

# NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

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291 WALLABOUT STREET  
291 WALLABOUT STREET  
BLOCK 2250, LOT 46  
BROOKLYN, NEW YORK

PREPARED FOR:  
291 WALLABOUT REALTY LLC  
59 MONTROSE AVENUE  
BROOKLYN, NEW YORK 11206



H & A of New York Engineering  
and Geology, LLP  
213 West 35<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, NY 10001  
Tel: 646.518.7735

Revised 5 August 2024  
15 July 2024  
File No. 0211139

Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11th Floor  
Albany, New York 12233

Subject: Brownfield Cleanup Program Application  
291 Wallabout Street  
291 Wallabout Street  
Brooklyn, New York 11206 (Site)

Ladies and Gentlemen,

H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), on behalf of 291 Wallabout Realty LLC, has prepared this revised Brownfield Cleanup Program (BCP) Application for the above-referenced site in response to comments received by the New York State Department of Environmental Conservation (NYSDEC) in a letter dated 31 July 2024. The revised BCP Application addresses the NYSDEC comments as follows:

#### Section III: Land Use Factors

- Comment: Please add to the Current Use description provided, the date when operations or uses ceased and the site became vacant.
- Response: The text in Section III has been revised to include that the Site has been vacant since March 2024, when the Requestor purchased the property.

#### Section IV: Property's Environmental History

- Comment: Please remove the Phase I ESA and Limited Phase II Environmental Site Investigation reports from the application file and provide separate, individual files (PDF) of each of these previous environmental reports, per the submittal instructions on page 1 of the application.
- Response: The Phase I ESA and Limited Phase II ESI have been removed from the application file and provided as separate, standalone PDF files.

#### Section V: Requestor Information

- Comment: Provide the Requestor name exactly as provided on the print-out provided from the NYS Department of State Division of Corporations Database, including the lack of comma.
- Response: The Requestor name has been revised globally to 291 Wallabout Realty LLC as provided on the NYS Department of State Division of Corporations Database.

Section XI: Site Contact List

- Comment: Provide at least one letter of acknowledgement from the document repositories provided indicating they will act as a document repository for the site.
- Response: Acknowledgements from the Brooklyn Public Library – Bushwick Branch and Brooklyn Public Library – Williamsburgh Branch have been included and Section XI has been revised accordingly.

Section XII: Statement of Certification and Signatures

- Comment: Provide the Requestor name exactly as provided on the print-out provided from the NYS Department of State Division of Corporations Database, including the lack of comma.
- Response: The Requestor name has been revised globally to 291 Wallabout Realty LLC as provided on the NYS Department of State Division of Corporations Database.

Additional Comments

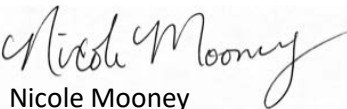
- Comment: In the top section of Page 1 of the revised application, please select “yes” to indicate that the submittal is a revised application and include the NYSDEC site code in the space provided.
- Response: Page 1 of the BCP Application has been revised to indicate that the submittal is a revised application and the NYSDEC site code (C224416) has been included in the space provided.

Enclosed in this package is a USB drive that contains the full revised BCP Application, including one Phase I Environmental Site Assessment dated July 2024 by Haley & Aldrich of New York, one Limited Phase II Environmental Site Investigation Report dated July 2024 by Haley & Aldrich of New York, and one Draft Remedial Investigation Work Plan, which is being submitted concurrently with this Application. Previous reports that are relevant to the Site are referenced throughout this Application and copies of the full reports are provided as attachments.

Should you have any questions, please do not hesitate to contact me at 973.658.3938 or via email at [AMurphy@haleyaldrich.com](mailto:AMurphy@haleyaldrich.com).

Sincerely,

**H & A OF NEW YORK ENGINEERING AND GEOLOGY, LLP**



Nicole Mooney  
Project Geologist



Amy K. Murphy  
Senior Associate



James M. Bellew  
Principal

Enclosed copies provided via email to:

Moshe Schwimmer (291 Wallabout Realty LLC)

Cris-Sandra Maycock (NYSDEC)

Jane O'Connell (NYSDEC)

James Simpson (NYSDEC)

**CASE MANGER PENDING (NYSDEC)**

**CASE MANGER PENDING (NYSDOH)**

George Duke (Connell Foley LLP)

Email: [mschwimmer@chessbuilders.com](mailto:mschwimmer@chessbuilders.com)

Email: [cris-sandra.maycock@dec.ny.gov](mailto:cris-sandra.maycock@dec.ny.gov)

Email: [jane.oconnell@dec.ny.gov](mailto:jane.oconnell@dec.ny.gov)

Email: [james.simpson@dec.ny.gov](mailto:james.simpson@dec.ny.gov)

Email:

Email:

Email: [gduke@connellfoley.com](mailto:gduke@connellfoley.com)

## Table of Contents

ATTACHMENT A Section I: Property Information .....	4
Section I: Property Description Narrative .....	5
Section I.8: Previously Remediated .....	7
Section I.14: Environmental Assessment.....	8
ATTACHMENT B Section II: Project Description .....	10
Section II: Project Description .....	11
ATTACHMENT C Section III: Land Use Factors .....	13
SECTION III: LAND USE FACTORS.....	14
ATTACHMENT D Section IV: Property’s Environmental History .....	15
Section IV.1: Reports.....	16
Section IV.2: Sampling Data .....	18
Section IV.3: Sampling Data .....	19
ATTACHMENT E Section V: Requestor’s Information .....	21
Section V: Requestor’s Information .....	22
ATTACHMENT F Section VI: Requestor’s Eligibility Information .....	23
Section VI: Requestor’s Eligibility Information .....	24
ATTACHMENT G Section IX: Current Property Owner/Operator Information .....	25
Section IX: Current Property Owner/Operator Information .....	26
ATTACHMENT H .....	27
Section XI: Contact List Information and Acknowledgement From Repository .....	27
Section XI – Contact List Information .....	28
Acknowledgement from Brooklyn Public Library – Bushwick Branch to Act as Document Repository .....	32
Acknowledgement from Brooklyn Public Library – Williamsburgh Branch to Act as Document Repository .....	33
Outreach to Brooklyn Community Board 1 to Act as Document Repository .....	34





**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](mailto: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, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

**PROPOSED SITE NAME:** 291 Wallabout Street

**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: C224416

☒

Yes

☐

No



BCP App Rev 15 – May 2023

**SECTION I: Property Information**

PROPOSED SITE NAME **291 Wallabout Street**

ADDRESS/LOCATION **291 Wallabout Street**

CITY/TOWN **Brooklyn**

ZIP CODE **11206**

MUNICIPALITY (LIST ALL IF MORE THAN ONE) **Brooklyn**

COUNTY **Kings**

SITE SIZE (ACRES) **0.11**

LATITUDE

LONGITUDE

40°	42'	8.172 N"	73°	56'	53.628 W"
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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
291 Wallabout Street	3	2250	46	0.11

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.

Y	N
<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"/>
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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: <sup>507</sup>

Percentage of property in En-zone (check one): 0% ☐ 1-49% ☐ 50-99% ☐ 100% ☒

<input checked="" type="radio"/>	<input type="radio"/>
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4. Is the project located within a disadvantaged community?  
See application instructions for additional information.

<input checked="" type="radio"/>	<input type="radio"/>
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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):  <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 type="radio"/>	<input checked="" 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"/>
<b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b>			
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 checked="" type="radio"/>	<input type="radio"/>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		<input type="radio"/>	<input checked="" type="radio"/>
17. If you have answered YES to Question 16 above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?		<input type="radio"/>	<input type="radio"/>
<b>NOTE:</b> 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.			
<b>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.</b>			
<b>Initials of each Requestor:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <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? R7A

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

Residential ☒ Commercial ☐ Industrial ☐

3. Current use (select all that apply):

Residential ☐ Commercial ☐ Industrial ☐ Recreational ☐ Vacant ☒

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

\*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
  - Sample location
  - Date of sampling event
  - Key contaminants and concentration detected
  - For soil, highlight exceedances of reasonably anticipated use
  - For groundwater, highlight exceedances of 6 NYCRR part 703.5
  - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

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

Are the required drawings included with this application? ☒ YES ☐ NO

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 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: Wheelwright warehouse, truck body building/woodworking

**SECTION V: Requestor Information**

NAME 291 Wallabout Realty LLC

ADDRESS 59 Montrose Avenue

CITY/TOWN Brooklyn

STATE NY

ZIP CODE 11206

PHONE (718) 522-5512

EMAIL cschwimmer@chessbuilders.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 <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a> . 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?	<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 <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? <b>Documents that are not properly certified will not be approved under the BCP.</b>	<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)

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"/> Y	<input checked="" type="radio"/> N
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:		
<b>PARTICIPANT</b> <input type="checkbox"/> <p>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.</p>	<b>VOLUNTEER</b> <input checked="" type="checkbox"/> <p>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.</p> <p>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.</p> <p><b>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.</b></p>	
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 Cheskel Schwimmer

ADDRESS 59 Montrose Avenue

CITY Brooklyn

STATE NY

ZIP CODE 11206

PHONE (718) 522-5512

EMAIL cschwimmer@chessbuilders.com

REQUESTOR'S CONSULTANT (CONTACT NAME) Amy Murphy

COMPANY H &amp; A of New York Engineering and Geology, LLP

ADDRESS 213 West 35th Street, 7th Floor

CITY New York

STATE NY

ZIP CODE 10001

PHONE (973) 658-3938

EMAIL amurphy@haleyaldrich.com

REQUESTOR'S ATTORNEY (CONTACT NAME) George Duke

COMPANY Connell Foley LLP

ADDRESS 875 Third Avenue, 21st Floor

CITY New York

STATE NY

ZIP CODE 10022

PHONE (212) 542-3772

EMAIL GDuke@connellfoley.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 291 Wallabout Realty LLC		
CONTACT NAME Cheskel Schwimmer		
ADDRESS 59 Montrose Ave		
CITY Brooklyn	STATE NY	ZIP CODE 11206
PHONE (718) 522-5512	EMAIL cschwimmer@chessbuilders.com	
OWNERSHIP START DATE 03/21/2024		
CURRENT OPERATOR Not Applicable - Vacant		
CONTACT NAME		
ADDRESS		
CITY	STATE	ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

**SECTION X: Property Eligibility Information**

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information 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)

	Y	N
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>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.</p> <p style="text-align: right;">N/A <input checked="" type="radio"/></p>	<input type="radio"/>	<input type="radio"/>
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>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.</p>	<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 a Member (title) of 291 Wallabout Realty 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: 10 July 2024

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

Print Name: Cheskel Schwimmer

**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 checked="" type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input checked="" type="radio"/>
Underutilized	<input type="radio"/>	<input checked="" type="radio"/>

**From ECL 27-1405(31):**

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

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

375-3.2:

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

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

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

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

**Check appropriate box below:**

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

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

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

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

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

☐ Yes – planned renewable energy facility site with documentation

☐ Pending – planned renewable energy facility awaiting documentation

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

☒ No – not a planned renewable energy facility site

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

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

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

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

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

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

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

☒ No

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

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

**ATTACHMENT A**

**Section I: Property Information**

## **SECTION I: PROPERTY DESCRIPTION NARRATIVE**

### ***Site Location***

The Site's address is 291 Wallabout Street, Brooklyn, NY 11206. The Site is located in the Williamsburg neighborhood of Brooklyn, New York, and is identified as Brooklyn Block 2250 Lot 46 on the New York City tax map. The Site is bound to the north by a one-story industrial warehouse building, to the east by a multi-family residential building, to the south by Wallabout Street followed by residential buildings, and to the west by a vacant lot.

A project locus is included on Figure 1. An aerial photograph of the Site showing Site and parcel boundaries is included on Figure 2. A tax map is included on Figure 3. A map showing surrounding land use is included as Figure 4.

### ***Site Features***

The Site is approximately 0.11 acres (5,000 square feet) in size and is improved with a vacant 1-story, slab on grade garage building.

### ***Current Zoning and Land Use***

According to the New York City Planning Commission Zoning Map 13b, the Site is in an R7A zoning area. We understand that 291 Wallabout Realty LLC plans to redevelop the Site with a new six-story residential building with full cellar level that will be consistent with current zoning.

### ***Past Site Use***

Based on a Phase I Environmental Site Assessment (ESA) completed by H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York) for the Site in July 2024, the Site was first developed as early as the late 1800s with two two-story dwellings. The Site was developed by 1918 with a warehouse labeled as "Wheelwright" on the 1918 Sanborn Fire Insurance Map. The Site remained relatively unchanged until the late 1940s when the building became occupied by "John Koerners Sons, Inc. Truck Body Building" and woodworking. These operations extended north to the southern side of Walton Street. The Site remained relatively unchanged until the mid-1980s when property appeared vacant and remained developed with the warehouse. The 2014, 2017, and 2020 City Directories indicate that the Site was occupied by "AZ Plastic". The Site is currently vacant and developed with a one-story garage encompassing the entire Site footprint.

### ***Site Geology and Hydrogeology***

Based on findings from the July 2024 Limited Phase II Environmental Site Investigation (ESI), fill material generally consisting of brown to dark brown to black fine to coarse sand with varying amounts of silt, gravel, brick, concrete, and asphalt was observed from surface grade to depths between 5 and 6 feet (ft) below ground surface (bgs) in soil borings at the Site. The fill layer was underlain by a potential native layer consisting of brown to tan to gray fine to coarse sand with varying amount of silt and gravel.

The topography of the Site is generally flat with a gentle slope to the southeast. The ground level elevation on the Site is approximately 15 ft above mean sea level (amsl). Based on data collected during the July 2024 Limited Phase II ESI, the depth to groundwater encountered at the Site is approximately 9 ft bgs.

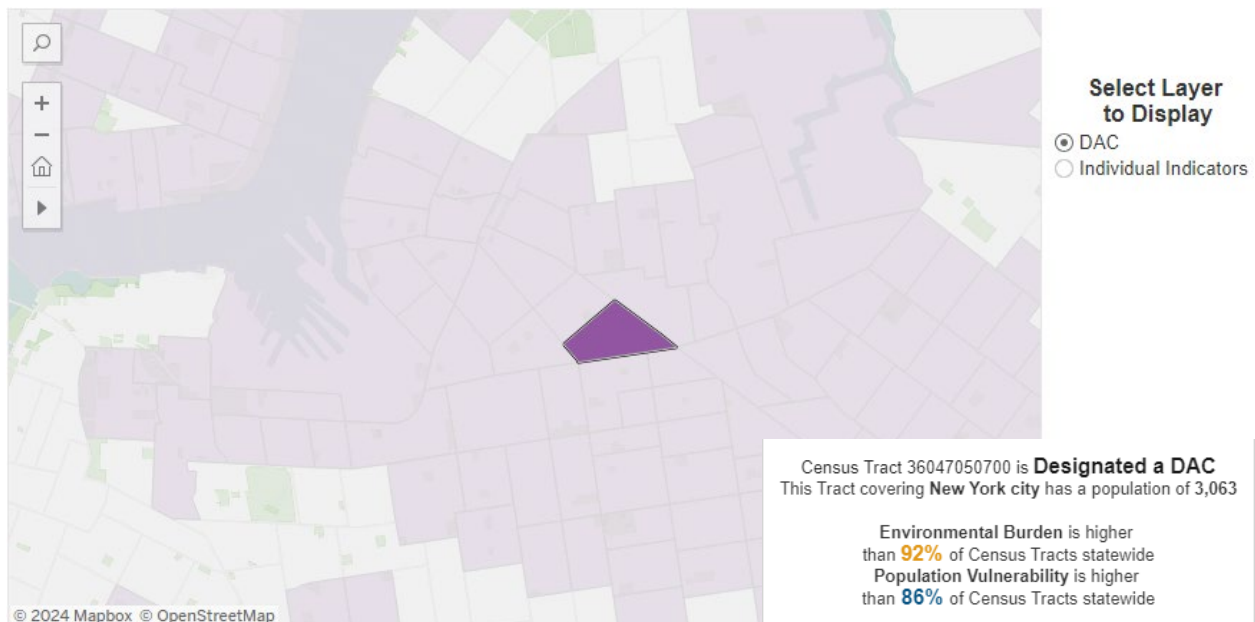
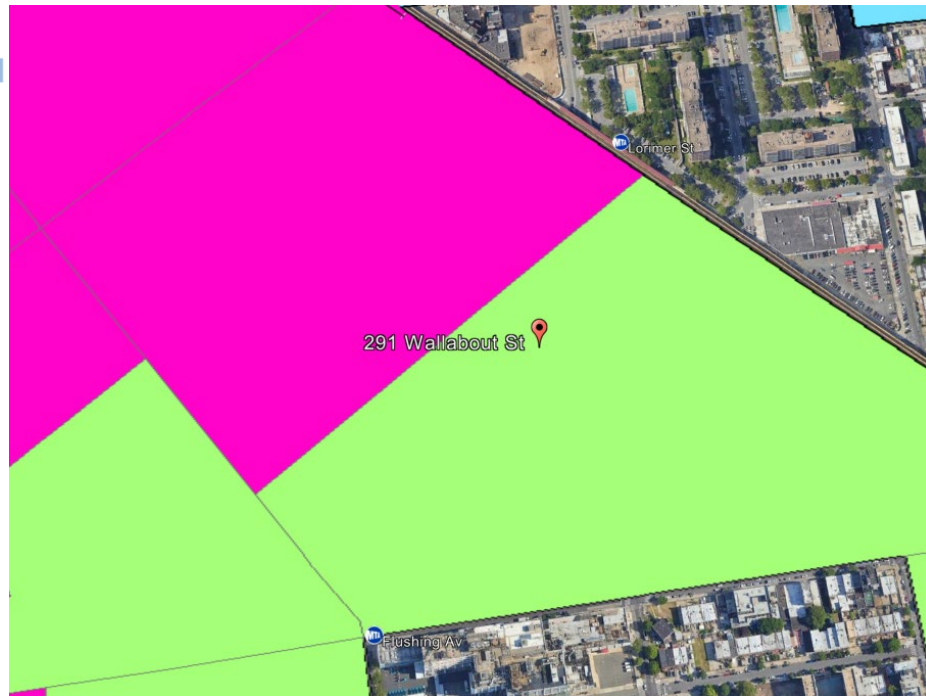


## Environmental Zone Designation

This Site is 100% located in EnZone Type AB in Census Tract 507.

507

507	
STATEFP	36
COUNTYFP	047
TRACTCE	050700
GEOID	36047050700
NAME	507
NAMESAD	Census Tract 507
MTFCC	G5020
FUNCSTAT	S
ALAND	174429
AWATER	0
INTPTLAT	+40.7014096
INTPTLON	-073.9470079
FIPS	36047050700
County_FIPS	36047
Geography	Census Tract 507
County	Kings County
UnempRate	16.9
NYS_UR	7.1
Pov_Rate	44.7
County_PR	19.2
CountyRateX2	38.4
Criteria_A	Y
Criteria_B	Y
Both_AB	Y
EnZoneType	AB



## **SECTION I.8: PREVIOUSLY REMEDIATED**

It is our understanding that the Site has not been subject to any remedial activities.

## SECTION I.14: ENVIRONMENTAL ASSESSMENT

The Requestor seeks entry into the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) at the investigation stage. A Phase I Environmental Site Assessment (ESA) was completed in July 2024 by Haley & Aldrich of New York. In addition, a Limited Phase II ESA was completed in July 2024 by Haley & Aldrich of New York.

Based on data collected in June 2024 during the Limited Phase II ESI, the primary contaminants of concern for the Site are metals and volatile organic compounds (VOCs), including chlorinated VOCs (CVOCs), in soil, CVOCs in groundwater, and VOCs, including CVOCs and petroleum-related VOCs, in sub-slab soil vapor. Additional investigation is necessary to determine the potential source(s) of contamination. The existing structure presents impediments to investigation in select portions of the Site, particularly the northwestern portion of the building and along the western boundary of the Site. Building access and overhead clearance limited the type of drilling and sampling equipment able to be used during the Limited Phase II. This limited access prevented the collection of groundwater and soil samples in the northwestern portion of the building. A summary of findings from the July 2024 Limited Phase II ESI is provided below:

### ***Soil***

Soil analytical results were compared to New York State Department of Environmental Conservation (NYSDEC) Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs), Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) and Restricted-Residential Use Soil Cleanup Objectives (RRSCOs).

Four VOCs were detected above UUSCOs and PGWSCOs in one shallow soil sample located in the northwestern portion of the Site, SB-4\_1-3, including 2-butanone (maximum concentration of 0.51 mg/kg), acetone (maximum concentration of 1.3 mg/kg), chloroform (maximum concentration of 0.45 mg/kg), and trichloroethene (TCE; maximum concentration of 4.1 mg/kg). The CVOCs tetrachloroethene (PCE), m,p-xylene, o-xylene, and total xylenes were detected above laboratory detection limits, but below regulatory criteria, at maximum concentrations of 0.13 mg/kg, 0.11 mg/kg, 0.083 mg/kg, and 0.19 mg/kg, respectively, in soil sample SB-4\_1-3. No other VOCs were detected above applicable standards in any soil samples collected.

Two metals, lead and mercury, were detected above UUSCOs, PGWSCOs, and RRSCOs in multiple shallow soil samples at maximum concentrations of 1,700 mg/kg and 8.5 mg/kg, respectively. Arsenic and zinc were detected above UUSCOs in two shallow soil samples, SB-1\_2-4 and SB-2\_1-3, at maximum concentrations of 15.5 mg/kg in SB-1\_2-4 and 770 mg/kg in SB-2\_1-3, respectively. Barium and copper were detected above UUSCOs in shallow soil sample SB-2\_1-3 only at maximum concentrations of 363 mg/kg and 131 mg/kg, respectively. No other metals were detected above applicable standards in any soil samples collected.

Comparisons of soil analytical results to UUSCOs, PGWSCOs, and RRSCOs are mapped on Figure 6.

### ***Groundwater***

Groundwater analytical results were compared to 6 NYCRR Part 703.5 NYSDEC Technical and Operational Guidance Series 1.1.1 Ambient Water Quality Standards (AWQS).

As part of the Limited Phase II ESI, two temporary monitoring wells, TW-1 and TW-2, were installed. One VOC, cis-1,2-dichloroethene, was detected above the AWQS in the southeastern portion of the Site in temporary monitoring well TW-1 only at a concentration of 9.2 µg/L. Additionally, TCE was detected in groundwater samples collected from both TW-1 and TW-2 above the laboratory detection limit but below regulatory criteria at a maximum concentration of 5 µg/L in TW-1. No other VOCs were detected above the AWQS in any groundwater sample. No other VOCs were detected above AWQS in either groundwater sample.

Comparisons of groundwater analytical results to AWQS are mapped on Figure 7.

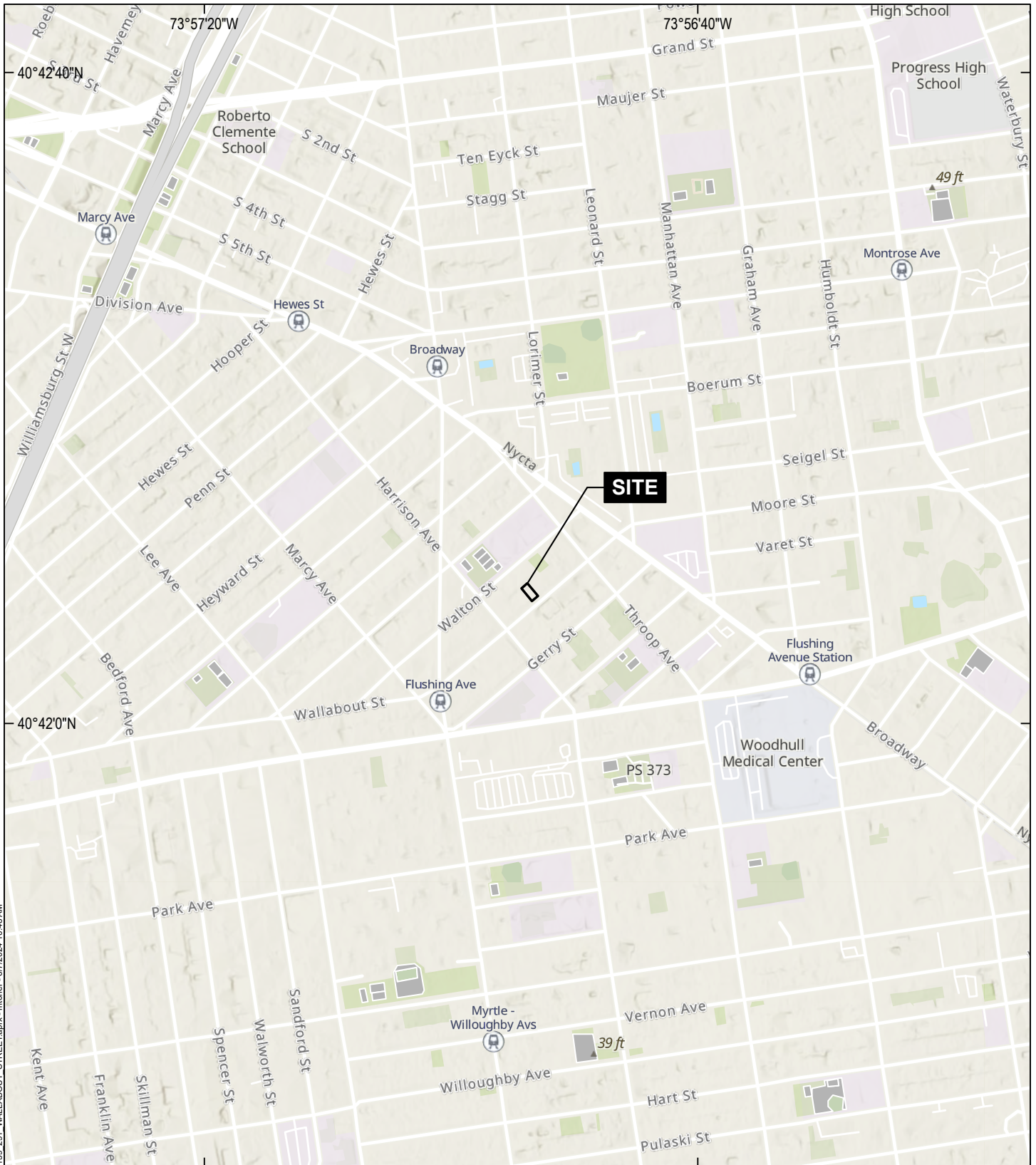
### ***Soil Vapor***

Total VOC concentrations in soil vapor samples ranged from 1,315.08 µg/m<sup>3</sup> in SV-2 to a maximum concentration of 1,600.51 µg/m<sup>3</sup> in SV-1. Total benzene, ethylbenzene, toluene, and total xylenes (BTEX) concentrations ranged from 589 µg/m<sup>3</sup> in SV-2 to a maximum concentration of 769.4 µg/m<sup>3</sup> in SV-1. Total CVOC concentrations ranged from 36.78 µg/m<sup>3</sup> in SV-1 to a maximum concentration of 302.11 µg/m<sup>3</sup> in SV-2.

Several CVOCs were detected above laboratory detection limits in both soil vapor samples collected, all detected at maximum concentrations in sub-slab soil vapor sample SV-2, including TCE (maximum concentration 290 µg/m<sup>3</sup>), PCE (maximum concentration 4.22 µg/m<sup>3</sup>) and methylene chloride (at a concentration of 7.89 micrograms per cubic meter [µg/m<sup>3</sup>]).

Several petroleum-related VOCs were detected above laboratory reporting limits in both sub-slab soil vapor samples (SV-1 and SV-2), detected at maximum concentrations in SV-1, including benzene (maximum concentration 42.5 µg/m<sup>3</sup>), toluene (maximum concentration 251 µg/m<sup>3</sup>), ethylbenzene (maximum concentration 99.9 µg/m<sup>3</sup>), m,p-xylenes (maximum concentration 271 µg/m<sup>3</sup>), and o-xylene (maximum concentration 105 µg/m<sup>3</sup>).

Detections of soil vapor are mapped on Figure 8.



GIS: \\haleyaldrich\haley\CF\Projects\0211139\GIS\211139\_291\_WALLABOUT\_STREET.aprx - mtoner - 6/7/2024 10:48 AM



MAP SOURCE: ESRI  
SITE COORDINATES: 40°42'08"N, 73°56'54"W

**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

## PROJECT LOCUS

APPROXIMATE SCALE: 1 IN = 0.5 MI  
JUNE 2024



**FIGURE 1**



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**LEGEND**

-  SITE BOUNDARY
-  PARCEL BOUNDARY

**NOTES**

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024



0 40 80  
SCALE IN FEET

**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

**SITE PLAN**

JUNE 2024


**FIGURE 2**




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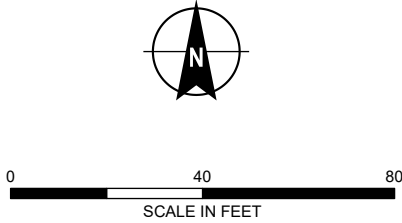


**LEGEND**

 SITE BOUNDARY

 PARCEL BOUNDARY

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
  2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
  3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024



**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

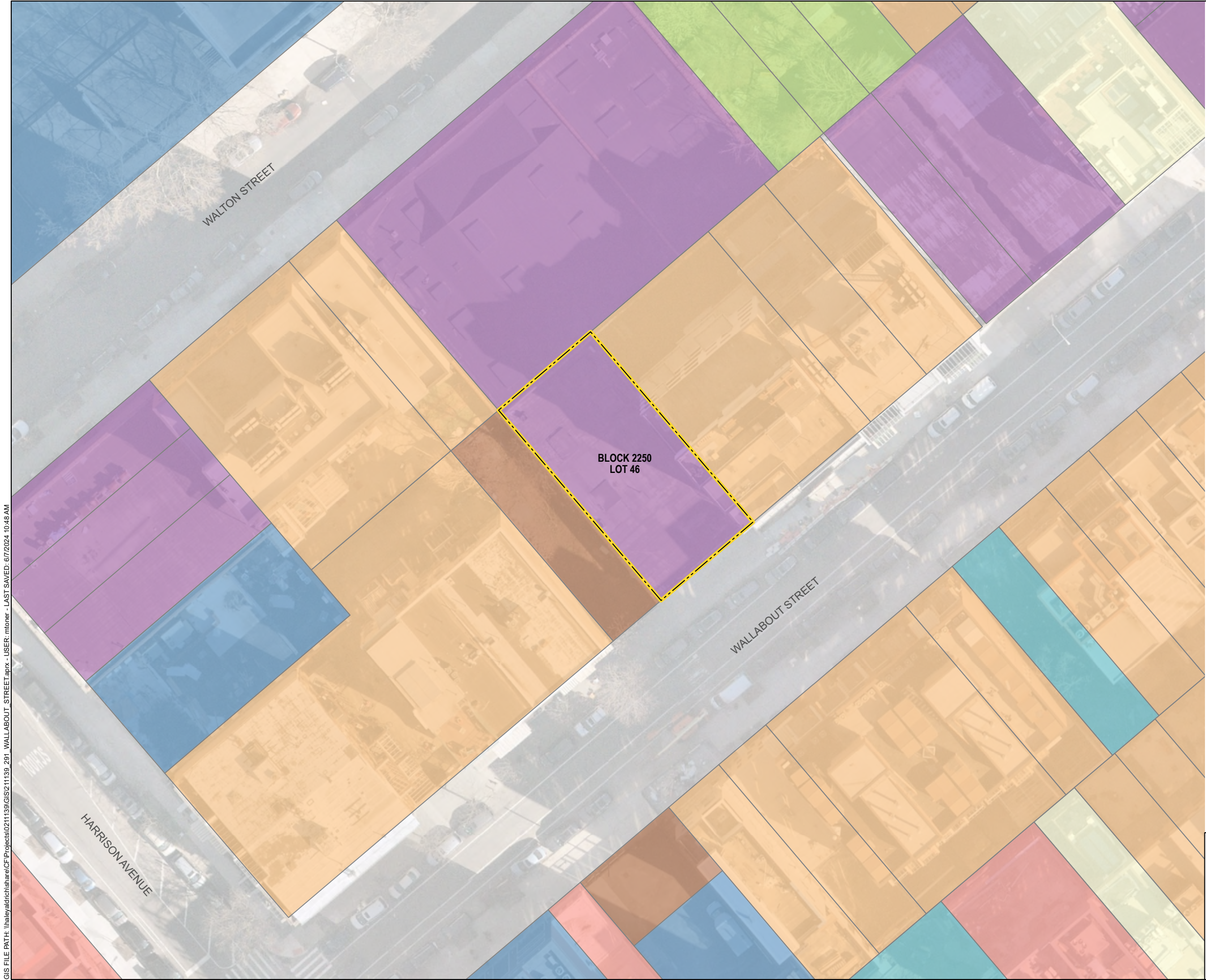
**TAX MAP**

JUNE 2024

**FIGURE 3**



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**LEGEND**

**LAND USE**

- ONE AND TWO FAMILY BUILDINGS
- MULTI-FAMILY RESIDENTIAL
- MIXED RESIDENTIAL AND COMMERCIAL BUILDINGS
- INDUSTRIAL AND MANUFACTURING
- PUBLIC FACILITIES AND INSTITUTIONS
- OPEN SPACE AND OUTDOOR RECREATION
- PARKING FACILITIES
- VACANT LAND
- SITE BOUNDARY
- PARCEL BOUNDARY

**NOTES**

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL AND LAND USE DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024



0 40 80  
SCALE IN FEET

**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

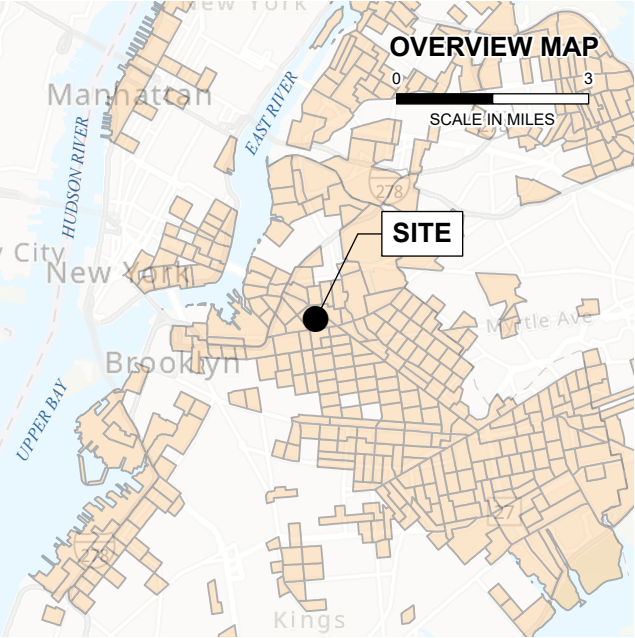
**LAND USE**

JUNE 2024

**FIGURE 4**



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**LEGEND**

-  SITE
-  DISADVANTAGED COMMUNITY, NEW YORK CITY AREA

**NOTES**

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. DISADVANTAGED COMMUNITY DATA SOURCE: THE NEW YORK STATE ENERGY RESERACH AND DEVELOPMENT AUTHORITY (NYSERDA) AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) DISADVANTAGED COMMUNITIES CRITERIA MAPS, 2023
3. ASSESSOR PARCEL AND LAND USE DATA SOURCE: KINGS COUNTY
4. BASEMAP SOURCE: ESRI



0 2,000 4,000  
MAIN MAP SCALE IN FEET

**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

DISADVANTAGED COMMUNITIES

JUNE 2024

FIGURE 5

## **ATTACHMENT B**

### **Section II: Project Description**

## SECTION II: PROJECT DESCRIPTION

The purpose of the project is to redevelop a contaminated property in addition to implementing remedial measures to protect human health and the environment. The Site is a rectangular-shaped lot and is improved with a vacant 1-story, slab-on-grade, garage. The building was formerly occupied by a warehouse labeled as “Wheelwright,” “John Koerners Sons, Inc. Truck Body Building” and woodworking, and “AZ Plastic.” The site has been assigned an E-designation for hazardous materials, noise, and air quality as part of the Broadway Triangle Rezoning.

The proposed project will include:

1. Demolition of the existing building to facilitate the remedial investigation;
2. A remedial investigation to characterize the nature and extent of contamination and identify remedial measures;
3. Excavation and off-Site disposal of contaminated soil; and,
4. Implementation of remedial measures, as required, in tandem with Site-wide redevelopment.

### ***Proposed Development***

Although future development plans are in preliminary design phases, the proposed development will consist of constructing a new six-story residential building with full cellar level extending to approximately 12 ft bgs, anticipated to encompass the entire Site footprint.

### ***Rationale for BCP Program***

The Requestors seek to enter the NYSDEC BCP at the investigation stage.

Upon review of analytical results from previous environmental investigations conducted at the Site (discussed in further detail in Section IV), the Requestors seek to enter the NYSDEC BCP due to the contaminants of concern identified at the Site, primarily heavy metals and VOCs in surficial soils, CVOCs in groundwater, and CVOCs, including PCE and TCE, and BTEX in soil vapor. Contaminants of concern identified are believed to have resulted from previous operations, including warehouses and truck body building/woodworking.

While the Limited Phase II ESI provided preliminary Site characterization data, it did not fully determine the nature and extent of contamination. Requestors are, therefore, also submitting for NYSDEC approval a Draft RIWP along with this BCP Application.

### ***Project Schedule***

It is anticipated that, once Requestor is accepted into the BCP and the draft RIWP is approved by the Department, the 30-day public comment period will commence. Following acceptance into the program and approval of the draft RIWP, the remedial contractor will mobilize to the Site to begin implementation of the RI. A preliminary BCP timeline and project schedule are included as an attachment. Completion of the remedy is anticipated by August 2025 with a Certificate of Completion expected in 2026. A tentative project schedule is below.

Brownfield Cleanup Application  
291 Wallabout Street  
Brooklyn, New York

Task	Duration (days)	Start	End	2024						2025												2026
				July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan
Application Execution, Permitting, Remedial Investigation, Remedial Investigation Report, Remedy Design, Remedial Action Work Plan, 30-Day Comment Period	242	7/1/2024	2/28/2025																			
Remedy Implementation	183	3/1/2025	8/31/2025																			
Preparation of FER and SMP	60	9/1/2025	10/31/2025																			
NYSDEC & NYSDOH Review of FER & SMP	45	11/1/2025	12/16/2025																			
NYSDEC Issues COC	45	12/17/2025	1/31/2026																			

Notes:

*This is an estimated schedule; all items are subject to change*

*FER = Final Engineering Report*

*SMP = Site Management Plan*

*NYSDEC = New York State Department of Environmental Conservation*

*NYSDOH = New York State Department of Health*

*COC = Certificate of Completion*

## **ATTACHMENT C**

### **Section III: Land Use Factors**



### SECTION III: LAND USE FACTORS

#### ***Zoning***

According to the New York City Planning Commission Zoning Map 13b, the Site is located within a residential zoning district (R7A). The Site is located in an urban area characterized by residential, commercial, industrial, and manufacturing buildings.

#### ***Current Use***

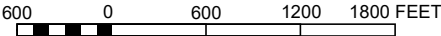
The subject property is currently vacant and developed with a single-story garage encompassing the entire lot. The Site has been vacant since March 2024, when the Requestor purchased the property.

#### ***Intended Use Post-Remediation***

Although future development plans are in preliminary design phases, the proposed development will consist of constructing a new six-story residential building. The new development is anticipated to include one full cellar level encompassing the Site footprint.

#### ***Compliance with Applicable Zoning Laws, Recent Development, and Community Master Plans***

According to the New York City Planning Commission Zoning Map 13b, the Site is located within a residential zoning district (R7A). 291 Wallabout Realty LLC plans to redevelop the Site with a residential building. The proposed development of this property is consistent with the current zoning. The applicable zoning map is included as an attachment.



**NOTE:** Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

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**NOTE:** Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 720-3291.

# ZONING MAP 13b

**ATTACHMENT D**

**Section IV: Property's Environmental History**



## SECTION IV.1: REPORTS

The following reports were prepared for the Site prior to the Requestor's application:

1. July 2024 Phase I ESA, 291 Wallabout Street, prepared by Haley & Aldrich of New York
2. July 2024 Limited Phase II Environmental Site Investigation, 291 Wallabout Street prepared by Haley & Aldrich of New York.

The reports above are provided as separate standalone files on the attached USB. A summary of the environmental findings from these investigations is provided below.

### ***July 2024 Phase I Environmental Site Assessment, 291 Wallabout Street Prepared by Haley & Aldrich of New York***

A Phase I ESA report, dated 12 July 2024, was prepared by Haley & Aldrich of New York. The Phase I ESA indicated that the Site was developed by 1918 with a warehouse labeled as "Wheelwright" on the 1918 Sanborn Fire Insurance Map. The Site remained relatively unchanged until the late 1940s, when the building became occupied by "John Koerners Sons, Inc. Truck Body Building" and woodworking. These operations extended north to the southern side of Walton Street. The Site remained relatively unchanged until the mid-1980s, when property appeared vacant and remained developed with the warehouse. The 2014, 2017, and 2020 City Directories indicate that the Site was occupied by "AZ Plastic." At the time of the site reconnaissance, the Site was vacant and developed with a one-story garage encompassing the entire Site footprint.

The Phase I ESA indicated 2 recognized environmental conditions (RECs) in connection with the Site. The following RECs listed below were identified in connection with the Site.

- REC #1: Former Use of the Site as an Auto Body Manufacturer/Woodworking Facility and Warehouses.
- REC #2: Historic Use of Surrounding Properties.

### ***July 2024 Limited Phase II Environmental Site Investigation Prepared by Haley & Aldrich of New York***

Haley & Aldrich of New York completed a Limited Phase II ESI on behalf of 291 Wallabout Realty LLC to investigate soil, groundwater, and sub-slab soil vapor quality beneath the Site. The investigation was performed on 4 June 2024 and included a geophysical investigation using ground penetrating radar (GPR) to search for subsurface anomalies indicative of USTs and to clear underground utilities; the installation of 4 soil borings to depths between 10 to 20 feet bgs; two 2-inch-diameter temporary groundwater monitoring wells to a depth of approximately 15 to 20 feet bgs; and two soil vapor points directly beneath the slab. Subsequently, 4 soil samples, two groundwater samples, and two sub-slab soil vapor samples were collected. Field observations and laboratory analytical results are summarized below:

#### ***Soil***

Soil analytical results were compared to New York State Department of Environmental Conservation (NYSDEC) Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs), Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) and Restricted-Residential Use Soil Cleanup Objectives (RRSCOs).

Four VOCs were detected above UUSCOs and PGWSCOs in one shallow soil sample, SB-4\_1-3, including 2-butanone (maximum concentration of 0.51 mg/kg), acetone (maximum concentration of 1.3 mg/kg), chloroform (maximum concentration of 0.45 mg/kg), and trichloroethene (TCE; maximum concentration of 4.1 mg/kg). The CVOCs tetrachloroethene (PCE), m,p-xylene, o-xylene, and total xylenes were detected above laboratory detection limits, but below regulatory criteria, at maximum concentrations in soil sample SB-4\_1-3 of 0.13 mg/kg, 0.11 mg/kg, 0.083 mg/kg, and 0.19 mg/kg, respectively. No other VOCs were detected above applicable standards in any soil samples collected.

Two metals, lead and mercury, were detected above UUSCOs, PGWSCOs, and RRSCOs at maximum concentrations of 1,700 mg/kg and 8.5 mg/kg, respectively. Arsenic and zinc were detected above UUSCOs in two soil samples, SB-1\_2-4 and SB-2\_1-3, at maximum concentrations of 15.5 mg/kg in SB-1\_2-4 and 770 mg/kg in SB-2\_1-3, respectively. Barium and copper were detected above UUSCOs in soil sample SB-2\_1-3 only at maximum concentrations of 363 mg/kg and 131 mg/kg, respectively. No other metals were detected above applicable standards in any soil samples collected.

No SVOCs were detected above applicable standards.

### ***Groundwater***

Groundwater analytical results were compared to 6 NYCRR Part 703.5 NYSDEC Technical and Operational Guidance Series 1.1.1 Ambient Water Quality Standards (AWQS).

One VOC, cis-1,2-dichloroethene, was detected above the AWQS in temporary monitoring well TW-1 only at a concentration of 9.2 µg/L. Additionally, TCE was detected in groundwater samples collected from both TW-1 and TW-2 above the laboratory detection limit but below regulatory criteria at a maximum concentration of 5 µg/L in TW-1. No other VOCs were detected above the AWQS in any groundwater sample.

### ***Soil Vapor***

Total VOC concentrations in soil vapor samples ranged from 1,315.08 µg/m<sup>3</sup> in SV-2 to a maximum concentration of 1,600.51 µg/m<sup>3</sup> in SV-1. Total benzene, ethylbenzene, toluene, and total xylenes (BTEX) concentrations ranged from 589 µg/m<sup>3</sup> in SV-2 to a maximum concentration of 769.4 µg/m<sup>3</sup> in SV-1. Total CVO concentrations ranged from 36.78 µg/m<sup>3</sup> in SV-1 to a maximum concentration of 302.11 µg/m<sup>3</sup> in SV-2.

Several CVOs were detected above laboratory detection limits in both soil vapor samples collected, all detected at maximum concentrations in sub-slab soil vapor sample SV-2, including TCE (maximum concentration 290 µg/m<sup>3</sup>), PCE (maximum concentration 4.22 µg/m<sup>3</sup>) and methylene chloride (at a concentration of 7.89 micrograms per cubic meter [µg/m<sup>3</sup>]).

Several petroleum-related VOCs were detected above laboratory reporting limits in both sub-slab soil vapor samples (SV-1 and SV-2), detected at maximum concentrations in SV-1, including benzene (maximum concentration 42.5 µg/m<sup>3</sup>), toluene (maximum concentration 251 µg/m<sup>3</sup>), ethylbenzene (maximum concentration 99.9 µg/m<sup>3</sup>), m,p-xylenes (maximum concentration 271 µg/m<sup>3</sup>), and o-xylene (maximum concentration 105 µg/m<sup>3</sup>).

## SECTION IV.2: SAMPLING DATA

### Analytical Results Summary Tables

Soil Summary Table

Analytes > RRSCO/UUSCO/PGWSCO	Detections > RRSCOs*	Detections > UUSCOs	Detections > PGWSCOs	Max Concentration (ppm)	RRSCO (ppm)	UUSCO (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Arsenic	0	2	0	15.5	16	13	16	2-4
Barium	0	1	0	363	400	350	820	1-3
Copper	0	1	0	131	270	50	1,720	1-3
Lead	1	2	1	1,700	400	63	450	1-3
Mercury	2	4	2	8.5	0.81	0.18	0.73	1-3
Zinc	0	2	0	770	10,000	109	2,480	1-3
2-Butanone	0	1	1	0.51	100	0.12	0.12	1-3
Acetone	0	1	1	1.3	100	0.05	0.05	1-3
Chloroform	0	1	1	0.45	49	0.37	0.37	1-3
Trichloroethene	0	1	1	4.1	21	0.47	0.47	1-3

Groundwater Summary Table

Analytes > AWQS	Detections > AWQS	Max Concentration (µg/L)	AWQS (µg/L)
cis-1,2-Dichloroethene	1	9.2	5

Soil Vapor Summary Table

Analytes	Total Detections	Max Detection	Type
Methylene chloride (Dichloromethane)	1	7.89	Sub-Slab Soil Vapor
Tetrachloroethene	2	4.22	Sub-Slab Soil Vapor
Trichloroethene	2	290	Sub-Slab Soil Vapor
Benzene	2	42.5	Sub-Slab Soil Vapor
Toluene	2	251	Sub-Slab Soil Vapor
Ethylbenzene	2	99.9	Sub-Slab Soil Vapor
m,p-Xylene	2	271	Sub-Slab Soil Vapor
o-Xylene	2	105	Sub-Slab Soil Vapor

#### Notes:

\* Detections exceeding RRSCOs also exceed the UUSCOs

- Only showing benzene, toluene, ethylbenzene, and xylenes (BTEX) and the eight CVOs (carbon tetrachloride, 1,1-dichloroethene, cis-1,2-dichloroethene, trichloroethene, methylene chloride, tetrachloroethene, 1,1,1-trichloroethane, and vinyl chloride) used to total for soil vapor

ft bgs = feet below grade surface

ppm = parts per million

AWQS = Ambient Water Quality Standards

RRSCO = NYSDEC Restricted Residential Use Soil Cleanup Objectives

UUSCO = NYSDEC Unrestricted Use Soil Cleanup Objectives

µg/m<sup>3</sup> = Microgram per cubic meter

µg/L = Microgram per liter

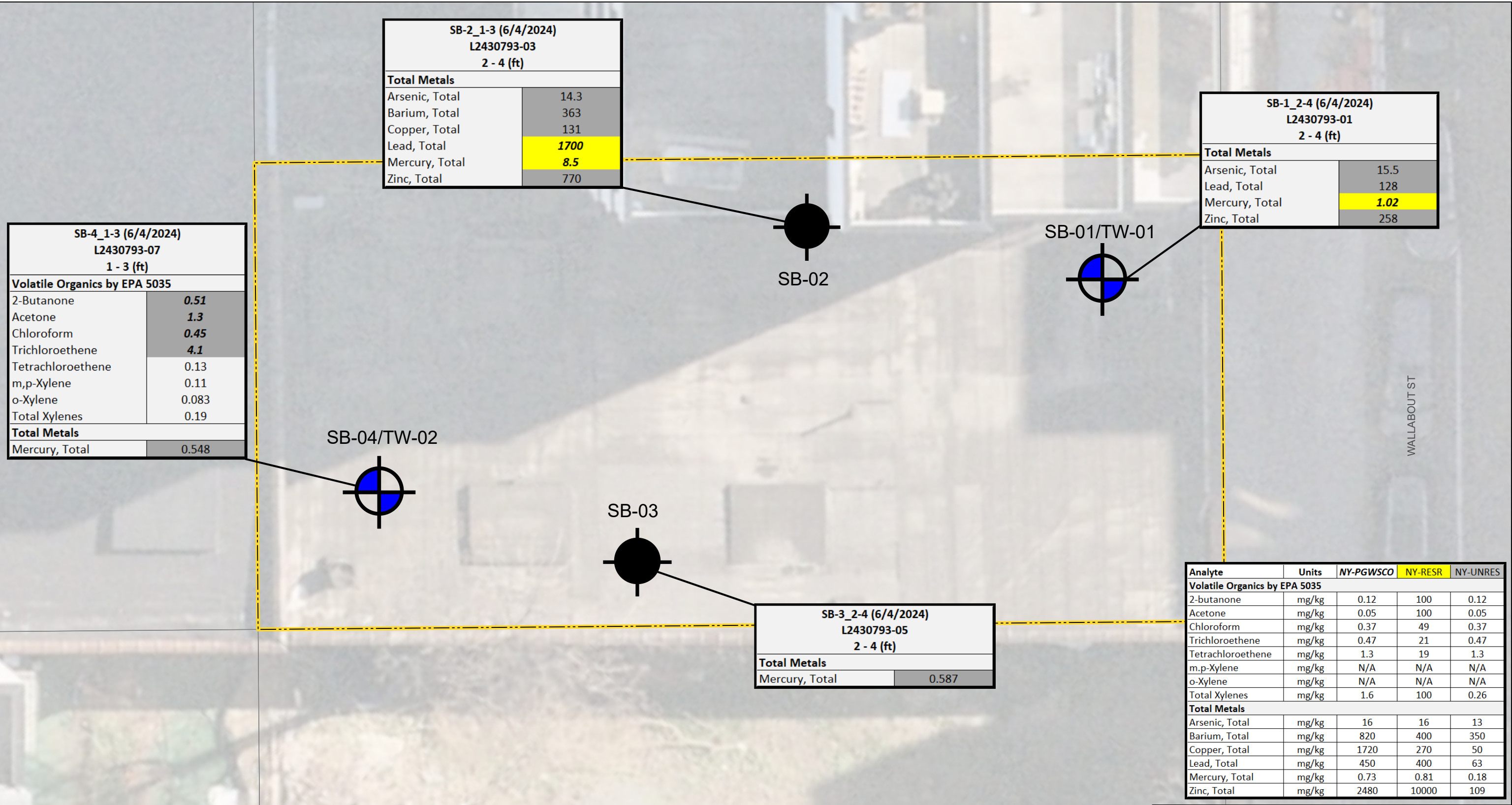
1 part per billion (ppb) = 1 µg/L

### **SECTION IV.3: SAMPLING DATA**

For each impacted medium above, refer to Figures 6, 7 and 8 below which include detailed information requested in Application Section IV.3.



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LEGEND

SITE BOUNDARY

PARCEL BOUNDARY

SOIL BORING

MONITORING WELL / SOIL BORING

- NOTES
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.

2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY

3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024

4. SOIL SAMPLE ANALYTICAL RESULTS ARE COMPARED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) TITLE 6 OF THE OFFICIAL COMPILATION OF NEW YORK CODES, RULES, AND REGULATIONS (NYCRR) PART 375 UNRESTRICTED USE SOIL CLEANUP OBJECTIVES (SCOs), RESTRICTED-RESIDENTIAL SCOs, AND 40 CFR 261 SUBPART C AND TABLE 1 OF 40 CFR 261.24.

5. NY-PGW = NYSDEC PART 375 PROTECTION OF GROUNDWATER CRITERIA

6. NY-RESR = NYSDEC PART 375 RESTRICTED-RESIDENTIAL USE SCOs

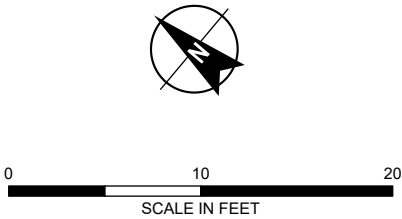
7. NY-UNRES = NYSDEC PART 375 UNRESTRICTED USE SCOs

8. EXCEEDANCES OF THE NY-PGW ARE SHOWN IN BOLD TEXT AND ITALICS

9. EXCEEDANCES OF THE NY-UNRES SCOs ARE SHADED GRAY

10. EXCEEDANCES OF THE NY-UNRES AND NY-RESRR ARE SHADED YELLOW

11. RESULTS ARE DISPLAYED IN MILLIGRAMS PER KILOGRAM (mg/kg)



HALEYALDRICH

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

MAP OF SOIL CHEMISTRY

JUNE 2024

FIGURE 6



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TW-1 (6/4/2024)	
L2430793-09	
Volatile Organics by GC/MS	
cis-1,2-Dichloroethene	9.2
Trichloroethene	5

SB-01/TW-01

SB-04/TW-02

TW-2 (6/4/2024)	
L2430793-10	
Volatile Organics by GC/MS	
Trichloroethene	0.53

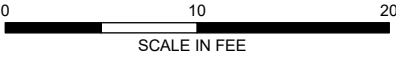
Analyte	Units	NY-AWQS
Volatile Organics		
cis-1,2-dichloroethene	µg/l	5
Trichloroethene	µg/l	5

LEGEND

- SITE BOUNDARY
- PARCEL BOUNDARY
- MONITORING WELL / SOIL BORING

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024
4. GROUNDWATER SAMPLE ANALYTICAL RESULTS ARE COMPARED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) TECHNICAL AND OPERATIONAL GUIDANCE SERIES (TOGS) 1.1.1 AMBIENT WATER QUALITY STANDARDS (AWQS).
5. EXCEEDANCES OF THE NYSDEC AWQS ARE SHADED YELLOW.
6. MICROGRAMS PER LITER (µg/L).



HALEY  
ALDRICH

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

MAP OF GROUNDWATER CHEMISTRY

JUNE 2024




FIGURE 7



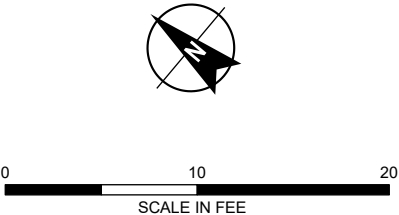
GIS FILE PATH: \\haleyaldrich\share\CF\Projects\021139\GIS\021139\_291\_WALLABOUT\_STREET.aprx - USER: mtoner - LAST SAVED: 6/7/2024 2:04 PM

SV-2 (6/4/2024) L2430821-02	
Dichlorodifluoromethane	2.24
Chloromethane	0.966
1,3-Butadiene	4.96
Ethanol	23
Acetone	45.4
Isopropanol	3.1
Tertiary butyl Alcohol	87
Methylene chloride	7.89
Carbon disulfide	3.1
2-Butanone	15.4
Chloroform	11.9
Tetrahydrofuran	9.02
n-Hexane	38.4
Benzene	21.1
Cyclohexane	13.7
Trichloroethene	290
2,2,4-Trimethylpentane	8.41
Heptane	34.9
Toluene	213
Tetrachloroethene	4.22
Ethylbenzene	60.4
p/m-Xylene	212
Styrene	1.63
o-Xylene	82.5
4-Ethyltoluene	17.1
1,3,5-Trimethylbenzene	20.3
1,2,4-Trimethylbenzene	76.2
Naphthalene	7.24
TOTAL VOCS	1315.076
TOTAL BTEX	589
TOTAL CVOCS	302.11

SV-1 (6/4/2024) L2430821-01	
Dichlorodifluoromethane	2.4
Chloromethane	1.38
1,3-Butadiene	13.3
Ethanol	22
Acetone	31.4
Trichlorofluoromethane	1.32
Isopropanol	3.79
Tertiary butyl Alcohol	51.5
Carbon disulfide	12.6
2-Butanone	14.9
Ethyl Acetate	2.27
Chloroform	11.4
Tetrahydrofuran	10.6
n-Hexane	161
Benzene	42.5
Cyclohexane	101
Trichloroethene	33
2,2,4-Trimethylpentane	106
Heptane	109
Toluene	251
Tetrachloroethene	3.78
Ethylbenzene	99.9
p/m-Xylene	271
Styrene	1.8
o-Xylene	105.00
4-Ethyltoluene	19.20
1,3,5-Trimethylbenzene	22.5
1,2,4-Trimethylbenzene	86.00
Naphthalene	9.02
TOTAL VOCS	1600.51
TOTAL BTEX	769.4
TOTAL CVOCS	36.78

- LEGEND**
-  SITE BOUNDARY
  -  PARCEL BOUNDARY
  -  SOIL VAPOR SAMPLE

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
  2. ASSESSOR PAR CEL DATA SOURCE: KINGS COUNTY
  3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024
  4. ALL DETECTED ANALYTES SHOWN ON FIGURE.
  5. SOIL VAPOR ANALYSIS - VOLATILE ORGANIC COMPOUNDS (VOCs)
  6. RESULTS ARE DISPLAYED IN MICROGRAMS PER CUBIC METER ( $\mu\text{g}/\text{m}^3$ )
  7. TOTAL DETECTED CONCENTRATION OF BENZENE, TOLUENE, ETHYLBENZENE AND XYLENES (BTEX)
  8. TOTAL CVOCS CONCENTRATION IS THE SUM OF DETECTED CARBON TETRACHLORIDE, 1,1-DICHLOROETHENE, CIS-1,2-DICHLOROETHENE, TRICHLOROETHENE, METHYLENE CHLORIDE, TETRACHLOROETHENE, 1,1,1-TRICHLOROETHANE AND VINYL CHLORIDE.
  9. TOTAL VOCS IS THE SUM OF ALL THE DETECTED CONCENTRATIONS.



**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

MAP OF SOIL VAPOR CHEMISTRY

JUNE 2024

FIGURE 8

**ATTACHMENT E**

**Section V: Requestor's Information**



## SECTION V: REQUESTOR'S INFORMATION

The entity requesting participation in the BCP (the Requestor) is 291 Wallabout Realty LLC, a New York State Domestic Business Corporation. Cheskel Schwimmer is an administrative member and authorized representative of 291 Wallabout Realty LLC.

The contact information for the Requestor is:

Cheskel Schwimmer  
291 Wallabout Realty LLC  
59 Montrose Avenue  
Brooklyn, New York 11206  
Phone: (718) 522-5512 ext. 104  
Email: [cschwimmer@chessbuilders.com](mailto:cschwimmer@chessbuilders.com)

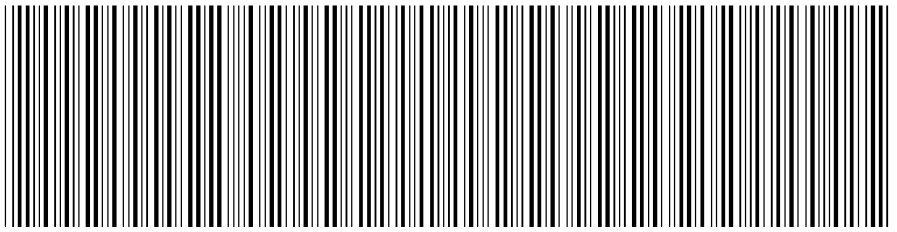
The proposed BCP Site is currently owned by the Requestor, 291 Wallabout Realty LLC, which is a New York State Limited Liability Company. 291 Wallabout Realty LLC purchased the Site in March 2024. A copy of the deed is included as an attachment.

A printout of the entity information from the New York State Department of State's Corporation & Business Entity Database for 291 Wallabout Realty LLC is included as an attachment.

All documents will be certified by a Haley & Aldrich of New York Licensed Professional Engineer and/or the Requestor in accordance with DER-10 Section 1.5.

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.



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RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 4

Document ID: 2024032100869001

Document Date: 03-21-2024

Preparation Date: 03-21-2024

Document Type: DEED

Document Page Count: 3

PRESENTER:

EXECUTIVE ABSTRACT GROUP, INC.  
16 ISRAEL ZUPNICK DRIVE, SUITE 117  
EAG-6402  
MONROE, NY 10950  
845-782-2400  
BLIMY@EXECUTIVE-ABSTRACT.COM

RETURN TO:

JEFFREY ZWICK ESQ.  
2329 NOSTRAND AVENUE, SUITE 400  
BROOKLYN, NY 11210

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	2250	46	Entire Lot	291 WALLABOUT STREET
Property Type: COMMERCIAL REAL ESTATE				

CROSS REFERENCE DATA

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

PARTIES

GRANTOR/SELLER:

SAYLA LLC  
291 WALLABOUT STREET  
BROOKLYN, NY 11206

GRANTEE/BUYER:

291 WALLABOUT REALTY LLC  
59 MONTROSE AVE # 1  
BROOKLYN, NY 11206-1620

FEES AND TAXES

Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 52.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 250.00

NYC Real Property Transfer Tax:

\$ 175,875.00

NYS Real Estate Transfer Tax:

\$ 43,550.00

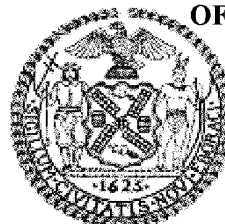
RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE

CITY OF NEW YORK

Recorded/Filed 03-22-2024 10:37

City Register File No.(CRFN):

2024000072383



*Colette McChia-Jacques*

City Register Official Signature

THIS INDENTURE made the 21 day of March, 2024  
BETWEEN

SAYLA LLC, a New York limited liability company having an address at 200 Hewes Street, Brooklyn, NY  
party of the first part,

and,

291 WALLABOUT REALTY LLC, a New York limited liability company having an address at 59 Montrose  
Avenue, Apt 1, Brooklyn, NY 11206

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN dollars paid by the party of the second  
part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of  
the party of the second part forever,

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

SEE SCHEDULE "A" ATTACHED

BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO THE PARTY OF THE FIRST PART  
BY DEED DATED DECEMBER 19, 2018 AND RECORDED ON FEBRUARY 12, 2019 IN THE OFFICE OF  
THE REGISTER OF THE CITY OF NEW YORK IN AND FOR THE COUNTY OF KINGS AS CRFN #  
2019000048772

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads  
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all  
the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the  
premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of  
the second part forever.

This conveyance has been made with the unanimous consent of all members of Grantor and is in the ordinary  
course of Grantor's business and does not constitute a transfer of all or substantially all of Grantor's assets.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the  
first part will receive the consideration for this conveyance and will hold the right to receive such consideration  
as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same  
first to the payment of the cost of the improvement before using any part of the total of the same for any other  
purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so  
requires.


**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above  
written.

**SAYLA LLC**  
A New York limited liability company

By: **HOO CORPORATION**  
A New York Business Corporation  
its sole member

By: **BLOSSOM TRUST**  
An Irrevocable Trust  
its sole shareholder

IN PRESENCE OF:

By:   
Name: Zoltan Rosenwasser,  
Title: Trustee and authorized signatory



**Executive Abstract Group, Inc.**  
**as agent for**  
**Stewart Title Insurance Company**

Title Number: **EAG-6402**  
Page **1**

**SCHEDULE A**  
**LEGAL DESCRIPTION**

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

BEGINNING at a point on the northerly side of Wallabout Street, distant 200 feet easterly from the corner formed by the intersection of the northerly side of Wallabout Street with the easterly side of Harrison Avenue;

RUNNING THENCE northerly, parallel with Harrison Avenue, 100 feet to the center line of the block;

THENCE easterly along said center line of the block and parallel with Walton Street, 50 feet;

THENCE southerly parallel with Harrison Avenue, 100 feet;

THENCE westerly along the northerly side of Wallabout Street, 50 feet to the point or place of BEGINNING.

For Information Only:

Said Premises is also known as 291 Wallabout Street, Brooklyn, NY 11206  
Block 2250 Lot 46

**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE**

State of New York, County of Kings ss:

State of New York, County of

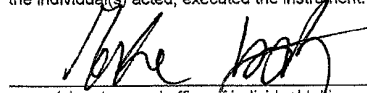
ss:

On the 21 day of March in the year 2024  
before me, the undersigned, personally appeared  
ZOLTAN ROSENWASSER

On the      day of      in the year 2021  
before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of  
satisfactory evidence to be the individual(s) whose name(s) is  
(are) subscribed to the within instrument and acknowledged to  
me that he/she/they executed the same in his/her/their  
capacity(ies), and that by his/her/their signature(s) on the  
instrument, the individual(s), or the person upon behalf of which  
the individual(s) acted, executed the instrument.

personally known to me or proved to me on the basis of  
satisfactory evidence to be the individual(s) whose name(s) is  
(are) subscribed to the within instrument and acknowledged to  
me that he/she/they executed the same in his/her/their  
capacity(ies), and that by his/her/their signature(s) on the  
instrument, the individual(s), or the person upon behalf of which  
the individual(s) acted, executed the instrument.



\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

MOSHE KATZ  
Notary Public, State of New York  
Registration No. 01KA6351364  
Qualified in Kings County  
Commission Expires 11/28/2024

**TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE**

State (or District of Columbia, Territory, or Foreign Country) of

ss:

On the      day of      in the year      before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are)  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and  
that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted,  
executed the instrument, and that such individual made such appearance before the undersigned in the

\_\_\_\_\_  
(insert the City or other political subdivision) in \_\_\_\_\_  
(and insert the State or Country or other place the acknowledgment was taken)

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

**BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS**

Title No. EAG-6402

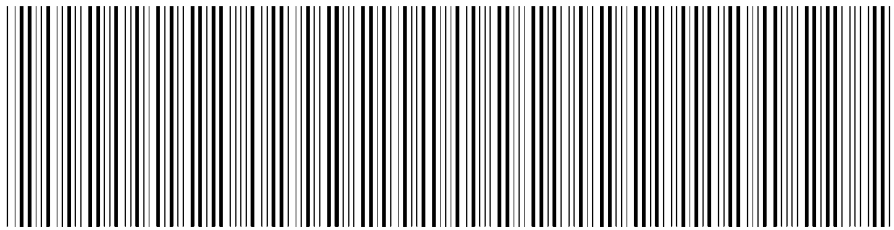
SECTION  
BLOCK 2250  
LOT 46  
COUNTY OF KINGS  
STREET ADDRESS: 291 WALLABOUT STREET

RETURN BY MAIL TO:

**Jeffrey Zwick Esq.  
Jeffrey Zwick & Associates, P.C.**

2329 Nostrand Avenue, Suite 400  
Brooklyn, New York 11210

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2024032100869001001SF60C

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2024032100869001  
Document Type: DEED

Document Date: 03-21-2024

Preparation Date: 03-21-2024

ASSOCIATED TAX FORM ID: 2024031800165

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

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

1  
2



The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 2250 LOT: 46
- (2) Property Address: 291 WALLABOUT STREET, BROOKLYN, NY 11206
- (3) Owner's Name: 291 WALLABOUT REALTY LLC
- Additional Name:

### Affirmation:

☐

Your water & sewer bills will be sent to the property address shown above.

c/o Chess Builders  
59 Montrose Ave, Apt 1  
Brooklyn, NY 11206

### Customer Billing Information:

#### Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature:

Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: Cheskel Schwimmer - Member

FOR CITY USE ONLY

C1. County Code  C2. Date Deed Recorded  /  /   
 Month Day Year

C3. Book  OR C4. Page   
 C5. CRFN



## REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK  
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

## PROPERTY INFORMATION

1. Property Location  291  WALLABOUT STREET  BROOKLYN  11206  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  291 WALLABOUT REALTY LLC   
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  
     
 LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed  1  # of Parcels OR ☐ Part of a Parcel

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

5. Deed Property Size  FRONT FEET ☒ X  DEPTH OR  ACRES

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐  
 7. New Construction on Vacant Land ☐

8. Seller Name  SAYLA LLC   
 LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

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

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

## SALE INFORMATION

10. Sale Contract Date  3 / 21 / 2024   
 Month Day Year

11. Date of Sale / Transfer  3 / 21 / 2024   
 Month Day Year

12. Full Sale Price \$  6  7  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

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives  
 B ☐ Sale Between Related Companies or Partners in Business  
 C ☐ One of the Buyers is also a Seller  
 D ☐ Buyer or Seller is Government Agency or Lending Institution  
 E ☐ Deed Type not Warranty or Bargain and Sale ( Specify Below )  
 F ☐ Sale of Fractional or Less than Fee Interest ( Specify Below )  
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates  
 H ☐ Sale of Business is Included in Sale Price  
 I ☐ Other Unusual Factors Affecting Sale Price ( Specify Below )  
 J ☒ None

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



15. Building Class  F, 5  16. Total Assessed Value (of all parcels in transfer)  2  1  7  3  5  0

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

BROOKLYN 2250 46

202403180016520103



<b>CERTIFICATION</b>		I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.	
 BUYER		BUYER'S ATTORNEY	
DATE 3/21/24			
BUYER SIGNATURE 59 MONTROSE AVE #1		LAST NAME FIRST NAME	
STREET NUMBER 59		STREET NAME (AFTER SALE)	
BROOKLYN		AREA CODE TELEPHONE NUMBER	
CITY OR TOWN		SELLER	
STATE NY		DATE 3/21/24	
ZIP CODE 11206		SELLER SIGNATURE 	

Department of State  
Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details



**ENTITY NAME:** 291 WALLABOUT REALTY LLC  
**DOS ID:** 7271780  
**FOREIGN LEGAL NAME:**  
**FICTITIOUS NAME:**  
**ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY  
**DURATION DATE/LATEST DATE OF DISSOLUTION:**  
**SECTION OF LAW:** LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW  
**ENTITY STATUS:** ACTIVE  
**DATE OF INITIAL DOS FILING:** 03/05/2024  
**REASON FOR STATUS:**  
**EFFECTIVE DATE INITIAL FILING:** 03/05/2024  
**INACTIVE DATE:**  
**FOREIGN FORMATION DATE:**  
**STATEMENT STATUS:** CURRENT  
**COUNTY:** KINGS  
**NEXT STATEMENT DUE DATE:** 03/31/2026  
**JURISDICTION:** NEW YORK, UNITED STATES  
**NFP CATEGORY:**

ENTITY DISPLAY   NAME HISTORY   FILING HISTORY   MERGER HISTORY   ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

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

**Name:** THE LLC - 291 WALLABOUT REALTY LLC  
**Address:** 59 MONTROSE AVE, #1, BROOKLYN, NY, UNITED STATES, 11206

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

Chief Executive Officer's Name and Address

**Name:**  
**Address:**

Principal Executive Office Address

**Address:**

Registered Agent Name and Address

**Name:**  
**Address:**

Entity Primary Location Name and Address

**Name:**  
**Address:**

Farmcorpflag

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

Stock Information

Share Value	Number Of Shares	Value Per Share
-------------	------------------	-----------------

**ATTACHMENT F**

**Section VI: Requestor's Eligibility Information**

## SECTION VI: REQUESTOR'S ELIGIBILITY INFORMATION

### ***Volunteer Status***

The Requestor qualifies as a "Volunteer" in the BCP because it has no connection with any prior owner or operator, and did not cause, contribute, or permit the disposal of any contaminants at the Site, nor did the Requestor control the Site when such contamination occurred. The Requestor commissioned a Phase I ESA for purposes of conducting all appropriate inquiry prior to purchase and intends to address any Site contamination via the BCP. The Requestor did not observe and is not aware of any continuing release. Since acquiring the property, the Requestor has taken the necessary steps to prevent any threatened, future release, and prevent and limit human, environmental or natural resource exposure to any previously released contamination at the Site such as maintaining vacancy of the building, maintaining the building footprint cover, and providing Site security in the form of locked exterior doors. As such, the Requestor qualifies as a Volunteer in accordance with ECL § 27-1405(1).

**ATTACHMENT G**

**Section IX: Current Property Owner/Operator Information**



## SECTION IX: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

### *Current Owner and Operator*

291 Wallabout Realty LLC is the Requestor and current owner of the Site located at 291 Wallabout Street. A copy of the deed is included in Section V. The Site is currently vacant.

### *Previous Owners and Operators*

A list of current and previous owners for 291 Wallabout Street is provided in the below table.

Date	Document Type	First Party	First Party Address	Second Party	Relationship of First Party to Applicant
3/21/2024	Deed (Lot 46)	SAYLA LLC	291 Wallabout Street, Brooklyn, NY 11206	291 Wallabout Realty LLC	None
12/19/2018	Deed (Lot 46)	HOO CORP	200 Hewes Street, Brooklyn, NY 11211	SAYLA LLC	None
2/11/1997	DEED (Lot 46)	City Of New York	8 Margaret Court, Brooklyn, NY 11235	HOO CORP	None

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website: <https://a836-acris.nyc.gov/DS/DocumentSearch/BBLResult>. Current and former addresses and telephone numbers of the previous property owners were not readily available.

A list of previous operators of the Site is provided in the below table.

Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
AZ Plastic	Operator (Appx. Mid to late 2010s)	291 Wallabout Street	None
John Koerners Sons, Inc. Truck Body Building and Woodworking	Operator (Appx. Mid 1930s to mid-1980s)	291 Wallabout Street	None
Wheelwright Warehouse	Operator (Appx. 1918 to mid-1930s)	291 Wallabout Street	None

Reference: Information obtained from the EDR-City Directory Abstract generated on 26 June 2024, Inquiry No. 7692897.5, EDR Certified Sanborn Map Report generated on 26 June 2024, Inquiry No. 7692897.3.

## **ATTACHMENT H**

### **Section XI: Contact List Information and Acknowledgement From Repository**

## SECTION XI – CONTACT LIST INFORMATION

### SITE CONTACT LISTS

Role	Name	Phone	Mailing Address	Email
NYC Mayor	Eric Adams	212-NEW-YORK	City Hall New York, NY 10007	<a href="https://www.nyc.gov/office-of-the-mayor/mayor-contact.page">https://www.nyc.gov/office-of-the-mayor/mayor-contact.page</a>
NYC Department of City Planning Chairperson	Dan Garodnick	212-720-3300	120 Broadway 31 <sup>st</sup> Floor, New York, NY 10271	<a href="mailto:Garodnick@council.nyc.gov">Garodnick@council.nyc.gov</a>
Brooklyn Borough President	Antonio Reynoso	718-802-3700	Brooklyn Borough Hall 209 Joralemon Street Brooklyn, NY 11201	<a href="mailto:AskReynoso@brooklynbp.nyc.gov">AskReynoso@brooklynbp.nyc.gov</a>
Brooklyn Community Board 1 District Manager	Dealice Fuller	718-389-0009	435 Graham Avenue Brooklyn, NY 11211	<a href="mailto:bk01@cb.nyc.gov">bk01@cb.nyc.gov</a>
NY Senate District 26 Senator	Andrew Gounardes	718-238-6044	497 Carroll Suite 31 BK, NY 11215	<a href="mailto:gounardes@nysenate.gov">gounardes@nysenate.gov</a>
NY State Assembly District 053 Member	Maritza Davila	718-443-1424	249 Wilson Avenue Brooklyn, NY 11237	<a href="mailto:DavilaM@nyassembly.gov">DavilaM@nyassembly.gov</a>

### ***Owners, Residents, Occupants***

The Site is currently vacant with no residents or occupants and developed with one one-story garage. The table below provides current contact information for the current owner of the Site.

Owner	Contact Name	Phone	Mailing Address	Email
291 Wallabout Realty LLC	Cheskel Schwimmer	718-522-5512	59 Montrose Ave	<a href="mailto:cschwimmer@chessbuilders.com">cschwimmer@chessbuilders.com</a>

### ***Adjacent Properties***

Below is a list of the adjoining properties which are also detailed on Figure 8.

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
Wallabout 295 Group LLC	Not Available	Multi-Family Elevator Buildings	297 Wallabout Street, Brooklyn, NY 11206	670 Myrtle Avenue, Suite 388, Brooklyn, NY 11205
Not Available	Not Available	Multi-Family Elevator Buildings	376 Wallabout Street, Brooklyn, NY 11206	Not Available
Joel Rubinfeld	Not Available	Vacant Land	289 Wallabout Street, Brooklyn, NY 11206	Not Available
Walton Palace LLC	Not Available	Multi-Family Walk-Up Buildings	92 Walton Street, Brooklyn, NY 11206	100A Broadway, Suite 199, Brooklyn, NY 11249
HOO Corp	Blossom Rosenwasser	Industrial & Manufacturing	94 Walton Street, Brooklyn, NY 11206	C/O Rosenwasser, 200 Hewes Street, Brooklyn, NY 11211

**Local News and Media:**

Owner/Entity Name	Type	Address	Phone	Website
The Brooklyn Eagle	Online	195 Montague St, Suite 1414 Brooklyn, NY 11201	718-422-7410	<a href="http://www.brooklyneagle.com">http://www.brooklyneagle.com</a>
Spectrum 1 News	Television	75 Ninth Avenue New York, NY 10011	212-691-6397	<a href="https://ny1.com/nyc/all-boroughs/about-us/contact-us">https://ny1.com/nyc/all-boroughs/about-us/contact-us</a>

**Public Water Supply:**

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Geraldine Kelpin - Commissioner	59-17 Junction Blvd. Flushing, NY 11373	718-595-7000	<a href="mailto:gkelpin@dep.nyc.gov">gkelpin@dep.nyc.gov</a>
NYC Municipal Water Finance Authority	Philip Wasserman – Executive Director	255 Greenwich Street 6th Floor New York, NY 10007	212-788-4969	N/A

**Additional Requests**

We are unaware of any requests to be included on the contact list for the Site.

***School or Day Care Located on or Proximal to the Site***

The following schools or day care facilities are located within ½-mile radius to the site:

<b>School/Day Care Name</b>	<b>Approximate distance from Site in feet and (directional)</b>	<b>Administrator</b>	<b>Phone</b>	<b>Address</b>
I.S. 318 Eugenio Maria De Hostos	179 (south)	David Cintron	718-302-7600	101 Walton St, Brooklyn, NY 11206
UTA Satmar Boy's School	899 (southeast)	Jeanette Rodriguez	718-963-9260	110 Throop Ave, Brooklyn, NY 11206
Beginning With Children Charter School 2 - Middle School	830 (south)	Joan Walrond	718-599-2924	11 Bartlett St, Brooklyn, NY 11206
Beginning with Children Charter School 2 - Elementary School	1,352 (northwest)	Mike Ferrara	718-302-7700	215 Heyward Street Brooklyn, NY 11206
P.S. 380 John Wayne Elementary School	1,450 (southwest)	Victoria Prisinzano	718-388-0607	370 Marcy Ave, Brooklyn, NY 11206
P.S. K141	1,492 (southwest)	Michele Thornton	718-388-4800	370 Marcy Ave, Brooklyn, NY 11206
P.S. 257 John F. Hylan	1,898 (southeast)	Melvin Martinez	718-384-7128	60 Cook St, Brooklyn, NY 11206
Success Academy Charter School - Bedstuy Elementary	2,213 (southeast)	Melissa Lopez	718-704-1439	211 Throop Ave Floor 3, Brooklyn, NY 11206
PS 373	1300 (southeast)	Regina Tottenham	718-782-6800	185 Ellery Street Brooklyn, NY
Kiddies Daycare NY	682 (southwest)	N/A	929-647-2644	58 Union Ave #1A, Brooklyn, NY 11206
Torres Day Care Daycare	1,298 (northeast)	Alexandra	551-313-9446	50 Manhattan Ave apt 5d, Brooklyn, NY 11206
PS 250 Geprge H. Lindsay	1,775 (northeast)	Rod Young	718-384-0889	108 Montrose Ave, Brooklyn, NY 11206
Uncommon Schools Williamsburg Elementary	2,118 (northeast)	Mallorie Bocachica	718-489-0940	140 Montrose Ave, Brooklyn, NY 11206
P.S. 368	1,824 (south)	L. Peter	718-388-9494	70 Tompkins Ave, Brooklyn, NY 11206
Whipple Learning Cove	864 (southeast)	Miriam Duran	718-218-5994	48 Whipple St Apt 1f, Brooklyn, NY 11206
Williamsburg Daycare 2	1,403 (southwest)	N/A	N/A	494 Marcy Ave, Brooklyn, NY 11206
4 Future Generations Daycare	1,730 (south)	Kenesha	917-737-5947	744 Park Ave #12b, Brooklyn, NY 11206



School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
Rosaura M Tavarez Group Family Day Care Daycare	2,054 (south)	N/A	908-495-6815	212 Throop Ave apt 10h, Brooklyn, NY 11206
Beautiful Garden Family Daycare LLC	2,078 (southwest)	N/A	347-489-0905	71 Nostrand Ave #5C, Brooklyn, NY 11206
Teodora Rodriguez Group Family Day Care Daycare	1,871 (east)	Teodora	908-495-7245	130 Moore St apt 4d,4 floor, Brooklyn, NY 11206
Tender Tots ChildCare, Preschool & Programs	2,188 (southeast)	N/A	718-298-3944	810 Flushing Ave, Brooklyn, NY 11206
Yve's Daycare	2,059 (northeast)	Yvelisse	551-239-8524	130 Humboldt St apt 3H, Brooklyn, NY 11206
The Baby Play Place Preschool	1,474 (north)	Tiffany Taylor	347-987-4905	25 Boerum St STE 7S, Brooklyn, NY 11206
Bedford Harrison Day Care Center	1,510 (northwest)	N/A	718-387-8837	60 Harrison Ave, Brooklyn, NY 11211
Young Garden Day Care	2,084 (north)	N/A	347-987-4720	11 Meserole St, Brooklyn, NY 11206
Nuestros Ninos Child Development Center	2,399 (northwest)	N/A	718-963-1555	384 S 4th St, Brooklyn, NY 11211

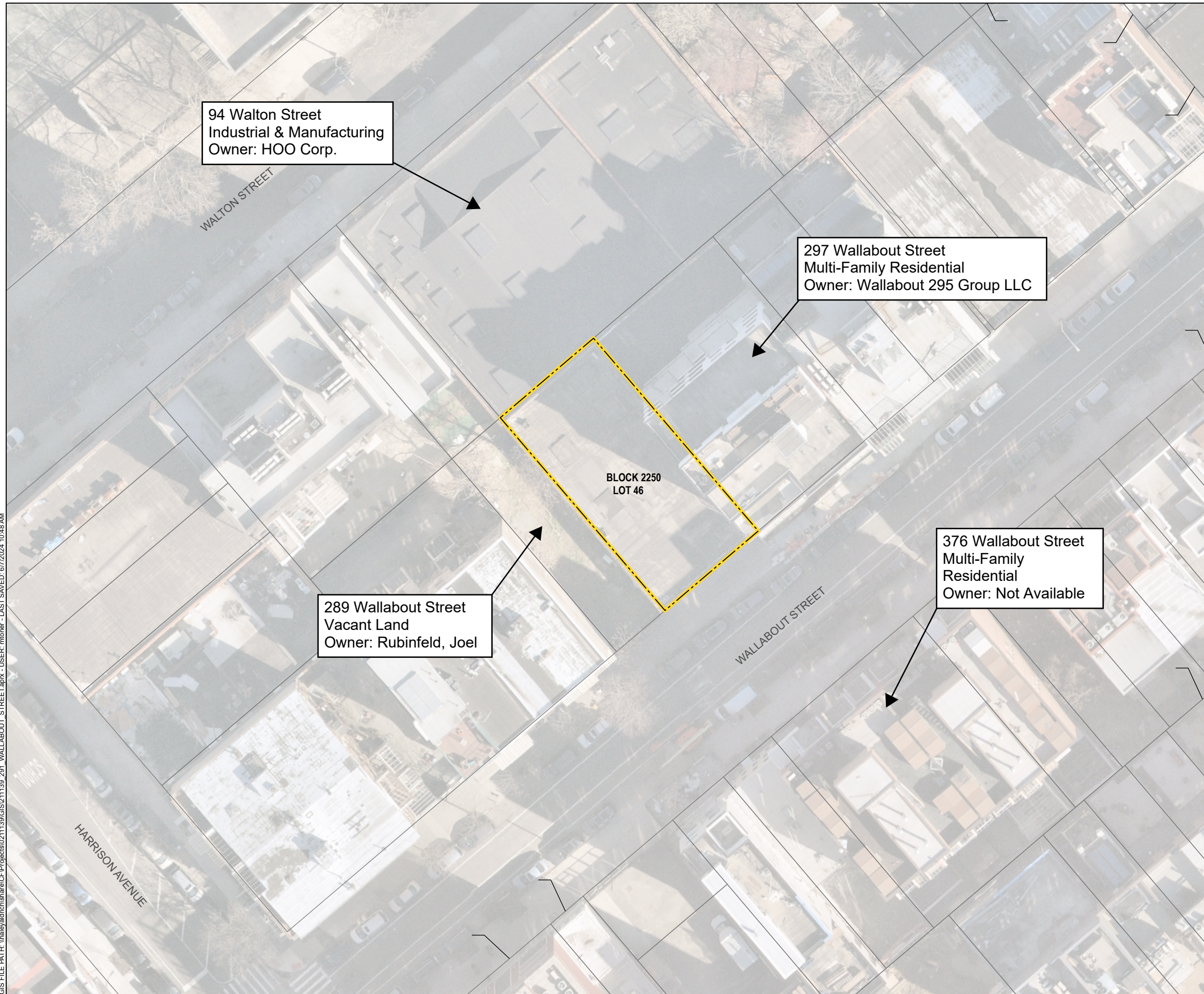
### Document Repository

The Brooklyn Community Board 1 and Brooklyn Public Library – Bushwick Branch were contacted via email on 25 June 2024 regarding utilizing their spaces as document repositories. The Brooklyn Public Library – Williamsburgh Branch was contacted via email on 31 July 2024 regarding utilizing their space as a document repository. Community Board 1 was re-contacted on 28 June 2024, 2 July 2024, and 11 July 2024 via email and on 10 July 2024, 12 July 2024, and 29 July 2024 via phone regarding this request. The Community Board administrator acknowledged receiving the emails but stated “Community Board 1 requires a physical copy of the letter to sign and stamp”. A physical copy of the letter was left with the Community Board administrator on 12 July 2024. On 1 August 2024, the Brooklyn Public Library – Bushwick Branch responded indicating that they were amenable and on 2 August 2024 the Brooklyn Public Library – Williamsburgh Branch responded indicating that they were amenable. Email outreach to Community Board 1 and documentation from Brooklyn Public Library – Bushwick Branch and Brooklyn Public Library – Williamsburgh Branch are attached. The information for the repositories is detailed below:

Owner/Entity Name	Contact	Address	Phone	Email
Brooklyn Public Library – Bushwick Branch	Marc Waldron	340 Bushwick Avenue Brooklyn, NY 11206	718.602.1348	<a href="mailto:mwaldron@bklynlibrary.org">mwaldron@bklynlibrary.org</a>
Brooklyn Public Library – Williamsburgh Branch	Catherine Skrzypek	240 Division Avenue at Marcy Avenue Brooklyn, NY 11211	718.302.3485	<a href="mailto:cskrzypek@bklynlibrary.org">cskrzypek@bklynlibrary.org</a>
Brooklyn Community Board 1	Johana Pulgarin	435 Graham Avenue Brooklyn, NY 11211	718.389.0009	<a href="mailto:bk01@cb.nyc.gov">bk01@cb.nyc.gov</a>



GIS FILE PATH: \\haleyaldrich\share\CF\Projects\021113\GIS\211139\_291\_WALLABOUT\_STREET.aprx - USER: mtoner - LAST SAVED: 6/7/2024 10:48 AM



**LEGEND**

-  SITE BOUNDARY
-  PARCEL BOUNDARY

**NOTES**

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 08 MARCH 2024



0 40 80  
SCALE IN FEET

**HALEY  
ALDRICH**

291 WALLABOUT STREET  
BROOKLYN, NEW YORK

ADJACENT SITE MAP

JUNE 2024

FIGURE 9



**Acknowledgement from Brooklyn Public Library – Bushwick Branch to Act as Document Repository**



H & A OF NEW YORK ENGINEERING  
AND GEOLOGY, LLP  
213 W 35<sup>th</sup> Street  
7<sup>th</sup> Floor  
New York, NY 10001  
Tel: 646.277.5685

25 June 2024

Brooklyn Public Library – Bushwick Branch  
340 Bushwick Avenue  
Brooklyn, NY 11206  
Via email: WaldronMarc@aol.com  
Attn: Marc Waldron, Managing Librarian

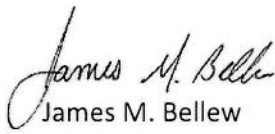
Subject: Brownfield Cleanup Program Application – Request for Repository Use  
291 Wallabout Street  
Brooklyn, NY 11206

Dear Marc Waldron:


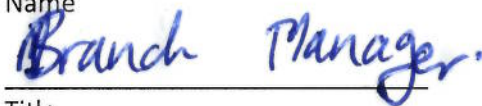
H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), on behalf of 291 Wallabout Realty LLC, is requesting use of the Brooklyn Public Library – Bushwick Branch as a document repository for the anticipated project located at 291 Wallabout Street, Brooklyn, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

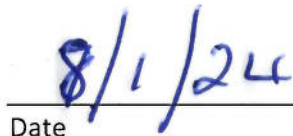
Should you have any questions, please do not hesitate to give me a call at (646) 277-5686.

Thank you,  
H & A OF NEW YORK ENGINEERING AND GEOLOGY, LLP

  
James M. Bellew  
Principal

The Brooklyn Public Library – Bushwick Branch is willing to act as a public document repository holding and making available of all provided environmental documents related to the 291 Wallabout Street Brownfield Cleanup Project.

  
Name  
  
Title

  
Date

**Acknowledgement from Brooklyn Public Library – Williamsburgh Branch to Act as Document Repository**





H & A OF NEW YORK ENGINEERING  
AND GEOLOGY, LLP  
213 W 35<sup>th</sup> Street  
7<sup>th</sup> Floor  
New York, NY 10001  
Tel: 646.277.5685

31 July 2024

Brooklyn Public Library – Williamsburgh Branch  
240 Division Avenue at Marcy Avenue  
Brooklyn, NY 11211  
Via email: CSkrzypek@bklynlibrary.org  
Attn: Catherine Skrzypek, Managing Librarian

Subject: Brownfield Cleanup Program Application – Request for Repository Use  
291 Wallabout Street  
Brooklyn, NY 11206

Dear Catherine Skrzypek:

H & A of New York Engineering and Geology, LLP (Haley & Aldrich of New York), on behalf of 291 Wallabout Realty LLC, is requesting use of the Brooklyn Public Library – Williamsburgh Branch as a document repository for the anticipated project located at 291 Wallabout Street, Brooklyn, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your facility would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to give me a call at (646) 277-5686.

Thank you,  
H & A OF NEW YORK ENGINEERING AND GEOLOGY, LLP

A handwritten signature in blue ink that reads 'James M. Bellew'.

James M. Bellew  
Principal

The Brooklyn Public Library – Williamsburgh Branch is willing to act as a public document repository holding and making available of all provided environmental documents related to the 291 Wallabout Street Brownfield Cleanup Project.

Catherine Skrzypek A handwritten signature in black ink that reads 'Catherine Skrzypek'.  
Name

August 2, 2024

Date

Branch Manager Williamsburgh Library  
Title

**Outreach to Brooklyn Community Board 1 to Act as Document Repository**

## Mooney, Nicole

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**From:** Mooney, Nicole  
**Sent:** Thursday, July 11, 2024 1:59 PM  
**To:** bk01@cb.nyc.gov  
**Cc:** Pena, Nicole  
**Subject:** RE: Repository Request  
**Attachments:** 2024-0625-HANY-291 Wallabout St-CB1 Repository Letter.pdf

Hello,

I would like to follow up on my call from yesterday. Please see attached letter requesting use of Brooklyn Community Board 1 as a document repository for this project - if the Brooklyn Community Board 1 is amenable, please sign and return the attached or, if preferred, indicate via email that the Brooklyn Community Board 1 will act as a repository for H & A of New York Engineering and Geology, LLP for their project located at 291 Wallabout Street, Brooklyn, NY.

Thank you,

**Nicole Mooney**  
Project Geologist

**H & A of New York Engineering and Geology, LLP**  
213 West 35<sup>th</sup> Street | 7<sup>th</sup> Floor  
New York, NY 10001

Office: (646) 568-9340  
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**From:** Pena, Nicole <NPena@haleyaldrich.com>  
**Sent:** Tuesday, July 2, 2024 3:26 PM  
**To:** bk01@cb.nyc.gov  
**Cc:** Mooney, Nicole <NMooney@haleyaldrich.com>  
**Subject:** RE: Repository Request

Good afternoon, Johana,

I hope this email finds you well.

I'm following up again in reference to the board's corroboration of acting as a Repository for H & A's project at 291 Wallabout Street. If you may complete the previously attached form, I would be extremely appreciative.

Best,  
**Nicole Peña**  
Environmental Scientist 1  
*Pronouns They/Them/Their*

**HALEY & ALDRICH, Inc.**

213 West 35<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, NY 10001

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**From:** Pena, Nicole  
**Sent:** Friday, June 28, 2024 3:57 PM  
**To:** [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)  
**Subject:** RE: Repository Request

Good afternoon, Johana,

I'm following up in reference to the board's corroboration of acting as a Repository for H & A's project at 291 Wallabout Street. If you may complete the previously attached form, I would be extremely appreciative.

Best,  
**Nicole Peña**  
Environmental Scientist 1  
*Pronouns They/Them/Their*

**HALEY & ALDRICH, Inc.**  
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**From:** Pena, Nicole  
**Sent:** Tuesday, June 25, 2024 2:55 PM  
**To:** [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)  
**Cc:** Mooney, Nicole <[NMooney@haleyaldrich.com](mailto:NMooney@haleyaldrich.com)>  
**Subject:** Repository Request

Dear Johana Pulgarin:

H & A of New York Engineering and Geology, LLP is formally requesting permission to include the Brooklyn Community Board 1 as a document repository during the investigation and remediation of the property located at 291 Wallabout Street, Brooklyn, NY. Please review the attached letter and, if amenable, provide a signed copy via email. We may also accept an email confirmation if it proves more convenient – if you choose this option, please indicate in the email text that the Brooklyn Community Board 1 will act as a repository for H & A of New York Engineering and Geology, LLP for their project located at 291 Wallabout Street, Brooklyn, NY.

Please return this to us at your earliest convenience and please contact me with any questions.

**Nicole Peña**  
Environmental Scientist 1  
*Pronouns They/Them/Their*

**HALEY & ALDRICH, Inc.**

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