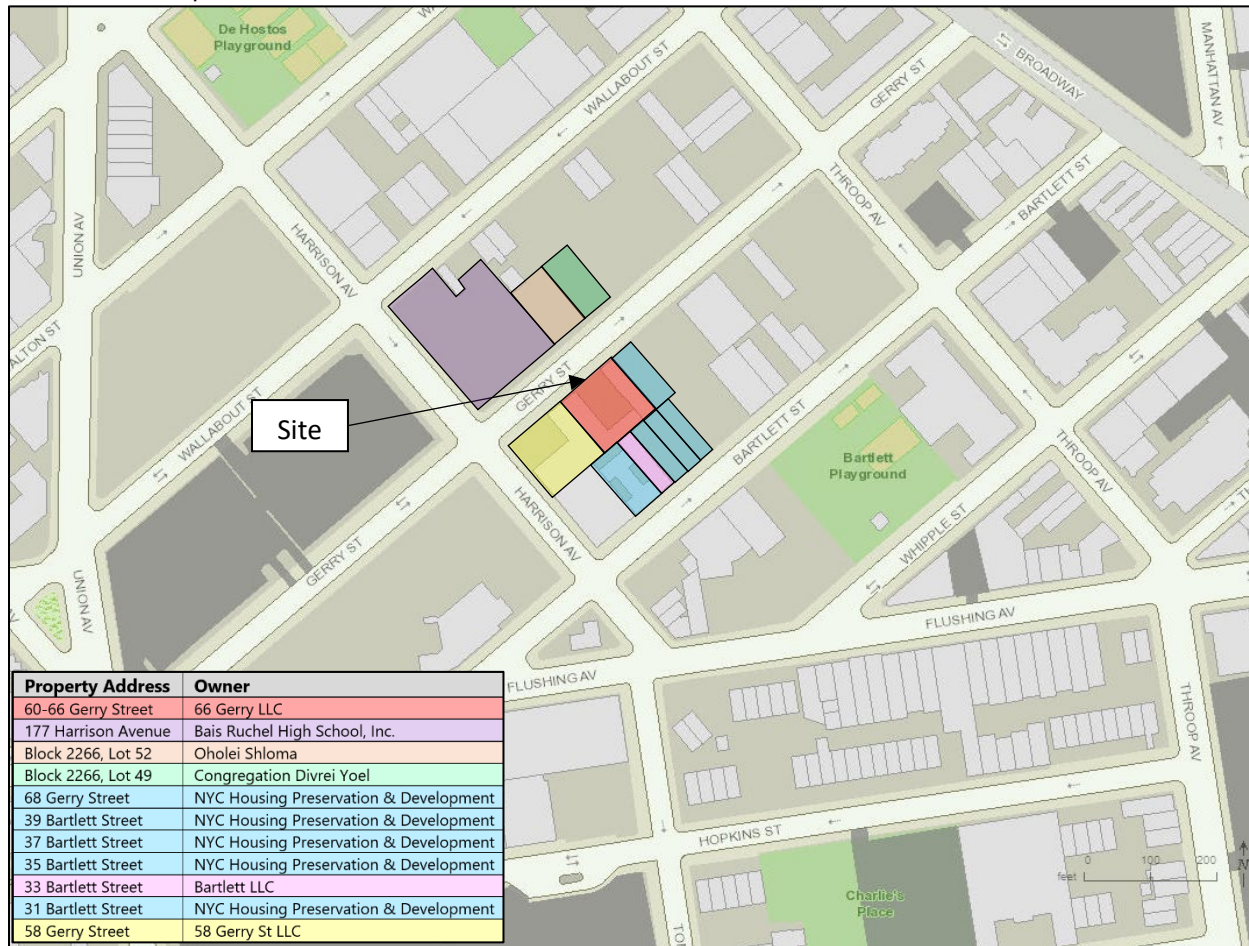
DETERMINATION OF A COMPLETE APPLICATION (CONTINUED)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.

5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the timeframes established by the LOC, the public comment period on the application will be extended to ensure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

Section I. Property Information

BCP Site Tax Map:



The boundaries of the Site correspond to the tax map boundaries. The Site consists of one parcel located to the south of Gerry Street. The tax map can be found in **Figure 1**.

Figure 2 provides a property base map including the location of the property with respect to adjacent roadways, the proposed boundaries of the brownfield property, and the **adjacent property uses** clearly identified.

Adjacent Property Information:

Resident/Occupant	Property Address	Owner
Miscellaneous Educational Facility (W9)	177 Harrison Avenue (Alternate Addresses: 171-185 Harrison Avenue)	Bais Ruchel High School, Inc.
Parking Lot	Block 2266, Lot 52	Oholei Shloma
Parking Lot	Block 2266, Lot 49	Congregation Divrei Yoel
Vacant Land – Zoned Residential – Not Manhattan (V0)	68 Gerry Street	NYC Housing Preservation & Development
Vacant Land – Zoned Residential – Not Manhattan (V0)	39 Bartlett Street	NYC Housing Preservation & Development
Vacant Land – Zoned Residential – Not Manhattan (V0)	37 Bartlett Street	NYC Housing Preservation & Development

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Vacant Land – Zoned Residential – Not Manhattan (V0)	35 Bartlett Street	NYC Housing Preservation & Development
Commercial Office Building	33 Bartlett Street	Bartlett LLC
Vacant Land – Zoned Commercial or Manhattan Residential Land (V1)	31 Bartlett Street	NYC Housing Preservation & Development
Mixed-use Residential and Commercial Building	58 Gerry Street (Alternate Addresses: 187 and 191 Harrison Avenue)	58 Gerry St LLC

Property Description Narrative:

Location:

The 60-66 Gerry Street BCP Site is located in an urban area. The Site is located to the south of Gerry Street, approximately 114 feet northeast of the intersection of Harrison Avenue and Gerry Street.

Site Features:

The 60-66 Gerry Street BCP Site consists of one rectangular-shaped parcel containing an area of 0.23-acres. The Site currently contains vacant land and has historically been used in connection with Arlington Press, a RCRA Generator, which historically generated hazardous wastes including ignitable waste, spent halogenated solvents, spent non-halogenated solvents, and tetrachloroethylene (PCE) in at least 1989, 2006, 2007, and 2016. The RCRA Generators database indicates Arlington Press is listed with a NAICS description of "PHARMACEUTICAL PREPARATION MANUFACTURING." The Site additionally is historically believed to have been used in connection with a PCE reclamation business that operated on the Site prior to the late 1940s.

Current Zoning and Land Use:

The Site is currently vacant and is zoned R7A for Residential Use. The surrounding parcels are currently used for a combination of educational, commercial, and residential uses. The adjacent residential property is located to the west (58 Gerry Street). The Site is located within a designated Environmental Zone (En-Zone) identified as Census Tract 507 (En-Zone Type B). **Figure 3** provides a map of the En-Zone in which the Site is located.

Past Use of the Site:

The environmental history of the Site was identified through the review of prior investigation reports, Federal and State Environmental Databases, and Environmental Sanborn Fire Insurance Maps. According to prior reports, a tetrachloroethylene (PCE) reclamation business is believed to have been present on the Site prior to the late 1940's. Thereafter, Pfizer acquired the Site, which was known as Former Pfizer Site D on or about 1947 and used the property for storage and general maintenance work. Former Site D was historically developed with five interconnected buildings. In or about 1987 through 2007, the Site was occupied by Arlington Press, Inc. Arlington Press was a company that specialized in labels and package inserts for the pharmaceutical industry. Arlington Press is listed in the RCRA Generators database as a large quantity generator (LQG) of ignitable waste, spent halogenated solvents, spent non-halogenated solvents, and tetrachloroethylene (PCE) in at least 1989, 2006, 2007, and 2016 and is listed with a NAICS description of "PHARMACEUTICAL PREPARATION MANUFACTURING". The buildings at the Site were vacant from 2008 through at least 2014 and were demolished between 2016 and 2017. Despite past cleanup efforts, a recent Phase II has revealed contamination that requires remediation beyond that contemplated in the soil excavation plan contained in the Site Management Plan (SMP) still remains on- Site .

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A review of historic City Directories for the Site additionally indicate that residential listings were associated with the 64 Gerry Street Site address in 1934 and 1960 and with the 66 Gerry Street Site address in 1934, a commercial listing for a potential cleaner was listed for the 64 Gerry Street Site address in 1934 (STEIN ISAAC CLNR); a commercial listing was associated with the 66 Gerry Street Site address in 1940; Pure Refining Corp was listed for the 66 Gerry Street Site address in 1960; Tonys Carriers Inc was listed for the 66 Gerry Street Site address in 1965; and listings associated with Arlington Press Inc were listed for the 60 Gerry Street Site address for the years 1992, 1995, 1997, 2000, 2005, 2010, 2014, and 2017.

Prior investigations at the Site included a Remedial Investigation Report (RIR) prepared by Roux Associates, Inc. (Roux) dated December 2013, a Construction Completion Report (CCR) prepared by Roux Environmental Engineering and Geology, D.P.C (Roux) dated March 2018, a Semi-Annual Progress Report prepared by Roux in dated June 2022, and a Phase II Environmental Site Assessment (ESA) conducted by Structural Engineering Technologies, PC (S.E.T.) dated February 27, 2023 ("Phase II ESA"). The RIR and CCR included soil, groundwater, and soil vapor sampling, the Semi-Annual Progress Report included groundwater monitoring in the northeast portion of the Site in the area around monitoring wells MW-20, MW-D2, and MW-D2I, and the Phase II ESA included soil, groundwater, and soil vapor sampling. According to the previous subsurface investigations, the depth to water beneath the Site is approximately 6 to 10 feet below the grade surface. **Figure 4** provides a map of the historical sampling locations.

The Site is identified in the NYSDEC InfoLocator as a Volunteer Cleanup Program (VCP) Site under Index Agreement No. D2-0010-0703, Site No. V00350.

A BCP pre-application conference was held on March 14, 2023 with the NYSDEC to discuss entering the Site into the BCP.

Site Geology and Hydrogeology:

The Site is located within the Atlantic Coastal Plain physiographic province, which is characterized by unconsolidated sand, silt, clay, and gravel deposits that overlie crystalline bedrock. The unconsolidated strata gently dip to the southeast, following the topography of the bedrock surface.

Near-surface geology in heavily developed areas such as the Site and vicinity are considered "urban land" and are characterized by a non-homogenous distribution of soil and fill types. Excavation and backfilling for building foundations, utility conduits, subway systems, and other construction results in a varied subsurface profile. In this setting, estimation of local subsurface parameters such as permeability, moisture content, and organic fraction is not feasible without site-specific testing data.

The December 2013 RIR indicated that soil at the Site consisted of fill material that contained concrete, brick, and asphalt in a matrix of fine to coarse grained sand, green clay/silt/sand, and fine to medium grained sand with minor amounts of silt and gravel from grade to 15-feet below grade and the February 2023 Phase II ESA indicated that soil at the Site consisted of fill material that contained concrete, brick, and asphalt in a matrix of medium to fine grained sand from grade to 20-feet below grade. Depth to water at the Site is expected to be approximately 11 to 20-feet below ground surface and is expected to flow to the northwest in the direction of the East River.

Environmental Assessment:

As stated in the June 2018 Final Engineering Report (FER, "June 2018 FER") prepared by Roux, the remediation of the Site included the excavation and removal of soils and materials exceeding the NYSDEC Part 375 Protection of Groundwater (PoG) criteria for volatile organic compounds (VOCs) to the **extent**

practicable in the vicinity of the former Pfizer Building 25A (but not under the building that remained in place) and the main courtyard of Pfizer Site D, and the performance of *In Situ* Chemical Oxidation (ISCO) injections to remediate the groundwater at the Site. The June 2018 FER further states that “residual soil contamination was not removed ... based upon Site constraints (i.e., susceptibility of sloughing soil beneath the sidewalk) and because contamination extended under Building 25A footings.” Furthermore, according to the June 2018 Site Management Plan (SMP) for the Site prepared by Roux, “after completion of the remedial work, some contamination was left at Former Site D” including soil contamination as not all soil contamination was removed from the Site due to the building remaining in place and residual groundwater impacts, which would be “addressed by the completion of an additional ISCO injection treatment plan.” S.E.T. notes that it is impossible to know how effective the ISCO injections have been on the soil since not all soils at the Site were retested following the ISCO injection plan. The SMP further states that institutional and engineering controls were required for the proper handling of remaining contamination at the Site as follows:

- The Institutional Controls (ICs) listed in the SMP for Former Site D include:
 - The property may be used for: restricted residential, commercial, or industrial use;
 - All ECs must be operated and maintained as specified in this SMP;
 - All ECs must be inspected at a frequency and in a manner defined in the SMP;
 - The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH (New York State Department of Health or the New York City Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department.
 - Groundwater and other environmental or public health monitoring must be performed as defined in this SMP;
 - Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP;
 - All future activities that will disturb remaining contaminated material must be conducted in accordance with this SMP;
 - Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP;
 - Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP;
 - Access to the site must be provided to agents, employees, or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.
 - The potential for vapor intrusion must be evaluated for any buildings developed in the area within the IC boundaries noted in Appendix A – Environmental Easement following redevelopment, and any potential impacts that are identified must be monitored or mitigated; and
 - Vegetable gardens and farming on the site are prohibited.

- The Engineering Controls (ECs) listed in the SMP for Former Site D include:
 - Cover (or cap);
 - ISCO Injections;
 - Criteria for Completion of Remediation/Termination of Remedial Systems.

Based upon prior investigations and remedial work conducted at the Site, the primary contaminants of concern for the Site include volatile organic contaminants/chlorinated solvents, polyaromatic hydrocarbons

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(PAHs), and metals. Below is a summary of the analytical data detections in the Phase II ESA. This summary does not include the endpoint analytical results from the remedial work conducted by Roux in 2018 since this contamination may have been addressed through the ISCO injections; however, the collection of confirmatory endpoint samples for soil contamination was not conducted.

Soil - The compound Acetone was detected in the northwest (2.5 to 5 feet), southwest (10 to 12 feet), and northeast (7.5 to 10 feet) portions of the Site at concentrations exceeding its Protection of Groundwater (PoG) Standard. The chlorinated volatile organic compounds (CVOCs) cis-1,2-Dichloroethylene and Vinyl chloride were detected beneath former Building 25A, in the northeastern portion of the Site, (SP-6), at a depth of 7.5 to 10-feet below grade at concentrations exceeding their respective PoG Standards. The CVOc, Tetrachloroethylene, was detected in the area of the northeast sidewall courtyard excavation, which was conducted in June 2018, in the northeastern portion of the Site (SP-5) at a depth of 7.5 to 10-feet below grade at a concentration exceeding its Restricted Residential Soil Cleanup Objective (RRSCO, 19 mg/kg), Unrestricted Use SCO (1.3 mg/kg), and PoG (1.3 mg/kg) Standards.

Multiple polyaromatic hydrocarbons (PAHs) were additionally detected at concentrations exceeding their respective RRSCOs, PoG Standards, and Commercial Restricted Use Soil Cleanup Objectives (CRUSCOs). PAHs including benzo(a)anthracene (max of 40 mg/kg), benzo(a)pyrene (max of 34.70 mg/kg), benzo(b)fluoranthene (max of 25.60 mg/kg), benzo(k)fluoranthene (max of 29.30 mg/kg), chrysene (max of 40 mg/kg), dibenzo(a,h)anthracene (max of 5.76 mg/kg), and indeno(1,2,3-cd)pyrene (max of 15.50 mg/kg) were detected in the soil throughout the Site at depths ranging from 2 to 17.5-feet below grade. Of these PAH detections, the following compounds are present in exceedance of their respective CRUSCOs:

- **benzo(a)anthracene** – highest exceedance: 40 mg/kg (CRUSCO: 5.6 mg/kg),
- **benzo(a)pyrene** – highest exceedance: 34.70 mg/kg (CRUSCO: 1 mg/kg),
- **benzo(b)fluoranthene** – highest exceedance: 25.60 mg/kg (CRUSCO: 5.6 mg/kg),
- **dibenzo(a,h)anthracene** – highest exceedance: 5.76 mg/kg (CRUSCO: 0.56 mg/kg), and
- **indeno(1,2,3-cd)pyrene** – highest exceedance: 15.50 mg/kg (CRUSCO: 5.6 mg/kg)

The compounds 3-&4-Methylphenols (0.375 mg/kg), fluoranthene (112 mg/kg), naphthalene (50.50 mg/kg), Phenanthrene (159 mg/kg), and Phenol (0.346 mg/kg) were detected at concentrations exceeding either their respective RRSCOs and/or PoG Standards in the northeastern-central portion of the Site at a depth of 10 to 12-feet below grade.

Metals including **arsenic** (19.30 mg/kg) and **lead** (max of 1,290 mg/kg) were detected in the central-western portion of the Site at approximately 7.5 to 10-feet below grade at concentrations exceeding their respective **CRUSCOs**, RRSCOs, and PoG Standards. The metal **barium** (max of 1,180 mg/kg) was detected in the northern portion of the Site at a depth of 7.5 to 10-feet below grade at concentrations exceeding its **CRUSCO**, RRSCO, and PoG Standards. Selenium was detected in the northern-central portion of the Site at a depth of 10 to 12-feet below grade at a concentration exceeding its PoG Standard. Mercury was detected across the northern portion of the Site (max of 1.85 mg/kg) at depths ranging from 2 to 15-feet below grade at concentrations exceeding its RRSCO and PoG Standard.

Since contaminated soil at the Site is present at concentrations exceeding the CRUSCOs, when the building is removed, the Site will not be safe for restricted residential use until further soil remediation is required.

Soil Vapor – The following compounds are present in the soil vapor at high levels requiring monitoring and/or mitigation according to the New York State Department of Health (NYSDOH) Soil Vapor Intrusion Decision Matrices because additional remediation is required:

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- Mitigation: cis-1,2-Dichloroethene (ranging from 6 ug/m³ to 1,600 ug/m³), Tetrachloroethene (ranging from 850 ug/m³ to 7,900 ug/m³), and Trichloroethene (ranging from 33 ug/m³ to 580 ug/m³)
- Monitoring or Mitigation: Vinyl chloride (ranging from 6.90 ug/m³ to 41 ug/m³)

The compound 1,1-Dichloroethene (ranging from 2.4 to 11 ug/m³) was detected in the soil vapor beneath the Site at concentrations requiring no further action, monitoring, or mitigation according to the New York State Department of Health (NYSDOH) Soil Vapor Intrusion Decision Matrices.

Groundwater – The chlorinated volatile organic compounds cis-1,2-Dichloroethene (6.43 ug/L) and Vinyl chloride (max of 11.80 ug/L) were detected in the groundwater beneath the Site at concentrations exceeding their respective NYSDEC TOGS Standards. PAHs including benzo(a)anthracene (max of 2.20 ug/L), benzo(a)pyrene (max of 2.30 ug/L), benzo(b)fluoranthene (max of 2.60 ug/L), benzo(k)fluoranthene (max of 2.70 ug/L), bis(1-ethylhexyl)phthalate (max. of 59.50 ug/L), chrysene (max of max of 3.50 ug/L), and indeno(1,2,3-cd)pyrene (max of 0.80 ug/L) were detected in the groundwater beneath the Site at concentrations exceeding their respective NYSDEC TOGS Standards. Unfiltered metals including lead (26.70 ug/L), magnesium (73,400 ug/L), manganese (max. of 6,170 ug/L), and sodium (max of 240,000 ug/L) were detected in the groundwater beneath the Site at concentrations exceeding their respective NYSDEC TOGS Standards.

Section II. Project Description

Description of Overall Project Development:

The remedial project for the Site will be starting at the investigation stage with the remedial investigation expected to begin in August 2023. Remediation of the Site is anticipated to start upon approval of the Remedial Action Work Plan (RAWP) and the remediation is anticipated to take approximately one year to complete. Therefore, the remedial program is projected to start in November 2023 and be completed by November 2024. Remediation at the Site is intended to make the future building safe for future occupants and to remediate any contaminants detected in the soil, soil vapor, and groundwater. The proposed building will contain parking on the ground floor and the cellar will contain storage areas and utility/mechanical areas. The proposed new building foundation will cover approximately 100% of the Site. However, the final building plans have not yet been finalized as the structural engineering and design will be dependent upon the Geotechnical report.

The project will be conducted under the direct oversight of the New York State Department of Environmental Conservation (NYSDEC). The following is a proposed schedule for the project.

Milestone	Date
Submit BCP Application	April 2023
30 Day Public Comment Period	June 2023
Execution of BCP Agreement	July 2023
Submit Remedial Investigation Work Plan and Citizen Participation Plan	April 2023
Remedial Investigation	August 2023
Submit Remedial Investigation Report and Remedial Action Work Plan	September 2023
Issue Remedial Fact Sheet and Implement RAWP	October 2023
Approve RAWP	November 2023
Perform Remedial Work During Site Construction	December 2023 - October 2024
Execute Environmental Easement (if necessary)	November 2024
Submit Site Management Plan	November 2024
Submit Final Engineering Report	November 2024
Certificate of Completion	December 2024

Section III. Land Use Factors

Zoning and Current Land Use:

The Site currently contains vacant land which is zoned R7A for Residential Use. The surrounding parcels are currently used for a combination of educational, commercial, and residential uses. The adjacent residential property is located to the west (58 Gerry Street). The buildings at the Site were vacant from 2008 through at least 2014 and were demolished between 2016 and 2017. Despite past cleanup efforts, a recent Phase II has revealed contamination still remains on-site beneath the former building 25A area.

Anticipated Use:

The majority of the Site is expected to be excavated to approximately 10-feet below grade in order to remediate the contaminated soil under the former Building 25A area. Subsequent to the remediation, construction of two new seven-story mixed-use residential and commercial residential buildings with below-grade cellars (eight-floors total) will be implemented. The proposed buildings will contain parking on the ground floor with a cellar below. The proposed building foundations will cover approximately 100% of the Site. The final building plans have not yet been finalized as the structural engineering and design will be dependent upon the Geotechnical report. The final building plans for the proposed building may include a green roof.

The anticipated post-remediation use of the Site is consistent with applicable community master plans or local redevelopment initiatives.

Furthermore, the proposed development would enliven the underutilized Site and would encourage the continued economic development of this area of Brooklyn through the creation of new jobs on the Site.

Section IV. Property's Environmental History

2. Sampling Data

The following prior reports are included with the application:

- *Remedial Investigation Report for Operable Unit 1, Pfizer Inc Site B and D, Williamsburg, Brooklyn, New York, prepared by Roux Associates, Inc. of Islandia, New York, dated December 2013*
- *Operable Unit 1 Construction Completion Report, Former Pfizer Inc Site B and D, Kings County, Brooklyn, New York, NYSDEC Site Number V00350, prepared by Roux Environmental Engineering and Geology, D.P.C. of Islandia, New York, dated March 2018*
- *Final Engineering Report, Former Pfizer Inc Site B and D, NYSDEC Site Number V00350, prepared by Roux Environmental Engineering and Geology, D.P.C. of Islandia, New York, dated June 2018*
- *Site Management Plan NYSDEC Site Number V00350, Former Pfizer Inc Site D, Kings County, Brooklyn, New York, prepared by Roux Environmental Engineering and Geology, D.P.C. of Islandia, New York, dated June 2018*
- *Voluntary Cleanup Program Semi-Annual Progress Report – November 2021 to April 2022, Former Pfizer Inc Site D, Operable Unit 1 (OU-1), 191 Harrison Avenue and 60-66 Gerry Street, Brooklyn, New York, prepared by Roux Environmental Engineering and Geology, D.P.C., dated June 24, 2022*
- *Phase II Environmental Site Assessment, Pfizer Site D Operable Unit 1, 60-66 Gerry Street, Block 2269, Lot 3, Brooklyn, New York, prepared by Structural Engineering Technologies, P.C. of Long Island City, New York, dated February 27, 2023*
- *Phase I Environmental Site Assessment, 60-66 Gerry Street, Brooklyn, New York, prepared by Touchstone Environmental Geology, PC, dated April 2023*
- *Periodic Review Report, Former Pfizer Inc. Sites B & D, 59-71 Gerry Street and 73-87 Gerry Street, 191 Harrison Avenue and 60-66 Gerry Street, Brooklyn, New York, prepared by Roux Environmental Engineering and Geology, D.P.C. of Islandia, New York, March 31, 2023*
- *Voluntary Cleanup Program, Semi-Annual Progress Report – May 2022 to December 2022, Former Pfizer Inc Site D, Operable Unit 1 (OU-1), 191 Harrison Avenue and 60-66 Gerry Street, Brooklyn, New York, Index No. D2-0010-0703, Site No. V00350, prepared by Roux Inc. of Islandia, New York, February 24, 2023*

Concentrations in soil presented in the table below were detected above their respective CRUSCO, RRSCO, and/or PoG Standards. Concentrations in groundwater presented in the table below were detected above their respective NYSDEC TOGS Standard. Concentrations in soil gas presented in the table below were detected at concentrations requiring monitoring or mitigation according to the NYSDOH Decision Matrices unless noted otherwise.

Soil Detections Exceeding PGSCO Standards:

Analyte > PGSCOs	Total Detections > PGSCOs over time	PGSCO (mg/kg)	Max Detection > PGSCOs				Most Recent Detection > PGSCOs			
			Concentration (mg/kg)	Detection Date	Sample ID	Sample Depth (ft bgs)	Concentration (mg/kg)	Detection Date	Sample ID	Sample Depth (ft bgs)
VOCs										
2-Butanone	1	0.12	0.48	4/17/2015	PE-BLDG-SW-SSE-12	12	<i>ND > PGSCOs in December 2022</i>			
Acetone	5	0.05	0.70	4/13/2015	PE-BLDG-SW-SSE-12	11				
Cis-1,2-Dichloroethylene	8	0.25	44	4/13/2015	PE-BLDG-SW-NNW-10	10				
Tetrachloroethylene	7	1.3	25	12/19/2022	SP-5	7.5-10	25	12/19/2022	SP-5	7.5-10
Trichloroethene	1	0.47	1.6	4/13/2015	PE-BLDG-SW-NNW-10	10	<i>ND > PGSCOs in December 2022</i>			
Vinyl chloride	6	0.02	2.30	4/13/2015	PE-BLDG-SW-NNW-10	10				
SVOCs										
3-&4-Methylphenols	1	0.33	0.375	12/19/2022	SP-7	10-12	0.375	12/19/2022	SP-7	10-12
Benzo(a)anthracene	8	1	40	12/19/2022	SP-7	10-12	40	12/19/2022	SP-7	10-12
Benzo(a)pyrene	1	22	34.70	12/19/2022	SP-7	10-12	34.70	12/19/2022	SP-7	10-12
Benzo(b)fluoranthene	6	1.7	25.60	12/19/2022	SP-7	10-12	25.60	12/19/2022	SP-7	10-12
Benzo(k)fluoranthene	6	1.7	29.30	12/19/2022	SP-7	10-12	29.30	12/19/2022	SP-7	10-12
Chrysene	8	1	40	12/19/2022	SP-7	10-12	40	12/19/2022	SP-7	10-12
Indeno(1,2,2-cd)pyrene	2	8.2	15.50	12/19/2022	SP-7	10-12	15.50	12/19/2022	SP-7	10-12
Naphthalene	1	12	50.50	12/19/2022	SP-7	10-12	50.50	12/19/2022	SP-7	10-12
Phenol	1	0.33	0.346	12/19/2022	SP-7	10-12	0.346	12/19/2022	SP-7	10-12
Metals										
Arsenic	1	16	19.30	12/15/2022	SP-2	7.5-10	19.30	12/15/2022	SP-2	7.5-10
Barium	1	820	1,180	12/15/2022	SP-2	7.5-10	1,180	12/15/2022	SP-2	7.5-10
Lead	3	450	1,290	12/15/2022	SP-2	7.5-10	1,290	12/15/2022	SP-2	7.5-10
Selenium	1	4	18.20	12/19/2022	SP-7	10-12	18.20	12/19/2022	SP-7	10-12
Mercury	5	0.73	1.85	12/15/2022	SP-2	7.5-10	1.85	12/15/2022	SP-2	7.5-10

Soil Detections Exceeding RRSCO Standards:

Analyte > RRSCOs	Total Detections > RRSCOs over time	RRSCO (mg/kg)	Max Detection > RRSCOs				Most Recent Detection > RRSCOs			
			Concentration (mg/kg)	Detection Date	Sample ID	Sample Depth (ft bgs)	Concentration (mg/kg)	Detection Date	Sample ID	Sample Depth (ft bgs)
VOCs										
Tetrachloroethylene	1	19	25	12/19/2022	SP-5	7.5-10	25	12/19/2022	SP-5	7.5-10
Vinyl chloride	2	0.9	2.30	4/13/2015	PE-BLDG-SW-NNW-10	10	<i>ND > RRSCOs in December 2022</i>			
SVOCs										
Benzo(a)anthracene	8	1	40	12/19/2022	SP-7	10-12	40	12/19/2022	SP-7	10-12
Benzo(a)pyrene	8	1	34.70	12/19/2022	SP-7	10-12	34.70	12/19/2022	SP-7	10-12
Benzo(b)fluoranthene	7	1	25.60	12/19/2022	SP-7	10-12	25.60	12/19/2022	SP-7	10-12
Benzo(k)fluoranthene	5	3.9	29.30	12/19/2022	SP-7	10-12	29.30	12/19/2022	SP-7	10-12
Chrysene	5	3.9	40	12/19/2022	SP-7	10-12	40	12/19/2022	SP-7	10-12
Dibenzo(a,h)anthracene	6	0.33	5.76	12/19/2022	SP-7	10-12	5.76	12/19/2022	SP-7	10-12
Fluoranthene	1	100	112	12/19/2022	SP-7	10-12	112	12/19/2022	SP-7	10-12
Indeno(1,2,2-cd)pyrene	8	0.5	15.50	12/19/2022	SP-7	10-12	15.50	12/19/2022	SP-7	10-12
Phenanthrene	1	100	159	12/19/2022	SP-7	10-12	159	12/19/2022	SP-7	10-12
Metals										
Arsenic	1	16	19.30	12/15/2022	SP-2	7.5-10	19.30	12/15/2022	SP-2	7.5-10
Barium	2	400	1,180	12/15/2022	SP-6	7.5-10	1,180	12/15/2022	SP-6	7.5-10
Lead	3	400	1,290	12/15/2022	SP-2	7.5-10	1,290	12/15/2022	SP-2	7.5-10
Mercury	5	0.81	1.85	12/15/2022	SP-2	7.5-10	1.85	12/15/2022	SP-2	7.5-10

Soil Detections Exceeding CRUSCO Standards:

Analyte > CRUSCOs	Total Detections > CRUSCOs over time	CRUSCO (mg/kg)	Max Detection > CRUSCOs				Most Recent Detection > CRUSCOs			
			Concentration (mg/kg)	Detection Date	Sample ID	Sample Depth (ft bgs)	Concentration (mg/kg)	Detection Date	Sample ID	Sample Depth (ft bgs)
SVOCs										
Benzo(a)anthracene	4	5.6	40	12/19/2022	SP-7	10-12	40	12/19/2022	SP-7	10-12
Benzo(a)pyrene	8	1	34.70	12/19/2022	SP-7	10-12	34.70	12/19/2022	SP-7	10-12
Benzo(b)fluoranthene	2	5.6	25.60	12/19/2022	SP-7	10-12	25.60	12/19/2022	SP-7	10-12
Dibenzo(a,h)anthracene	5	0.56	5.76	12/19/2022	SP-7	10-12	5.76	12/19/2022	SP-7	10-12
Indeno(1,2,2-cd)pyrene	2	5.6	15.50	12/19/2022	SP-7	10-12	15.50	12/19/2022	SP-7	10-12
Metals										
Arsenic	1	16	19.30	12/15/2022	SP-2	7.5-10	19.30	12/15/2022	SP-2	7.5-10
Barium	2	400	1,180	12/15/2022	SP-6	7.5-10	1,180	12/15/2022	SP-6	7.5-10
Lead	1	1,000	1,290	12/15/2022	SP-2	7.5-10	1,290	12/15/2022	SP-2	7.5-10

Groundwater Detections:

Analyte > AWQS	Total Detections > AWQS over time	AWQS (µg/L)	Max Detection > AWQS			Most Recent Detection > AWQS		
			Concentration (ug/L)	Detection Date	Sample ID	Concentration (ug/L)	Detection Date	Sample ID
VOCs								
1,1,2-Trichloroethane	1	1	8.8	11/27/2017	MW-D2I	ND > AWQS in December 2022		
1,1-Dichloroethene	6	5	56	7/18/2017	MW-D2			
1,2-Dichloroethane	1	0.6	7.7	11/27/2017	MW-D2I			
1,2-Dichloroethene (total)	7	5	25,000	4/5/2016	MW-D2			
Acetone	7	50	630	1/26/2022	MW-D2I	54	12/2/2022	MW-D2I
Chloroethane	2	5	7.8	7/18/2017	MW-20	ND > AWQS in December 2022		
Chloromethane	2	5	120	11/27/2017	MW-D2I			
Cis-1,2-Dichloroethylene	66	5	33,000	7/18/2017	MW-D2	6.43	12/19/2022	22MW1
Dichloroethylenes	65	5	33,000	7/18/2017	MW-D2	14	12/2/2022	MW-20
Methyl ethyl ketone (2-Butanone)	7	50	640	1/26/2022	MW-D2I	ND > AWQS in December 2022		
Methylene Chloride	1	5	9.7	11/27/2017	MW-D2I			
Tetrachloroethene	9	5	820	7/18/2017	MW-D2			
Trans-1,2-Dichloroethane	9	5	41	11/27/2017	MW-D2I			
Trichloroethene	10	5	230	7/18/2017	MW-D2			
Vinyl chloride	74	2	19,000	5/29/2020	MW-D2	11.8	12/19/2022	22MW1
SVOCs								
Benzo(a)anthracene	2	0.002	2.20	12/19/2022	MW-D2	2.20	12/19/2022	MW-D2
Benzo(a)pyrene	2	0.002	2.30	12/19/2022	MW-D2	2.30	12/19/2022	MW-D2
Benzo(b)fluoranthene	2	0.002	2.60	12/19/2022	MW-D2	2.60	12/19/2022	MW-D2
Benzo(k)fluoranthene	2	0.002	2.70	12/19/2022	MW-D2	2.70	12/19/2022	MW-D2
Bis(2-ethylhexyl)phthalate	3	5	59.50	12/19/2022	MW-D2	59.50	12/19/2022	MW-D2
Chrysene	2	0.002	3.50	12/19/2022	MW-D2	3.50	12/19/2022	MW-D2
Indeno(1,2,3-cd)pyrene	2	0.002	0.80	12/19/2022	MW-D2	0.80	12/19/2022	MW-D2
Metals								
Lead	1	25	26.70	12/30/2022	MW-20	26.70	12/30/2022	MW-20
Magnesium	1	35,000	73,400	12/30/2022	MW-20	73,400	12/30/2022	MW-20
Manganese	3	300	6,170	12/30/2022	MW-20	6,170	12/30/2022	MW-20
Sodium	4	20,000	240,000	12/30/2022	MW-20	240,000	12/30/2022	MW-20
General Chemistry								
Analyte > AWQS	Total Detections > AWQS over time	AWQS (µg/L)	Max Detection > AWQS			Most Recent Max Detection > AWQS		
			Concentration (ug/L)	Detection Date	Sample ID	Concentration (ug/L)	Detection Date	Sample ID
Chloride (As Cl)	2	250,000	410,000	7/19/2016	MW-20	ND > AWQS in April 2022		
Sulfate (As SO4)	18	250,000	8,700,000	4/27/2017	MW-D2I			

Soil Vapor Detections:

Analytes	Total Detections	Max Detection ($\mu\text{g}/\text{m}^3$)	Sample ID	Max Collection Date	Type
VOCs					
1,1,1-Trichloroethane	3	99	SV-1	12/19/2022	CVOC
1,1-Dichloroethane	1	30	SV-1	12/19/2022	
1,1-Dichloroethylene	2	11	SV-3	12/19/2022	CVOC
1,2,4-Trimethylbenzene	5	8.30	SV-1	12/19/2022	Gasoline
1,3-Butadiene	3	11	SV-1	12/19/2022	
2-Butanone	5	400	SV-5	12/19/2022	
2-Hexanone	4	51	SV-5	12/19/2022	
Acetone	5	300	SV-2	12/19/2022	
Benzene	3	10	SV-1	12/19/2022	Gasoline
Bromodichloromethane	1	13	SV-1	12/19/2022	
Carbon disulfide	3	16	SV-5	12/19/2022	
Chloroform	2	270	SV-1	12/19/2022	
Chloromethane	1	19	SV-1	12/19/2022	
Cis-1,2-Dichloroethylene	5	1,600	SV-2	12/19/2022	CVOC
Cyclohexane	3	21	SV-5	12/19/2022	
Dichlorodifluoromethane	1	5	SV-4	12/19/2022	
Ethyl benzene	3	7.30	SV-1	12/19/2022	Gasoline
Isopropanol	4	22	SV-2	12/19/2022	
Methyl methacrylate	1	8.90	SV-1	12/19/2022	
Methyl tert-butyl ether	1	13,000	SV-1	12/19/2022	
Methylene chloride	5	12	SV-1	12/19/2022	CVOC
n-Heptane	2	9.90	SV-5	12/19/2022	
n-Hexane	3	19	SV-5	12/19/2022	
o-Xylene	5	10	SV-1	12/19/2022	Gasoline
p- & m-Xylenes	4	17	SV-1	12/19/2022	Gasoline
p-Ethyl toluene	2	6.90	SV-3	12/19/2022	Gasoline
Propylene	5	190	SV-5	12/19/2022	
Tetrachloroethylene	5	7,900	SV-3	12/19/2022	CVOC
Toluene	5	21	SV-4	12/19/2022	Gasoline
Trans-1,2-Dichloroethylene	2	10	SV-3	12/19/2022	
Trans-1,3-Dichloropropylene	1	6.50	SV-2	12/19/2022	
Trichloroethylene	5	580	SV-2	12/19/2022	CVOC
Trichlorofluoromethane	4	220	SV-4	12/19/2022	
Vinyl chloride	3	51	SV-3	12/19/2022	CVOC

The NYSDOH provides screening levels for the eight highlighted compounds. **Figures 5A** and **5B** provide maps of the detections above standards in soil samples. **Figure 6** provides a map of the detections above standards in groundwater samples. **Figure 7** provides a map of the soil vapor detections.

Section V. Requestor Information

The sole member of 66 Gerry LLC is Rafael Rabinowitz. See the attached Sole Member Corporate Resolution.

Section VI. Requestor Eligibility

The applicant, 66 Gerry LLC, purchased the property from 58 Gerry St LLC on January 3, 2023 and relied on the historic reports approved by the NYSDEC which indicated that the Site could be redeveloped for restricted residential use. None of the prior reports indicated that commercial SCO exceedances were still present. However, as indicated by the results of the recent Phase II ESA, the Site requires not only soil remediation given that commercial SCO exceedances were identified but may require additional groundwater remediation not contemplated by the existing Site Management Plan (SMP). In addition, extensive soil vapor levels were found suggesting additional source areas may be present under the former building. As a result, the applicant should be eligible as a Volunteer for the BCP to address remediation that was not discovered by previous investigations as little work was performed under the prior foundation slab of Building 25A.

The applicant has no relationship with any prior owners of the Site and has not engaged in any operations at the Site prior to purchasing the property. Since purchasing the Site, the applicant has retained S.E.T. to perform additional due diligence prior to commencement of construction and additional contamination requiring remediation was identified. Since acquiring the title to the property, the applicant has not engaged in any activities involving hazardous wastes or hazardous substances at the Site and verifies, to the best of their knowledge, that no hazardous substances have been released at the Site since the applicant acquired the title to the Site. The applicant has also performed due care by fencing in the Site to prevent public access and intends to perform the additional remediation required to make the Site safe for residential occupancy.

Section IX. Current Property Owner/Operator Information

List of Current/Previous Property Owners	Years of Ownership/ Operation	List of Previous Operators	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor(s)
Unknown	Unknown-1887	Unknown	Unknown	None
Unknown	1887-1947	Residential and Commercial Potential Cleaner (64 Gerry St: 1934)	Unknown	None
Pfizer *	1947-1987	Pfizer – storage and general maintenance work supporting Pfizer Brooklyn Facility (1947-1987) PCE Reclamation Business (1956) Pure Refining Corp (66 Gerry St: 1960) Tonys Carriers Inc (66 Gerry St: 1965)	**235 East 42 nd Street, New York, NY 10017	None
Pfizer *	1987-2007	Arlington Press (60 Gerry St: 1992, 1995, 1997, 2000, 2005)	**235 East 42 nd Street, New York, NY 10017	None
Pfizer *	2007-Unknown	Vacant buildings formerly associated with Arlington Press (2010-2017)	**235 East 42 nd Street, New York, NY 10017	None
Pfizer Inc C/O Pfizer Inc	Unknown – 2016	Vacant buildings formerly associated with Arlington Press (2010-2017)	235 East 42 nd Street, New York, NY 10017	None
58 Gerry St LLC	2016-2018	Undeveloped/ Vacant buildings formerly associated with Arlington Press (2010-2017)	173 Wallabout Street, Brooklyn, NY 992 Bedford Avenue, Brooklyn, NY 11205	None
33 Bartlett LLC	2018-2021	Undeveloped/Vacant	992 Bedford Avenue, Brooklyn, NY 11205 92 Emerson Pl, Brooklyn, NY 11205	None
58 Gerry St LLC	2021-2023	Undeveloped/Vacant	92 Emerson Pl, Brooklyn, NY 11205	None
66 Gerry LLC	2023-Present	Undeveloped/Vacant	505 Flushing Avenue, Unit 1D, Brooklyn, NY 11205	Requestor

* = owner identified based upon previous reports. The deed for Block 2266, Lot 1 indicates Pfizer was the owner of the Site in at least 2016. However, it is unknown if Pfizer was the sole owner of the Site from 1947 through 2016.

** = Pfizer address at time indicated is unknown, the address provided is the address listed on the 2016 deed for the Site where Pfizer is listed as the Grantor/Seller.

The property owner, 66 Gerry LLC, took ownership of the property on January 3, 2023.

The past operators identified in Historic City Directories were provided in this application.

The past owners identified on the New York City Department of Finance Automated City Register Information System (ACRIS) were provided in this application.

Section XI. Contact List Information

1. Chief Executive Officer and Planning Board Chairperson:

Title	Name	Address
Brooklyn Borough President	Antonio Reyonoso	Office of the Brooklyn Borough President 209 Joralemon Street Brooklyn, NY 11201
Community Board Chairperson – Brooklyn Community Board 1	Dealice Fuller	435 Graham Avenue, Brooklyn, NY 11211

Office of the Mayor of New York City:

Eric Adams
City Hall
City Hall Park
New York, NY 10007

Chair of the New York City Planning Commission:

Dan Garodnick
Manhattan Office:
120 Broadway, 31st Floor
New York, NY 10271

Brooklyn Office (temporary relocation):

120 Broadway, 31st Floor
New York, NY 10271
Phone: 718-780-8280

2. Residents, Owners, Occupants:

Subject Property:

Resident / Occupant	Property Address	Property Owner	Property Owner Address
Undeveloped/Vacant	60-66 Gerry Street, Brooklyn, NY 11206	66 Gerry LLC	505 flushing Avenue, Unit 1D, Brooklyn, NY 11205

Adjacent Properties:

Resident/Occupant	Property Address	Owner	Property Owner Address
Miscellaneous Educational Facility (W9)	177 Harrison Avenue (Alternate Addresses: 171- 185 Harrison Avenue)	Bais Ruchel High School, Inc.	174 Rodney Street, Brooklyn, NY
Parking Lot	Block 2266, Lot 52	Oholei Shloma	517 Flushing Avenue, Brooklyn, NY 11205
Parking Lot	Block 2266, Lot 49	Congregation Divrei Yoel	144 Spencer Street #612. Brooklyn, NY 11205
Vacant Land – Zoned Residential – Not Manhattan (V0)	68 Gerry Street	NYC Housing Preservation & Development	134 Broadway #77, Brooklyn, NY 11249
Vacant Land – Zoned Residential – Not Manhattan (V0)	39 Bartlett Street	NYC Housing Preservation & Development	Address Not Available

BCP Application

June 28, 2023

Vacant Land – Zoned Residential – Not Manhattan (V0)	37 Bartlett Street	NYC Housing Preservation & Development	134 Broadway #77, Brooklyn, NY 11249
Vacant Land – Zoned Residential – Not Manhattan (V0)	35 Bartlett Street	NYC Housing Preservation & Development	134 Broadway #77, Brooklyn, NY 11249
Commercial Office Building	33 Bartlett Street	Bartlett LLC	670 Myrtle Avenue #447, Brooklyn, NY 11205
Vacant Land – Zoned Commercial or Manhattan Residential Land (V1)	31 Bartlett Street	NYC Housing Preservation & Development	100 Gold Street, Lobby 3, New York, NY 10038
Mixed-use Residential and Commercial Building	58 Gerry Street (Alternate Addresses: 187 and 191 Harrison Avenue)	58 Gerry St LLC	992 Bedford Avenue, Brooklyn, NY 11205

3. Local News Media:

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

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

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

NY 1 News
 75 Ninth Avenue
 New York, NY 10011

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

Brooklyn Daily Eagle
 30 Henry Street
 Brooklyn, NY 11201

4. Public Water Supplier:

Supplier Name	Address
New York City Department of Environmental Protection (NYCDEP)	Customer Service Center 59-17 Junction Boulevard, 13 th Floor Flushing, NY 11373

5. Persons Requesting to be Placed on Contact List:

Requestor	Address
66 Gerry LLC	505 Flushing Avenue, # 1D Brooklyn, NY 11205
Consultant	Address
Structural Engineering Technologies, P.C.	40-12 28 th Street, Queens, NY 11101
Attorney	Address
Linda Shaw, Knauf Shaw LLP	2600 Innovation Square, 100 S. Clinton Avenue Rochester, NY 14604

6. Administrators of Schools or Day Care Facilities Located on or Near Property:

Baris Ruchel High School
177 Harrison Avenue
Brooklyn, NY 11206

Beginning with Children Charter School
11 Bartlett Street
Brooklyn, NY 11206

7. Location of Document Repository and Community Board:

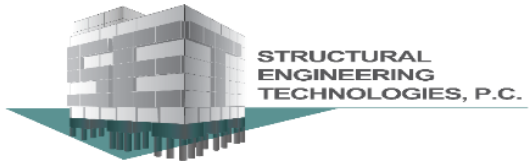
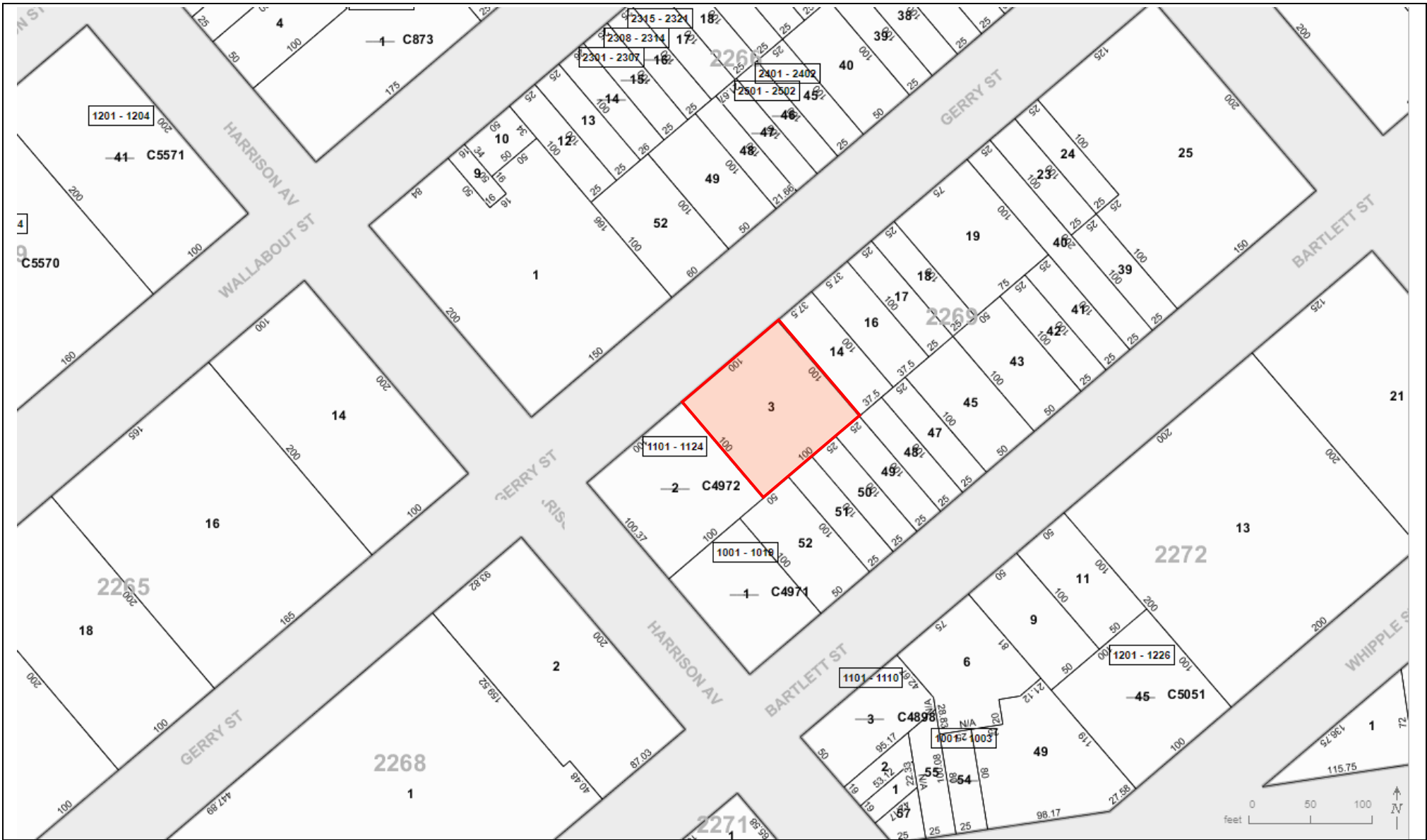
Brooklyn Public Library – Bushwick Branch Hours:
340 Bushwick Avenue at Siegel Street, *Currently closed for building maintenance*
Brooklyn, NY 11206
718-602-11206

Brooklyn Public Library – Williamsburg Branch Hours:
240 Division Avenue at Marcy Avenue, Mon 10 AM – 6 PM Tues 1 PM – 8 PM
Brooklyn, NY 11211 Wed 10 AM – 6 PM Thurs 10 AM – 8 PM
718-302-3485 Fri 10 AM – 6 PM Sat 10 AM – 5 PM
Sun CLOSED

Brooklyn Community Board 1
435 Graham Avenue
Brooklyn, NY 11211
Phone: 718-389-0009
Email: bk01@cb.nyc.gov

Attachment B includes documentation of attempts to acquire acknowledgement from the Brooklyn Community Board to be the document repository for the Site.

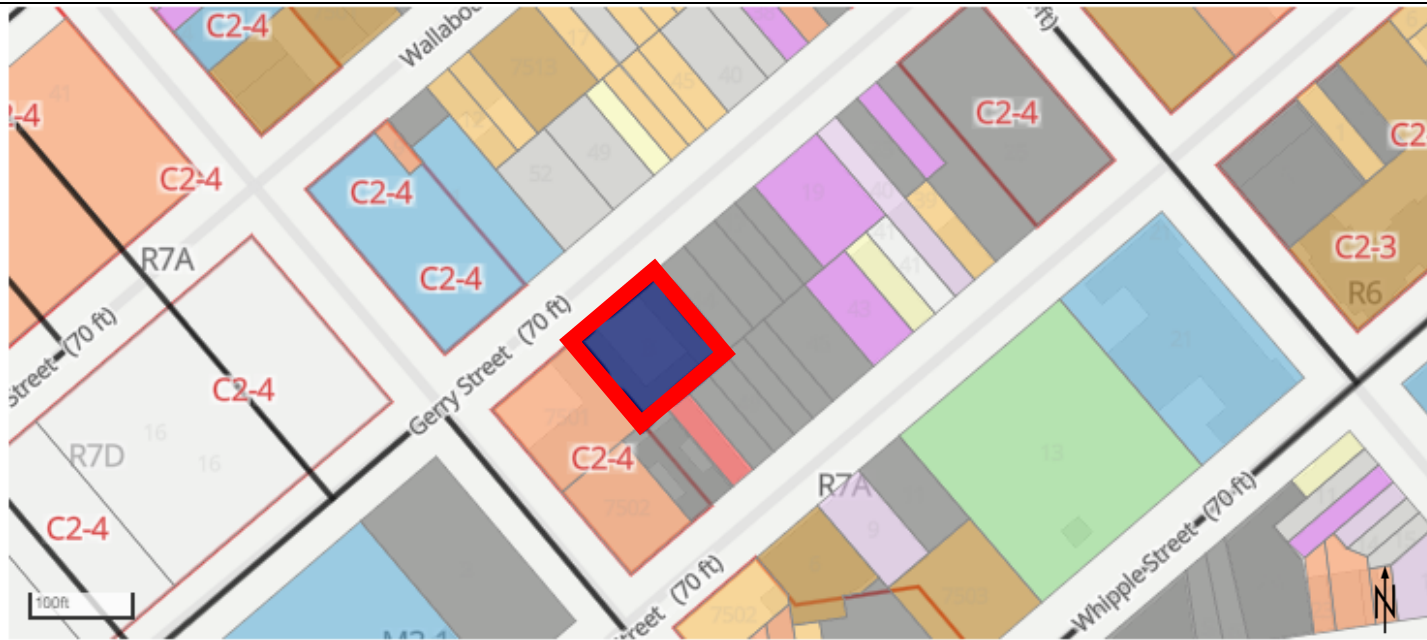
Attachment B includes a letter from the New York Public Library Williamsburg Branch indicating they have agreed to be the document repository.



Scale: AS NOTED
 Site Boundary:

60-66 Gerry Street,
 Brooklyn, NY

FIGURE 1: TAX MAP



Zoning and Land Use

Tax Lots

- One & Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed Residential & Commercial Buildings
- Commercial & Office Buildings
- Industrial & Manufacturing
- Transportation & Utility
- Public Facilities & Institutions
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land
- Other

Zoning Districts

- Commercial Districts
- Manufacturing Districts
- Residence Districts
- Parks
- Battery Park City

Commercial Overlays

- C1-1 through C1-5
- C2-1 through C2-5

Basemaps

Subways —

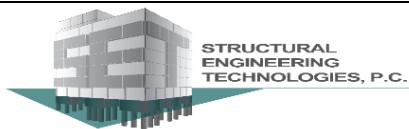
Building Footprints

HARRISON AVENUE, 11206

TAX LOT | BBL 3022690003

Brooklyn (Borough 3) | Block 2269 | Lot 3

Resident/Occupant	Property Address	Owner
Miscellaneous Educational Facility (W9)	177 Harrison Avenue (Alternate Addresses: 171-185 Harrison Avenue)	Bais Ruchel High School, Inc.
Parking Lot	Block 2266, Lot 52	Oholei Shloma
Parking Lot	Block 2266, Lot 49	Congregation Divrei Yoel
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Vacant Land – Zoned Residential – Not Manhattan (V0)	39 Bartlett Street	NYC Housing Preservation & Development
Vacant Land – Zoned Residential – Not Manhattan (V0)	37 Bartlett Street	NYC Housing Preservation & Development
Vacant Land – Zoned Residential – Not Manhattan (V0)	35 Bartlett Street	NYC Housing Preservation & Development
Commercial Office Building	33 Bartlett Street	Bartlett LLC
Vacant Land – Zoned Commercial or Manhattan Residential Land (V1)	31 Bartlett Street	NYC Housing Preservation & Development
Mixed-use Residential and Commercial Building	58 Gerry Street (Alternate Addresses: 187 and 191 Harrison Avenue)	58 Gerry St LLC

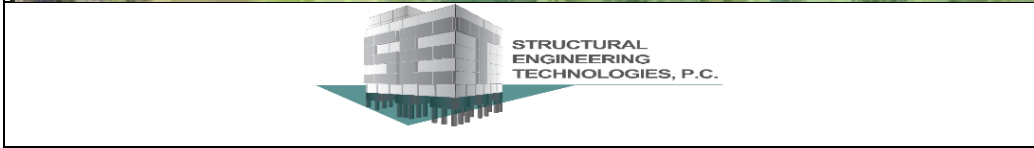
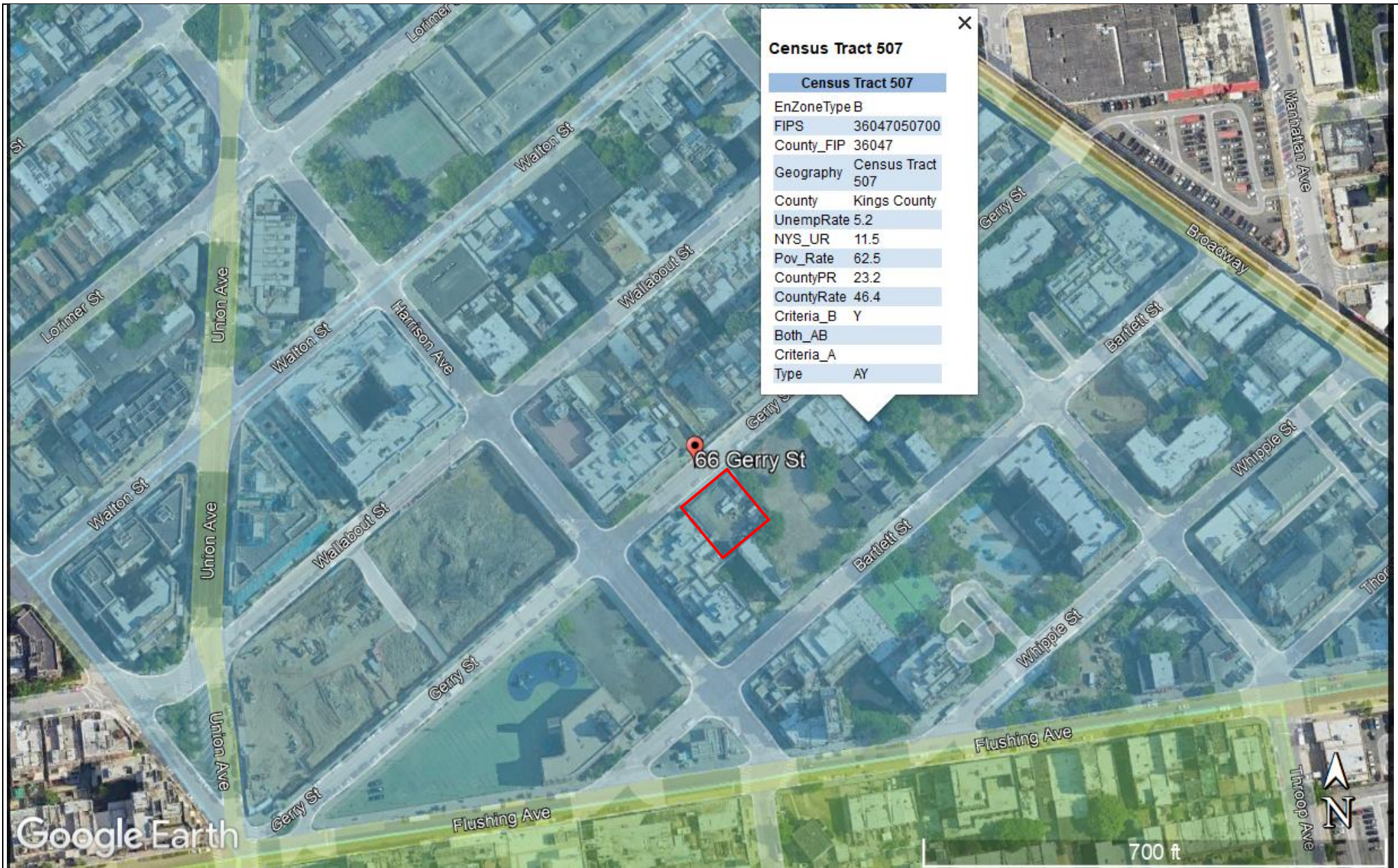


STRUCTURAL
ENGINEERING
TECHNOLOGIES, P.C.

Scale: AS NOTED
Site Boundary:

60-66 Gerry Street,
Brooklyn, NY

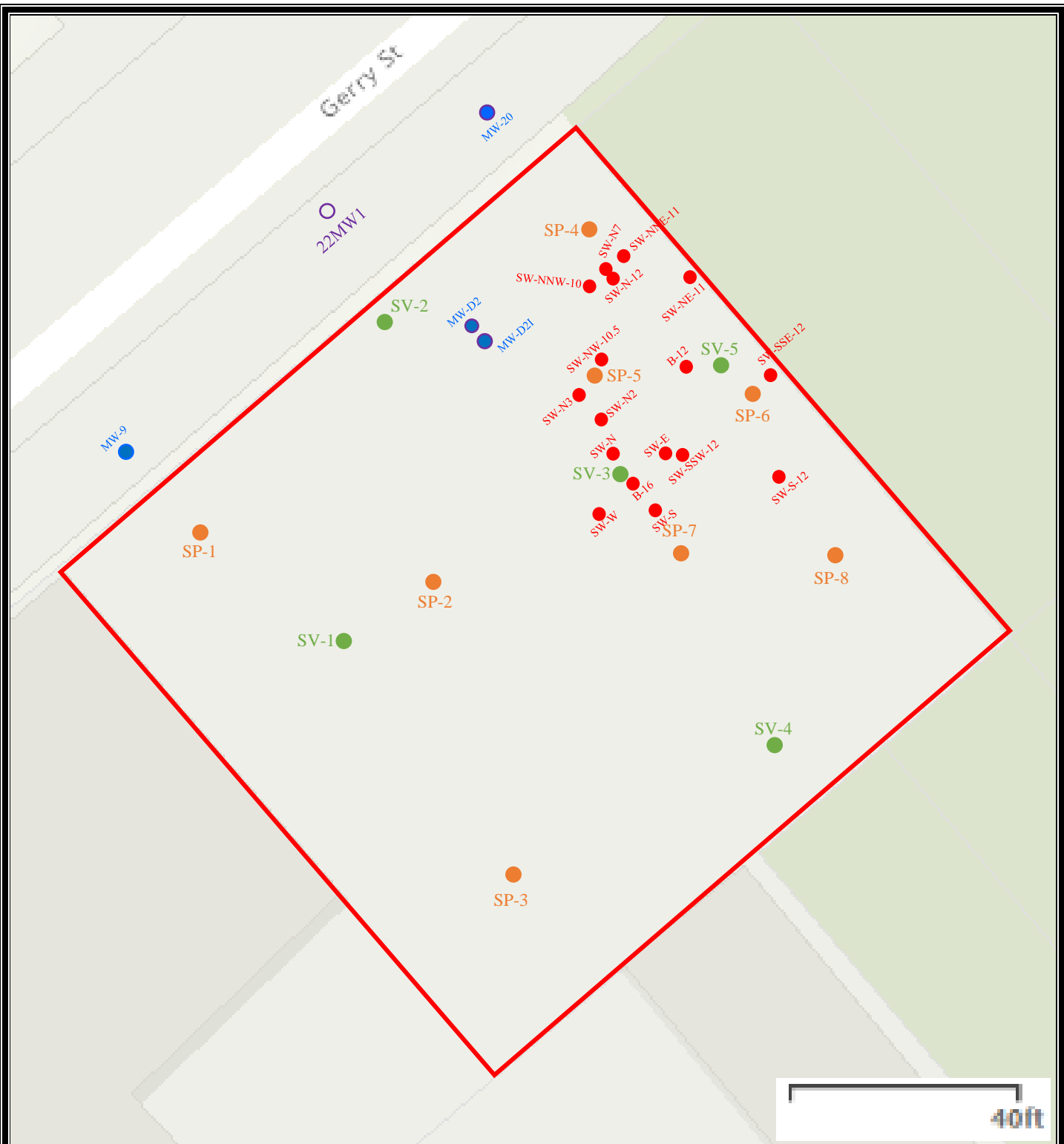
FIGURE 2: PROPERTY BASE MAP



Scale: AS NOTED
 Site Boundary:

60-66 Gerry Street,
 Brooklyn, NY

FIGURE 3: EN-ZONE MAP



Key:

- June 2018 Final Engineering Report Soil Boring Location
- June 2018 Final Engineering Report Monitoring Well Location
- February 2023 Phase II Monitoring Well Sampling Location
- December 2022 Phase II Soil Vapor Probe Location
- December 2022 Soil Probe Location

Figure 4: Sampling Plan

60-66 Gerry Street
Brooklyn, New York



PE-BLDG-SW-NE-11 Collected April 2013

DEPTH	VOCs (mg/kg)			
	11 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Acetone	0.26	0.05	100	500
Vinyl chloride	0.41	0.02	0.9	13

PE-BLDG-SW-NE-11 Collected April 2013

DEPTH	VOCs (mg/kg)			
	11 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Cis-1,2-Dichloroethene	20	0.25	100	500
Vinyl chloride	0.84	0.02	0.9	13

PE-BLDG-SW-NNW-10 Collected April 2013

DEPTH	VOCs (mg/kg)			
	10 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Cis-1,2-Dichloroethene	44	0.25	100	500
Tetrachloroethene	13	1.3	19	150
Trichloroethene	1.6	0.47	21	200
Vinyl chloride	2.3	0.02	0.9	13

PE-BLDG-SW-NW-10.5 Collected April 2013

DEPTH	VOCs (mg/kg)			
	10.5 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Cis-1,2-Dichloroethene	12	0.25	100	500
Tetrachloroethene	1.6	1.3	19	150

PE-C-SW-N3 Collected May 2013

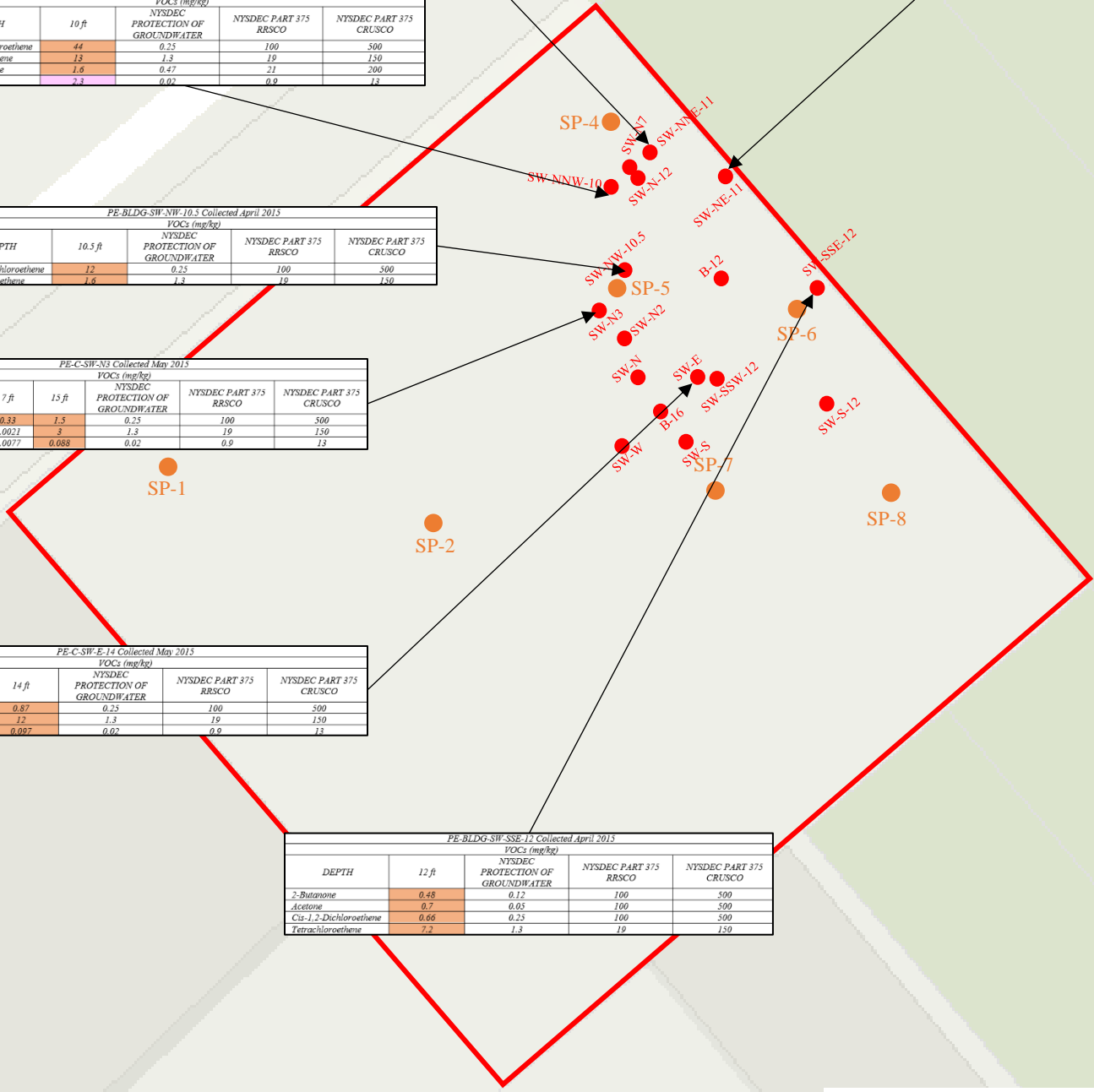
DEPTH	VOCs (mg/kg)				
	7 ft	15 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Cis-1,2-Dichloroethene	0.33	1.5	0.25	100	500
Tetrachloroethene	0.0021	3	1.3	19	150
Vinyl chloride	0.0077	0.088	0.02	0.9	13

PE-C-SW-E-14 Collected May 2013

DEPTH	VOCs (mg/kg)			
	14 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Cis-1,2-Dichloroethene	0.87	0.25	100	500
Tetrachloroethene	12	1.3	19	150
Vinyl chloride	0.097	0.02	0.9	13

PE-BLDG-SW-SSE-12 Collected April 2013

DEPTH	VOCs (mg/kg)			
	12 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
2-Butanone	0.48	0.12	100	500
Acetone	0.7	0.05	100	500
Cis-1,2-Dichloroethene	0.66	0.25	100	500
Tetrachloroethene	7.2	1.3	19	150



Key:

- June 2018 Final Engineering Report Soil Boring Location
- February 2023 Phase II ESAE Soil Probe Location
- Pink shaded values indicate compounds were detected at concentrations exceeding their respective RRSCO and Protection of Groundwater Standards
- Orange shaded values indicate compounds were detected at concentrations exceeding their perspective Protection of Groundwater Standard

Figure 5A: Compounds Detected Above Standards in Soil

60-66 Gerry Street
Brooklyn, New York



SP-5 Collected December 2022					
DEPTH	VOCs (mg/kg)				
	7.5-10 ft	15-17.5 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Cis-1,2-Dichloroethylene	14	0.047	0.23	100	500
Tetrachloroethylene	25	0.350	1.3	19	150
Vinyl chloride	0.036	0.0045	0.02	0.9	13
SVOCs (mg/kg)					
Benzo(a)anthracene	19.80	0.207	1	1	5.6
Benzo(a)pyrene	18.90	0.162	22	1	1
Benzo(b)fluoranthene	16.40	0.141	1.7	1	5.6
Benzo(k)fluoranthene	17	0.137	1.7	3.9	56
Chrysene	19.90	0.194	1	3.9	56
Dibenzo(a,h)anthracene	4	ND	1,000	0.33	0.56
Indeno(1,2,3-cd)pyrene	10.20	0.084	8.2	0.5	5.6
Metals (mg/kg)					
Barium	673	58.90	820	400	400
Lead	557	12.80	450	400	1,000
Mercury	1.25	ND	0.73	0.81	2.8

SP-1 Collected December 2022					
DEPTH	VOCs (mg/kg)				
	2.5-5 ft	17.5-20 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Acetone	0.053	0.013	0.05	100	500
SVOCs (mg/kg)					
Benzo(a)anthracene	1.55	0.22	1	1	5.6
Benzo(a)pyrene	1.35	0.198	22	1	1
Benzo(b)fluoranthene	1.16	0.164	1.7	1	5.6
Chrysene	1.55	0.215	1	3.9	56
Indeno(1,2,3-cd)pyrene	0.846	0.0814	8.2	0.5	5.6
Metals (mg/kg)					
Mercury	1.74	0.27	0.73	0.81	2.8

SP-2 Collected December 2022					
DEPTH	Metals (mg/kg)				
	7.5-10 ft	17.5-20 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Arsenic	19.30	ND	16	16	16
Lead	1,290	5.21	450	400	1,000
Mercury	1.85	ND	0.73	0.81	2.8

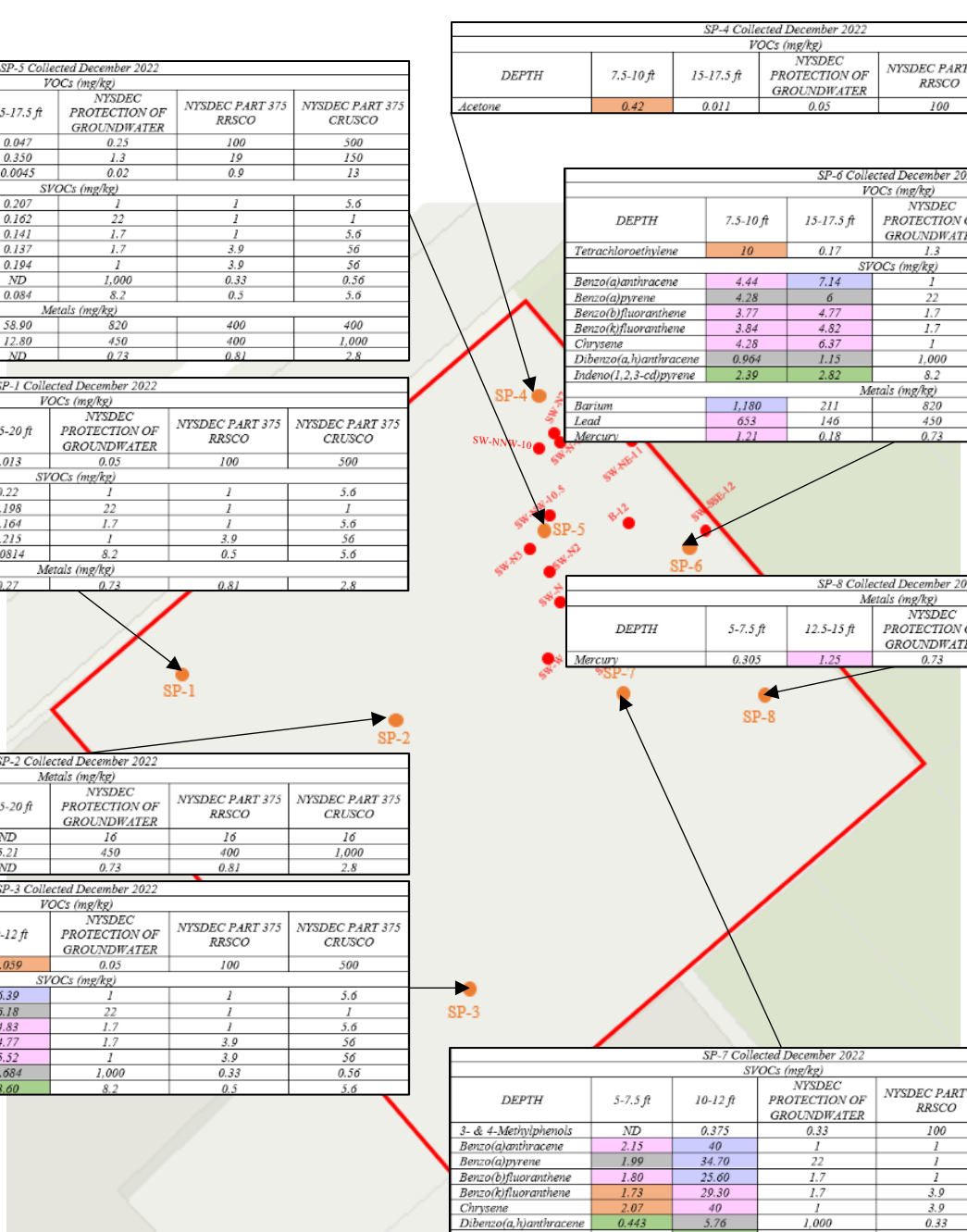
SP-3 Collected December 2022					
DEPTH	VOCs (mg/kg)				
	2.5-5 ft	10-12 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Acetone	0.033	0.059	0.05	100	500
SVOCs (mg/kg)					
Benzo(a)anthracene	1.26	6.39	1	1	5.6
Benzo(a)pyrene	1.11	6.18	22	1	1
Benzo(b)fluoranthene	0.989	4.83	1.7	1	5.6
Benzo(k)fluoranthene	0.856	4.77	1.7	3.9	56
Chrysene	1.14	5.32	1	3.9	56
Dibenzo(a,h)anthracene	0.136	0.684	1,000	0.33	0.56
Indeno(1,2,3-cd)pyrene	0.691	3.60	8.2	0.5	5.6

SP-4 Collected December 2022					
DEPTH	VOCs (mg/kg)				
	7.5-10 ft	15-17.5 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Acetone	0.42	0.011	0.05	100	500

SP-6 Collected December 2022					
DEPTH	VOCs (mg/kg)				
	7.5-10 ft	15-17.5 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Tetrachloroethylene	10	0.17	1.3	19	150
SVOCs (mg/kg)					
Benzo(a)anthracene	4.44	7.14	1	1	5.6
Benzo(a)pyrene	4.28	6	22	1	1
Benzo(b)fluoranthene	3.77	4.77	1.7	1	5.6
Benzo(k)fluoranthene	3.84	4.82	1.7	3.9	56
Chrysene	4.28	6.37	1	3.9	56
Dibenzo(a,h)anthracene	0.964	1.13	1,000	0.33	0.56
Indeno(1,2,3-cd)pyrene	2.39	2.82	8.2	0.5	5.6
Metals (mg/kg)					
Barium	1,180	211	820	400	400
Lead	653	146	450	400	1,000
Mercury	1.21	0.18	0.73	0.81	2.8

SP-8 Collected December 2022					
DEPTH	Metals (mg/kg)				
	5-7.5 ft	12.5-15 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
Mercury	0.305	1.25	0.73	0.81	0.28

SP-7 Collected December 2022					
DEPTH	SVOCs (mg/kg)				
	5-7.5 ft	10-12 ft	NYSDEC PROTECTION OF GROUNDWATER	NYSDEC PART 375 RRSCO	NYSDEC PART 375 CRUSCO
3- & 4-Methylphenols	ND	0.375	0.33	100	500
Benzo(a)anthracene	2.15	40	1	1	5.6
Benzo(a)pyrene	1.99	34.70	22	1	1
Benzo(b)fluoranthene	1.80	25.60	1.7	1	5.6
Benzo(k)fluoranthene	1.73	29.30	1.7	3.9	56
Chrysene	2.07	40	1	3.9	56
Dibenzo(a,h)anthracene	0.443	5.76	1,000	0.33	0.56
Fluoranthene	4.77	112	1,000	100	500
Indeno(1,2,3-cd)pyrene	1.09	15.50	8.2	0.5	5.6
Naphthalene	ND	50.50	12	100	500
Phenanthrene	3.59	159	1,000	100	500
Phenol	ND	0.346	1,000	100	500
Metals (mg/kg)					
Selenium	ND	18.20	4	180	1,500

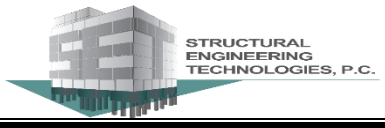


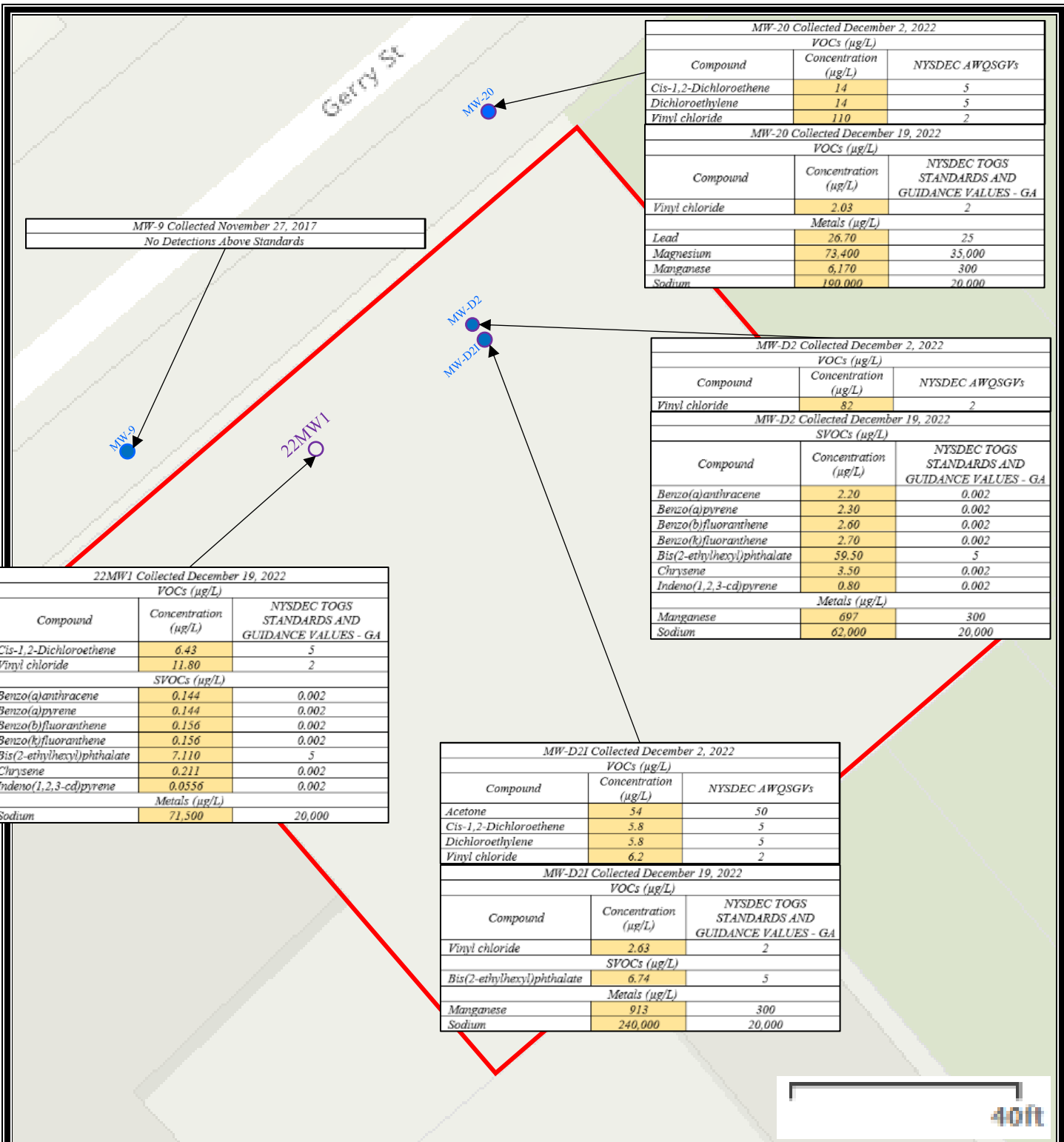
Key:

- June 2018 Final Engineering Report Soil Boring Location
- February 2023 Phase II ESA Soil Probe Location
- Green shaded values indicate compounds were detected at concentrations exceeding their respective RRSCO
- Orange shaded values indicate compounds were detected at concentrations exceeding their perspective Protection of Groundwater Standard
- Pink shaded values indicate compounds were detected at concentrations exceeding their respective RRSCO and Protection of Groundwater Standards
- Gray shaded values indicate compounds were detected at concentrations exceeding their respective RRSCO and CRUSCO
- Purple shaded values indicate compounds were detected at concentrations exceeding the CRUSCO, RRSCO, and Protection of Groundwater Standards

Figure 5B: Compounds Detected Above Standards in Soil

60-66 Gerry Street
Brooklyn, New York





MW-9 Collected November 27, 2017
No Detections Above Standards

MW-20 Collected December 2, 2022		
VOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC AWQSGVs
Cis-1,2-Dichloroethene	14	5
Dichloroethylene	14	5
Vinyl chloride	110	2

MW-20 Collected December 19, 2022		
VOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC TOGS STANDARDS AND GUIDANCE VALUES - GA
Vinyl chloride	2.03	2

Metals (µg/L)		
Lead	26.70	25
Magnesium	73,400	35,000
Manganese	6,170	300
Sodium	190,000	20,000

MW-D2 Collected December 2, 2022		
VOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC AWQSGVs
Vinyl chloride	82	2

MW-D2 Collected December 19, 2022		
SVOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC TOGS STANDARDS AND GUIDANCE VALUES - GA
Benzo(a)anthracene	2.20	0.002
Benzo(a)pyrene	2.30	0.002
Benzo(b)fluoranthene	2.60	0.002
Benzo(k)fluoranthene	2.70	0.002
Bis(2-ethylhexyl)phthalate	59.50	5
Chrysene	3.50	0.002
Indeno(1,2,3-cd)pyrene	0.80	0.002

Metals (µg/L)		
Manganese	697	300
Sodium	62,000	20,000

22MW1 Collected December 19, 2022		
VOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC TOGS STANDARDS AND GUIDANCE VALUES - GA
Cis-1,2-Dichloroethene	6.43	5
Vinyl chloride	11.80	2

SVOCs (µg/L)		
Benzo(a)anthracene	0.144	0.002
Benzo(a)pyrene	0.144	0.002
Benzo(b)fluoranthene	0.156	0.002
Benzo(k)fluoranthene	0.156	0.002
Bis(2-ethylhexyl)phthalate	7.110	5
Chrysene	0.211	0.002
Indeno(1,2,3-cd)pyrene	0.0556	0.002

Metals (µg/L)		
Sodium	71,500	20,000

MW-D2I Collected December 2, 2022		
VOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC AWQSGVs
Acetone	54	50
Cis-1,2-Dichloroethene	5.8	5
Dichloroethylene	5.8	5
Vinyl chloride	6.2	2

MW-D2I Collected December 19, 2022		
VOCs (µg/L)		
Compound	Concentration (µg/L)	NYSDEC TOGS STANDARDS AND GUIDANCE VALUES - GA
Vinyl chloride	2.63	2

SVOCs (µg/L)		
Bis(2-ethylhexyl)phthalate	6.74	5

Metals (µg/L)		
Manganese	913	300
Sodium	240,000	20,000



Key:

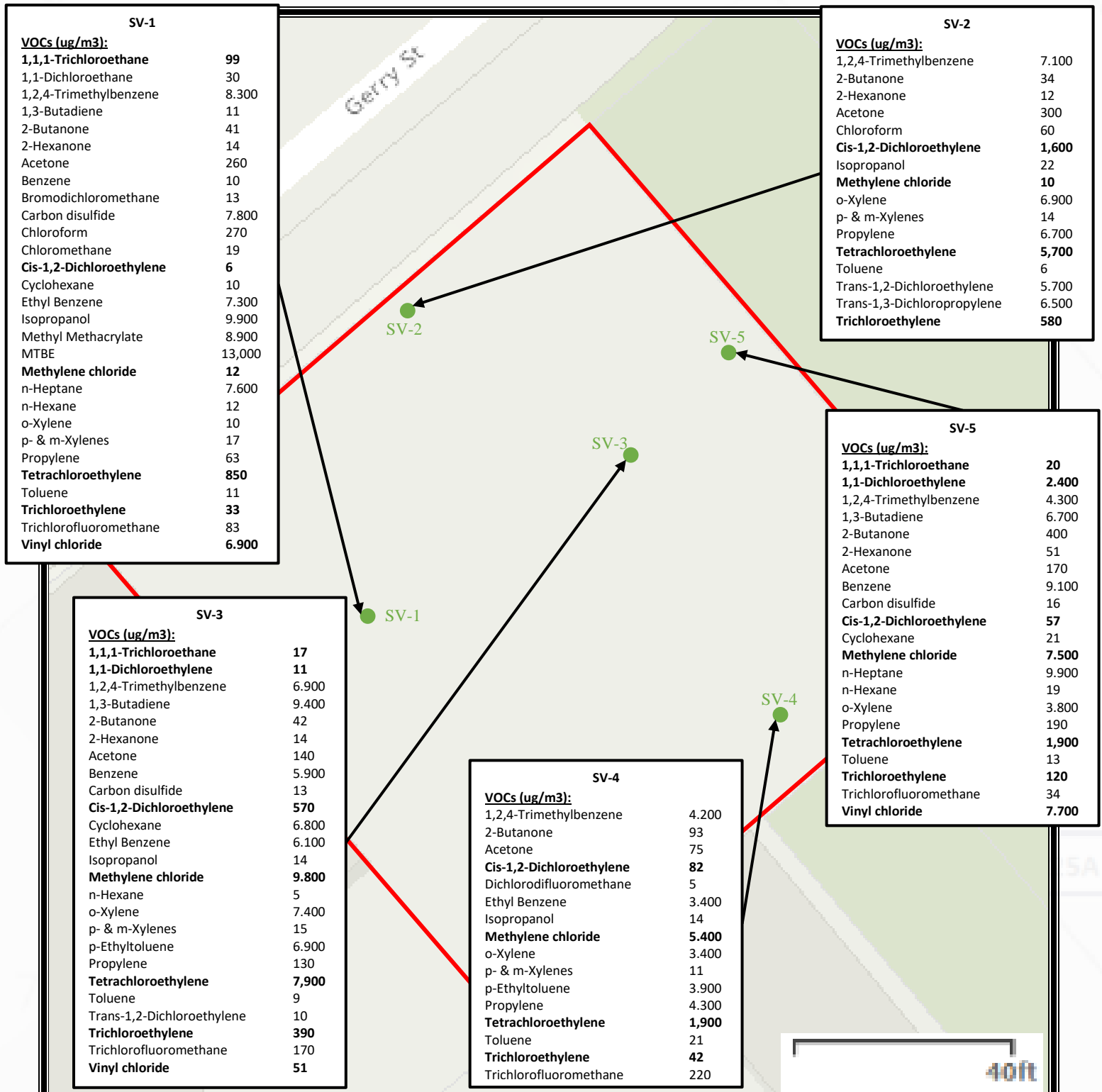
- June 2018 Final Engineering Report Monitoring Well Location
- February 2023 Phase II ESA Monitoring Well Sampling Location

Compounds identified were detected at concentrations exceeding their respective NYSDEC Groundwater Standards and Guidance Values

Figure 6: Compounds Detected Above Standards in Groundwater

60-66 Gerry Street
Brooklyn, New York





Key:

● December 2022 Phase II Soil Vapor Probe Location

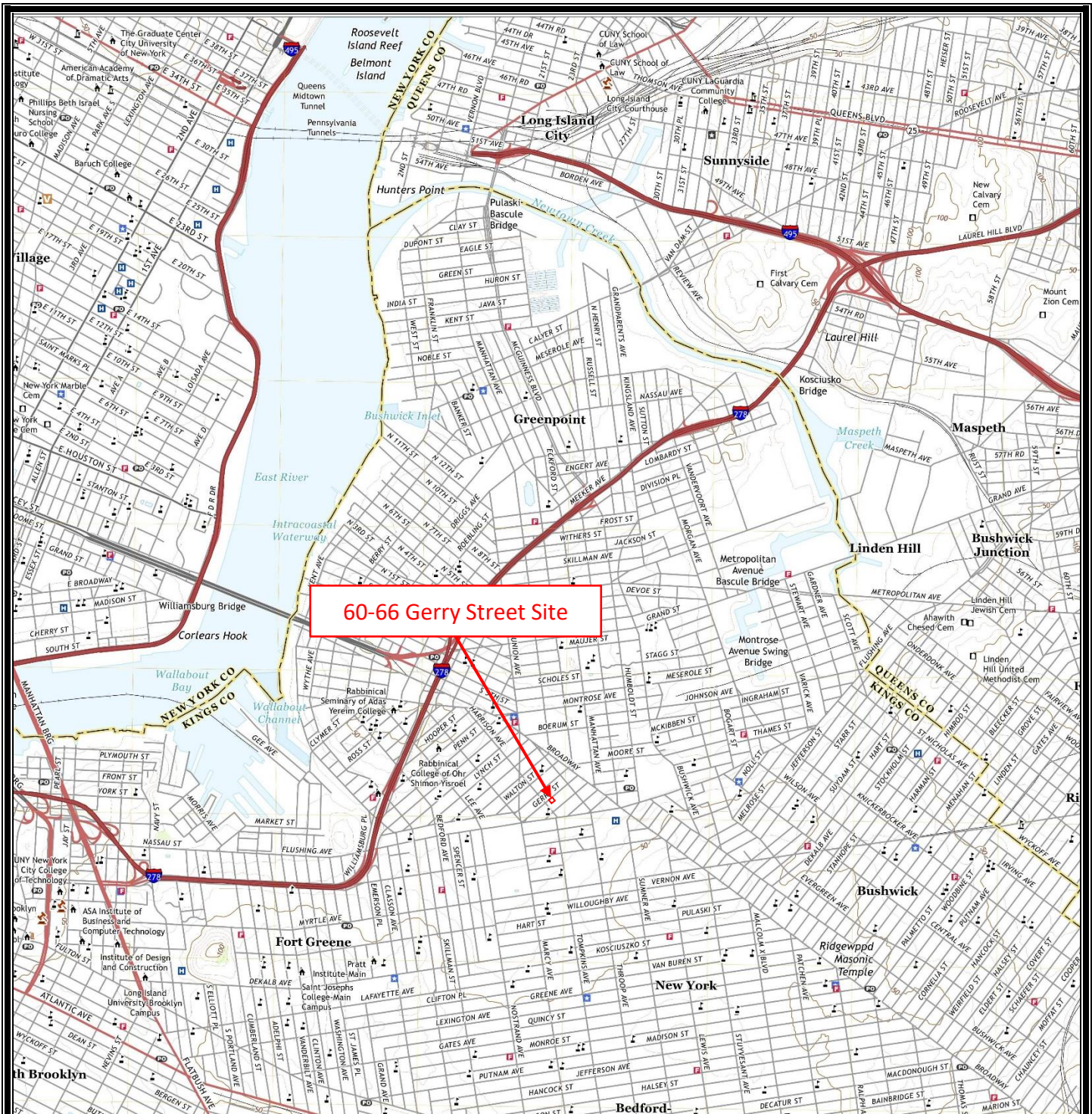
Compounds identified were detected at concentrations greater than their respective Method Detection Limits

Bolded values indicate compounds on the NYSDOH SVIA Matrices

Figure 7: VOC Concentrations in Soil Vapor

60-66 Gerry Street
Brooklyn, New York





USGS 7.5 Minute *Brooklyn, NY* Quadrangle
 Created: 2019

KEY:
 BCP Site

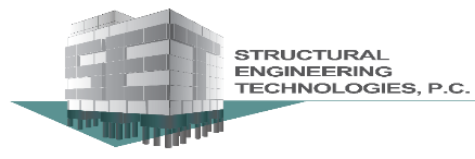


Figure 8: Topographic Map

60-66 Gerry Street
 Brooklyn, New York



(Not to Scale)

Attachment A:

Requestor and Property Information

1. 66 Gerry LLC Department of State Entity Profile
2. 66 Gerry LLC Member Consent Authorization Resolution
3. Deed

Department of State

Division of Corporations

Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details



ENTITY NAME: 66 GERRY LLC

FOREIGN LEGAL NAME:

ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY

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

DATE OF INITIAL DOS FILING: 07/05/2022

EFFECTIVE DATE INITIAL FILING: 07/05/2022

FOREIGN FORMATION DATE:

COUNTY: KINGS

JURISDICTION: NEW YORK, UNITED STATES

DOS ID: 6529221

FICTITIOUS NAME:

DURATION DATE/LATEST DATE OF DISSOLUTION:

ENTITY STATUS: ACTIVE

REASON FOR STATUS:

INACTIVE DATE:

STATEMENT STATUS: CURRENT

NEXT STATEMENT DUE DATE: 07/31/2024

NFP CATEGORY:

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

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: 66 GERRY LLC

Address: 505 FLUSHING AVENUE, UNIT 1D, BROOKLYN, NY, UNITED STATES, 11205

Electronic Service of Process on the Secretary of State as agent: Not Permitted

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

**WRITTEN CONSENT
OF SOLE MEMBER**

The undersigned being the Sole Member of 66 Gerry LLC, a New York limited liability company (the "Company"), pursuant to and in accordance with the provisions of New York Limited Liability Company Act, hereby waives notice of a meeting and consents to and adopts the following resolutions:

RESOLVED, that the Company be, and it hereby is, authorized and directed to enter into, execute and deliver, all documents, agreements and instruments and to take any and all action necessary or desirable on behalf of, and for the benefit of, the Company, to implement, secure and/or consummate the entering into a Brownfield Cleanup Agreement (BCA) with the State of New York by the New York State Department of Environmental Conservation as the prospective volunteer and owner for the 66 Gerry Street located at 66 Gerry Street , Brooklyn, NY, tax parcel identification no. Block 2269 Lot 3 (the "Site"); and

RESOLVED, that Rafael Rabinowitz, as the sole member of the Company, is authorized to sign on behalf of the Company, is authorized to execute any and all instruments and documents and to take any and all actions as he deems necessary or desirable to evidence, implement, secure and/or consummate the transactions as described above, including but not limited to the execution of a BCA with the State of New York by the New York State Department of Environmental Conservation and any and all future documents required in the Brownfield Cleanup Program including the environmental easement; and

RESOLVED, that all actions heretofore taken and all documents heretofore executed and all present and future actions taken in connection with the above and/or these resolutions, be, and they hereby are, ratified, confirmed and approved.

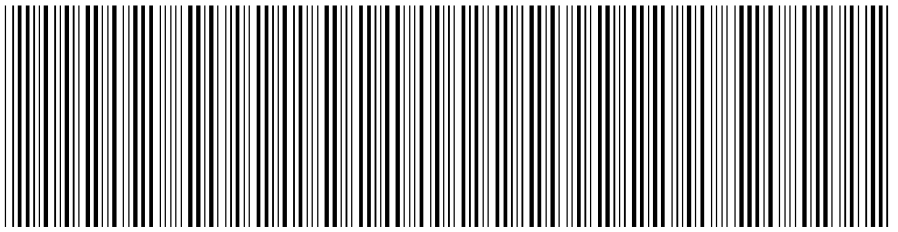


Rafael Rabinowitz, Sole Member
66 Gerry LLC

Date: 04/21/2023_____

**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.



2023010900694001003E7E41

RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 4

Document ID: 2023010900694001

Document Date: 01-03-2023

Preparation Date: 01-11-2023

Document Type: DEED

Document Page Count: 3

PRESENTER:

RELIABLE ABSTRACT CO. LLC.
266 BROADWAY, SUITE 304
RK-228430
BROOKLYN, NY 11211
718-438-0786
DEVORA@RELIABLEABSTRACT.NET

RETURN TO:

66 GERRY LLC
505 FLUSHING AVENUE
UNIT 1D
BROOKLYN, NY 11205

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2269	3	Entire Lot	66 GERRY STREET
Property Type: NON-RESIDENTIAL VACANT LAND				

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:

58 GERRY ST LLC
92 EMERSON PLACE
BROOKLYN, NY 11205

GRANTEE/BUYER:

66 GERRY LLC
505 FLUSHING AVENUE, UNIT 1D
BROOKLYN, NY 11205

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:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 131,250.00

NYS Real Estate Transfer Tax:

\$ 32,500.00

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

CITY OF NEW YORK

Recorded/Filed 01-11-2023 17:24

City Register File No.(CRFN):

2023000010858



Annette McMill

City Register Official Signature

Bargain and Sale Deed, - Individual or Corporation (Single Sheet)

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

THIS INDENTURE, made as of the 3rd day of January 2023

BETWEEN

58 Gerry St LLC
992 Bedford Ave, Brooklyn, NY

party of the first part, and

66 Gerry LLC
505 Flushing Ave, Unit 1D, Brooklyn NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten (\$10.00) dollars, lawful money of the United States, and other valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE "A" ATTACHED

PREMISES known as 66 Gerry Street, Brooklyn, NY,

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

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

SCHEDULE A DESCRIPTION

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 at the southeasterly side of Gerry Street distant 100 northeasterly feet from the corner formed by the intersection of the southeasterly side of Gerry Street and the northeasterly side of Harrison Avenue;

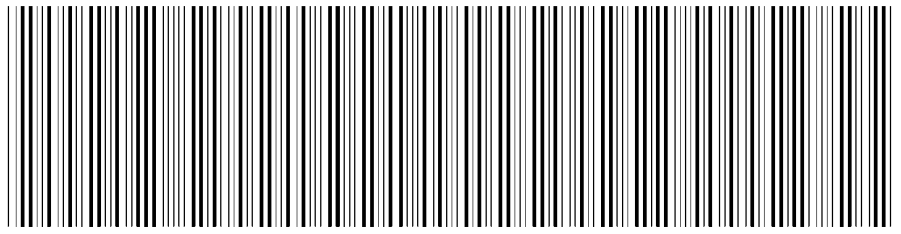
RUNNING THENCE northeasterly along the easterly side of Gerry Street, 100 feet;

THENCE southeasterly and parallel with Harrison Avenue, 100 feet;

THENCE southwesterly and parallel with Gerry Street, 100 feet;

RUNNING THENCE northwesterly parallel with Harrison Avenue; 100 feet to the point or place of BEGINNING.

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2023010900694001003SB0C0

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2023010900694001
Document Type: DEED

Document Date: 01-03-2023

Preparation Date: 01-11-2023

ASSOCIATED TAX FORM ID: 2022122700248

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING
RP - 5217 REAL PROPERTY TRANSFER REPORT

1
1



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: 2269 LOT: 3
- (2) Property Address: 66 GERRY STREET, BROOKLYN, NY 11206
- (3) Owner's Name: 66 GERRY 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: _____

Rafael Rabinowitz, AS

12/29/2022

Date (mm/dd/yyyy)

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

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 66 GERRY STREET BROOKLYN 11206
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name 66 GERRY 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 58 GERRY ST LLC
 LAST NAME / COMPANY FIRST NAME

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

Check the boxes below as they apply:

6. Ownership Type is Condominium

7. New Construction on Vacant Land

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

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

SALE INFORMATION

10. Sale Contract Date 1 / 3 / 2023
 Month Day Year

11. Date of Sale / Transfer 1 / 3 / 2023
 Month Day Year

12. Full Sale Price \$ 500,000
 (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

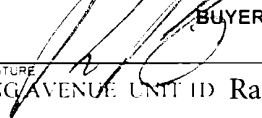
ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class V, 1 16. Total Assessed Value (of all parcels in transfer) 5,476,500

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))
 BROOKLYN 2269 3

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 12/27/22	LAST NAME	FIRST NAME
505 FLUSHING AVENUE UNIT 1D Rafael Rabinowitz, AS				
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
BROOKLYN				
CITY OR TOWN	STATE NY	ZIP CODE 11205	SELLER	
			SELLER SIGNATURE	DATE

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 505 FLUSHING AVENUE UNIT 1D		DATE	LAST NAME		FIRST NAME
STREET NUMBER BROOKLYN	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	
CITY OR TOWN	STATE NY	ZIP CODE 11205	SELLER SIGNATURE 	DATE 12/29/2022	

Abraham Brach, AS

Attachment B:
Document Repository Letters

March 31, 2023

Attention: Catherine Skrzypek
New York Public Library
Williamsburg Branch
240 Division Avenue at Marcy Avenue
Brooklyn, NY 11211

Re: Document Repository for Brownfield Cleanup Program (BCP)
Site Address: 60-66 Gerry Street, Brooklyn, NY 11206

Dear Ms. Skrzypek,

This letter is intended to seek your approval to use the New York Public Library Williamsburg Branch located at the address above as a document repository for the upcoming remedial development at the above referenced property. This document repository is intended to house for community review all principal documents generated prior to and during the Brownfield Cleanup Program (BCP) at this site as per the requirement of the New York State Department of Environmental Conservation (NYSDEC).

Touchstone will provide the New York Public Library (NYPL) Williamsburg Branch with a link to the files once the project has been accepted into the BCP and the Site website has been established, which it will make available to the public for the duration of the Site's involvement with the BCP or until November 31, 2024, whichever occurs first. The NYPL Williamsburg Branch will provide the documents related to this BCP Project in digital format only on the Williamsburg branch website. The Site's involvement with the BCP will vary dependent on the time to completion of remediation and receiving the certificate of completion from the NYSDEC. At this time, we estimate an end date of November 2024.

Should you acknowledge this agreement that the Williamsburg Branch will act as a document repository for this upcoming BCP project, please complete and sign below and email this form back to me for my records and NYSDEC records.

If you require any additional information, please feel free to contact me directly at (631) 315-2732.

Sincerely,

Gabrielle Castro

Gabrielle Castro
Project Manager
Touchstone Environmental Geology, P.C.
EM: clientservices@touchstoneenvironmental.com

Name: Catherine Skrzypek
Title: Branch Manager - Williamsburg
Signature: *[Signature]* Library
Date: April 20, 2023

Document Repository Request - 60-66 Gerry Street Site

4 messages

Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>
To: bk01@cb.nyc.gov


Fri, Mar 31, 2023 at 2:57 PM

Hello Ms. Fuller,

Attached please find a letter requesting to use the Brooklyn Community District 1 as a document repository for the proposed 60-66 Gerry Street Brownfield Cleanup Program (BCP) Site.

Thank you,

Gabrielle Castro
Project Manager
P: (631) 315-2732

 **Document Repository Ltr - Brooklyn Comm District 1.pdf**
162K

BK01 (CB) <bk01@cb.nyc.gov>
To: Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>

Mon, Apr 3, 2023 at 8:13 AM

Kindly be advised that your email has been forwarded to Chair Fuller.

Thank you.

From: Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>
Sent: Friday, March 31, 2023 2:57 PM
To: BK01 (CB) <bk01@cb.nyc.gov>
Subject: [EXTERNAL] Document Repository Request - 60-66 Gerry Street SiteYou don't often get email from gabriellecastro@touchstoneenvironmental.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@oti.nyc.gov as an attachment (Click the More button, then forward as attachment).

[Quoted text hidden]

Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>
To: "BK01 (CB)" <bk01@cb.nyc.gov>

Wed, Apr 19, 2023 at 8:52 AM

Thank you for your assistance. Would you be able to provide me with Chair Fuller's email address so I can confirm if the Brooklyn Community District 1 will be able to be the document repository for this project?

Thank you,

Gabrielle Castro
Project Manager
P: (631) 315-2732

[Quoted text hidden]

BK01 (CB) <bk01@cb.nyc.gov>
To: Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>

Wed, Apr 19, 2023 at 11:33 AM

Kindly be advised that your email has been forwarded to Chair Fuller.

Thank you.

From: Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>
Sent: Wednesday, April 19, 2023 8:52 AM
To: BK01 (CB) <bk01@cb.nyc.gov>
Subject: Re: [EXTERNAL] Document Repository Request - [60-66 Gerry Street Site](#)

[Quoted text hidden]



Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>

Document Repository Request - 60-66 Gerry Street Site

Gabrielle Castro <gabriellecastro@touchstoneenvironmental.com>

Wed, Jun 28, 2023 at 9:03 AM

To: "BK01 (CB)" <bk01@cb.nyc.gov>

Hello,

Touchstone Environmental submitted a letter to Brooklyn Community District 1 to use the Brooklyn Community District 1 as a document repository for the proposed 60-66 Gerry Street Brownfield Cleanup Program (BCP) Site in March 2023. As of today, we have not received further correspondence from Chain Fuller regarding this request. Would you be able to provide us with an update?

Thank you,

Gabrielle Castro
Project Manager
P: (631) 315-2732



[Quoted text hidden]

Site Control Section
New York State Department of Environmental Conservation
Bureau of Technical Support
625 Broadway, 11th Floor
Albany, NY 12233-7020

June 28, 2023

**Re: Brownfield Cleanup Application
60-66 Gerry Street, Brooklyn, New York
Site No. C224396**

To Whom it May Concern:

The Brooklyn Community Board 1 contacted Touchstone Environmental Geology PC (Touchstone), via phone call on June 28, 2023 regarding our request to use the Brooklyn Community Board 1 as a document repository for Brownfield Cleanup Program (BCP) Site 60-66 Gerry Street in Brooklyn, NY (Site No. C224396).

Ms. Johana Pulgarin of the Brooklyn Community Board 1 informed Touchstone that the Brooklyn Community Board 1 can be used as a document repository for BCP Site C224396. Ms. Pulgarin further stated that the Brooklyn Community Board 1 will sign a document indicating the use of the Brooklyn Community Board 1 as a document repository upon receipt of documents for the above-mentioned BCP Site.

Touchstone will provide signed documentation from the Brooklyn Community Board 1 upon receipt.

Please let us know if any additional information is required.

Thank you,

Touchstone Environmental Geology, PC



Rachel Ataman, PG