



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 5*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME J.207 ST LLC and MFC REALTY CORP.

ADDRESS 15 Verbena Avenue, Suite 200

CITY/TOWN Floral Park

ZIP CODE 11001

PHONE (516) 821-2004

FAX (516) 821-2059

E-MAIL ana@madddequities.com

Is the requestor authorized to conduct business in New York State (NYS)? Yes No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS. *Refer to Appendix A*

Do all individuals that will be certifying documents meet the requirements detailed below? Yes No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description *Refer to Appendix B*

1. What stage is the project starting at? Investigation Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No *RIR not completed for Site*

4. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History Refer to Appendix C

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

Refer to Appendix C2 RIWP for previous Phase I and Phase II investigation reports.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (please submit the information requested in this section in electronic format only):

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).

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

| Contaminant Category | Soil | Groundwater | Soil Gas |
|----------------------|-----------------------------|-----------------------------|------------------------------|
| Petroleum | X- see Appendix C1 for list | X- see Appendix C1 for list | |
| Chlorinated Solvents | X- see Appendix C1 for list | | X - see Appendix C1 for list |
| Other VOCs | X- see Appendix C1 for list | X- see Appendix C1 for list | |
| SVOCs | X- see Appendix C1 for list | X- see Appendix C1 for list | |
| Metals | X- see Appendix C1 for list | X- see Appendix C1 for list | |
| Pesticides | X- see Appendix C1 for list | | |
| PCBs | X- see Appendix C1 for list | | |
| Other* | | | |

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?* Yes No
 (*answering No will result in an incomplete application)

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 checked="" type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Historically part of the Harlem River - Site filled between the 1950's and 1960's.

Section IV. Property Information - See Instructions for Further Guidance Refer to Appendix D

PROPOSED SITE NAME 207th Street/9th Avenue

ADDRESS/LOCATION 3875 9th Avenue

CITY/TOWN New York ZIP CODE 10034

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):
Manhattan

COUNTY New York SITE SIZE (ACRES) 1.64

| | |
|---|--|
| LATITUDE (degrees/minutes/seconds) 40 ° 51 ' 49.76 " | LONGITUDE (degrees/minutes/seconds) 73 ° 54 ' 58.05 " |
|---|--|

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

| Parcel Address | Section No. | Block No. | Lot No. | Acreage |
|-----------------|-------------|-----------|---------|---------|
| 3875 9th Avenue | | 2188 | 1 | 1.64 |
| | | | | |

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application? Yes No
(application will not be processed without map)

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) Yes No
If yes, identify census tract : 299
Percentage of property in En-zone (check one): 0-49% 50-99% 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No

6. 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? Yes No
If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
 If yes, identify here and attach appropriate information. Yes No

Easement/Right-of-way Holder

Description

NONE

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

NONE

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.** Refer to Appendix D

Are the Property Description and Environmental Assessment narratives included in the prescribed format? Yes No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?
 If yes, requestor must answer questions on the supplement at the end of this form. Yes No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Yes No

13. If you have answered Yes to Question 12, 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? Yes No

Not Applicable

If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: AMP _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

| | | | |
|--|--------------------|---|--|
| Section V. Additional Requestor Information See Instructions for Further Guidance | | DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____ | |
| NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Ana Maria Polonia | | | |
| ADDRESS 15 Verbena Avenue, Suite 200 | | | |
| CITY/TOWN Floral Park | | ZIP CODE 11001 | |
| PHONE (516) 821-2004 | FAX (516) 821-2059 | E-MAIL ana@madddequities.com | |
| NAME OF REQUESTOR'S CONSULTANT Roux Associates, Inc. (Craig Werle) | | | |
| ADDRESS 209 Shafter Street | | | |
| CITY/TOWN Islandia | | ZIP CODE 11749 | |
| PHONE 631-630-2337 | FAX 631-232-9898 | E-MAIL cwerle@rouxinc.com | |
| NAME OF REQUESTOR'S ATTORNEY Akerman LLP (Steve M Sinacori Esq.) | | | |
| ADDRESS 850 Third Avenue | | | |
| CITY/TOWN New York | | ZIP CODE 10022 | |
| PHONE (212) 822-2212 | FAX (212) 980-9578 | E-MAIL steven.sinacori@akerman.com | |
| Section VI. Current Property Owner/Operator Information – if not a Requestor Refer to Appendix E | | | |
| CURRENT OWNER'S NAME MFC REALTY CORP and J.207 ST LLC OWNERSHIP START DATE: 3/9/2004 | | | |
| ADDRESS | | | |
| CITY/TOWN | | ZIP CODE | |
| PHONE | FAX | E-MAIL | |
| CURRENT OPERATOR'S NAME 207 Garage LLC | | | |
| ADDRESS 3875 9th Ave. | | | |
| CITY/TOWN New York | | ZIP CODE 10034 | |
| PHONE 212-569-8229 | FAX | E-MAIL leslie.valerio5@gmail.com | |
| <p>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</p> <p>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</p> | | | |
| Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407) | | | |
| If answering "yes" to any of the following questions, please provide an explanation as an attachment. | | | |
| 1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 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="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |

Section VII. Requestor Eligibility Information (continued)

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, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
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? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
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 or made a false statement in connection with any document or application submitted to DEC? Yes No
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? Yes No
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? Yes No
11. Are there any unregistered bulk storage tanks on-site? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, 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; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste. *Refer to Appendix F*

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.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

- Previous Owner Current Owner Potential /Future Purchaser Other _____

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

- Yes No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? Yes No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? Yes No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
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? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes No
Not Applicable
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? Yes No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? Yes No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information Refer to Appendix G

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 addresses of the following:

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

Section X. Land Use Factors Refer to Appendix H

1. What is the current zoning for the site? What uses are allowed by the current zoning?
 Residential Commercial Industrial ^{M1-1}
 If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply) ^{Parking Lot}
Attach 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.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**
 If residential, does it qualify as single family housing? Yes No

4. Do current historical and/or recent development patterns support the proposed use? Yes No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.
 Refer to Statement provided in Appendix H. Yes No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.
 Refer to Statement provided in Appendix H. Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. 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 Auth Rep (title) of J.207 ST LLC and MFC REALTY CORP. (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. 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: 8/3/16 Signature: Ana Maria Polonia

Print Name: Ana Maria Polonia

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

Supplemental Questions 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 5 Refer to Appendix I

| | |
|---|---|
| Property is in Bronx, Kings, New York, Queens, or Richmond counties. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Please answer questions below and provide documentation necessary to support answers. | |
| 1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Is the property upside down or underutilized as defined below? Underutilized designation is deferred | Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| From ECL 27-1405(31): until regulations are finalized. | |
| <p>"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.</p> <p>From 6 NYCRR 375-3.2(I) as of July 1, 2015: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>(I) "Underutilized" means, as of the date of application, real property:</p> <ul style="list-style-type: none"> (1) on which a building or buildings, can be certified by the municipality in which the site is located, to have for at least five years used no more than fifty percent of the permissible floor area under the applicable base zoning immediately prior to the application which has been in effect for at least five years; (2) at which the proposed development is solely for a use other than residential or restricted residential; (3) which could not be developed without substantial government assistance, as certified by the municipality in which the site is located; and (4) which is subject to one or more of the following conditions, as certified by the municipal department responsible for such determinations of the municipality in which the site is located: <ul style="list-style-type: none"> (i) property tax payments have been in arrears for at least five years immediately prior to the application; (ii) contains a building that is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (iii) the proposed use is in whole or in substantial part for industrial uses. <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, or land purchase cost exemption or waiver, from a governmental entity; or for properties to be developed in whole or in part for industrial uses, a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or a tax credit, from a governmental entity, or a low-cost loan from an industrial fund managed by the municipality and partner financial institutions.</p> | |

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. Is the project an affordable housing project as defined below?

Yes No

From 6 NYCRR 375- 3.2(a) as of July 1, 2015:

(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, that 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' households 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, that sets affordable units aside for tenants 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.

BCP Application Summary (for DEC use only)

Site Name: 207th Street/9th Avenue
City: New York

Site Address: 3875 9th Avenue
County: New York

Zip: 10034

Tax Block & Lot

Section (if applicable):

Block: 2188

Lot: 1

Requestor Name: J.207 ST LLC and MFC REALTY CORP. **Requestor Address:** 15 Verbena Avenue, Suite 200
City: Floral Park **Zip:** 11001 **Email:** ana@madddequities.com

Requestor's Representative (for billing purposes)

Name: Ana Maria Polonia

Address: 15 Verbena Avenue, Suite 200

City: Floral Park

Zip: 11001

Email: ana@madddequities.com

Requestor's Attorney

Name: Akerman LLP (Steve M Sinacori Esq.) **Address:** 850 Third Avenue

City: New York

Zip: 10022

Email: steven.sinacori@akerman.com

Requestor's Consultant

Name: Roux Associates, Inc. (Craig Werle) **Address:** 209 Shafter Street

City: Islandia

Zip: 11749

Email: cwerle@rouxinc.com

Percentage of site within an En-Zone: 0% <50% 50-99% 100%

Requestor's Requested Status: Volunteer Participant

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

FIGURES

1. Site Location Map
2. Tax Map
3. Site Plan
4. Exceedances in Soil
5. Exceedances in Groundwater
6. Exceedances in Soil Vapor
7. Land Use Map



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

V:\GIS\Projects\2699Y\0001Y\104_2699.0001Y000.104.1.mxd

QUADRANGLE LOCATION



LEGEND

BCP SITE LIMIT

Title:

SITE LOCATION MAP

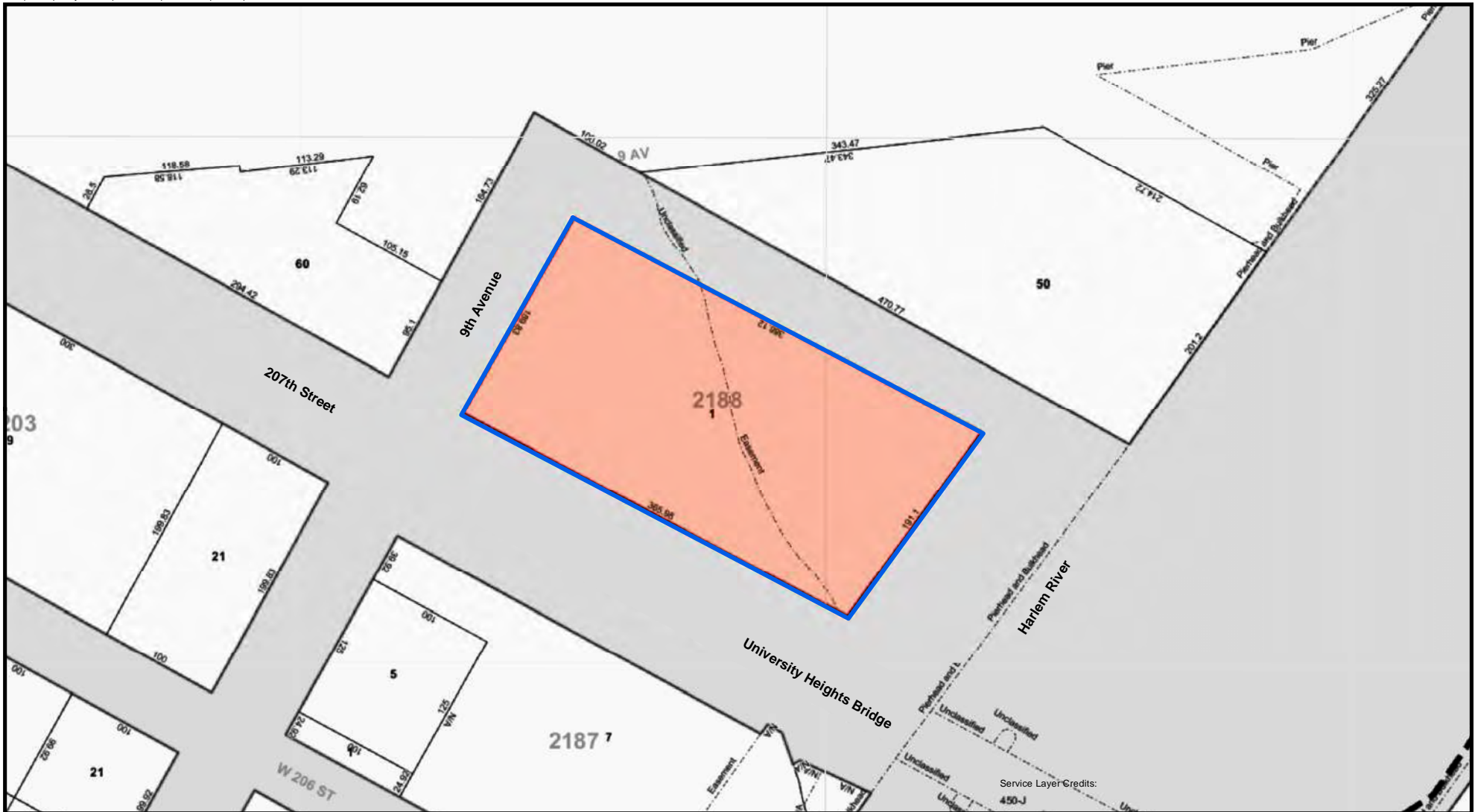
3875 9TH AVENUE, NEW YORK, NY

Prepared For:

J.207 ST. LLC/MFC REALTY CORP.

ROUX
ROUX ASSOCIATES, INC.
 Environmental Consulting
 & Management

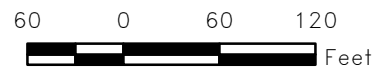
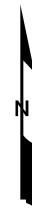
| | | |
|---------------------------|------------------------|-----------------|
| Compiled by: M.A. | Date: 26JUL16 | FIGURE 1 |
| Prepared by: M.R. | Scale: 1" = 83,333' | |
| Project Mgr: K.S. | Project: 2699.0001Y000 | |
| File: 2699.0001Y000.104.1 | | |



LEGEND

 BCP SITE LIMIT

SOURCE
NYC DEPARTMENT OF FINANCE



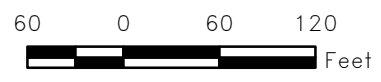
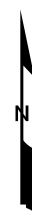
| | | | | |
|--|---------------------------|------------------------|--------------------------------|--|
| Title: | | | TAX MAP | |
| | | | 3875 9TH AVENUE, NEW YORK, NY | |
| Prepared For: | | | J.207 ST. LLC/MFC REALTY CORP. | |
| ROUX ROUX ASSOCIATES, INC. Environmental Consulting & Management | Compiled by: M.A. | Date: 26JUL16 | FIGURE 2 | |
| | Prepared by: M.R. | Scale: 1" = 120' | | |
| | Project Mgr: K.S. | Project: 2699.0001Y000 | | |
| | File: 2699.0001Y000.104.2 | | | |



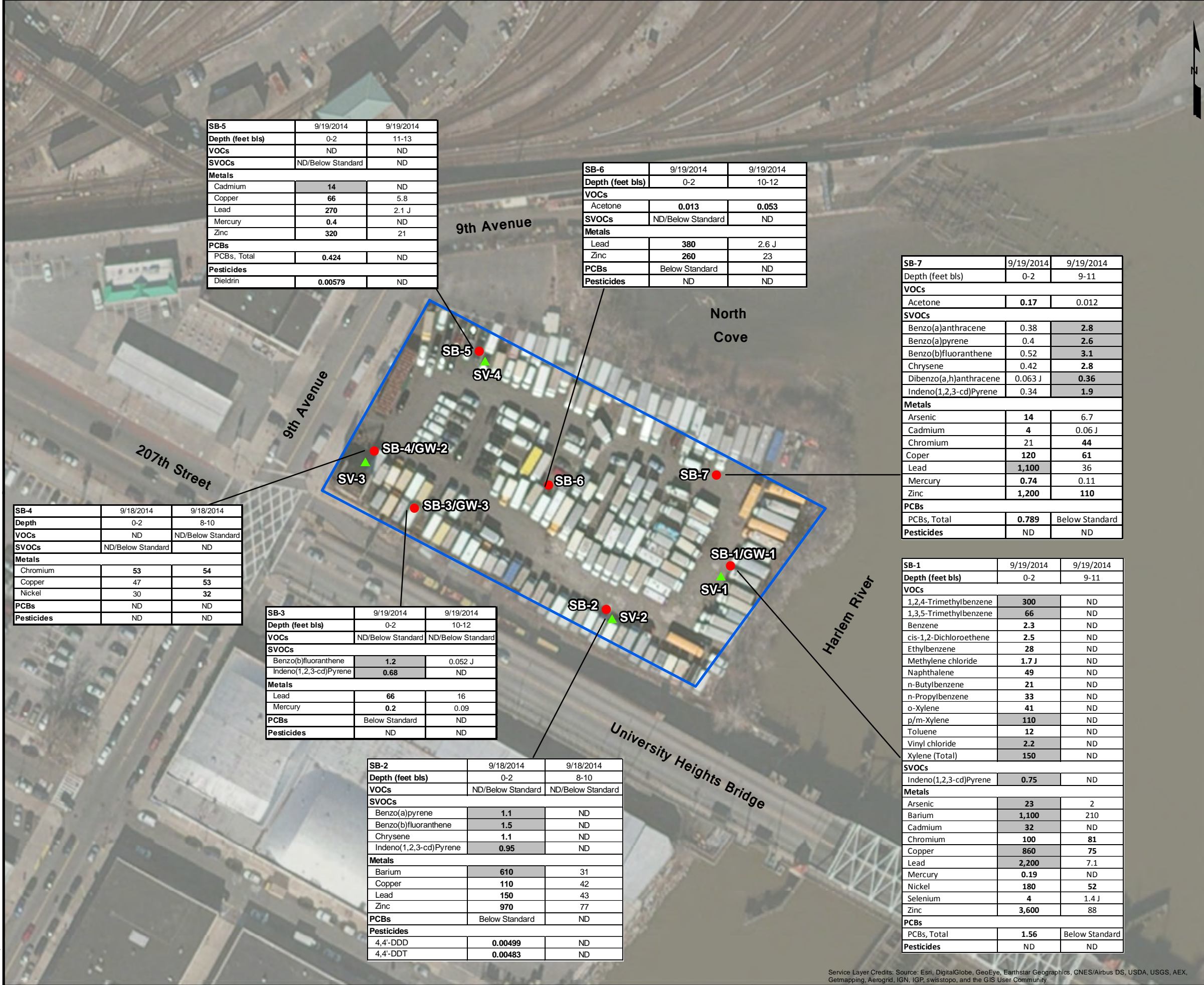
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

LEGEND

 BCP SITE LIMIT



| | | | | |
|---|---------------------------|------------------------|--------------------------------|--|
| Title: | | | SITE PLAN | |
| | | | 3875 9TH AVENUE, NEW YORK, NY | |
| Prepared For: | | | J.207 ST. LLC/MFC REALTY CORP. | |
|  ROUX ASSOCIATES, INC. <i>Environmental Consulting & Management</i> | Compiled by: M.A. | Date: 26JUL16 | FIGURE 3 | |
| | Prepared by: M.R. | Scale: 1" = 120' | | |
| | Project Mgr: K.S. | Project: 2699.0001Y000 | | |
| | File: 2699.0001Y000.104.3 | | | |



LEGEND

- SOIL BORING/GROUNDWATER GRAB SAMPLE LOCATION AND DESIGNATION
- ▲ SOIL VAPOR LOCATION AND DESIGNATION
- BCP SITE LIMIT

| | | |
|-------------------------|-------------------|-----------|
| SB-5 | 9/19/2014 | 9/19/2014 |
| Depth (feet bls) | 0-2 | 11-13 |
| VOCs | ND | ND |
| SVOCs | ND/Below Standard | ND |
| Metals | | |
| Cadmium | 14 | ND |
| Copper | 66 | 5.8 |
| Lead | 270 | 2.1 J |
| Mercury | 0.4 | ND |
| Zinc | 320 | 21 |
| PCBs | | |
| PCBs, Total | 0.424 | ND |
| Pesticides | | |
| Dieldrin | 0.00579 | ND |

| | | |
|-------------------------|-------------------|-----------|
| SB-6 | 9/19/2014 | 9/19/2014 |
| Depth (feet bls) | 0-2 | 10-12 |
| VOCs | | |
| Acetone | 0.013 | 0.053 |
| SVOCs | ND/Below Standard | ND |
| Metals | | |
| Lead | 380 | 2.6 J |
| Zinc | 260 | 23 |
| PCBs | | |
| PCBs, Total | Below Standard | ND |
| Pesticides | | |
| Dieldrin | ND | ND |

| | | |
|-------------------------|-----------|----------------|
| SB-7 | 9/19/2014 | 9/19/2014 |
| Depth (feet bls) | 0-2 | 9-11 |
| VOCs | | |
| Acetone | 0.17 | 0.012 |
| SVOCs | | |
| Benzo(a)anthracene | 0.38 | 2.8 |
| Benzo(a)pyrene | 0.4 | 2.6 |
| Benzo(b)fluoranthene | 0.52 | 3.1 |
| Chrysene | 0.42 | 2.8 |
| Dibenzo(a,h)anthracene | 0.063 J | 0.36 |
| Indeno(1,2,3-cd)Pyrene | 0.34 | 1.9 |
| Metals | | |
| Arsenic | 14 | 6.7 |
| Cadmium | 4 | 0.06 J |
| Chromium | 21 | 44 |
| Copper | 120 | 61 |
| Lead | 1,100 | 36 |
| Mercury | 0.74 | 0.11 |
| Zinc | 1,200 | 110 |
| PCBs | | |
| PCBs, Total | 0.789 | Below Standard |
| Pesticides | | |
| Dieldrin | ND | ND |

| | | |
|-------------------|-------------------|-------------------|
| SB-4 | 9/18/2014 | 9/18/2014 |
| Depth | 0-2 | 8-10 |
| VOCs | ND | ND/Below Standard |
| SVOCs | ND/Below Standard | ND |
| Metals | | |
| Chromium | 53 | 54 |
| Copper | 47 | 53 |
| Nickel | 30 | 32 |
| PCBs | | |
| PCBs, Total | ND | ND |
| Pesticides | | |
| Dieldrin | ND | ND |

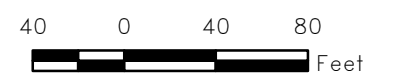
| | | |
|-------------------------|-------------------|-------------------|
| SB-3 | 9/19/2014 | 9/19/2014 |
| Depth (feet bls) | 0-2 | 10-12 |
| VOCs | ND/Below Standard | ND/Below Standard |
| SVOCs | | |
| Benzo(b)fluoranthene | 1.2 | 0.052 J |
| Indeno(1,2,3-cd)Pyrene | 0.68 | ND |
| Metals | | |
| Lead | 66 | 16 |
| Mercury | 0.2 | 0.09 |
| PCBs | | |
| PCBs, Total | Below Standard | ND |
| Pesticides | | |
| Dieldrin | ND | ND |

| | | |
|-------------------------|-------------------|-------------------|
| SB-2 | 9/18/2014 | 9/18/2014 |
| Depth (feet bls) | 0-2 | 8-10 |
| VOCs | ND/Below Standard | ND/Below Standard |
| SVOCs | | |
| Benzo(a)pyrene | 1.1 | ND |
| Benzo(b)fluoranthene | 1.5 | ND |
| Chrysene | 1.1 | ND |
| Indeno(1,2,3-cd)Pyrene | 0.95 | ND |
| Metals | | |
| Barium | 610 | 31 |
| Copper | 110 | 42 |
| Lead | 150 | 43 |
| Zinc | 970 | 77 |
| PCBs | | |
| PCBs, Total | Below Standard | ND |
| Pesticides | | |
| 4,4'-DDD | 0.00499 | ND |
| 4,4'-DDT | 0.00483 | ND |

| | | |
|-------------------------|-----------|----------------|
| SB-1 | 9/19/2014 | 9/19/2014 |
| Depth (feet bls) | 0-2 | 9-11 |
| VOCs | | |
| 1,2,4-Trimethylbenzene | 300 | ND |
| 1,3,5-Trimethylbenzene | 66 | ND |
| Benzene | 2.3 | ND |
| cis-1,2-Dichloroethene | 2.5 | ND |
| Ethylbenzene | 28 | ND |
| Methylene chloride | 1.7 J | ND |
| Naphthalene | 49 | ND |
| n-Butylbenzene | 21 | ND |
| n-Propylbenzene | 33 | ND |
| o-Xylene | 41 | ND |
| p/m-Xylene | 110 | ND |
| Toluene | 12 | ND |
| Vinyl chloride | 2.2 | ND |
| Xylene (Total) | 150 | ND |
| SVOCs | | |
| Indeno(1,2,3-cd)Pyrene | 0.75 | ND |
| Metals | | |
| Arsenic | 23 | 2 |
| Barium | 1,100 | 210 |
| Cadmium | 32 | ND |
| Chromium | 100 | 81 |
| Copper | 860 | 75 |
| Lead | 2,200 | 7.1 |
| Mercury | 0.19 | ND |
| Nickel | 180 | 52 |
| Selenium | 4 | 1.4 J |
| Zinc | 3,600 | 88 |
| PCBs | | |
| PCBs, Total | 1.56 | Below Standard |
| Pesticides | | |
| Dieldrin | ND | ND |

| Samplign Location ID | NYSDEC Park 375 Unrestricted SCO (mg/kg) | NYSDEC Park 375 Restricted Residential SCO (mg/kg) |
|------------------------|--|--|
| VOCs | | |
| 1,2,4-Trimethylbenzene | 3.6 | 52 |
| 1,3,5-Trimethylbenzene | 8.4 | 52 |
| Acetone | 0.05 | 100 |
| Benzene | 0.06 | 4.8 |
| cis-1,2-Dichloroethene | 0.25 | 100 |
| Ethylbenzene | 1 | 41 |
| Methylene chloride | 0.05 | 100 |
| Naphthalene | 12 | 100 |
| n-Butylbenzene | 12 | 100 |
| n-Propylbenzene | 3.9 | 100 |
| o-Xylene | 0.26 | 100 |
| p/m-Xylene | 0.26 | 100 |
| Toluene | 0.7 | 100 |
| Vinyl chloride | 0.02 | 0.9 |
| Xylene (Total) | 0.26 | 100 |
| SVOCs | | |
| Benzo(a)anthracene | 1 | 1 |
| Benzo(a)pyrene | 1 | 1 |
| Benzo(b)fluoranthene | 1 | 1 |
| Chrysene | 1 | 3.9 |
| Dibenzo(a,h)anthracene | 0.33 | 0.33 |
| Indeno(1,2,3-cd)Pyrene | 0.5 | 0.5 |
| Metals | | |
| Arsenic | 13 | 16 |
| Barium | 350 | 400 |
| Cadmium | 2.5 | 4.3 |
| Chromium | 30 | 180 |
| Copper | 50 | 270 |
| Lead | 63 | 400 |
| Mercury | 0.18 | 0.81 |
| Nickel | 30 | 310 |
| Selenium | 4 | 180 |
| Zinc | 109 | 10,000 |
| PCBs | | |
| PCBs, Total | 0.1 | 1 |
| Pesticides | | |
| 4,4'-DDD | 0.0033 | 13 |
| 4,4'-DDT | 0.0033 | 7.9 |
| Dieldrin | 0 | 0.2 |

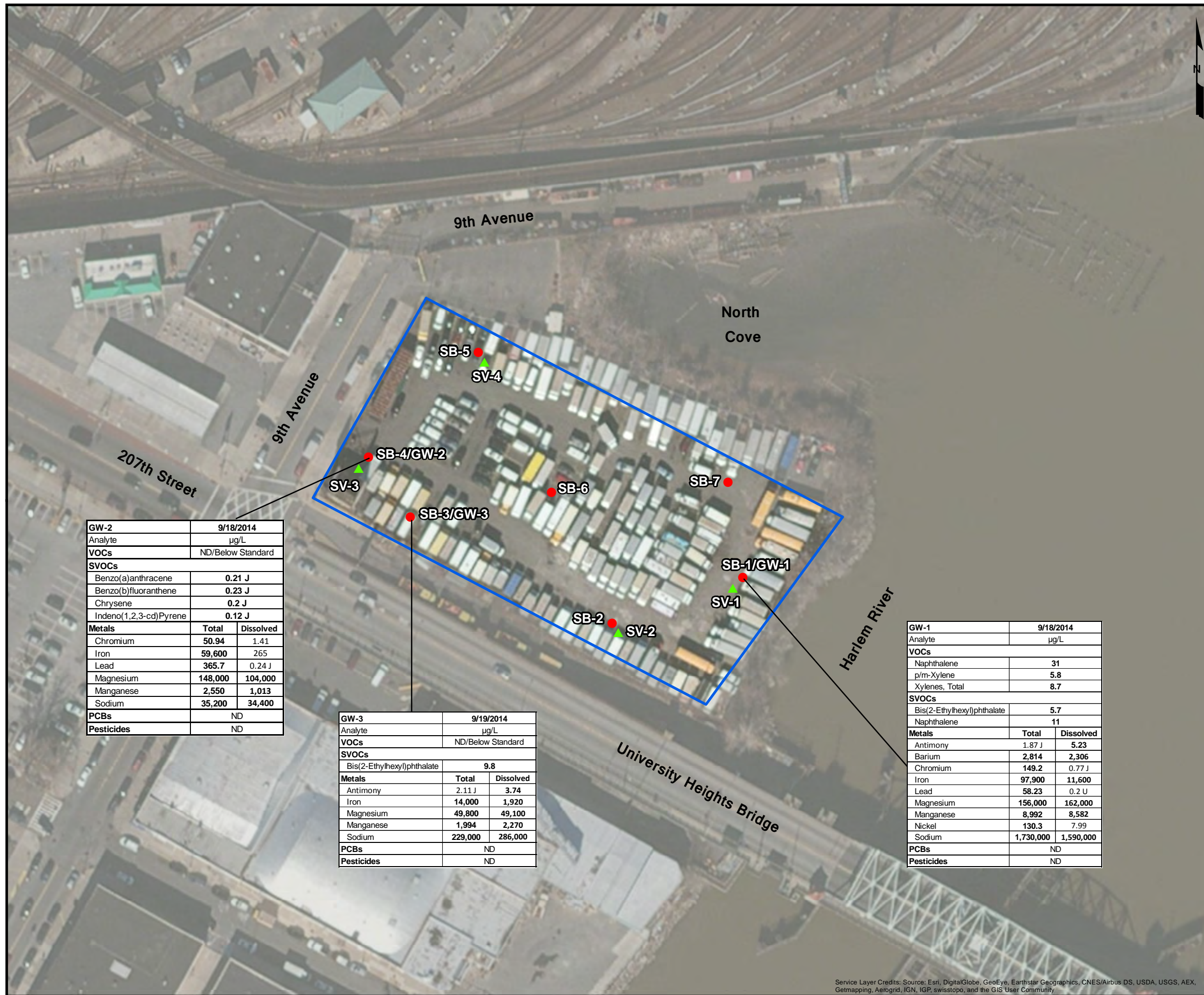
NOTE: BOLD EXCEEDS UNRESTRICTED SCO. SHADED EXCEEDS RESTRICTED RESIDENTIAL SCO.



Title: **EXCEEDANCES IN SOIL**
3875 9TH AVENUE, NEW YORK, NY

Prepared For: J.207TH ST. LLC./MFC REALTY CORP.

| | | | |
|--|---------------------------|------------------------|----------|
| ROUX Environmental Consulting & Management | Compiled by: M.A. | Date: 26JUL2016 | FIGURE 4 |
| | Prepared by: M.R. | Scale: 1" = 84' | |
| | Project Mgr: K.S. | Project: 2699.0001Y000 | |
| | File: 2699.0001Y001.104.4 | | |



LEGEND

- SOIL BORING/GROUNDWATER GRAB SAMPLE LOCATION AND DESIGNATION
- ▲ SOIL VAPOR LOCATION AND DESIGNATION
- BCP SITE LIMIT

| Sampling Location ID | NYSDEC Class GA Ambient Standard |
|----------------------------|----------------------------------|
| Analyte | µg/L |
| VOCs | |
| Naphthalene | 10 |
| p/m-Xylene | 5 |
| Xylenes, Total | 5 |
| SVOCs | |
| Benzo(a)anthracene | 0.002 |
| Benzo(b)fluoranthene | 0.002 |
| Bis(2-Ethylhexyl)phthalate | 5 |
| Chrysene | 0.002 |
| Indeno(1,2,3-cd)Pyrene | 0.002 |
| Naphthalene | 10 |
| Metals | |
| Antimony | 3 |
| Barium | 1,000 |
| Chromium | 50 |
| Iron | 300 |
| Lead | 25 |
| Magnesium | 35,000 |
| Manganese | 300 |
| Nickel | 100 |
| Sodium | 20,000 |
| PCBs | 0.90 |
| Pesticides | - |

| GW-2 | | 9/18/2014 | |
|------------------------|--------------|------------------|--|
| Analyte | µg/L | | |
| VOCs | | | |
| ND/Below Standard | | | |
| SVOCs | | | |
| Benzo(a)anthracene | 0.21 | J | |
| Benzo(b)fluoranthene | 0.23 | J | |
| Chrysene | 0.2 | J | |
| Indeno(1,2,3-cd)Pyrene | 0.12 | J | |
| Metals | | | |
| | Total | Dissolved | |
| Chromium | 50.94 | 1.41 | |
| Iron | 59,600 | 265 | |
| Lead | 365.7 | 0.24 J | |
| Magnesium | 148,000 | 104,000 | |
| Manganese | 2,550 | 1,013 | |
| Sodium | 35,200 | 34,400 | |
| PCBs | ND | | |
| Pesticides | ND | | |

| GW-3 | | 9/19/2014 | |
|----------------------------|--------------|------------------|--|
| Analyte | µg/L | | |
| VOCs | | | |
| ND/Below Standard | | | |
| SVOCs | | | |
| Bis(2-Ethylhexyl)phthalate | 9.8 | | |
| Metals | | | |
| | Total | Dissolved | |
| Antimony | 2.11 J | 3.74 | |
| Iron | 14,000 | 1,920 | |
| Magnesium | 49,800 | 49,100 | |
| Manganese | 1,994 | 2,270 | |
| Sodium | 229,000 | 286,000 | |
| PCBs | ND | | |
| Pesticides | ND | | |

| GW-1 | | 9/18/2014 | |
|----------------------------|--------------|------------------|--|
| Analyte | µg/L | | |
| VOCs | | | |
| Naphthalene | 31 | | |
| p/m-Xylene | 5.8 | | |
| Xylenes, Total | 8.7 | | |
| SVOCs | | | |
| Bis(2-Ethylhexyl)phthalate | 5.7 | | |
| Naphthalene | 11 | | |
| Metals | | | |
| | Total | Dissolved | |
| Antimony | 1.87 J | 5.23 | |
| Barium | 2,814 | 2,306 | |
| Chromium | 149.2 | 0.77 J | |
| Iron | 97,900 | 11,600 | |
| Lead | 58.23 | 0.2 U | |
| Magnesium | 156,000 | 162,000 | |
| Manganese | 8,992 | 8,582 | |
| Nickel | 130.3 | 7.99 | |
| Sodium | 1,730,000 | 1,590,000 | |
| PCBs | ND | | |
| Pesticides | ND | | |

NOTE:

BOLD EXCEEDS NYSDEC CLASS GA AMBIENT WATER QUALITY STANDARDS



Title:

EXCEEDANCES IN GROUNDWATER

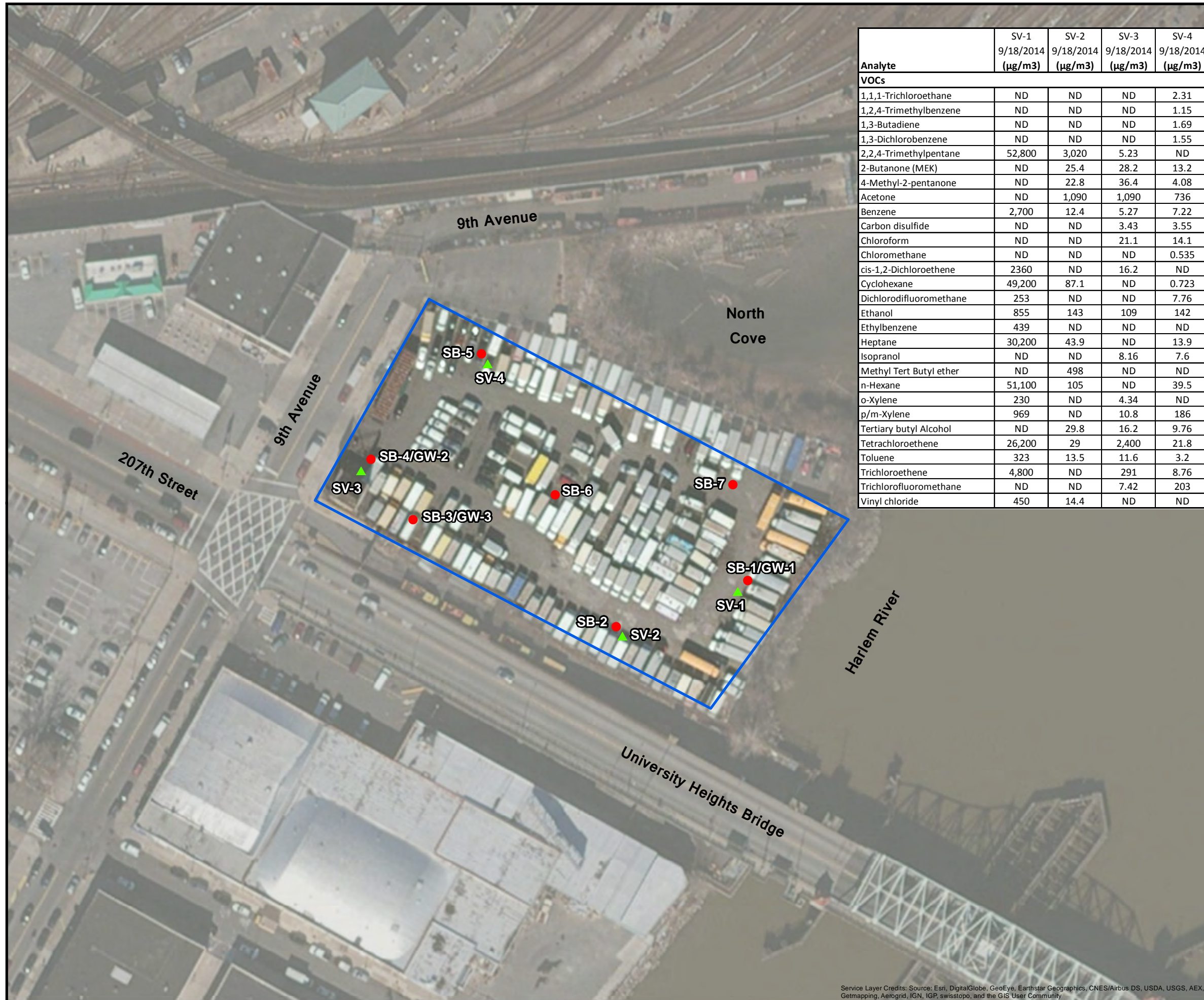
3875 9TH AVENUE, NEW YORK, NY

Prepared For:

J.207TH ST. LLC./MFC REALTY CORP.



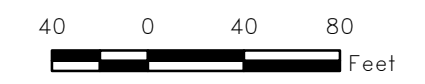
| | | |
|---------------------------|------------------------|--------------------|
| Compiled by: M.A. | Date: 26JUL2016 | FIGURE 5 |
| Prepared by: M.R. | Scale: 1" = 80' | |
| Project Mgr: K.S. | Project: 2699.0001Y000 | |
| File: 2699.0001Y001.104.5 | | |



| Analyte | SV-1 9/18/2014 (µg/m3) | SV-2 9/18/2014 (µg/m3) | SV-3 9/18/2014 (µg/m3) | SV-4 9/18/2014 (µg/m3) |
|-------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| VOCs | | | | |
| 1,1,1-Trichloroethane | ND | ND | ND | 2.31 |
| 1,2,4-Trimethylbenzene | ND | ND | ND | 1.15 |
| 1,3-Butadiene | ND | ND | ND | 1.69 |
| 1,3-Dichlorobenzene | ND | ND | ND | 1.55 |
| 2,2,4-Trimethylpentane | 52,800 | 3,020 | 5.23 | ND |
| 2-Butanone (MEK) | ND | 25.4 | 28.2 | 13.2 |
| 4-Methyl-2-pentanone | ND | 22.8 | 36.4 | 4.08 |
| Acetone | ND | 1,090 | 1,090 | 736 |
| Benzene | 2,700 | 12.4 | 5.27 | 7.22 |
| Carbon disulfide | ND | ND | 3.43 | 3.55 |
| Chloroform | ND | ND | 21.1 | 14.1 |
| Chloromethane | ND | ND | ND | 0.535 |
| cis-1,2-Dichloroethene | 2360 | ND | 16.2 | ND |
| Cyclohexane | 49,200 | 87.1 | ND | 0.723 |
| Dichlorodifluoromethane | 253 | ND | ND | 7.76 |
| Ethanol | 855 | 143 | 109 | 142 |
| Ethylbenzene | 439 | ND | ND | ND |
| Heptane | 30,200 | 43.9 | ND | 13.9 |
| Isopropanol | ND | ND | 8.16 | 7.6 |
| Methyl Tert Butyl ether | ND | 498 | ND | ND |
| n-Hexane | 51,100 | 105 | ND | 39.5 |
| o-Xylene | 230 | ND | 4.34 | ND |
| p/m-Xylene | 969 | ND | 10.8 | 186 |
| Tertiary butyl Alcohol | ND | 29.8 | 16.2 | 9.76 |
| Tetrachloroethene | 26,200 | 29 | 2,400 | 21.8 |
| Toluene | 323 | 13.5 | 11.6 | 3.2 |
| Trichloroethene | 4,800 | ND | 291 | 8.76 |
| Trichlorofluoromethane | ND | ND | 7.42 | 203 |
| Vinyl chloride | 450 | 14.4 | ND | ND |

LEGEND

- SOIL BORING/GROUNDWATER GRAB SAMPLE LOCATION AND DESIGNATION
- ▲ SOIL VAPOR LOCATION AND DESIGNATION
- BCP SITE LIMIT



Title: **EXCEEDANCES IN SOIL VAPOR**
 3875 9TH AVENUE, NEW YORK NY











Prepared For: J.207TH ST. LLC./MFC REALTY CORP.

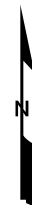
| | | | |
|--|---------------------------|------------------------|--------------------|
| ROUX ROUX ASSOCIATES, INC. <i>Environmental Consulting & Management</i> | Compiled by: M.A. | Date: 26JUL2016 | FIGURE 6 |
| | Prepared by: M.R. | Scale: 1" = 80' | |
| | Project Mgr: K.S. | Project: 2699.0001Y000 | |
| | File: 2699.0001Y001.104.6 | | |

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Gelmapping, Aerogrid, IGN, IGR, swisstopo, and the GIS User Community



Legend

- | | |
|--|--|
|  BCP Site Limit |  Industrial & Manufacturing Buildings |
|  Vacant Land |  Commercial & Office Buildings |
|  Parking Facilities |  Mixed Residential & Commercial Buildings |
|  Public Facilities & Institutions |  Multi-Family Elevator Buildings |
|  Transportation & Utility |  Multi-Family Walk-Up Buildings |



| | | |
|---|---------------------------|------------------------|
| Title: | | |
| LAND USE MAP | | |
| 3875 9TH AVENUE, NEW YORK, NY | | |
| Prepared For: | | |
| J.207 ST. LLC/MFC REALTY CORP. | | |
|  ROUX ASSOCIATES, INC. <i>Environmental Consulting & Management</i> | Compiled by: M.A. | Date: 26JUL16 |
| | Prepared by: M.R. | Scale: 1" = 200' |
| | Project Mgr: K.S. | Project: 2699.0001Y000 |
| | File: 2699.0001Y001.104.7 | |
| FIGURE | | 7 |

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDICES

- A. Section I ----- Requestor Information
- B. Section II ----- Project Description
 - B-1. ----- Project Description
 - B-2. ----- Proposed Site Development
- C. Section III ----- Property Environmental History
 - C-1. ----- Environmental History
 - C-2. ----- Remedial Investigation Work Plan
*(Attachments 2 and 3 Provided on CD
in Bound Copy)*
- D. Section IV ----- Property Information
- E. Section VI ----- Owner Operator
- F. Section VII ----- Volunteer Statement
- G. Section IX ----- Contact List
- H. Section X ----- Land Use Factors
- I. Tangible Property Credits

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX A

Section I – Requestor Information

Appendix A – Requestor Information

3875 9th Avenue

BCP Application- Section I

The J.207 St LLC and MFC Realty Corp owner information is provided below.

MFC REALTY CORP.

Owner: Carlos Gomez

J.207 ST LLC

Managing Member: Francesca Madruga

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through April 14, 2016.

Selected Entity Name: J.207 ST LLC

Selected Entity Status Information

Current Entity Name: J.207 ST LLC

DOS ID #: 4672698

Initial DOS Filing Date: NOVEMBER 28, 2014

County: NASSAU

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

JORGE MADRUGA
 15 VERBENA AVENUE
 FLORAL PARK, NEW YORK, 11001

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

| # of Shares | Type of Stock | \$ Value per Share |
|--------------------------|----------------------|---------------------------|
| No Information Available | | |

*Stock information is applicable to domestic business corporations.

Name History

| Filing Date | Name Type | Entity Name |
|--------------------|------------------|--------------------|
| NOV 28, 2014 | Actual | J.207 ST LLC |

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS Homepage](#) | [Contact Us](#)

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through April 14, 2016.

Selected Entity Name: MFC REALTY CORP.

Selected Entity Status Information

Current Entity Name: MFC REALTY CORP.

DOS ID #: 2411902

Initial DOS Filing Date: AUGUST 24, 1999

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

LAW OFFICE OF, PHILIP KUSZEL, PC
472 UNION VALLEY ROAD
MAHOPAC, NEW YORK, 10541

Chief Executive Officer

CARLOS GOMEZ
3875 NINTH AVENUE
NEW YORK, NEW YORK, 10034

Principal Executive Office

MFC REALTY CORP.
3875 NINTH AVENUE
NEW YORK, NEW YORK, 10034

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate.](#)

***Stock Information**

| # of Shares | Type of Stock | \$ Value per Share |
|-------------|---------------|--------------------|
| 200 | No Par Value | |

*Stock information is applicable to domestic business corporations.

Name History

| Filing Date | Name Type | Entity Name |
|--------------|-----------|------------------|
| AUG 24, 1999 | Actual | MFC REALTY CORP. |

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS Homepage](#) | [Contact Us](#)

APPENDIX B

Section II – Project Description

- B-1. Project Description
- B-2. Proposed Site Development

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX B-1

Project Description

Appendix B1 – Project Description

3875 9th Avenue

BCP Application - Section II, Question 4

The J.207 St LLC and MFC Realty Corp property is located at 3875 9th Avenue within the Inwood section of Manhattan (Site), refer to Figure 1. The proposed Brownfields Cleanup Program (BCP) Site is 71,575 square feet in size encompassing an entire city block (block 2188 lot 1) for a total area encompassing 1.64 acres, refer to Figure 2. Currently, the Site is an active asphalt-paved parking lot. There is a parking attendant trailer in the northwestern corner of the property, and the property is surrounded by a chain link fence. The existing Site conditions are shown on the Figure 3 aerial. Layout of the proposed Site development is shown in Appendix B2.

The development project will entail new construction of three buildings built at the street wall. The buildings will provide a total of 858,588 SF of mixed use space including: 795,847 SF for residential affordable housing (838 dwelling units), 51,986 SF for commercial space and 10,755 SF for community facilities. The development will be constructed as a slab on grade with no cellar. The 8-inch slab will be set at 8-inches below grade with 6-foot grade beams set directly beneath and two-foot pile caps will be set directly beneath the grade beams. The piles will be set approximately 100 feet below the pile caps.

The building entrance heights will vary according to the sidewalk elevation. The lowest building will be at elevation 11-ft and the highest will be at elevation 13-ft (NAVD 88). The 1st floor will be constructed at least 1-ft above the base flood elevation. The 1st floor will house the residential lobbies, community facility spaces, retail and parking and loading. The 2nd floor will house retail space and parking area (attended).

The property redevelopment will transform a stretch of the Inwood waterfront into a thriving residential community, with a vibrant mix of retail and public facilities. New public access to the waterfront will also be provided through the construction of an esplanade and parkland.

Projected Schedule

| Timeframe | Description |
|------------------|--|
| June 2016 | Submit BCP Application |
| March 2017 | Commence Remedial Action |
| December 2019 | Anticipated issuance of Certificate of Completion. |

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX B-2

Proposed Site Development

APPENDIX C

Section III – Property Environmental History

C-1. Environmental History

C-2. Remedial Investigation Work Plan

(Attachments 2 and 3 Provided on CD in Bound Copy)

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX C-1

Environmental History

Appendix C1 – Property’s Environmental History

3875 9th Avenue

BCP Application- Section III

The Remedial Investigation Work Plan (RIWP) is provided in Appendix C2. Within the RIWP, the AKRF Phase I Environmental Site Assessment and Subsurface Phase II Investigation are provided in Attachments 2 and 3 respectively (provided on the enclosed CD). A remedial investigation is planned upon acceptance into the BCP. The Site was used for auto repairs and auto wrecking from the 1930s to at least the 1950’s. The eastern portion of the property was part of the Harlem River until filling activities occurred between 1951 and 1968. The fill material was of unknown origin and the former Harlem River bed may contain hazardous materials. Other historic Site uses included: houseboat mooring; trailer parking; dumping; and vacant land.

Presented below is a summary of the AKRF Phase II Site investigation exceedances of the NYSDEC Part 375 Unrestricted Residential Use Soil Cleanup Objectives (SCOs), groundwater exceedances of the NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGV) and detections in soil vapor.

Soil

As summarized below VOCs, SVOCs, Metals, PCBs and Pesticides were detected in soils at concentrations in exceedence of the NYSDEC Part 375 Unrestricted Residential Use SCOs A summary of the maximum concentrations detected are also provided.

VOCs

- Acetone 0.17 mg/kg in SB-7(0-2)
- 1,2,4-Trimethylbenzene 300 mg/kg in SB-1(0-2)
- 1,3,5-Trimethylbenzene 66 mg/kg in SB-1(0-2)
- Benzene 2.3 mg/kg in SB-1(0-2)
- cis-1,2-Dichloroethene 2.5 mg/kg in SB-1 (0-2)
- Ethylbenzene 28 mg/kg in SB-1(0-2)
- Methylene Chloride 1.7 mg/kg in SB-1(0-2)
- Napthalene 49 mg/kg in SB-1(0-2)
- n-Butylbenzene 21 mg/kg in SB-1(0-2)
- n-Propylbenzene 33 mg/kg in SB-1(0-2)
- o-Xylene 41 mg/kg in SB-1(0-2)
- p/m-Xylene 110 mg/kg in SB-1(0-2)
- Toluene 12 mg/kg in SB-1(0-2)
- Vinyl Chloride 2.2 mg/kg in SB-1(0-2)
- Xylene (total) 150 mg/kg in SB-1(0-2)

Appendix C1 – Property’s Environmental History

3875 9th Avenue

BCP Application - Section III

D R A F T

SVOCs

- Benzo[a]anthracene 2.8 mg/kg in SB-7(9-11)
- Benzo[a]pyrene 2.6 mg/kg in SB-7(9-11)
- Benzo[b]fluoranthene 3.1 mg/kg in SB-7(9-11)
- Chrysene 2.8 mg/kg in SB-7(9-11)
- Dibenzo[a,h]anthracene 0.36 mg/kg in SB-7(9-11)
- Indeno[1,2,3-cd]pyrene 1.9 mg/kg in SB-7(9-11)

Metals

- Arsenic 23 mg/kg in SB-1(0-2)
- Barium 1100 mg/kg in SB-1(0-2)
- Cadmium 32 mg/kg in SB-1(0-2)
- Chromium 100 mg/kg in SB-1(0-2)
- Copper 860 mg/kg in SB-1(0-2)
- Lead 2200 mg/kg in SB-1(0-2)
- Mercury 0.74 mg/kg in SB-7(0-2)
- Nickel 180 mg/kg in SB-1(0-2)
- Selenium 4 mg/kg in SB-1(0-2)
- Zinc 3600 mg/kg in SB-1(0-2)

PCBs

- PCB’s (total) 1.56 mg/kg in SB-1(0-2)

Pesticides

- 4,4’-DDD 0.00499 mg/kg in SB-2(0-2)
- 4,4’-DDT 0.00483 mg/kg in SB-2(0-2)
- Dieldrin 0.00579 mg/kg in SB-5(0-2)

Groundwater

The following analytes detected in groundwater are in exceedence of the NYSDEC AWQSGV, the highest concentration detected per analyte is also provided below:

VOCs

- Naphthalene 31 ug/L in GW-1
- p/m-Xylene 5.8 ug/L in GW-1
- Xylene (total) 8.7 ug/L in GW-1

SVOCs

- Benzo[a]anthracene 0.21 ug/L in GW-2
- Benzo[b]fluoranthene 0.23 ug/L in GW-2
- Bis(2-Ethylhexyl)phthalate 9.8 ug/L in GW-3
- Chrysene 0.2 ug/L in GW-2
- Indeno[1,2,3-cd]pyrene 0.12 ug/L in GW-2
- Naphthalene 11 ug/L in GW-1

Appendix C – Property’s Environmental History

3875 9th Avenue

BCP Application - Section III

Metals

| | |
|-------------|------------------------|
| • Barium | 2814 ug/L in GW-1 |
| • Chromium | 149.2 mg/kg in GW-1 |
| • Iron | 97,900 ug/L in GW-1 |
| • Lead | 365.7 ug/L in GW-2 |
| • Magnesium | 156,000 ug/L in GW-1 |
| • Manganese | 8,992 ug/L in GW-1 |
| • Nickel | 130 ug/L in GW-1 |
| • Sodium | 1,730,000 ug/L in GW-1 |

Soil Vapor

The following analytes were detected in soil vapor with the highest concentration per analyte noted:

VOCs

| | |
|---------------------------|----------------------|
| • 1,1,1-Trichloroethane | 2.31 ug/m3 in SV-4 |
| • 1,2,4-Trimethylbenzene | 1.15 ug/L in SV-4 |
| • 1,3-Butadiene | 1.69 in SV-4 |
| • 1,3-Dichlorobenzene | 1.55 ug/m3 in SV-4 |
| • 2,2,4-Trimethylpentane | 52,800 ug/m3 in SV-1 |
| • 2-Butanone (MEK) | 28.2 in SV-3 |
| • 4-Methyl-2-pentanone | 36.4 ug/m3 in SV-3 |
| • Acetone | 1090 ug/m3 in SV-2 |
| • Benzene | 2,700 ug/m3 in SV-1 |
| • Carbon disulfide | 3.55 ug/m3 in SV-4 |
| • Chloroform | 21.1 ug/m3 in SV-3 |
| • Chloromethane | 0.535 in SV-4 |
| • cis-1,2-Dichloroethene | 2360 ug/m3 in SV-1 |
| • Cyclohexane | 49,200 ug/m3 in SV-1 |
| • Dichlorodifluoromethane | 253 ug/m3 in SV-1 |
| • Ethanol | 855 ug/m3 in SV-1 |
| • Ethylbenzene | 439 ug/m3 in SV-1 |
| • Heptane | 30,200 ug/m3 in SV-1 |
| • Isopropanol | 8.16 in SV-3 |
| • Methyl tert buty ether | 498 ug/m3 in SV-2 |
| • n-Hexane | 51,100 ug/m3 in SV-1 |
| • o-Xylene | 230 ug/m3 in SV-1 |
| • p/m-Xylene | 969 ug/m3 in SV-1 |
| • Tertiary butyl alcohol | 29.8 ug/m3 in SV-2 |
| • Tetrachloroethene | 26,200 ug/m3 in SV-1 |
| • Toluene | 323 ug/m3 in SV-1 |
| • Trichloroethene | 4,800 ug/m3 in SV-1 |
| • Trichlorofluoromethane | 203 mg/m3 in SV-4 |
| • Vinyl Chloride | 450 ug/m3 in SV-1 |

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX C-2

Remedial Investigation Work Plan

(Attachments 2 and 3 Provided on CD in Bound Copy)

Phase II Work Plan (Short Form)

For

**3875 9th Avenue,
New York, New York 10034
Block 2188, Lot 1**

OER Project Number: 16TEMP010M

E-Designation: Pending

CEQR Number: Not Yet Available

Name of Rezoning Action: C6-4 zoning \Variance Action: N/A

Prepared for:

**J.207 ST LLC and MFC REALTY CORP.
15 Verbena Avenue, 2nd Floor
Floral Park, NY 11001
Spectrumdevelopment@hotmail.com**

Prepared by:

**Roux Associates, Inc.
209 Shafter Street
Islandia, NY 11749
ksommo@rouxinc.com
631-445-0585**

APRIL 2016

Introduction

This Phase II Investigation Work Plan has been developed for the above referenced site. The site is located within the Inwood section of Manhattan. The following work scope has been developed in response to Phase I ESA findings, as per OER meeting on December 21, 21015, or at risk for due-diligence, or in response to the proposed development project.

Site Location, Current Use, and Proposed Development Plan

The Site is located in the Inwood section of Manhattan and is identified as Block 2188 and Lot 1 (Figures 1 and 2). Currently, the Site is an asphalt-paved parking lot used for parking. There is a parking attendant trailer in the northwestern corner of the property, and the property is surrounded by a chain link fence. The development project will entail new construction of three buildings built at the street wall. The buildings will provide a total of 858,588 SF of mixed use space including: 795,847 SF for residential affordable housing (838 dwelling units), 51,986 SF for commercial space and 10,755 SF for community facilities. The development will be constructed as a slab on grade with no cellar. The 8-inch slab will be set at 8-inches below grade with 6-foot grade beams set directly beneath and two-foot pile caps will be set directly beneath the grade beams. The piles will be set approximately 100 feet below the pile caps.

The entire 1st floor fronting W. 207th street will be set back 10' from the street line to provide an arcade and widen the sidewalk; details regarding the three buildings are as follows:

- Building "A" will be 25 stories in height. The setback will be at the 11th floor and a dormer at the 14th floor.
- Building "B" will be 30 stories in height. The setback will be at the 11th floor and dormer at the 13th floor.
- Building "C" will be 32 stories in height. The setback will be at the 6th floor.

The building entrances height will vary according the sidewalk elevation. The lowest building will be constructed at elevation 11' and the highest will be at elevation 13' (NAVD 88). The 1st floor will be constructed at least 1-ft above the design flood elevation. The 1st floor will house the residential lobbies, community facility spaces, retail and parking and loading. The 2nd floor will house retail space and parking area (attended).

As part of development, a condo will be created for each building and each use. The water table is expected at approximately 8 to 13 feet below grade surface (bgs). Layout of the proposed site development is presented in Attachment 1. An esplanade and landscape plantings will be incorporated into the area along the waterfront to provide public access.

Phase I ESA Summary

The AKRF Phase 1 ESA (Attachment 2) identified the following Recognized Environmental Conditions (RECs), Controlled RECs (CRECs), Historic RECs (HRECs), De Minimis Conditions and/or Environmental Concerns:

- Recognized Environmental Conditions (RECs)
- An auto repair garage with potential for undocumented underground storage tanks located in the southwestern section of Lot 1 and auto wrecking in the northwestern section of Lot 1 from 1930s to at least the 1950's. Other Site uses included: houseboat mooring; trailer parking; dumping; and vacant land.

- The eastern portion of the property was part of the Harlem River until filling activities occurred between 1951 and 1968. The fill material was of unknown origin and the former Harlem River bed may contain hazardous materials.
- The surrounding area historically included a laundry and cleaner (which may have used petroleum based solvents based on their age), a carpet cleaner (which may have used chlorinated solvents based on its age), a boat works, filling stations, garages with gasoline USTs, auto repair shops, and factories. A large rail yard was constructed north and northwest of the Property across 9th Avenue between 1922 and 1928.

Summary of AKRF Phase II ESA Results (October 2014)

The AKRF Phase II (Attachment 3) investigation included the collection of 21 soil samples at 7 soil boring locations; 3 groundwater grab samples; and 4 soil vapor samples. The Phase II investigation identified the following findings:

Soil:

- Fill - Fill was found uniformly across the site. It generally varied in thickness from six feet to 10 feet.
- VOCs - VOC detections were limited to the shallow soils ((0-2 feet below ground surface (bgs)) at location SB-1, except for the acetone detections at locations SB-6 and SB-7 (exceed the Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs) but are below the Restricted Residential SCOs (RRSCOs)). The following VOCs at location SB-1 were above the RRSCOs:
 - SB-1 (0-2 feet bgs)
 - ◆ 1,2,4-Trimethylbenzene (300 mg/kg);
 - ◆ 1,3,5-Trimethylbenzene (66 mg/kg);
 - ◆ p/m Xylene (110 mg/kg);
 - ◆ Vinyl chloride (2.2 mg/kg); and
 - ◆ Xylene-Total (150 mg/kg).
- SVOCs - SVOCs were detected above the RRSCOs at the following locations along the southern and eastern portions of the property:
 - SB-1 (0-2 feet bgs)
 - ◆ Indeno(1,2,3-cd)Pyrene (0.75 mg/kg).
 - SB-2 (0-2 feet bgs),
 - ◆ Benzo(a)pyrene (1.1 mg/kg)
 - ◆ Benzo(b)fluoranthene (1.5 mg/kg); and
 - ◆ Indeno(1,2,3-cd)Pyrene (0.95 mg/kg).
 - SB-3 (0-2 feet bgs),
 - ◆ Benzo(b)fluoranthene (1.2 mg/kg); and
 - ◆ Indeno(1,2,3-cd)Pyrene (0.68 mg/kg).
 - SB-7 (9-11 feet bgs),
 - ◆ Benzo(a)anthracene (2.8 mg/kg)
 - ◆ Benzo(a)pyrene (2.6 mg/kg)
 - ◆ Benzo(b)fluoranthene (3.1 mg/kg);
 - ◆ Dibenzo(a,h)anthracene (0.35 mg/kg); and
 - ◆ Indeno(1,2,3-cd)Pyrene (1.9 mg/kg).

- Metals - There were several metal detections above the RRSCOs at locations within the eastern portion the property (SB-1 and SB-7) and one detection for cadmium at SB-5 in the western portion of the property above the RRSCOs. A summary of the exceedences are below:
 - SB-1 (0-2 feet bgs)
 - ♦ Arsenic (23 mg/kg);
 - ♦ Barium (1,100 mg/kg)
 - ♦ Cadmium (32 mg/kg);
 - ♦ Copper (860 mg/kg); and
 - ♦ Lead (2,200 mg/kg).
 - SB-5 (0-2 feet bgs)
 - ♦ Cadmium (14 mg/kg).
 - SB-7 (0-2 feet bgs)
 - ♦ Lead (1,100 mg/kg).
- PCBs - PCBs were detected in 8 of the 14 samples, however only one sample exceeded the RRSCOs: SB-1 at a depth of 0-2 feet bgs had a total PCB concentration of 1.56 mg/kg. Deeper samples collected at this location were below the RRSCOs. The 0 to 2 ft samples at SB-5 and SB-7 had total PCB concentrations of 0.424 mg/kg and 0.789 mg/kg respectively which both exceed the Unrestricted Use SCO but are below the RRSCO.
- Pesticides - There were detections of pesticides in shallow soils (0-2 feet bgs) at locations SB-2 and SB-5. However, the pesticide detections were all below the RRSCOs.

Groundwater:

- VOCs - VOC detections were limited to the eastern side of the property at location GW-1; naphthalene (31 µg/L), p/m-xylene (5.6 µg/L) and total xylenes (8.7 µg/L) were all detected at concentrations above the ambient water quality standards (class GA).
- SVOCs - SVOC's were detected in groundwater at all three locations above the ambient water quality standards (class GA) for the following parameters and concentrations:
 - GW-1
 - ♦ Bis(2-Ethylhexyl)phthalate (5.7 µg/L); and
 - ♦ Naphthalene (11 µg/L).
 - GW-2
 - ♦ Benzo(a)anthracene (0.21 J µg/L);
 - ♦ Benzo(b)fluoranthene (0.23 J µg/L);
 - ♦ Chrysene (0.2 J)and
 - ♦ Indeno(1,2,3-cd)Pyrene (0.12 J µg/L).
 - GW-3
 - ♦ Bis(2-Ethylhexyl)phthalate (9.8 µg/L).
- Metals - Metals were detected in both filtered and unfiltered groundwater at all three locations above the ambient water quality standards (class GA).
- PCBs - No Detections.
- Pesticides - No Detections.

Soil Vapor:

- VOCs - VOCs were detected in soil vapor throughout the property however the highest concentrations were limited to the eastern side of the property at location SV-1. Analytes of concern included:
 - 2,2,4-Trimethylpentane (52,800 µg/m³);

- Benzene (2,700 µg/m³)
- Cis-1,2-Dichloroethene (2,360 µg/m³);
- Cyclohexane (49,200 µg/m³);Heptane (30,200 µg/m³);
- N-Hexane (51,100 µg/m³);
- Tetrachloroethene (26,200 µg/m³);
- Trichloroethene (4,800 µg/m³); and
- Vinyl chloride (450 µg/m³).

Conclusions:

The highest concentrations detected in soil and soil vapor are located within the eastern portion of the property; VOCs, metals and PCBs within shallow soils at SB-1 (0-2 feet bgs) and chlorinated and nonchlorinated hydrocarbons in soil vapor at adjacent location SV-1. SVOCs were detected in deeper soils at SB-7 (9-11 feet bgs). Groundwater concentrations were detected at all three locations above the ambient water quality standards (class GA), VOCs were limited to the eastern portion of the property, SVOCs and metals were detected throughout the property and PCBs and Pesticides were not detected.

Supplemental Phase II Investigation Work Scope

Geophysical Survey

A geophysical survey will be performed in the northwestern section of the site to investigate for the presence of potential USTs associated with the historic auto service building.

Soil, Groundwater and Soil Vapor Summary

An investigation of soil, soil vapor and groundwater is being performed to properly characterize the site for potential environmental impacts from historic on-site/off-site uses, operations, etc. The proposed sampling event will address both RECs and historic fill, as well as to provide general horizontal/vertical characterization across the site for development purposes. The sampling procedures of this investigation will be performed in accordance with the NYSDEC Technical Guidance for Site Investigation and Remediation DER-10.

Twelve test borings, five groundwater monitoring wells will be installed and eight soil vapor points will be completed at the site as shown on Figure 2. Five of the twelve test borings will be converted into permanent monitoring wells for groundwater collection. A total of eight soil vapor/sub-slab samples will be collected. The depth of groundwater is expected to be encountered at approximately 8 to 13 feet bgs and general groundwater flow direction is expected to be in a northeasterly or southeasterly direction toward the Harlem River. Each sample point location at the site will be accurately measured to fixed benchmarks (i.e., select properly lines, adjacent structures, etc.) or by a precision GPS that is capable of coordinating a fixed point within +/- 1 foot.

Sampling Location Rationale

Sampling locations and depth intervals selected to evaluate Site soils, groundwater and soil vapor were determined based upon the AKRF Phase II sampling results and review of Site historical uses. The rationale for each sampling location is summarized in the table below.

| Location | Sampling Depth | Rationale |
|-------------|---|---|
| Soil | | |
| SB-101 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Delineate extent of VOC soil detections at AKRF location SB-1 - – analytes were detected in exceedance of the Residential Restricted SCOs |

| Location | Sampling Depth | Rationale |
|--------------------|---|--|
| SB-102 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Delineate deeper soils at AKRF location SB-7 [(9-11 feet bgs)groundwater encountered at 9.5 feet bgs] - SVOCs were detected in exceedance of the Residential Restricted SCOs |
| SB-103 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Verify soil results from former service repair and sales shop (AKRF locations SB-3 and SB-4) - SVOCs were detected in exceedance of the Residential Restricted SCOs at location SB-3 |
| SB-104 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Collection of additional soil data in area of former auto wrecking yard |
| SB-105 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Evaluate any potential soil impacts along northern property boundary; this area was not previously investigated |
| SB-106 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Verify soil results from center of the west side of Site |
| SB-107 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Evaluate any potential soil impacts along northern property boundary; this area was not previously investigated |
| SB-108 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Delineate extent of SVOC detections at AKRF location SB-2 – analytes were detected in exceedance of the Residential Restricted SCOs |
| SB-109 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Delineate deeper soils at AKRF location SB-7 [(9-11 feet bgs)groundwater encountered at 9.5 feet bgs] - SVOCs were detected in exceedance of the Residential Restricted SCOs |
| SB-110 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Delineate extent of VOC detections at AKRF location SB-1 - analytes were detected in exceedance of the Residential Restricted SCOs |
| SB-111 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Delineate extent of VOC detections at AKRF location SB-1 and SVOC detections at location SB-2 – analytes were detected in exceedance of the Residential Restricted SCOs |
| SB-112 | Highest PID Reading or 1.) 0-2 feet bgs; and 2.) 10-12 feet bgs | Evaluate any potential soil impacts in the center of the east side of the Site; this area was not previously investigated |
| Groundwater | | |
| MW-101 | groundwater interface | Verify groundwater grab VOC, SVOC and Metals exceedances detected at AKRF location GW-1 |
| MW-102 | groundwater interface | Install downgradient monitoring well point for groundwater evaluation |
| MW-103 | groundwater interface | Verify groundwater grab SVOC and Metals exceedances detected at AKRF location GW-2 in the area of the former service repair and sales shop |

| Location | Sampling Depth | Rationale |
|-------------------|--|--|
| MW-104 | groundwater interface | Groundwater evaluation in area of former auto wrecking yard |
| MW-105 | groundwater interface | Install downgradient monitoring well point for groundwater evaluation |
| Soil Vapor | | |
| SV-101 | 1-2 feet above the groundwater interface | Delineate extent of VOC detections at AKRF location SV-1 |
| SV-102 | | Delineate extent of VOC detections at AKRF location SV-1 |
| SV-103 | | Collection of additional soil vapor data in area of the former service repair and sales shop |
| SV-104 | | Collection of additional soil vapor data in area of former auto wrecking yard |
| SV-105 | | Delineate extent of VOC detections at AKRF location SV-1 |
| SV-106 | | Evaluate any potential soil vapor impacts in the center of the west side of the Site; area not previously investigated |
| SV-107 | | Evaluate any potential soil vapor impacts along northern property boundary; area not previously investigated |
| SV-108 | | Verify soil vapor results from AKRF location SV-2 |

Note: The building construction will be slab (8 inch thick) on grade with the grade beams (6-feet) and pilecaps (2-feet) installed below the slab.

Soil Sampling

A geologist/engineer/QEP will screen the soil samples during borehole advancement for organic vapors with a photo-ionization detector (PID) and evaluated for visual and olfactory impacts prior to collecting environmental samples. All field work will be recorded in a field log. A geoprobe drill rig will be used and if necessary, more advanced drilling technology will be used to complete the site investigation. The drilling will be continuous, and the soil will be screened (with a PID) and the geology logged in order to identify the depth of historic fill and the elevation of the native soil interface. At a minimum, two soil samples will be collected from each test borings (for a total of 24 soil samples) for laboratory analysis. A surface soil sample (from the 0-2 feet bgs interval) and subsurface soil sample (from the two (2) foot interval beneath the proposed maximum excavation depth of approximately nine feet bgs (sample from the 10-12 feet bgs interval). The sample collected at 10-12 feet bgs will also evaluate the quality of native soils beneath the fill (six to 10 feet bgs) that will remain at the Site at the close of construction. Discrete (grab) samples will be taken from the aforementioned sampling intervals. The subsurface soil samples may also serve as *in situ* post-excavation soil samples for the remedial plan. A third soil sample may be collected from each or several test boring(s) if 1) elevated PID readings and/or visual and olfactory observations are noted during borehole advancement and/or 2) field observations identify an upper fill layer underlain by native material the additional soil sample from the upper zone of the native layer will help delineate the vertical migration of impacts (if any), as well as determine a more detailed remedy and potentially provide a cost savings for disposal options.

Monitoring Well Installation and Groundwater Sampling

Five permanent two inch-diameter monitoring wells will be installed. Representative groundwater samples will be collected using low-flow sampling techniques. Properly sized screen and silica sand pack will be used for noted site conditions. A representative groundwater sample will be collected from each

well with a peristaltic pump and dedicated tubing. Sampling will be conducted in accordance with NYSDEC Draft DER-10 Technical Guidance for Site Investigation and Remediation, dated May 2010, and Sampling Guidelines and Protocols, dated March 1991. Groundwater wells will be gauged with a water level meter to record a depth to groundwater reading (1/100 foot), and if necessary, an interface meter to determine the thickness of LNAPL or DNAPL. The well casings will be surveyed by a trained QEP and/or NYS licensed surveyor to facilitate preparation of a groundwater contour map and determine the direction of groundwater flow.

Soil Vapor Sampling

Samples will be collected in accordance with the Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (NYSDOH October 2006). Conditions in the field may require adjustment of sampling locations. Groundwater is expected to be encountered at a depth of 8 to 13 feet.

Eight soil vapor samples will be collected. Soil vapor implants will be set at a depth of approximately six feet. The soil vapor probe will be installed between one and two feet above the groundwater interface. The vapor implants will be installed using direct push drilling methods. Each temporary implant will be constructed with a 6-inch stainless steel screen connected to the inner tubing. The space surrounding the screen zone will be filled with clean sand in order to create a sampling zone of one-foot in length. The soil vapor probes will be sealed above the sampling zone with bentonite slurry to prevent outdoor air infiltration and the remainder of the borehole backfilled with clean material. Sampling will occur for the duration of two hours at a minimum.

Samples will be collected in appropriate sized Summa canisters that have been certified clean by the laboratory and samples will be analyzed by using USEPA Method TO-15. Flow rate for both purging and sampling will not exceed 0.2 L/min. 24-hours following soil vapor probe installation, one to three implant volumes shall be purged prior to the collection of any soil-gas samples. A sample log sheet will be maintained summarizing sample identification, date and time of sample collection, sampling depth, identity of samplers, sampling methods and devices, soil vapor purge volumes, volume of the soil vapor extracted, vacuum of canisters before and after the samples are collected, apparent moisture content of the sampling zone, and chain of custody protocols.

As part of the vapor intrusion evaluation, a tracer gas will be used in accordance with NYSDOH protocols to serve as a quality assurance/quality control (QA/QC) device to verify the integrity of the soil vapor probe seal. A container (box, plastic pail, etc.) will serve to keep the tracer gas in contact with the probe during testing. A portable monitoring device will be used to analyze a sample of soil vapor for the tracer gas prior to sampling. If the tracer sample results show a significant presence of the tracer, the probe seals will be adjusted to prevent infiltration. At the conclusion of the sampling round, tracer monitoring will be performed a second time to confirm the integrity of the probe seals.

Sample Analysis

Soil, groundwater, and soil vapor samples will be submitted to a NYSDOH Environmental Laboratory Accreditation Program (ELAP)-certified laboratory for Full analysis:

- Volatile Organic Compounds by EPA Method 8260;
- Semivolatile organic compounds by EPA Method 8270;
- Pesticides/PCBs by EPA Method 8081/8082;
- Target Analyte List metals by EPA Method 6010 and 7471; and
- Soil vapor samples will be analyzed for VOCs by using USEPA Method TO-15.

All groundwater samples will be analyzed for both filtered (dissolved) and unfiltered (total) metals.

If either LNAPL and/or DNAPL are detected, appropriate samples will be collected for characterization and “finger print analysis” and required regulatory reporting (i.e., NYSDEC spills hotline) will be performed.

Quality Assurance/Quality Control Procedures

QA/QC procedures will be used to provide performance information with regard to accuracy, precision, sensitivity, representation, completeness, and comparability associated with the sampling and analysis for this investigation. Field QA/QC procedures will be used (1) to document that samples are representative of actual conditions at the Site and (2) identify possible cross-contamination from field activities or sample transit. Laboratory QA/QC procedures and analyses will be used to demonstrate whether analytical results have been biased either by interfering compounds in the sample matrix, or by laboratory techniques that may have introduced systematic or random errors to the analytical process. QA/QC samples (field and trip blanks, duplicates, etc.) will be collected and analyzed at an ELAP-certified laboratory. All analytical results will be data validated (data usability summary report- DUSR) and the deliverables will follow the NYSDEC EDD format for submission.

Investigation Derived Waste

Cuttings may be disposed at the site within the borehole that generated them to within 24 inches of the surface unless:

- Free product or grossly contaminated soil, are present in the cuttings;
- The borehole has penetrated an aquitard, aquiclude or other confining layer; or extends significantly into bedrock;
- Backfilling the borehole with cuttings will create a significant path for vertical movement of contaminants. Soil additives (bentonite) may be added to the cuttings to reduce permeability; and
- The soil cannot fit into the borehole.

Those soil cuttings needing to be managed on-site will be containerized in properly labeled DOT approved 55-gallon drums for future off-site disposal at a permitted facility. All boreholes which require drill cuttings disposal would ultimately be filled with bentonite chips (hydrated) and asphalt/concrete capping. Disposable sampling equipment including, spoons, gloves, bags, paper towels, etc. that came in contact with environmental media will be double bagged and disposed as municipal trash in a facility trash dumpster as non-hazardous trash.

Reporting

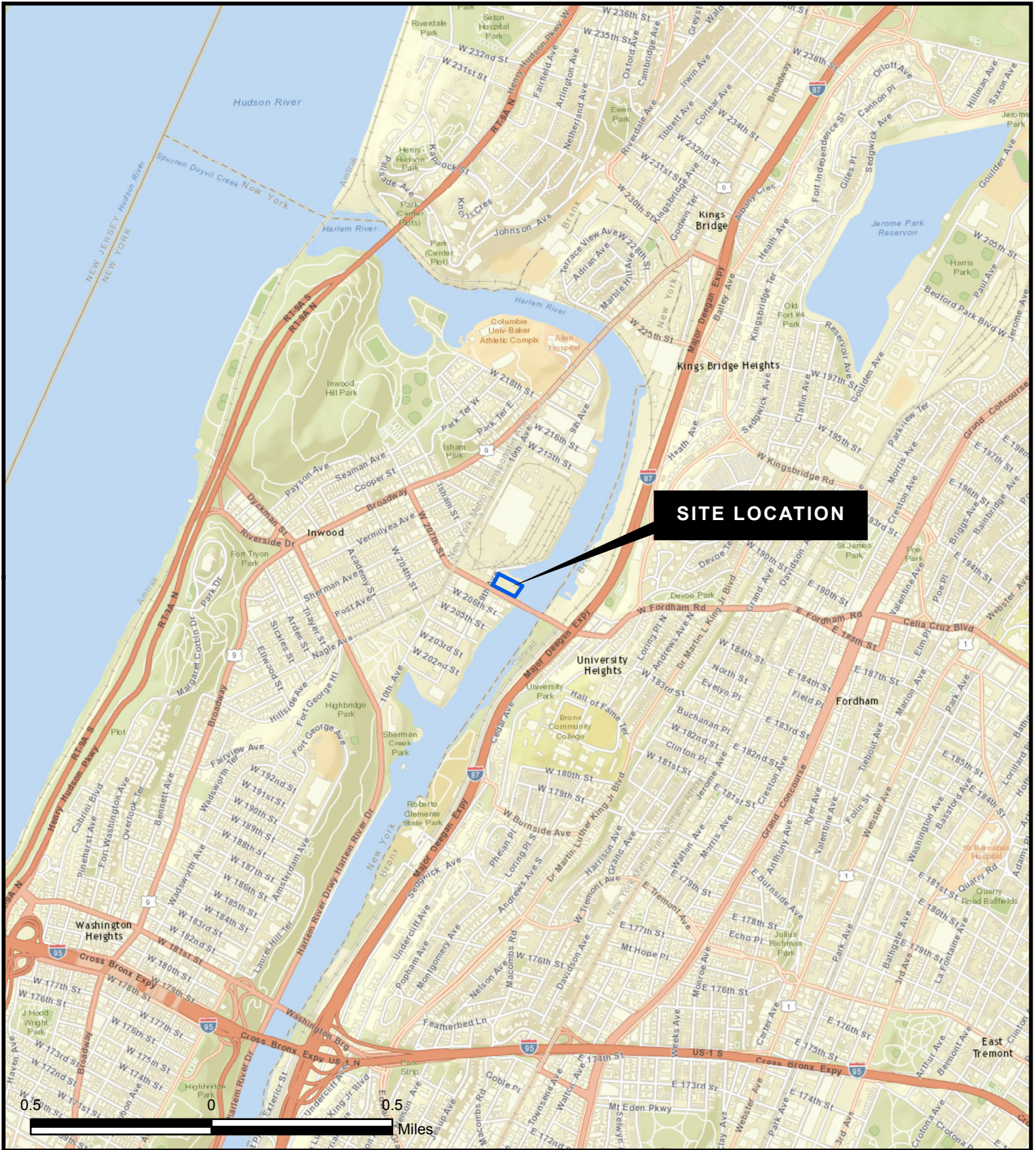
A Phase II Investigation Report (template version) will be prepared following completion of the field activities and receipt of the laboratory data. The report will provide detailed summaries of the investigative findings. Soil, groundwater and soil vapor analytical results will be compared to the NYSDEC Part 375-6.8(a) Unrestricted Used Soil Cleanup Objectives, appropriate Part 375-6.8(b) Restricted Soil Cleanup Objectives and NYSDEC Part 703 Groundwater Quality Standards (GQS) (class GA) or Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS), and NYSDOH October 2006 Final Guidance for Evaluating Soil Vapor Intrusion Matrices. The report will include an updated sampling plan, spider diagrams, analytical data tables for all reported constituent compounds (including non-detectable concentrations) and remedial recommendations, as warranted.

Investigation HASP

An OSHA compliant Health and Safety Plan that meets all OSHA HAZWOPER requirements will be implemented during the site work to protect worker safety. The Site Safety Coordinator will ensure full compliance of the HASP in accordance with applicable health and safety laws and regulations. All field personnel involved in investigation activities will participate in training required under OSHA HAZWOPER 29 CFR 1910.120, including 40-hour hazardous waste operator training and annual 8-hour refresher training. Emergency telephone numbers will be posted at the site location before any work begins. A safety meeting will be conducted before each shift begins. Topics to be discussed include task hazards and protective measures (physical, chemical, environmental); emergency procedures; PPE levels and other relevant safety topics including a highlighted route map to the nearest hospital/emergency room. Meetings will be documented in a log book or specific form. Potential on-site chemicals of concern include VOCs, SVOCs, Pesticides/PCBs, and Metals (specifically arsenic, lead, and mercury at a minimum). Information fact sheets and/or summary tables for each contaminant group are included in the HASP. A copy of this HASP will be on-site during each sampling event.

FIGURES

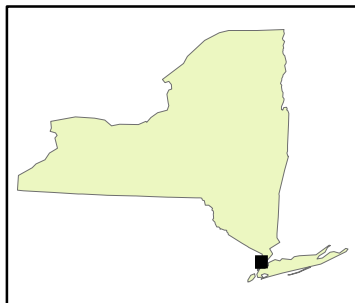
1. Site Location
2. Proposed Sampling Locations



SITE LOCATION

Legend

 PROPERTY BOUNDARY



Title:

SITE LOCATION MAP

3875 9TH AVENUE, NEW YORK, NY

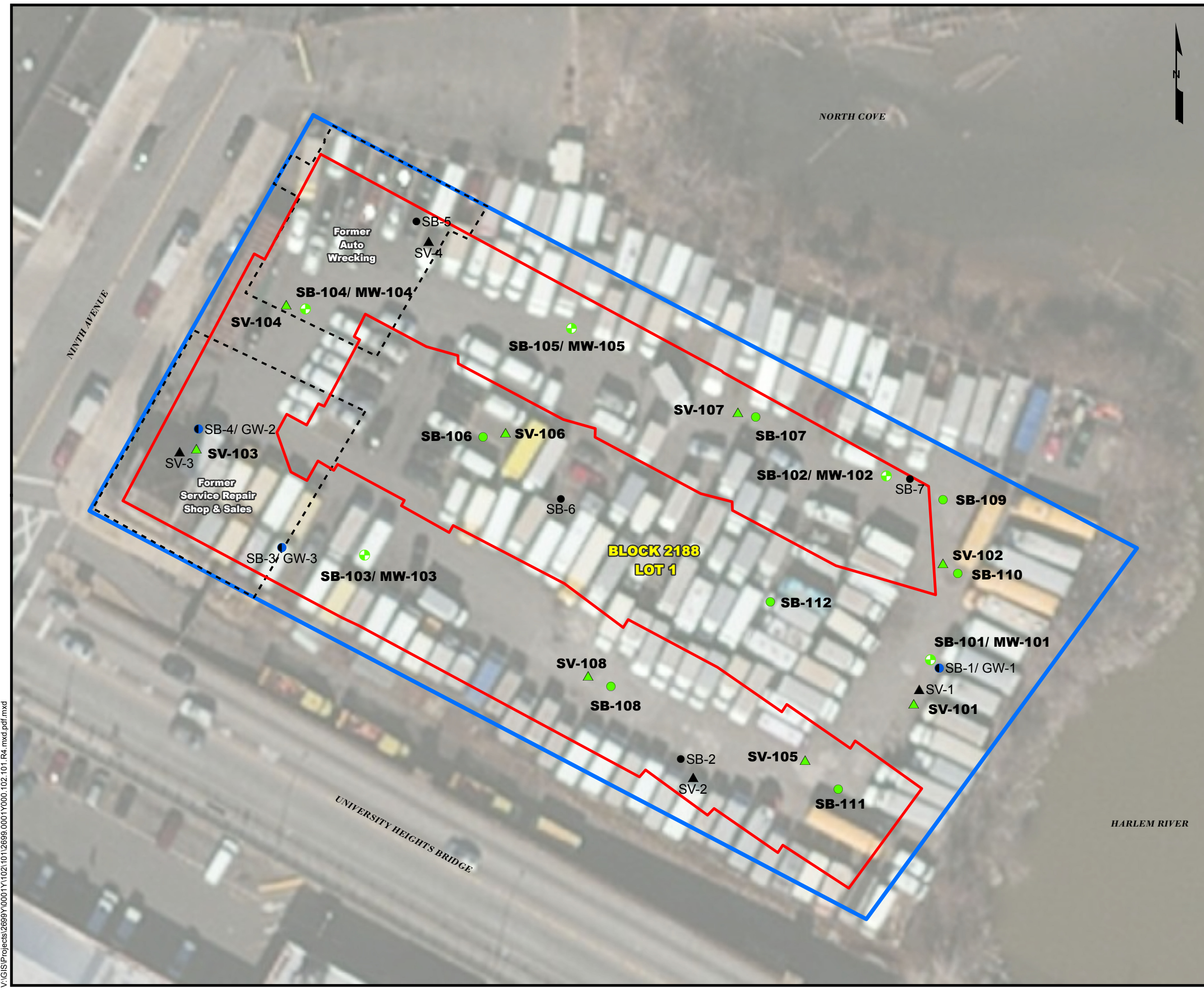
Prepared For:

J.207 ST LLC and MFC REALTY CORP.

ROUX
 ROUX ASSOCIATES, INC.
 Environmental Consulting
 & Management

| | |
|--------------------------------|------------------------|
| Compiled by: M.A. | Date: 04FEB2015 |
| Prepared by: K.S. | Scale: 1"=2,000 ft |
| Project Mgr: K.S. | Office: NY |
| File No: 2699.0001Y000.101.102 | Project: 2699.0001Y000 |

| | |
|--------|----------|
| FIGURE | 1 |
|--------|----------|



Legend

- SITE BOUNDARY - BLOCK 2188
- APPROXIMATE PROPOSED BUILDING LIMIT
- REC'S FROM 1951 SANBORN MAP

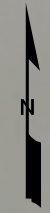
AKRF PHASE II SAMPLING POINTS (2014)

- AKRF SOIL BORING POINT
- AKRF SOIL BORING & GROUNDWATER GRAB POINT
- AKRF SOIL VAPOR POINT

PROPOSED ROUX SAMPLING LOCATIONS

- PROPOSED SOIL BORING POINT
- PROPOSED SOIL BORING & MONITORING WELL POINT
- PROPOSED SOIL VAPOR POINT

NOTES:
REC'S = RECOGNIZED ENVIRONMENTAL CONDITIONS



Title:
PROPOSED SAMPLING LOCATIONS

3875 NINTH AVENUE, NEW YORK, NY

Prepared For:
J.207 ST LLC and MFC REALTY CORP.

| | | | |
|---|-----------------|------------------------|-------------------------------|
| ROUX Environmental Consulting & Management | Compiled by: MA | Date: 03JUN2016 | FIGURE 2 |
| | Prepared by: MA | Scale: 1" = 40' | |
| | Project Mgr: KS | Office: NY | |
| | File: | Project: 2699.0001Y000 | |

V:\GIS\Projects\2699Y\0001Y\102\101\2699.0001Y000_102_101.R4.mxd.pdf.mxd

Phase II Work Plan — J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York 10034

ATTACHMENTS

1. Proposed Development
2. Phase I Environmental Site Assessment, Dated September 2014
3. Phase II Subsurface Investigation, Dated October 2014

(Attachments 2 and 3 Provided on CD in Bound Copy)

Phase II Work Plan — J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York 10034

ATTACHMENT 1

Proposed Development

PROPOSED NEW
DEVELOPMENT FOR:
**W.207TH STREET
AND 9TH AVENUE**
3875 9TH AVE.
NEW YORK, NY 10304

BLOCK: 2188 LOTS: 1 & 10

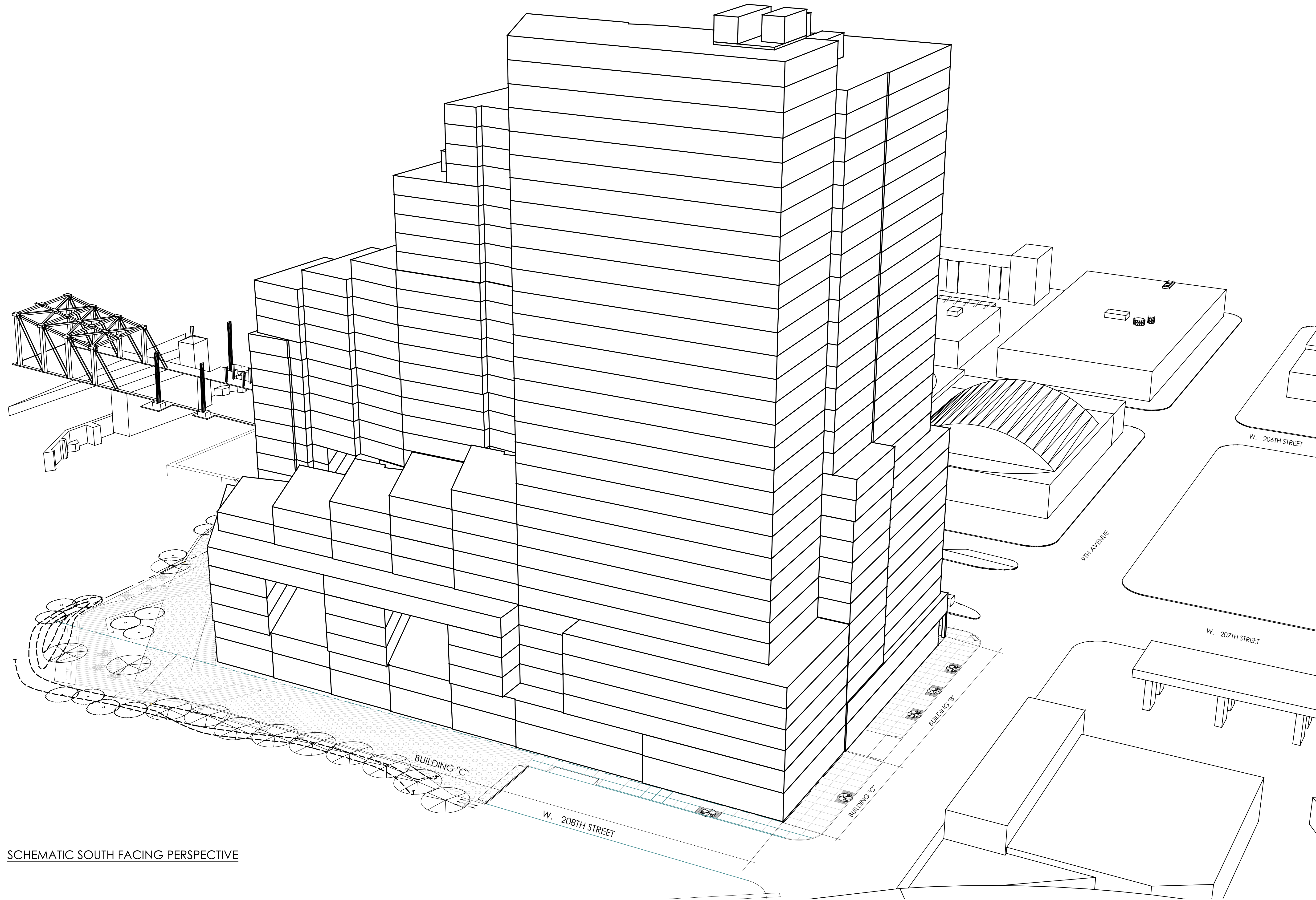
ARCHITECT:
AUFGANG ARCHITECTS LLC
74 LAFAYETTE AVE., SUITE 301
SUFFERN, NY 10901
INFO@AUFGANG.COM 845.368.0004

DEVELOPER:

STRUCTURAL ENGINEER:

MEP ENGINEER:

**AUFGANG
ARCHITECTS**



SCHMATIC SOUTH FACING PERSPECTIVE

| DATE | SUBMISSIONS / REVISIONS |
|----------|---|
| 04.20.16 | DCP PRESENTATION |
| 03.23.16 | ISSUED AS PROGRESS SET |
| 03.01.16 | ISSUED AS PROGRESS SET |
| 01.19.16 | ISSUED TO D.C.P. FOR REVIEW AND COMMENT |

SHEET TITLE:

**SCHMATIC MASSING
PERSPECTIVE**

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF AUFGANG ARCHITECTS LLC. WHETHER THE PROJECT FOR WHICH IT IS MADE IS EXECUTED OR NOT. THIS DRAWING SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS FOR ADDITION TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHER MEANS WITHOUT THE WRITING WITH AUFGANG ARCHITECTS LLC. SUBMISSION OR DISTRIBUTION TO MEET OFFICIAL REGULATORY REQUIREMENTS OR FOR OTHER PURPOSES IN CONNECTION WITH THE PROJECT IS NOT TO BE CONSIDERED AS FURNISHING IN CONNECTION OF THE RIGHTS OF AUFGANG ARCHITECTS LLC. REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. TITLE TO THIS DRAWING BELONGS TO AUFGANG ARCHITECTS LLC. WITHOUT PREJUDICE.

SEAL & SIGNATURE

| | |
|-----------------|-------------|
| ISSUE DATE: | PROJECT NO: |
| 09-29-15 | #1514 |
| DRAWN BY: | CHECKED BY: |
| ED | AA |
| SCALE: | SHEET NO: |
| AS NOTED | XX of XX |
| DRAWING NO: | |
| Z-102.00 | |
| NYC DOB NUMBER: | XXXXXXXXXX |

PROPOSED NEW DEVELOPMENT FOR:
W.207TH STREET AND 9TH AVENUE
 3875 9TH AVE.
 NEW YORK, NY 10304
 BLOCK: 2188 LOTS: 1 & 10

ARCHITECT:
 AUFGANG ARCHITECTS LLC
 74 LAFAYETTE AVE., SUITE 301
 SUFFERN, NY 10901
 INFO@AUFGANG.COM 845.368.0004

DEVELOPER:
 STRUCTURAL ENGINEER:
 MEP ENGINEER:

AUFGANG ARCHITECTS

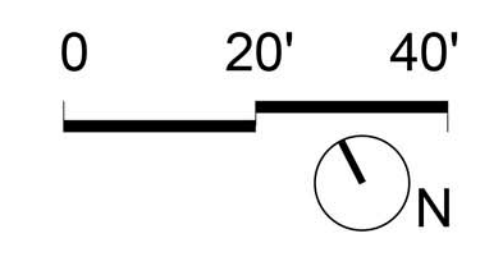
- PAVING MATERIALS LEGEND
-  PERMEABLE PAVER
 -  GRASSCRETE
 -  CRUSHED STONE
 -  PLANTED AREA

- "APPARENT HIGH WATER LINE"
- CONCRETE PAVEMENT
- CANOPY TREE, TYP. FOR (9)
- TOP OF BANK / RIP-RAP
- GRANITE SEAT SLABS, TYP. FOR (3)
- CONCRETE SEAT WALL
- ORNAMENTAL TREE, TYP. FOR (12)
- TRASH RECEPTACLE, TYP. FOR (3)
- MOVEABLE SEATING, TYP. FOR (8)
- LIGHT FIXTURE 1.0 F.C. @ WALKWAY, TYP FOR (7) - LOCATED @ 40'-45' O.C.
- BICYCLE RACK FOR 5 BIKES, TYP. FOR (2)



HARLEM RIVER

UNIVERSITY HEIGHTS BRIDGE
 (FORDHAM BRIDGE)



| DATE | SUBMISSIONS / REVISIONS |
|----------|---|
| 03.23.16 | ISSUED AS PROGRESS SET |
| 03.01.16 | ISSUED AS PROGRESS SET |
| 01.19.16 | ISSUED TO D.C.P. FOR REVIEW AND COMMENT |

SHEET TITLE:
SCHEMATIC LANDSCAPE PLAN

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF AUFGANG ARCHITECTS LLC, WHETHER THE PROJECT FOR WHICH IT IS MADE IS EXECUTED OR NOT. THIS DRAWING SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS EXCEPT BY AGREEMENT IN WRITING WITH AUFGANG ARCHITECTS LLC. SUBMISSION OR DISTRIBUTION TO MEET OFFICIAL REGULATORY REQUIREMENTS OR FOR OTHER PURPOSES IN CONNECTION WITH THE PROJECT IS NOT TO BE CONSIDERED AN IMPLICATION OR DEROGATION OF THE RIGHTS OF AUFGANG ARCHITECTS LLC. REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. TITLE TO THIS DRAWING REMAINS TO AUFGANG ARCHITECTS LLC, WITHOUT PREJUDICE.

| | |
|-----------------|-------------|
| ISSUE DATE: | PROJECT NO: |
| 09-29-15 | #1514 |
| DRAWN BY: | CHECKED BY: |
| CW | JB |
| SCALE: | SHEET NO: |
| 1"=20'-0" | XX |
| DRAWING NO: | |
| L-100.00 | |
| NYC DOB NUMBER: | XXXXXXXXXX |

PROPOSED NEW DEVELOPMENT FOR:

SHERMAN CREEK

3875 9TH AVE.
NEW YORK, NY 10304

BLOCK: 2188

LOTS: 1 & 10

ARCHITECT:

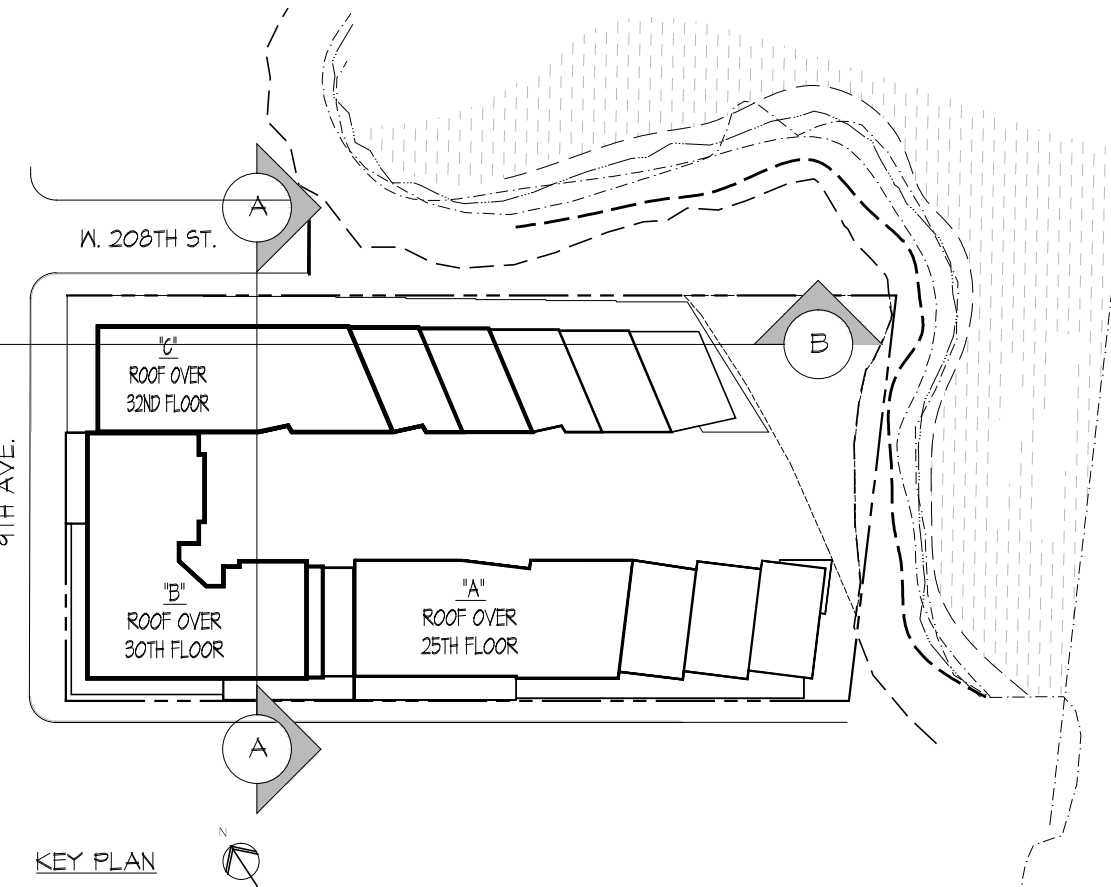
AUFGANG ARCHITECTS LLC
49 NORTH AIRMONT RD.
SUFFERN, NY
INFO@AUFGANG.COM 845.368.0004

DEVELOPER:

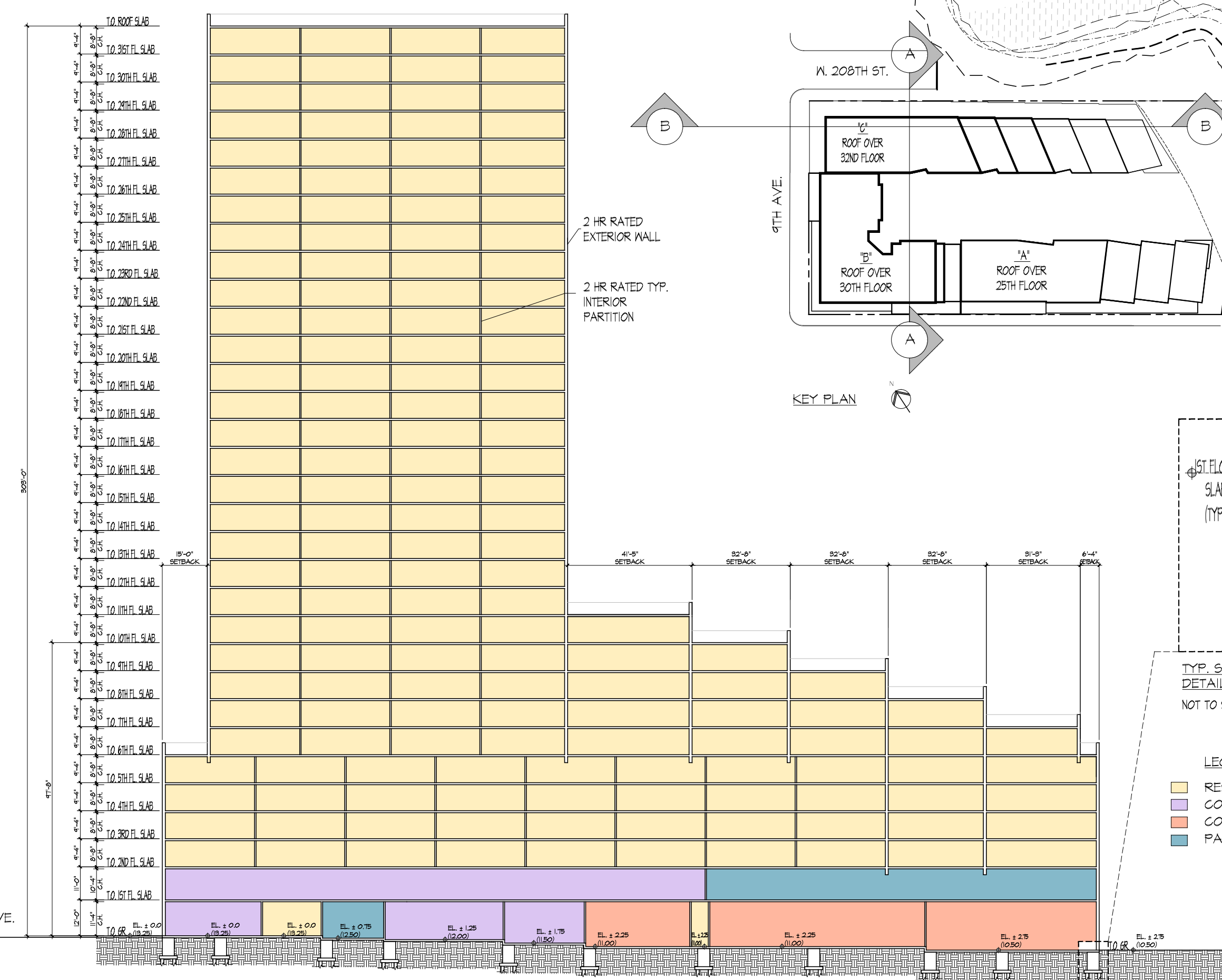
STRUCTURAL ENGINEER:

MEP ENGINEER:

AUFGANG ARCHITECTS

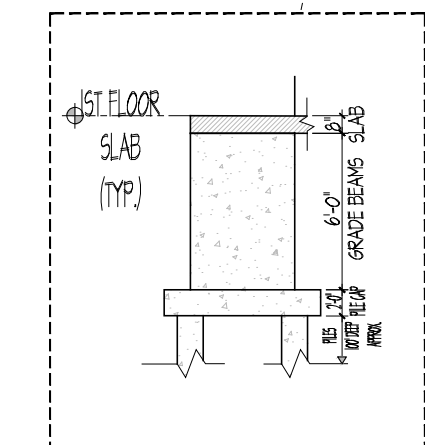


KEY PLAN



SCHEMATIC BUILDING SECTION "B-B"

SCALE: 1/16" = 1'-0"



TYP. SLAB & FOUNDATION DETAIL
NOT TO SCALE

- LEGEND**
- RESIDENTIAL AREA
 - COMMERCIAL SPACE
 - COMMUNITY FACILITY SPACE
 - PARKING AREA

| DATE | SUBMISSIONS / REVISIONS |
|----------|---|
| 03.01.16 | ISSUED AS PROGRESS SET |
| 01.19.16 | ISSUED TO C.P.D. FOR REVIEW AND COMMENT |

SHEET TITLE:
SCHEMATIC BUILDING SECTION

THE DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF AUFGANG ARCHITECTS LLC. WHETHER THE PROJECT FOR WHICH IT IS MADE IS EXECUTED OR NOT. THE DRAWING SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF AUFGANG ARCHITECTS LLC. PERMISSION OR CONTRIBUTION OF THE PROJECT BY OTHERS WITHOUT THE WRITTEN REGULATORY REQUIREMENTS OF FOR OTHER PURPOSES IN CONNECTION WITH THE PROJECT IS NOT TO BE CONSIDERED AS IMPLICATION OR ENDORSEMENT OF THE PROJECT BY AUFGANG ARCHITECTS LLC. REPRODUCTION OR TRANSMISSION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. SEE TO THE DRAWING RECORDS TO AUFGANG ARCHITECTS LLC. WITHOUT PREJUDICE.

| ISSUE DATE: | PROJECT NO: |
|-----------------|--------------------|
| 09-29-15 | #1514 |
| DRAWN BY: ED | CHECKED BY: AA |
| SCALE: AS NOTED | SHEET NO: XX of XX |

DRAWING NO: **Z-109.00a**
NYC DOB NUMBER: XXXXXXXXXX

SHERMAN CREEK

3875 9TH AVE.
NEW YORK, NY 10304

BLOCK: 2188

LOTS: 1 & 10

ARCHITECT:

AUFGANG ARCHITECTS LLC
49 NORTH AIRMONT RD.
SUFFERN, NY
INFO@AUFGANG.COM 845.368.0004

DEVELOPER:

STRUCTURAL ENGINEER:

MEP ENGINEER:

AUFGANG ARCHITECTS

| | |
|----------|---|
| 03.01.16 | ISSUED AS PROGRESS SET |
| 01.19.16 | ISSUED TO C.P.D. FOR REVIEW AND COMMENT |
| DATE | SUBMISSIONS / REVISIONS |

SHEET TITLE:

SCHEMATIC BUILDING SECTION

THE DRAWING IS INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF AUFGANG ARCHITECTS LLC. WHETHER THE PROJECT FOR WHICH IT IS MADE IS EXECUTED OR NOT. THE DRAWING SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS FOR ANY PURPOSES WITHOUT THE WRITTEN CONSENT OF AUFGANG ARCHITECTS LLC. PERMISSION OR REFERENCE TO ANY OTHER REGULATORY REQUIREMENTS OF ANY OTHER JURISDICTION IN CONNECTION WITH THE PROJECT IS NOT TO BE CONSIDERED AS IMPLICATION BY AUFGANG ARCHITECTS LLC. REPRODUCTION OR PUBLICATION BY ANY METHOD IN WHOLE OR IN PART IS PROHIBITED. SEE TO THE DRAWING RECORD TO AUFGANG ARCHITECTS LLC. WITHOUT PREJUDICE.

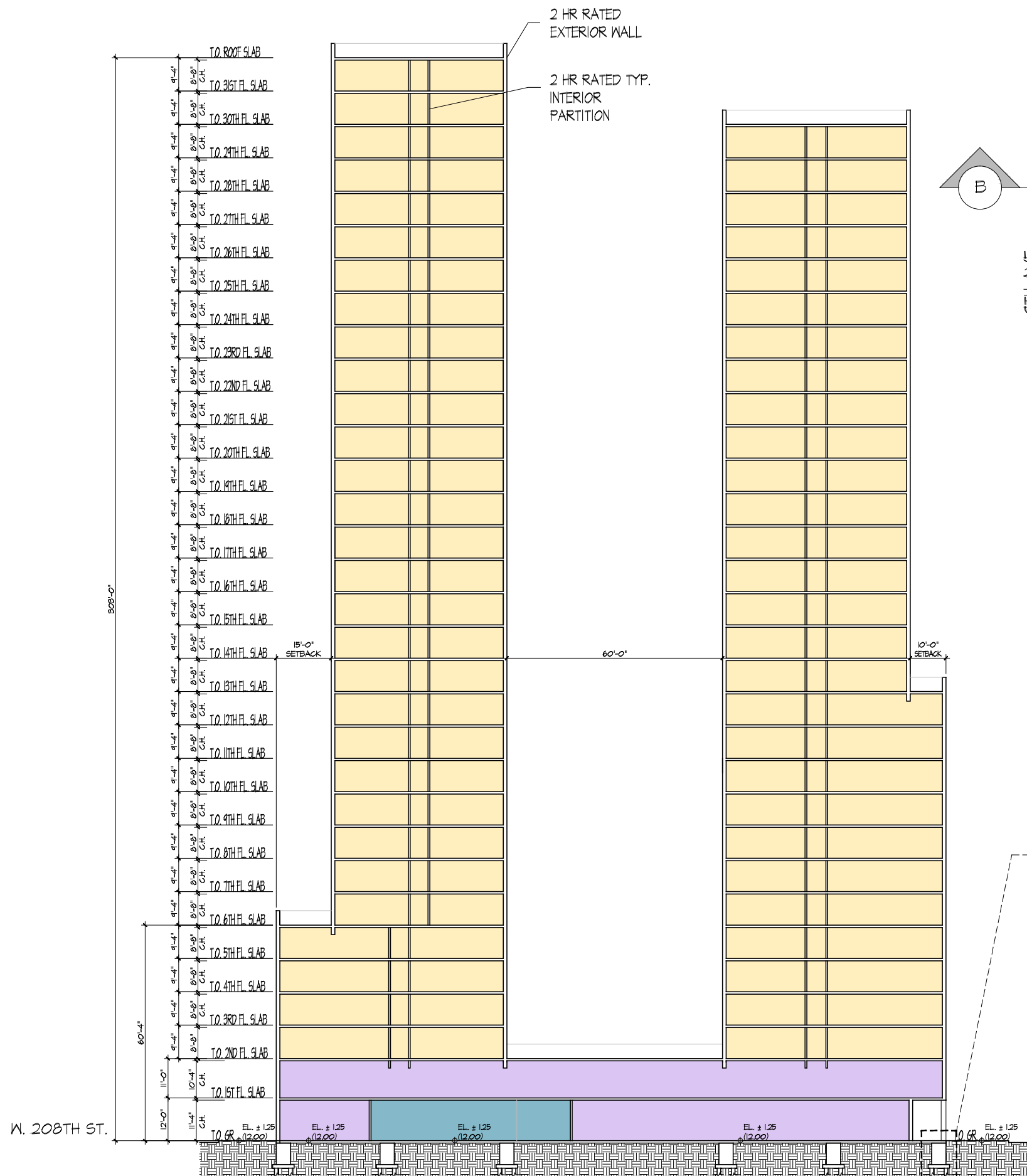
SEAL & SIGNATURE

| | |
|-------------|-------------|
| ISSUE DATE: | PROJECT NO: |
| 09-29-15 | #1514 |
| DRAWN BY: | CHECKED BY: |
| ED | AA |
| SCALE: | SHEET NO: |
| AS NOTED | XX of XX |

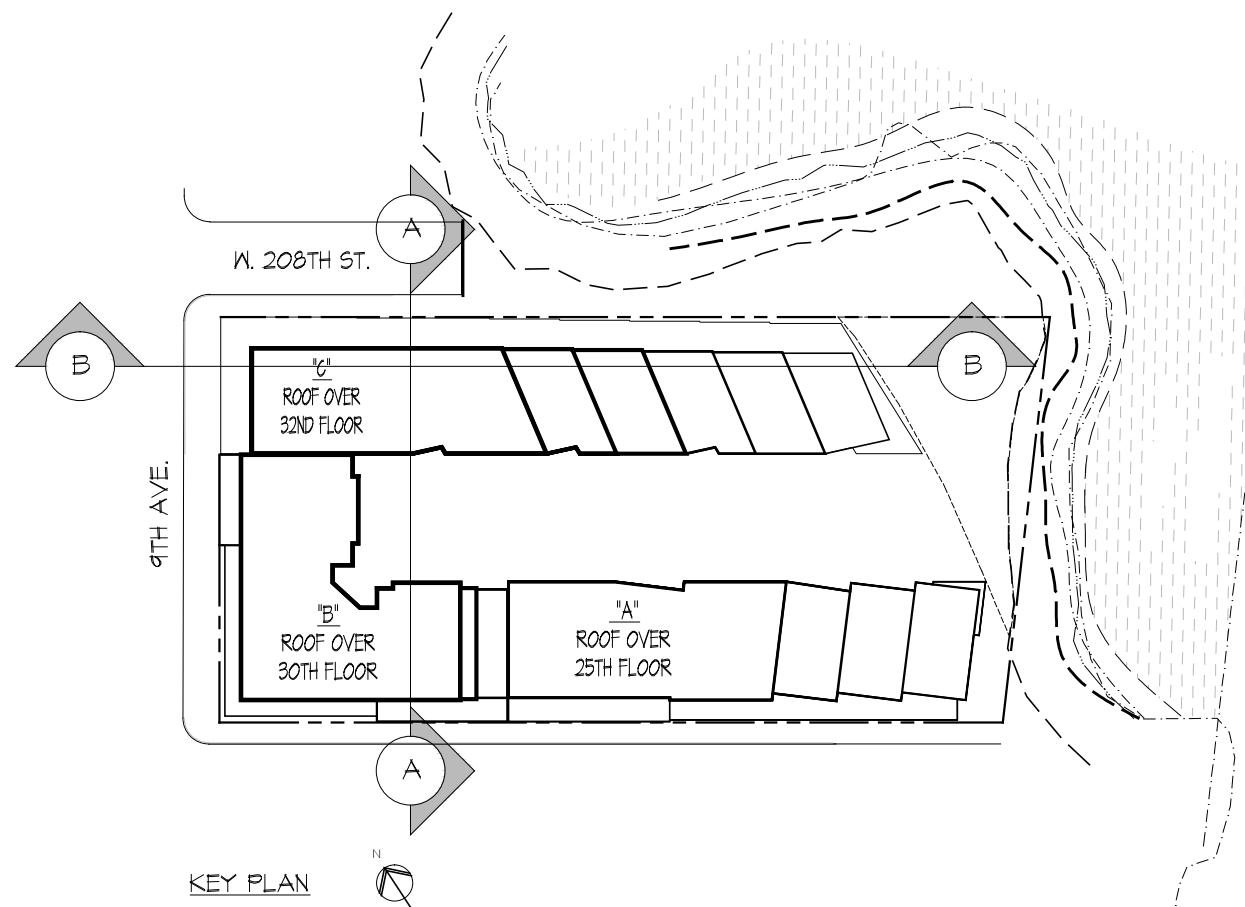
DRAWING NO:

Z-109.00b

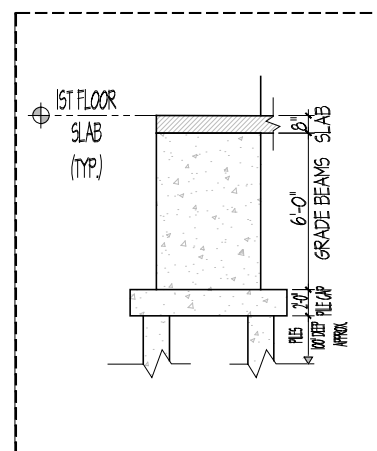
NYC DOB NUMBER: XXXXXXXXXX



A-A SCHEMATIC BUILDING SECTION "A-A"
SCALE: 1/8" = 1'-0"



KEY PLAN



TYP. SLAB & FOUNDATION
DETAIL
NOT TO SCALE

- LEGEND**
- RESIDENTIAL AREA
 - COMMERCIAL SPACE
 - COMMUNITY FACILITY SPACE
 - PARKING AREA

Phase II Work Plan — J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York 10034

ATTACHMENT 2

Phase I Environmental Site Assessment
Dated September 2014

(Provided on CD in Bound Copy)

Phase II Work Plan — J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York 10034

ATTACHMENT 3

Phase II Subsurface Investigation
Dated October 2014

(Provided on CD in Bound Copy)

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX D

Section IV – Property Information

Appendix D – Section IV Property Information, Question 10

3875 9th Avenue

BCP Application - Section IV

A Site Location Map is provided as Figure 1. The area of the proposed BCP Site is identified on the New York City Tax Map as Lot 1 of Block 2188 (Figure 2). The proposed BCP Site limits are shown in reference to the existing Site conditions on Figure 3. The proposed development plans are provided in Appendix B2.

Location

The Site is located at the northeast corner of the intersection of 207th Street and 9th Avenue, in the Inwood section of Manhattan, City of New York, and State of New York. According to the New York City tax maps, the BCP Site is bounded by Ninth Avenue to its west, West 207th Street/ University Heights Bridge approach to the south, West 208th Street to the north (mapped but not built street), and Exterior Street to the east (mapped but not built street). Beyond the Site boundary to the east and to the north the land is a natural wooded riparian area bounded by the Harlem River and North Cove, respectively.

Site Features

Currently, the entire Site is an asphalt-paved lot used for parking. There is a parking attendant trailer in the northwestern corner of the parking lot, and the parking lot is surrounded by a chain link fence.

Current Zoning and Land Use

The current zoning for the BCP Site is M1-1, which allows for light industrial uses. According to the NYC Department of Planning, offices, hotels and most retail uses are also permitted within M1-1 districts. The nearest residential properties are located approximately 500 feet northwest of the BCP Site. Surrounding land uses located immediately adjacent to the property include a New York City Transit rail yard and office building, a gas station, a parking facility and a food and beverage commercial store. Other land uses within the Site vicinity include: light commercial facilities, places of worship, multi-family housing, and a school.

Past Use of the Site

The BCP Site was historically used for: auto repair and sales shop, auto wrecking, houseboat mooring, trailer parking, dumping and vacant land. Undocumented underground storage tanks

Appendix D – Section IV Property Information, Question 10

3875 9th Avenue

BCP Application - Section IV

may be present in the southwest section of Lot 1 associated with the auto repair and auto wrecking shops that were present from 1930s to at least the 1950's. The eastern portion of the property was part of the Harlem River until filling activities occurred between 1951 and 1968. The fill material was of unknown origin and the former Harlem River bed may contain hazardous materials.

AKRF completed a Phase I Environmental Site Assessment (ESA) and Phase II ESA in October 2014. The Site is not currently in any remedial program nor has any environmental remediation previously been completed.

Site Geology & Hydrogeology

The Site is generally characterized by historic fill from ground surface to a depth of approximately 10 feet below land surface (bls) consisting of anthropogenic materials such as brick, concrete, ash, plastic and wood with intermittent sandy and/or gravely silt and silty sand layers. Silty clay, clay and vegetative matter (peat) was observed in several borings at depths ranging between 10.5 to 12.5 feet bls, consistent with the historical river and associated wetlands. The Site soils are classified as urban land, tidal marsh substratum (UmA), 0-3 percent slopes and urban land, reclaimed substratum, 0-3 percent slopes (UrA). The geology in the area of the Site consists primarily of metamorphic rock and bedrock consists of Cambrian-Ordovician Inwood Marble (USGS). Bedrock was not encountered during the AKRF Phase II investigation.

The average depth to groundwater is 9.3 feet bls and the range in depth is 7.5 to 11.0 feet bls. Groundwater flow most likely flows in a northeasterly or southeasterly direction toward the Harlem River and it may be tidally influenced given the proximity to the Harlem River.

Environmental Assessment

Based upon the previous investigation, the primary contaminants of concern for the Site include Volatile Organic Compounds (VOCs): 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, xylenes and vinyl chloride, Polycyclic Aromatic Hydrocarbons (PAHs), and Metals in soil and groundwater and VOCs in soil vapor.

Appendix D – Section IV Property Information, Question 10

3875 9th Avenue

BCP Application - Section IV

Soil - VOCs are present at concentrations above New York State Department of Environmental Conservation (NYSDEC) Part 375 Restricted Residential Use Soil Cleanup objectives (RRSCOs) and SCOs for unrestricted use in shallow soils (0-2 ft bls) located within the eastern end of the property (SB-1). VOCs in exceedance of the RRSCOs include:

- 1,2,4-Trimethylbenzene (300 mg/kg);
- 1,3,5-Trimethylbenzene (66 mg/kg);
- p/m xylene (110 mg/kg), total xylene (150 mg/kg); and
- vinyl chloride (2.2 mg/kg).

Two isolated detections of acetone (0.053 and 0.17 mg/kg) are present in soils at concentrations slightly exceeding the Part 375 unrestricted SCOs (0.05 mg/kg). All VOC exceedances of the SCOs are provided on Figure 4.

PAHs are present at concentrations slightly above the RRSCOs in shallow soils (0-2 ft bls) along the southern property limit (SB-7) and within deeper soils (9-11 ft bls) within the eastern end of the property (SB-1). PAH detections in exceedance of the RRSCOs include:

- benzo[a]anthracene (maximum of 2.8 mg/kg in SB- 07/9-11');)
- benzo[a]pyrene (maximum of 2.6 mg/kg in SB- 07/9-11');)
- benzo[b]fluoranthene (maximum of 3.1 mg/kg in SB- 07/9-11'); and
- indeno[1,2,3-c,d]pyrene (maximum of 1.9 mg/kg in SB- 07/9-11').

The PAH detections in exceedance of the unrestricted SCOs are provided on Figure 4.

Exceedances of the RRSCOs and SCOs for unrestricted use for metals (arsenic, barium, cadmium, copper, and lead) are present in shallow soils (0-2 ft bls) located throughout the property, however the highest detections are present within the eastern end of the property (SB-1). The highest metals detections are as follows:

- arsenic (23 mg/kg);

Appendix D – Section IV Property Information, Question 10

3875 9th Avenue

BCP Application - Section IV

- barium (1,100 mg/kg);
- cadmium (32 mg/kg);
- copper (860 mg/kg); and
- lead (2,200 mg/kg).

Polychlorinated biphenyls (PCBs) are present in soils above the SCOs for unrestricted use within the northwestern area of the property and the northeastern area. Total PCBs ranged from 0.424 to 1.56 mg/kg. All total PCB exceedances of the SCOs are provided on Figure 4.

Pesticides are present in soils above both the SCOs for unrestricted use within the northwestern area of the property and the southeastern area (Dieldrin, 4,4'-DDD and 4,4-DDT). All total pesticide exceedances of the SCOs are provided on Figure 4.

Groundwater

Groundwater was evaluated during the Phase II investigation through the installation of three temporary one-inch diameter well points. VOCs were detected at concentrations above the Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations (AWQSGVs) in groundwater samples located in the eastern portion of the site. At GW-1 naphthalene (31µg/L), p/m-xylene (5.8 µg/L) and total xylene (8.7 µg/L) were above the AWQSGVs.

SVOCs were detected in groundwater in all three groundwater samples. A few of the common compounds of concern included (refer to figure 5 for full list):

- benzo[a]anthracene (maximum of 0.21 µg/L in GW-2);
- bis(2-Etylhexyl)phthalate (maximum of 9.8 µg/L in GW-3);
- naphthalene (maximum of 11 µg/L in GW-1).

These compounds are indicative of historic fill as well as degraded oil.

Several metals including antimony, barium iron, magnesium, manganese and sodium were detected at concentrations above AWQSGVs in both filtered and unfiltered groundwater samples

Appendix D – Section IV Property Information, Question 10

3875 9th Avenue

BCP Application - Section IV

throughout the Site. The highest concentrations were detected in filtered samples at location GW-1:

- antimony (5.23 µg/L);
- barium (2,306 µg/L);
- iron (11,600 µg/L);
- magnesium (162,000 µg/L);
- manganese (8,582 µg/L); and
- sodium (1,590,000 µg/L).

The elevated sodium concentrations are indicative of salt water intrusion in groundwater from the tidal effects of the Harlem River. Lead was detected above AWQSGVs in samples in GW-1 (365.6 µg/L) and GW-2 (58.32 µg/L); however it was not detected in filtered samples. Barium was detected in samples in GW-1 (2,814 µg/L) and in the filtered sample (2,306 µg/L) above the AWQSGVs. Chromium was detected at GW-1 (149.2 µg/L) and GW-2 (50.94 µg/L) above the AWQSGVs; however it was not detected in filtered samples (refer to figure 5 for full list).

Soil Vapor & Indoor Air

Soil vapor samples contained detections of both petroleum-related VOCs and chlorinated VOCs. Tetrachloroethene (PERC) is the prominent chlorinated VOC of concern and was detected in SV-1 at 26,200 mg/m³ and 2,400 mg/m³ at SV-2. Soil Vapor detections were the highest at location SV-1, other constituents of concern detected at this location include:

- 2,2,4-Trimethylpentane (52,800 mg/m³),
- benzene (2,700 mg/m³),
- cis-1,2-Dichloroethene (2,360 mg/m³),
- cyclohexane (49,200 mg/m³), and
- trichloroethene (4,800 mg/m³).

Plate 3 shows the soil vapor sample locations and all detected concentrations of VOCs. There are no buildings on Site therefore indoor air samples were not collected.

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX E

Section VI – Owner Operator

Appendix E – Previous Property Owners and Operators

3875 9th Avenue

BCP Application - Section VI

Site property owners and BCP application requestors are MFC REALTY CORP and J.207 ST LLC. The Requestor’s Authorized Representative is Ana Maria Polonia. Ms. Polonia is an employee of J.207 ST LLC and has been designated as the Requestor’s Authorized Representative by both Site property owners MFC REALTY CORP and J.207 ST LLC. Neither of the Requestor’s nor any of its corporate members have any relationship with the former owners and operators. Additional information is provided below.

FORMER OWNERS’ INFORMATION

Address: 3875 9th Avenue, New York, NY

Block 2188, Lot 1 (formerly known as Lots 1, 5, 9, 11, 20 & 28, also formerly known as Lots 1 & 10)*

| Period | Lot | Owner | Relationship to Requestors |
|----------------------|---|---|-----------------------------------|
| Unknown to 7/1/1941 | Cover part of pue-former Lot 1 | Korker Realty and Construction Company, Inc. <i>Address undetermined</i> | None |
| Unknown to 11/9/1945 | Cover part of pue-former Lot 5 | JOHN SHERMAN HOYT, as Sole Executor and Trustee and HENRY R. HOYT, as substitute trustee under the LW&T of Henry R. Hoyt <i>Address undetermined</i> | None |
| Unknown to 3/19/1954 | Cover part of pue-former Lots 9 & 28 | The City of New York <i>Address undetermined</i> | None |
| Unknown to 5/3/1955 | Cover part of pue-former Lots 9, 11, 20 & 28 | The City of New York <i>Address undetermined</i> | None |
| 5/3/1955 to 9/1/1959 | Cover part of pue-former Lots 9, 11, 20 & 28 | Bernard Cronin <i>Address undetermined</i> | None |
| 9/1/1959 to 8/4/1966 | Cover part of pue-former Lots 1, 5, 9, 11, 20 & 28* | H&C Realty Corp. <i>3875 Ninth Avenue, New York, New York</i> | None |

Appendix E – Previous Property Owners and Operators

3875 9th Avenue

BCP Application - Section VI

| Period | Lot | Owner | Relationship to Requestors |
|--|---|---|-----------------------------------|
| 8/4/1966 to 10/11/1966 | Covers all of pue-former Lots 1, 5, 9, 11, 20 & 28* | Samuel J. Cronin and Rae F. Cronin <i>679 West 239th Street, Bronx, New York</i> | None |
| 10/11/1966 to 3/8/1999 | Covers all of pue-former Lots 1 & 10 | Bannockburn Realty Corp. (merged into Pathmark Supermarkets General Corporation, now known as Pathmark stores, Inc.) <i>3 Commerce Drive, Cranford, New Jersey (Bannockburn)</i> <i>200 Milk Street, Carteret, New Jersey (Pathmark Stores, Inc.)</i> | None |
| 3/8/1999 to 3/9/2004 | Covers all of pue-former Lots 1 & 10 | Kotel Partners LLC <i>33 Farm Lane, Great Neck, New York /</i> <i>234 West 56th Street, New York, New York</i> | None |
| 3/9/2004 to 1/28/2015 | Covers all of pue-former Lots 1 & 10 | MFC Realty Corp. <i>44 Cherry Valley Avenue, West Hampton, New York /3875 9th Avenue, New York, New York</i> | None |
| 1/28/2015 to Present | Covers all of pue-former Lots 1 & 10 | J.207 St LLC (50% stake with MFC Realty Corp.) <i>15 Verbena Avenue, Suite 200, Floral Park, New York</i> | Present Owner |
| <p>* Former Lots 1, 5, 9, 11, 20 and 28 merged into Lots 1 and 10. Lots 1 and 10 merged into present Lot 1 as of 3-28-2016.</p> <p>Deed and Lot information obtained from the 75 year deed search in the Office of the New York Register performed by Ultimate Abstract of New York, Inc. Record information as of May 13, 2016.</p> | | | |

Appendix E – Previous Property Owners and Operators

3875 9th Avenue

BCP Application - Section VI

FORMER OPERATORS' INFORMATION

Address: 3875 9th Avenue, New York, NY

Block 2188, Lot 1

| Year | Operator | Source | Operator Relationship to Current Owners |
|-------------|--|--|--|
| 1924 | Based on descriptions, buildings appeared similar configuration: Auto Wrecking Yard (northeast portion) Auto Sales & Service (southeast portion) House Boat Mooring (eastern portion) <i>Contact information not available</i> | Historical Aerial Photographs from AKRF Inc. Phase I | None |
| 1935-1951 | Auto Wrecking Yard (northeast portion) Auto Sales & Service (southeast portion) House Boat Mooring (eastern portion) <i>Contact information not available</i> | Sanborn Maps from AKRF Inc. Phase I | None |
| 1974 | Parking Lot (western portion) <i>Contact information not available</i> | Historical Aerial Photographs from AKRF Inc. Phase I | None |
| 1989 | Parking Lot <i>Contact information not available</i> | Sanborn Maps from AKRF Inc. Phase I | None |
| 1974 | Parking Lot (western portion) <i>Contact information not available</i> | Historical Aerial Photographs from AKRF Inc. Phase I | None |
| 1996 | Parking Lot or Junkyard (western portion) <i>Contact information not available</i> | Historical Aerial Photographs from AKRF Inc. Phase I | None |
| 2006-2013 | 207 Garage LLC <i>Park Whiz</i> 208 S Jefferson Street, Suite 403, Chicago, IL 60661 | City Directory from AKRF Inc. Phase I | None |

ULTIMATE ABSTRACT OF NEW YORK, INC.

51 ALLEN BOULEVARD
FARMINGDALE, NY 11735
Phone #: (631) 501-9100 * Fax #: (631) 501-1370

DATE: May 13, 2016

J. 207 ST LLC
15 VERBENA AVENUE, SUITE 200
FLORAL PARK, New York 11001
ATTN: WILLIAM BOLLINGER

RE: TITLE NO: UNY52957NY
PREMISES: 3875 9TH AVENUE / NEW YORK
BLOCK: 2188 LOT 1 (formerly known as Lots 1, 5, 9, 11, 20 & 28 and also formerly known as Lots 1 & 10)

Dear Mr. Bollinger:

As requested and in connection with the above referenced premises, this Company has conducted a 75 year deed search in the Office of the New York Register and the record discloses the following:

As to Lot: 1:

- A) Deed dated 7-1-1941 made by KORKER REALTY AND CONSTRUCTION COMPANY, INC. to H & C REALTY CORP. recorded 7-2-1941 in Liber 4114 Page 88. (Covers part of pue-former lot 1.)
- B) Deed dated 11-9-1945 made by JOHN SHERMAN HOYT, as Sole Executor and Trustee and HENRY R. HOYT, as substitute trustee under the LW&T of Henry R. Hoyt to H & C REALTY CORP. recorded 11-21-1945 in Liber 4391 Page 169. (Covers part of pue-former lot 5)
- C) Deed dated 3-19-1954 made by THE CITY OF NEW YORK to BERNARD CRONIN recorded 5-19-1954 in Liber 4879 Page 323. (Cover part of pue-former lots 9 & 28)
- D) Deed dated 5-3-1955 made by THE CITY OF NEW YORK to BERNARD CRONIN recorded 5-5-1955 in Liber 4922 Page 18. (Cover part of pue-former lots 9, 11, 20 & 28.)
- E) Deed dated 9-1-1959 made by BERNARD CRONIN to H & C REALTY CORP. recorded 9-17-1959 in Liber 5091 Page 484. (Cover part of pue-former lots 9, 11, 20 & 28.)
- F) Deed dated 8-4-1966 made by H & C REALTY CORP. to SAMUEL J. CRONIN AND RAE F. CRONIN recorded 8-4-1966 in Rec. Liber 89 Page 398. (Covers all of pue-former lots 1, 5, 9, 11, 20 & 28*)
- G) Deed dated 10-11-1966 made by SAMUEL J. CRONIN AND RAE F. CRONIN to BANNOCKBURN REALTY CORP. recorded 10-21-1966 in Rec. Liber 114 Page 249. (Covers all of pue-former lots 1 & 10**.)
- H) Deed dated 3-8-1999 made by PATHMARK STORES, INC. (BANNOCKBURN REALTY CORP. merged into SUPERMARKETS GENERAL CORPORATION-now known as PATHMARK STORES, INC.) to KOTEL PARTNERS LLC recorded 6-16-1999 in Reel 2894 Page 511. (Cover all of pue-former lots 1 & 10**.)
- I) Deed dated 3-9-2004 made by KOTEL PARTNERS LLC to MFC REALTY CORP. recorded 4-28-2004 in CRFN 2004000261365. (Cover all of pue-former lots 1 & 10**.)

J) Deed dated 1-28-2015 made by MFC REALTY CORP. to MFC REALTY CORP. and J.207 ST LLC recorded 3-10-2015 in CRFN 2015000081480. (Covers all of pue former lots 1 & 10**.)

Nothing else found as of 5-13-2016.

Note: Copies of all deeds attached.

Note: *Lots 1, 5, 9, 11, 20 and 28 merged into lots 1 and 10.

**Lots 1 and 10 merged into present lot 1 as of 3-28-2016.

The Company's liability under this Certificate shall only be the party to whom it was prepared and such liability shall under no circumstances exceed the amount of Five Thousand Dollars (\$5,000.00).

Very truly yours,

Edward V. Regan
FOR THE COMPANY

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX F

Section VII – Volunteer Statement

Appendix F – Volunteer Statement

3875 9th Avenue

BCP Application - Section VII

Requestors Qualification as Volunteer

The Requestors qualify as a volunteer because (i) a phase 1 environmental site assessment was completed that satisfied the "all appropriate inquiries" requirements of 40 CFR 312 prior to taking title, (ii) all disposals of hazardous substances occurred prior to the date the Requestors acquired title; and (iii) the Requestors do not have any affiliation with any responsible party.

Since taking title, the Requestors have exercised appropriate care by implementing additional investigations to determine the presence of contamination and have secured the site to prevent exposure to previously released hazardous substances.

The Requestors did not previously own nor operate the Site or have a relationship with the parties that did and, thus, are not responsible for the contamination. The Requestor's liability arises solely as a result of ownership of the Site and the Requestors have taken reasonable and appropriate steps to prevent human exposure to the contamination. As such, the Requestors should be considered a Volunteer as defined in ECL 27-1405(1)(b).

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX G

Section IX – Contact List

Appendix G – Contact List Information

3875 9th Avenue
BCP Application - Section IX

1. The Chief Executive Officer and Planning Board Chairperson of each County, City, Town and Village in which the Property is located:

Honorable Charles Schumer
United States Senate
780 Third Avenue, Suite 2301
New York, NY 10017

Honorable Kirsten E Gillibrand
United States Senate
780 Third Avenue, Suite 2601
New York, NY 10017

Honorable Adriano Espaillat
United States Senate, District 31
5030 Broadway, Suites 701 & 702
New York, NY 10034

Guillermo Linares
New York State Assembly, District 72
210 Sherman Avenue, Suite A & C
New York, NY 10034

Congressman Charles Rangel
House of Representatives
District 13 – New York Office
163 West 125th Street, Suite 507
New York, NY 10027

Mayor Bill de Blasio
City Hall
New York, NY 10007

Ydanis Rodriguez
New York City Council District 10
618 West 177th Street, Ground Floor
New York, NY 10033

Gale Brewer
Manhattan Borough President
431 West 125th Street
Kew Gardens, NY 10027

Mitchell J. Silver, Commissioner
New York City Department of Parks &
Recreation
The Arsenal- Central Park
830 Fifth Avenue
New York, NY 10065

Carl Weisbrod, Director
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Appendix G – Contact List Information

3875 9th Avenue
BCP Application - Section IX

2. Residents, Owners, and Occupants of properties adjacent to the Property:

Property Operator

Block 2188 Lot 1
207 Garage LLC
3875 9th Avenue
New York, NY 10034

Property Owners

Block 2188 Lot 1
MFC REALTY CORP and J.207 ST LLC
15 Verbena Avenue, Suite 200
Floral Park, NY 11001

To the North

Block 2189 Lot 50
NYC Department of Citywide Administrative Services (NYC DCAS)
Attn: DCAS Asset Management
One Centre Street, 17th Floor South
New York, NY 10007

To the North and West

Block 2189 Lot 1
New York City Transit Authority
10th Avenue
New York, NY 10034

Veronique Hakim
MTA New York City Transit President
2 Broadway
New York, NY 10004

To the East

No resident, owner or occupant exists to the east of the property due to the presence of the Harlem River.

To the South

Block 2187 Lot 5 and 7
Flair Beverage Corp
3859 9th Avenue
New York, NY 10034

To the Southwest

Block 2203 Lot 21
Morris Altschuler
408 West 207th Street
New York, NY 10034

Block 2187 Lot 20

NYC Department of Small Business Services (NYC DSBS)
Attn: Gregg Bishop, Commissioner
110 William Street, 7th Floor
New York, NY 10038

Appendix G – Contact List Information

3875 9th Avenue
BCP Application - Section IX

To the West

Block 2189 Lot 60
Hess Retail Stores, LLC
401 West 207th Street
New York, NY 10034

Appendix G – Contact List Information

3875 9th Avenue
BCP Application - Section IX

3. Local News Media from which the Community typically obtains information:

DNA Info New York
810 7th Avenue, Suite 800
New York, NY 10019

Manhattan Times
5030 Broadway, Suite 801
Long Island City, NY 10034
Email: editor@thebronxfreepress.com

New York Post
1211 Avenue of the Americas
New York, NY 10036
(212) 930-8000

NY1 News
75 Ninth Ave
New York, NY 10011
(212) 367-0600

4. The Public Water Supplier which services the area in which the Property is located:

New York City Department of Environmental Protection
Bureau of Water and Sewer Operations
59-17 Junction Boulevard
Flushing, NY 11373

5. Any Person who has requested to be placed on the Contact List:

We are unaware of any requests for inclusion on the contact list.

6. The Administrator of any School or Day Care Facility located on or near the Property:

Galex Family Daycare
Administrator, Carmen Garcia
449 West 206th Street, Suite 2d
New York, NY 10034

Manhattan Christian Academy
Dean, Ms. Elizabeth Suggs
401 West 205th Street
New York, NY 10034

Appendix G – Contact List Information

3875 9th Avenue
BCP Application - Section IX

Saint Jude School
Administrator, David P. Friedlander
433 West 204th Street
New York, NY 10034

Public School 366: Washington Heights Academy
Principal, Renzo Martinez
202 Sherman Avenue
New York, NY 10034

Public School 98: Shorac Kappock
Principal, Maritza Rodriguez
512 West 212th Street
New York, NY 10034

7. Location of the Document Repository (*note: please see attached copy of acknowledgement):

New York Public Library – Inwood Library
4790 Broadway
New York, New York 10034

8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Manhattan 12 Community District
Chairperson: Shahabuddeen A. Ally, Esq
District Manager: Mr. Ebenezer Smith
Address: 530 West 166th Street 6th Floor
New York, NY, 10032

• Other Identified Community Groups

Churches:

Manhattan Bible Church
401 West 205th Street
New York, NY 10034

Christ Crucified Fellowship
433 West 204th Street
New York, NY 10034

Appendix G – Contact List Information

3875 9th Avenue
BCP Application - Section IX

Saint Jude's Roman Catholic Church
431 West 204th Street
New York, NY 10034

Goodwill:

Salvation Army
2359 Jerome Avenue
Bronx, NY 10468

Clinics:

Pediatrics 2000
515 West 207th Street
New York, NY 10034

Alfonso Dental Office
100-102 Post Avenue
New York, NY 10034

Parks:

Inwood's North Cove
9th Avenue
New York, NY 10034

Civic Associations:

The Northern Manhattan Coalition
5030 Broadway
New York, NY 10034

From: [Danita Nichols](#)
To: [Joseph P. Gavin](#)
Subject: Re: Request for use of New York Public Library - Inwood Branch as document repository
Date: Friday, May 20, 2016 2:25:45 PM

Mr. Gavin,

Inwood Library is happy to serve as a repository for your document.

Best,

Danita Nichols
Library Manager
Inwood Library
4790 Broadway
Manhattan, 10034
212-942-2445

On Fri, May 20, 2016 at 2:23 PM, Joseph P. Gavin <jgavin@rouxinc.com> wrote:

Ms. Nichols,

Roux Associates is an environmental consulting firm that is currently in the process of applying to get a site located in your area at 3875 9th Avenue, New York, NY into the New York State Brownfield Cleanup Program (BCP). One of the requirements of the program is that a document repository be established for the reports. This is done as part of the mandated Community Participation Plan which is a component of every BCP project in the state. Routinely libraries are used as repositories.

Roux Associates is requesting permission to use the Inwood Branch of the New York Public Library as the document repository for the project. This will require shelf space for Roux Associates reports for approximately 18 to 24 months. The shelf space required would be about 12 inches by 12 inches and the stack of reports might be 18 inches high. A total of six to eight reports (including but not limited to: BCP Application, Remedial Investigation Work Plan, Remedial Investigation Report, Remedial Action Work Plan, Remedial Action Report, Final Engineering Report) will be produced over the course of the project. We will send the reports by express delivery. If limited shelf space is available, we can submit electronic versions of the reports as necessary just let me know.

Thank you for your attention and assistance.

Best Regards,

Joseph P. Gavin
Project Hydrogeologist

Roux Associates, Inc.
209 Shafter St
Islandia, NY 11749

Cell: [516-754-6671](tel:516-754-6671)

Direct: [631-630-2393](tel:631-630-2393)

Office: [631-232-2600](tel:631-232-2600)

Fax: [631-232-9898](tel:631-232-9898)

Website: <http://www.rouxinc.com>

We solve our clients' most challenging environmental problems.

NOTICE: This electronic communication, including any authorized attachments, contains information that may be legally privileged, protected, confidential and/or exempt from disclosure or certain types of use under applicable law. This information is for the sole use of the intended recipient(s). If you are not the intended recipient(s) or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any review, use, disclosure, copying, distribution or the taking of any action in reliance on the contents of this e-mail or any attachments is strictly prohibited. You are further advised that review by an individual other than the intended recipient(s) shall not constitute a waiver of any attorney-client privilege which may apply to this communication. If you have received this communication in error, please notify the sender immediately by return e-mail, permanently delete this e-mail and any attachments from all computers on which they may be stored and destroy any print-outs of this email and any attachments.

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX H

Section X – Land Use Factors

Appendix H – Land Use Factors

3875 9th Avenue

BCP Application – Section X, Questions 5 and 6

The proposed use is consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?

Our 3875 9th Avenue project is consistent with the proposed Inwood Rezoning initiative that the City of New York launched back in September 2015. According to the Economic Development Corporation’s website (<http://www.nycedc.com/project/inwood-nyc-neighborhood-study>) our site is at the center of the primary rezoning area – dubbed the “Four Corners Gateway” – focusing on “extending vibrant, mixed-use development to the Harlem River.” Our plan calls for a comprehensive development envelope that features housing, retail and community facility uses – all of which are targeted objectives of the Inwood Neighborhood Study led by the NYC EDC in conjunction with the NYC Department of City Planning.

According to the EDC website the area rezoning should be certified by Fall 2016. In tandem with these efforts we are also proposing the rezoning of the block of 207th Street /9th Avenue and 208th Street to be consistent with the overall objectives but to also ensure a quicker final adoption of revised land-uses.

In addition to these measures the waterfront area was also part of a major planning effort back in 2009. The Sherman Creek Waterfront Esplanade Masterplan was adopted in 2011 (see link: <http://www.nycedc.com/project/sherman-creek-waterfront-esplanade-master-plan>) and incorporated our site. While our project is not technically within the waterfront (we are separated by mapped but not built City-owned streets – West 208th Street and Exterior Street), we have been asked by DCP as part of our application to improve these areas as public open space and to include some of our site within this as well. Accordingly our plans show a landscaping treatment and vision that is consistent with the overall framework of the Sherman Creek Esplanade Master Plan.

The proposed use is consistent with applicable zoning laws/maps?

As noted above, our plan is consistent with the proposed zoning changes for the area and will be developed “as-of-right” as part of this and our initiative. We will also meet all mapping requirements as it pertains to the waterfront and surrounding roads.

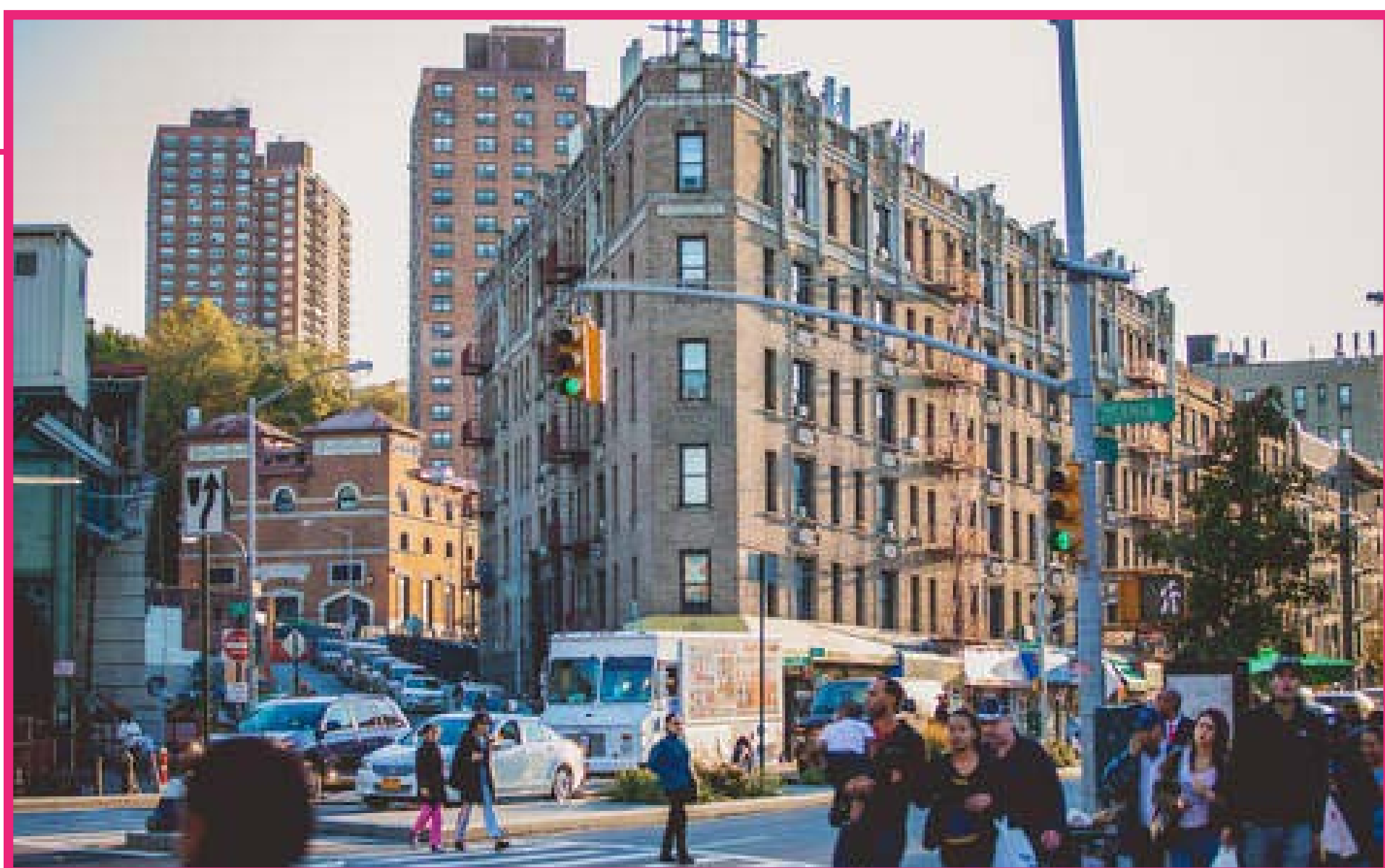
LAND USE & ZONING

USO DE TERRENO Y ZONIFICACIÓN

WHAT WE HEARD | LO QUE ESCUCHAMOS

STRENGTHS | VIRTUDES

- DIVERSE NEIGHBORHOOD CHARACTER WITH DISTINCT BUILDING TYPES
CARÁCTER DIVERSO DEL VECINDARIO CON CLASES DE EDIFICIOS DISTINTIVOS
- VIBRANT COMMERCIAL CORRIDORS WITH A DIVERSITY OF LOCAL BUSINESSES
TRAMOS COMERCIALES VIBRANTES CON UNA DIVERSIDAD DE NEGOCIOS LOCALES



Example of the distinct neighborhood character throughout Inwood
Ejemplo del distinto del vecindario Inwood



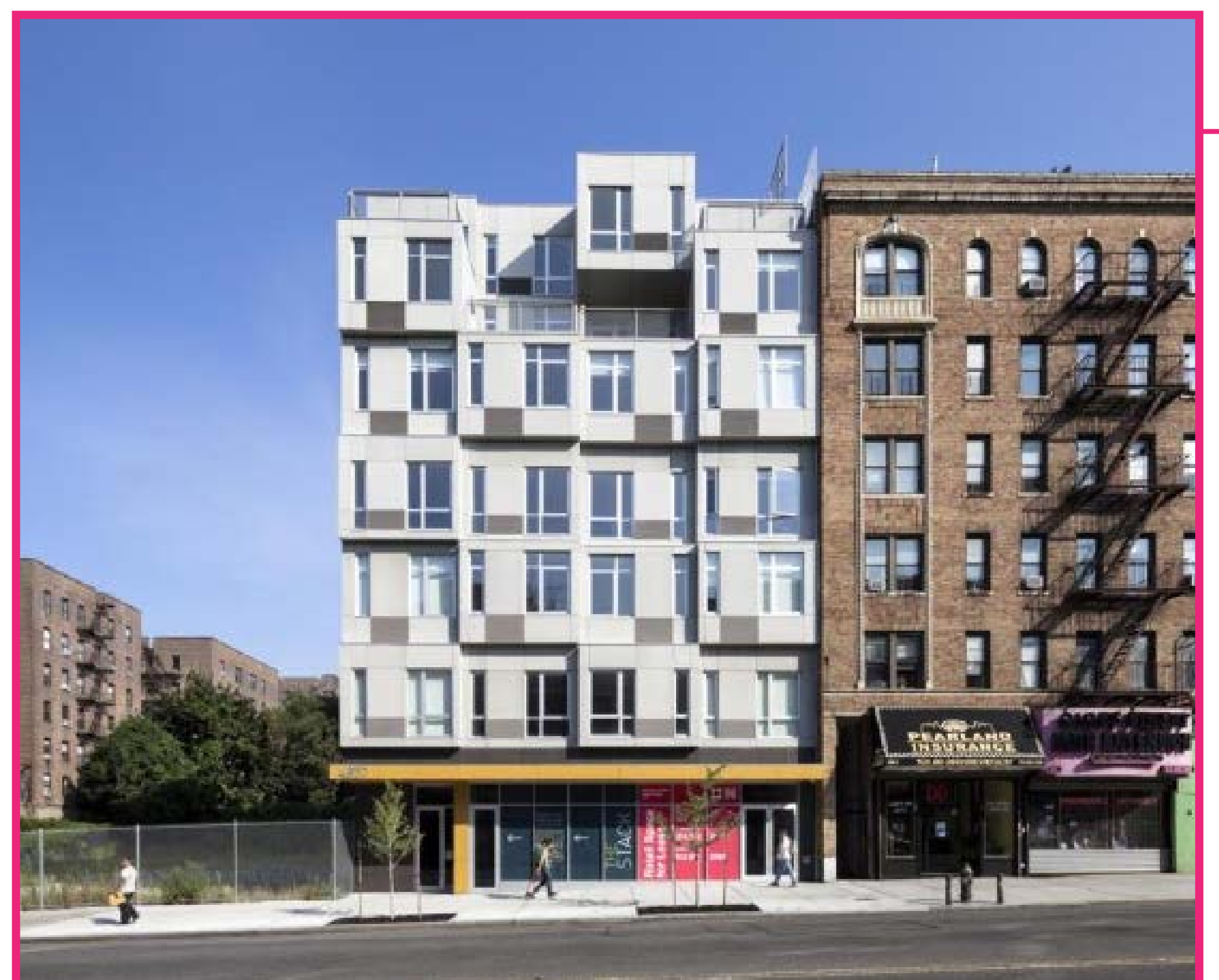
Vibrant commercial activity along Dyckman St.
Actividad vibrante comercial a lo largo de Dyckman

CHALLENGES | DESAFÍOS

- LIMITED WATERFRONT ACCESS ALONG THE HARLEM RIVER
ACCESO LIMITADO AL ÁREA COSTERA A LO LARGO DEL RÍO HARLEM
- LITTLE TO NO NEW HOUSING DEVELOPMENT, INCLUDING AFFORDABLE HOUSING
URBANIZACIÓN NUEVA INSUFICIENTE O NO EXISTENTE, INCLUYENDO VIVIENDAS ASEQUIBLES



Existing waterfront conditions along Harlem River
Condiciones existentes a lo largo de la Línea Costera del Río Harlem



The Stack building; the only recent housing development in Inwood
La construcción de "El Stack"; el único desarrollo reciente en Inwood

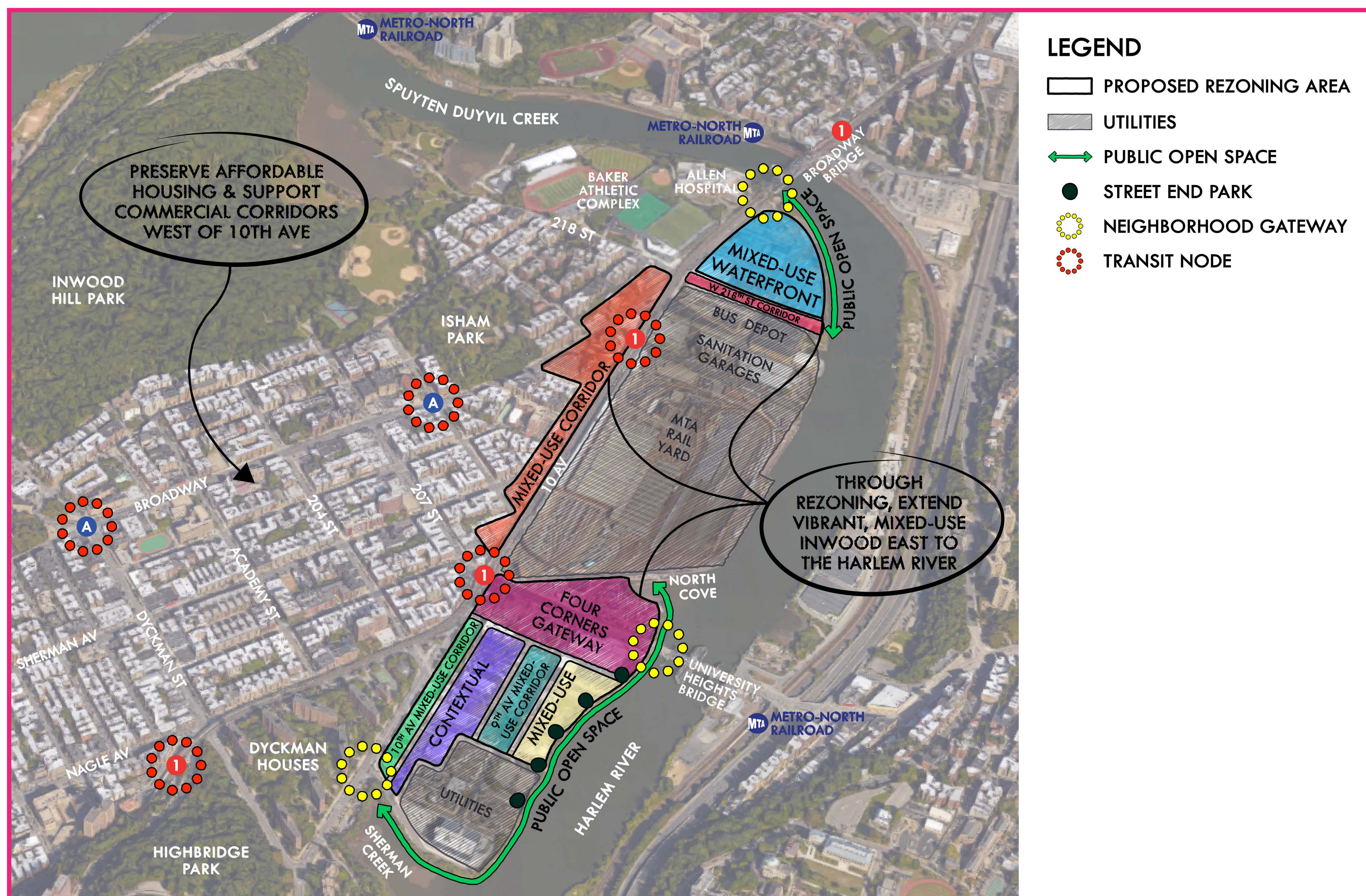
IDEAS

- CONNECT THE HARLEM RIVER WATERFRONT PARKS | CONECTAR LOS PARQUES DEL ÁREA COSTERA DEL RÍO HARLEM
- CREATE NEW AFFORDABLE HOUSING | CREAR NUEVAS VIVIENDAS ASEQUIBLES
- PROMOTE MIXED-USE DEVELOPMENT | PROMOVER DESARROLLOS DE USO MIXTO
- IMPROVE PEDESTRIAN CONNECTIONS THROUGHOUT NEIGHBORHOOD | MEJORAR LAS CONEXIONES PEATONALES POR TODO EL VECINDARIO

For a complete summary of community feedback from past public planning workshops in both English and Spanish, please visit <http://www.nycedc.com/InwoodNYC>.
Para un resumen completo de los comentarios de la comunidad en los talleres de planificación pública del pasado, tanto en Inglés y Español, por favor visite www.nycedc.com/InwoodNYC.

LAND USE & ZONING

RECOMMENDATIONS:



A. THROUGH REZONING, EXTEND VIBRANT, MIXED-USE INWOOD TO THE HARLEM RIVER

- Create a special zoning district to promote high-quality development that provides a range of public benefits, including affordable housing, a revitalized waterfront, new retail options, and lively and active streetscapes.
- Update zoning to transform vacant and underutilized land east of and along 10th Avenue into dynamic, mixed-use waterfront districts.
- Require all new residential development to create a percentage of permanently affordable housing by applying Mandatory Inclusionary Housing.
- In addition to housing, encourage a mix of uses that provide additional business and employment opportunities, as well as new community spaces to meet the needs of residents and community-based organizations.
- Ensure new districts feel welcoming to all Inwood residents by creating strong connections to new public waterfront spaces and encouraging good urban design in new development.
- Work with institutional property owners such as Con Edison to make room for mixed-use development while consolidating and protecting essential operations and infrastructure.

COMMENTS:

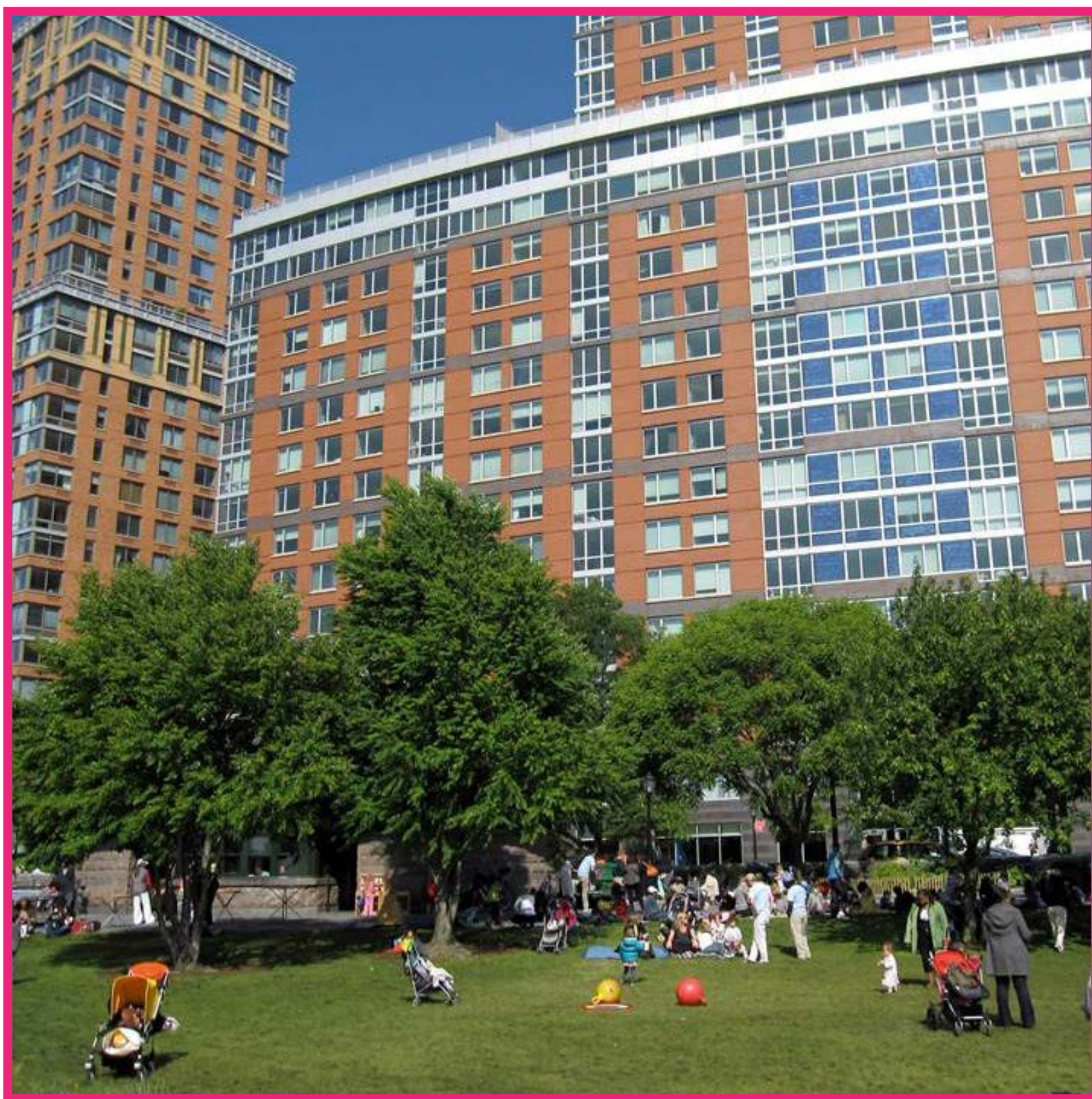
LAND USE & ZONING

RECOMMENDATIONS:

B. RECLAIM THE HARLEM RIVER WITH NEW PUBLIC ESPLANADES AND OPEN SPACES

- Make public investments in new waterfront open spaces on City-owned land at key locations such as Academy Street at Sherman Creek.
- Promote continuous public waterfront access along the Harlem River over time through a Waterfront Access Plan (WAP).
- To the greatest extent feasible, require new developments along the Harlem River to create new high-quality public open spaces.
- Ensure new development follows the latest requirements for managing storm water effectively and protecting against coastal flooding.

EXAMPLES OF WATERFRONT DEVELOPMENT AND OPEN SPACE



Battery Park, New York, NY



Brooklyn, NY

EXAMPLE OF CONTEXTUAL DEVELOPMENT



Brooklyn, NY

C. CREATE SAFE, LIVELY, PEDESTRIAN-FRIENDLY STREETS

- Through zoning, use new development to foster a pedestrian-friendly environment – for example, planting street trees and enlivening sidewalks with shops and other active ground-floor uses.
- Improve safety and reduce conflicts between pedestrians, vehicles, and bikes through targeted street redesigns, with a strong focus along 10th Avenue.
- Transform Ninth Avenue into an appealing “main street” with new retail and active and varied streetscape.
- Enhance key east-west connections to the Harlem River such as 204th, 207th, and 218th Streets.
- Create gateways to and from the Bronx by improving connections and enhancing place making near the University Heights and Broadway Bridges.

COMMENTS:



Plan Maestro para un Malecón en

SHERMAN CREEK

Waterfront Esplanade Master Plan

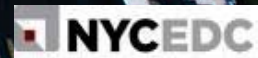
FINAL ADVISORY COMMITTEE MEETING

Wednesday, July 13, 2011, 6:00PM - 8:00PM

P.S. 5 Ellen Lurie

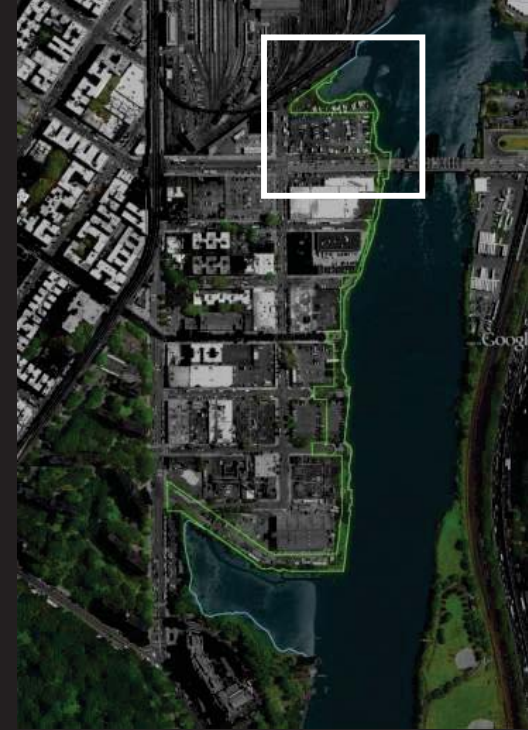
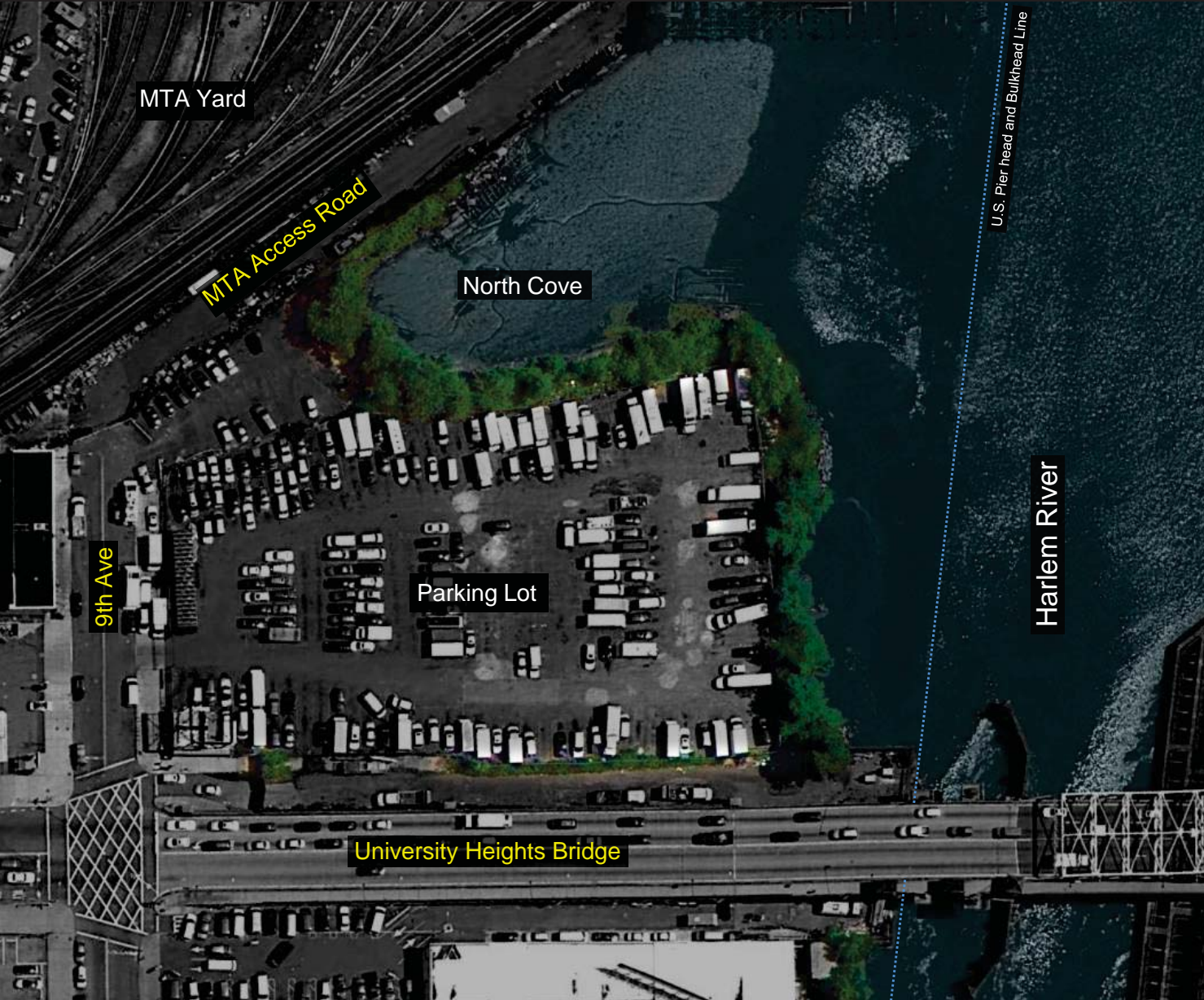
3703 Tenth Ave, Manhattan, NY 10034

*This Presentation was prepared for the
New York State Department of State,
Division of Coastal Resources with funds
provided under Title 11 of the
Environmental Protection Fund*



NORTH COVE

SHERMAN
CREEK



NORTH COVE

SHERMAN
CREEK

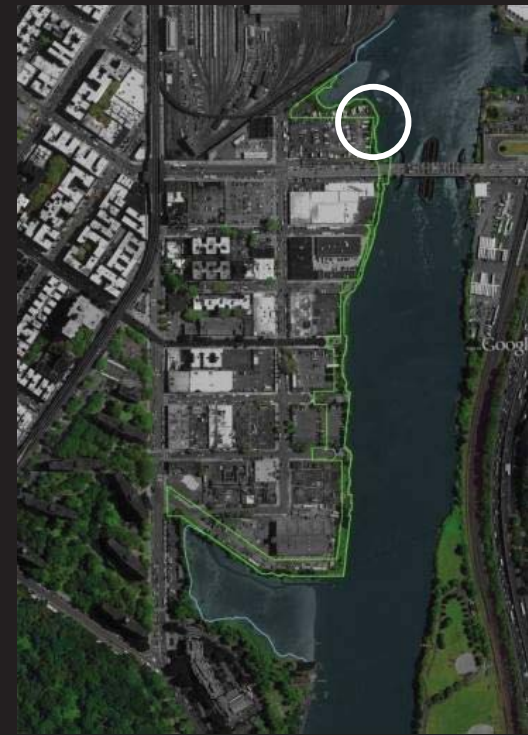
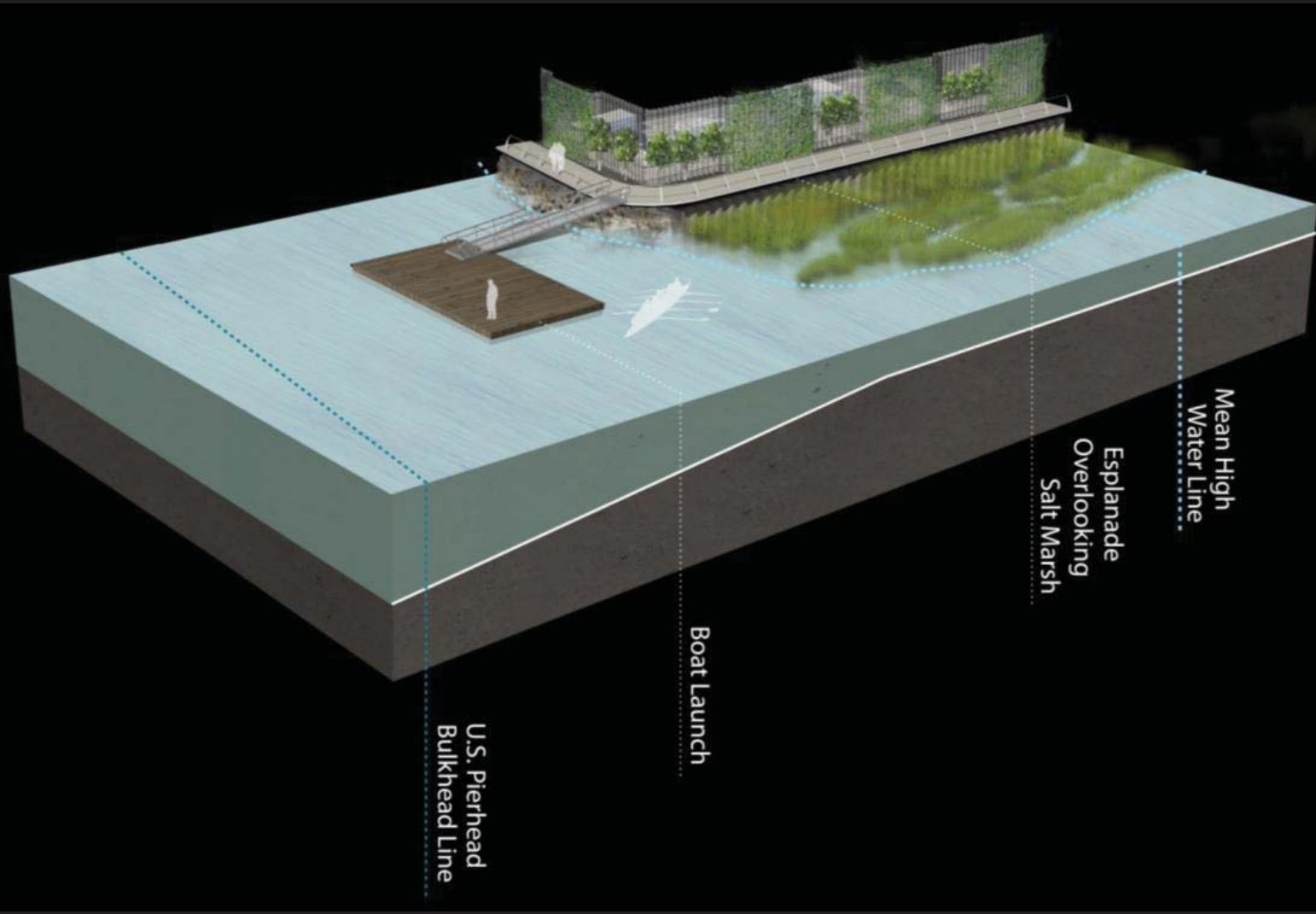


NORTH COVE

SHERMAN
CREEK



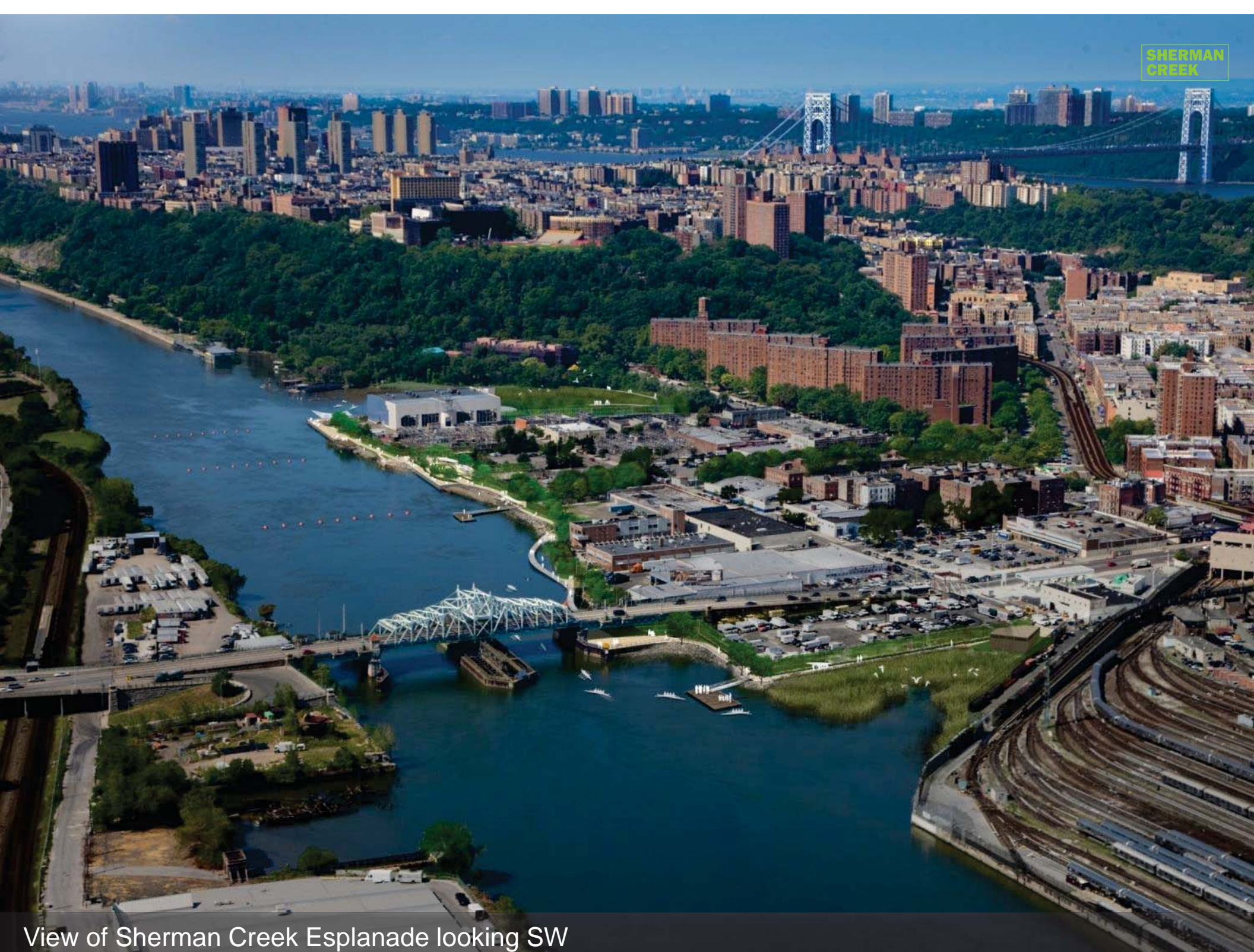
1. Esplanade Connection under University Ht. Bridge
2. Esplanade Connection to North Cove
3. Rowing Dock
4. Restored Wetlands
5. Community Boathouse Facility



Rowing Dock & Salt Marsh at North Cove



View of Rowing Dock at North Cove



View of Sherman Creek Esplanade looking SW



View of Sherman Creek Esplanade looking NW

J.207 ST LLC and MFC REALTY CORP.
3875 9th Avenue, New York, New York

APPENDIX I

Tangible Property Credits

Appendix I – Tangible Property Credits

3875 9th Avenue

BCP Application - Supplemental Questions

1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?

Response: The entire property lies within the New York State Environmental Zones (En-Zones).

2. Is the property upside down or underutilized as defined below?

Response: Underutilized designation is deferred until regulations are finalized.

3. Is the project an affordable housing project as defined below?

Response: Our project will be 100% affordable as defined by the Area Median Income (AMI) guidelines adopted for New York City (NYC). All of the proposed units will be subject to a Regulatory Agreement issued either by the NYC Department of Housing Preservation and Development (HPD) or NYC Housing Development Corporation (HDC) that restricts the rents to designated AMI target levels. HPD/HDC programs dictate targeted income bands that make for the “best practices” mix of income levels. Our project will be structured to hit every marketing band from 30% AMI to 130%. Because of the vagaries of the program funding the exact bands and their ratios are still being formulated. However, 35% of the units will be targeted for Low Income (i.e. 60% AMI or below) and the balance will be targeted towards mid and moderate income housing (70-130% AMI). The regulatory agreements generally run for a period of 60 years. In addition, 25% of these units, as per the recently adopted Mandatory Inclusionary Housing (MIH) will be rent restricted in perpetuity.