



Department of  
Environmental  
Conservation

**BROWNFIELD CLEANUP PROGRAM (BCP)  
APPLICATION TO AMEND BROWNFIELD  
CLEANUP AGREEMENT AND AMENDMENT**

**Please refer to the attached instructions for guidance on completing this application.**

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

**PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION**

1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:

<input checked="" type="checkbox"/>	Amendment to modify the existing BCA (check one or more boxes below):
<input checked="" type="checkbox"/>	Add applicant(s)
<input type="checkbox"/>	Substitute applicant(s)
<input type="checkbox"/>	Remove applicant(s)
<input type="checkbox"/>	Change in name of applicant(s)
<input type="checkbox"/>	Amendment to reflect a transfer of title to all or part of the brownfield site:
	a. A copy of the recorded deed must be provided. Is this attached?      Yes <input type="radio"/> No <input type="radio"/>
	b. <input type="checkbox"/> Change in ownership <input type="checkbox"/> Additional owner (such as a beneficial owner)
	c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached?      Yes <input type="radio"/> No <input type="radio"/> Submitted on: _____
<input type="checkbox"/>	Amendment to modify description of the property(ies) listed in the existing BCA
<input checked="" type="checkbox"/>	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.
<input type="checkbox"/>	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment: This Amendment is to add a new entity (the "Participant") to the BCA, "John Tynan Senior Residence LLC".

The BCP Site boundary has been reduced and a small portion of the existing softscaped area is being removed from the BCP. The revised metes and bounds description and updated site survey, and a Site plan figure showing the proposed new BCP site boundary are attached.

<b>SECTION I: CURRENT AGREEMENT INFORMATION</b>	
<i>This section must be completed in full. Attach additional pages as necessary.</i>	
BCP SITE NAME: John Tynan Senior Residence	BCP SITE CODE: C224401
NAME OF CURRENT APPLICANT(S): Catholic Charities Progress of Peoples Development Corporation	
INDEX NUMBER OF AGREEMENT: C224401-02-24	DATE OF ORIGINAL AGREEMENT: 02/26/2024

<b>SECTION II: NEW REQUESTOR INFORMATION</b>		
<i>Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.</i>		
NAME: John Tynan Senior Residence LLC		
ADDRESS: 191 Joralemon Street		
CITY/TOWN: Brooklyn	ZIP CODE: 11201	
PHONE: 718-722-6044	EMAIL: jennifer.swift@ccbq.org	
REQUESTOR CONTACT: Jennifer Swift		
ADDRESS: 191 Joralemon Street		
CITY/TOWN: Brooklyn	ZIP CODE: 11201	
PHONE: 718-722-6044	EMAIL: jennifer.swift@ccbq.org	
REQUESTOR'S CONSULTANT: AKRF, Inc.	CONTACT: Axel Schwendt	
ADDRESS: 440 Park Avenue South, 7th Floor		
CITY/TOWN: New York	ZIP CODE: 10016	
PHONE: 212-696-0670	EMAIL: aschwendt@akrf.com	
REQUESTOR'S ATTORNEY: Nixon Peabody	CONTACT: Dana Stanton	
ADDRESS: 677 Broadway, 10th Floor		
CITY/TOWN: Albany	ZIP CODE: 12207	
PHONE: 518-427-2735	EMAIL: dstanton@nixonpeabody.com	
	<b>Y</b>	<b>N</b>
1. Is the requestor authorized to conduct business in New York State?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?	<input checked="" type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?	<input checked="" type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?	N/A <input type="radio"/>	<input checked="" type="radio"/>
5. Describe the new requestor's relationship to all existing applicants: New Requestor is an affiliated entity to the existing applicant.		

**SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.

Owner listed below is: <input type="checkbox"/> Existing Applicant <input type="checkbox"/> New Applicant <input type="checkbox"/> Non-Applicant		
OWNER'S NAME:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	
OPERATOR:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	

**SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION**

Complete this section only if adding new requestor(s). Attach additional pages if necessary.

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input checked="" type="radio"/>
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting or contaminants?	<input type="radio"/>	<input checked="" type="radio"/>
7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?	<input type="radio"/>	<input checked="" type="radio"/>	
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?	<input type="radio"/>	<input checked="" type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>	
12. THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:			
<input checked="" type="checkbox"/> <b>PARTICIPANT</b> A requestor who either (1) was the owner of the site at the time of the disposal of contamination or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of contamination.	<input type="checkbox"/> <b>VOLUNTEER</b> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of a hazardous waste or discharge of petroleum.  NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that they have exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing discharge; (ii) prevent any threatened future release; (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.  <b>If a requestor's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.</b>		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		<input checked="" type="radio"/> N/A	<input type="radio"/> Y <input type="radio"/> N
14. Requestor's relationship to the property (check all that apply): <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input checked="" type="checkbox"/> Other: <u>Affiliated Entity</u>			
15. If the requestor is not the current site owner, proof of site access sufficient to complete the remediation must be submitted. Proof must show that the requestor will have access to the property before being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?		<input type="radio"/> N/A	<input type="radio"/> Y <input type="radio"/> N

**SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES**

Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS: 41 First Street

CITY/TOWN: Brooklyn

ZIP CODE: 11231

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE: 0.976

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

41 First Street

451

25

0.976

2. Requested change (check appropriate boxes below):

a. Addition of property (may require additional citizen participation depending on the nature of the expansion – see instructions)

PARCELS ADDED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE ADDED: \_\_\_\_\_

b. Reduction of property

PARCELS REMOVED:

a portion of the lot is being removed from the BCP site boundary. New Site acreage will be 0.889 acres.

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

41 First Street

451

p/o 25

0.087

TOTAL ACREAGE TO BE REMOVED: 0.087

c. Change to SBL (e.g., lot merge, subdivision, address change)

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

3. TOTAL REVISED SITE ACREAGE: 0.889

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached? Updated Surey and M&Bs are attached

Y <input checked="" type="radio"/>	N <input type="radio"/>
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**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT  
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

*Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.*

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below?  <b>From ECL 27-1405(31):</b>  "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	<input type="radio"/>	<input type="radio"/>
5. Is the project and affordable housing project as defined below?  <b>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</b>  (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty-seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' household's annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for homeowners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States Department of Housing and Urban Development, or its successor, for a family of four, as adjusted for family size.	<input type="radio"/>	<input type="radio"/>

APPLICATION SUPPLEMENT FOR NYC SITES (continued)	Y	N
<p>6. Is the project a planned renewable energy facility site as defined below?</p> <p><b>From ECL 27-1405(33) as of April 9, 2022:</b></p> <p>"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.</p> <p><b>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</b></p> <p>(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.</p>	<input type="radio"/>	<input type="radio"/>
<p>7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?</p> <p><b>From ECL 75-0111 as of April 9, 2022:</b></p> <p>(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.</p>	<input type="radio"/>	<input type="radio"/>

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT	
EXISTING AGREEMENT INFORMATION	
BCP SITE NAME: John Tynan Senior Residence	BCP SITE CODE: C224401
NAME OF CURRENT APPLICANT(S): Catholic Charities Progress of Peoples Development Corporation	
INDEX NUMBER OF AGREEMENT: C224401-02-24	DATE OF ORIGINAL AGREEMENT: 02/26/2024

**Declaration of Amendment:**

By the requestor(s) and/or applicant(s) signature(s) below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from obligations held under the Agreement or those same laws.

**STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR**

*Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.*

(Individual)

I hereby affirm that the information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(Entity)

I hereby affirm that I am Authorized Signatory (title) of John Tynan Senior Residence LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Jeanne Diulio's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 04/10/2025 Signature: Jeanne Diulio

Print Name: Jeanne Diulio

**STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)**

*An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.*

**(Individual)**

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**(Entity)**

I hereby affirm that I am Authorized Signatory (title) of Catholic Charities Progress of Peoples Development Corporation (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. Emmie Glynn Ryan's signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 04/10/2025 Signature: *Emmie Glynn Ryan*

Print Name: Emmie Glynn Ryan

**PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS**

**REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT**

Status of Agreement:

<input checked="" type="checkbox"/> <b>PARTICIPANT</b> A requestor who either (1) was the owner of the site at the time of the disposal of contamination or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of contamination.	<input type="checkbox"/> <b>VOLUNTEER</b> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 02/26/2024

Signature by the Department:

DATED: 5/2/2025

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

*Janet E. Brown*  
 Janet E. Brown, Assistant Director  
 Division of Environmental Remediation

**INSTRUCTIONS FOR COMPLETING AN APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT**

This form must be used to add or remove a party, reflect a change in property ownership to all or part of the site, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement.

*NOTE: DEC requires a standard full BCP application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.*

**COVER PAGE**

Please select all options that apply. Provide a brief narrative of the nature of the amendment requested.

**SECTION I: CURRENT AGREEMENT INFORMATION**

*This section must be completed in its entirety. The information entered here will auto-populate throughout the application and amendment.*

Provide the site name, site code and name(s) of current requestor(s) exactly as this information appears on the existing agreement. This should reflect any changes made by previous amendments to the site name or parties on the BCA. Provide the agreement index number and the date of the initial BCA.

**SECTION II: NEW REQUESTOR INFORMATION**

*This section is to be completed only if a new requestor is being added to the BCA, or if the name of the existing requestor has changed with the NYSDOS.*

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information.) The requestor is the person or entity seeking DEC review and approval of the remedial program.

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database.

Requestor, Consultant and Attorney Contact Information

Provide the contact name, mailing address, telephone number and e-mail address for each of the following contacts:

*Requestor's Representative:* This is the person to whom all correspondence, notices, etc., will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative unless another contact name and address is provided with the application.

*Requestor's Consultant:* Include the name of the consulting firm and the contact person.

*Requestor's Attorney:* Include the name of the law firm and the contact person.

*Required Attachments for Section II:*

- 1. NYSDOS Information: A print-out of entity information from the NYSDOS database to document that the applicant is authorized to do business in NYS. The requestor's name must appear throughout the application exactly as it does in the database.*
- 2. LLC Organization: If the requestor is an LLC, provide a list of the names of the members/owners of the LLC.*
- 3. Authority to Bind: Proof must be included that shows that the party signing this application and amendment is authorized to do so on behalf of the requestor. This documentation may be in the form of corporate organizational papers, a Corporate Resolution or Operating Agreement or Resolution.*

### **SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION**

*Complete this section only if a transfer of ownership has taken place for all or part of the site property. Attach additional pages for each new owner if applicable.*

Provide the relationship of the owner to the site by selecting one of the check-box options.

#### Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property. Attach separate pages as needed.

#### Operator Name, Address, etc.

Provide information for the new operator, if applicable.

*NOTE: Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this form was not previously submitted, it must be included with this application. See <http://www.dec.ny.gov/chemical/76250.html> for additional information.*

#### *Required Attachments for Section III:*

- 1. Copy of deed as proof of ownership.*
- 2. Ownership/Nominee Agreement, if applicable.*
- 3. Change of Use form, if not previously submitted to the Department.*

### **SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION**

*For additional information regarding requestor eligibility, please refer to ECL §27-1407.*

Provide a response to each question listed. If any question is answered in the affirmative, provide an attachment with detailed relevant information. It is permissible to reference specific sections of existing property reports; however, such information must be summarized in an attachment. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

If the requestor is not the current site owner, proof of site access sufficient to complete the remediation must be submitted. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. A purchase contract does not suffice as proof of access.

#### *Required Attachments for Section IV:*

- 1. Detailed information regarding any questions answered in the affirmation, if applicable.*
- 2. Statement describing why the requestor should be considered a volunteer, if applicable.*
- 3. Site access agreement, as described above, if applicable.*

## SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

*NOTE: DEC requires a standard full BCP application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.*

### Property Information on Existing Agreement

Provide the site address and tax parcel information exactly as it appears on the current agreement (including as it has been modified in previous amendments).

### Addition of Property

Provide the tax parcel information and acreage for each parcel to be added. Provide the total acreage to be added below the far-right column.

### Reduction of Property

Provide the tax parcel information and acreage for each parcel to be removed. Provide the total acreage to be removed below the far-right column.

### Change to address, SBL or metes and bounds description

Provide the new address and tax parcel information.

### Total Revised Site Acreage

Provide the new total site acreage after addition or removal of property. If no change to site boundary, this should match the acreage provided above, under Property Information on Existing Agreement.

All requested changes to this section should be accompanied by a revised survey or other acceptable map depicting the proposed new site boundary. Additionally, provide a county tax map with the site boundary outlined, as well as a USGS 7.5-minute quadrangle map with the site location clearly identified.

### *Required Attachments for Section V:*

1. *For all additions and removal of property:*
  - a. *Site map clearly identifying the existing site boundary and proposed new site boundary*
  - b. *County tax map with the new site boundary clearly identified*
  - c. *USGS 7.5-minute quadrangle map with the site location clearly identified*
2. *For address changes, lot mergers, subdivisions and any other change to the property description:*
  - a. *County tax map with the site boundary and all SBL information clearly identified*
  - b. *USGS 7.5-minute quadrangle map with the site location clearly identified*
  - c. *Approved application for lot merger or apportionment, or the equivalent thereof, as proof from the municipality of the SBL change(s)*

**SUPPLEMENT TO THE APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT – QUESTIONS FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

*Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits.*

Provide responses to each question. If any question is answered in the affirmative, provide required documentation as applicable.

*Required Attachments for NYC Site Supplement:*

- 1. For sites located all or partially in an En-zone: provide a map with the site boundary clearly identified and the En-zone overlay showing that all or a portion of the site is located within an En-zone. This map must also indicate the census tract number in which the site is located. See [DEC's website](#) for additional information.*
- 2. For affordable housing projects: provide the affordable housing regulatory agreement and any additional relevant information.*
- 3. For renewable energy site projects: for (a) planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, provide a local land use approval; or, for (b) planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, provide the permit issued by the NYS Office of Renewable Energy Siting.*
- 4. For sites located within a disadvantaged community and a conforming Brownfield Opportunity Area: provide a map with the site boundary clearly identified and the disadvantaged community overlay showing that the site is located within a disadvantaged community.*

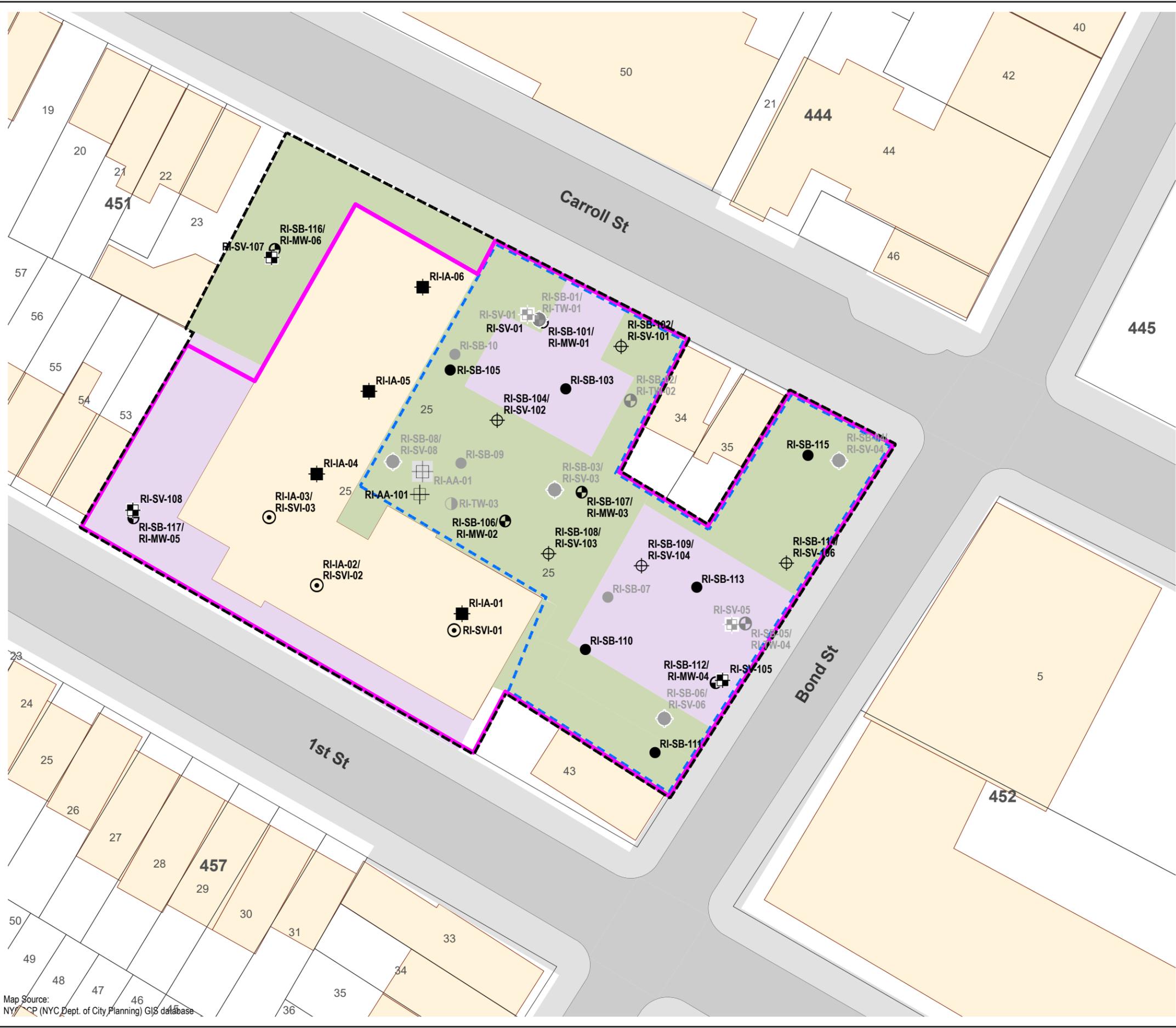
**PART II: BROWNFIELD CLEANUP PROGRAM AMENDMENT**

The information in the “EXISTING AGREEMENT INFORMATION” section should auto-populate with the information provided on page 2.

If a new requestor is applying to enter the program, provide the required information and signature at the bottom of page 8 and the required information and signature on page 9.

If no new requestor is applying to the program but any other change has been made, provide the required information and signature on page 9.

AKRF C:\Projects\230346 - 41 First St, Brooklyn\YNSAR\230346 BCP RAWP Figures.aprx 4/2/2025 9:50 AM\230346 Fig 2 Site Plan and Sample Locations iszalus



Map Source: NYCP (NYC Dept. of City Planning) GIS database



**LEGEND**

- SITE\_BOUNDARY**
- PROPOSED BCP SITE BOUNDARY
  - BCP SITE BOUNDARY (PREVIOUS)
  - THE 2023 PHASE 2 WAS CONDUCTED ON A PORTION OF THE PROJECT SITE BOUNDARY
  - LOT BOUNDARY AND TAX LOT NUMBER
  - 444** BLOCK NUMBER
  - EXISTING BUILDING
  - EXISTING ASPHALT PAVED PARKING
  - EXISTING LANDSCAPED AREA
  - SOIL BORING (AKRF, AUGUST 2023)
  - SOIL BORING/TEMPORARY WELL (AKRF, AUGUST 2023)
  - TEMPORARY WELL (AKRF, AUGUST 2023)
  - SOIL BORING/SOIL VAPOR POINT (AKRF, AUGUST 2023)
  - SOIL VAPOR POINT (AKRF, AUGUST 2023)
  - AMBIENT AIR SAMPLE LOCATION (AKRF, AUGUST 2023)
  - SOIL BORING
  - SOIL BORING/MONITORING WELL
  - INDOOR AIR/SOIL VAPOR POINT
  - SOIL BORING/SOIL VAPOR POINT
  - SOIL VAPOR POINT
  - INDOOR AIR LOCATION
  - AMBIENT AIR LOCATION



DATE <b>4/2/2025</b>
PROJECT NO. <b>230346</b>
FIGURE <b>1</b>

DESCRIPTION: WORK AREA

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

BEGINNING at the corner formed by the intersection of the westerly side of Bond Street with the southerly line of Carroll Street;

RUNNING thence southerly along the westerly line of Bond Street, 164 feet 3 ½ inches;

THENCE westerly at right angles to Bond Street, 75 feet 5 7/8 inches;

THENCE southerly on a line, forming an interior angle of 87°-29'-22" with the northerly line of First Street, 25 feet 4 1/8 inches to a point on the northerly line of First Street distant 73 feet 4 inches westerly from the westerly line of Bond Street;

THENCE westerly along the northerly line of First Street, 180 feet 5 ¾ inches;

THENCE northerly on a line, forming an interior angle of 89°-50' with the northerly line of First Street, 82.54 feet;

THENCE easterly along a line forming an interior angle of 89°-20'-07" with the last mentioned course, 29.67 feet;

THENCE northerly along a line forming an exterior angle of 89°-10'-32" with the last mentioned course, 83.35 feet;

THENCE easterly along a line forming an interior angle of 89°-58'-09" with the last mentioned course, 56.31 feet;

THENCE northerly at right angles to Carroll Street, 12.08 feet to the southerly line of Carroll Street;

THENCE easterly along the southerly line of Carroll Street, 86.98 feet;

THENCE southerly on a line forming an interior angle of 89°-43'-08" with the southerly line of Carroll Street, 56 feet 2 1/8 inches;

THENCE easterly at right angles to Bond Street, 39 feet 11 ¼ inches;

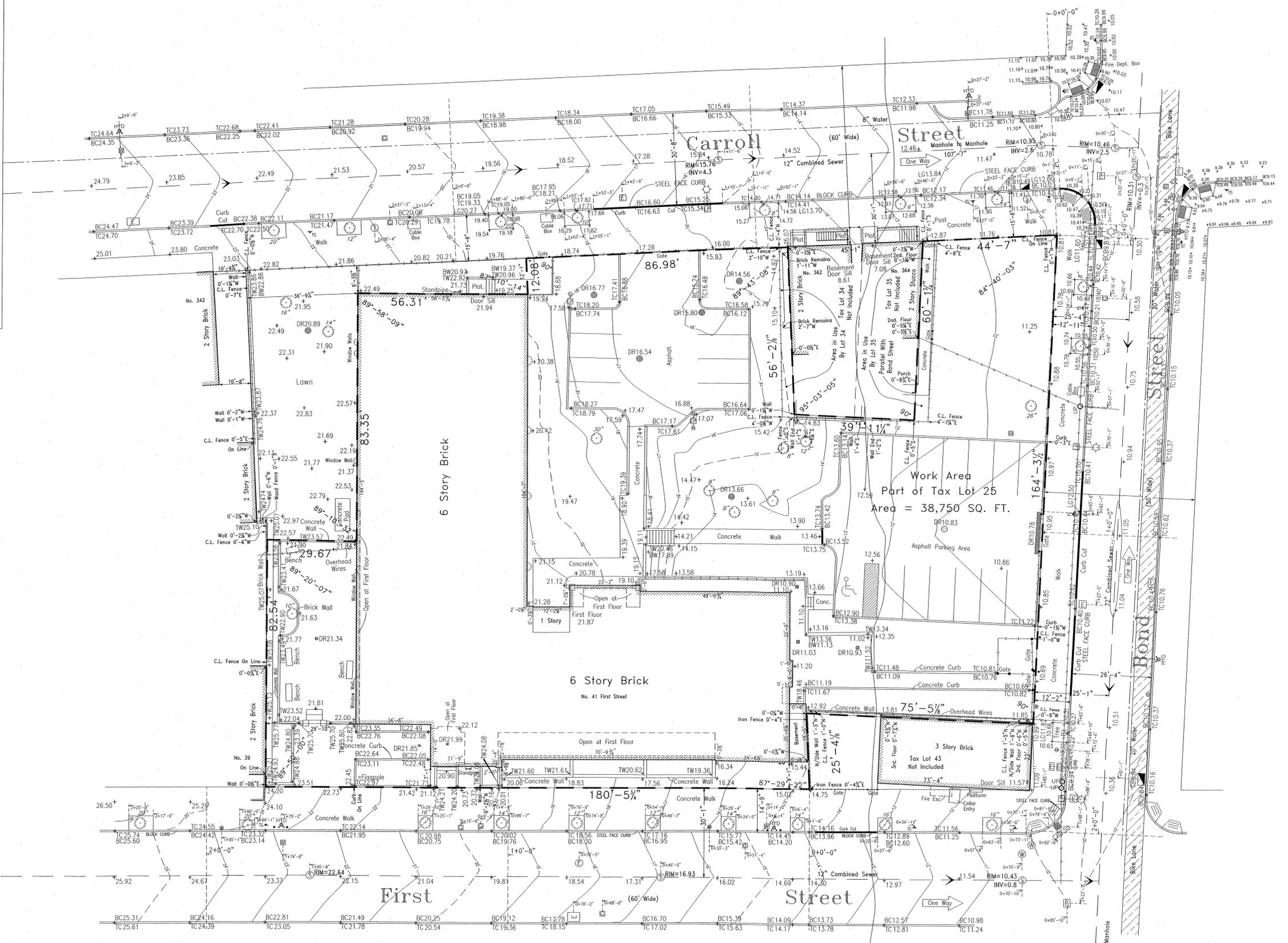
THENCE northerly parallel with Bond Street, 60 feet 1 ¾ inches to a point on the southerly line of Carroll Street;

THENCE easterly along the southerly line of Carroll Street, 44 feet 7 inches to the corner, the point or place of beginning.

**LEGEND**

- Sewer Manhole
- Water Manhole
- Electric Manhole
- Tree & Caliper
- Catch Basin
- Water Valve
- Gas Valve
- Fire Hydrant
- Light Pole
- Traffic Sign
- Pedestrian Ramp
- Top Curb Elevation  $TC48.65$
- Bottom Curb Elevation  $BC48.40$
- Legal Grade  $LG49.52$
- Rim Elevation  $RIM=48.97$
- Invert  $INV=36.9$
- Top Catch Basin Elevation  $TCB48.65$
- Bottom Catch Basin Elevation  $BCB48.40$
- Top of Wall  $TW48.65$
- Bottom of Wall  $BW48.40$
- Spot Elevation  $+48.56$
- Chain Link Fence
- Iron Fence
- Overhead Wires
- Steel Face Curb
- Concrete or Stone Curb
- Curb Cut
- Sewer Line
- Water Line

- Notes:**
- 1) ALL ELEVATIONS SHOWN HEREON REFER TO THE NAVD 1988 DATUM.
  - 2) ALL SUBSURFACE UTILITIES SHOWN HEREON WERE OBTAINED FROM CITY DEPARTMENTS AND PRIVATE UTILITY COMPANIES AND SAID UTILITIES ARE APPROXIMATE ONLY AND NOT GUARANTEED BY THE SURVEYOR. CONSULT APPROPRIATE DEPARTMENT OR COMPANY BEFORE DESIGNING ANY CONNECTIONS.
  - 3) NONVISIBLE EASEMENTS, RECORDED OR UNRECORDED, NOT SHOWN.
  - 4) LEGAL GRADES REFER TO TOP OF CURB.
  - 5) THERE ARE NO VISIBLE STREAMS OR WATERCOURSES ON THE PROPERTY AS SHOWN ON THIS SURVEY.
  - 6) UNDERGROUND FOUNDATIONS OR SUBSTRUCTURES NOT VISIBLE NOT SHOWN.



UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 2009 OF THE NEW YORK STATE SURVEYING LAW. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S NEEDED SEAL OR UNDATED SEAL SHALL BE CONSIDERED A VALID TRUE COPY. CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENT AGENCY, AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

TAX BLOCK 451, LOT 25  
BOROUGH OF BROOKLYN, CITY OF NEW YORK

AREA OF MINIMAL FLOODING  
ZONE X  
0.2% ANNUAL CHANCE FLOOD HAZARD  
FEMA MAP 3604970211F  
EFFECTIVE DATE: 9/5/2007

DATE: March 22, 2025



**ERLANDSEN-CROWELL & SHAW**  
FOUNDED IN 1852 BY E.W. CONKLIN  
Civil Engineers & City Surveyors  
241 JERICHO TPKE NEW HYDE PARK, NY 11040 516-326-4353  
718-526-0339

Scale: 1"=16'  
**70372**  
© - ALL RIGHTS RESERVED

**IRS** DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
PHILADELPHIA PA 19255-0023



001029.572414.95471.15333 1 MB 0.571 532



JOHN TYNAN SENIOR RESIDENCE LLC  
JEANNE DIULIO MBR  
191 JORALEMON ST  
BROOKLYN NY 11201

001029

Date of this notice: 03-29-2024

Employer Identification Number:  
99-2148781

Form: SS-4

Number of this notice: CP 575 B

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 99-2148781. This EIN will identify your entity, accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Taxpayers request an EIN for their business. Some taxpayers receive CP575 notices when another person has stolen their identity and are opening a business using their information. If you did not apply for this EIN, please visit, [www.irs.gov/einnotrequested](http://www.irs.gov/einnotrequested).

When filing tax documents, making payments, or replying to any related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

Based on the information received from you or your representative, you must file the following forms by the dates shown.

Form 1065

03/15/2025

If you have questions about the forms or the due dates shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, Accounting Periods and Methods.

We assigned you a tax classification (corporation, partnership, estate, trust, EPMF, etc.) based on information obtained from you or your representative. It is not a legal determination of your tax classification and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2020-1, 2020-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, Entity Classification Election. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, Entity Classification Election, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, Election by a Small Business Corporation. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. This notice is issued only one time and IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.
- \* Provide future officers of your organization with a copy of this notice.

Your name control associated with this EIN is JOHN. You will need to provide this information, along with your EIN, if you file your returns electronically.

Safeguard your EIN by referring to Publication 4557, Safeguarding Taxpayer Data: A Guide for Your Business.

You can get any of the forms or publications mentioned in this letter by visiting our website at [www.irs.gov/forms-pubs](http://www.irs.gov/forms-pubs) or by calling 800-TAX-FORM (800-829-3676).

If you have questions about your EIN, you can contact us at the phone number or address listed at the top of this notice. If you write, please tear off the stub at the bottom of this notice and include it with your letter. If you do not need to write us, do not complete, and return this stub.

Thank you for your cooperation.





001029

Keep this part for your records.

CP 575 B (Rev. 1-2022)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 B

0509906502

Your Telephone Number ( ) Best Time to Call

DATE OF THIS NOTICE: 03-29-2024  
EMPLOYER IDENTIFICATION NUMBER: 99-2148781  
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE  
PHILADELPHIA PA 19255-0023

JOHN TYNAN SENIOR RESIDENCE LLC  
JEANNE DIULIO MBR  
191 JORALEMON ST  
BROOKLYN NY 11201





# Department of State

## Division of Corporations

### Entity Information

[Return to Results](#)

[Return to Search](#)

#### Entity Details

**ENTITY NAME:** JOHN TYNAN SENIOR RESIDENCE LLC

**DOS ID:** 7283198

**FOREIGN LEGAL NAME:**

**FICTITIOUS NAME:**

**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY

**DURATION DATE/LATEST DATE OF DISSOLUTION:**

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

**ENTITY STATUS:** ACTIVE

**DATE OF INITIAL DOS FILING:** 03/18/2024

**REASON FOR STATUS:**

**EFFECTIVE DATE INITIAL FILING:** 03/18/2024

**INACTIVE DATE:**

**FOREIGN FORMATION DATE:**

**STATEMENT STATUS:** CURRENT

**COUNTY:** KINGS

**NEXT STATEMENT DUE DATE:** 03/31/2026

**JURISDICTION:** NEW YORK, UNITED STATES

**NFP CATEGORY:**

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

Service of Process on the Secretary of State as Agent

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

**Name:** C/O CATHOLIC CHARITIES PROGRESS OF PEOPLES DEVELOPMENT CORPORATION

**Address:** 191 JORALEMON STREET, BROOKLYN, NY, UNITED STATES, 11201

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

Chief Executive Officer's Name and Address

**Name:**

**Address:**

Principal Executive Office Address

**Address:**

Registered Agent Name and Address

**Name:**

**Address:**

Entity Primary Location Name and Address

**Name:**

**Address:**

Farmcorpflag

**Is The Entity A Farm Corporation: NO**

Stock Information

Share Value

Number Of Shares

Value Per Share

**NEW YORK STATE DEPARTMENT OF STATE**  
**DIVISION OF CORPORATIONS, STATE RECORDS AND UNIFORM COMMERCIAL CODE**  
**FILING RECEIPT**

**ENTITY NAME :** JOHN TYNAN SENIOR RESIDENCE LLC  
**DOCUMENT TYPE :** ARTICLES OF ORGANIZATION  
**ENTITY TYPE :** DOMESTIC LIMITED LIABILITY COMPANY

**DOS ID :** 7283198  
**FILE DATE :** 03/18/2024  
**FILE NUMBER :** 240319001554  
**TRANSACTION NUMBER :** 202403180003837-3054100  
**EXISTENCE DATE :** 03/18/2024  
**DURATION/DISSOLUTION :** PERPETUAL  
**COUNTY :** KINGS



**SERVICE OF PROCESS ADDRESS :** C/O CATHOLIC CHARITIES PROGRESS OF PEOPLES  
DEVELOPMENT CORPORATION  
191 JORALEMON STREET,  
BROOKLYN, NY, 11201, USA

**ELECTRONIC SERVICE OF PROCESS  
EMAIL ADDRESS :** N/A

**FILER :** NIXON PEABODY LLP  
55 WEST 46TH STREET,  
NEW YORK, NY, 10036, USA  
**SERVICE COMPANY :** C T CORPORATION SYSTEM  
**SERVICE COMPANY ACCOUNT :** 07  
**CUSTOMER REFERENCE :** 15444767YG

*You may verify this document online at :* <http://ecorp.dos.ny.gov>  
**AUTHENTICATION NUMBER :** 100005393762

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<b>TOTAL FEES:</b>	<b>\$235.00</b>	<b>TOTAL PAYMENTS RECEIVED:</b>	<b>\$235.00</b>
<b>FILING FEE:</b>	<b>\$200.00</b>	<b>CASH:</b>	<b>\$0.00</b>
<b>CERTIFICATE OF STATUS:</b>	<b>\$0.00</b>	<b>CHECK/MONEY ORDER:</b>	<b>\$0.00</b>
<b>CERTIFIED COPY:</b>	<b>\$10.00</b>	<b>CREDIT CARD:</b>	<b>\$0.00</b>
<b>COPY REQUEST:</b>	<b>\$0.00</b>	<b>DRAWDOWN ACCOUNT:</b>	<b>\$235.00</b>
<b>EXPEDITED HANDLING:</b>	<b>\$25.00</b>	<b>REFUND DUE:</b>	<b>\$0.00</b>

**STATE OF NEW YORK**  
**DEPARTMENT OF STATE**

I hereby certify that the annexed copy for JOHN TYNAN SENIOR RESIDENCE LLC, File Number 240319001554 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.

WITNESS my hand and official seal of the  
Department of State, at the City of Albany,  
on March 19, 2024.



*Brendan C. Hughes*

Brendan C. Hughes  
Executive Deputy Secretary of State

**ARTICLES OF ORGANIZATION**  
*of*  
**JOHN TYNAN SENIOR RESIDENCE LLC**

---

Under Section 203 of the Limited Liability Company Law

**THE UNDERSIGNED**, being authorized to execute and file these Articles, hereby certifies that:

**FIRST:** The name of the limited liability company is John Tynan Senior Residence LLC (the “Company”).

**SECOND:** The county within this State in which the office of the Company is to be located is Kings County.

**THIRD:** The company does not have a specific date of dissolution in addition to the events of dissolution established by law.

**FOURTH:** The Secretary of State is designated as agent of the Company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the Company served upon him or her is: c/o Catholic Charities Progress of Peoples Development Corporation, 191 Joralemon Street, Brooklyn, NY 11201.

**FIFTH:** No member shall be liable, in its capacity as a member, for any debts, obligations or liabilities of the Company.

**SIXTH:** The purpose of the business of the Company is any purpose for which a limited liability company may be organized under applicable law.

**IN WITNESS WHEREOF**, this certificate has been subscribed this 18<sup>th</sup> day of March, 2023 by the undersigned who affirms that the statements made herein are true under the penalties of perjury.

/s/ *Jeanne Diulio*  
Name: Jeanne Diulio  
Title: Organizer

CT07

**ARTICLES OF ORGANIZATION**

*of*

**JOHN TYNAN SENIOR RESIDENCE LLC**

---

**(Under Section 203 of the Limited Liability Company Law)**

**Filer:**

**Nixon Peabody LLP  
55 West 46th Street  
New York, New York 10036**

**DRAWDOWN  
CST REF:15444767YG**

**Filed with the NYS Department of State on 03/18/2024  
Filing Number: 240319001554 DOS ID: 7283198**

**UNANIMOUS WRITTEN CONSENT  
OF THE  
BOARD OF DIRECTORS OF  
CATHOLIC CHARITIES PROGRESS OF PEOPLES  
DEVELOPMENT CORPORATION**

The undersigned, being the President of CATHOLIC CHARITIES PROGRESS OF PEOPLES DEVELOPMENT CORPORATION, a New York not-for-profit corporation (the "*Company*"), hereby adopts the following preambles and resolutions by unanimous written consent of the Board of Directors in lieu of a meeting pursuant to the applicable provisions of the New York Not-For-Profit Corporation Law.

**WHEREAS**, that certain real property located at 41 First Street, Brooklyn, Kings County, New York (the "*Premises*") is enrolled in the New York State Brownfields Cleanup Program (BCP Site No. C224401); and

**WHEREAS**, the Company and the New York State Department of Environmental Conservation entered into a Brownfield Cleanup Agreement, dated February 26, 2024; and

**WHEREAS**, the Company desires to submit an amendment application (the "*Amendment Application*") to amend the Brownfields Cleanup Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that execution of the Amendment Application be, and hereby is, approved;

**RESOLVED**, that the Executive Secretary of the Company, Emmie Glynn Ryan, be, and hereby is, authorized and directed, for and in the name and on behalf of the Company, to execute the Amendment Application.

[SIGNATURE PAGE FOLLOWS]

In witness whereof, the undersigned, being the Executive Secretary of the Company, has hereunto executed this written consent as of April 9, 2025.

**CATHOLIC CHARITIES PROGRESS  
OF PEOPLES DEVELOPMENT  
CORPORATION**

A handwritten signature in cursive script, appearing to read "Emmie Glynn Ryan", written over a horizontal line.

By: Emmie Glynn Ryan  
Its: Executive Secretary

**WRITTEN CONSENT  
OF THE  
MANAGING MEMBER OF  
JOHN TYNAN SENIOR RESIDENCE LLC**

The undersigned, being the President of the John Tynan Senior Residence MM Corp., which is the managing member of JOHN TYNAN SENIOR RESIDENCE LLC, a New York limited liability company (JOHN TYNAN SENIOR RESIDENCE LLC is hereafter referred to as the “*Company*”), hereby adopts the following preambles and resolutions by written consent of John Tynan Senior Residence MM Corp. as the managing member of the Company, in lieu of a meeting pursuant to the applicable provisions of the New York Limited Liability Company Law.

**WHEREAS**, that certain real property located at 41 First Street, Brooklyn, Kings County, New York (the “*Premises*”) is enrolled in the New York State Brownfields Cleanup Program (BCP Site No. C224401); and

**WHEREAS**, Catholic Charities Progress of Peoples Development Corporation and the New York State Department of Environmental Conservation entered into a Brownfield Cleanup Agreement, dated February 26, 2024; and

**WHEREAS**, the Company desires to submit an amendment application (the “*Amendment Application*”) to amend the Brownfields Cleanup Agreement.

**NOW, THEREFORE, BE IT**

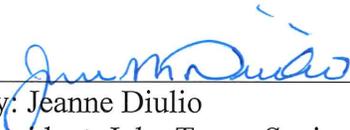
**RESOLVED**, that execution of the Amendment Application be, and hereby is, approved;

**RESOLVED**, that Jeanne Diulio, President of John Tynan Senior Residence MM Corp., as the managing member of the Company, be, and hereby is, authorized and directed, for and in the name and on behalf of the Company, to execute the Amendment Application.

[SIGNATURE PAGE FOLLOWS]

In witness whereof, the undersigned, being the President of John Tynan Senior Residence MM Corp., as the managing member of the Company, has hereunto executed this written consent as of April 9, 2025.

**JOHN TYNAN SENIOR RESIDENCE  
LLC**

  
\_\_\_\_\_  
By: Jeanne Diulio  
President, John Tynan Senior Residence MM  
Corp., as the managing member of JOHN  
TYNAN SENIOR RESIDENCE LLC

CELEBRATING  
**125**  
YEARS



**John Tynan Senior Residence LLC**  
**c/o Catholic Charities Progress of Peoples**  
**Development Corporation**  
191 Joralemon Street  
Brooklyn, New York 11201

T 718 722-6000  
F 718 722-6045  
[www.ccbq.org](http://www.ccbq.org)

Mary Star of the Sea Senior Housing Development Fund Corporation  
Attn. Jeanne Diulio  
191 Joralemon Street  
Brooklyn, NY 11202

Re: Brownfield Cleanup Program  
Site Access

Dear Ms. Diulio:

As you are aware, CATHOLIC CHARITIES PROGRESS OF PEOPLES DEVELOPMENT CORPORATION enrolled the real property located at 41 First Street, Brooklyn, New York 11231 (the "Site"), more particularly described in **Exhibit A**, in the New York State Brownfield Cleanup Program ("BCP"). CATHOLIC CHARITIES PROGRESS OF PEOPLES DEVELOPMENT CORPORATION is submitting an BCP amendment application to add JOHN TYNAN SENIOR RESIDENCE LLC as an applicant. As a BCP applicant, we are required to seek access from the current owner of the Site for acceptance into the BCP. The Site is currently owned by MARY STAR OF THE SEA SENIOR HOUSING DEVELOPMENT FUND CORPORATION. In order to file the BCP amendment application, we need written permission from you to access the Site throughout the BCP project. Additionally, the selected remedy may require the imposition of an environmental easement. By execution of this Site access agreement letter, you are hereby allowing Site access for this purpose, and agreeing to the imposition of an environmental easement if deemed necessary.

JOHN TYNAN SENIOR RESIDENCE LLC

By: 

Name: Jeanne Diulio

Title: President, John Tynan Senior Residence MM Corp.,  
as the managing member of John Tynan Senior Residence LLC

MARY STAR OF THE SEA SENIOR HOUSING DEVELOPMENT FUND CORPORATION, agrees to allow JOHN TYNAN SENIOR RESIDENCE LLC and its consultants and contractors to access the above referenced Site currently owned by MARY STAR OF THE SEA SENIOR HOUSING DEVELOPMENT FUND CORPORATION, to perform the required BCP investigation work and remediation, and to place an environmental easement on the Site if determined to be necessary.

MARY STAR OF THE SEA SENIOR HOUSING DEVELOPMENT FUND CORPORATION

By: 

Name: Jeanne Diulio

Title: President

**EXHIBIT A**  
**LEGAL DESCRIPTION**

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