

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

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

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

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION					
1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:					
Amendment to modify the existing BCA (check one or more boxes below):					
Add applicant(s) Substitute applicant(s) Remove applicant(s) Change in name of applicant(s)					
Amendment to reflect a transfer of title to all or part of the brownfield site:					
 a. A copy of the recorded deed must be provided. Is this attached? Yes No b. Change in ownership Additional owner (such as a beneficial owner) c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached? Yes No Submitted on: 					
Amendment to modify description of the property(ies) listed in the existing BCA					
Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA					
Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.					
Other (explain in detail below)					
Other (explain in detail below) 2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment: The volunteer seeks to extend the current site boundary, adding Block 3100, former Lot 41 to the existing BCP site extents. The 215 Moore Street and 232 Seigel Site BCA currently defines this Site's area by reference to Block 3100, Lot 22 on the Brooklyn Borough Tax Map. An RP-602 Lot Merger Application was submitted to the NYC Department of Finance to merge Block 3100, Lot 41 and Block 3100, Lot 22 on September 30, 2024. A Site Location Map showing the existing and proposed BCP site boundaries is provided as Figure 1A; a Tax Map showing the existing BCP site boundary with reference to the current and former Lots 22 and 41 is provided as Figure 1B; and a USGS 7.5-minute quadrangle map is provided as Figure 1C. The finalized Department of Finance-approved Lot Merger Application and a copy of the NYC Tax Map showing the incorporation of former Lot 41 to Lot 22 are included as Attachments 2A and 2B, respectively.					

SECTION I: CURRENT AGREEMENT INFORMATION							
This section must be completed in full. Attach additional pages as necessary.							
BCP SITE NAME: 215 Moore Street and 232 Seigel Street		BCP SITE CODE: C224409					
NAME OF CURRENT APPLICANT(S): NYM 215 Moore, LLC							
INDEX NUMBER OF AGREEMENT: C224409-08-24	DATE C	F ORIGINAL AGREEMENT: 09/12/2024					

	ION II: NEW REQUESTOR IN lete this section only if adding i		or the name of an existing	requestor h	nas ch	anged.	
NAME			J				
ADDR	ESS:						
CITY/	TOWN:			ZIP COD	E:		
PHON	E:	EMAIL:					
REQU	IESTOR CONTACT:						
ADDR	ESS:						
CITY/	TOWN:			ZIP COD	E:		
PHON	IE:	EMAIL:					
REQU	ESTOR'S CONSULTANT:		CONTACT:				
ADDR	ESS:						
CITY/	TOWN:			ZIP COD	E:		
PHON	E:	EMAIL:					
REQU	JESTOR'S ATTORNEY:		CONTACT:				
ADDR	ESS:						
CITY/	TOWN:	ZIP CODE:			E:		
PHON	E:	EMAIL:					
						Y	N
	. Is the requestor authorized to conduct business in New York State?				\cup	\bigcirc	
2.	2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?			0	0		
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?			0	0			
4.	If the requestor is an LLC, the this information attached?	names of the m	embers/owners must be pro	ovided. Is	N/A	0	0
Describe the new requestor's relationship to all existing applicants:							

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.								
	isted below is:		Applicant	New Ap		Non-Applicant		
OWNER	R'S NAME:				CONTACT	:		
ADDRE	SS:							
CITY/T	DWN:				ZIP CODE:	:		
PHONE	:		EMAIL:					
OPERA	TOR:				CONTACT	•		
ADDRE	SS:							
CITY/TO	OWN:				ZIP CODE:	:		
PHONE	:		EMAIL:					
			LIGIBILITY INFOR		ional pages	if necessary		
If answe		of the follow	ing questions, ple		, ,	nformation as an attac	hmei	nt.
							Y	N
1 /	Are any enforceme	ent actions	pending against th	ne requestor	regarding t	his site?	\bigcirc	\bigcirc
			ject to an existing nination at the site		e investigati	on, removal or	0	0
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.							0	0
1	4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.							0
r		ication, suc				de information er, reason for denial,	0	0
i			in a civil proceeding the handling, s			a negligent or ing or transporting or	0	0
t f	7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting of contaminants; or (ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state?						0	0
/ 1	vithin the jurisdicti	on of the D		mitted a fals	e statement	facts in any matter or made use of or submitted to the	0	0

SECTI	ON IV: NEW REQUESTOR ELIGIBILITY INFO	ORMATION (continued)	Υ	N			
9.	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?						
10.	Was the requestor's participation in any remederminated by DEC or by a court for failure to order?		0	0			
11.	Are there any unregistered bulk storage tanks	on-site which require registration?	\bigcirc	\bigcirc			
12.		HAT IT IS EITHER A PARTICIPANT OR VOLUNBY CHECKING ONE OF THE BOXES BELOW:	ITEE	:R			
	PARTICIPANT	VOLUNTEER					
or (2) is contain result of with the	A requestor who either (1) was the owner of e site at the time of the disposal of contamination (2) is otherwise a person responsible for the intamination, unless the liability arises solely as a sult of ownership, operation of or involvement the the site subsequent to the disposal of intamination. NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of intamination. NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifier they have exercised appropriate care with respet the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing disc (ii) prevent any threatened future release; (iii) pror limit human, environmental or natural resource exposure to any previously released hazardous waste. If a requestor's liability arises solely as a resownership, operation of or involvement with the site certifiers they have exercised appropriate care with respet the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing disc (ii) prevent any threatened future release; (iii) pror limit human, environmental or natural resource exposure to any previously released hazardous waste. If a requestor's liability arises solely as a resource of the disposal of a hazardous waste of potential provides and the facility by taking the provides and the facil						
13.	If the requestor is a volunteer, is a statement considered a volunteer attached?	describing why the requestor should be N/A	Š	\bigcirc			
14.	Requestor's relationship to the property (chec	k all that apply):					
	Prior Owner Current Owner P	otential/Future Purchaser Other:					
15.	If the requestor is not the current site owner, property the remediation must be submitted. have access to the property before being added project, including the ability to place an easem	Proof must show that the requestor will ed to the BCA and throughout the BCP	Y	N O			

SECTION V: PROPERTY DESCRIPTION AND REC Complete this section only if property is being added change to site SBL(s) has occurred, or if modifying t	to or removed t	from the site, a		or other				
1. Property information on current agreement (as modified by any previous amendments, if applicable):								
ADDRESS: 215 Moore Street and 232 Seigel Street								
CITY/TOWN Brooklyn			ZIP CODE:	11206				
CURRENT PROPERTY INFORMATION	TOTAL ACR	EAGE OF CU	RRENT SITE	: 2.33				
PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE				
215 Moore Street	3	3100	22	2.33				
2. Requested change (check appropriate boxes	below):							
a. Addition of property (may require additional expansion – see instructions)	al citizen particip	ation dependi	ng on the nat	ure of the				
PARCELS ADDED:								
PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE				
246 Seigel Street	3	3100	41	0.20				
	TOTAL A	ACREAGE TO	BE ADDED	: <u>0.20</u>				
b. Reduction of property								
PARCELS REMOVED:								
PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE				
	TOTAL ACF	REAGE TO BE	E REMOVED	:				
c. Change to SBL (e.g., lot merge, subdivisio	n, address chan	ge)						
NEW PROPERTY INFORMATION:								
PARCEL ADDRESS	SECTION	BLOCK	LOT	ACREAGE				
215 Moore Street	3	3100	22	2.53				
3. TOTAL REVISED SITE ACREAGE: 2.53								
4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?								

APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY
Complete this section only if the site is located within the five counties comprising New York City and the

Complete this section only if the site is located within the five counties comprising New York City and the	÷
requestor is seeking a determination of eligibility for tangible property credits. Provide supporting	
documentation as required. Refer to the application instructions for additional information.	
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docun	nentation as required. Refer to the application instructions for additional information.		
		Υ	N
1.	Is the site located in Bronx, Kings, New York, Queens or Richmond County?	O	0
2.	Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	•	0
3.	Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	0	•
4.	Is the property upside down as defined below?	0	•
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.		
5.	Is the project and affordable housing project as defined below?	0	•
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. 		

APPL	ICATION SUPPLEMENT FOR NYC SITES (continued)	Υ	N			
6.	Is the project a planned renewable energy facility site as defined below?	0	•			
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 colocated 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.	Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law? See Attachment 1: Narrative	•	0			
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.					

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT					
EXISTING AGREEMENT INFORMATION					
BCP SITE NAME: 215 Moore Street and 232 Seigel Street		BCP SITE CODE: C224409			
NAME OF CURRENT APPLICANT(S): NYM 215 Moore, LLC					
INDEX NUMBER OF AGREEMENT: C224409-08-24	DATE	OF ORIGINAL AGREEMENT 09/12/2024			

Declaration of Amendment:

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

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

QT.	ATEMENT	OF	CEDTIEIC	ATION AN	D CICNATURES	S: NEW REQUESTO	D
314	AICIVICINI	UE	CERTIFIC	AHUN AN	D SIGNATURES). NEW REGUESIO	1

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

(Individual)

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

Department.			
Date:	Signature:		
Print Name:		<u> </u>	
(Entity)			
I hereby affirm that I am authorized by that entity to supervision and direction; a complete to the best of my punishable as a Class A mi	make this application; that the same that information provide knowledge and belief. I am	his application was prepard d on this form and its attac aware that any false state	ed by me or under my hments is true and ment made herein is
Application, which will be ef			the amendment to the BCA
Date:	Signature:		
Print Name:		_	

STATEMENT OF CERTIFICATION AND SIGNATUR An authorized representative of each applicant must of entity) below. Attach additional pages as needed.	RES: EXISTING APPLICANT(S) complete and sign the appropriate section (individual or
(Individual)	
I hereby affirm that I am a party to the Brownfield Clean Section I above and that I am aware of this Application Application. My signature below constitutes the requision Application, which will be effective upon signature by	n for an Amendment to that Agreement and/or site approval for the amendment to the BCA
Date: Signature:	
Print Name:	<u></u>
(Entity)	
I hereby affirm that I am Vice President (title) of Normalization reference (title) of	lment to the BCA Application, which will be effective
Date: 10/11/24 Signature:	· · · · · · · · · · · · · · · · · · ·
Print Name: Susi Yu, agent of NYM 215 Moore, LLC	<u> </u>
REMAINDER OF THIS AMENDMENT WILL BE Status of Agreement:	GE FOR SUBMITTAL INSTRUCTIONS COMPLETED SOLELY BY THE DEPARTMENT
PARTICIPANT A requestor who either (1) was the owner of the site at the time of the disposal of contamination or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of contamination.	VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
Effective Date of the Original Agreement: 09/12/2024	
Signature by the Department:	
DATED: 10/31/24	
	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
	Ву:
	Janet C. Brown
	Janet E. Brown, Director Division of Environmental Remediation

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

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

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

COVER PAGE

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

SECTION I: CURRENT AGREEMENT INFORMATION

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

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

SECTION II: NEW REQUESTOR INFORMATION

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

Requestor Name

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

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

Requestor, Consultant and Attorney Contact Information

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

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

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

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

Required Attachments for Section II:

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

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

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

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

Owner Name, Address, etc.

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

Operator Name, Address, etc.

Provide information for the new operator, if applicable.

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

Required Attachments for Section III:

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

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION

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

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

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

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

Required Attachments for Section IV:

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

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

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

Property Information on Existing Agreement

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

Addition of Property

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

Reduction of Property

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

Change to address, SBL or metes and bounds description

Provide the new address and tax parcel information.

Total Revised Site Acreage

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

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

Required Attachments for Section V:

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

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

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

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

Required Attachments for NYC Site Supplement:

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

PART II: BROWNFIELD CLEANUP PROGRAM AMENDMENT

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

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

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

ATTACHMENT 1 NARRATIVE

The Volunteer seeks to extend the current site boundary, adding Block 3100, former Lot 41 to the existing Brownfield Cleanup Program (BCP) site extents. The 215 Moore Street and 232 Seigel Site BCA currently defines this Site's area by reference to Block 3100, Lot 22 on the Brooklyn Borough Tax Map. An RP-602 Lot Merger Application was submitted to the NYC Department of Finance to merge Block 3100, Lot 41 and Block 3100, Lot 22 on September 30, 2024. A Site Location Map showing the existing and proposed BCP site boundaries is provided as Figure 1A; a Tax Map showing the existing BCP site boundary with reference to the current and former Lots 22 and 41 is provided as Figure 1B; and a USGS 7.5-minute quadrangle map is provided as Figure 1C. The finalized Department of Finance-approved Lot Merger Application and a copy of the NYC Tax Map showing the incorporation of former Lot 41 to Lot 22 are included as Attachments 2A and 2B, respectively. The current owner and operator of former Lot 41 is the Applicant, NYM 215 Moore, LLC. A copy of the property deed for former Lot 41 is included as Attachment 3.

Previous Environmental Reports

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. prepared a May 9, 2024 Phase I Environmental Site Assessment (ESA) and July 7, 2024 Phase II Environmental Site Investigation Report for Block 3100, Lot 41. These previous environmental reports are being submitted with this Application to Amend Brownfield Cleanup Agreement (BCA) and Amendment under separate cover.

Supplement for Sites Seeking Tangible Property Credits in New York City

The NYSDEC determined that the existing (unamended) BCP site is eligible for Tangible Property Credits as stated in the BCA because the BCP site is underutilized. In conformance with this determination, Block 3100, former Lot 41 would be eligible for Tangible Property Credits because it is located within the North Brooklyn Brownfield Opportunity Area (BOA) and within a disadvantaged community. A figure showing the BOA and disadvantaged community boundaries are shown on Figure 1D. A BOA certificate of conformance will be provided prior to issuance of a Certificate of Completion for the site. The BCP site (as amended) will remain underutilized.



T: 212.479.5400 F: 212.479.5444 www.langan.com

KINGS COUNTY

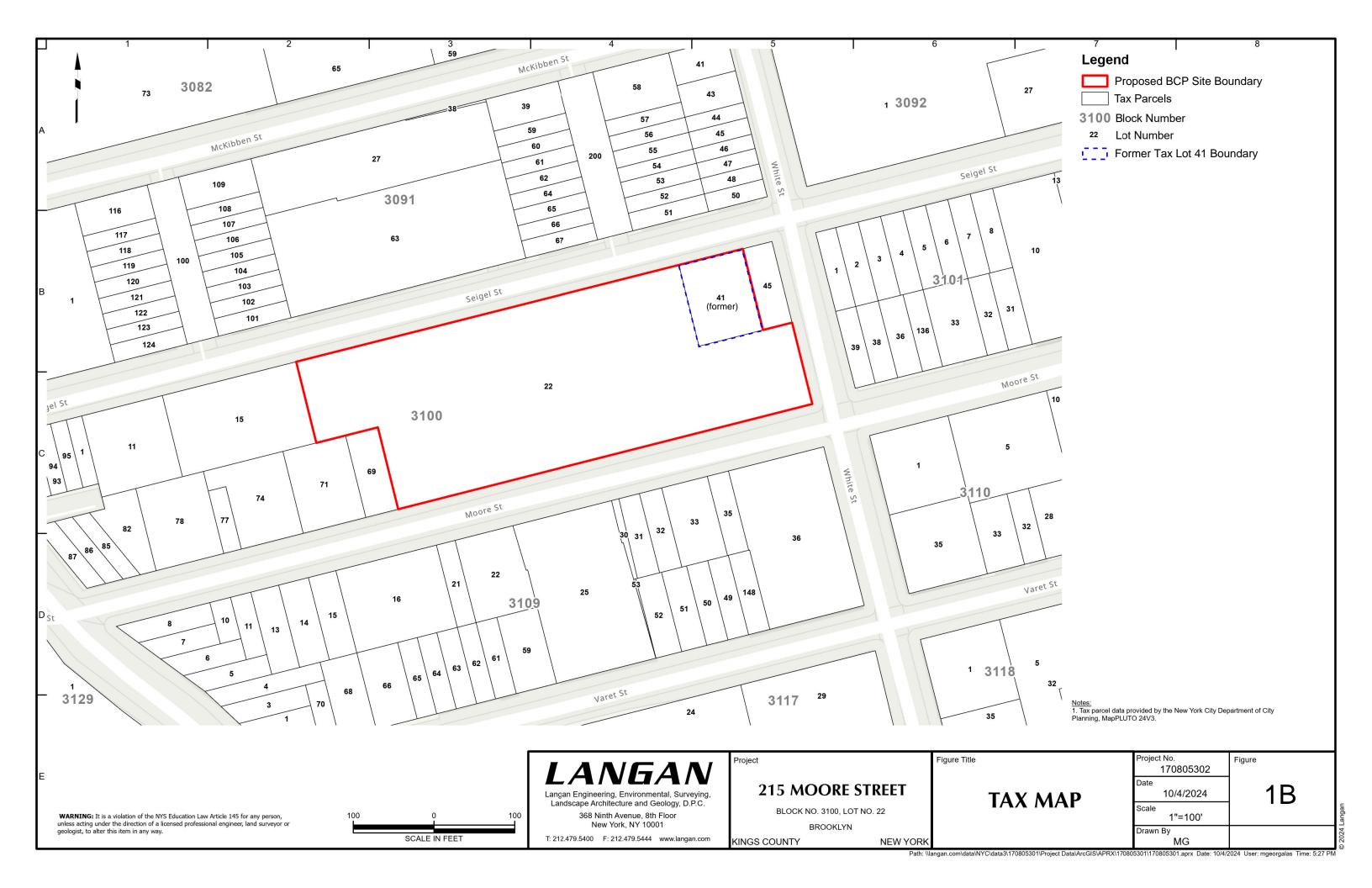
NEW YORK

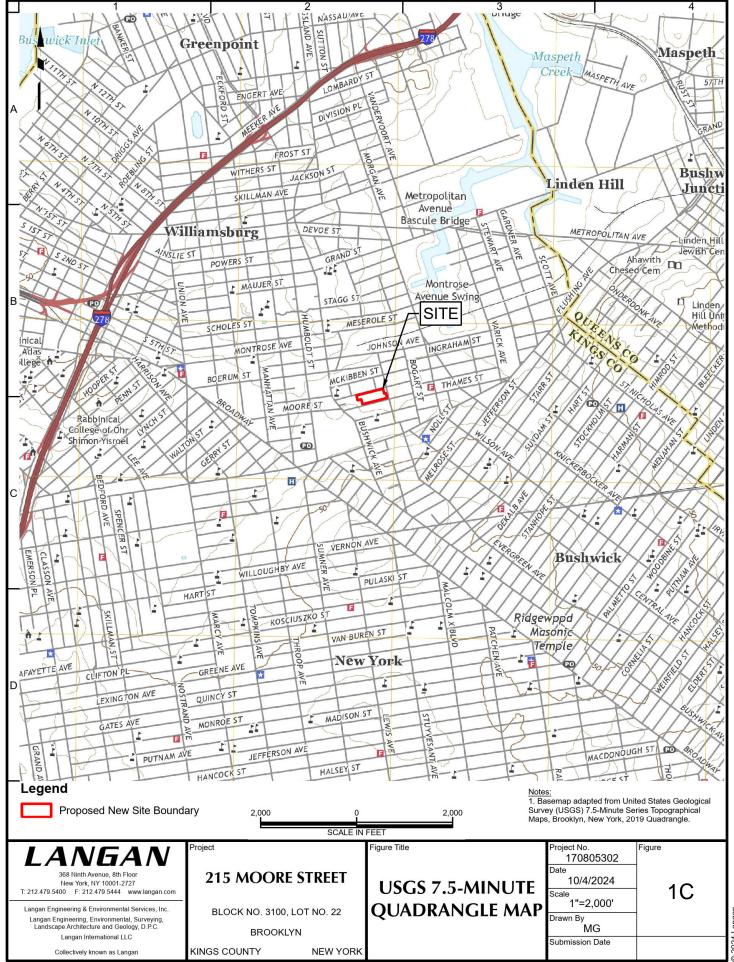
Path: \\langan.com\\data\\NYC\\data\\170805301\\Project Data\\ArcGIS\\APRX\\170805301\\170805301\\aprx Date: 10/7/2024 User: mgeorgalas Time: 1:18 PM

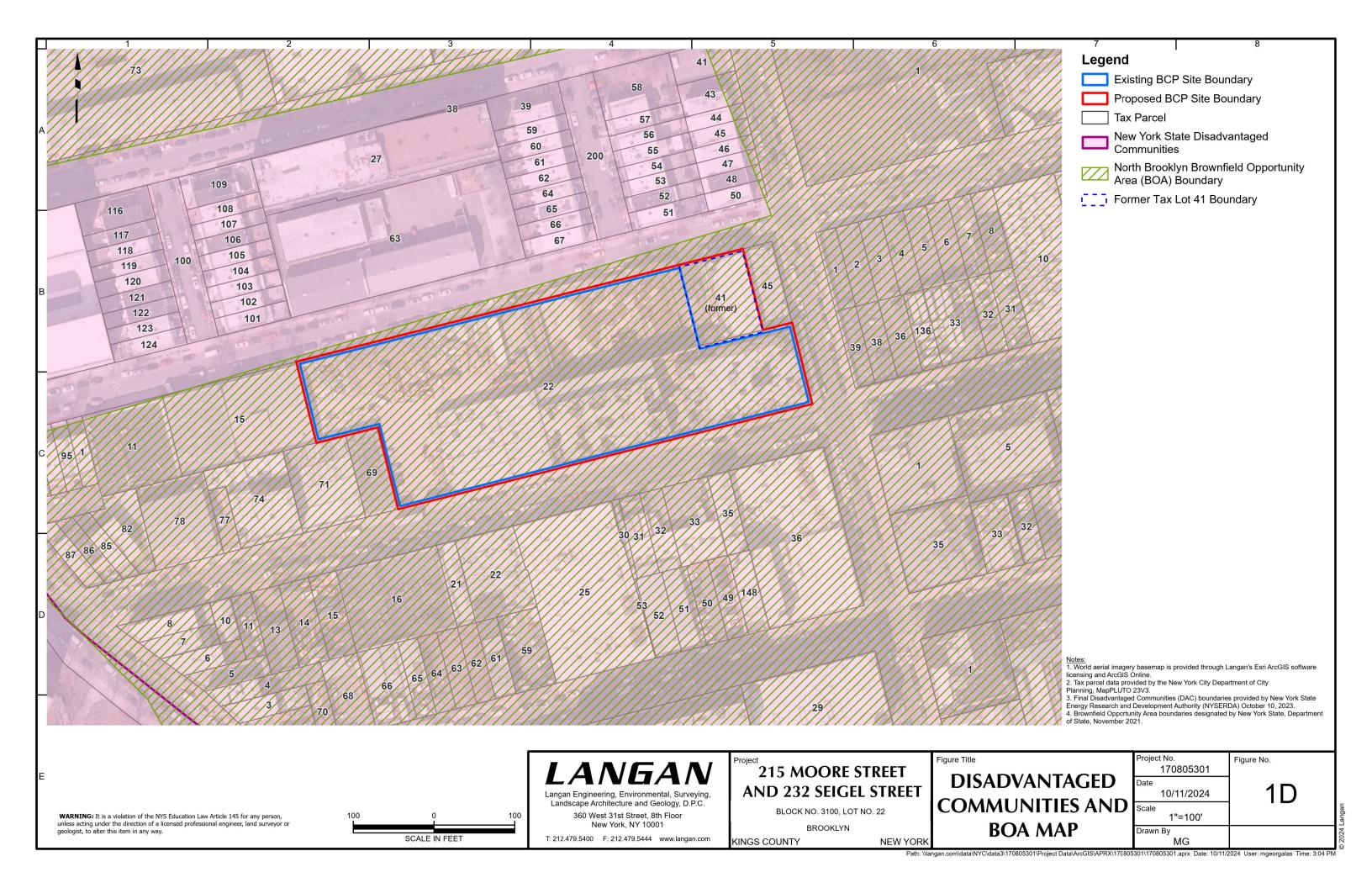
Drawn By

Figure

1A







Department of Finance	BBL: 3-3100-	22,41
Tax Map Unit	Date Received: 9 / 3	0/24
		PRITE IN THIS SPACE – OFFICE USE ONLY)
Expediter Name US	an Medina	
Contact Name Sus	Yo	
Contact Phone/Email _S	yvebongalanece.	com (9178168171
Apporti	onment / Mer	ger Intake Checklist
□ Appor	tionment	™erger
	□ Air / Subte	rranean Rights
	Required D	
	l and signed by Tax Map C	
	isted on RP-602 must match late	est deed
Receipt for approp		
		ECB judgement debt paid for all lots affected
	ord for lots affected	
		s for Apportionments:
	ion Improved (SI) filing with	n NYC Department of Buildings (Not needed if lots
are vacant) ○ The RP602 for	your application must be scann	ed into virtual ich folder
	nked/embossed seal with t	
 Lot lines and m 	netes and bounds for the reques	
House numberTentative lot number	s for each lot umbers for each lot	
 Must be less th 	otage for each lot an one (1) year old	
Vacant lots mustDocument page	st say "VACANT" or will require e(s) must be 11" x 17"	DOB filings
For Air / Subterr	anean Rights filings, please req	uest separate list of requirements if needed.

NYC DEPARTMENT OF FINANCE • PROPERTY DIVISION • TAX MAP UNIT

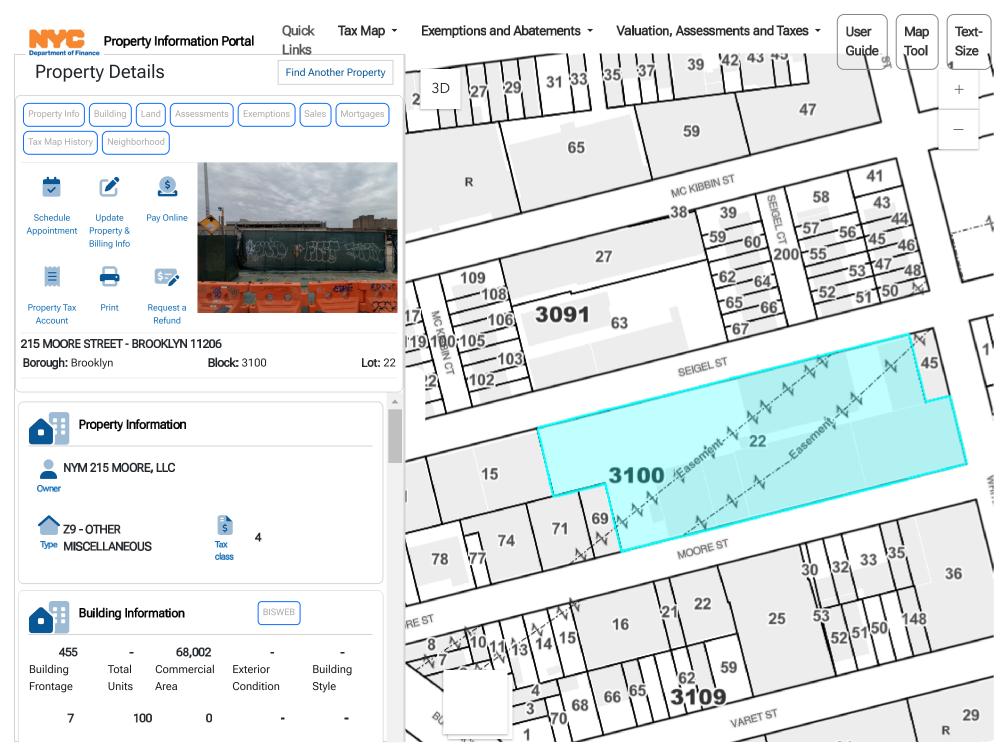


New York City Department of Finance Property Division Tax Map Office

APPLICATION FOR APPORTIONMENTS OR MERGERS

Instructions: Please complete this application and submit in person to: Department of Finance, Property Division - Tax Map Office, 66 John Street, 2nd floor, New York, NY 10038. Please read the instructions for further details before completing this form. Print clearly

SECTION A: PROPERTY INFORMATION	a the instructions for further	details belore completi	ng this form. Print clearly.
Borough: Brooklyn Block: 3	3100		22 / 41
Block.		Tresent Lot(s)	S SPACE - FOR OFFICE USE ONLY
Numbe	r of	DO NOT WATE IN THIS	SPACE - FOR OFFICE USE ONLY
☑ Merger ☐ Apportionment Lots R	equested 1	Lot Number:	22
☐ Air ☐ Subterranean			
Lot(s)Usage:	Commercial Building Gross Sq/Ft:109,992 SF	Building	esidential & Commercial) g Gross
Property 1. Owner's Name (as per Deed):	LAST NAME		
OR Company Name: NYM 215 Moore, LLC		FIR	ST NAME
Property 2. Address: 215 Moore Street	Brookl		
	иа Brown / Justin M	edina state	ZIP CODE
SECTION B: CERTIFICATION			
Architect/Engineer/Applicant's Name:Cook	LAST NAME		Richard
2. Address: 250 W 57TH ST., FL17			10107
	4. Email Address:	STATE COOK	ZIP CODE
The applicant hereby certifies that, in making this application for m			
Signature of Architect/ Engineer/Applicant:	Tella		08 / 14 / 2024
TAX MAP CHANGE WILL NOT BE MADE UNTIL PRESENTA	TION OF REQUIRED DOC	JMENTS (see reverse	for the required documents)
DRAW SKETCH TO SCALE 1"	= 50', IF POSSIBLE IND	ICATE NORTH ARRO	OW N
E OF NE MOSOS		<u>SEIGEL ST</u> 70.46'	1
ES CHARDA COOR			100.00°
75.00	•	22	19.15' 00.000 WHITE S
396.48'	529.4	16'	
		MOORE ST	(Architect or Engineer's seal)
Fentative Lot(s) issued: Customer Service Representative: Date: 9 / 5	30/24New Lot(s):	_ Lot(s) Affected: 2	2 Lot(s) Dropped: 41
Please note: Map changes will not be made until presentatio Lots are tentative until final approval is received Map Updated:	n of all required documents	is reviewed and appro	oved by the Specialist.
ax Map Specialist: Date://_			



Number of	Building	Commercial	Construction	External
Buildings	Depth	Units	Туре	Wall
-	_	0	2 -	-

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

Additional MRT:

Recording Fee:

Affidavit Fee:

TOTAL:

\$

\$

\$

\$

0.00

0.00

52.00

0.00



will control for indexing purposes in the event 2024082200425001001E5631 RECORDING AND ENDORSEMENT COVER PAGE PAGE 1 OF 4 Document ID: 2024082200425001 Document Date: 08-08-2024 Preparation Date: 08-22-2024 Document Type: DEED Document Page Count: 3 **RETURN TO:** PRESENTER: NEWMARK TITLE SERVICES LLC FRIED FRANK HARRIS SHRIVER & JACOBSON LLP ONE PENN PLAZA ATTN: JESSICA MAYES ESQ NTS-500866-K ONE NEW YORK PLAZA NEW YORK, NY 10119 NEW YORK, NY 10004 212-239-1000 RECORDINGS@NMRK.COM PROPERTY DATA Borough Block Lot Ūnit Address BROOKLYN 3100 41 Entire Lot 246 SEIGEL STREET **Property Type:** COMMERCIAL REAL ESTATE **CROSS REFERENCE DATA** or ____ Year__ Reel___ Page or File Number CRFN DocumentID **PARTIES GRANTOR/SELLER: GRANTEE/BUYER:** STANDBY FOR SUNDOWN LLC NYM 215 MOORE, LLC 238 EAST 4TH STREET, UNIT A 253 CHURCH ST APT 4A NEW YORK, NY 10009 NEW YORK, NY 10013-3438 FEES AND TAXES Mortgage: Filing Fee: Mortgage Amount: 0.00 250.00 NYC Real Property Transfer Tax: Taxable Mortgage Amount: 0.00 Exemption: 204,750.00 TAXES: County (Basic): 0.00 NYS Real Estate Transfer Tax: City (Additional): \$ 0.00 50,700.00 Spec (Additional): \$ 0.00 RECORDED OR FILED IN THE OFFICE TASF: \$ 0.00 OF THE CITY REGISTER OF THE MTA: \$ 0.00 NYCTA: \$ 0.00

OF THE CITY REGISTER OF THE
CITY OF NEW YORK

Recorded/Filed 08-22-2024 14:31
City Register File No.(CRFN):
2024000219563

City Register Official Signature

DEED

THIS INDENTURE, made as of the 8th day of August, by STANDBY FOR SUNDOWN LLC, a New York limited liability company, having an address at 238 East 4th Street, Unit A, New York, New York 10009 (hereinafter referred to as "Grantor"), to NYM 215 MOORE, LLC, a Delaware limited liability company, having an address at c/o Bungalow Projects, 253 Church Street, 4A, New York, New York 10010 (hereinafter referred to as "Grantee").

WITNESSETH, that Grantor, in consideration of Ten Dollars (\$10.00), lawful money of the United States, paid by Grantee, the receipt and sufficiency of which is hereby acknowledged by Grantor, does hereby grant and release unto Grantee, the heirs or successors and assigns of Grantee forever:

ALL that certain plot, piece or parcel of land with the improvements thereon erected (if any), situate, lying and being, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property"), which Property is commonly known as 246 Seigel Street, Brooklyn, New York 11206, and is (and is intended to be) the same as the premises conveyed to Grantor by deed dated July 31, 2023, and recorded on August 7, 2023 as CRFN 2023000198093 in the Office of the City Register of the City of New York;

TOGETHER WITH all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Property to the center lines thereof;

TOGETHER WITH the appurtenances and all the estate and rights of Grantor in and to the Property.

TO HAVE AND TO HOLD the Property unto Grantee, the heirs or successors and assigns of Grantee forever.

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

IN WITNESS WHEREOF, Grantor has du written.	ly executed this deed the day and year first above
GRANTOR:	STANDBY FOR SUNDOWN LLC, a New York limited liability company
	By: Name: Casey Smith Title: Authorized Signatory
STATE OF FLORIDA)) ss.: COUNTY OF HILLSBOROUGH)	
appeared Casey Smith, personally known to me or prothe individual whose name is subscribed to the with	year 2024, before me, the undersigned, personally oved to me on the basis of satisfactory evidence to be hin instrument and acknowledged to me that he/she her signature on the instrument, the individual, or the acted, executed the instrument.
Signature and Office of individual taking acknowledgment	DONNA M SORGENFREI Notary Public - State of Florida Commission # HH 153803 My Comm. Expires Oct 25, 2025 Bonded through National Notary Assn.
Bargain and Sale Deed Without Covenant Against Grantor's Acts	SECTION: BLOCK: 3100 LOT: 41 COUNTY: Kings
STANDBY FOR SUNDOWN LLC	-
то	STREET
NYM 215 MOORE, LLC	ADDRESS: 246 Seigel Street, Brooklyn, NY
	RETURN BY MAIL TO:
	Fried, Frank, Harris, Shriver and Jacobson LLP One New York Plaza New York, New York 10004 Attn: Jessica Mayes, Esq.

[Signature Page to Deed]

Exhibit A

Legal Description

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, more particularly described as follows:

BEGINNING at a point on the southerly side of Seigel Street, distant 34 feet westerly from the corner formed by the intersection of the southerly side of Seigel Street with the westerly side of White Street;

RUNNING THENCE southerly parallel with White Street, 100 feet;

THENCE westerly parallel with Seigel Street, 85 feet 6 inches;

THENCE northerly again parallel with White Street, 100 feet to the southerly side of Seigel Street;

THENCE easterly along the southerly side of Seigel Street, 85 feet 6 inches to the point or place of BEGINNING.

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER



2024082200425001001S98B0

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2024082200425001

Document Date: 08-08-2024

Preparation Date: 08-22-2024

Document Type: DEED

ASSOCIATED TAX FORM ID: 2024080500215

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

RP - 5217 REAL PROPERTY TRANSFER REPORT

3

C1. County Code C2. Date Deed C3. Book C4. Page C5. CRFN	REAL PROPERTY TRANSFER REPORT STATE OF NEW YORK STATE BOARD OF REAL PROPERTY SERVICES RP - 5217NYC
PROPERTYINFORMATION	
1. Property 246 SEIGEL STREET Location STREET NUMBER STREET NAME	BROOKLYN 11206 BOROUGH ZIP CODE
2. Buyer NYM 215 MOORE, LLC Name LAST NAME / COMPANY	FIRST NAME
LAST NAME / COMPANY	FIRST NAME
3. Tax Indicate where future Tax Bills are to be sent Billing if other than buyer address (at bottom of form) Address LAST NAME / COMPANY	FIRST NAME
4. Indicate the number of Assessment Roll parcels transferred on the deed # of Parcels OR # of Parcels OR	4A. Planning Board Approval - N/A for NYC 4B. Agricultural District Notice - N/A for NYC
5. Deed Property X OEPTH OR ACRES	Check the boxes below as they apply: 6. Ownership Type is Condominium 7. New Construction on Vacant Land
8. Seller Name LAST NAME / COMPANY	FIRST NAME
9. Check the box below which most accurately describes the use of the property at A One Family Residential C Residential Vacant Land E Non-Residential Vacant Land F SALE INFORMATION	the time of sale: Commercial G Entertainment / Amusement I Industrial Apartment H Community Service J Public Service 14. Check one or more of these conditions as applicable to transfer:
10. Sale Contract Date 4 / 19 / 2024 Month Day Year	A Sale Between Relatives or Former Relatives Sale Between Related Companies or Partners in Business
11. Date of Sale / Transfer 8 / 8 / 2024	C One of the Buyers is also a Seller D Buyer or Seller is Government Agency or Lending Institution E Deed Type not Warranty or Bargain and Sale (Specify Below)
12. Full Sale Price \$ 7 8 0 0 0 0 0 0 0 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount. 13. Indicate the value of personal property included in the sale	F Sale of Fractional or Less than Fee Interest (Specify Below) G Significant Change in Property Between Taxable Status and Sale Dates H Sale of Business is Included in Sale Price Other Unusual Factors Affecting Sale Price (Specify Below) J None
ASSESSMENT INFORMATION - Data should reflect the latest Final Assessmen	t Roll and Tax Bill
15. Building Class E, 9 16. Total Assessed Value (of all parcel	0 2 7 0 0 0
17. Borough, Block and Lot / Roll identifier(s) (If more than three, attach sheet w BROOKLYN 3100 41	rith additional identifier(s))

understand that		ful false statement of r		(to the best of my knowledge and belief) and subject me to the provisions of the penal law relative to
èn	YER	l		BUYER'S ATTORNEY
See ATTAChect.	i			1
BUYER SIGNATURE DATE 53 CHURCH ST APT 4A		LAST NAME FIRST NAME		
NEW YORK	(W TER SALE) NY	10013-3438	AREA GODE	TELEPHONE NUMBER SELLER SELLER 8 6 21
CITY OF TOWN	STATE	719 CODE	CELLED CHARLED	DATE

understand ti		ul false statement of r		to the best of my knowledg subject me to the provision	ge and belief) and is of the penal law relative to
8	UYER	l		BUYER'S ATTORNE	EY
	<u> </u>				
253 CHURCH ST APT 4A	b	ATE	LAST NAME	FIRST	vante
STREET NUMBER STREET N	ME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER	<u> </u>
NEW YORK	NY	10013-3438	ىئركا	SELLER	1 8/6/27
CITY OR YOWN	STATE	ZIP CODE	CASEY SM	WIZED SEGNATO	DATE

CERTIFICATION

SIGNATURE RIDER TO RP-5217NYC NYC REAL PROPERTY TRANSFER REPORT

BUYER:

NYM 215 MOORE, LLC,

a Delaware limited liability company

By:

Name: Travis Feehan Title: President **BUYER'S ATTORNEY**:

Julianne Befeler, Esq. Fried, Frank, Harris Shriver & Jacobson, LLP

Telephone Number: 212-859-8720