



SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
 - b. one individual file (PDF) of each previous environmental report; and,
 - c. one file (PDF) of each work plan being submitted with the application, if applicable.
2. Compress all files (PDFs) into one zipped/compressed folder.
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both email and ground mail.

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service.
(<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “BCP Application NEW - *Proposed Site Name*”
- Email your submission to DESiteControl@dec.ny.gov – do NOT copy Site Control staff.

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:
Chief, Site Control Section
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7020

PROPOSED SITE NAME: 2300 East 69th Street Site

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments.

If yes, provide existing site number: _____

☐

Yes

☒

No

Is this a revised submission of an incomplete application?

If yes, provide existing site number: C224404

☒

Yes

☐

No



BCP App Rev 15 – May 2023

SECTION I: Property Information

PROPOSED SITE NAME **2300 East 69th Street Site**

ADDRESS/LOCATION **2300 East 69th Street**

CITY/TOWN **Brooklyn**

ZIP CODE **11234**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **New York City (Brooklyn)**

COUNTY **Kings**

SITE SIZE (ACRES) **2.53**

LATITUDE

LONGITUDE

	°	'	"	°	'	"
40		36	55.95	73	54	21.56

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, please indicate as such by inserting "p/o" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage
2300 East 69th Street		8446	31	0.69
2250 East 69th Street		8437	49	0.46
No Address		8437	54	1.38

	Y	N
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the required property map included with the application? (Application will not be processed without a map)	<input checked="" type="radio"/>	<input type="radio"/>
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% <input checked="" type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	<input type="radio"/>	<input checked="" type="radio"/>

SECTION I: Property Information (CONTINUED)		Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		<input type="radio"/>	<input checked="" type="radio"/>
8. Has the property previously been remediated pursuant to Titles 9, 13 or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.		<input type="radio"/>	<input checked="" type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		<input type="radio"/>	<input checked="" type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): REFER TO SUPPLEMENTAL INFORMATION <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		<input checked="" type="radio"/>	<input type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		<input checked="" type="radio"/>	<input type="radio"/>
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.			
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.		<input type="radio"/>	<input checked="" type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input checked="" type="radio"/>
17. If you have answered YES to Question 16 above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? NOT APPLICABLE		<input type="radio"/>	<input type="radio"/>
NOTE: If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.			
If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.			
Initials of each Requestor: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>			

SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (see [DER-10, Technical Guidance for Site Investigation and Remediation](#) for further guidance), then a 45-day public comment period is required.

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

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

☐ RIWP ☐ RAWP ☐ IRM ☒ No

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

Is this information attached? ☒ Yes ☐ No

SECTION III: Land Use Factors

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

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

Residential ☐ Commercial ☒ Industrial ☒

3. Current use (select all that apply):

Residential ☐ Commercial ☒ Industrial ☐ Recreational ☐ Vacant ☐

4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant.
Is this summary included with the application?

Y ☒ N ☐

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

Residential ☐ Commercial ☒ Industrial ☐

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

N/A ☒ ☐ ☐

6. Please provide a statement detailing the specific proposed post-remediation use.
Is this summary attached?

☒ ☐

7. Is the proposed post-remediation use a renewable energy facility?
See application instructions for additional information.

☐ ☒

8. Do current and/or recent development patterns support the proposed use?

☒ ☐

9. Is the proposed use consistent with applicable zoning laws/maps?
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?
Please provide a brief explanation. Include additional documentation if necessary.

☒ ☐

SECTION IV: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

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

*Please describe other known contaminants and the media affected:

Approx. 2 feet of LNAPL was identified in a temporary monitoring well, and sheen was noted on another well.

3. For each impacted medium above, include a site drawing indicating:

- Sample location
- Date of sampling event **REFER TO SUPPLEMENTAL INFORMATION**
- Key contaminants and concentration detected
- For soil, highlight exceedances of reasonably anticipated use
- For groundwater, highlight exceedances of 6 NYCRR part 703.5
- For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

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

Are the required drawings included with this application?

☒ YES

☐ NO

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

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

Other: In addition to a former petroleum bulk storage plant, the southwestern portion of the Site was a boat manufacturer (Ocean Boat Building Co.) and boat storage yard from the late 1920s to late 1960s, and vehicle/equipment maintenance has been conducted on-site from 1970 to present.

SECTION V: Requestor Information

NAME 2300 69 Street Property LLC

ADDRESS 4 Bryant Park, Suite 200

CITY/TOWN New York

STATE NY

ZIP CODE 10018

PHONE (212) 651-7272

EMAIL rn@turnbridgeeq.com

	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database . A print-out of entity information from the database must be submitted with this application to document that the requestor is authorized to conduct business in NYS. Is this attached? REFER TO SUPPLEMENTAL INFORMATION	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached? N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the ECL Article 27; (ii) any order or determination; (iii) any regulation implementing Title 14; or (iv) any similar statute or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)

	Y	N
7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved a violent felony, fraud, bribery, perjury, theft or offense against public administration (as that term is used in Article 195 of the Penal Law) under Federal law or the laws of any state?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?	<input type="radio"/>	<input checked="" type="radio"/>
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:		
PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum, or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.	VOLUNTEER <input checked="" type="checkbox"/> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. NOTE: By selecting this option, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing discharge; (ii) prevent any threatened future release; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste. If a requestor whose liability arises solely as a result of ownership, operation of, or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>		

SECTION VI: Requestor Eligibility (CONTINUED)

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

☐ Previous Owner ☐ Current Owner ☒ Potential/Future Purchaser ☐ Other: _____

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an environmental easement on the site.

Is this proof attached?



Yes



No



N/A

Note: A purchase contract or lease agreement does not suffice as proof of site access.**SECTION VII: Requestor Contact Information**

REQUESTOR'S REPRESENTATIVE Ryan Nelson

ADDRESS 4 Bryant Park, Suite 200

CITY New York

STATE NY

ZIP CODE 10018

PHONE (212) 651-7272

EMAIL rn@turnbridgeeq.com

REQUESTOR'S CONSULTANT (CONTACT NAME) Richard J. Tobia, P.E.

COMPANY Lockwood, Kessler & Bartlett, Inc.

ADDRESS One Aerial Way

CITY Syosset

STATE NY

ZIP CODE 11791

PHONE (908) 458-9604

EMAIL rtobia@vertexeng.com

REQUESTOR'S ATTORNEY (CONTACT NAME) Scott Furman

COMPANY Sive, Paget & Riesel P.C.

ADDRESS 560 Lexington Avenue, 15th Floor

CITY New York

STATE NY

ZIP CODE 10022

PHONE (212) 421-2150

EMAIL sfurman@sprlaw.com

SECTION VIII: Program Fee

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

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

SECTION IX: Current Property Owner and Operator Information

CURRENT OWNER Tully-Willets Realty Co., Inc.

CONTACT NAME Daniel Scully

ADDRESS 127-50 Northern Boulevard

CITY Flushing STATE NY ZIP CODE 11368

PHONE (718) 446-7000 EMAIL dscully@tullyenvironmental.com

OWNERSHIP START DATE 05/24/2018

CURRENT OPERATOR Falco Construction Corp.

CONTACT NAME Daniel Scully

ADDRESS 2300 East 69th Street

CITY Brooklyn STATE NY ZIP CODE 11234

PHONE (718) 241-2100 EMAIL dscully@tullyenvironmental.com

OPERATION START DATE 1969

SECTION X: Property Eligibility Information

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

SECTION X: Property Eligibility Information (continued)

3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____ Date Permit Issued: _____ Permit Expiration Date: _____	Y <input type="radio"/>	N <input checked="" type="radio"/>
4. If the answer to question 2 or 3 above is YES, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information as an attachment.	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XI: Site Contact List

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23: Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

SECTION XII: Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title) of 2300 69 Street Property LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: 11/20/23

Signature:  _____

Print Name: Ryan Nelson

PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY

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

BCP App Rev 15

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

From ECL 27-1405(31):

“Upside down” shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (I) “Underutilized” means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or
 - (c) there are no structures.

“Substantial government assistance” shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

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

5. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review).

Check appropriate box below:

- ☐ Project is an Affordable Housing Project – regulatory agreement attached
- ☐ Project is planned as Affordable Housing, but agreement is not yet available*
- *Selecting this option will result in a “pending” status. The regulatory agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.
- ☒ This is not an Affordable Housing Project

From 6 NYCRR 375-3.2(a) as of August 12, 2016:

- (a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty-seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.
- (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ household’s annual gross income.
- (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for homeowners at a defined maximum percentage of the area median income.
- (3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

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

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

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

☒ No – not a planned renewable energy facility site

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

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

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

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

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

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

☐ Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

☒ No

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

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



**ENGINEERING
EXCELLENCE
SINCE 1889**

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION SUPPLEMENTAL INFORMATION

2300 East 69th Street Site

2300 East 69th Street

Brooklyn, King County, New York

Block 8446, Lot 31 and Block 8437, Lots 49 & 54

Site No. C224404

PREPARED FOR:

2300 69 Street Property LLC

4 Bryant Park, Suite 200

New York, New York 10018

PREPARED BY:

Lockwood, Kessler & Bartlett, Inc.

One Aerial Way

Syosset, New York 11791

LKB PROJECT NO: 10321.LK

DECEMBER 2023

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

FIGURES

Figure 1	Site Location Map
Figure 2	Site Boundary Map
Figure 3	Adjoining Properties Map
Figure 4	Soil Results Map
Figure 5	Groundwater Results Map (VOC & SVOC)
Figure 6	Groundwater Results Map (Metals)

TABLES

Table 1	Contaminants of Concern
---------	-------------------------

EXHIBIT LIST

Exhibit A	NYSDEC Jurisdictional Determination Letter
Exhibit B	New York State Department of State Division of Corporation Database Information
Exhibit C	Access Agreement
Exhibit D	Document Repository Confirmations

ENVIRONMENTAL REPORTS SUBMITTED SEPARATELY

- Limited Subsurface Investigation Report, 2250 E 69th Street, Brooklyn, New York 11234, prepared by G.C. Environmental, Inc., and dated May 9, 2023.
- Phase I Environmental Site Assessment/Phase II Limited Site Investigation, Industrial Property, 2300 East 69th Street, Brooklyn, New York 11234, prepared by The Vertex Companies, LLC and dated November 15, 2023.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION I: Property Information

13. *List of permits issued by the DEC or USEPA relating to the proposed site.*

According to a letter entitled *RE: DEC Wetlands Jurisdictional Determination No. 2-6105-00161-00019*, prepared by the New York State Department of Environmental Conservation (NYSDEC) and dated May 14, 2007, none of the Site is located within NYSDEC tidal wetlands jurisdiction, and the areas landward of the existing bulkhead on Site parcels Block 8437, Lot 49 and Block 8446, Lot 31 are not within NYSDEC tidal wetlands jurisdiction. The letter also noted that areas landward of the bulkhead on Block 8437, Lot 54 are not located within NYSDEC tidal wetlands jurisdiction, except for an approximately 1,024 square feet area. A NYSDEC tidal wetlands permit would be required to alter or develop land in this 1,024-square foot area. A copy of the NYSDEC letter is included as **Exhibit A**.

14. *Property Description and Environmental Assessment.*

Location

The 2300 East 69th Street Site is located in Brooklyn, Kings County, New York and is identified as Block 8446, Lot 31 (2300 East 69th Street); Block 8437, Lot 49 (2250 East 69th Street); and Block 8437, Lot 54 (no address) on the New York City tax map (**Figure 2**). The Site encompasses three lots and a total of 2.52 acres. According to the New York City Department of Buildings (NYCDOB), the Site is identified with the following addresses: 2240 East 69th Street, 2250 to 2260 East 69th Street, 2300 East 69th Street, and 6808 to 6830 Avenue W. The Site is located in an urban area with a mix of commercial and residential buildings.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Site Features

The southeastern portion of the Site (Lot 31) is improved with a two-story, slab-on-grade building constructed in 1970, consisting of approximately 11,275 square feet. The office portion of the Site building consisted of masonry and wood frame construction, and the warehouse/maintenance portion of the Site building consisted of steel framing with masonry construction. Interior finishes consisted of vinyl floor tile and concrete floors; drywall and exposed structural element walls; and ceiling tile and exposed structural ceilings. Exterior areas of the Site include a gravel storage yard for materials and equipment, concrete pads for dumpster and underground storage tank (UST) areas, a former fuel canopy structure and concrete pad used for storage, two small sheds used as workshops, limited landscaped areas, and a bulkhead on the southwestern side of the property (along the East Mill Basin).

Current Zoning and Land Use

The Site is currently active, and the proposed redevelopment of the Site includes the change of use from the current administration, warehouse, vehicle/equipment maintenance, and storage yard (steel beams, wood piles, and construction equipment [i.e., cranes]) to an asphalt-paved parking lot with a dispatch office to support logistics related uses. Based on a review of the New York City Department of City Planning and Land Use Mapping program, the Site is zoned M1-1 (manufacturing district). The M1 districts are often buffers between M2 and M3 districts, and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels, and most retail are also permitted in M1 districts. The neighboring properties are currently used for a combination of commercial and residential uses. A zoning change is not required as part of the proposed redevelopment, as a parking lot supportive of logistics uses is an as of right use for the M1 district.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Past Use of the Site

Based on a review of reasonably ascertainable historical information, it appears that the Site consisted of wetlands and a creek prior to filling activities in the 1920s/1930s. From the 1940s to early 1980s, the northwestern portion of the Site was a petroleum bulk storage terminal operated by Argus Gas & Oil Sales Co. Inc., Jay Tee Fuel Oil Corp., Tidewater Oil Co., Ross Oil Corp., Premium Coal & Oil Co. Inc., and Mobil Oil Corp. The southwestern portion of the Site was a boat manufacturer (Ocean Boat Building Co.) and boat storage yard from the late 1920s to late 1960s. The former fuel canopy structure (currently used for material storage) was constructed in the central portion of the Site in 1963. The current commercial building (office, warehouse, and vehicle/equipment maintenance) was constructed in the southeastern portion of the Site in 1970. Falco Construction Corp. (construction equipment/material storage, vehicle/equipment maintenance, warehouse, and office) has operated in the southeastern portion of the Site since 1969 and began operations on the entire Site when the bulk petroleum storage terminal was razed in the early 1980s.

Site Geology and Hydrogeology

Based upon findings of the subsurface investigations completed, soils encountered below the footprint of the Site consist of fill material (sand and silty clay with concrete, brick, and gravel) from ground surface to approximately 8.5 feet below ground surface (bgs), followed by silt clay and medium to fine sand to boring termination depth at 15.0 feet bgs. Bedrock was not encountered during the investigations. Groundwater was encountered at depths ranging from approximately 3.97 to 10.60 feet bgs in temporary monitoring wells installed at the Site. Based on surface topography and the location of the nearest waterbody, groundwater flow direction is estimated to be to the southwest.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Environmental Assessment

The impacted media and primary contaminants of concern are discussed below. **Table 1** provides a summary of contaminants of concern identified at the Site. Additional information is provided in the Phase I Environmental Site Assessment/Phase II Limited Site Investigation, prepared by the Vertex Companies, Inc. and dated November 15, 2023.

Soil –Semi-volatile organic compounds (SVOCs), metals, and polychlorinated biphenyls (PCBs) typically associated with historical fill and/or petroleum releases were identified at concentrations exceeding the NYSDEC Soil Cleanup Objectives (SCOs). The compounds exceeding the SCOs (highest detection in milligrams per kilogram [mg/kg]) include benzo(b)fluoranthene (1.2 mg/kg), indeno(1,2,3-cd)pyrene (0.61 mg/kg), Aroclor 1248 and total PCBs (0.281 mg/kg), lead (116 mg/kg), mercury (1.08 mg/kg), and zinc (223 mg/kg). Petroleum odors and/or petroleum staining were identified at several boring locations throughout the Site at depths ranging from 5.5 to 11.5 feet bgs.

Groundwater – Approximately two feet of light non-aqueous phase liquid (LNAPL) was identified in the temporary monitoring well installed in an inferred down-gradient location of the former petroleum bulk storage tanks. In addition, a petroleum sheen was observed in a temporary monitoring well located in an inferred down-gradient location to the active diesel USTs. Groundwater analytical testing identified volatile organic compounds (VOCs) (1,2,4,5-tetramethylbenzene and methyl tertiary butyl ether [MTBE]), SVOCs (phenol, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene), and metals (aluminum, antimony, arsenic, barium, cadmium, chromium, copper, lead, magnesium, manganese, nickel, selenium, sodium, and zinc) exceeding the NYSDEC Ambient Water Quality Standard (AWQS) and/or Groundwater Effluent Limitation (Class GA). Due to obstruction proximate to the diesel USTs, the groundwater samples were

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

collected at a distance from the diesel USTs; it is assumed that there are more significant impacts associated with these USTs that will be defined during the remedial investigation.

Soil Vapor and Indoor Air – Vapor intrusion (VI) sampling conducted in September 2023 identified no VOCs in sub-slab soil vapor in exceedance of the New York State Department of Health (NYSDOH) matrix sub-slab soil vapor concentration criteria. Evaluation of the indoor and ambient air analytical data identified concentrations of carbon tetrachloride and methylene chloride in exceedance of the NYSDOH matrix indoor air concentration criteria. Evaluation of the data and comparison to the NYSDOH Soil Vapor/Indoor Air Matrix Guidance (May 2017) identified that all sample locations were noted as “No Further Action” with respect to the Soil Vapor/Indoor Air Matrices.

Based on the results of the Site characterization, the suspected source of the contaminants of concern is the historic filling of the Site with uncharacterized fill material, the former petroleum bulk storage facility operations (1940s to early 1980s), vehicle/equipment maintenance (1970 to present), and operation of petroleum USTs (late 1970s to present).

Due to the identification of LNAPL at the Site, the NYSDEC Spills Hotline was contacted, and Spill No. 2306892 was assigned to the Site.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION II: Project Description

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

The purpose of the environmental investigation and remediation is to support the proposed redevelopment of the Site, while implementing remedial measures that are protective of human health and the environment.

The proposed redevelopment includes the demolition of the two existing structures, and the construction of an asphalt-paved commercial equipment/vehicle parking lot across the entire Site to support logistics operations at the Site. There are no proposed structures to be constructed following the completion of the redevelopment activities other than a dispatch office for Site operations.

Following approval of the BCP application and execution of the Brownfield Cleanup Agreement (BCA), the project scope of work is anticipated to include the following: soil delineation via soil borings to further evaluate soil quality; installation of permanent monitoring wells and the collection of groundwater samples to confirm groundwater flow direction and to complete delineation and characterization of groundwater impacts and LNAPL/sheen; removal of five USTs; limited soil excavation; and installation of a LNAPL recovery trench and recovery system.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

The estimated project schedule is summarized in the following table:

ESTIMATED PROJECT SCHEDULE	
ACTIVITIES	COMPLETION DATE
Brownfield Cleanup Program (BCP) Application	
Submit BCP Application to NYSDEC	12/26/2023
NYSDEC Determines BCP Application is Complete	01/10/2023
Execute Brownfield Cleanup Agreement (BCA)	01/24/2023
Remedial Investigation Work Plan (RIWP)	
Submit RIWP to NYSDEC	01/28/2023
NYSDEC Review	02/11/2024
Address NYSDEC Comments to RIWP	02/18/2024
Publish Environmental Notice Bulletin (ENB), Submit Citizen Participation (CP) Plan to NYSDEC, Distribute Fact Sheet & Public Comment Period (30 Days)	03/29/2024
NYSDEC Approval of RIWP	04/07/2024
Remedial Investigation	
Implement RI Activities	05/11/2024
Submit RIR to NYSDEC	06/16/2024
Public Comment Period and NYSDEC Review (45 Days)	07/30/2024
Address NYSDEC Comments to RIR	08/07/2024
NYSDEC Approval of RIR	08/14/2024
Remedial Action Work Plan (RAWP)	
Submit RAWP to NYSDEC	08/21/2024
Public Comment Period and NYSDEC Review (45 Days)	10/04/2024

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

ESTIMATED PROJECT SCHEDULE	
ACTIVITIES	COMPLETION DATE
Address NYSDEC Comments to RAWP	10/11/2024
NYSDEC Approval of RAWP	10/18/2024
Remediation Work	
Implement Remediation	02/16/2025
Submit Final Engineering Report (FER), Site Management Plan (SMP) & Environmental Easement (EE)	04/13/2025
Public Comment Period and NYSDEC Review (45 Days)	05/27/2025
Address NYSDEC Comments to FER & SMP	06/03/2025
NYSDEC Approval of FER & SMP	06/18/2025
Certificate of Completion	06/25/2025

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION III: Land Use Factors

- 4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant.***

The Site is currently operated by Falco Construction Corp., which specializes in pile driving and related work. Current Site operations include administration, warehouse, vehicle/equipment maintenance, and storage yard (steel beams, wood piles, and construction equipment [i.e., cranes]). Hazardous substances noted at the Site included various quantities of paints, adhesives, several five-gallon buckets of lube oil and diesel engine oil, tanks containing petroleum products, several drums of hydraulic oil and antifreeze, and small quantities of household strength cleaning supplies.

The Site is identified with active NYSDEC Petroleum Bulk Storage (PBS) No. 2-193445 (registration expires on July 7, 2027). Active USTs include a 4,000-gallon diesel UST (Tank No. 001) with a dispenser that was installed in 1975, and a 3,000-gallon diesel UST (Tank No. 004) and 4,000-gallon diesel UST (Tank No. 005) that are improved with a dispenser and installed in 1979. In addition, the Site is identified with a closed-in-place 1,080 kerosene UST (Tank No. 002) and a closed-in-place 1,080-gallon diesel UST (Tank No. 003) that were reportedly closed in 1973. In addition, it should be noted that review of historic fire insurance maps identified an unknown capacity gasoline UST in the northern portion of the Site, along East 69th Street.

Review of historic documentation identified that from the 1940s to early 1980s, the northwestern portion of the Site was a petroleum bulk storage terminal operated by Argus Gas & Oil Sales Co. Inc., Jay Tee Fuel Oil Corp., Tidewater Oil Co., Ross Oil Corp., Premium Coal & Oil Co. Inc., and Mobil Oil Corp.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

The southwestern portion of the subject property was a boat manufacturer (Ocean Boat Building Co.) and boat storage yard from the late 1920s to late 1960s.

6. *Please provide a statement detailing the specific proposed post-remediation use.*

The proposed post-remediation use of the Site includes the demolition of the former fueling canopy structure and office/garage structure, and the construction of an asphalt-paved commercial equipment/vehicle parking lot across the entire Site to support logistics operations at the Site.

9. *Is the proposed use consistent with applicable zoning laws/maps?*

Yes, the proposed use is consistent with applicable zoning laws/maps. The M1-1 zone is primarily industrial and manufacturing, and the proposed parking lot is an as of right development that complies with applicable zoning regulations.

10. *Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?*

The Site is located within a New York City Waterfront Revitalization Program (WRP) Coastal Zone Boundary, which establishes policies for waterfront planning, preservation, and development. Based on a review of the New York City Department of City Planning mapping, the Site is not designated as a Waterfront Zoning Tax Lot. The proposed use is consistent with the waterfront revitalization plan.

The Site is not located within a New York City Historic District (as designated by the NYC Landmark Preservation Commission).

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION V: Requestor Information

2. ***If the requestor is a Corporation, LLC, LLP, or other entity requiring authorization from the NYS DOS to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted with this application to document that the requestor is authorized to conduct business in NYS.***

A copy of the New York State Department of State Division of Corporations database information is provided as **Exhibit B**.

3. ***If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment.***

The sole member of 2300 69 Street Property LLC is IOS Portfolio Pledgor LLC. The authorized signatory is noted as Mr. Ryan Nelson.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION VI: Requestor Eligibility

13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

The Requestor, 2300 69 Street Property LLC, is a prospective purchaser of the Site and should be considered a Volunteer since neither the corporation, nor its members, have an affiliation with the current or previous property owner(s) or operator(s) at the Site. Pursuant to ECL § 27-1405(1), the Requestor is properly designated as a Volunteers because their liability will arise solely from their ownership acquired after the disposal/discharge of contamination and because they will take reasonable steps to (i) stop any continuing release, (ii) prevent any threatened future release, and (iii) prevent or limit human, environmental, or natural resource exposure to any previously released contamination.

14. If the requestor is not the current owner, proof of site access sufficient to complete remediation must be provided. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an environmental easement on the site.

The Requestor is a prospective purchaser of the Site. An access agreement between the current Site owner (Tully Willets Realty LLC) and the Requestor (2300 69 Property LLC) is included as **Exhibit C**.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION IX: Current Property Owner and Operator Information

The following comment was provided in the letter of incompleteness from the NYSDEC dated December 14, 2024: Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owner and operators, include any relationship between the requestor's corporate members and the previous owner and operators.

LKB obtained Site ownership information from the New York City Department of Finance, Office of the City Register, and identified past uses for the Site via a review of historical information from several sources including an interview with Site representatives and a review of historical information obtained from regulatory sources, aerial photographs, city directories, topographic maps, and fire insurance maps.

PRIOR OWNERSHIP SUMMARY (BLOCK 8446, LOT 31)					
OWNER	FROM	TO	LAST KNOWN ADDRESS	PHONE NUMBER	RELATIONSHIP TO REQUESTOR
Brookmill Realty Inc.	UNK	1966	59-55 Strickland Avenue Brooklyn, NY 11234	Unknown	None
Empire Pile Driving Corp.	1966	1969	925 East 57 th Street Brooklyn, NY 11234	Unknown	None
Sulyn Contracting Corp.	1969	1969	2300 East 69 th Street Brooklyn, NY 11234	Unknown	None
Joseph Falco (deceased) Susan Falco (deceased)	1969	2005	2444 National Drive Brooklyn, NY 11234	Unknown	None
Dobry, LLC Nadzieja, LLC 2300 East 69 th Street LLC (aka Falco Construction Corp.)	2005	2018	2300 East 69 th Street Brooklyn, NY 11234	(718) 241-2100	None
Tully-Willets Realty Co., Inc.	2018	Present	127-50 Northern Boulevard Flushing, NY 11368	(718) 446-7000	None

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

PRIOR OPERATOR SUMMARY (BLOCK 8446, LOT 31)

OPERATOR	FROM	TO	LAST KNOWN ADDRESS	PHONE NUMBER	RELATIONSHIP TO REQUESTOR
Ocean Boat Building Co.	Late 1920s	Late 1960s	2284 East 69 th Street Brooklyn, NY 11234	Unknown	None
Falco Construction Corp.	1969	Present	2300 East 69 th Street Brooklyn, NY 11234	(718) 241-2100	None

PRIOR OWNERSHIP SUMMARY (BLOCK 8437, LOT 49)

OWNER	FROM	TO	LAST KNOWN ADDRESS	PHONE NUMBER	RELATIONSHIP TO REQUESTOR
Irma Cohn	UNK	1969	75 Central Park West New York, NY 10023	Unknown	None
Frances Headley	1969	1970	1581 Utica Avenue Brooklyn, NY 11234	Unknown	None
Joseph Cincotta	1970	1996	4106 Glenwood Road Brooklyn, NY 11210	Unknown	None
Giustizia Agressivo, LLC	1996	1999	4100 Glenwood Road Brooklyn, NY 11210	Unknown	None
Madeline Falco 2246 East 69th Street LLC (aka Falco Construction Corp.)	1999	2018	2300 East 69 th Street Brooklyn, NY 11234	(718) 241-2100	None
Tully-Willeys Realty Co., Inc.	2018	Present	127-50 Northern Boulevard Flushing, NY 11368	(718) 446-7000	None

PRIOR OPERATOR SUMMARY (BLOCK 8437, LOT 49)

OPERATOR	FROM	TO	LAST KNOWN ADDRESS	PHONE NUMBER	RELATIONSHIP TO REQUESTOR
Argus Gas & Oil Sales Co., Inc. Jay Tee Fuel Oil Corp. Tidewater Oil Co. Ross Oil Corp. Premium Coal & Oil Co. Inc. Mobil Oil Corp.	1940s	Early 1980s	150 East 42 nd Street New York, NY	(800) 243-9966	None
Falco Construction Corp.	Early 1980s	Present	2300 East 69 th Street Brooklyn, NY 11234	(718) 241-2100	None

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

PRIOR OWNERSHIP SUMMARY (BLOCK 8437, LOT 54)					
OWNER	FROM	TO	LAST KNOWN ADDRESS	PHONE NUMBER	RELATIONSHIP TO REQUESTOR
Getty Oil Co. Inc.	UNK	1969	660 Madison Avenue New York, NY 10021	Unknown	None
Little America Refining Co.	1969	1969	P.O. Box 1529 Cheyenne, WY 82001	(800) 243-9966	None
Mobil Oil Corp.	1969	1981	150 East 42 nd Street New York, NY	(800) 243-9966	None
Joseph Falco (deceased) Susan Falco (deceased)	1981	2005	2444 National Drive Brooklyn, NY 11234	Unknown	None
Stansa, LLC Maly, LLC 2250 East 69th Street LLC (aka Falco Construction Corp.)	2005	2018	2300 East 69 th Street Brooklyn, NY 11234	(718) 241-2100	None
Tully-Willets Realty Co., Inc.	2018	Present	127-50 Northern Boulevard Flushing, NY 11368	(718) 446-7000	None

PRIOR OPERATOR SUMMARY (BLOCK 8437, LOT 54)					
OPERATOR	FROM	TO	LAST KNOWN ADDRESS	PHONE NUMBER	RELATIONSHIP TO REQUESTOR
Argus Gas & Oil Sales Co., Inc. Jay Tee Fuel Oil Corp. Tidewater Oil Co. Ross Oil Corp. Premium Coal & Oil Co. Inc. Mobil Oil Corp.	1940s	Early 1980s	150 East 42 nd Street New York, NY	(800) 243-9966	None
Falco Construction Corp.	Early 1980s	Present	2300 East 69 th Street Brooklyn, NY 11234	(718) 241-2100	None

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

SECTION XI: Site Contact List

Chief Executive Officers

New York City:

Mayor Eric Adams

City Hall

New York, NY 10007

Borough of Brooklyn:

Antonio Reynoso

Brooklyn Borough President

209 Joralemon Street

Brooklyn, NY 11201

Planning Board Chairperson

New York City:

Daniel Garodnick

Chairperson, New York City Planning Commission

120 Broadway, 31st Floor

New York, NY 10271

Brooklyn Office (temporary relocation):

120 Broadway, 31st Floor

New York, NY 10271

Site Property Owner

Tully-Willets Realty Co., Inc.

127-50 Northern Boulevard

Flushing, NY 11368

Site Occupant

Falco Construction Corp.

2300 East 69th Street

Brooklyn, NY 11234

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Applicant

2300 69 Street Property LLC
Ryan Nelson, Managing Principal
4 Bryant Park, Suite 200
New York, NY 10018

Adjoining Property Owners

Property Address	2350 East 69 th Street
Block	8446
Lot	19
Owner Full Name	Wielka, LLC
Address	2300 East 69 th Street
City, State Zip	Brooklyn, NY 11234

Property Address	2315 East 69 th Street
Block	8447
Lot	33
Owner Full Name	Artur Karimov
Address	801 East 10 th Street, Unit 3B
City, State Zip	Brooklyn, NY 11230

Property Address	2313 East 69 th Street
Block	8447
Lot	35
Owner Full Name	Gertrude Nieberg Revocable Trust
Address	2313 East 69 th Street
City, State Zip	Brooklyn, NY 11234

Property Address	6902 Avenue W
Block	8447
Lot	40
Owner Full Name	Nancy Noto
Address	7302 Avenue W
City, State Zip	Brooklyn, NY 11234

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Property Address	6917 Avenue W
Block	8438
Lot	6
Owner Full Name	ASJS Holdings LLC
Address	180 Blake Avenue
City, State Zip	Brooklyn, NY 11212

Property Address	2275 East 69th Street
Block	8438
Lot	9
Owner Full Name	Pizzirusso Bros. Realty LLC
Address	22158 East 72 nd Street
City, State Zip	Brooklyn, NY 11234

Property Address	2265 East 69th Street
Block	8438
Lot	11
Owner Full Name	Pizzirusso Bros. Realty LLC
Address	22158 East 72 nd Street
City, State Zip	Brooklyn, NY 11234

Property Address	No Address (East 69th Street)
Block	8438
Lot	14
Owner Full Name	John Pizzirusso
Address	7104 Avenue W
City, State Zip	Brooklyn, NY 11234

Property Address	No Address (East 69th Street)
Block	8438
Lot	16
Owner Full Name	John Pizzirusso
Address	2235 East 69 th Street
City, State Zip	Brooklyn, NY 11234

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Property Address	2235 East 69th Street
Block	8438
Lot	20
Owner Full Name	John Pizzirusso
Address	2235 East 69 th Street
City, State Zip	Brooklyn, NY 11234

Property Address	2233 East 69th Street
Block	8438
Lot	25
Owner Full Name	Christopher S. Pizzirusso
Address	2233 East 69 th Street
City, State Zip	Brooklyn, NY 11234

Property Address	2231 East 69th Street
Block	8438
Lot	27
Owner Full Name	Joseph J. Pizzirusso
Address	2231 East 69 th Street
City, State Zip	Brooklyn, NY 11234

Property Address	2214 East 69th Street
Block	8437
Lot	39
Owner Full Name	1300 Holdings LLC
Address	1967 McDonald Avenue
City, State Zip	Brooklyn, NY 11223

Water Service

New York City Department of Environmental Protection
Bureau of Environmental Planning and Analysis
Rohit T. Aggarwala, Commissioner
59-17 Junction Boulevard, 13th Floor
Flushing, NY 11373

Contact List Requests

No one has requested to be placed on the contact list.

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

Local News Media for Public Announcements

Brooklyn Daily Eagle
195 Montague Street, Suite 1414
Brooklyn, NY 11201
Phone: (718) 422-7410

School and Day Care Facility Administrators

No school or day care facilities were identified within 500 feet of the Site.

Local Document Repository

Brooklyn Public Library – Mill Basin Branch
2385 Ralph Avenue
Brooklyn, NY 11234
Phone: (718) 241-3979
Email: carmieri@brooklynpubliclibrary.org

Based on an email response from Ms. Christina Armieri, Branch Manager at the Mill Basin Branch, dated December 20, 2023, the library will act as a document repository; however, it is their policy to only receive electronic versions of the documents (i.e., CD or USB flash drive), along with a cover letter. A copy of the email correspondence is included in **Exhibit D**.

Community Board

Brooklyn Community Board 18
1097 Bergen Avenue
Brooklyn, NY 11234
Phone: (718) 241-0422
Email: bk18@cb.nyc.gov

Based on an email response from Ms. Sue Ann Partnow, District Manager Community Board 18, the community board will act as a document repository; however, they requested to only review electronic versions of the documents (i.e., CD or USB flash drive), along with a cover letter. A copy of the email correspondence is included in **Exhibit D**.

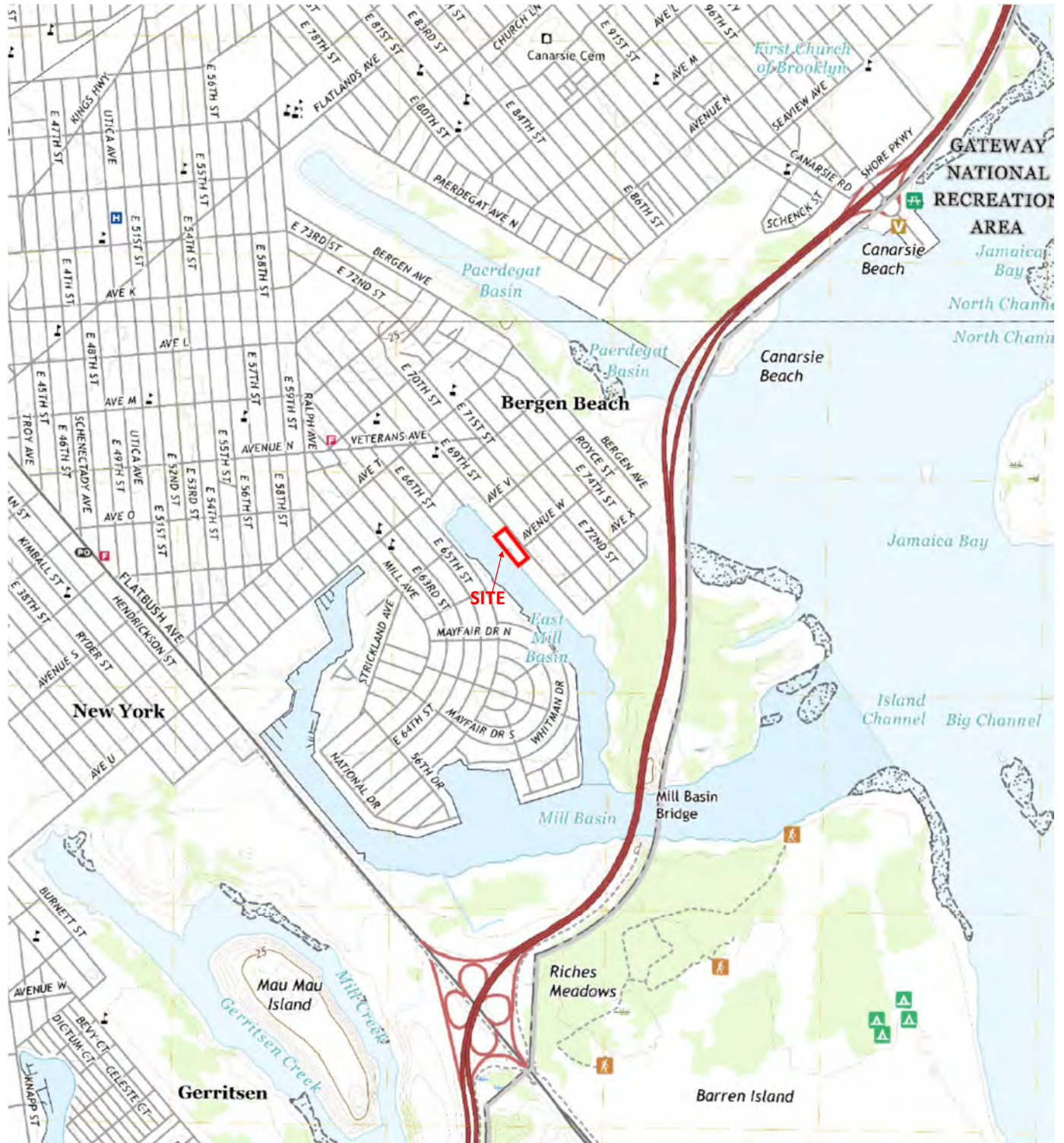
BCP Application Supplemental Information

Site No. C224404

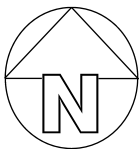
2300 East 69th Street, Brooklyn, NY

December 2023

FIGURES



LKB Project No. 10321.LK



SITE LOCATION MAP

2300 East 69th Street Site
2300 East 69th Street
Brooklyn, New York

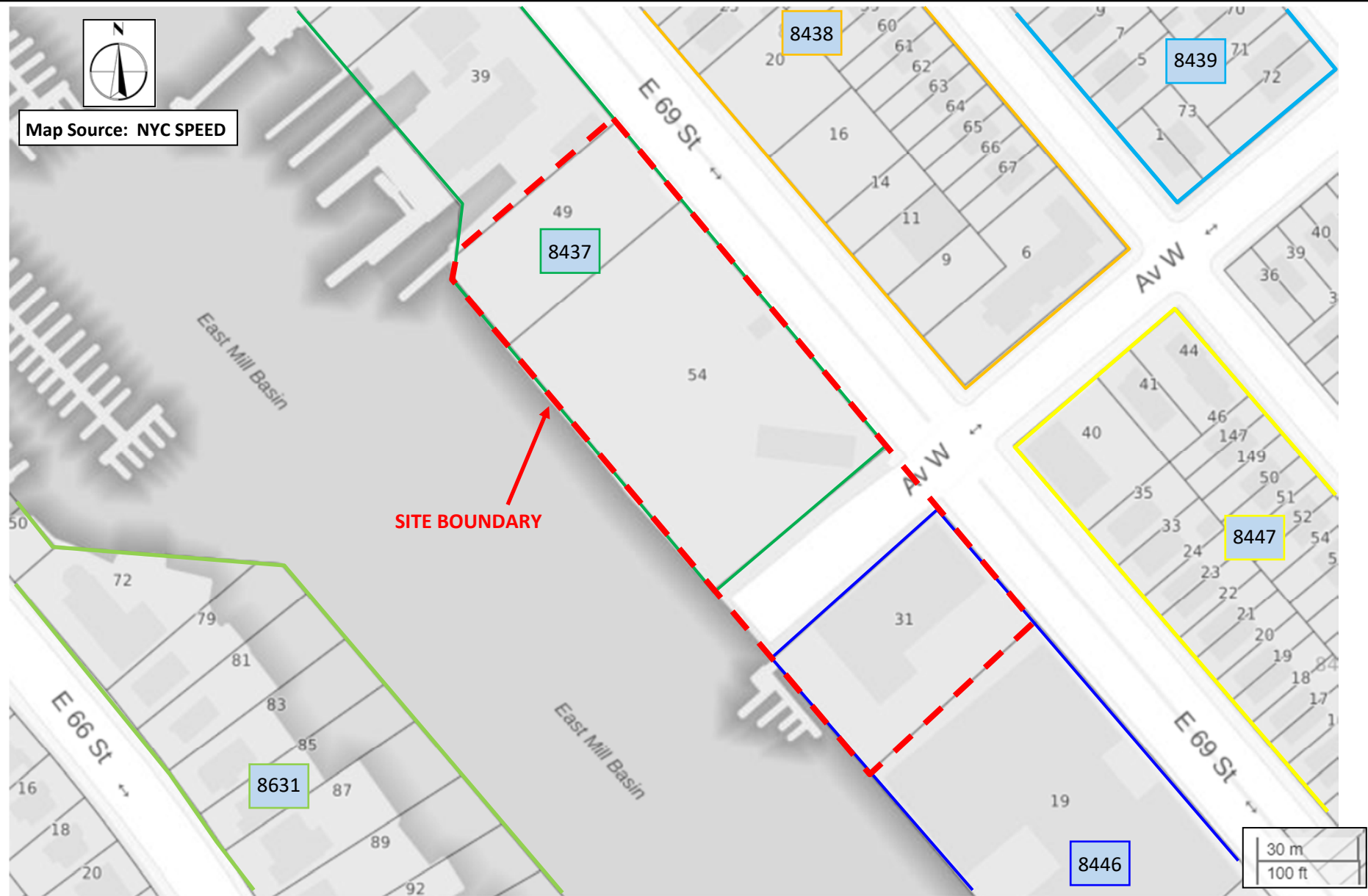
USGS Topographic Map, Coney Island, NJ (2019); Scale 1:24,000

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

FIGURE NO. 1



Map Source: NYC SPEED



SITE BOUNDARY MAP

2300 East 69th Street, Brooklyn, New York

LKB Project No. 10321.LK

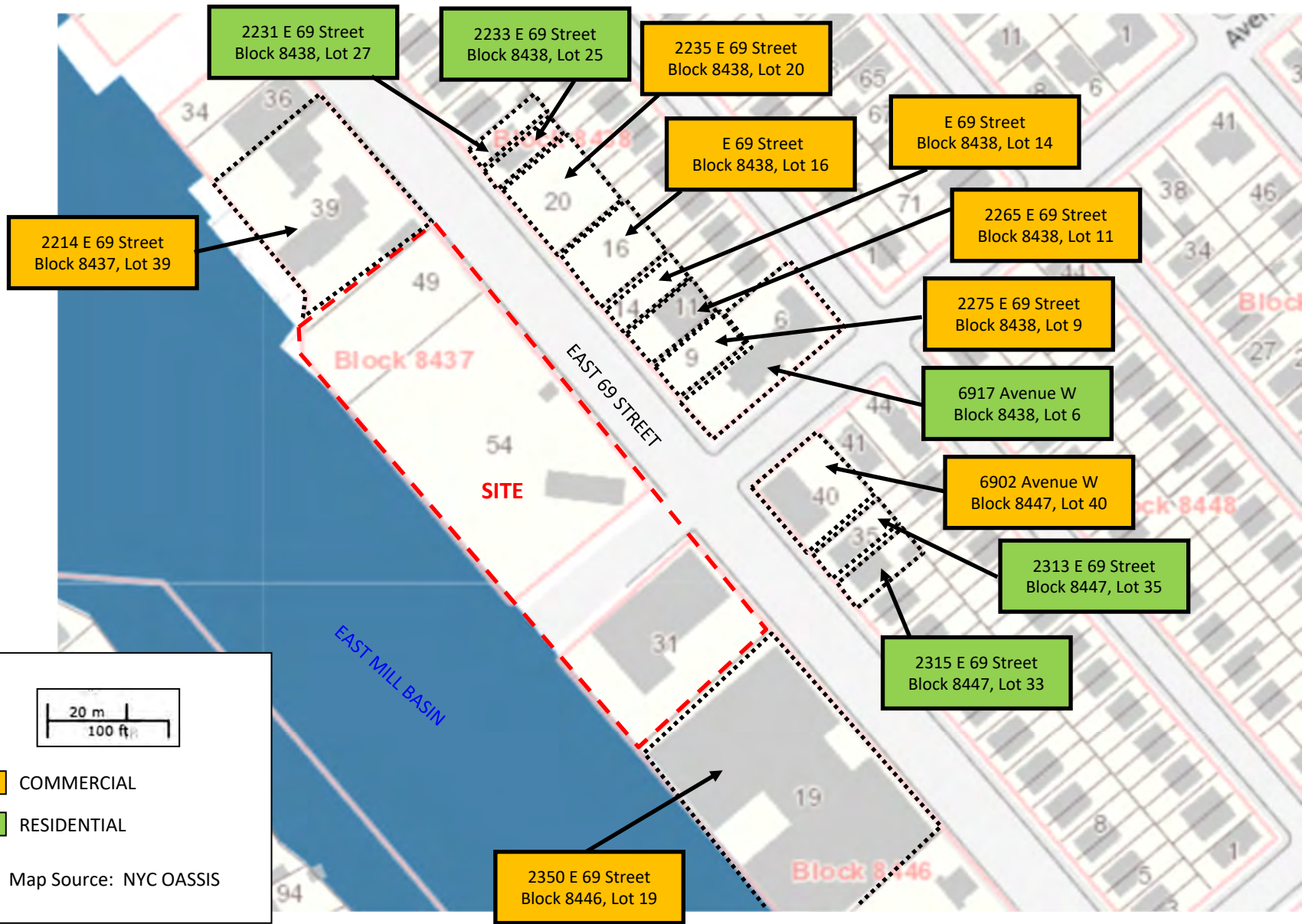


ENGINEERING
EXCELLENCE
SINCE 1889

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way - Syosset, NY 11791
516.938.0600 www.lkbinc.com

FIGURE NO. 2

35 LOT
453 BLOCK



ADJOINING PROPERTIES MAP

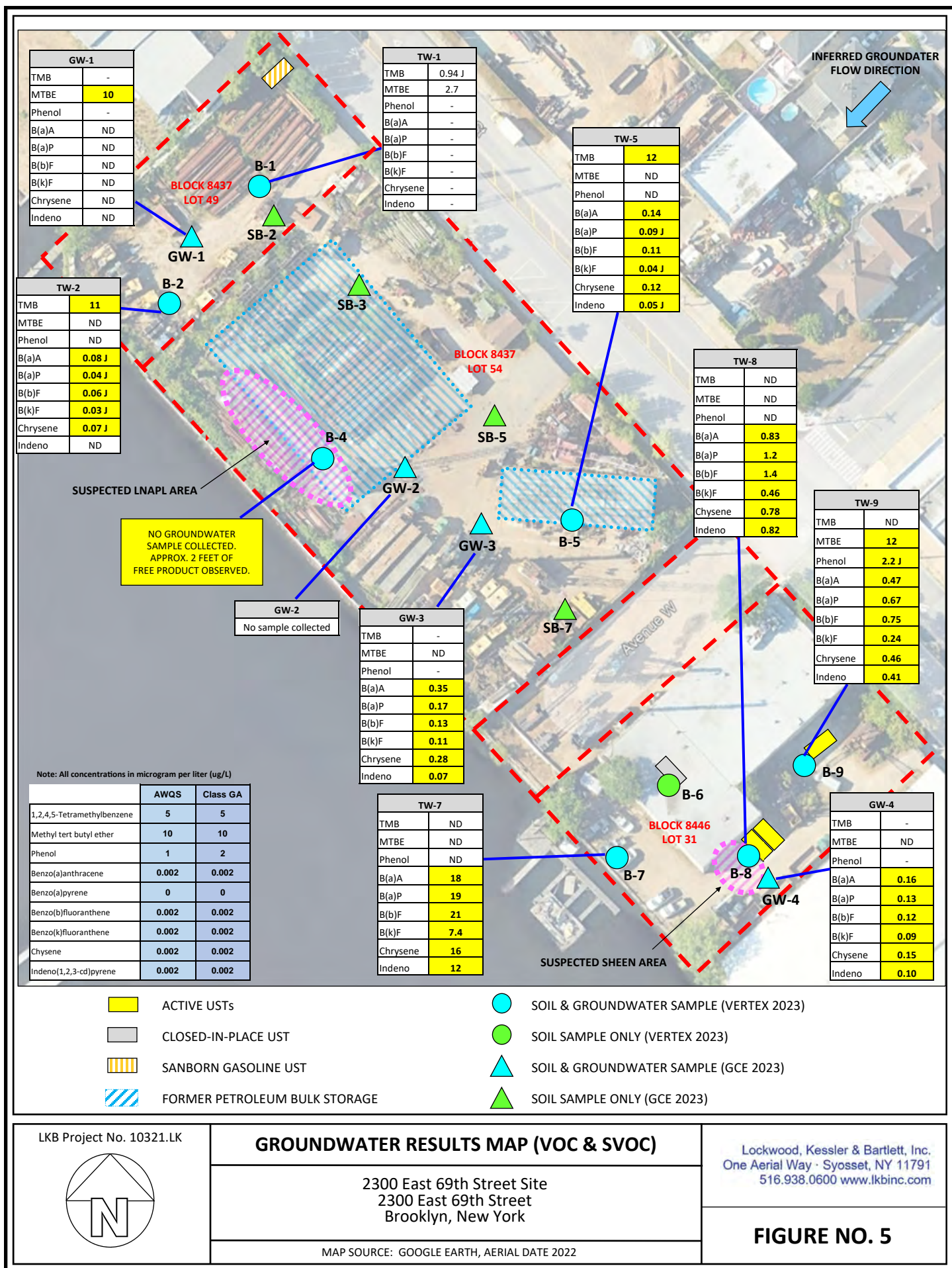
2300 East 69th Street, Brooklyn, New York

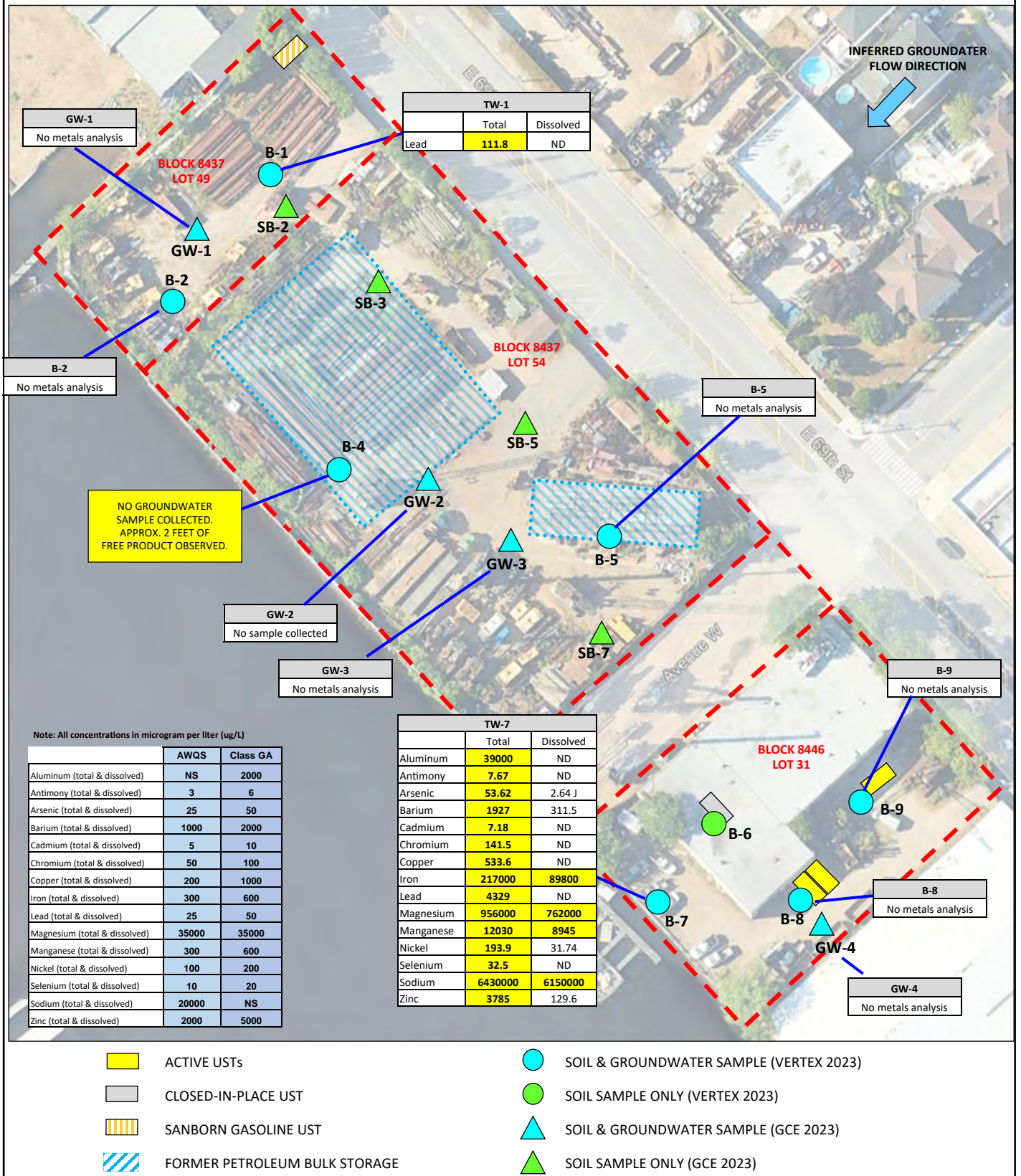
LKB Project No. 10321.LK



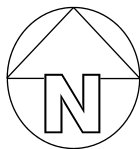
Lockwood, Kessler & Bartlett, Inc.
One Aerial Way - Syosset, NY 11791
516.938.0600 www.lkbinc.com

FIGURE NO. 3





LKB Project No. 10321.LK



GROUNDWATER RESULTS MAP (METALS)

2300 East 69th Street Site
2300 East 69th Street
Brooklyn, New York

MAP SOURCE: GOOGLE EARTH, AERIAL DATE 2022

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way · Syosset, NY 11791
516.938.0600 www.lkbinc.com

FIGURE NO. 6

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

TABLES

TABLE 1
CONTAMINANTS OF CONCERN
2300 E 69th Street, Brooklyn, NY
LKB Project No. 10321.LK

SOIL							
Sample Matrix	Sample Date	Compound	Detections >RUSCO-GW	Highest Detected Concentration	Standard or Guidance Value	Data Source	Depth (feet bgs)
Soil	9/14/2023	Acetone	2	0.079 mg/kg	0.05 mg/kg	Sampling by applicant	9.5-10.0
Soil	9/15/2023	Benzo(b)fluoranthene	1	1.2 mg/kg	1 mg/kg	Sampling by applicant	5.0-5.5
Soil	9/15/2023	Indeno(1,2,3-cd)pyrene	1	0.61 mg/kg	0.5 mg/kg	Sampling by applicant	5.0-5.5
Soil	9/15/2023	Aroclor 1248	1	0.281 mg/kg	0.1 mg/kg	Sampling by applicant	5.0-5.5
Soil	9/15/2023	Total PCBs	1	0.281 mg/kg	0.1 mg/kg	Sampling by applicant	5.0-5.5
Soil	9/15/2023	Lead	1	116 mg/kg	63 mg/kg	Sampling by applicant	5.0-5.5
Soil	9/15/2023	Mercury	1	1.08 mg/kg	0.18 mg/kg	Sampling by applicant	5.0-5.5
Soil	9/15/2023	Zinc	1	223 mg/kg	109 mg/kg	Sampling by applicant	5.0-5.5

GROUNDWATER						
Sample Matrix	Sample Date	Compound	Detections >AWQS/Class GA	Highest Detected Concentration	Standard or Guidance Value	Data Source
Groundwater	9/14/2023	1,2,4,5-trimethylbenzene	2	12 ug/L	5 ug/L	Sampling by applicant
Groundwater	9/15/2023	Methyl Tert Butyl Ether	1	12 ug/L	10 ug/L	Sampling by applicant
Groundwater	9/15/2023	Phenol	1	2.2 ug/L	1 ug/L	Sampling by applicant
Groundwater	9/15/2023	Benzo(a)anthracene	5	18 ug/L	0.002 ug/L	Sampling by applicant
Groundwater	9/15/2023	Benzo(a)pyrene	5	19 ug/L	0 ug/L	Sampling by applicant
Groundwater	9/15/2023	Benzo(b)fluoranthene	5	21 ug/L	0.002 ug/L	Sampling by applicant
Groundwater	9/15/2023	Benzo(k)fluoranthene	5	7.4 ug/L	0.002 ug/L	Sampling by applicant
Groundwater	9/15/2023	Chrysene	5	16 ug/L	0.002 ug/L	Sampling by applicant
Groundwater	9/15/2023	Indeno(1,2,3-cd)pyrene	4	12 ug/L	0.002 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Aluminum	1	39,000 ug/L	2,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Antimony	1	7.67 ug/L	3 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Arsenic	1	53.62 ug/L	25 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Barium	1	1,927 ug/L	1,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Cadmium	1	7.18 ug/L	2 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Chromium	1	141.5 ug/L	50 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Copper	1	533.6 ug/L	200 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Iron	1	217,000 ug/L	300 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Lead	2	4,329 ug/L	25 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Magnesium	1	956,000 ug/L	35,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Manganese	1	12,030 ug/L	300 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Nickel	1	193.9 ug/L	100 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Selenium	1	32.5 ug/L	10 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Sodium	1	6,430,000 ug/L	20,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Total Zinc	1	3,785 ug/L	2,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Dissolved Iron	1	89,800 ug/L	300 ug/L	Sampling by applicant
Groundwater	9/15/2023	Dissolved Magnesium	1	762,000 ug/L	35,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Dissolved Manganese	1	8,945 ug/L	300 ug/L	Sampling by applicant
Groundwater	9/15/2023	Dissolved Sodium	1	6,150,000 ug/L	20,000 ug/L	Sampling by applicant
Groundwater	9/15/2023	Sheen ⁽¹⁾	N/A	N/A	N/A	Sampling by applicant
Groundwater	9/14/2023	Free Product ⁽²⁾	N/A	N/A	N/A	Sampling by applicant

SOIL VAPOR, INDOOR AIR, AMBIENT AIR						
Sample Matrix	Sample Date	Compound	Detections >NYSDOH Matrix	Highest Detected Concentration	Standard or Guidance Value	Data Source
Indoor Air	9/13/2023	Methylene Chloride	1	8.69 ug/m ³	3 ug/m ³	Sampling by applicant
Indoor Air	9/13/2023	Carbon Tetrachloride	2	0.415 ug/m ³	0.2 ug/m ³	Sampling by applicant

Notes:

- (1) Slight petroleum sheen observed on purged groundwater from temporary monitoring well (SB-8)
- (2) Approximately two feet of light non-aqueous phase liquid (LNAPL) identified in temporary monitoring well (SB-4) (no sample collected)
- mg/kg = Milligrams per kilogram
- ug/L = Micrograms per liter
- ug/m³ = Microgram per cubic meter

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

EXHIBIT A
NYSDEC JURISDICTIONAL DETERMINATION
LETTER

2246

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 2
47-40 21ST Street, Long Island City, NY 11101-5407
Phone: (718) 482-4997 • FAX: (718) 482-4975
Website: www.dec.state.ny.us



May 14, 2007

John H. Crow, Ph. D.
C&H Environmental, Inc.
216 Stiger Street
Hackettstown, NJ 07840

Re: DEC Wetlands Jurisdictional Determination No. 2-6105-00161-00019
East 69th Street
Block 8437 Lot 49
Block 8446 Lots 19, 25, 31
Block 8437 Lot 54
Brooklyn, New York



Dear Dr. Crow,

In response to your request, please be advised of the following;

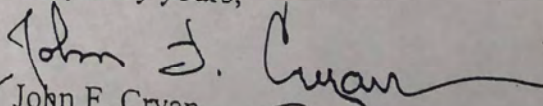
Block 8437 Lot 49 and Block 8446 Lots 19, 25, 31, areas landward of the existing bulkhead are not within NYSDEC tidal wetlands jurisdiction pursuant to Article 25 of the New York State Environmental Conservation Law. Therefore, a NYSDEC tidal wetlands permit is not required to alter or develop this property landward of the bulkhead. Please note, that any work on or seaward of the bulkhead will require a NYSDEC tidal wetlands permit.

Block 8437 Lot 54: areas landward of the existing bulkhead are not within NYSDEC tidal wetlands jurisdiction pursuant to Article 25 of the New York State Environmental Conservation Law except for the area of approximately 1,024 square feet located landward of the bulkhead within Parcel C, as depicted on drawing titled "Title Survey" for Block 8437 Lot 54, dated November 30, 2005, last revised February 26, 2007, which was received by NYSDEC on March 5, 2007. Therefore, a NYSDEC tidal wetlands permit is not required to alter or develop this property landward of the bulkhead except for the 1,024 square feet area located in Parcel C as described above. Please note, that any work on or seaward of the bulkhead will require a NYSDEC tidal wetlands permit as will any work located in the 1,024 square feet Parcel C.

Also, please be advised that the above referenced properties are not within NYSDEC freshwater wetlands jurisdiction pursuant to Article 24 of the New York State Environmental Conservation Law. Therefore, a NYSDEC freshwater wetlands permit is not required to alter or develop these properties.

If you have any questions regarding this matter please contact this office at the above telephone number.

Very truly yours,


John F. Cryan
Regional Permit Administrator

cc: Madeline Falco
NYSDEC Marine Resources

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

EXHIBIT B
NEW YORK STATE DEPARTMENT OF STATE
DIVISION OF CORPORATION DATABASE
INFORMATION

Department of State

Division of Corporations

Entity Information

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

Entity Details



ENTITY NAME: 2300 69 STREET PROPERTY LLC

DOS ID: 7184655

FOREIGN LEGAL NAME: 2300 69 STREET PROPERTY LLC

FICTITIOUS NAME:

ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 11/16/2023

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 11/16/2023

INACTIVE DATE:

FOREIGN FORMATION DATE: 11/08/2023

STATEMENT STATUS: CURRENT

COUNTY: KINGS

NEXT STATEMENT DUE DATE:

JURISDICTION: DELAWARE, 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: CORPORATION SERVICE COMPANY

Address: 80 STATE STREET, ALBANY, NY, UNITED STATES, 12207 - 2543

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: NY

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

Delaware

The First State

Page 1

*I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT
COPY OF THE CERTIFICATE OF FORMATION OF "2300 69 STREET
PROPERTY LLC", FILED IN THIS OFFICE ON THE EIGHTH DAY OF
NOVEMBER, A.D. 2023, AT 4:37 O`CLOCK P.M.*




Jeffrey W. Bullock, Secretary of State

2605532 8100
SR# 20233932241

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 204555412
Date: 11-08-23

STATE OF DELAWARE
CERTIFICATE OF FORMATION
OF LIMITED LIABILITY COMPANY

The undersigned authorized person, desiring to form a limited liability company pursuant to the Limited Liability Company Act of the State of Delaware, hereby certifies as follows:

1. The name of the limited liability company is _____
2300 69 Street Property LLC

2. The Registered Office of the limited liability company in the State of Delaware is located at 251 Little Falls Drive _____ (street),
in the City of Wilmington _____, Zip Code 19808 _____. The
name of the Registered Agent at such address upon whom process against this limited
liability company may be served is Corporation Service Company _____

By: /s/ Jessica Wald _____
Authorized Person

Name: Jessica Wald _____
Print or Type

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

ENTITY NAME : 2300 69 STREET PROPERTY LLC
DOCUMENT TYPE : APPLICATION OF AUTHORITY
ENTITY TYPE : FOREIGN LIMITED LIABILITY COMPANY

DOS ID : 7184655
FILE DATE : 11/16/2023
FILE NUMBER : 231116000417
TRANSACTION NUMBER : 202311160000211-2635669
EXISTENCE DATE : 11/16/2023
DURATION/DISSOLUTION : PERPETUAL
COUNTY : KINGS



SERVICE OF PROCESS ADDRESS : CORPORATION SERRVICE COMPANY
80 STATE STREET,
ALBANY, NY, 12207-2543, USA

ELECTRONIC SERVICE OF PROCESS
EMAIL ADDRESS : N/A

FILER : JESSICA WALD
TURNBRIDGE EQUITIES, 4 BRYANT PARK, STE 200
NEW YORK, NY, 10018, USA

SERVICE COMPANY : CORPORATION SERVICE COMPANY
SERVICE COMPANY ACCOUNT : 45
CUSTOMER REFERENCE : 1318843

You may verify this document online at : <http://ecorp.dos.ny.gov>
AUTHENTICATION NUMBER : 100004676834

TOTAL FEES:	\$410.00	TOTAL PAYMENTS RECEIVED:	\$410.00
FILING FEE:	\$250.00	CASH:	\$0.00
CERTIFICATE OF STATUS:	\$0.00	CHECK/MONEY ORDER:	\$0.00
CERTIFIED COPY:	\$10.00	CREDIT CARD:	\$0.00
COPY REQUEST:	\$0.00	DRAWDOWN ACCOUNT:	\$410.00
EXPEDITED HANDLING:	\$150.00	REFUND DUE:	\$0.00

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy for 2300 69 STREET PROPERTY LLC, File Number 231116000417 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 November 16, 2023.

A handwritten signature in black ink that reads "Brendan C. Hughes". The signature is written in a cursive style with a large, stylized 'B' and 'H'.

Brendan C. Hughes
Executive Deputy Secretary of State



**Division of Corporations,
State Records and
Uniform Commercial Code**

**Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE**

One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
<https://dos.ny.gov>

APPLICATION FOR AUTHORITY OF

2300 69 Street Property LLC

(Insert name of Foreign Limited Liability Company)

Under Section 802 of the Limited Liability Company Law

FIRST: The name of the foreign limited liability company is:

2300 69 Street Property LLC

The fictitious name under which the foreign limited liability company will do business in New York is:

(Complete only if the foreign limited liability company's true name is not acceptable for authorization pursuant to §204 of the Limited Liability Company Law. The fictitious name must contain the words "Limited Liability Company" or the abbreviation "LLC" or "L.L.C.")

SECOND: The jurisdiction of organization of the foreign limited liability company is:

Delaware

The date of its organization is: November 8, 2023

THIRD: The county within New York State in which the office of the foreign limited liability company is to be located or if the foreign limited liability company shall maintain more than one office in this state, the county within New York State in which the principal office of the foreign limited liability company is to be located is: Kings County

(Complete with the name of a New York State county. Please note that the limited liability company is not required to have an actual physical office in New York State.)

FOURTH: The Secretary of State is designated as agent of the foreign limited liability company upon whom process against the foreign limited liability company may be served.

The post office address to which the Secretary of State shall mail a copy of any process against the foreign limited liability company served upon the Secretary of State by personal delivery is:

Corporation Service Company

80 State Street, Albany, NY 12207-2543

(Optional) The email address to which the Secretary of State shall email a notice of the fact that process against the foreign limited liability company has been served electronically upon the Secretary of State is:

FIFTH: (Check and complete the statement that applies)

☒ The foreign limited liability company is required to maintain an office in the jurisdiction of its formation.

The address of its office is:

251 Little Falls Drive, Wilmington DE 19808

☐ The foreign limited liability company is not required to maintain an office in the jurisdiction of its formation.

The address of the principal office of the foreign limited liability company is:

SIXTH: The foreign limited liability company is in existence in its jurisdiction of formation at the time of the filing of this application.

SEVENTH: The Articles of Organization of the foreign limited liability company were filed with the following officer in the jurisdiction of its formation:

Officer (e.g. "Secretary of State"): Secretary of State, State of Delaware

The address of the officer is: 401 Federal Street - Suite 4, Dover, Delaware, 19901

X Jessica Wald
(Signature)

Jessica Wald

(Type or print name)

Capacity of signer (Check appropriate box):

☐

Member

☐

Manager

☒

Authorized Person

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "2300 69 STREET PROPERTY LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIFTEENTH DAY OF NOVEMBER, A.D. 2023.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "2300 69 STREET PROPERTY LLC" WAS FORMED ON THE EIGHTH DAY OF NOVEMBER, A.D. 2023.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.

2605532 8300

SR# 20233984997

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line.

Jeffrey W. Bullock, Secretary of State

Authentication: 204600649

Date: 11-15-23

Filed with the NYS Department of State on 11/16/2023
Filing Number: 231116000417 DOS ID: 7184655

APPLICATION FOR AUTHORITY
OF

2300 69 Street Property LLC

(Insert name of Foreign Limited Liability Company)

Under Section 802 of the Limited Liability Company Law

Filer's Name and Mailing Address:

Jessica Wald

Name:

Turnbridge Equities

Company, if Applicable:

4 Bryant Park, Ste 200

Mailing Address:

New York, NY 10018

City, State and Zip Code:

NOTES:

1. This form was prepared by the New York State Department of State for filing an application for authority for a foreign limited liability company to conduct business in New York State. It does not contain all optional provisions under the law. You are not required to use this form. You may draft your own form or use forms available at legal supply stores.
2. Attach a Certificate of Existence, Certificate of Good Standing or Certificate of Status from the official who files and maintains limited liability company records in the jurisdiction of the foreign limited liability company's formation.
3. The name of the foreign limited liability company and its date of formation provided on this document must exactly match the name of the foreign limited liability company and, if applicable, the date of formation stated in the Certificate of Existence, Certificate of Good Standing or Certificate of Status.
4. The Department of State recommends that legal documents be prepared under the guidance of an attorney.
5. The application for authority must be submitted with a **\$250** filing fee made payable to the Department of State.

(For office use only.)

1318843

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

EXHIBIT C

ACCESS AGREEMENT

ACCESS AGREEMENT

ACCESS AGREEMENT made as of this 21st day of December 2023, by and between Tully Willets Realty LLC ("**Grantor**"), and 2300 69 Street Property LLC ("**Grantee**").

WHEREAS, Grantor owns the real property located at 2246-2300 East 69th Street, Brooklyn, New York and further identified as Block 8446, Lot 31; Block 8437, Lot 49; and Block 8437, Lot 54, New York, together with the building and improvements thereon ("**Grantor's Property**"); and

WHEREAS, Grantor and Grantee have entered into a contract for the sale of Grantor's Property to Grantee; and

WHEREAS, Grantee is applying to have Grantor's Property accepted into the New York State Brownfield Cleanup Program ("**BCP**") with Grantee identified as a Volunteer pursuant to the BCP; and

WHEREAS, following admission of Grantor's Property to the BCP with Grantee identified as a Volunteer, and prior to the closing of the sale of Grantor's Property to Grantee, Grantee may require access to Grantor's Property to carry out investigatory, remedial and other related tasks required by the BCP (collectively, the "**Work**"); and

WHEREAS, Grantor desires to grant Grantee such access.

NOW, THEREFORE, in consideration of the foregoing and for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor and Grantee agree as follows:

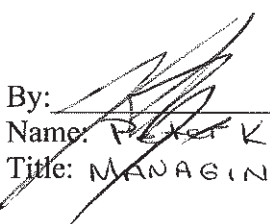
1. Grantor hereby grants reasonable access and a license upon, into, under or through Grantor's Property for the purpose of the entry thereon by Grantee, its agents, employees, architects, engineers, contractors and consultants (collectively, the "**Grantee Related Parties**" and each a "**Grantee Related Party**"), vehicles, equipment and materials required by Grantee to satisfy tasks and obligations required by any Brownfield Cleanup Agreement entered into between Grantee and the New York State Department of Environmental Conservation. In the event that an environmental easement is required as a condition of the Brownfield Cleanup Agreement, Grantor will cooperate with Grantee in recording the easement.

2. Grantee Related Parties shall perform the Work in a workmanlike manner and in accordance with industry standards and in accordance with applicable laws, rules and regulations. The rights granted pursuant to paragraph 1 of this Agreement are nonexclusive, it being understood and agreed that Grantor, its agents, employees, workers, contractors and tenants will have full authority to come upon and have unfettered access to Grantor's Property during the performance of the Work. The performance of the Work will not interfere unreasonably with the quiet enjoyment of Grantor's Property. Grantor agrees that it will use commercially reasonable efforts to avoid unreasonable interference with Grantee's exercise of its rights hereunder.


3. All of the foregoing activities shall be performed at Grantee's sole cost and expense.
4. Grantee shall provide reasonable notice to Grantor, but in no event less than 72 hours, prior to Grantee's need for access to Grantor's Property to perform the Work, provided, however, that shorter notice may be required in the event of an emergency.
5. Grantee shall be responsible for obtaining all federal, state or local governmental approvals and providing all notices in relation to the Work.
6. If upon completion of the activities requiring access to Grantor's Property title to Grantor's Property has not yet passed to Grantee, Grantee and/or Grantee Related Parties shall promptly remove all materials and restore Grantor's Property substantially to the condition it was in prior to such activities, subject to any required institutional controls and environmental easements required by the BCP.
7. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any proceedings initiated by either party to enforce the terms of or otherwise related to this Agreement shall be brought in the Supreme Court, State of New York.

IN WITNESS WHEREOF, this Agreement has been executed by Grantor and Grantee and is effective as of the date set forth above.

GRANTOR:

By: 
Name: Peter K. Tully
Title: MANAGING MEMBER

GRANTEE:

By: 
Name: Ryan Nelson
Title: Authorized Signatory

BCP Application Supplemental Information

Site No. C224404

2300 East 69th Street, Brooklyn, NY

December 2023

EXHIBIT D

DOCUMENT REPOSITORY CONFIRMATIONS

Tim Biercz

From: BK18@cb.nyc.gov (CB) <BK18@cb.nyc.gov>
Sent: Thursday, December 28, 2023 4:37 PM
To: Tim Biercz
Subject: RE: [EXTERNAL] RE: Document Repository Request - Brownfield Cleanup Program


Good Afternoon Tim,

We've checked with the Executive Board and we are in agreement with the board office serving as a back-up location for electronic (CD or Flash) back-up copy of soil testing records—as long as the Board is fully absolved of liability.

Sue Ann Partnow

District Manager
Community Board 18
1097 Bergen Avenue
Brooklyn, N.Y. 11234
(Office) 718-241-0422
(Fax) 718-531-3199
spartnow@cb.nyc.gov

This message and any attachments are solely for the individual(s) named above and others who have been specifically authorized to receive such and may contain information which is confidential, privileged or exempt from discussion under applicable law. If you are not the intended recipient, any disclosure, copying, use or distribution of the information included in this message and any attachments is strictly prohibited. If you have received this communication in error, please notify us by reply e-mail and immediately and permanently delete this message and any attachments. Thank you.

 *please don't print this e-mail unless you really need to.*

From: Tim Biercz <Tbiercz@vertexeng.com>
Sent: Thursday, December 28, 2023 11:53 AM
To: BK18@cb.nyc.gov (CB) <BK18@cb.nyc.gov>
Subject: RE: [EXTERNAL] RE: Document Repository Request - Brownfield Cleanup Program

You don't often get email from tbiercz@vertexeng.com. [Learn why this is important](#)

Hi Sue Ann,

I just wanted to follow-up about our discussion yesterday and confirm that the Brooklyn Community Board 18 can act as a document repository, but would like to have electronic copies only (i.e., CD or thumb drive).

Could you please confirm?

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

C: 732.690.3083 | [VERTEXENG.COM](http://vertexeng.com)

From: Tim Biercz
Sent: Friday, December 22, 2023 9:04 AM
To: BK18@cb.nyc.gov
Subject: FW: [EXTERNAL] RE: Document Repository Request - Brownfield Cleanup Program

Sue Ann,

In reviewing the requirements for the Brownfield Cleanup Program (BCP), it is stated that “for sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.”

As previously noted, the community board should not have any responsibility concerns about fire, water damage or theft, as they are only acting as a secondary repository, and documents will also be available from the New York State Department of Environmental Conservation (NYSDEC).

The Mill Basin Library has agreed in writing to act as a repository, but requested that only electronic copies (i.e., CD or flash drive) are provided. If the community board is concerned with paper storage, we can provide only electronic copies as well.

We are looking to get this property enrolled in the program this month.

Would you be able to provide email confirmation that the community board will act as a document repository?

Timothy R. Biercz
REGIONAL SERVICE AREA LEAD

C: 732.690.3083 | [VERTEXENG.COM](http://vertexeng.com)

THE VERTEX COMPANIES, LLC
3322 ROUTE 22 WEST, SUITE 907
BRANCHBURG, NJ 08876

From: Tim Biercz <Tbiercz@vertexeng.com>
Sent: Tuesday, December 19, 2023 7:09 AM
To: BK18@cb.nyc.gov (CB) <BK18@cb.nyc.gov>
Subject: RE: [EXTERNAL] RE: Document Repository Request - Brownfield Cleanup Program

Hi Sue Ann,

We received an initial response from the New York State Department of Environmental Conservation (NYSDEC), and the department is requesting confirmation that the community board can act as the document repository.

Regarding the amount of documentation, we have worked with NYSDEC case managers on other projects, and they have understood the concerns of the depositories, and have limited the requirement to hold only the most recent documentation, which is generally a smaller number of pages. VERTEX can print the documents double-sided and/or multiple pages per page, which significantly reduces the volume of paper. In addition, the report will include a CD (electronic version of the report), so if someone from the public did want to review the entire report, they can via a laptop.

The documents will always be available from the NYSDEC as public record. The NYSDEC just wants to have a more local, secondary location to make documents available for the public. The community board should not have any responsibility concerns about fire, water damage or theft, as they are only acting as a secondary repository.

Would you be able to provide email confirmation that the community board can act as a document repository?

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

C: 732.690.3083 | VERTEXENG.COM

THE VERTEX COMPANIES, LLC
3322 ROUTE 22 WEST, SUITE 907
BRANCBURG, NJ 08876

From: BK18@cb.nyc.gov (CB) <BK18@cb.nyc.gov>

Sent: Monday, November 20, 2023 3:26 PM

To: Tim Biercz <Tbiercz@vertexeng.com>

Subject: RE: [EXTERNAL] RE: Document Repository Request - Brownfield Cleanup Program

My apologies, I have been out of the office. The Board has concerns about the amount of documentation, the room needed and the responsibility of Community Board 18 with regard to fire, water damage or theft.

From: Tim Biercz <Tbiercz@vertexeng.com>

Sent: Monday, November 20, 2023 10:46 AM

To: BK18@cb.nyc.gov (CB) <BK18@cb.nyc.gov>

Subject: [EXTERNAL] RE: Document Repository Request - Brownfield Cleanup Program

You don't often get email from tbiercz@vertexeng.com. [Learn why this is important](#)

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

Ms. Sue Ann Partnow:

As a follow-up to our phone discussion, I wanted to know if you had a chance to discuss the repository request with the community board. Again, I am only asking if the board would hold some limited documentation with regard to the proposed cleanup. We are planning to submit the application to the New York State Department of Environmental Conservation (NYSDEC), and request email confirmation if the community board could assist with maintaining records for public access.

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

O: 908.333.4317 | C: 732.690.3083 | VERTEXENG.COM

THE VERTEX COMPANIES, LLC
3322 ROUTE 22 WEST, SUITE 907
BRANCBURG, NJ 08876

From: Tim Biercz <Tbiercz@vertexeng.com>
Sent: Wednesday, November 15, 2023 7:04 AM
To: BK18@cb.nyc.gov
Subject: Document Repository Request - Brownfield Cleanup Program

Brooklyn Community Board #18:

Lockwood, Kessler & Bartlett, Inc. (LKB), a wholly owned subsidiary of The Vertex Companies, LLC (VERTEX) will be conducting an environmental investigation and remediation at a site in Brooklyn, NY. The activities will be conducted under the oversight of the New York State Department of Environmental Conservation (NYSDEC), in their Brownfield Cleanup Program (BCP). As part of the BCP application process, LKB is to obtain approval from the local community board to act as a secondary document repository. LKB is working to obtain approval from the Brooklyn Public Library to store records; however, the NYSDEC has requested that we obtain approval from the local community board as well.

The following provides some additional information concerning the property location and nature of the documents associated with this repository request.

Brownfield Site Location:

2300 East 69th Street
Brooklyn, New York
Block 8446, Lot 31 and Block 8437, Lots 49 & 54
2.53 acres

The Site is improved with a storage yard and office/garage building operated by Falco Construction Corp.

Volume and Nature of Documentation:

The following reports and documentation are required to be submitted to the NYSDEC as part of the environmental cleanup in the BCP. These documents would need to be maintained in the document repository. The estimated number of pages is based on a typical environmental report.

- Application and Worksheet with appendices (50-100 pages)
- Approval and correspondence from NYSDEC (10-20 pages)
- Brownfield Cleanup Agreement (10-20 pages)
- Citizen Participation Plan (10-20 pages)
- Remedial Investigation Work Plan (300-500 pages)
- Remedial Investigation Report (1,000-1,500 pages)
- Remedial Action Work Plan (500-1,000 pages)
- Site Management Plan (300-500 pages)
- Final Engineering Report (2,000-3,000 pages)
- Certificate of Completion (10-15 pages)

These documents would be provided in print and bounded reports, with a CD included. As we move through the project, we can potentially remove some of the earlier submitted reports and replace them with the most up-to-date document. That approval would need to come from the NYSDEC. I don't know for sure how large the repository will grow, as we will have to discuss with the NYSDEC case manager that is assigned to the cleanup. I would think that we can stay in touch during the process and if you request that document space is needed, we will forward that request to the NYSDEC. My experience is that the case managers understand the limitations of the local library and can make decisions accordingly. My sense is that the repository would stay in the 1,000 to 2,000-page range.

I am requesting approval and an acknowledgement from the Brooklyn Community Board #18 indicating that it agrees to act as the document repository for the project.

Thank you very much for your assistance, and please feel free to contact me if you have any additional questions.

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

O: 908.333.4317 | C: 732.690.3083 | VERTEXENG.COM

THE VERTEX COMPANIES, LLC

3322 ROUTE 22 WEST, SUITE 907

BRANCBURG, NJ 08876

Tim Biercz

From: Armieri, Christina <carmieri@bklynlibrary.org>
Sent: Wednesday, December 20, 2023 4:20 PM
To: Tim Biercz
Subject: Re: Document Repository Request - Brownfield Cleanup Program

Brooklyn Public Library
Mill Basin Branch
2385 Ralph Avenue
Brooklyn, NY 11234

December 20, 2023

RE: Document Repository Request - Brownfield Cleanup Program

Greetings, Mr. Timothy R. Biercz,

We recently received your letter designating our library as the document repository for the project site Brownfield Cleanup Program. This message is to alert you that our policy is to receive electronic documents, saved as PDF files, which you can mail to us on a disc or USB flash drive to the address in the header. We may accept a single binder, with a letter detailing the project and the contents of the USB flash drive. Please do not send us hard copies of the documents.

If you have any questions, you can contact us at remediation@bklynlibrary.org.

We have returned a signed copy of your letter with this one, and look forward to receiving your electronic documents.

Regards,

Christina Armieri, Branch Manager
Mill Basin Branch
2385 Ralph Avenue
Brooklyn, NY 11234
carmieri@bklynlibrary.org
www.bklynlibrary.org

Thank you.

Sincerely,

Christina Armieri, Branch Manager, Mill Basin Library
Brooklyn Public Library
718-241-3973
bklynlibrary.org

From: Tim Biercz <Tbiercz@vertexeng.com>
Sent: Tuesday, December 19, 2023 7:35 AM
To: Armieri, Christina <carmieri@bklynlibrary.org>
Cc: Armieri, Christina <carmieri@bklynlibrary.org>
Subject: FW: Document Repository Request - Brownfield Cleanup Program

Brooklyn Public Library – Mill Basin Branch:

Lockwood, Kessler & Bartlett, Inc. (LKB), a wholly owned subsidiary of The Vertex Companies, LLC (VERTEX) will be conducting an environmental investigation and remediation at a site in Brooklyn, NY. The activities will be conducted under the oversight of the New York State Department of Environmental Conservation (NYSDEC), in their Brownfield Cleanup Program (BCP). As part of the BCP application process, LKB is to obtain approval from the local library to act as a secondary document repository. LKB is working to obtain approval from the Brooklyn Community Board #18 to store records; however, the NYSDEC has requested that we obtain approval from the local library as well.

The following provides some additional information concerning the property location and nature of the documents associated with this repository request.

Brownfield Site Location:

2300 East 69th Street
Brooklyn, New York
Block 8446, Lot 31 and Block 8437, Lots 49 & 54
2.53 acres

The Site is improved with a storage yard and office/garage building operated by Falco Construction Corp.

Volume and Nature of Documentation:

The following reports and documentation are required to be submitted to the NYSDEC as part of the environmental cleanup in the BCP. These documents would need to be maintained in the document repository. The estimated number of pages is based on a typical environmental report.

- Application and Worksheet with appendices (50-100 pages)
- Approval and correspondence from NYSDEC (10-20 pages)
- Brownfield Cleanup Agreement (10-20 pages)
- Citizen Participation Plan (10-20 pages)
- Remedial Investigation Work Plan (300-500 pages)
- Remedial Investigation Report (1,000-1,500 pages)
- Remedial Action Work Plan (500-1,000 pages)
- Site Management Plan (300-500 pages)
- Final Engineering Report (2,000-3,000 pages)
- Certificate of Completion (10-15 pages)

These documents would be provided in print and bounded reports, with a CD included. As we move through the project, we can potentially remove some of the earlier submitted reports and replace them with the most up-to-date document. That approval would need to come from the NYSDEC. I don't know for sure how large the repository will grow, as we will have to discuss with the NYSDEC case manager that is assigned to the cleanup. I would think that we can stay in touch during the process and if you request that document space is needed, we will forward that request to the NYSDEC. My experience is that the case managers understand the limitations of the local library and can make decisions accordingly. My sense is that the repository would stay in the 1,000 to 2,000-page range.

I am requesting approval and an acknowledgement from the Brooklyn Public Library – Mill Basin Branch indicating that it agrees to act as the document repository for the project.

Thank you very much for your assistance, and please feel free to contact me if you have any additional questions.

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

C: 732.690.3083 | VERTEXENG.COM

THE VERTEX COMPANIES, LLC
3322 ROUTE 22 WEST, SUITE 907
BRANCBURG, NJ 08876

From: Tim Biercz

Sent: Monday, November 20, 2023 7:46 AM

To: carmieri@brooklynpubliclibrary.org

Cc: c.armieri@bklynlibrary.org

Subject: RE: Document Repository Request - Brownfield Cleanup Program

Brooklyn Public Library – Mill Basin Branch:

Lockwood, Kessler & Bartlett, Inc. (LKB), a wholly owned subsidiary of The Vertex Companies, LLC (VERTEX) will be conducting an environmental investigation and remediation at a site in Brooklyn, NY. The activities will be conducted under the oversight of the New York State Department of Environmental Conservation (NYSDEC), in their Brownfield Cleanup Program (BCP). As part of the BCP application process, LKB is to obtain approval from the local library to act as a secondary document repository. LKB is working to obtain approval from the Brooklyn Community Board #18 to store records; however, the NYSDEC has requested that we obtain approval from the local library as well.

The following provides some additional information concerning the property location and nature of the documents associated with this repository request.

Brownfield Site Location:

2300 East 69th Street
Brooklyn, New York
Block 8446, Lot 31 and Block 8437, Lots 49 & 54
2.53 acres

The Site is improved with a storage yard and office/garage building operated by Falco Construction Corp.

Volume and Nature of Documentation:

The following reports and documentation are required to be submitted to the NYSDEC as part of the environmental cleanup in the BCP. These documents would need to be maintained in the document repository. The estimated number of pages is based on a typical environmental report.

- Application and Worksheet with appendices (50-100 pages)
- Approval and correspondence from NYSDEC (10-20 pages)
- Brownfield Cleanup Agreement (10-20 pages)
- Citizen Participation Plan (10-20 pages)
- Remedial Investigation Work Plan (300-500 pages)

- Remedial Investigation Report (1,000-1,500 pages)
- Remedial Action Work Plan (500-1,000 pages)
- Site Management Plan (300-500 pages)
- Final Engineering Report (2,000-3,000 pages)
- Certificate of Completion (10-15 pages)

These documents would be provided in print and bounded reports, with a CD included. As we move through the project, we can potentially remove some of the earlier submitted reports and replace them with the most up-to-date document. That approval would need to come from the NYSDEC. I don't know for sure how large the repository will grow, as we will have to discuss with the NYSDEC case manager that is assigned to the cleanup. I would think that we can stay in touch during the process and if you request that document space is needed, we will forward that request to the NYSDEC. My experience is that the case managers understand the limitations of the local library and can make decisions accordingly. My sense is that the repository would stay in the 1,000 to 2,000-page range.

I am requesting approval and an acknowledgement from the Brooklyn Public Library – Mill Basin Branch indicating that it agrees to act as the document repository for the project.

Thank you very much for your assistance, and please feel free to contact me if you have any additional questions.

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

O: 908.333.4317 | C: 732.690.3083 | VERTEXENG.COM

THE VERTEX COMPANIES, LLC
3322 ROUTE 22 WEST, SUITE 907
BRANCBURG, NJ 08876

From: Tim Biercz <Tbiercz@vertexeng.com>

Sent: Wednesday, November 15, 2023 8:52 AM

To: carmieri@brooklynpubliclibrary.org

Cc: c.armieri@bklynlibrary.org

Subject: Document Repository Request - Brownfield Cleanup Program

Brooklyn Public Library – Mill Basin Branch:

Lockwood, Kessler & Bartlett, Inc. (LKB), a wholly owned subsidiary of The Vertex Companies, LLC (VERTEX) will be conducting an environmental investigation and remediation at a site in Brooklyn, NY. The activities will be conducted under the oversight of the New York State Department of Environmental Conservation (NYSDEC), in their Brownfield Cleanup Program (BCP). As part of the BCP application process, LKB is to obtain approval from the local library to act as a secondary document repository. LKB is working to obtain approval from the Brooklyn Community Board #18 to store records; however, the NYSDEC has requested that we obtain approval from the local library as well.

The following provides some additional information concerning the property location and nature of the documents associated with this repository request.

Brownfield Site Location:

2300 East 69th Street

Brooklyn, New York

Block 8446, Lot 31 and Block 8437, Lots 49 & 54

2.53 acres

The Site is improved with a storage yard and office/garage building operated by Falco Construction Corp.

Volume and Nature of Documentation:

The following reports and documentation are required to be submitted to the NYSDEC as part of the environmental cleanup in the BCP. These documents would need to be maintained in the document repository. The estimated number of pages is based on a typical environmental report.

- Application and Worksheet with appendices (50-100 pages)
- Approval and correspondence from NYSDEC (10-20 pages)
- Brownfield Cleanup Agreement (10-20 pages)
- Citizen Participation Plan (10-20 pages)
- Remedial Investigation Work Plan (300-500 pages)
- Remedial Investigation Report (1,000-1,500 pages)
- Remedial Action Work Plan (500-1,000 pages)
- Site Management Plan (300-500 pages)
- Final Engineering Report (2,000-3,000 pages)
- Certificate of Completion (10-15 pages)

These documents would be provided in print and bounded reports, with a CD included. As we move through the project, we can potentially remove some of the earlier submitted reports and replace them with the most up-to-date document. That approval would need to come from the NYSDEC. I don't know for sure how large the repository will grow, as we will have to discuss with the NYSDEC case manager that is assigned to the cleanup. I would think that we can stay in touch during the process and if you request that document space is needed, we will forward that request to the NYSDEC. My experience is that the case managers understand the limitations of the local library and can make decisions accordingly. My sense is that the repository would stay in the 1,000 to 2,000-page range.

I am requesting approval and an acknowledgement from the Brooklyn Public Library – Mill Basin Branch indicating that it agrees to act as the document repository for the project.

Thank you very much for your assistance, and please feel free to contact me if you have any additional questions.

Timothy R. Biercz

REGIONAL SERVICE AREA LEAD

O: 908.333.4317 | C: 732.690.3083 | VERTEXENG.COM

THE VERTEX COMPANIES, LLC
3322 ROUTE 22 WEST, SUITE 907
BRANCBURG, NJ 08876