

PARTNER



PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

817 Bedford Avenue

Brooklyn, New York 11205

Report Date: October 11, 2021

Partner Project No. 21-338967.1



Prepared for:

**Finwise Bank
& The U.S. Small Business Administration**

820 East 9400 South
Sandy, Utah 84094

October 11, 2021

Brad Dissinger
Finwise Bank
820 East 9400 South
Sandy, Utah 84094

Subject: Phase I Environmental Site Assessment
817 Bedford Avenue
Brooklyn, New York 11205
Partner Project No. 21-338967.1

Dear Brad Dissinger:

Partner Assessment Corporation (Partner) is pleased to provide the results of the *Phase I Environmental Site Assessment* (Phase I ESA) report of the abovementioned address (the "subject property"). This assessment was performed in conformance with the scope and limitations as detailed in the ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property ownership, site manager, and regulatory agencies. An assessment was made, conclusions stated, and recommendations outlined.

We appreciate the opportunity to provide environmental services to you. If you have any questions concerning this report, or if we can assist you in any other matter, please contact me at (801) 783-2734.

Sincerely,



Marshall Stanclift
Relationship Manager

SBA RELIANCE LETTER

October 11, 2021

To: Finwise Bank, 820 East 9400 South. Sandy, Utah 84094 ("Lender")

and

U.S. Small Business Administration ("SBA")

Re: Borrower Name: Not Provided
Project Address ("Property"): 817 Bedford Avenue, New York, New York
Environmental Investigation Report Number(s): 21-338967.1

Dear Lender and SBA:

Polly Ivers ("Environmental Professional") meets the definition of an Environmental Professional as defined by 40 C.F.R. § 312.10(b) and has performed or supervised the performance of the following "Environmental Investigation(s)" (check all that apply):

☐ A Transaction Screen of the Property dated _____, 20____, and any addendum(s) thereto, conducted in accordance with ASTM International's most recent standard (currently ASTM E1528-14);

☒ A Phase I (or an Updated Phase I) Environmental Site Assessment of the Property dated October 11, 2021, and any addendum(s) thereto, conducted in accordance with ASTM International's most recent standard (currently ASTM E1527-13). In addition, the Environmental Professional has addressed the performance of the "additional inquiries" set forth at 40 C.F.R. § 312.22;

☐ A Phase II Environmental Site Assessment of the Property dated _____, 20____, and any addendum(s) thereto, conducted in accordance with generally-accepted industry standards of practice and consisting of a scope of work that would be considered reasonable and sufficient to identify the presence, nature and extent of a Release as it impacts the property.

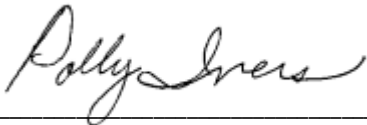
Reliance by SBA and Lender. Environmental Professional (and Environmental Professional's firm, where applicable) understand(s) that the Property may serve as collateral for an SBA guaranteed loan, a condition for which is an Environmental Investigation of the Property by an Environmental Professional. Environmental Professional (and Environmental Professional's firm, where applicable) authorize(s) Lender and SBA to use and rely upon the Environmental Investigation. Further, Environmental Professional (and Environmental Professional's firm, where applicable) authorize(s) Lender and SBA to release a copy of the Environmental Investigation to the borrower for information purposes only. This letter is not an update or modification to the Environmental Investigation. Environmental Professional (and Environmental Professional's firm, where applicable) makes no representation or warranty, express or implied, that the condition of the Property on the date of this letter is the same or similar to the condition of the Property described in the Environmental Investigation.

Insurance Coverage. Environmental Professional (and/or Environmental Professional's firm, where applicable) certifies that he or she or the firm was covered as of the date of the Environmental Investigation by errors and omissions liability insurance with a minimum coverage of \$1,000,000 per claim (or occurrence) and that evidence of this insurance is attached. As to the Lender and SBA, Environmental Professional (and Environmental Professional's firm, where applicable) specifically waive(s) any dollar amount limitations on liability up to \$1,000,000 as well as any time limitations on liability, other than state or Federal statutes of limitation.

Waiver of Right to Indemnification. Environmental Professional and Environmental Professional's firm waive any right to indemnification from the Lender and SBA.

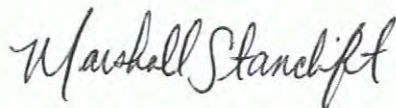
Impartiality. Environmental Professional certifies that (1) to the best of his or her knowledge, Environmental Professional is independent of and not a representative, nor an employee or affiliate of seller, borrower, operating company, or any person in which seller has an ownership interest; and (2) the Environmental Professional has not been unduly influenced by any person with regard to the preparation of the Environmental Investigation or the contents thereof.

Acknowledgment. The undersigned acknowledge(s) and agree(s) that intentionally falsifying or concealing any material fact with regard to the subject matter of this letter or the Environmental Investigations may, in addition to other penalties, result in prosecution under applicable laws including 18 U.S.C. § 1001.



Environmental Professional
Printed Name: Polly Ivers

(Note: The Environmental Professional must always sign this letter above. If the Environmental Professional is employed or retained by an Environmental Firm, then an authorized representative of the firm must also sign below).



Signature of representative of firm who is authorized to sign this letter
Printed Name & Title: Marshall Stanclift; Principal
Name of Environmental Firm: Partner Engineering & Science, Inc.

Enclosure: Evidence of Insurance

EXECUTIVE SUMMARY

Partner Assessment Corporation (Partner) has performed a Phase I Environmental Site Assessment (ESA) in accordance with the scope of work and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) and set forth by the most recent version of the U.S. Small Business Administration (SBA) Standard Operating Procedures (SOP) 50 10 6 for the property located at 817 Bedford Avenue in New York, Kings County, New York (the "subject property"). The Phase I Environmental Site Assessment is designed to provide Finwise Bank with an assessment concerning environmental conditions (limited to those issues identified in the report) as they exist at the subject property.

Property Description

The subject property is located on the east side of Bedford Avenue, approximately 300 feet south of the intersection of Bedford Avenue and Park Avenue within a mixed commercial and residential area of Kings County. Please refer to the table below for further description of the subject property:

Subject Property Data

Address:	817 Bedford Avenue, New York, New York
Property Use:	Commercial (Automotive Repair)
Land Acreage (Ac):	0.06 Ac
Number of Buildings:	One
Number of Floors:	One with partial basement
Gross Building Area (SF):	2,500 SF
Net Rentable Area (SF):	Not Reported
Date of Construction:	Circa 1946
Assessor's Parcel Number (APN):	Block 1734, Lot 62
Type of Construction:	Concrete slab-on-grade, load bearing brick
Current Tenants:	Putnam Auto Repair
Site Assessment Performed By:	Eileen Whitsett of Partner
Site Assessment Conducted On:	October 4, 2021

The subject property is currently occupied by Putnam Auto Repair for commercial use. Onsite operations consist of automotive repair services including oil and filter changes, general maintenance and inspections. The subject property building is constructed to the lot line. A concrete-paved curb cut is located adjacent to the west of the subject property building, providing access to the garage.

According to available historical sources, the subject property was formerly developed as early as 1897 through at least 1947 with a residential property; and developed with the current structure in 1948 for commercial use. Tenants on the subject property include residents (1929-1934); Belmar Sales Co, wholesale grocers (1949); Surplus Paper Stock Co (1970-1985); and Putnam Auto Repairs (1992-Present).

The immediately surrounding properties consist of multi-family residential properties to the north; a mixed-use property to the south; multi-family residential properties to the east; and multi-family residential properties to the west across Bedford Avenue.

According to information obtained from the USGS Long Island Depth to Water Viewer, the depth of groundwater in the vicinity of the subject property is inferred to be approximately 21 to 30 feet below ground surface (bgs) and groundwater flow is inferred to be toward the northeast.

Findings

A *recognized environmental condition (REC)* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The following was identified during the course of this assessment:

- Based on the historical information review, the subject property has been occupied by automotive repair businesses since as early as 1987 to Present. During the site reconnaissance, Partner observed a floor drain in the northwest portion of the subject building. The floor drain appears to have been installed during the original construction of the building and is connected directly to the municipal sanitary sewer system. Drainage systems have potential to impact the subsurface of the subject property should the system become compromised. Based on the years of automotive repair operations for at least 34 years, and the floor drain/drainage system observed in an area where operations appeared to occur, the subsurface drainage system is considered a *recognized environmental condition*.
- The subject property is listed as having an New York Environmental (E) Designation due to location within the Flushing/Bedford Rezoning area (E-102; CEQR # 00DCP015K). An E designation provides notice of the presence of an environmental requirement pertaining to potential hazardous materials contamination impacts on a particular tax lot. E designations are established as part of a change in zoning that would allow additional development to occur on property, or would permit uses not currently allowed. The E designation would ensure that sampling and remediation take place on the subject properties, and would avoid any significant impacts related to hazardous materials at these locations. The E designations would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the New York City Department of Environmental Protection (NYCDEP) before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The E designations also include a mandatory construction-related health and safety plan which must be approved by NYCDEP.

The E designation for the subject property is due to the potential for hazardous materials as related to the historical use of the subject property. As such, prior to any future development at the subject property, or actions requiring building permits, the New York City Office of Environmental Remediation (NYCOER) would need to be contacted in order to either waive the NY E designation requirements for the specific project; or to ensure that the requirements for a Notice of Satisfaction are met. The presence of an NY E Designation is considered a recognized environmental condition.

A *controlled recognized environmental condition (CREC)* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. The following was identified during the course of this assessment:

- Partner did not identify any controlled recognized environmental conditions during the course of this assessment.

A *historical recognized environmental condition (HREC)* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Partner did not identify any historical recognized environmental conditions during the course of this assessment.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- The subject property operates as an automotive repair establishment. Based on interviews, city directory and historical Sanborn map review, the subject property has been utilized for automotive repair from at least 1983 through present. According to the current ownership/occupant, no current or former inground hydraulic lifts were reported at the subject property. Based on previous experience with hydraulic lifts, the quantity of hydraulic fluid used within this equipment is small, and has a low mobility as a contaminant. As a result, the potential presence of this equipment is not expected to represent a significant environmental concern at this time. However, soil sampling may be required by local agencies if the subject property is to be redeveloped in the future.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of 817 Bedford Avenue in New York, Kings County, New York (the "subject property"). Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report.

Based on the conclusions of this assessment, Partner recommends the following:

- A limited subsurface investigation should be conducted in order to determine the presence or absence of soil, soil vapor, and/or groundwater contamination due to the historical use of the subject property.

- In the event that redevelopment of the subject property, or building permit approvals are required for future renovations, it is recommended that the applicant coordinate with the NYC OER so as to obtain a Notice of Satisfaction as related to the E Designations.

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1.0 INTRODUCTION

Partner Assessment Corporation (Partner) has performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312), and the most recent version of the U.S. Small Business Administration (SBA) Standard Operating Procedures (SOP) 50 10 6 for the property located at 817 Bedford Avenue in New York, Kings County, New York (the "subject property"). Any exceptions to, or deletions from, this scope of work are described in the report.

1.1 Purpose

The purpose of this ESA is to identify existing or potential Recognized Environmental Conditions (as defined by ASTM Standard E1527-13) affecting the subject property that: 1) constitute or result in a material violation or a potential material violation of any applicable environmental law; 2) impose any material constraints on the operation of the subject property or require a material change in the use thereof; 3) require clean-up, remedial action or other response with respect to Hazardous Substances or Petroleum Products on or affecting the subject property under any applicable environmental law; 4) may affect the value of the subject property; and 5) may require specific actions to be performed with regard to such conditions and circumstances. The information contained in the ESA Report will be used by Client to: 1) evaluate its legal and financial liabilities for transactions related to foreclosure, purchase, sale, loan origination, loan workout or seller financing; 2) evaluate the subject property's overall development potential, the associated market value and the impact of applicable laws that restrict financial and other types of assistance for the future development of the subject property; and/or 3) determine whether specific actions are required to be performed prior to the foreclosure, purchase, sale, loan origination, loan workout or seller financing of the subject property.

This ESA was performed to permit the *User* to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) liability (hereinafter, the "*landowner liability protections*," or "*LLPs*"). ASTM Standard E1527-13 constitutes "*all appropriate inquiry* into the previous ownership and uses of the *property* consistent with good commercial or customary practice" as defined at 42 U.S.C. §9601(35)(B).

1.2 Scope of Work

The scope of work for this ESA is in accordance with the requirements of ASTM Standard E1527-13. This assessment included: 1) a property and adjacent site reconnaissance; 2) interviews with key personnel; 3) a review of historical sources; 4) a review of regulatory agency records; and 5) a review of a regulatory database report provided by a third-party vendor. Partner contacted local agencies, such as environmental health departments, fire departments and building departments in order to determine any current and/or former hazardous substances usage, storage and/or releases of hazardous substances on the subject property. Additionally, Partner researched information on the presence of activity and use limitations (AULs) at these agencies. As defined by ASTM E1527-13, AULs are the legal or physical restrictions or limitations on the use of, or access to, a site or facility: 1) to reduce or eliminate potential

exposure to hazardous substances or petroleum products in the soil or groundwater on the subject property; or 2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls (IC/ECs), are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil or groundwater on the property.

If requested by Client, this report may also include the identification, discussion of, and/or limited sampling of asbestos-containing materials (ACMs), lead-based paint (LBP), mold, and/or radon.

1.3 Limitations

Partner warrants that the findings and conclusions contained herein were accomplished in accordance with the methodologies set forth in the Scope of Work. These methodologies are described as representing good commercial and customary practice for conducting an ESA of a property for the purpose of identifying recognized environmental conditions. There is a possibility that even with the proper application of these methodologies there may exist on the subject property conditions that could not be identified within the scope of the assessment or which were not reasonably identifiable from the available information. Partner believes that the information obtained from the record review and the interviews concerning the subject property is reliable. However, Partner cannot and does not warrant or guarantee that the information provided by these other sources is accurate or complete. The conclusions and findings set forth in this report are strictly limited in time and scope to the date of the evaluations. The conclusions presented in the report are based solely on the services described therein, and not on scientific tasks or procedures beyond the scope of agreed-upon services or the time and budgeting restraints imposed by the Client. No other warranties are implied or expressed.

Some of the information provided in this report is based upon personal interviews, and research of available documents, records, and maps held by the appropriate government and private agencies. This report is subject to the limitations of historical documentation, availability, and accuracy of pertinent records, and the personal recollections of those persons contacted.

This practice does not address requirements of any state or local laws or of any federal laws other than the all appropriate inquiry provisions of the LLPs. Further, this report does not intend to address all of the safety concerns, if any, associated with the subject property.

Environmental concerns, which are beyond the scope of a Phase I ESA as defined by ASTM include the following: ACMs, LBP, radon, and lead in drinking water. These issues may affect environmental risk at the subject property and may warrant discussion and/or assessment; however, are considered non-scope issues. If specifically requested by the Client, these non-scope issues are discussed in Section 6.3.

1.4 User Reliance

Finwise Bank engaged Partner to perform this assessment in accordance with an agreement governing the nature, scope and purpose of the work as well as other matters critical to the engagement. All reports, both verbal and written, are for the sole use and benefit of Finwise Bank and the U.S. Small

Business Administration (SBA). Either verbally or in writing, third parties may come into possession of this report or all or part of the information generated as a result of this work. In the absence of a written agreement with Partner granting such rights, no third parties shall have rights of recourse or recovery whatsoever under any course of action against Partner, its officers, employees, vendors, successors or assigns. Any such unauthorized user shall be responsible to protect, indemnify and hold Partner, Client and their respective officers, employees, vendors, successors and assigns harmless from any and all claims, damages, losses, liabilities, expenses (including reasonable attorneys' fees) and costs attributable to such Use. Unauthorized use of this report shall constitute acceptance of and commitment to these responsibilities, which shall be irrevocable and shall apply regardless of the cause of action or legal theory pled or asserted. Additional legal penalties may apply.

This report has been completed under specific Terms and Conditions relating to scope, relying parties, limitations of liability, indemnification, dispute resolution, and other factors relevant to any reliance on this report. Any parties relying on this report do so having accepted the Terms and Conditions for which this report was completed. A copy of Partner's standard Terms and Conditions can be found at <http://www.partneresi.com/terms-and-conditions.php>.

1.5 Limiting Conditions

The findings and conclusions contain all of the limitations inherent in these methodologies that are referred to in ASTM E1527-13.

Specific limitations and exceptions to this ESA are more specifically set forth below:

- Interviews with past owners, operators and occupants were not reasonably ascertainable and thus constitute a data gap. Based on information obtained from other historical sources (as discussed in Section 3.0), this data gap is not expected to alter the findings of this assessment.
- Partner requested information relative to deed restrictions and environmental liens, a title search, and completion of a pre-survey questionnaire from the Report User. This information was not provided at the time of the assessment.
- Partner was not able to document the historical use of the subject property prior to 1887. The following sources were reviewed during the course of this assessment and found to be limited: aerial photographs were not available prior to 1924; city directories were not available prior to 1928; fire insurance maps were not available prior to 1887; topographic maps prior to 1897 were not reasonably ascertainable from local agencies; and other historical sources such as fire insurance maps did not provide coverage of the subject property. This data failure is not considered critical and does not change the conclusions of this report, as the 1888 fire insurance map revealed the subject property to be residential. In addition, the adjacent and surrounding areas are also shown mostly as residential.
- Partner was unable to determine the property use at 5-year intervals, which constitutes a data gap. Except for property tax files and recorded land title records, which were not considered to

be sufficiently useful, Partner reviewed all standard historical sources and conducted appropriate interviews.

- Partner submitted Freedom of Information Act (FOIA) requests to the New York City Department of Health and Mental Hygiene (Health Department), the New York City Department of Environmental Protection (NYCDEP), and the New York City Fire Department (FDNY) for information pertaining to hazardous substances, underground storage tanks, releases, inspection records, etc. for the subject property and/or adjacent properties. As of this writing, these agencies have not responded to Partner's request. Based on information obtained from other historical sources, this limitation is not expected to alter the overall findings of this assessment.
- Partner observed approximately 100% of all interior units and all common areas. Based on the size and nature of use of the unobserved areas (rooftop), this limited method of survey is not expected to alter the overall findings of this assessment.

2.0 SITE DESCRIPTION

2.1 Site Location and Legal Description

The subject property at 817 Bedford Avenue in New York, New York is located on east side of Bedford Avenue, approximately 300 feet south of the intersection of Bedford Avenue and Park Avenue. According to the New York City Department of Finance (NYC DOF), the subject property is legally described as Block 1734, Lot 62, and ownership is currently vested in Maria Iannarelli since 1987.

Please refer to Figure 1: Site Location Map, Figure 2: Site Plan, Figure 3: Topographic Map, and Appendix A: Site Photographs for the location and site characteristics of the subject property.

2.2 Current Property Use

The subject property is currently occupied by Putnam Auto Repair for commercial use. Onsite operations consist of automotive repair services including oil and filter changes, general maintenance and inspections. The subject property building is constructed to the lot line. A concrete-paved curb cut is located adjacent to the west of the subject property building, providing access to the garage.

The subject property is designated for residential and commercial development by the City of New York.

The subject property is not identified on any federal or state regulatory databases; however, the subject property is identified as a New York City Environmental Designation (NY E Designation) site. Please refer to Section 4.1.8 for further discussion of same.

2.3 Current Use of Adjacent Properties

The subject property is located within a mixed commercial and residential area of Kings County. During the vicinity reconnaissance, Partner observed the following land use on properties in the immediate vicinity of the subject property:

Immediately Surrounding Properties

North: A four-story multi-family residential condominium (815 Bedford Avenue)

South: A two-story mixed-use residential and commercial building (819 Bedford Avenue)

East: Two six-story multi-family residential condominiums (90 and 94 Spencer Street)

West: Bedford Avenue beyond which are a five-story multi-family residential building (840 Bedford Avenue) and a two-story two-family residential building (844 Bedford Avenue)

The adjacent property to the north was identified as a State Spills Incident (NY Spills) site and the adjacent property to the east was identified as a Historical Auto Station (HIST AUTO) site in the regulatory database report of Section 4.2.

2.4 Physical Setting Sources

2.4.1 Topography

The United States Geological Survey (USGS) *Brooklyn, New York* Quadrangle 7.5-minute series topographic map was reviewed for this ESA. According to the contour lines on the topographic map, the subject property is located at approximately 30 feet above mean sea level (MSL). The contour lines in the

area of the subject property indicate the area is sloping gently toward the northeast. No specific structures are depicted on the subject property.

A copy of the most recent topographic map is included as Figure 3 of this report.

2.4.2 Hydrology

According to topographic map interpretation, the direction of groundwater flow in the vicinity of the subject property is inferred to be toward the southwest. The nearest surface water in the vicinity of the subject property is English Kills located approximately 1.19 mile north-northeast of the subject property. No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins were observed at the subject property during this assessment.

According to a representative of the New York State Department of Environmental Conservation (NYSDEC), shallow groundwater directly beneath the subject property is not utilized for domestic purposes. The sources of public water for the City of New York are surface waters from 19 different reservoirs and three controlled lakes in a 2,000 square-mile watershed that extends 125 miles north and west of New York City. This watershed consists of three individual water supplies. These three water supplies are the Catskill/Delaware supply, which is located in Delaware, Greene, Schoharie, Sullivan, and Ulster counties; the Croton supply, which consists of 12 reservoir basins in Putnam, Westchester, and Dutchess counties; and a groundwater supply in southeastern Queens. In the year 2020, 100% of the New York City and its borough's drinking water came from the Catskill/Delaware supply system.

According to information obtained from the United States Geological Survey (USGS) Long Island Depth to Water Viewer, the depth to groundwater in the vicinity of the subject property is inferred to be approximately 21 to 30 feet below ground surface (bgs) and groundwater flow is inferred to be toward the northeast.

2.4.3 Geology/Soils

The subject property is situated within the Atlantic Coastal Plain of the State of New York. The uppermost geologic formation underlying the soils at the subject property is the Upper Cretaceous Magothy Formation. The Magothy formation comprises the underlying stratigraphy and consists mostly of silty clay, glauconitic sandy clay, sand and gravel. The thickness of the Raritan formation is estimated to be 0 to 2,000 feet.

Based on information obtained from the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey online database, the subject property is mapped as urban land.

2.4.4 Flood Zone Information

Partner performed a review of the Flood Insurance Rate Map, published by the Federal Emergency Management Agency. According to Community Panel Number 3604970204F, dated September 5, 2007, the subject property appears to be located in Zone X, an area located outside of the 100-year and 500-year flood plains.

3.0 HISTORICAL INFORMATION

Partner obtained historical use information about the subject property from a variety of sources. A chronological listing of the historical data found is summarized in the table below:

<i>Historical Use Information</i>		
Period/Date	Source	Description/Use
1897-1947	Aerial Photographs, Building Records, City Directories, Sanborn Maps, Topographic Maps	Residential
1948-Present	Aerial Photographs, Building Records, City Directories, Interviews, Sanborn Maps, Topographic Maps	Commercial

Tenants on the subject property include residents (1929-1934); Belmar Sales Co, wholesale grocers (1949); Surplus Paper Stock Co (1970-1985); and Putnam Auto Repairs (1992-Present). Potential environmental concerns were identified in association with the current and former occupancy by an automotive repair establishment as further discussed in Section 4.1.8.

3.1 Aerial Photograph Review

Partner obtained available aerial photographs of the subject property and surrounding area from Environmental Data Resources, Inc. (EDR) on September 21, 2021. The following observations were noted to be visible on the subject property and adjacent properties during the aerial photograph review:

Date:	1924	Scale:	1"=500'
Subject Property:	Appears to be developed with a former structure		
North:	Appears to be developed with the existing building		
South:	Appears to be developed with the existing building		
East:	Appears to be densely developed with former buildings		
West:	Appears to be densely developed across Bedford Avenue		
Date:	1951, 1954, 1961 and 1966	Scale:	1"=500'
Subject Property:	Appears to be developed with the existing building		
North:	No significant changes visible		
South:	No significant changes visible		
East:	No significant changes visible		
West:	No significant changes visible		
Date:	1974, 1976 and 1980	Scale:	1"=500'
Subject Property:	No significant changes visible		
North:	No significant changes visible		
South:	No significant changes visible		
East:	No significant changes visible		
West:	Several of the previously identified structures across Bedford Avenue have been razed and the lots appear to be undeveloped		
Date:	1984, 1991, and 1994	Scale:	1"=500'

Date:	1984, 1991, and 1994	Scale:	1"=500'
Subject Property:	No significant changes visible		
North:	No significant changes visible		
South:	No significant changes visible		
East:	Several of the previously identified structures have been razed and the lots appear to be undeveloped		
West:	No significant changes visible		

Date:	2006, 2009, 2013 and 2017	Scale:	1"=500'
Subject Property:	No significant changes visible		
North:	No significant changes visible		
South:	No significant changes visible		
East:	Appears to be developed with the existing buildings		
West:	Appears to be developed with the existing buildings across Bedford Avenue		

Copies of select aerial photographs are included in Appendix B of this report.

3.2 Fire Insurance Maps

Partner reviewed the collection of Sanborn Fire insurance maps from EDR on September 21, 2021. The following observations were noted to be depicted on the subject property and adjacent properties during the fire insurance map review:

Date:	1887
Subject Property:	Depicted as developed with a dwelling
North:	Depicted as developed with a former two-story dwelling
South:	Depicted as developed with a two-story building with two storefronts
East:	Depicted as developed with a wagon house and dwellings
West:	Depicted as developed across Bedford Avenue with former dwellings

Date:	1904
Subject Property:	No significant changes depicted
North:	Depicted as developed with the existing dwelling
South:	No significant changes depicted
East:	Depicted as developed with a bottling works facility, wagon house, dwelling and a storefront.
West:	No significant changes depicted

Date:	1918, 1935 and 1947
Subject Property:	No significant changes depicted
North:	No significant changes depicted
South:	No significant changes depicted
East:	The previously identified bottling works facility and wagon house have been repurposed for use as a machine factory; no additional significant changes depicted
West:	No significant changes depicted

Date:	1950
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Date: 1950

Subject Property: Depicted as developed with the existing single-story building noted as occupied by a wholesale grocer
North: No significant changes depicted
South: One of the previously identified storefronts is noted as automotive repair; no additional significant changes depicted
East: The previously identified structure at 92 Spencer Street has been repurposed for use by a dry cleaner; no additional significant changes depicted
West: No significant changes depicted

Date: 1965

Subject Property: The previously identified building has been repurposed for storage
North: No significant changes depicted
South: Depicted as developed with the existing building noted as a signs establishment
East: The previously identified structure at 92 Spencer Street has been repurposed for use as a machine shop; no additional significant changes depicted
West: No significant changes depicted

Date: 1977, 1979, 1980, 1981, 1982, 1984 and 1986

Subject Property: The previously identified building has been repurposed for use as a warehouse
North: No significant changes depicted
South: The previously identified building has been repurposed for use as a warehouse
East: No significant changes depicted
West: The previously identified buildings at 840 and 842 Bedford Avenue are no longer depicted, the lots now noted as undeveloped; no additional significant changes depicted.

Date: 1987, 1989, 1991, 1992, 1993, 1995, 1996, 2001, and 2002

Subject Property: The previously identified building has been repurposed for use as an automotive repair shop
North: No significant changes depicted
South: No significant changes depicted
East: No significant changes depicted
West: No significant changes depicted

Date: 2003

Subject Property: No significant change depicted
North: No significant changes depicted
South: No significant changes depicted
East: The previously identified structures at 92 and 94 Spencer Street are no longer depicted, the lots now noted as undeveloped; no additional significant changes depicted.
West: No significant changes depicted

Date: 2004

Subject Property: No significant change depicted
North: No significant changes depicted
South: No significant changes depicted
East: The previously identified structures at 90 Spencer Street are no longer depicted, the lots now noted as undeveloped; no additional significant changes depicted.
West: No significant changes depicted

Date: 2005, 2006 and 2007

Subject Property: No significant change depicted
North: No significant changes depicted
South: No significant changes depicted
East: No significant changes depicted
West: Depicted as developed with the existing buildings at 840-842 Bedford Avenue; no additional significant changes depicted

Copies of reviewed Sanborn Maps are included in Appendix B of this report.

3.3 City Directories

Partner reviewed historical city directories obtained from EDR on September 22, 2021 for past names and businesses that were listed for the subject property and adjacent properties. The findings are presented in the following table:

City Directory Search for 817 Bedford Avenue (Subject Property)

Year(s)	Occupant Listed
1928, 1934	Residential
1940, 1945	Address not listed
1949	Belmar Sales Co wholesale grocers
1960, 1965	Address not listed
1970, 1973, 1976	Surplus Paper Stock Co
1980	Address not listed
1985	Surplus Paper Stock Co
1992, 1994, 1997, 1999, 2000	Putnam Auto Repairs
2004	Address not listed
2005, 2009, 2014, 2017	Putnam Auto Repairs

According to the city directory review, the subject property has been occupied by residents (1929-1934); Belmar Sales Co, wholesale grocers (1949); Surplus Paper Stock Co (1970-1985); and Putnam Auto Repairs (1992-Present). Based on the city directory review, no environmentally sensitive listings were identified for the subject property address except for the current and former occupancy by an automotive repair establishment as further discussed in Section 4.1.8.

City Directory Search for Adjacent Properties

Year(s)	Occupant Listed
1928	Residential (815 Bedford Avenue) Progress Auto Wrecking (819 Bedford Avenue)

City Directory Search for Adjacent Properties

Year(s)	Occupant Listed
1934	Residential (815 Bedford Avenue) Residential (840 Bedford Avenue) Residential (844 Bedford Avenue)
1940	Handelman tires (819 Bedford Avenue) Residential (842 Bedford Avenue) Residential (844 Bedford Avenue)
1945	LG Battery Co (819 Bedford Avenue)
1949	Bens Auto Ignition Repairs (819 Bedford Avenue) Residential (844 Bedford Avenue)
1960	Residential (815 Bedford Avenue) Kilroy Truck Lettering & Spraying; Kilroy for Signs Inc (819 Bedford Avenue) Residential (842 Bedford Avenue) Residential (844 Bedford Avenue)
1965	Residential (815 Bedford Avenue) Kilroy Truck Lettering & Spraying; Kilroy for Signs Inc (819 Bedford Avenue) Residential (844 Bedford Avenue)
1970	Residential (815 Bedford Avenue) Residential (844 Bedford Avenue)
1973	Residential (815 Bedford Avenue) Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
1976	Residential (815 Bedford Avenue) Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
1980	Addresses not listed
1985	Residential (844 Bedford Avenue)
1992	Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
1994	Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
1997	Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
1999	Addresses not listed
2000	Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
2004	Residential (815 Bedford Avenue) Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
2005	Residential (815 Bedford Avenue) Residential (819 Bedford Avenue) Residential (844 Bedford Avenue)
2009	Residential (815 Bedford Avenue) Residential (819 Bedford Avenue) Residential (840 Bedford Avenue)

City Directory Search for Adjacent Properties

Year(s)	Occupant Listed
2014	Residential (844 Bedford Avenue)
	Residential (815 Bedford Avenue)
	Residential (819 Bedford Avenue)
	Residential, Empire State Management (840 Bedford Avenue)
	Residential (844 Bedford Avenue)
2017	Residential (815 Bedford Avenue)
	Residential (819 Bedford Avenue)
	Residential (840 Bedford Avenue)
	Residential (844 Bedford Avenue)
	Residential (844 Bedford Avenue)

Based on the city directory review, no environmentally sensitive listings were identified for the adjacent property addresses.

Copies of reviewed city directories are included in Appendix B of this report.

3.4 Historical Topographic Maps

Partner reviewed historical topographic maps obtained from EDR on September 21, 2021. The following observations were noted to be depicted on the subject property and adjacent properties during the topographic map review:

Date: 1897, 1898, 1900 and 1947

Subject Property:	Depicted as developed
North:	Depicted as developed
South:	Depicted as developed
East:	Depicted as developed
West:	Depicted as developed across Bedford Avenue

Date: 1956, 1967, 1979, and 1995

Subject Property:	Depicted as located within an area shaded pink, denoting dense urban development. No specific structures or improvements are depicted.
North:	Depicted as located within an area shaded pink, denoting dense urban development. No specific structures or improvements are depicted.
South:	Depicted as located within an area shaded pink, denoting dense urban development. No specific structures or improvements are depicted.
East:	Depicted as located within an area shaded pink, denoting dense urban development. No specific structures or improvements are depicted.
West:	Depicted as located within an area shaded pink, denoting dense urban development. No specific structures or improvements are depicted.

Copies of reviewed topographic maps are included in Appendix B of this report.

4.0 REGULATORY RECORDS REVIEW

4.1 Regulatory Agencies

4.1.1 State Department

Regulatory Agency Data

Name of Agency:	New York State Department of Environmental Conservation (NYSDEC)
Point of Contact:	Records Access Officer
Agency Address:	625 Broadway, Albany, New York 12233
Agency Phone Number:	(518) 402-8013
Date of Contact:	October 2021
Method of Communication:	Online
Summary of Communication:	Partner reviewed the NYSDEC online Environmental Remediation Databases including the Spill Incident Database, Environmental Site Remediation Database, and Bulk Storage Tank Database. These databases are updated daily. The subject property address was not identified on any of the NYSDEC online databases. As such, a regulatory file review was not warranted.

4.1.2 Health Department

Regulatory Agency Data

Name of Agency:	City of New York Department of Health and Mental Hygiene (NYC Health)
Point of Contact:	Records Access Officer
Agency Address:	42-09 28 th Street, 14 th Floor, CN 31 Long Island City, New York 11101
Agency Phone Number:	(347) 396-6078/6116
Date of Contact:	October 2021
Method of Communication:	Email
Summary of Communication:	As of the date of this report, Partner has not received a response from the NYC Health for inclusion in this report.

4.1.3 Fire Department

Regulatory Agency Data

Name of Agency:	Fire Department – City of New York (FDNY)
Point of Contact:	Records Access Officer
Agency Address:	9 MetroTech Center Brooklyn, New York 11201
Agency Phone Number:	(718) 999-2441/2442
Date of Contact:	October 2021
Method of Communication:	Online Request
Summary of Communication:	As of the date of this report, Partner has not received a response from the FDNY for inclusion in this report.

4.1.4 Building Department

Regulatory Agency Data

Name of Agency:	New York City Department of Buildings (NYCDOB)
Point of Contact:	N/A
Agency Address:	280 Broadway, 7 th Floor New York, New York 10007
Agency Phone Number:	(212) 566-5000
Date of Contact:	October 2021
Method of Communication:	Online
Summary of Communication:	Records were available for review, as further discussed in the following table. The subject property is noted with an E designation for HAZMAT concerns as further discussed in Section 4.1.8.

Building Records Reviewed for 817 Bedford Avenue (Subject Property)

Year(s)	Owner/Applicant	Description
1947	Not reported	Demolition permit
1946	Not reported	New building application
1968	Not reported	Certificate of Occupancy (CO) for a new single-story building for use as a boiler room in the cellar and paper products storage on the 1 st floor

4.1.5 Planning Department

Regulatory Agency Data

Name of Agency:	New York City Department of City Planning (NYCDCP)
Point of Contact:	N/A
Agency Address:	22 Reade Street New York, New York 10007
Agency Phone Number:	(212) 720-3300
Date of Contact:	October 2021
Method of Communication:	Online
Summary of Communication:	According to records reviewed, the subject property is zoned commercial and residential, "M1-2/R6A", by the City of New York.

4.1.6 Oil & Gas Exploration

Regulatory Agency Data

Name of Agency:	NYSDEC Division of Mineral Resources (DOMR)
Point of Contact:	Online Database
Agency Address:	625 Broadway, 3 rd Floor, Albany, New York 12233
Agency Phone Number:	(518) 402-8056
Date of Contact:	October 2021
Method of Communication:	Online Database
Summary of Communication:	According to NYSDEC DOMR, no oil or gas wells are located on or adjacent to the subject property.

4.1.7 Assessor's Office

Regulatory Agency Data

Name of Agency:	New York City Department of Finance (NYCDOF)
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Point of Contact: N/A
Agency Address: One Center Street, 22nd Floor New York, New York 10007
Agency Phone Number: (212) 504-4115
Date of Contact: October 2021
Method of Communication: Online
Summary of Communication: According to records reviewed, the subject property is identified by Block 1734, Lot 62 and has been owned by Maria Iannarelli since 1987. The lot is described as rectangular in shape and approximately 25.00 feet by 100.00 feet in size. The subject property is noted as developed with one, single-story building with a footprint of 25.00 feet by 100.00 feet.

4.1.8 New York City Department of Environmental Protection

Regulatory Agency Data

Name of Agency: New York City Department of Environmental Protection (NYCDEP)
Point of Contact: Records Access Officer
Agency Address: 59-17 Junction Boulevard, Flushing, New York
Agency Phone Number: (718) 595-7000
Date of Contact: October 2021
Method of Communication: Online Request
Summary of Communication: As of the date of this report, Partner has not received a response from the NYCDEP for inclusion in this report.

4.1.9 New York City Office of Environmental Remediation

Regulatory Agency Data

Name of Agency: New York City Office of Environmental Remediation (NYCOER)
Point of Contact: Dan Cole, Bureau Chief
Agency Address: 100 Gold Street, 2nd Fl., New York, NY 10038
Agency Phone Number: 212-504-4115
Date of Contact: October 2021
Method of Communication: Online Database
Summary of Communication: The subject property is listed as having an New York Environmental [E] Designation due to location within the Flushing/Bedford Rezoning area (E-102; CEQR # 00DCP015K).

An E designation provides notice of the presence of an environmental requirement pertaining to potential hazardous materials contamination or noise or air quality impacts on a particular tax lot. E designations are established as part of a change in zoning that would allow additional development to occur on property, or would permit uses not currently allowed. An E designation can occur because the property:

- Was used as or is in close proximity to a gas station or some other underground fuel oil tank;
- Is located in or contiguous to a manufacturing district; Has a

Regulatory Agency Data

history of manufacturing uses;

- Is located next to a building with a history of manufacturing uses;
- Is located on a heavily trafficked street or highway; Is located next to a railroad; or
- Has some other environmental condition on the property or nearby that is a cause for concern.

The E designation would ensure that sampling and remediation take place on the subject properties, and would avoid any significant impacts related to hazardous materials at these locations. The E designations would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The E designations also include a mandatory construction-related health and safety plan which must be approved by NYCDEP. In general, before any new construction or change in use can take place on an E designation property, the environmental requirements of the E designation need to be satisfied.

The E designation for the subject property is due to the potential for hazardous materials as related to the historical use of the subject property. As such, prior to any future development at the subject property, or actions requiring building permits, the NYC OER would need to be contacted in order to either waive the E designation requirements for the specific project; or to ensure that the requirements for a Notice of Satisfaction are met..

Copies of pertinent documents are included in Appendix B of this report.

4.2 Mapped Database Records Search

Information from standard federal, state, county, and city environmental record sources was provided by Environmental Data Resources, Inc. (EDR). Data from governmental agency lists are updated and integrated into one database, which is updated as these data are released. The information contained in this report was compiled from publicly available sources and the locations of the sites are plotted utilizing a geographic information system, which geocodes the site addresses. The accuracy of the geocoded locations is approximately +/-300 feet.

Using the ASTM definition of migration, Partner considers the migration of hazardous substances or petroleum products in any form onto the subject property during the evaluation of each site listed on the radius report, which includes solid, liquid, and vapor.

4.2.1 Regulatory Database Summary

Radius Report Data				
Database	Search Radius (mile)	Subject Property	Adjacent Properties	Sites of Concern
Federal NPL or Delisted NPL Site	1.00	N	N	N
Federal CERCLIS Site	0.50	N	N	N
Federal CERCLIS-NFRAP Site	0.50	N	N	N
Federal RCRA CORRACTS Facility	1.00	N	N	N
Federal RCRA TSDF Facility	0.50	N	N	N
Federal RCRA Generators Site (LQG, SQG, CESQG)	0.25	N	N	N
Federal IC/EC Registries	0.50	N	N	N
Federal ERNS Site	Subject Property	N	N	N
State/Tribal Equivalent NPL	1.00	N	N	N
State/Tribal Equivalent CERCLIS	1.00	N	N	N
State/Tribal Landfill/Solid Waste Disposal Site	0.50	N	N	N
State/Tribal Leaking Storage Tank Site	0.50	N	N	N
State/Tribal Registered Storage Tank Sites (UST/AST)	0.25	N	N	N
State/Tribal Voluntary Cleanup Sites (VCP)	0.50	N	N	N
State/Tribal Spills	0.50	N	Y	N
Federal Brownfield Sites	0.50	N	N	N
State Brownfield Sites	0.50	N	N	N
EDR MGP	Varies	N	N	N
EDR US Hist Auto Station	Varies	N	Y	N
EDR US Hist Cleaners	Varies	N	N	N

4.2.2 Subject Property Listings

The subject property is not identified on any federal or state regulatory databases; however, the subject property is identified as a NY E Designation site. Please refer to Section 4.1.8 for discussion of same.

4.2.3 Adjacent Property Listings

The adjacent property to the north was identified as a State Spills Incident (NY Spills) site and the adjacent property to the east at 90 Spencer Street was identified as a Historical Auto Station site in the regulatory database report, as discussed below:

- The property identified as "815 Bedford Avenue" is located adjacent to the north and cross gradient in relation to the subject property. This site was assigned Spill No. 9209046 on November 5, 1992 when the NYSDEC was notified of a citizen deliberately dumping waste/used oil in front of the residence. This case was closed that same day. Based on the regulatory closure, this listing is not expected to represent a significant environmental concern and it is unlikely that a regulatory file review for this site would alter the findings of this assessment

- The property identified as Midway Automatic Transmission Co at 90 Spencer Street is located adjacent to the east and down gradient in relation to the subject property. This site is identified on the Historical Auto Stations database as occupied by Midway Transmission Co, an automotive transmission repair shop, from 1991 through 1996; and John Transmission Shop, an automotive transmission repair shop, from 2002 through 2005. This site is not cross listed on additional databases indicative of a contaminated condition. Based on lack of a documented release, coupled with gradient considerations and as this property has since been redeveloped, this listing is not expected to represent a significant environmental concern.

4.2.4 Sites of Concern Listings

New York City Office of Environmental Remediation (NYCOER)

The subject property is listed as having an E designation due to location within the Flushing/Bedford Rezoning area (E-102; CEQR # 00DCP015K). The E designation for the subject property is due to the potential for hazardous materials as related to the historical use of the subject property. As such, prior to any future development at the subject property, or actions requiring building permits, the NYC OER would need to be contacted in order to either waive the E designation requirements for the specific project; or to ensure that the requirements for a Notice of Satisfaction are met. Based on regulatory status, gradient considerations and/or relative distance, no sites of concern are identified in the regulatory database report.

4.2.5 Orphan Listings

No orphan listings of environmental concern are identified in the regulatory database report.

A copy of the regulatory database report is included in Appendix C of this report.

5.0 USER PROVIDED INFORMATION AND INTERVIEWS

In order to qualify for one of the *Landowner Liability Protections (LLPs)* offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the *Brownfields Amendments*), the *User* must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. The *User* should provide the following information to the *environmental professional*. Failure to provide this information could result in a determination that *all appropriate inquiries* is not complete. The *User* is asked to provide information or knowledge of the following:

- Review Title and Judicial Records for Environmental Liens and AULs
- Specialized Knowledge or Experience of the User
- Actual Knowledge of the User
- Reason for Significantly Lower Purchase Price
- Commonly Known or *Reasonably Ascertainable* information
- Degree of Obviousness
- Reason for Preparation of this Phase I ESA

Fulfillment of these user responsibilities is key to qualification for the identified defenses to CERCLA liability. Partner requested our Client to provide information to satisfy User Responsibilities as identified in Section 6 of the ASTM guidance.

Pursuant to ASTM E1527-13, Partner requested the following site information from Finwise Bank (User of this report).

User Responsibilities				
Item	Provided By User	Not Provided By User	Discussed Below	Does Not Apply
Environmental Pre-Survey Questionnaire			X	
Title Records, Environmental Liens, and AULs			X	
Specialized Knowledge			X	
Actual Knowledge			X	
Valuation Reduction for Environmental Issues			X	
Identification of Key Site Manager	Section 5.1.3			
Reason for Performing Phase I ESA	Section 1.1			
Prior Environmental Reports		X		
Other		X		

5.1 Interviews

5.1.1 Interview with Owner

Mr. Joe Iannarelli, subject property owner, was not aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the subject property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

According to Mr. Iannarelli, the subject property building was developed in the 1950s for commercial use. Mr. Iannarelli, who has been associated with the subject property since 1983, noted that prior to the current ownership and automotive repair usage, the subject property building was occupied by a paper warehouse. Mr. Iannarelli noted that there are no USTs, ASTs, clarifiers, oil/water separators, or groundwater monitoring wells on the subject property to the best of his knowledge. The storage, use and generation of hazardous substance/petroleum products on-site is further discussed in Section 6.0.

5.1.2 Interview with Report User

Please refer to Section 5.2 below for information requested from the Report User. The information requested was not received prior to the issuance of this report. Because the Report User (Client) is a lender, it is understood that the Report User would not have knowledge of the property that would significantly impact our ability to satisfy the objectives of this assessment. The lack of this information is not considered to represent a significant data gap.

5.1.3 Interview with Key Site Manager

Mr. Iannarelli, the subject property owner also served as the key site manager.

5.1.4 Interviews with Past Owners, Operators and Occupants

Interviews with past owners, operators and occupants were not conducted since information regarding the potential for contamination at the subject property was obtained from other sources.

5.1.5 Interview with Others

As the subject property is not an abandoned property as defined in ASTM 1527-13, interview with others were not performed.

5.2 User Provided Information

5.2.1 Title Records, Environmental Liens, and AULs

Partner was not provided with title records or environmental lien and AUL information for review as part of this assessment.

5.2.2 Specialized Knowledge

No specialized knowledge of environmental conditions associated with the subject property was provided by the User at the time of the assessment.

5.2.3 *Actual Knowledge of the User*

No actual knowledge of any environmental lien or AULs encumbering the subject property or in connection with the subject property was provided by the User at the time of the assessment.

5.2.4 *Valuation Reduction for Environmental Issues*

No knowledge of valuation reductions associated with the subject property was provided by the User at the time of the assessment.

5.2.5 *Commonly Known or Reasonably Ascertainable Information*

The User did not provide information that is commonly known or *reasonably ascertainable* within the local community about the subject property at the time of the assessment.

5.2.6 *Previous Reports and Other Provided Documentation*

No previous reports or other pertinent documentation was provided to Partner for review during the course of this assessment.

6.0 SITE RECONNAISSANCE

The weather at the time of the site visit was overcast. Refer to Section 1.5 for limitations encountered during the field reconnaissance and Sections 2.1 and 2.2 for subject property operations. The table below provides the site assessment details:

Site Assessment Data

Site Assessment Performed By: Eileen Whitsett
Site Assessment Conducted On: October 4, 2021

The table below provides the subject property personnel interviewed during the field reconnaissance:

Site Visit Personnel for 817 Bedford Avenue (Subject Property)

Name	Title/Role	Contact Number	Site Walk* Yes/No
Joe Iannarelli	Owner / Occupant / Key Site Manager	(718) 855-8925	Yes
Jonathan Stesel	Prospective Purchaser	(347) 731-8501	No

* Accompanied Partner during the field reconnaissance activities and provided information pertaining to the current operations and maintenance of the subject property

Environmental concerns were identified during the onsite reconnaissance related to the storage, use, and generation of petroleum products, signs of a release, indications of former subsurface investigations, etc., as further discussed in Sections 6.1 and 6.2.

6.1 General Site Characteristics

6.1.1 Solid Waste Disposal

Solid waste generated at the subject property is disposed of in a commercial dumpster located in the northwestern corner of the subject property building. An independent solid waste disposal contractor, Action Carting, removes solid waste from the subject property. No evidence of illegal dumping of solid waste was observed during the Partner site reconnaissance.

6.1.2 Sewage Discharge and Disposal

Sanitary discharges on the subject property are directed into the municipal sanitary sewer system. The City of New York services the subject property vicinity. No wastewater treatment facilities or septic systems are observed or reported on the subject property.

6.1.3 Surface Water Drainage

Storm water is removed from the subject property primarily by sheet flow action across the paved surfaces towards storm water drains located in the public right of way. Site storm water from the roof is directed to roof drains which discharge to the concrete paved surface and then via sheet flow action across the paved surfaces towards storm water drains located in the public right of way. The subject property is connected to a municipal owned and maintained sewer system.

The subject property does not appear to be a designated wetland area, based on information obtained from the United States Department of Agriculture; however, a comprehensive wetlands survey would be required in order to formally determine actual wetlands on the subject property. No surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons are located on the subject property. No drywells were identified on the subject property.

6.1.4 Source of Heating and Cooling

Heating and cooling systems as well as domestic hot water equipment are fueled by electricity and natural gas provided by Consolidated Edison and National Grid, respectively. The mechanical heating system is comprised of a ceiling-hung natural gas-fired blowers. Cooling is provided via an electric thru-wall air conditioner. Hot water is not provided at the subject property.

6.1.5 Wells and Cisterns

No aboveground evidence of wells or cisterns was observed during the site reconnaissance.

6.1.6 Wastewater

Domestic wastewater generated at the subject property is disposed by means of the sanitary sewer system. No industrial process is currently performed at the subject property.

6.1.7 Septic Systems

No septic systems were observed or reported on the subject property.

6.1.8 Additional Site Observations

No additional general site characteristics were observed during the site reconnaissance.

6.2 Potential Environmental Hazards

6.2.1 Hazardous Substances and Petroleum Products Used or Stored at the Site

Partner identified hazardous substances used, stored, and/or generated on the subject property as noted in the following table:

Hazardous Substances and/or Petroleum Products Noted On-site				
Substance	Container Size	Location	Nature of Use	Disposal Method
Antifreeze & Coolant	Multiple One Gallon Containers	Garage	Vehicle Repairs	JB Waste Oil
Automatic Transmission Fluid	Multiple One Quart Containers	Garage	Vehicle Repairs	JB Waste Oil
Batteries	+/- 10	Garage	Vehicle Repairs	Returned to Provider
Brake Fluid	Multiple One Quart Containers	Garage	Vehicle Repairs	JB Waste Oil
Motor Oil	Multiple One Quart Containers	Garage	Vehicle Repairs	JB Waste Oil
Windshield	Multiple Gallon	Garage	Vehicle Repairs	Not Applicable

Hazardous Substances and/or Petroleum Products Noted On-site				
Substance	Container Size	Location	Nature of Use	Disposal Method
Washer Solvent	Containers			
Waste Oil, Used Antifreeze & Coolant	Two 55- Gallon Drums	Garage	Vehicle Repairs	JB Waste Oil

Two 55-gallon drums were observed located within the northwestern corner of the subject property building. The drums were not properly labeled and did not have proper secondary containment. The contents of the drums include waste oil. Significant staining and absorbent materials were observed in the area of the drums. In addition, one floor drain was observed in the area of the drum storage. According to Mr. Iannarelli, this floor drain discharges to the municipal sewer system. No evidence of staining in the area of the floor drain was noted. Based on the nature of the contents and continuous connection to the municipal sewer system, the drums and superficial staining is not expected to represent a significant environmental concern. However, the area should be cleaned as part of routine maintenance and better housekeeping practices implemented.

6.2.2 Aboveground & Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs/USTs)

No evidence of current or former ASTs or USTs was observed during the site reconnaissance.

6.2.3 Evidence of Releases

Extensive spills were noted in the area of the drum storage which should be cleaned as part of routine maintenance and better housekeeping practices implemented.

6.2.4 Polychlorinated Biphenyls (PCBs)

Older transformers and other electrical equipment could contain PCBs at a level that subjects them to regulation by the U.S. EPA. PCBs in electrical equipment are controlled by United States Environmental Protection Agency regulations 40 CFR, Part 761. Under the regulations, there are three categories into which electrical equipment can be classified: 1) Less than 50 parts per million (ppm) of PCBs – “Non-PCB;” 2) 50 ppm-500 ppm – “PCB-Contaminated;” and, 3) Greater than 500 ppm – “PCB-Containing.” The manufacture, process, or distribution in commerce or use of any PCB in any manner other than in a totally enclosed manner was prohibited after July 2, 1979.

Partner observed two aboveground hydraulic lifts at the subject property. The lifts are located in the eastern side of the subject property building. Based on type (aboveground, with no below ground components) and since these lifts were most likely installed since current occupancy (circa 1983), the associated hydraulic equipment is not suspected to contain PCBs.

Additionally, no other potential PCB-containing equipment (interior transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, balers, etc.) was observed on the subject property during Partner’s reconnaissance.

6.2.5 Strong, Pungent or Noxious Odors

No strong, pungent or noxious odors were evident during the site reconnaissance.

6.2.6 Pools of Liquid

No pools of liquid were observed on the subject property during the site reconnaissance.

6.2.7 Drains, Sumps and Clarifiers

In addition to interior sanitary drains, one floor drain was noted in the northwest portion of the subject property building. All drains at the subject property reportedly discharge to the municipal sewer system. The floor drain appears to have been installed during the original construction of the building and according to the site contact, the drain is connected directly to the municipal sanitary sewer system.

No additional drains, sumps, or clarifiers, were observed on the subject property during the site reconnaissance.

6.2.8 Pits, Ponds and Lagoons

No pits, ponds or lagoons were observed on the subject property.

6.2.9 Stressed Vegetation

No stressed vegetation was observed on the subject property.

6.2.10 Additional Potential Environmental Hazards

No additional environmental hazards, including landfill activities or radiological hazards, were observed.

6.3 Non-ASTM Services

6.3.1 Asbestos-Containing Materials (ACMs)

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. The Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1926.1101 requires certain construction materials to be *presumed* to contain asbestos, for purposes of this regulation. Construction materials including, but not limited to, thermal system insulation (TSI), surfacing material, and asphalt/vinyl flooring that are present in a building and that have not been appropriately tested may be considered "presumed asbestos-containing material" (PACM).

The subject property building was constructed in 1948. A limited, visual evaluation of accessible areas for the presence of suspect ACMs at the subject property was conducted. The objective of this visual survey was to note the presence and condition of suspect ACM observed. Please refer to the table below for identified suspect ACMs:

Suspect ACMs

Suspect ACM	Location	Friable Yes/No	Physical Condition
Drywall Systems	Office Area	No	Good
Floor Tiles	Office Area	No	Good
Floor Tile Mastic	Office Area	No	Good

Based on this building's date of construction, prior to disturbance, Partner recommends a comprehensive asbestos survey of the property to determine the presence, condition, friability and likely future condition of suspect or confirmed ACM. All suspect materials must be handled as ACM according to local, state and federal regulations until the results of sampling and analysis indicate the material is a non-ACM. According to the US EPA, ACM that is intact and in good condition can, in general, be managed safely in-place under an Operations and Maintenance (O&M) Program until removal is dictated by renovation, demolition, or deteriorating material condition.

6.3.2 Lead-Based Paint (LBP)

Lead is a highly toxic metal that affects virtually every system of the body. LBP is defined as any paint, varnish, stain, or other applied coating that has 1 mg/cm² (or 5,000 ug/g or 0.5% by weight) or more of lead. Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as "Title X", to protect families from exposure to lead from paint, dust, and soil. Under Section 1017 of Title X, intact LBP on most walls and ceilings is not considered a "hazard," although the condition of the paint should be monitored and maintained to ensure that it does not become deteriorated. Further, Section 1018 of this law directed the Housing and Urban Development (HUD) and the US EPA to require the disclosure of known information on LBP and LBP hazards before the sale or lease of most housing built before 1978.

Based on the age of the subject property building (pre-1978), there is a potential that LBP is present. Interior and exterior painted surfaces were observed in good condition and therefore not expected to represent a "hazard," although the condition of the paint should be monitored and maintained to ensure that it does not become deteriorated.

Actual material samples would need to be collected in order to determine if LBP is present.

6.3.3 Radon

Radon is a colorless, odorless, naturally occurring, radioactive, inert, gaseous element formed by radioactive decay of radium (Ra) atoms. The US EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three Radon Zones, according to the table below:

EPA Radon Zones

EPA Zones	Average Predicted Radon Levels	Potential
Zone 1	Exceed 4.0 pCi/L	Highest
Zone 2	Between 2.0 and 4.0 pCi/L	Moderate
Zone 3	Less than 2.0 pCi/L	Low

It is important to note that the EPA has found homes with elevated levels of radon in all three zones, and the US EPA recommends site-specific testing in order to determine radon levels at a specific location. However, the map does give a valuable indication of the propensity of radon gas accumulation in structures.

Radon sampling was not conducted as part of this assessment. Review of the US EPA Map of Radon Zones places the subject property in Zone 3. Based upon the radon zone classification, radon is not considered to be a significant environmental concern.

6.3.4 Lead in Drinking Water

According to available information, a public water system operated by the NYCDEP serves the subject property vicinity. According to a representative of the NYCDEP, shallow groundwater directly beneath the subject property is not utilized for domestic purposes. The sources of public water for the City of New York are surface water from the Croton, Catskill and Delaware Reservoirs. According to the City of New York and the 2020 Annual Water Quality Report, water supplied to the subject property is in compliance with all State and Federal regulations pertaining to drinking water standards, including lead and copper. Water sampling was not conducted to verify water quality.

6.3.5 Mold

Molds are microscopic organisms found virtually everywhere, indoors and outdoors. Mold will grow and multiply under the right conditions, needing only sufficient moisture (e.g. in the form of very high humidity, condensation, or water from a leaking pipe, etc.) and organic material (e.g., ceiling tile, drywall, paper, or natural fiber carpet padding).

Partner observed accessible, interior areas for the subject property building for significant evidence of mold growth with the exceptions detailed in Section 1.5 of this report; however, this ESA should not be used as a mold survey or inspection. Additionally, this limited assessment was not designed to assess all areas of potential mold growth that may be affected by mold growth on the subject property. Rather, it is intended to give the client an indication as to whether or not conspicuous (based on observed areas) mold growth is present at the subject property. This evaluation did not include a review of pipe chases, mechanical systems, or areas behind enclosed walls and ceilings.

No obvious indications of water damage or mold growth were observed during Partner's visual assessment.

6.4 Adjacent Property Reconnaissance

The adjacent property reconnaissance consisted of observing the adjacent properties from the subject property premises. No items of environmental concern were identified on the adjacent properties during the site assessment, including hazardous substances, petroleum products, ASTs, USTs, evidence of releases, PCBs, strong or noxious odors, pools of liquids, sumps or clarifiers, pits or lagoons, stressed vegetation, or any other potential environmental hazards.

7.0 FINDINGS AND CONCLUSIONS

Findings

A *recognized environmental condition (REC)* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The following was identified during the course of this assessment:

- Based on the historical information review, the subject property has been occupied by automotive repair businesses since as early as 1987 to Present. During the site reconnaissance, Partner observed a floor drain in the northwest portion of the subject building. The floor drain appears to have been installed during the original construction of the building and is connected directly to the municipal sanitary sewer system. Drainage systems have potential to impact the subsurface of the subject property should the system become compromised. Based on the years of automotive repair operations for at least 34 years, and the floor drain/drainage system observed in an area where operations appeared to occur, the subsurface drainage system is considered a *recognized environmental condition*.
- The subject property is listed as having an New York Environmental (E) Designation due to location within the Flushing/Bedford Rezoning area (E-102; CEQR # 00DCP015K). An E designation provides notice of the presence of an environmental requirement pertaining to potential hazardous materials contamination impacts on a particular tax lot. E designations are established as part of a change in zoning that would allow additional development to occur on property, or would permit uses not currently allowed. The E designation would ensure that sampling and remediation take place on the subject properties, and would avoid any significant impacts related to hazardous materials at these locations. The E designations would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the New York City Department of Environmental Protection (NYCDEP) before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The E designations also include a mandatory construction-related health and safety plan which must be approved by NYCDEP.

The E designation for the subject property is due to the potential for hazardous materials as related to the historical use of the subject property. As such, prior to any future development at the subject property, or actions requiring building permits, the New York City Office of Environmental Remediation (NYCOER) would need to be contacted in order to either waive the NY E designation requirements for the specific project; or to ensure that the requirements for a Notice of Satisfaction are met. The presence of an NY E Designation is considered a recognized environmental condition.

A *controlled recognized environmental condition (CREC)* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable

regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. The following was identified during the course of this assessment:

- Partner did not identify any controlled recognized environmental conditions during the course of this assessment.

A *historical recognized environmental condition (HREC)* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Partner did not identify any historical recognized environmental conditions during the course of this assessment.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- The subject property operates as an automotive repair establishment. Based on interviews, city directory and historical Sanborn map review, the subject property has been utilized for automotive repair from at least 1983 through present. According to the current ownership/occupant, no current or former inground hydraulic lifts were reported at the subject property. Based on previous experience with hydraulic lifts, the quantity of hydraulic fluid used within this equipment is small, and has a low mobility as a contaminant. As a result, the potential presence of this equipment is not expected to represent a significant environmental concern at this time. However, soil sampling may be required by local agencies if the subject property is to be redeveloped in the future.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of 817 Bedford Avenue in New York, Kings County, New York (the "subject property"). Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report.

Based on the conclusions of this assessment, Partner recommends the following:

- A limited subsurface investigation should be conducted in order to determine the presence or absence of soil, soil vapor, and/or groundwater contamination due to the historical use of the subject property.
- In the event that redevelopment of the subject property, or building permit approvals are required for future renovations, it is recommended that the applicant coordinate with the NYC OER so as to obtain a Notice of Satisfaction as related to the E Designations.

8.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Partner has performed a Phase I Environmental Site Assessment of the property located at 817 Bedford Avenue in New York, Kings County, New York in conformance with the scope and limitations of the protocol and the limitations stated earlier in this report. Exceptions to or deletions from this protocol are discussed earlier in this report.

By signing below, Partner declares that, to the best of our professional knowledge and belief, we meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR §312. Partner has the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the subject *property*. Partner has developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared By:



Eileen Whitsett
Environmental Scientist

Reviewed By:



Polly Ivers
Senior Author/Environmental Professional

9.0 REFERENCES

Reference Documents

American Society for Testing and Materials, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM Designation: E1527-13.

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United States Geological Survey, accessed via the Internet, October 2021

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FIGURES

- 1 SITE LOCATION MAP**
- 2 SITE PLAN**
- 3 TOPOGRAPHIC MAP**



Drawing Not To Scale

KEY:
Subject Property 

FIGURE 1: SITE LOCATION MAP
Project No. 21-338967.1



**GROUNDWATER
FLOW**



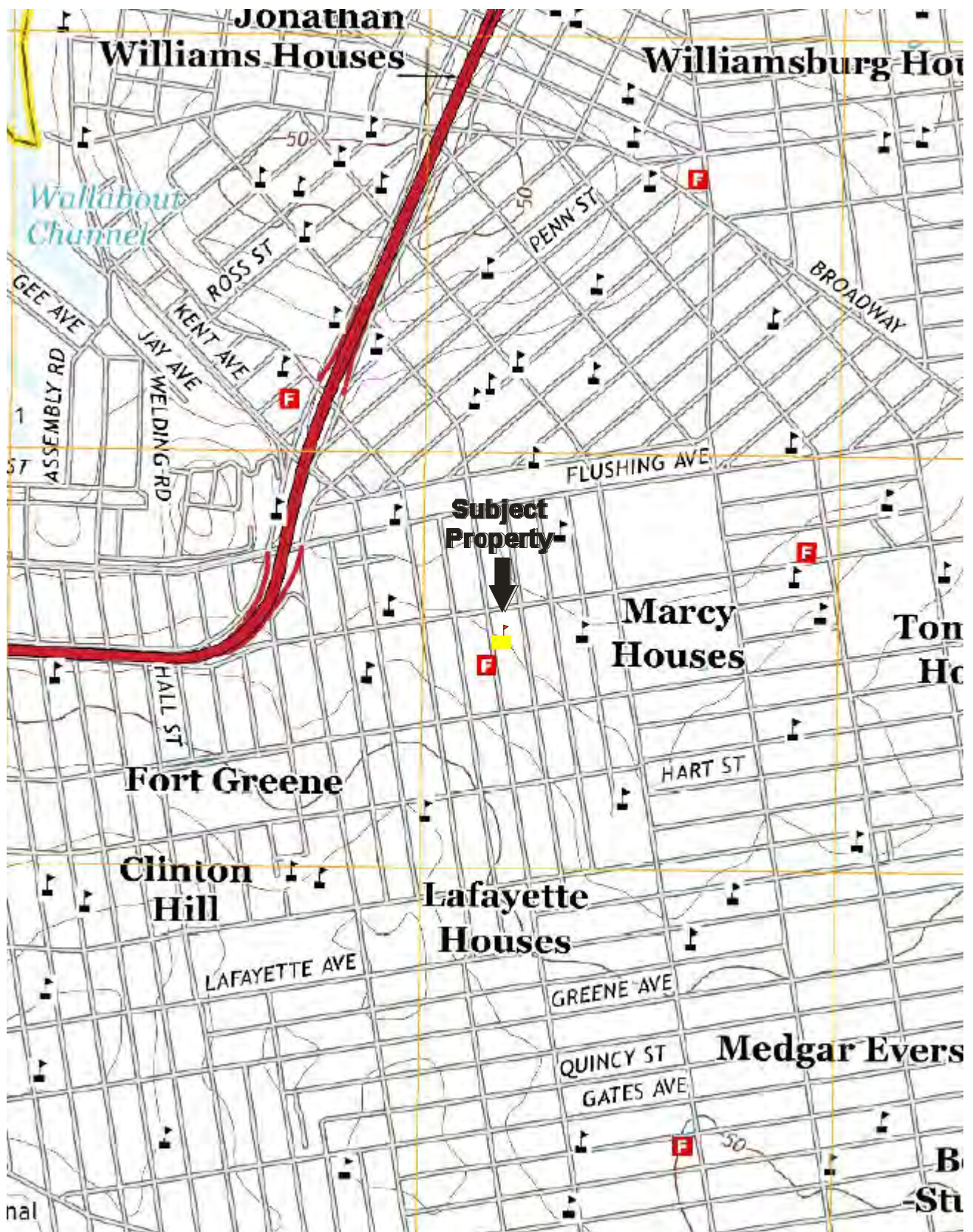
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FIGURE 2: SITE PLAN

Project No. 21-338967.1



USGS 7.5 Minute *Brooklyn, NY* Quadrangle
Created: 2013

KEY:
Subject Property 

FIGURE 3: TOPOGRAPHIC MAP

Project No. 21-338967.1

PARTNER

APPENDIX A: SITE PHOTOGRAPHS



1. West view of the subject property



2. Concrete-paved walkway along Bedford Avenue



3. West view of building interior



4. Office space



5. Office restroom



6. Garage restroom



7. Ceiling-hung natural gas-fired blower



8. General view of partial basement



9. Additional view of partial basement



10. Natural gas meter



11. Water meter



12. Electric meter and switchgear



13. Solid waste dumpster



14. General waste storage area



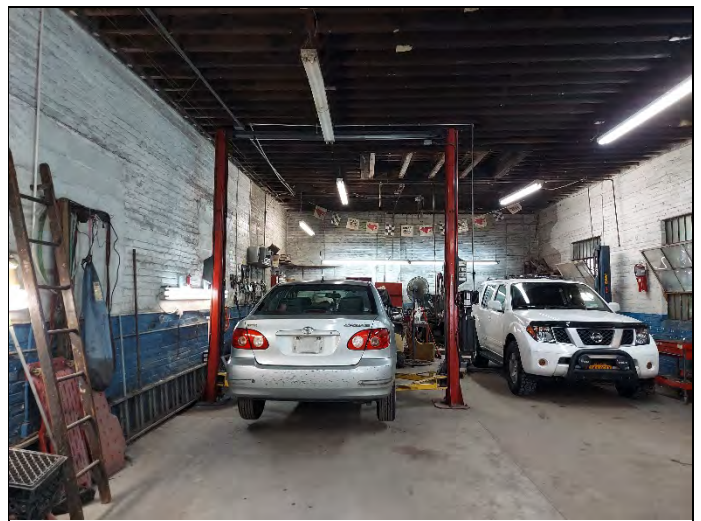
15. 55-gallon drums of waste oil



16. New and spent batteries, antifreeze and coolant



17. Floor drain in the northwest portion of the building



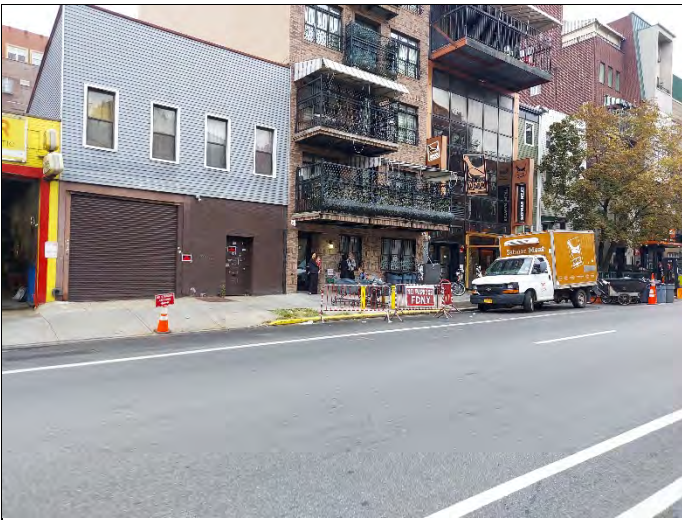
18. Lifts



19. Rear view of garage



20. Surrounding properties to the north

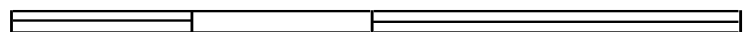


21. Surrounding properties to the south

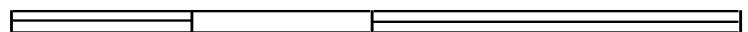


22. Surrounding properties to the west

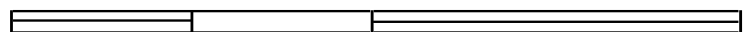
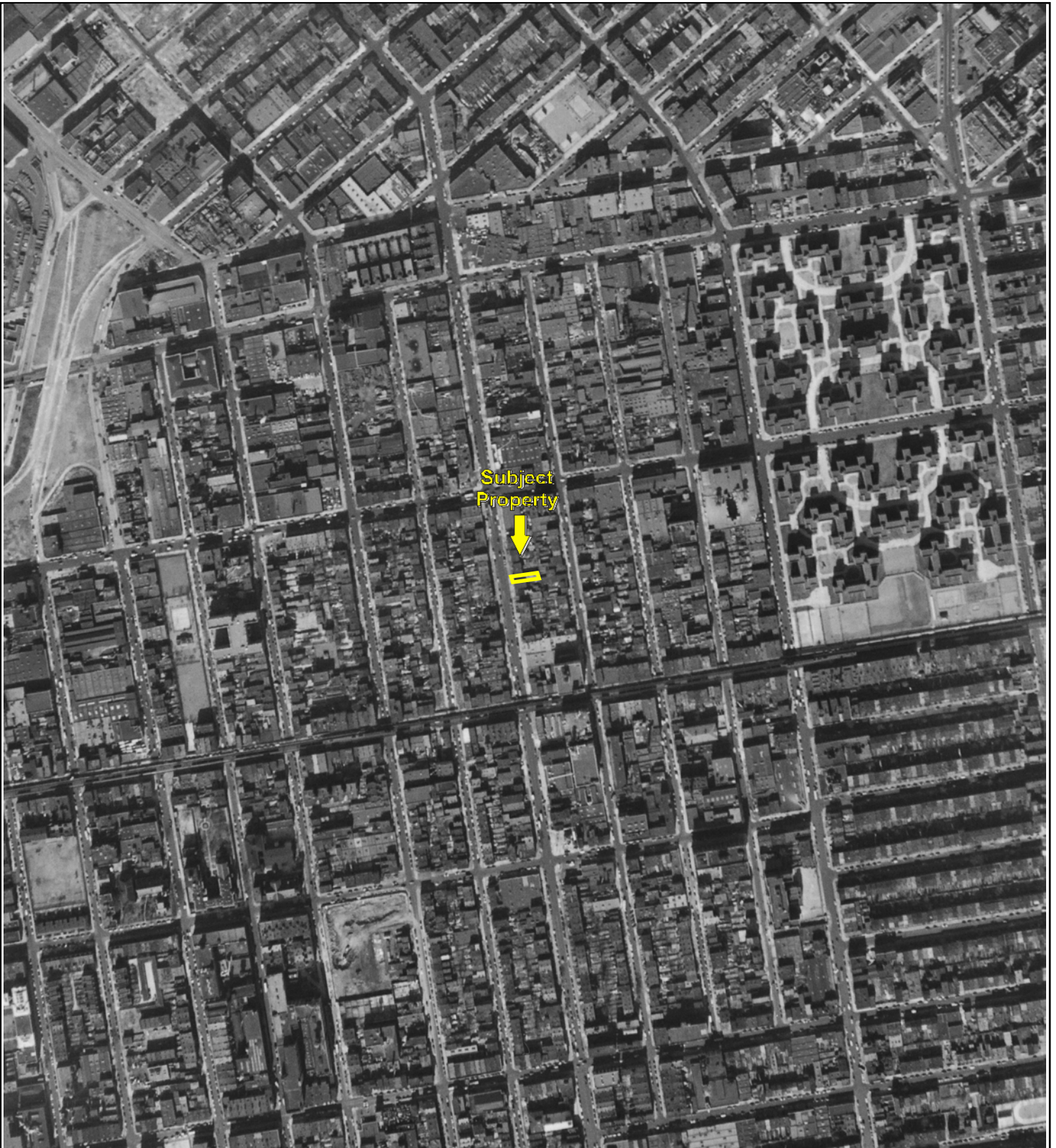
APPENDIX B: HISTORICAL/REGULATORY DOCUMENTATION



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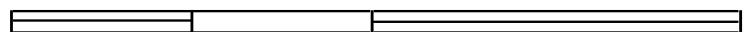
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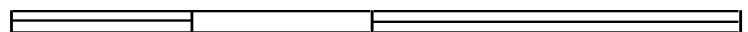
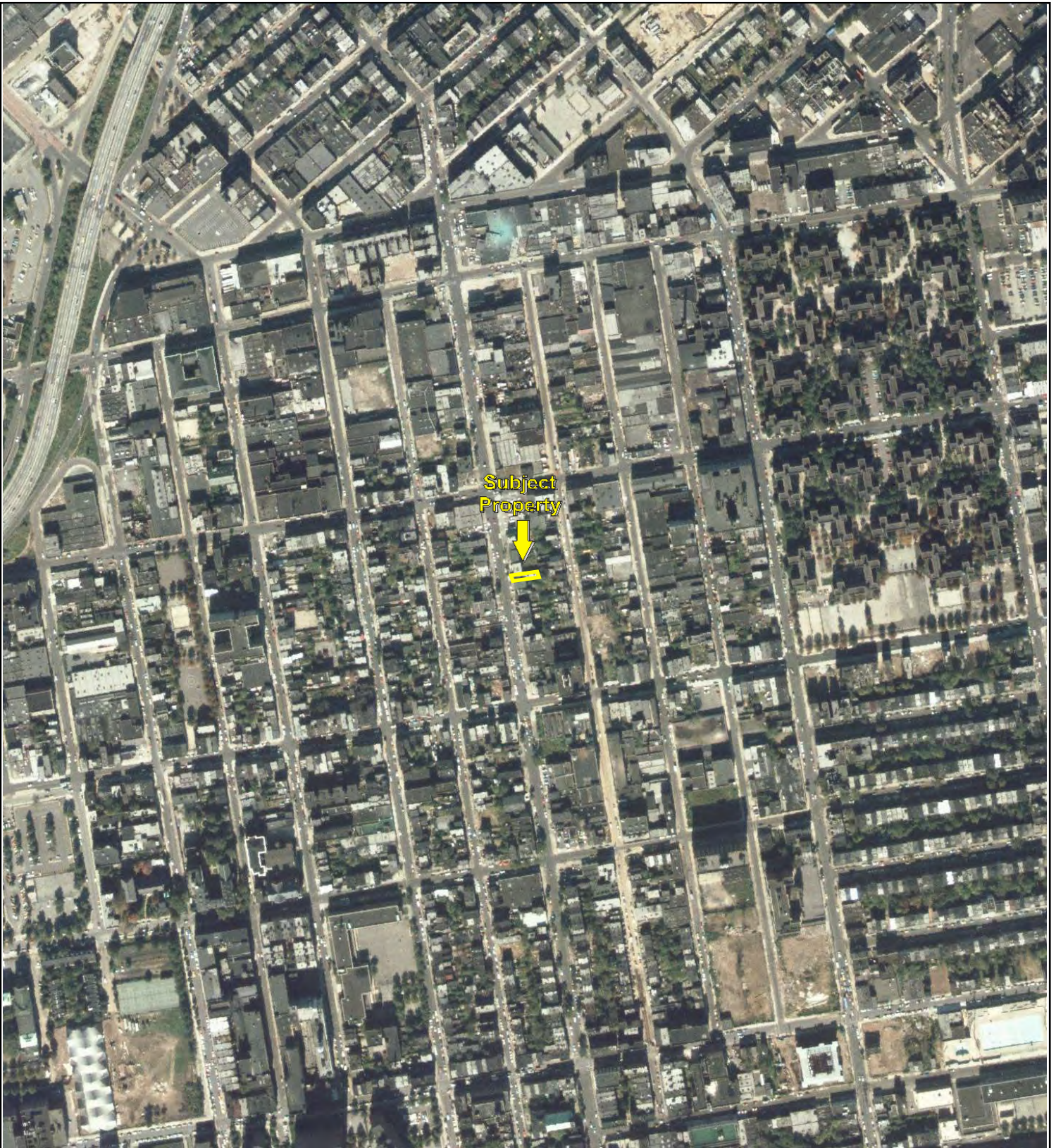


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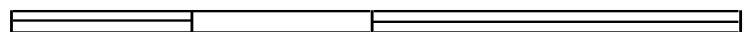
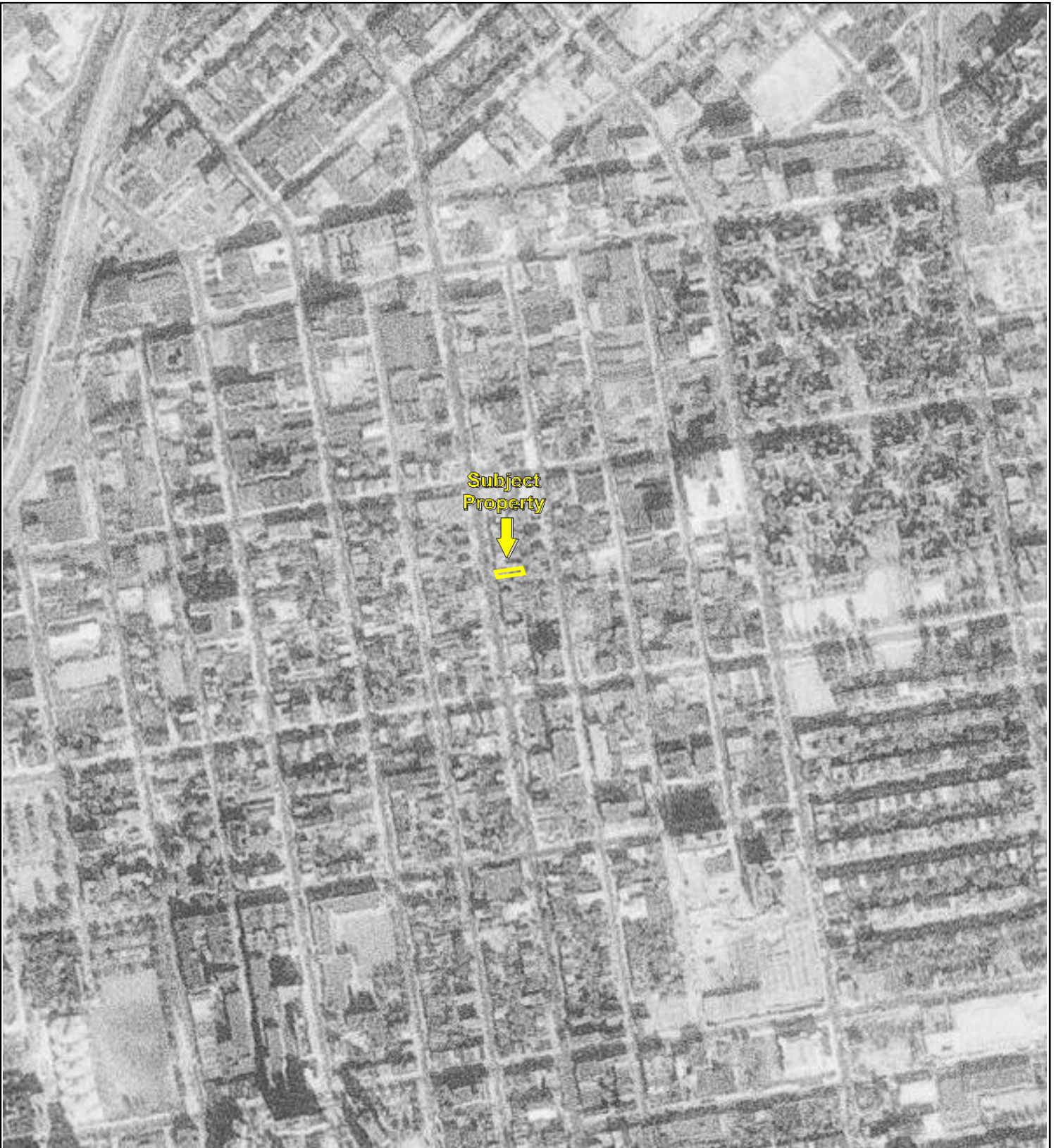
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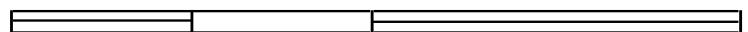
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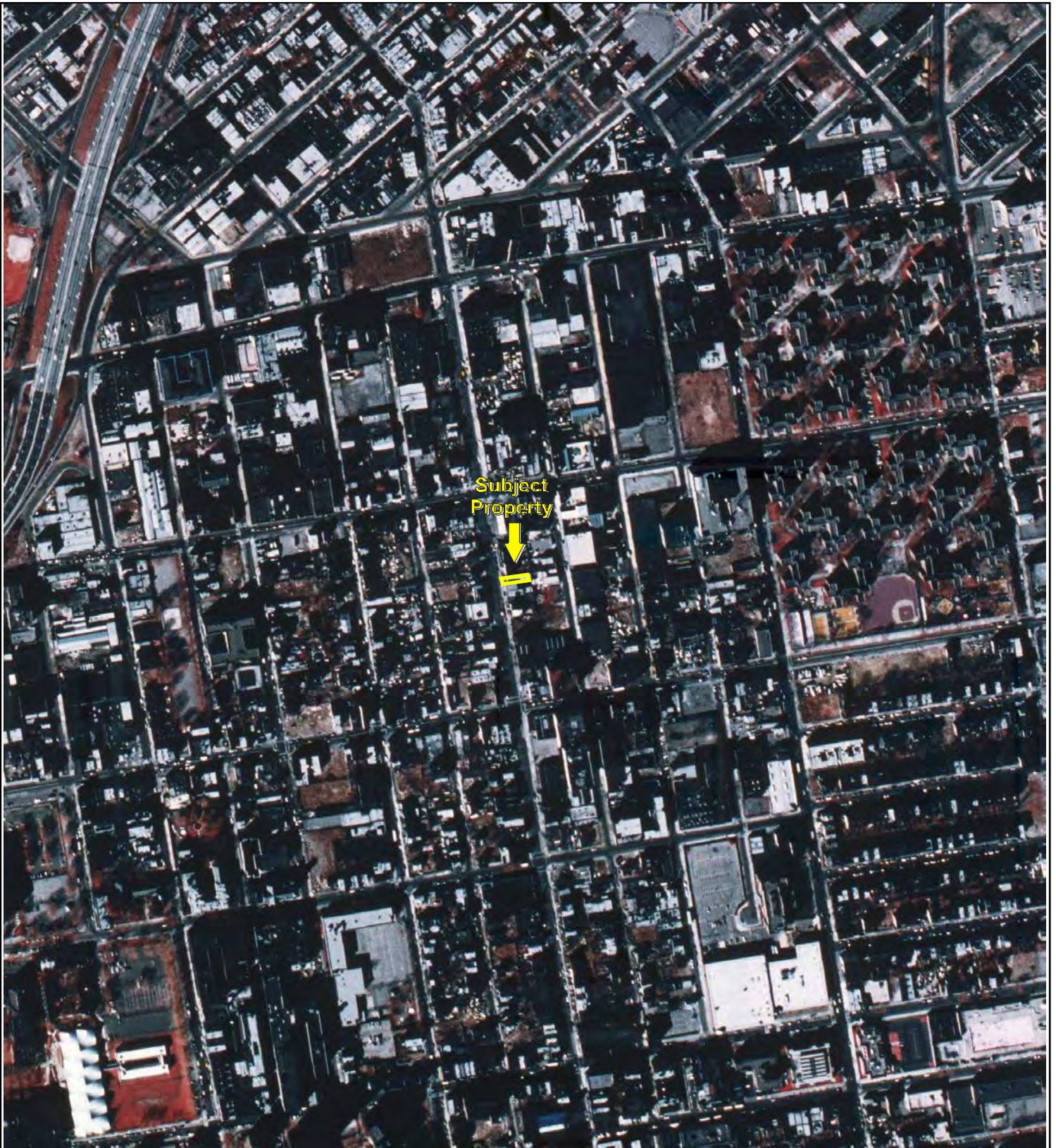
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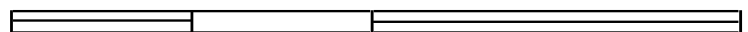
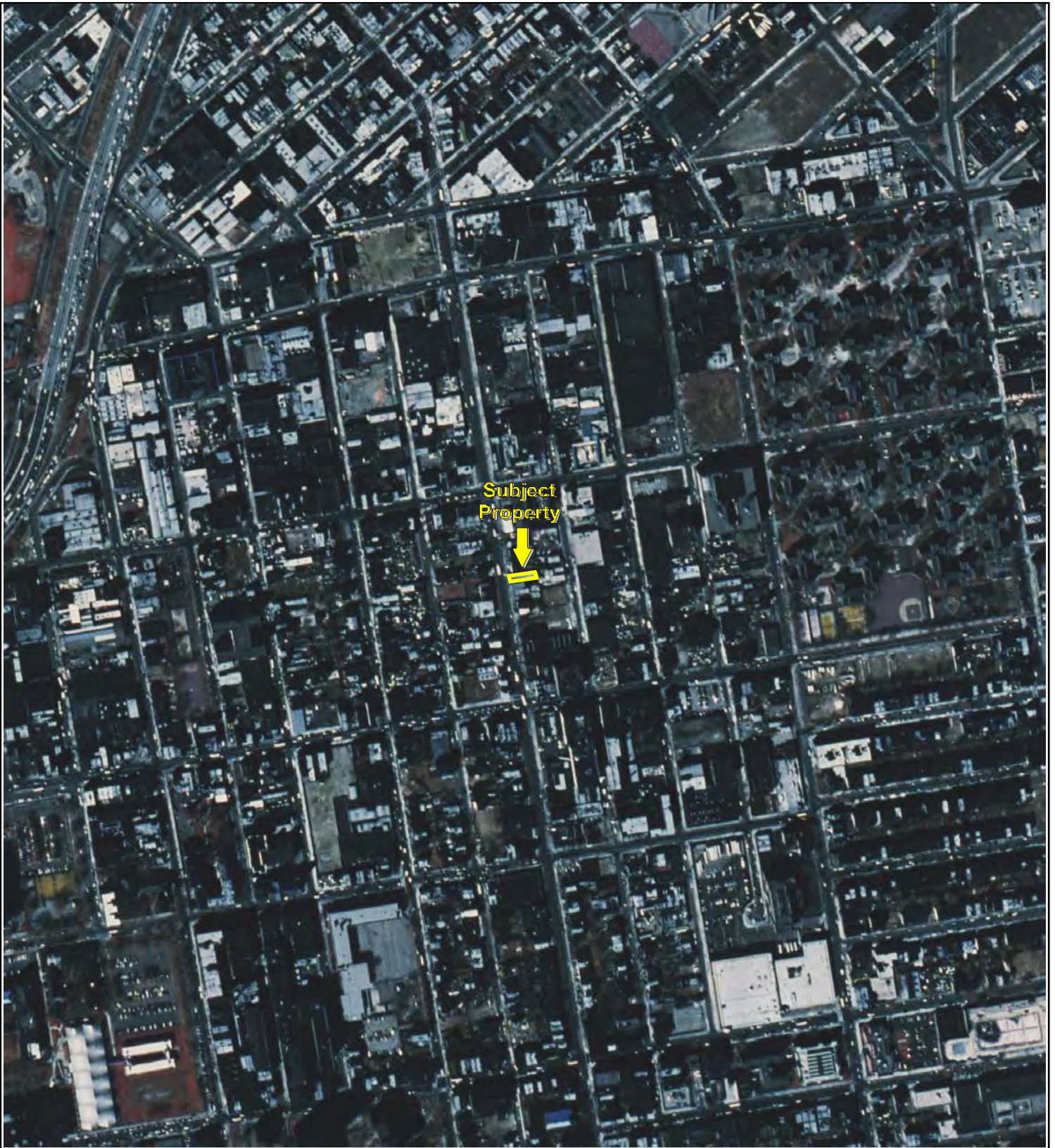
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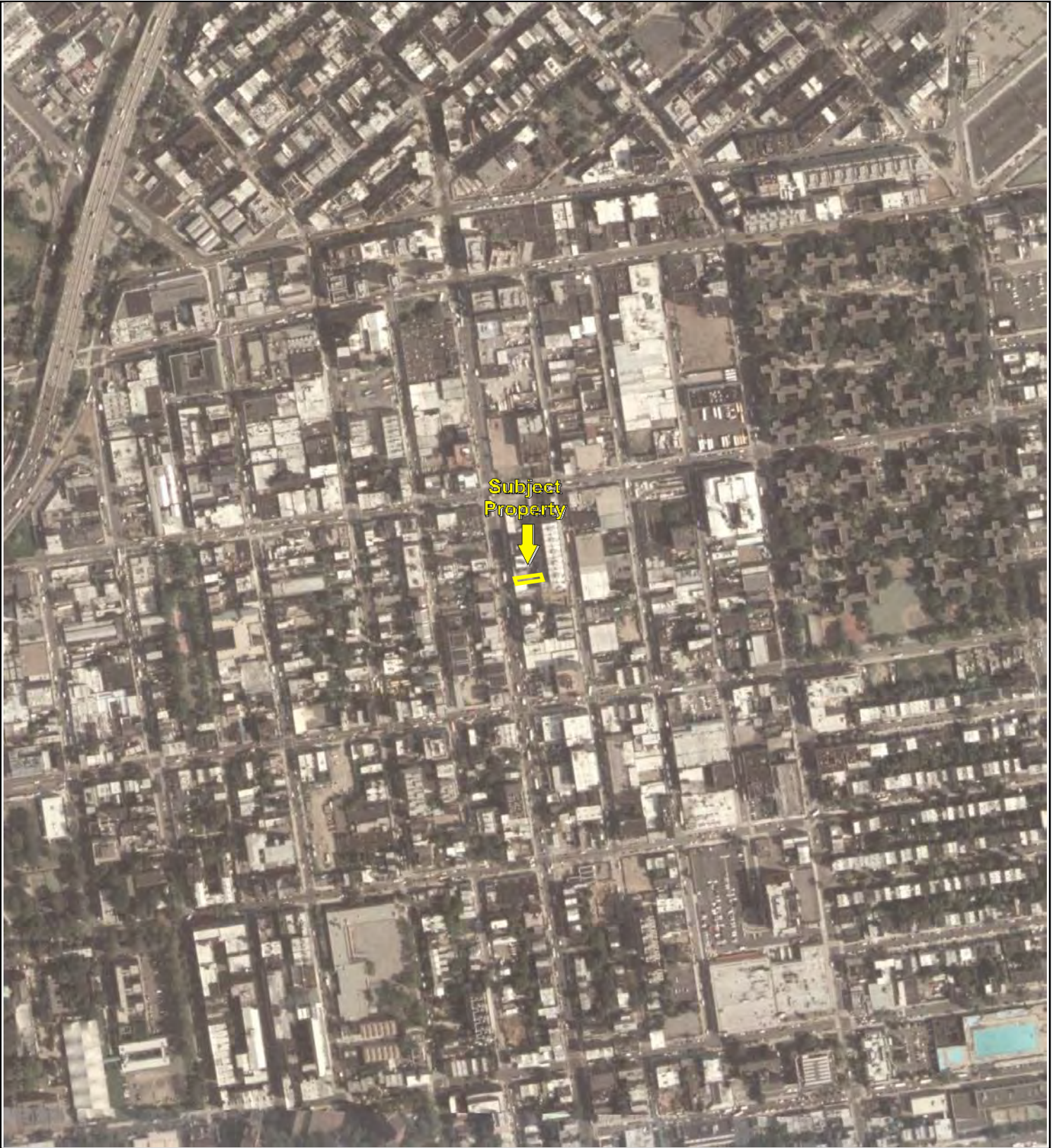
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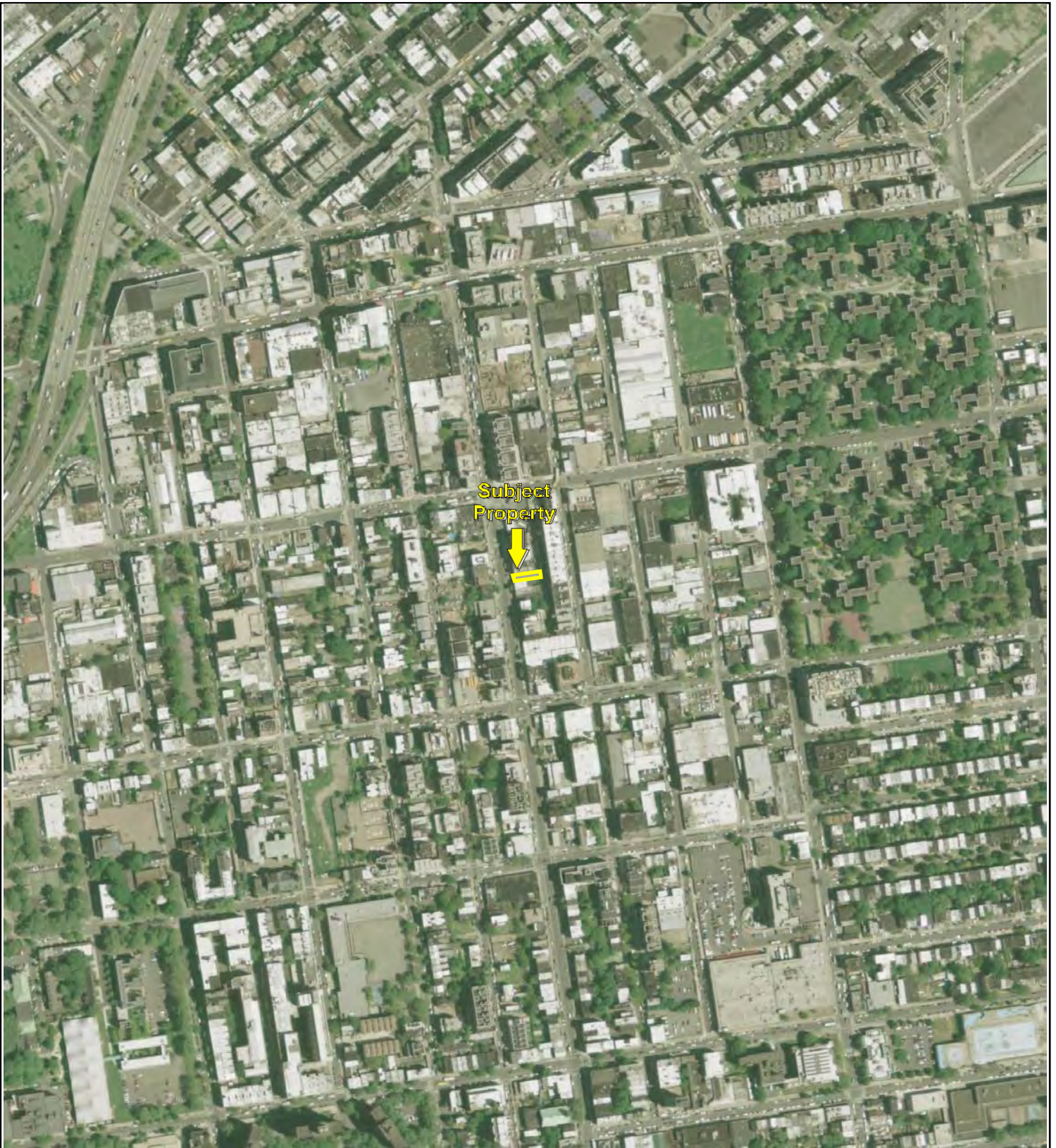
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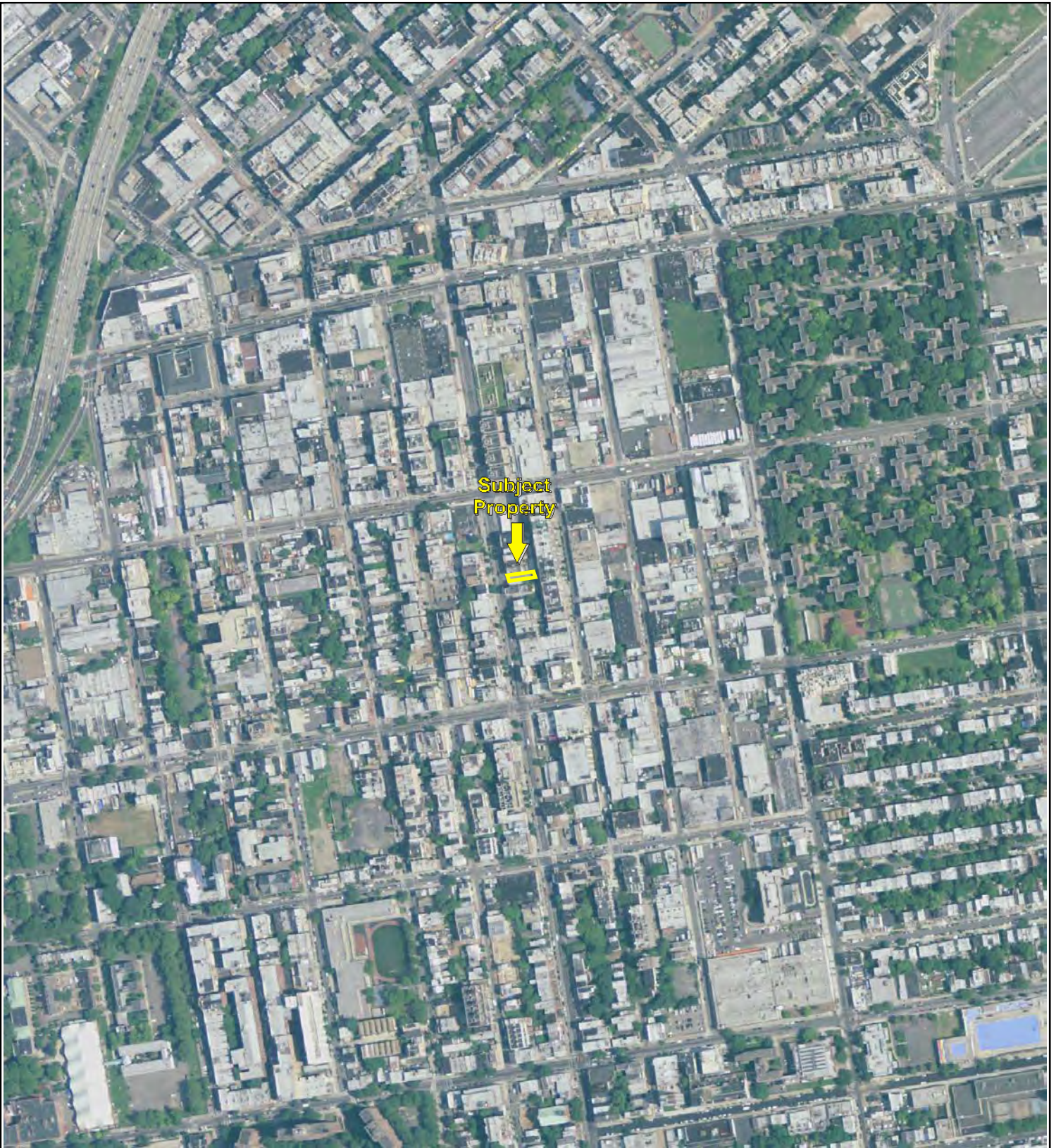
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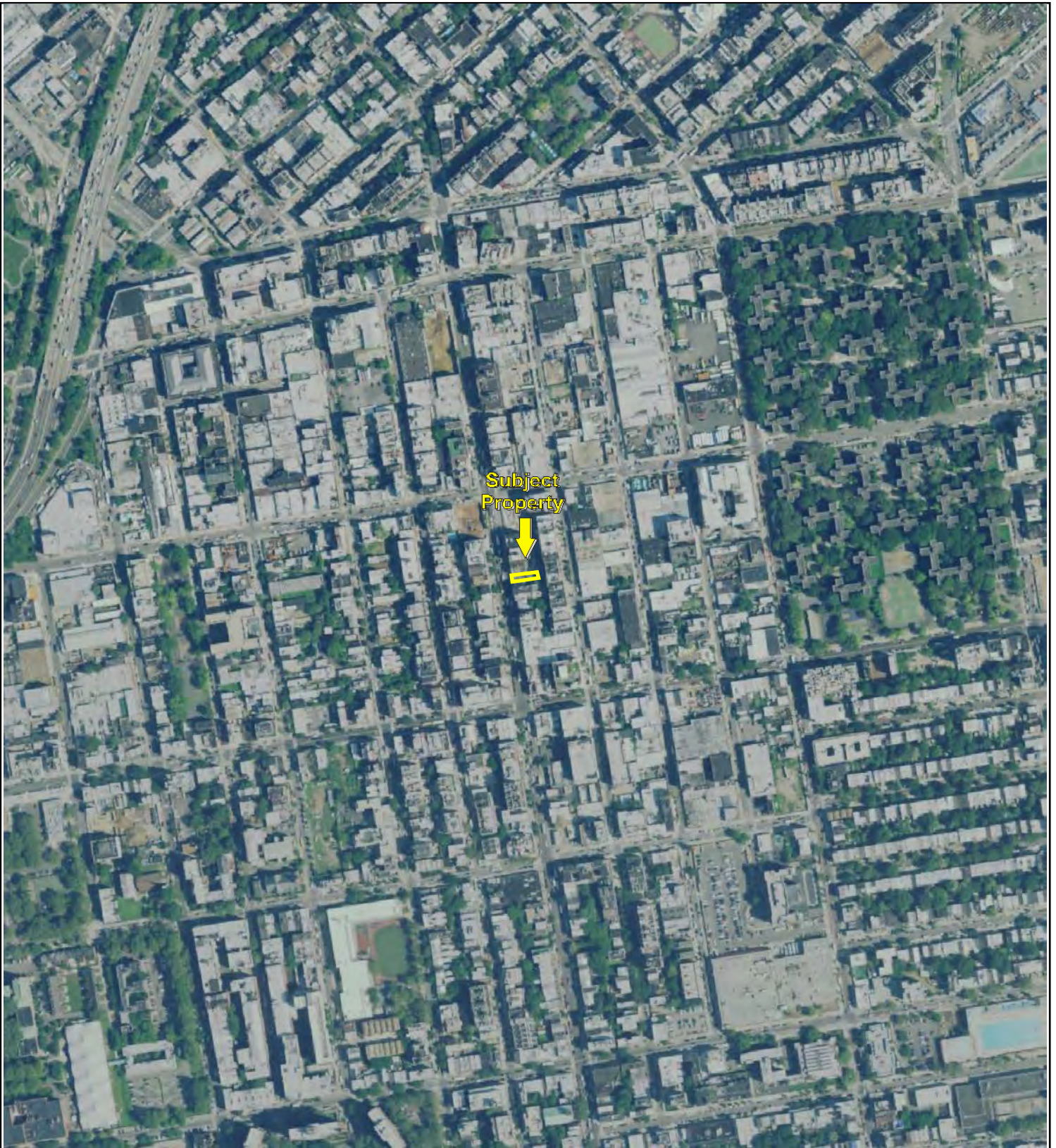
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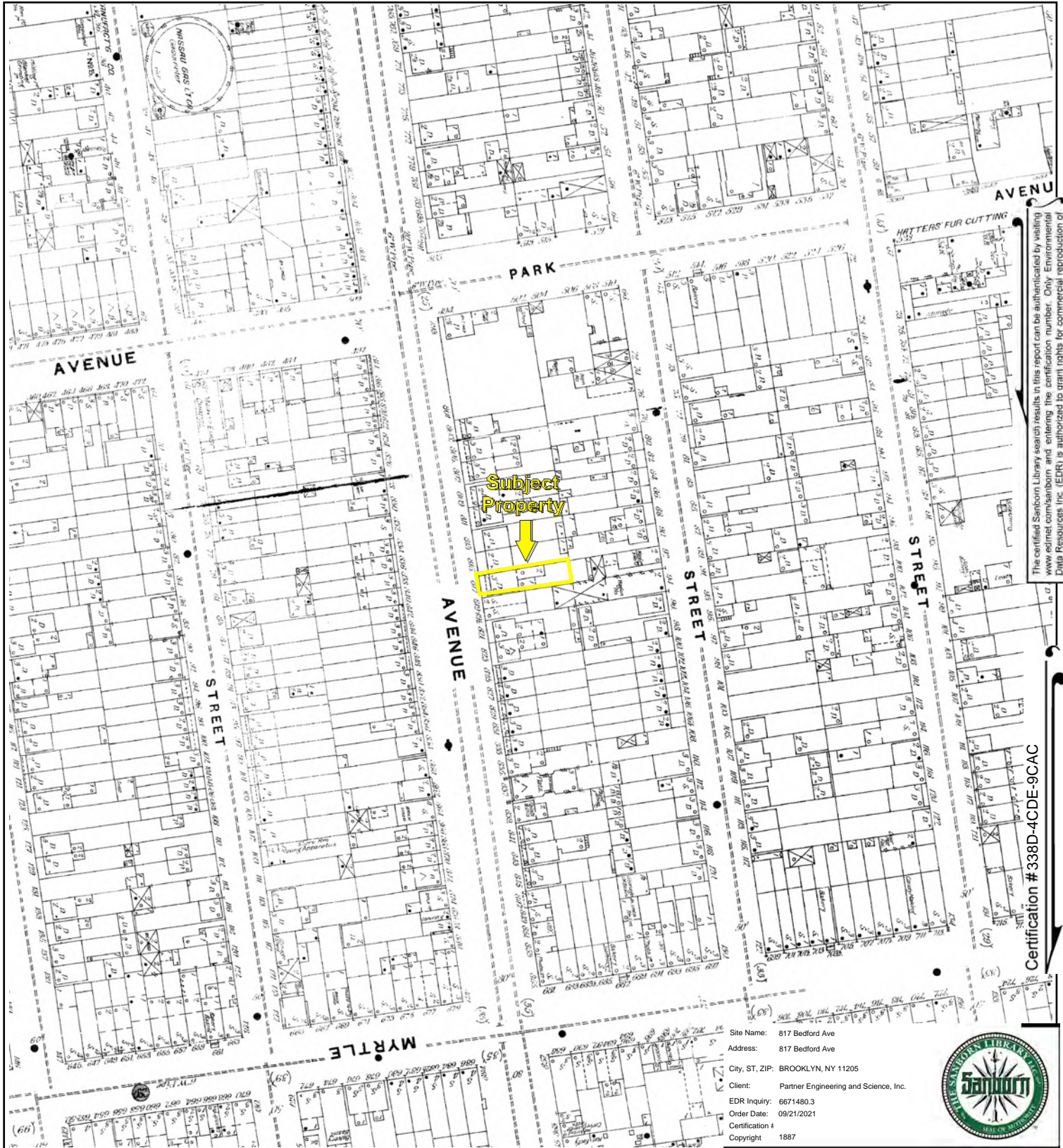
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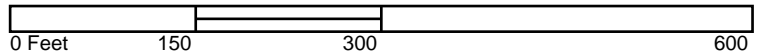
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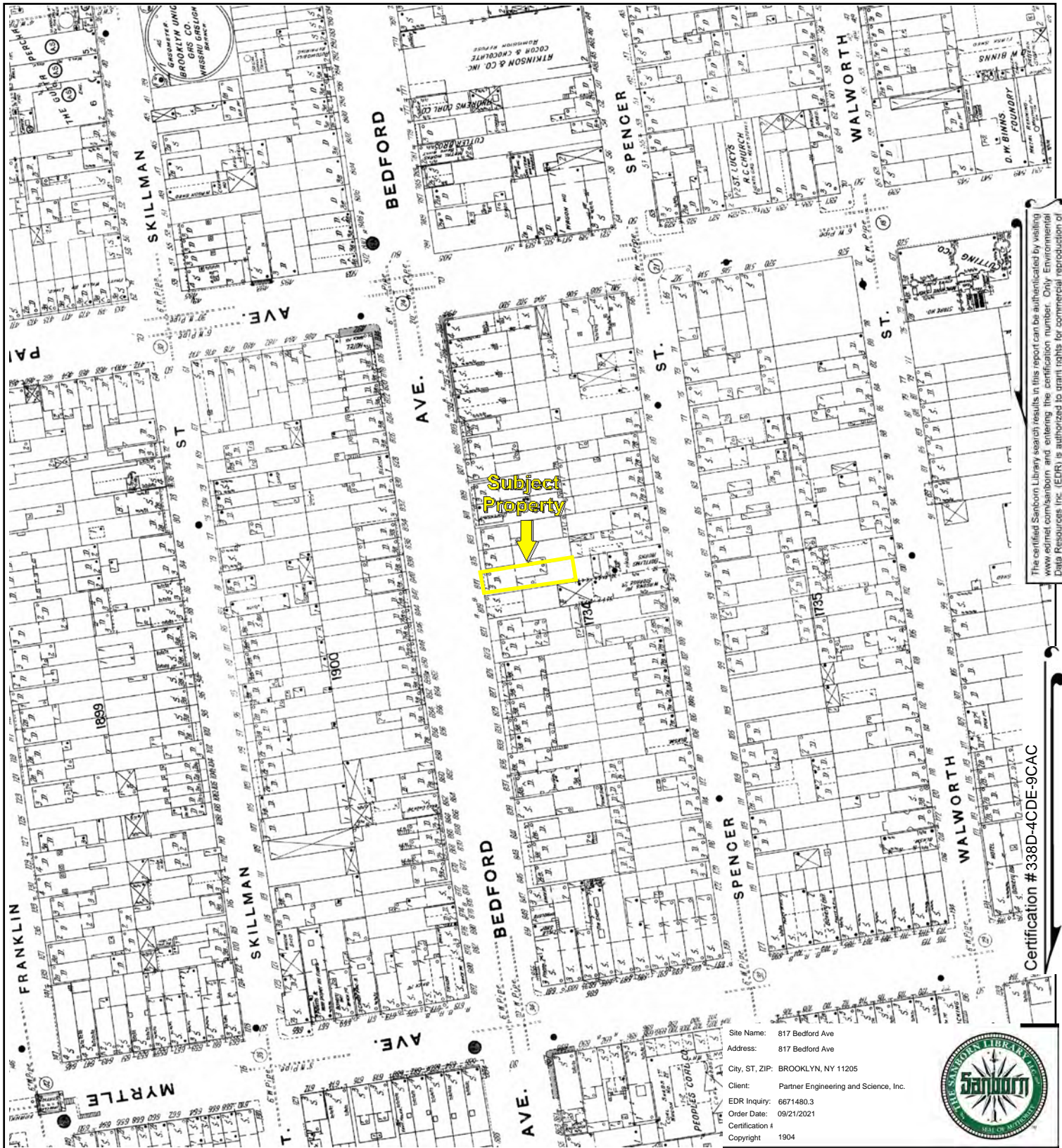
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 Order Date: 09/21/2021
 Certification #
 Copyright 1887



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 Volume 3, Sheet 64



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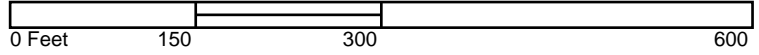
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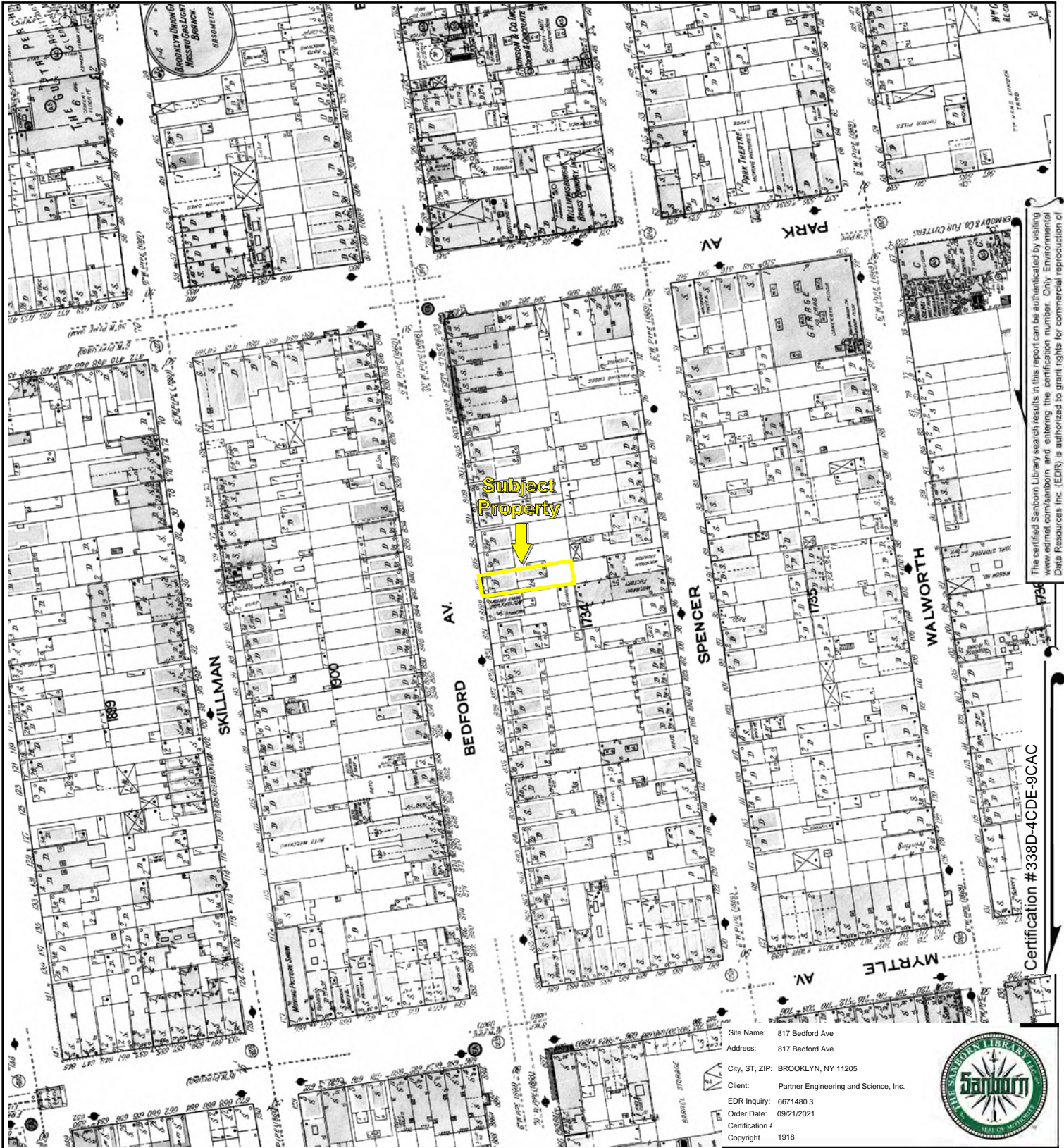
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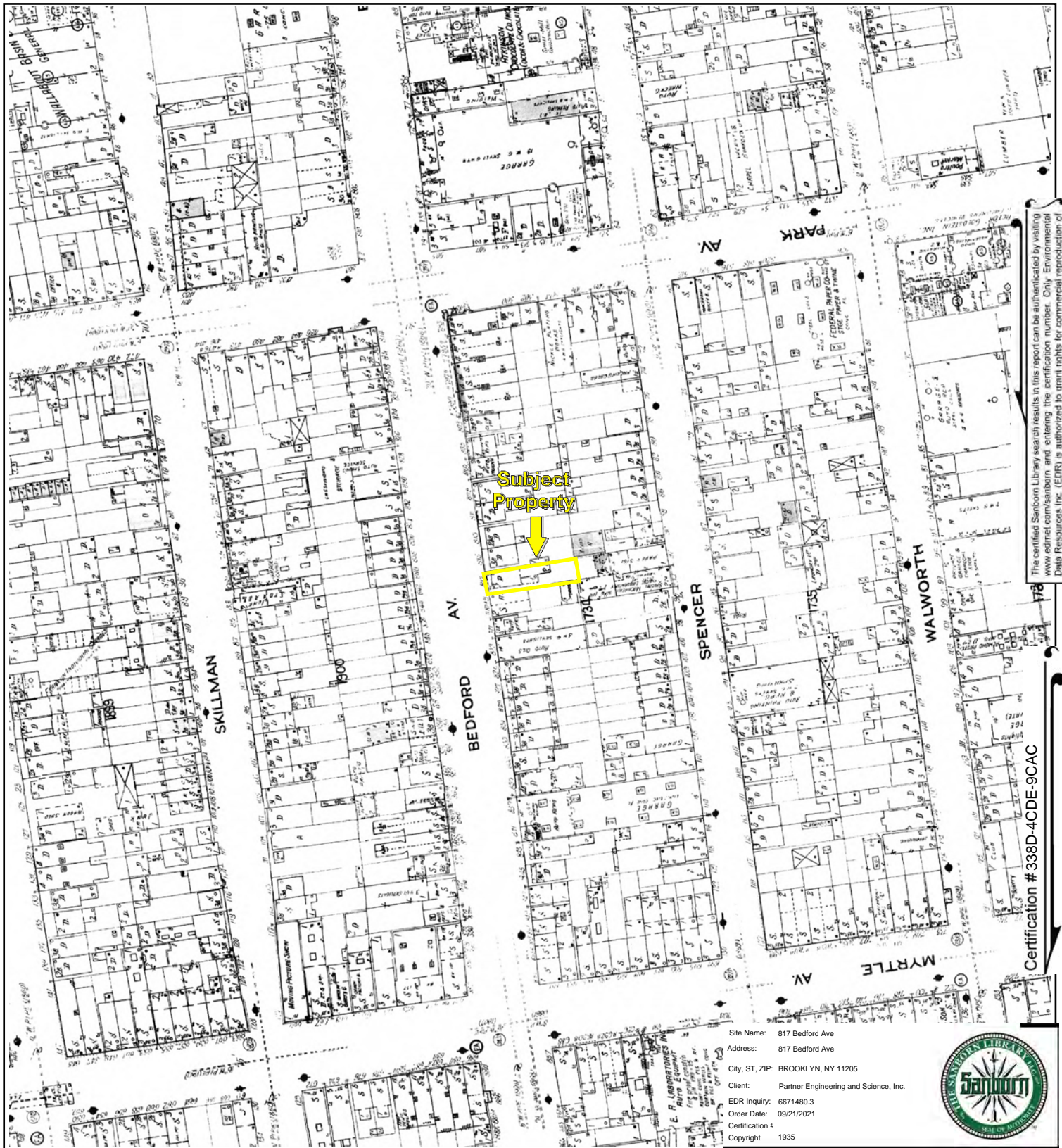


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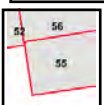


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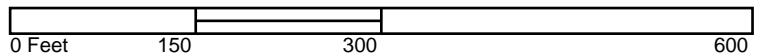
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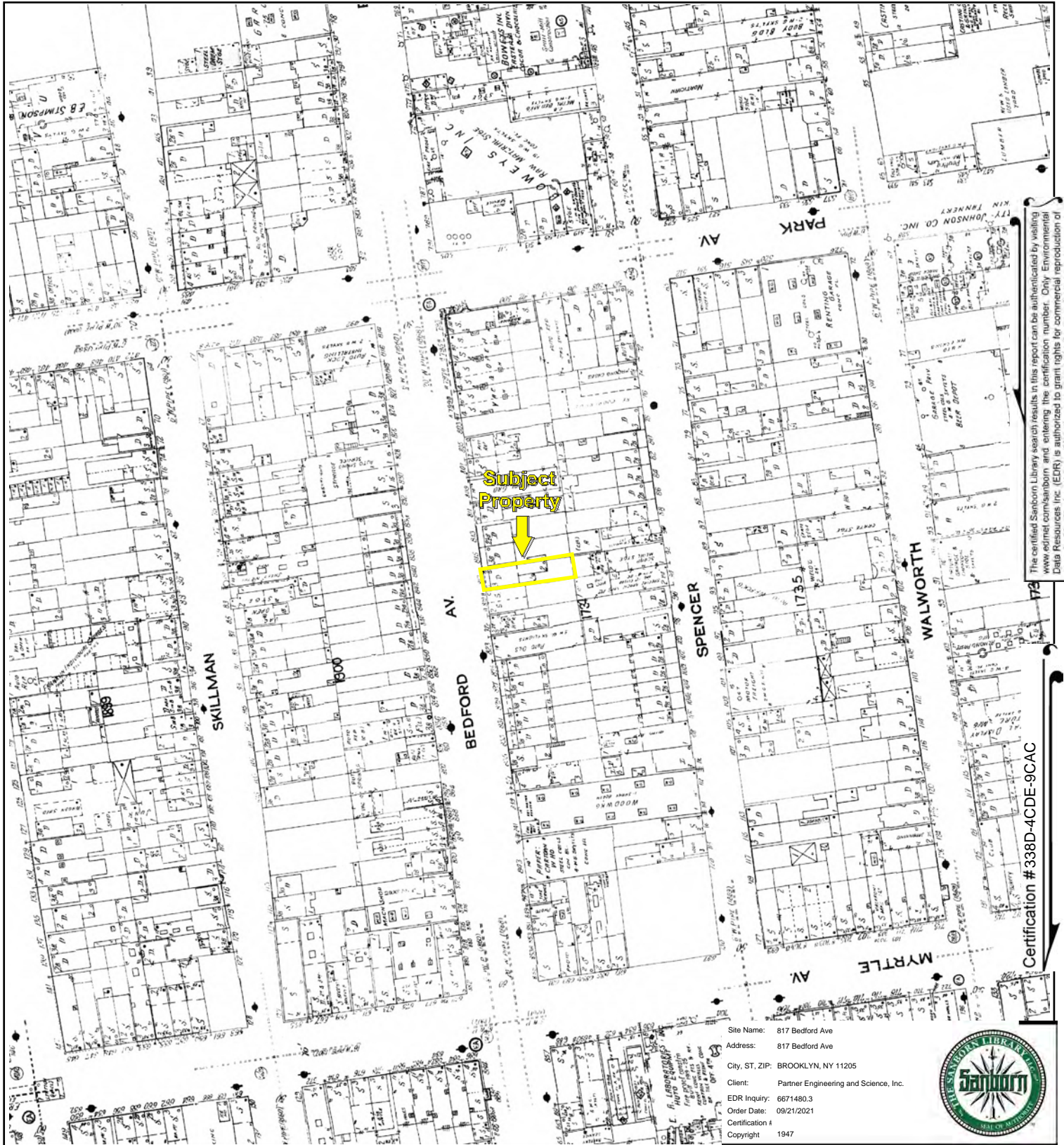
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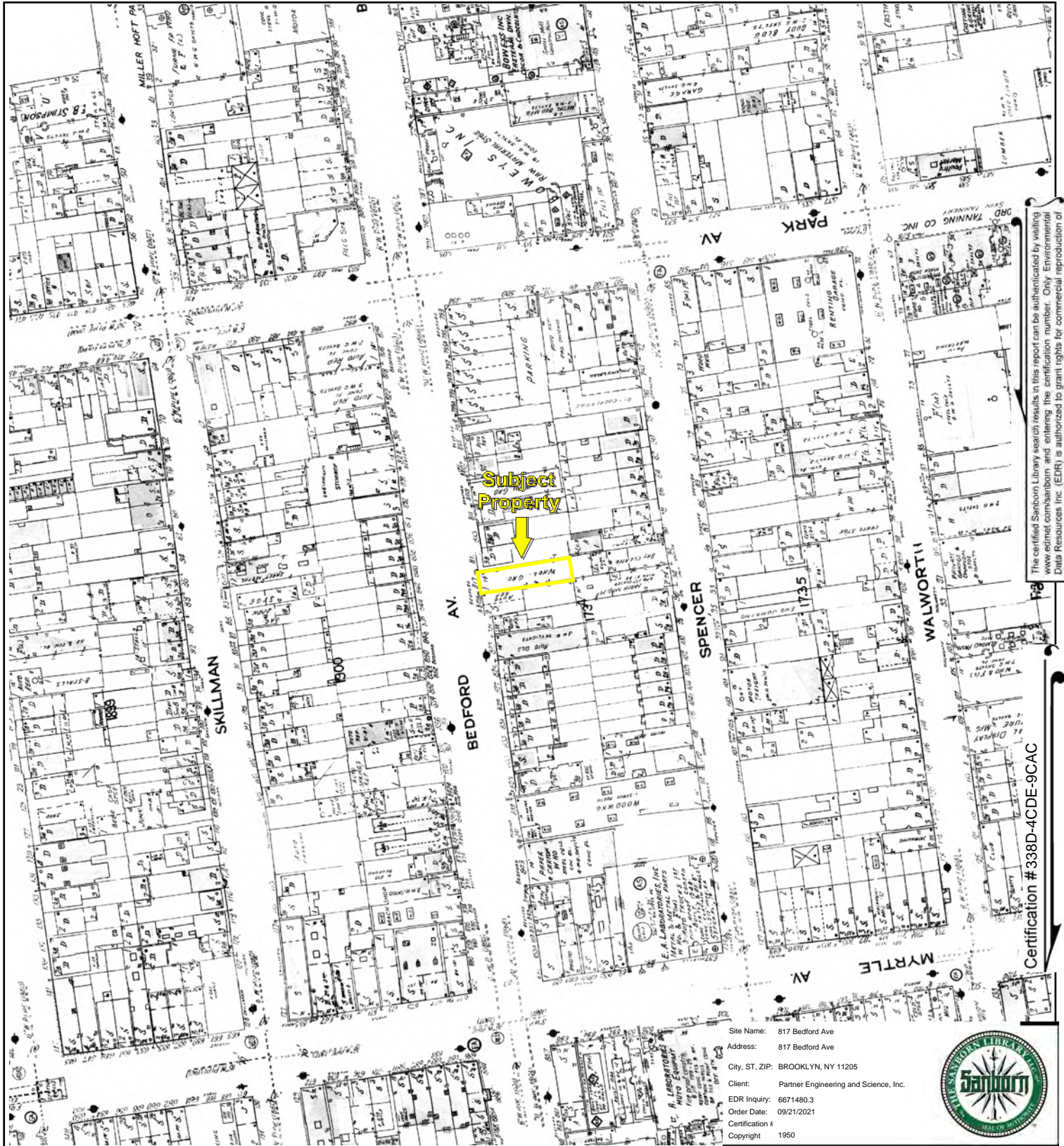


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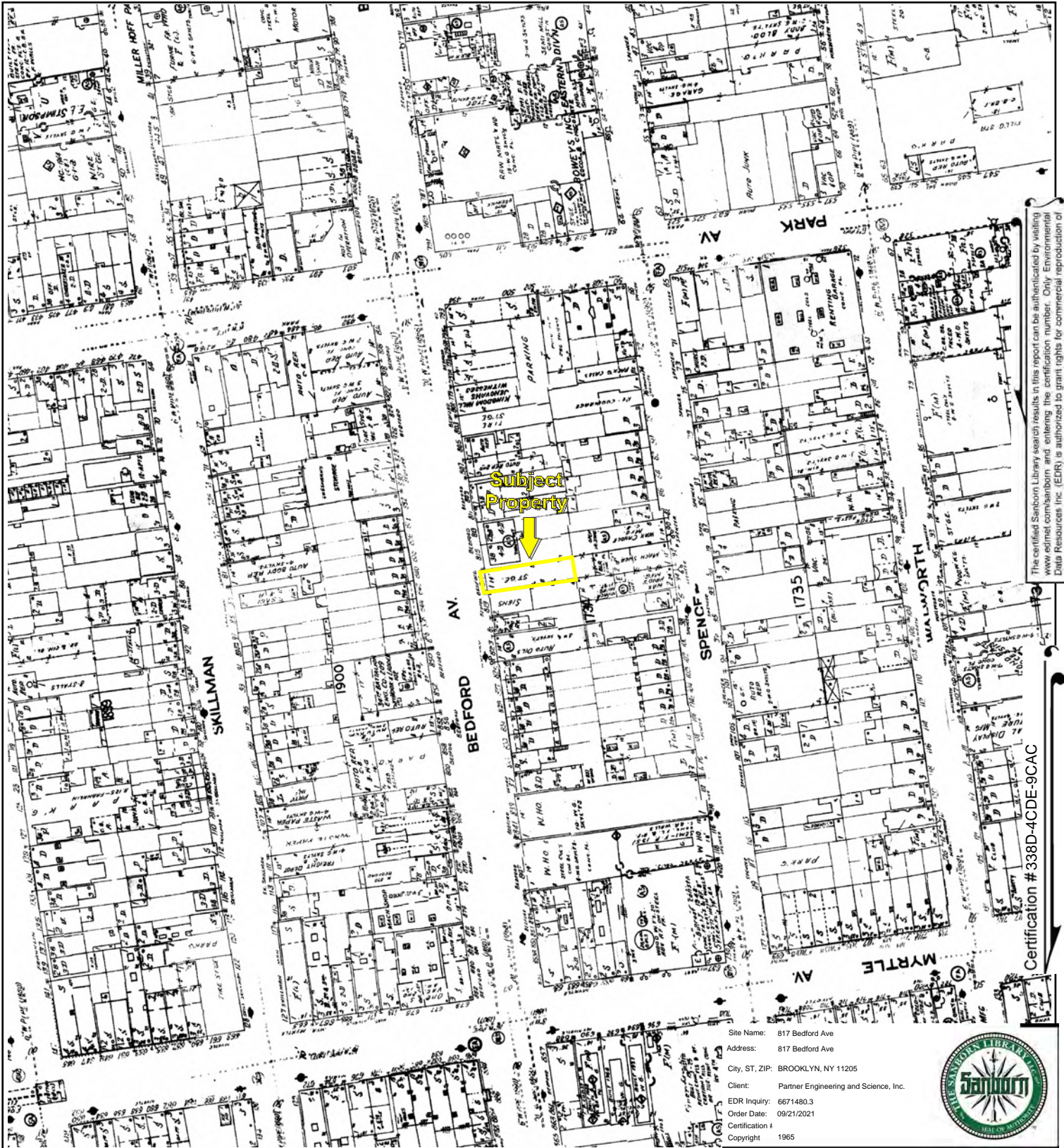


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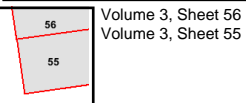
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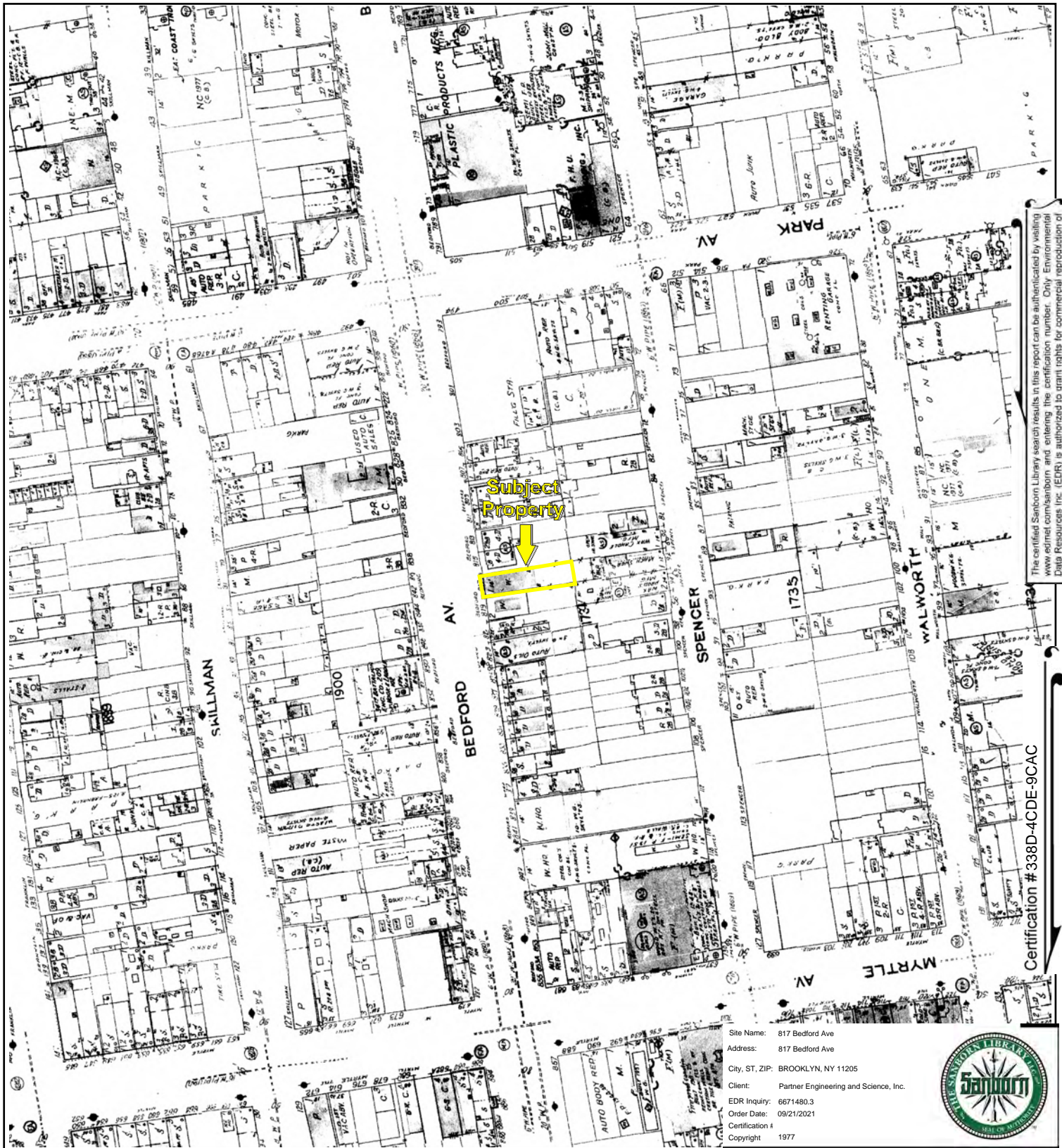


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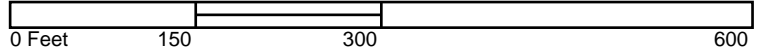
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Certification #
Copyright 1977



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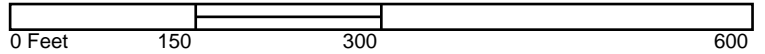
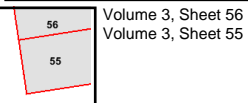
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 Copyright 1979



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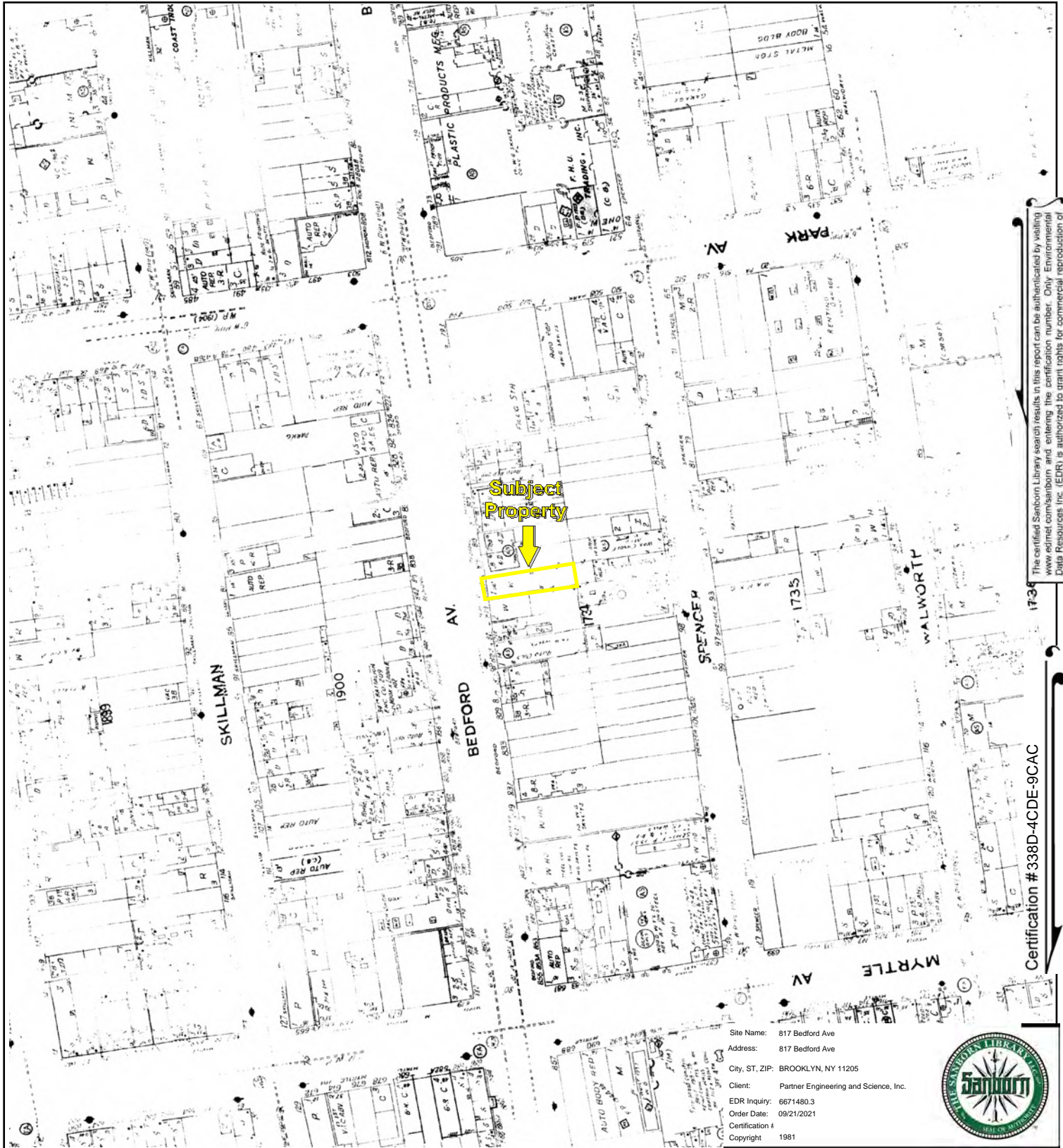
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Copyright 1980



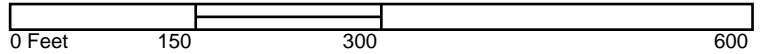
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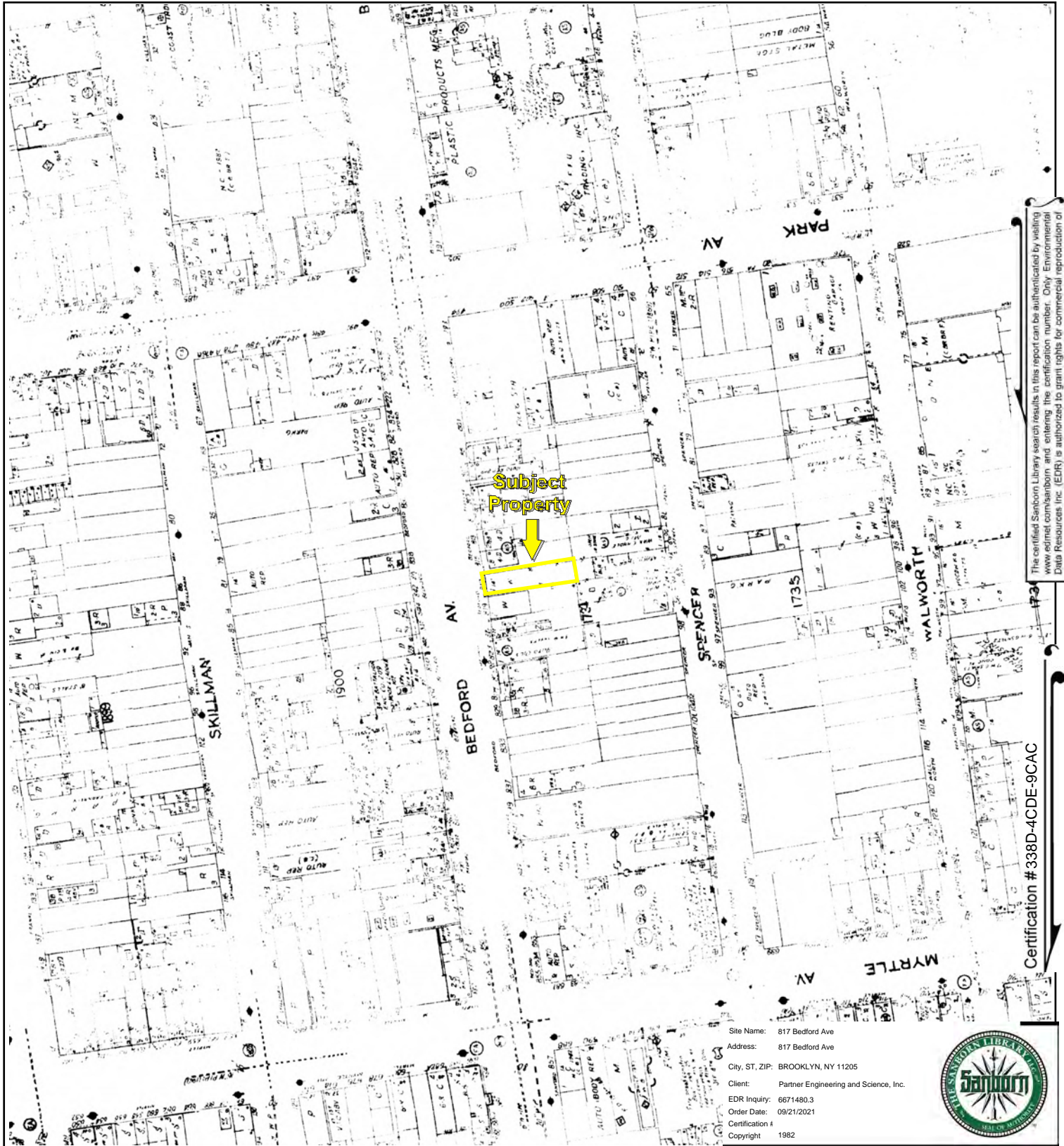
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 Order Date: 09/21/2021
 Certification #
 Copyright 1981



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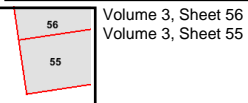
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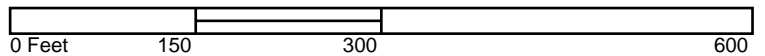
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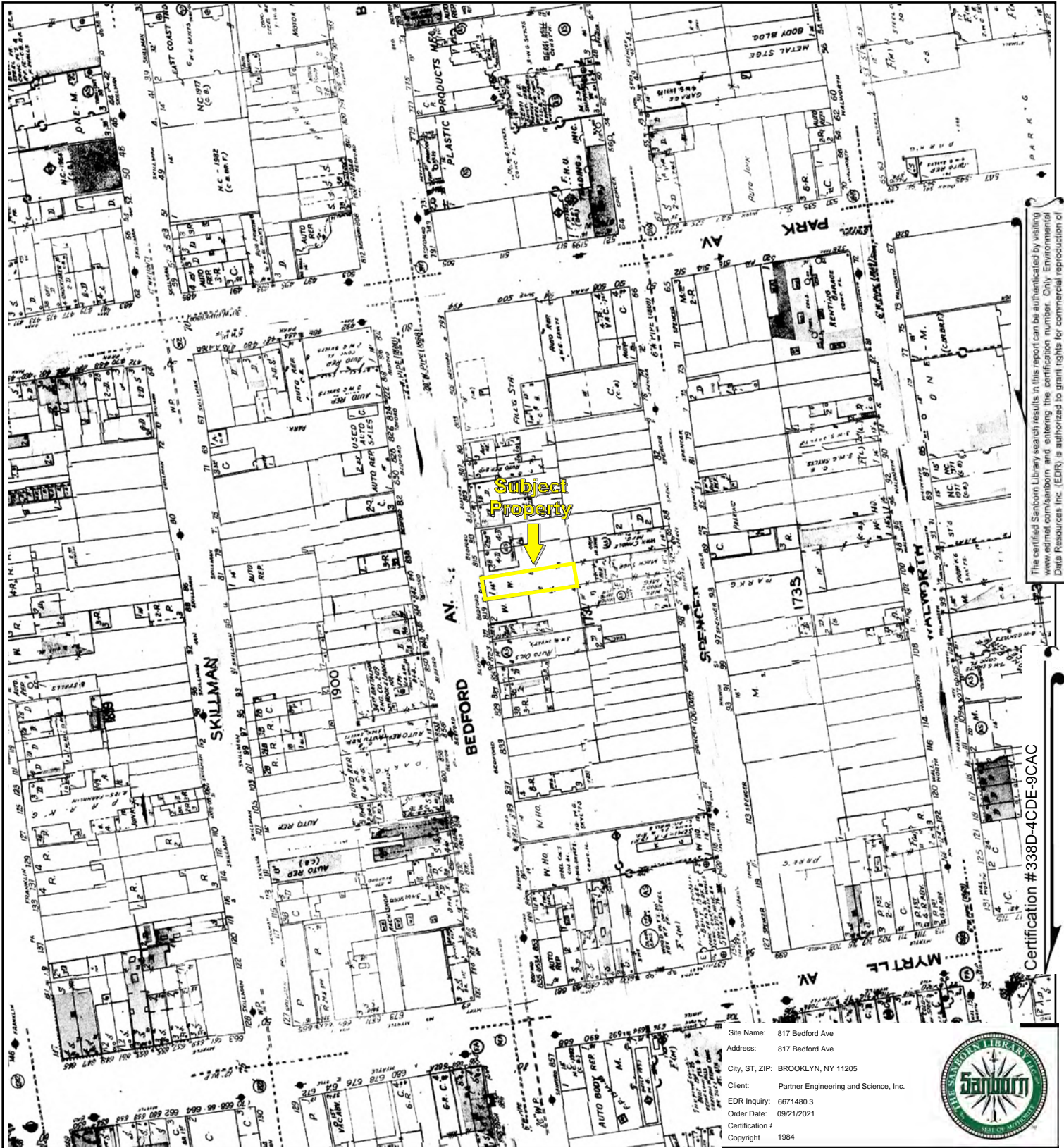
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 Copyright 1987

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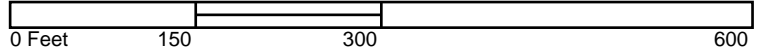
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 Copyright 1989



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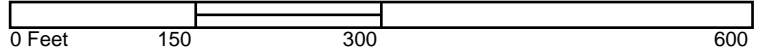
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 Copyright 1991



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 Copyright 1992



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 Order Date: 09/21/2021
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 Copyright 1993

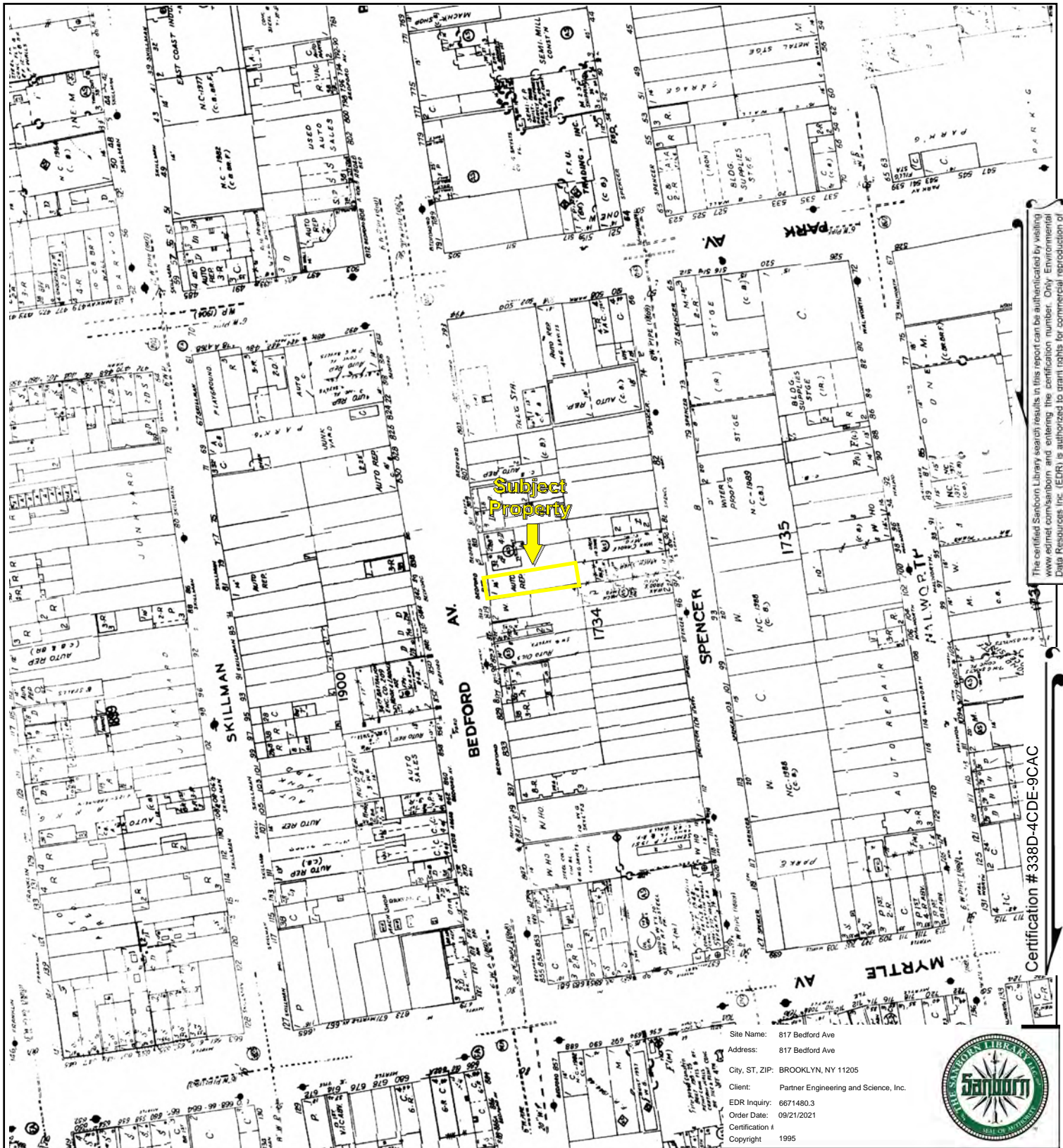


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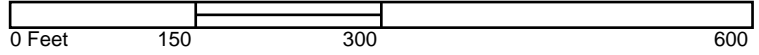
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 Copyright 1995



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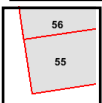


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 Copyright 1996

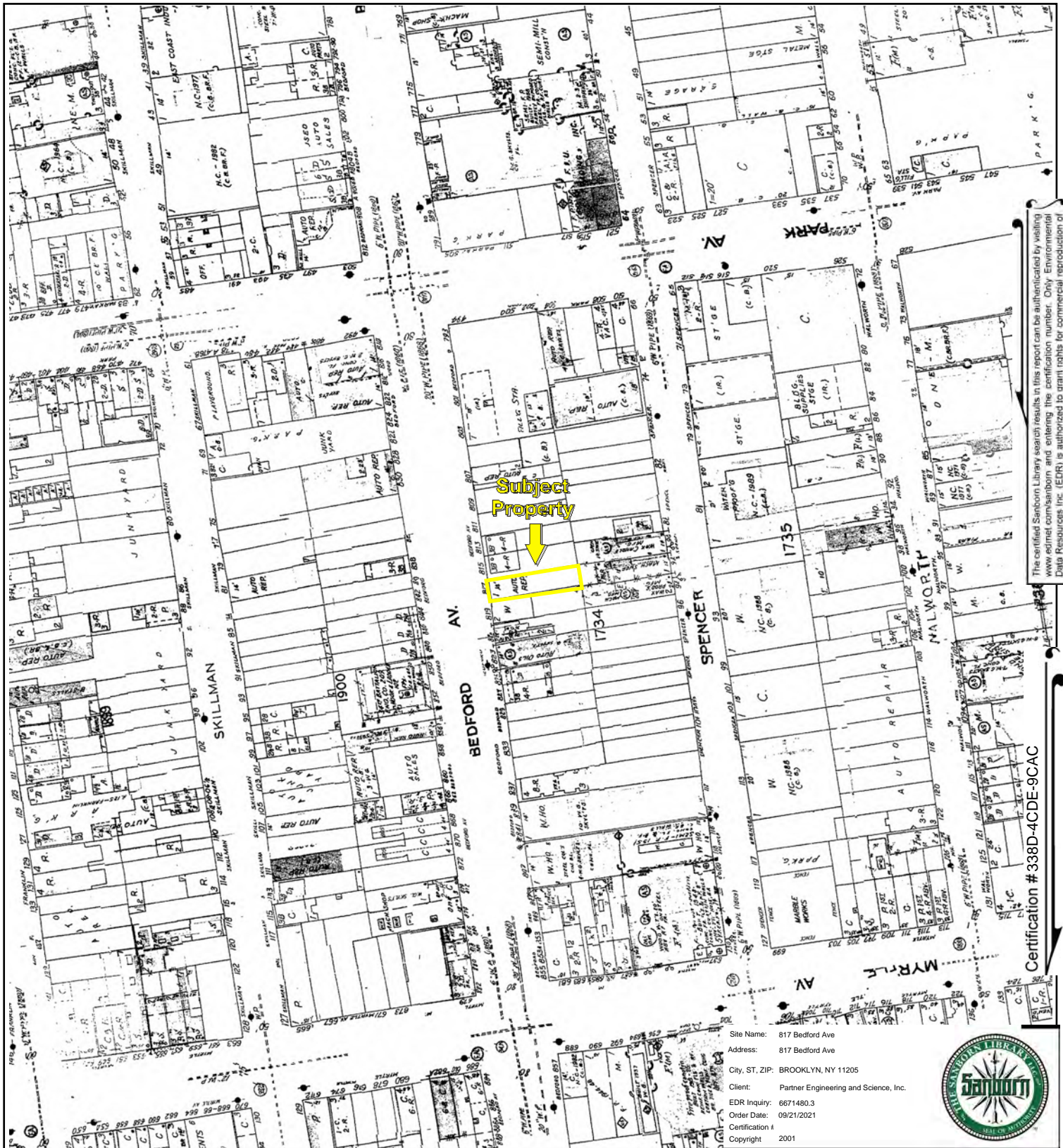


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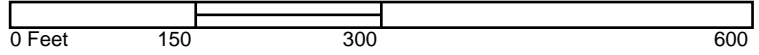
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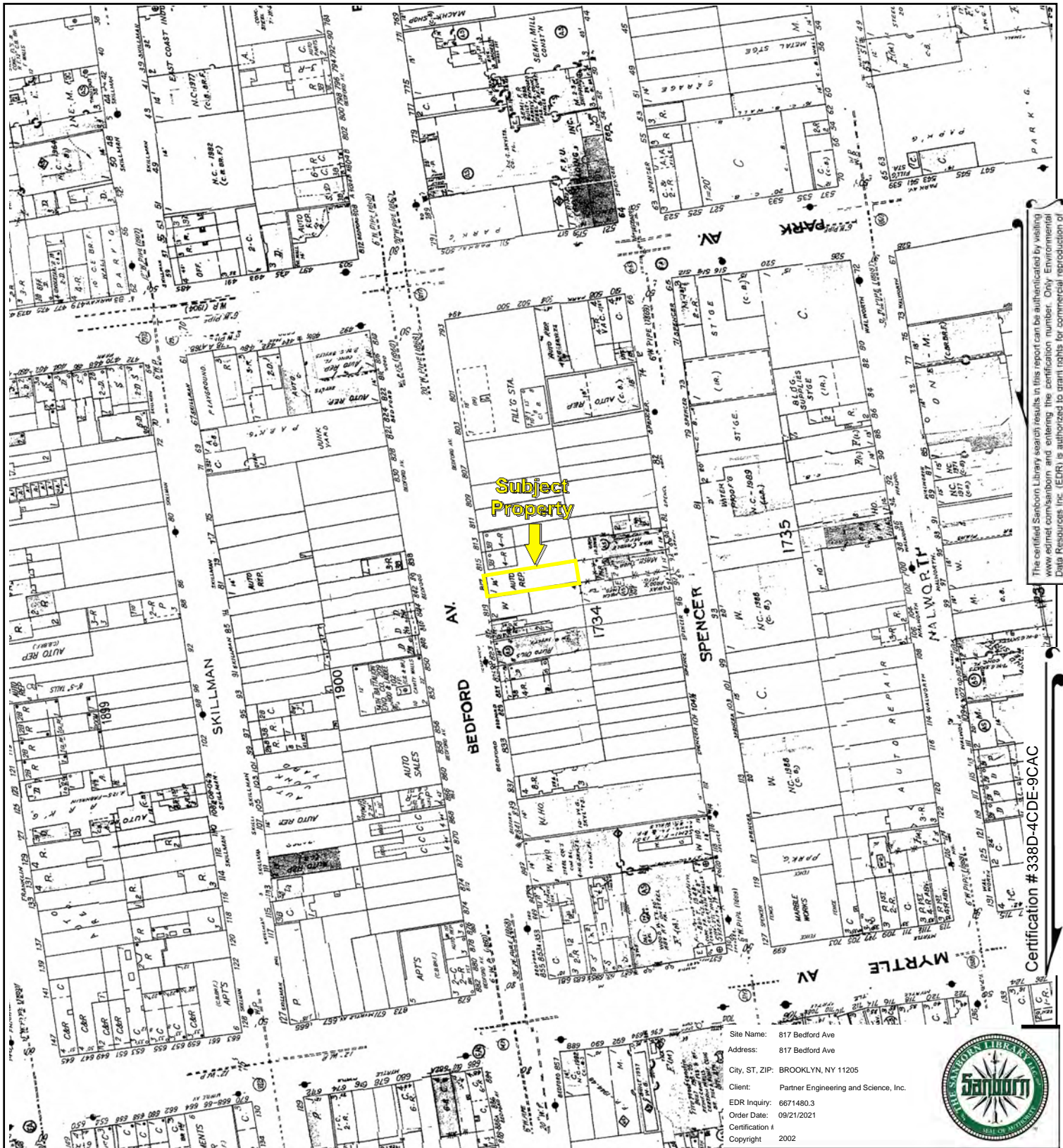
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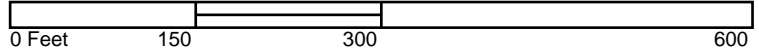
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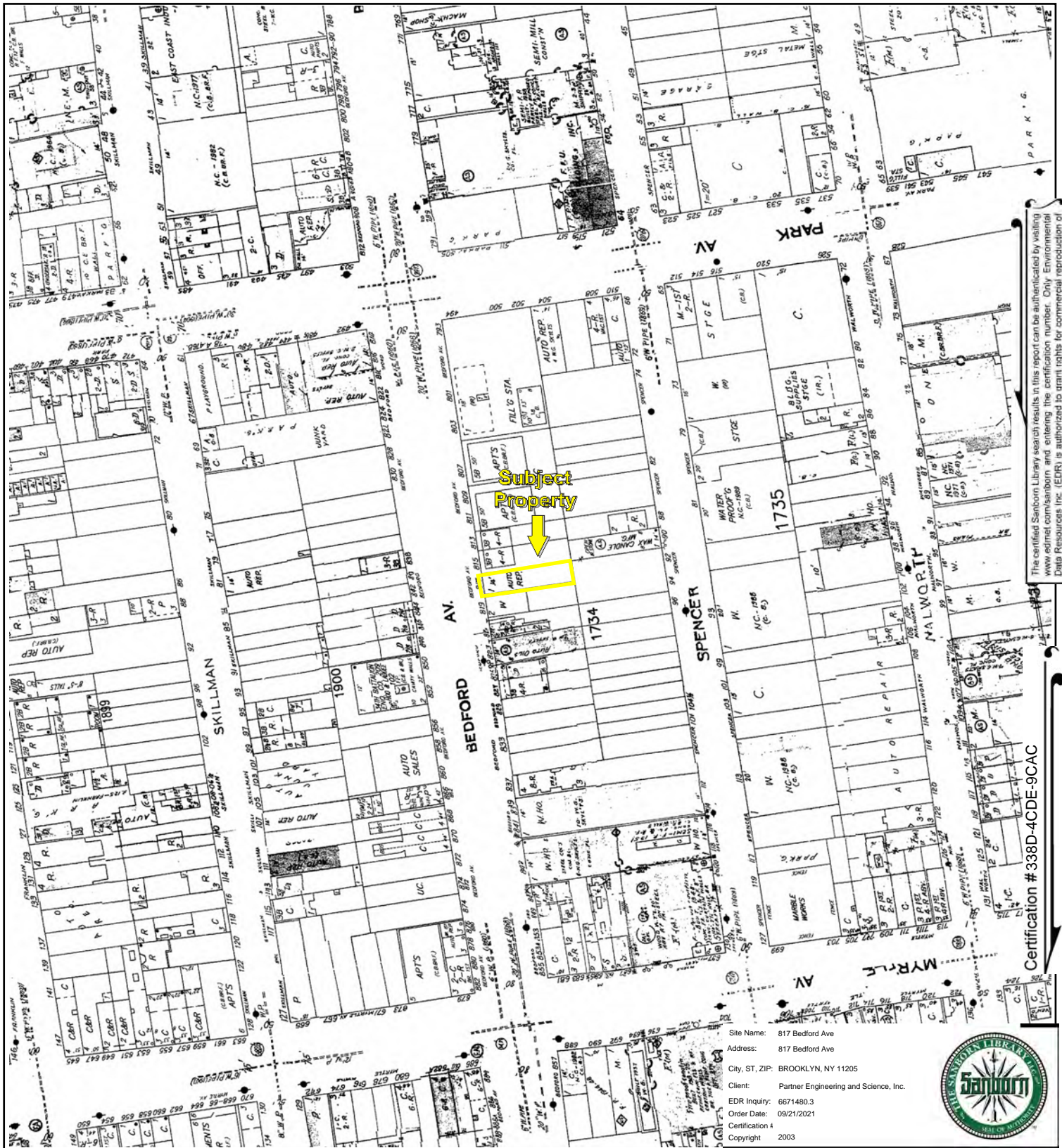
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 Certification #
 Copyright 2002



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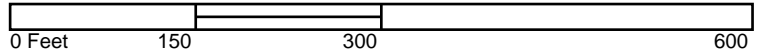
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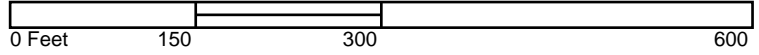
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 Copyright 2004



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