

**148 NAGLE AVENUE
MANHATTAN, NY
Block 2174, Lot 70**

NEW YORK STATE BROWNFIELD CLEANUP PROGRAM



APPLICATION AND SUPPLEMENTAL INFORMATION

**New York State Department of Environmental Conservation
Brownfields and Voluntary Cleanup Section
625 Broadway, 11th floor
Albany, NY 12233-7015**

July 2018

Prepared for:
**Dyckman Crestview Realty, LLC
279 West 231st Street
Bronx, NY 10463**

Prepared By:

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

**1808 Middle Country Road
Ridge, NY 11961**

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148 Nagle Avenue, New York, NY

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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 9*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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.

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

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

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.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through July 6, 2018.

Selected Entity Name: DYCKMAN CRESTVIEW REALTY, LLC

Selected Entity Status Information

Current Entity Name: DYCKMAN CRESTVIEW REALTY, LLC

DOS ID #: 2019230

Initial DOS Filing Date: APRIL 11, 1996

County: NEW YORK

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)

C/O ROBERT E. HILL, INC.
279 WEST 231ST STREET
BRONX, NEW YORK, 10463

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
SEP 17, 1996	Actual	DYCKMAN CRESTVIEW REALTY, LLC
APR 11, 1996	Actual	DYKMAN CRESTVIEW REALTY, 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.

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Section III. Property's Environmental History

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.

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			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
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?*

(*answering No will result in an incomplete application)

Yes No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN		ZIP CODE		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY		SITE SIZE (ACRES)		
LATITUDE (degrees/minutes/seconds) ° ' "		LONGITUDE (degrees/minutes/seconds) ° ' "		
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
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)? Yes No (See DEC's website for more information)				
If yes, identify census tract : _____				
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

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

Type

Issuing Agency

Description

No permits were identified

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

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

NOTE: If a tangible property tax credit 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 by 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: APK _____

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			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
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. 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".			
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? Yes No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes 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. Yes 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 which require registration? 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.

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?
If yes, please provide: Site # _____ Class # _____

Yes No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
 Date permit issued: _____ Permit expiration date: _____

Yes No
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
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____

Yes No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment.

Yes No

Section IX. Contact List Information

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	
1. What is the current zoning for the site? What uses are allowed by the current zoning? <div style="display: flex; justify-content: space-around;"> Residential Commercial Industrial </div> 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) 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.	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.	Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

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

Date: 7/23/18

Signature: Ann F Kent

Print Name: Ann F Kent

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 9

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	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.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p>From ECL 27-1405(31):</p> <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 August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>		

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

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

Project is an Affordable Housing Project - Regulatory Agreement Attached;

Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

This is Not an Affordable Housing Project.

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

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ 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, which sets affordable units aside for home owners 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:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage claimed within an En-Zone:****0%****<50%****50-99%****100%****DER Determination:**

Agree

Disagree

Requestor's Requested Status:**Volunteer****Participant****DER/OGC Determination:**

Agree

Disagree

Notes:**For NYC Sites, is the Requestor Seeking Tangible Property Credits:**

Yes

No

Does Requestor Claim Property is Upside Down:

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:**Does Requestor Claim Property is Underutilized:**

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:**Does Requestor Claim Affordable Housing Status:**

Yes

No

Planned, No Contract

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

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

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

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SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

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SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

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SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

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**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

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.

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SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page.

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DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **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.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

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DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

I REQUESTOR INFORMATION

Name: Dyckman Crestview Realty, LLC
Name of all members / owners: Rosemary O'Malley
Vincent Farley, Jr.
Richard Farley
John Farley
Margaret Farley
Contact: Ann Farley
Address: 279 West 231st Street, Bronx, NY 10463
Phone: (973) 476-5580
Email: ann.farley@gmail.com

Dyckman Crestview Realty, LLC is the applicant for the project and is applying to the program as a Participant. Dyckman Crestview Realty, LLC is the current owner of the property (**Appendix C**), and is not affiliated in any way with the past property owners or operators, or the release of contaminants at the Site other than through ownership at the time of the release. As the owner of the property, Dyckman Crestview Realty, LLC will have access to the Site to implement the required remedial actions that will be required under the BCP.

II PROJECT DESCRIPTION

The Requestor seeks to remediate and redevelop a property located on Nagel Avenue in the Inwood neighborhood of Manhattan, NY (the "Site") (see **Figure 1**). The address of the Site is 148 Nagle Avenue in Manhattan, New York County, NY. It is comprised of a single tax lot identified as Block 2174, Lot 70 (**Figure 2 Tax Map and Figure 3 - Site Plan**). The Site is currently improved with a 1-story 2,000 square foot commercial building occupied by a laundromat. Previously, a one-story 6,000 square foot retail building which housed a dry cleaner was also present on the property. The 6,000 sf building was destroyed in a fire.

The historic use of the property, the presence of elevated levels chlorinated solvents in soil and groundwater and the suspected related contamination of soil vapor are complicating redevelopment of the Site.

The Requestors plan a Track 1 cleanup and mixed use (residential / retail) redevelopment of the Site. The nature and extent of existing and suspect contamination, however, complicates the redevelopment plan. Accordingly, the Requestor is submitting its application for entry into the BCP to the New York State Department of Environmental Conservation (NYSDEC). This document contains the supplemental information as required in the application package.

2.1 Project Overview

The Requestors intend to redevelop the property with a new mixed-use commercial retail and residential building. Some portion of the lot would be excavated for the cellar level of the proposed building. 15 feet for the cellar level of the proposed building.

As discussed in more detail in this application, contamination at the Site requires remediation since because contaminants exceed the restricted commercial soil cleanup objectives. The BCP will allow applicant to satisfy this requirement.

As a result, the lender/investors for this project will require any cleanup be conducted with oversight of the NYSDEC so that the NYSDEC can issue a certificate of completion and liability release from the State of New York. The remediation of the existing contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil classified as hazardous, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be scheduling impacts associated with soil sampling and excavation, and site constraints that will extend the timeframes customarily required for traditional site excavation. Moreover, the BCP will enable the applicant to qualify for hazardous waste program fee exemption. The tax credits available under the Brownfield Cleanup Program will make the project more economically feasible and result in substantial public benefits such as construction jobs and full-time employees as well as facilitate the redevelopment of the area. An estimated 50 construction jobs will be created during this project along with 15 to 25 permanent jobs.

2.2 Project Schedule

BCP Milestones Based on an assumed date of early October 2018 for execution of the BCP agreement, the following schedule of BCP milestones is anticipated.

Submit Citizen Participation Plan and Scoping Sheet	October 2018
Submit Remedial Investigation Work Plan	October 2018
Begin Remedial Investigation	December 2018
Submit RI Report and Remedial Action Work Plan	February 2019
Begin Remedial Action	April 2019
Submit Draft Final Engineering Report	October 2020
Anticipated Date Certificate of Completion Issued	December 2020

III ENVIRONMENTAL HISTORY

3.1 Summary of Previous Investigations

Investigations performed at the Site include the following:

- NYSDEC Spill No. 1707910 (Clean Harbors, November 2017)
- Confirmatory Sampling (EBC, April 2018)

3.1.1 November 2017 – NYSDEC Spill No. 1707910 (Clean Harbors)

On November 17, Clean Harbors personnel called in a spill of unknown contaminants following the demolition of the 6,000 sf building which had been destroyed by a fire. DEC assigned spill No. 1707910 to the Site. Subsequent testing of fill materials at the Site by Clean Harbors on December 4, 2017, identified tetrachloroethene (PCE) at concentrations of 23,000 to 46,000 ug/kg in two of four

soil samples collected from the basement area. The remaining two samples were non-detect for VOCs. A copy of the spill report and laboratory analysis is provided in **Appendix A**.

3.1.2 April 2018 – Confirmation Sampling (EBC)

Following discussions with DEC Spills and the Division of Hazardous Waste, it was suggested that given the site conditions and the potential for further contamination of the site, the most appropriate way to confirm that contamination had impacted the Site was to collect groundwater samples at the property line immediately downgradient of the Site.

Three soil borings were advanced in the sidewalk along Nagel Avenue in front of the Site. At each location samples were collected in 5-foot intervals from 5 feet below grade to 20 ft below grade, approximately 8 feet below the water table. Soil samples were collected from two locations at the 10-12 foot interval and from the 8-10 and 12-14 foot interval from the third location. Groundwater samples were collected from all three locations at a depth of approximately 17-20 ft. All soil and groundwater samples were analyzed for VOCs by EPA Method 8260. With the exception of acetone which was reported above its unrestricted soil cleanup objective (SCO) in each of the samples there were no detections of VOCs above SCOs. Tetrachloroethene (PCE) was reported above the standard of 5 ug/L in all three groundwater samples ranging from 59 ug/L to 740 ug/L. Trichloroethene (TCE) was reported above the standard in two of the three locations ranging from 11 to 20 ug/L.

A copy of the confirmation sampling report for is provided in digital form in **Appendix A**.

3.2 Summary of Confirmed Contamination and Environmental Conditions

The results of the investigations performed at the site have identified the following contaminated media and environmental conditions that will complicate redevelopment of the property.

- Contamination of groundwater with site-related chlorinated VOCs
- Contamination of soil / fill in the cellar area with chlorinated solvents
- Likely contamination of soil vapor with chlorinated solvents.

Summary tables and maps showing exceedances in SCOs and groundwater standards are provided in are provided in the attachments.

IV PROPERTY INFORMATION

4.1 Tax Parcel Information

The address of the Site is 148 Nagle Avenue in Manhattan, New York County, NY. It is comprised of a single tax lot identified as Block: 2174 Lot: 70. The boundaries of the Site correspond to the survey and metes and bounds description as provided in **Appendix B**.

4.2 Enzone

In October 2003, the New York State Brownfield Cleanup Program was signed into law under Title 14 of the ECL, Article 27. The Department of Labor has mapped boundaries of Environmental Zones (En-Zone) in which tax credits offered under the BCP are enhanced. One hundred percent of the subject site is within Census Tract 285 which is a designated as a Type A En-Zone. The Site is also located within a potential Environmental Justice Area (**Figure 7**).

4.3 Property Description Narrative

4.3.1 Location

The Site to be remediated and redeveloped is located in the Marble Hills - Inwood section of Manhattan, New York County and is comprised of a single tax parcel (Figure 2) totaling 10,000 square feet (0.229 acres). The Site is located in the City of New York and Borough of Manhattan. The square shaped Site has 100 feet of frontage along Thayer Street and 100 feet of frontage on Nagle Avenue.

4.3.2 Site Features

The Site is currently owned by the requestor, Dyckman Crestview Realty, LLC. The Site is currently improved with a 1-story 2,000 square foot commercial building occupied by a laundromat. Previously, a one-story 6,000 square foot retail building which housed a dry cleaner was also present on the property. The 6,000 sf building was destroyed in a fire. An eight foot high construction fence surrounds the vacant portion of the property where it does not border adjacent buildings preventing access by the public.

4.3.3 Current Zoning and Land Use

The property is currently zoned R7-2 Residential with a C1-4 Commercial overlay. According to the NYC DCP, R7 districts are medium-density apartment house districts. The height factor regulations for R7 districts encourage low apartment buildings on smaller zoning lots and, on larger lots, taller buildings with low lot coverage. As an alternative, developers may choose the optional Quality Housing regulations to build lower buildings with higher lot coverage. Regulations for residential development in R7-1 and R7-2 districts are essentially the same except that R7-2 districts have lower parking requirements.

C1-1 through C1-5 districts are commercial overlays mapped within residence districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

When commercial overlays are mapped in R1 through R5 districts, the maximum commercial floor area ratio (FAR) is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules.

Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. All other commercial districts that permit residential use are assigned a specific residential district equivalent. Unless otherwise indicated on the zoning maps, the depth of overlay districts ranges from 100 to 200 feet. Surrounding land use (Figure 5) includes commercial and multi-family residential properties to the north, multi-use (residential w/ 1st floor retail) buildings to the west and south and commercial buildings to the east. There are five schools located within ¼ mile of the project Site (see **Figure 6**).

4.3.4 Past Use of the Site

Prior to demolition in January 2017 as the result of a fire, the property was developed with a 1-story 8,000 sf commercial retail building. 6,000 sf of that building was destroyed in a fire, leaving a 2,000 sf building remaining. According to DOB records the building was constructed in 1910 and used for commercial retail space. A dry cleaner occupied a portion of the building which was destroyed from 1996 – 2017.

4.3.5 Site Geography and Geology

Subsurface soils at the Site consist of historic fill materials to a depth of approximately 10 feet below the surface followed by native silty-sand and clay. According to the USGS topographic map for the area (Central Park Quadrangle), the elevation of the property is approximately 14 feet above the National Geodetic Vertical Datum (NGVD). The area gradually slopes to the northeast. Groundwater occurs beneath the Site at a depth of approximately 12 feet below grade under water table conditions. Based on regional and site specific flow maps, groundwater flow is generally southeast toward the Harlem River. As shown on **Figure 8**, the Site is not located within a designated flood zone area.

4.3.6 Environmental Assessment

A full on-site investigation has not been completed at the Site due to site conditions and the potential for causing further contamination of subsurface media. Soil samples of fill collected from the cellar level of the building found tetrachloroethene at concentrations above groundwater protection objectives. Groundwater sampling from three borings located at the downgradient property line confirm that tetrachloroethene contamination associated with a former dry cleaner on the property has impacted the subsurface.

Based on the levels present in groundwater at the property line it is highly likely that both soil and soil vapor on the property has been impacted as well. This will be fully investigated under the Brownfield Program.

V ADDITIONAL REQUESTOR INFORMATION

5.1 Requestors Authorized Representative

Ann Farley
279 West 231st Street
Bronx, NY 10463
(973) 476-5580
ann.farley@gmail.com

5.2 Consultant

Environmental Business Consultants (EBC)
1808 Middle Country Road, Ridge, New York 11961
(631) 504-6000
csosik@ebcincny.com

5.3 Attorney

Jesse Hiney
Jesse Hiney Law, PLLC
PO Box 9
Shoreham, NY 11786
(917) 543-5247
jesse@jhenvirolaw.com

VI CURRENT PROPERTY OWNER / OPERATOR INFORMATION

Dyckman Crestview Realty LLC is the applicant for the project and is applying to the program as a Participant. Dyckman Crestview Realty, LLC is the current owner of the property (**Appendix B**).

Current Owner: Dyckman Crestview Realty, LLC
C/O: Robert E. Hill, Inc.
279 West 231st Street
Bronx, NY 10463
(973) 476-5580
ann.farley@gmail.com

Current Tenant: Magic Touch Laundromat
Mike Mok
1-7 Thayler Street, New York, NY 10040
(551)404-8486
sgmike56@gmail.com

VII REQUESTOR ELIGIBILITY INFORMATION

Since becoming aware of the possible release of contaminants, the Requestor has exercised appropriate care by erecting a fence around the property to prevent access and by applying to the BCP to address the releases of hazardous substances that occurred. In addition, there have not been any ongoing releases and there have not been any new or threatened releases during Requestor's ownership of the Property.

A listing of previous owners and operators for the property is as follows:

Table 1 – Previous Owners (Lot 41)

Dates	Name	Comments	Contact Info
From sometime prior to 9/6/1973	Mary F. Farley Margaret O'Malley	Deed	60 Washington Avenue, Morristown, NJ 355 Riverside Drive, New York, NY
From 9/6/1973 to 8/28/1974	Farom Realty Co. Inc.	Deed	Suite 3E, 355 Riverside Drive, New York, NY
From 8/28/1974 to 3/1/1996	Margaret O'Malley	Deed	355 Riverside Drive, New York, NY
3/1/1996 to 2/20/1997	Thomas O'Malley	Deed	6029 North Meridian, Indianapolis, IN
2/20/1997 to Present	Dyckman Crestview Realty, LLC	Deed	279 West 231 st Street, Bronx, NY

Note: The members of Dyckman Crestview Realty LLC are related by family to previous owners dating back to 1973.

Table 2 – Previous Tenants

Dates	Name	Comments	Contact Info
1929 to November 2017	Retail tenants	CO	148-154 Nagle Avenue and 1-7 Thayler Street, New York, NY 10040
From 1996 to November 2017	Pfizer Inc.	Deed	150 Nagle Avenue, New York, NY 10040

Note: Dyckman Crestview Realty LLC is in no way affiliated with any of the prior tenants of the property.

VIII PROPERTY ELIGIBILITY INFORMATION

None of the questions were answered in the affirmative.

IX CONTACT LIST INFORMATION

The following sub-sections provide the minimum contact list information as required in the BCP application form.

9.1 Local Government Contacts

City of New York

Bill de Blasio
Mayor of New York City
City Hall
New York, NY 10007

Gale Brewer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, NY 10007

Shahabuddeen A. Ally, Esq
Chair, Manhattan Community Board 12
530 West 166th Street 6th Floor
New York, NY, 10032

Mr. Ebenezer Smith
District Manager, Manhattan Community Board 12
530 West 166th Street 6th Floor
New York, NY, 10032

Ydanis Rodriguez
NYC Council Member, 10th District
618 W. 177th Street, Ground Floor
New York, NY 10033

Marisa Lago
Chair of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Luis Sanchez
New York City Department of Transportation
Manhattan Borough Commissioner
55 Water Street, 9th Floor
New York, NY 10041

Manhattan County Clerk's Office
Norman Goodman, County Clerk
60 Centre Street, Room 161
New York, NY 10007

Letitia James
Public Advocate
1 Centre Street, 15th Floor
New York, NY 10007

Scott M. Stringer
Office of the Comptroller
1 Centre Street
New York, NY 10007

Julie Stein
Office of Environmental Planning & Assessment
NYC Dept. of Environmental Protection
96-05 Horace Harding Expressway
Flushing, NY 11373

Nilda Mesa , Director
NYC Office of Environmental Coordination
100 Gold Street– 2nd Floor
New York, NY 10038

Mark McIntyre
NYC Department of Environmental Remediation
100 Gold Street, 2nd Floor
New York, NY 10038

New York State
Daniel Squadron
NYS Senator
209 Joralemon Street, Suite 300
Brooklyn, NY 11201

Joseph Lentol
NYS Assembly Member
619 Lorimer Street
Brooklyn, NY 11211

Federal
Charles Schumer
U.S. Senator
757 Third Avenue, Suite 17-02
New York, NY 10017

Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

Carolyn Maloney
U.S. House of Representatives
619 Lorimer Street
Brooklyn, NY 11211

9.2 Adjacent Property Owner Contacts

Properties adjacent to the project site are shown in **Figure 4**. Contact information for the identified owners, as listed in the New York City ACRIS Database, are as follows:

North

1. GVS PROPERTIES IV, LLC
3110 37TH AVENUE, SUITE 500
LONG ISLAND CITY NY 11101-2112

OCCUPANT / TENANT
9 THAYER STREET
MANHATTAN 10040

2. C/O ELYSEE INVESTMENT COMPANY
114-118 DYCKMAN REALTY LLC
571 W. 183RD STREET
NEW YORK NY 10033-8627

OCCUPANT / TENANT
116A DYCKMAN STREET
MANHATTAN 10040

West

3. 2 THAYER STREET REALTY CORP.
1324 AVENUE V.
BROOKLYN NY 11229-4321

OCCUPANT / TENANT
140 NAGLE AVENUE
MANHATTAN 10040

East

4. ANN FARLEY
DYCKMAN CRESTVIEW REALTY,
13 HARDING TERRACE
MORRISTOWN NJ 07960-4203

OCCUPANT / TENANT
156 NAGLE AVENUE
MANHATTAN 10040

South

5. 151 REALTY CORP.
151 NAGLE AVENUE CORP.
4419 3RD AVE. RM. 4A
BRONX NY 10457-2564

OCCUPANT / TENANT
151 NAGLE AVENUE
MANHATTAN 10040

9.3 Local News Media

Amsterdam News
2340 Frederick Douglass Blvd
New York, NY 10027
(212) 932-7400

New York Daily News
4 New York Plaza
New York, NY 10004

New York Post
1211 Avenue of the Americas
New York, NY 10036-8790

NY 1 News
75 Ninth Avenue
New York, NY 10011

Impacto New York
225 West 35th Street, Suite 305
New York, NY 10001

La Voz Hispana NY
159 East 116th Street
New York, NY 10029

9.4 Public Water Supplier

New York City Department of Environmental Protection
Bureau of Environmental Planning and Analysis
59-17 Junction Boulevard
Flushing, NY 11373

9.5 Requested Contacts

No requests have been made at this time.

9.6 Schools and Daycare Facilities

There are no schools or daycare facilities identified within 1,000 foot radius of the project

Site. The following Schools were identified within 2,700 feet of the project site (see **Figure 6**):

1. P.S. 005 Ellen Lurie
3703 Tenth Avenue, Manhattan, New York 10034
212-567-8109
Attn: Christophe Anest, Principal
2. P.S. Our Lady of Martyrs
71 Arden St, Manhattan, New York 10040
(212) 567-3190
Attn: Anne Zuschlag, Principal
3. P.S. 152 Dyckman Valley
93 Nagle Avenue Manhattan, NY 10040
212-942-6319
Attn: Julia Pietri, Principal
4. P.S. Professor Juan Bosch
12-18 Ellwood Street Manhattan, NY 10040
212-569-0327
Attn: Deirdre Budd, Principal (718) 963-0144

9.7 Document Repository

New York Public Library - Inwood Branch
4790 Broadway
New York, NY 10034

Hours

Mon 10:00 AM - 7:00 PM Thu 10:00 AM - 7:00 PM
Tue 10:00 AM - 7:00 PM Fri 10:00 AM - 5:00 PM
Wed 10:00 AM - 7:00 PM Sat 10:00 AM - 5:00 PM
Sun 1:00 PM – 5:00 PM

Manhattan Community Board 12
530 West 166th Street 6th Floor
New York, NY, 10032
212-598-8500

Repository acknowledgement letters are included in **Appendix D**.

X LAND USE FACTORS

10.1 Current Use

A 2,000 sf 1-story Laundromat building located in the northwest corner of the property remains in use. The remainder of the property is currently vacant and unoccupied. A former 1-story 6,000 sf building was demolished in January 2017 due to fire damage. A dry cleaner occupied a portion of the 6,000 sf building from 1996 – November 2017.

10.2 Post- Remedial Use

The Requestor intends to redevelop the property with a new mixed-use commercial retail and residential building.

10.3 Proposed Project Use with Respect to Current Zoning

The property is currently R7-1 Residential with a C2-4 Commercial overlay. The proposed project, which includes residential apartments on the upper floors with retail space on the first floor, is compatible with the surrounding land use and will be in compliance with the current zoning.

10.4 Proposed Project Use with Respect to Community Master Plans

As a pre-requisite to an area-wide rezoning, the City and its partners have developed the Inwood NYC 2017 Action Plan; a set of strategies and actions to achieve the following community-identified priorities:

- Produce affordable housing, keep existing affordable housing affordable into the future, and protect tenants
- Connect Inwood to the Harlem River by extending the vibrant, mixed-use neighborhood to the east of 10th Avenue and reclaiming the waterfront for the public
- Preserve and strengthen Inwood's distinctive neighborhood character west of 10th Avenue
- Invest in the people of Inwood by increasing access to workforce training and jobs, youth programming, and other services, and supporting local businesses
- Invest in infrastructure such as streets, parks, sewers and community spaces

The action plan also calls for expanding access to parks and creating new greenspace, creating more pedestrian-friendly streets, developing neighborhood infrastructure like enhanced drainage systems, and expanding broadband service. The action plan will also focus on creating pathways to careers for area residents through a new career center. The NYC Economic Development Corporation (EDC)

will present the plan to the Land Use group of Inwood's Community Board 12. The plan is expected to enter its formal environmental review with a Uniform Land Use Review Procedure later in the year or possibly in 2019.

Although the action plan and rezoning would encompass an area just north of the Site, the proposed project will be in compliance with the current land use plans and the goals of the planned Inwood rezoning action.

FIGURES



USGS Central Park Quadrangle 1995, Contour Interval = 10 feet



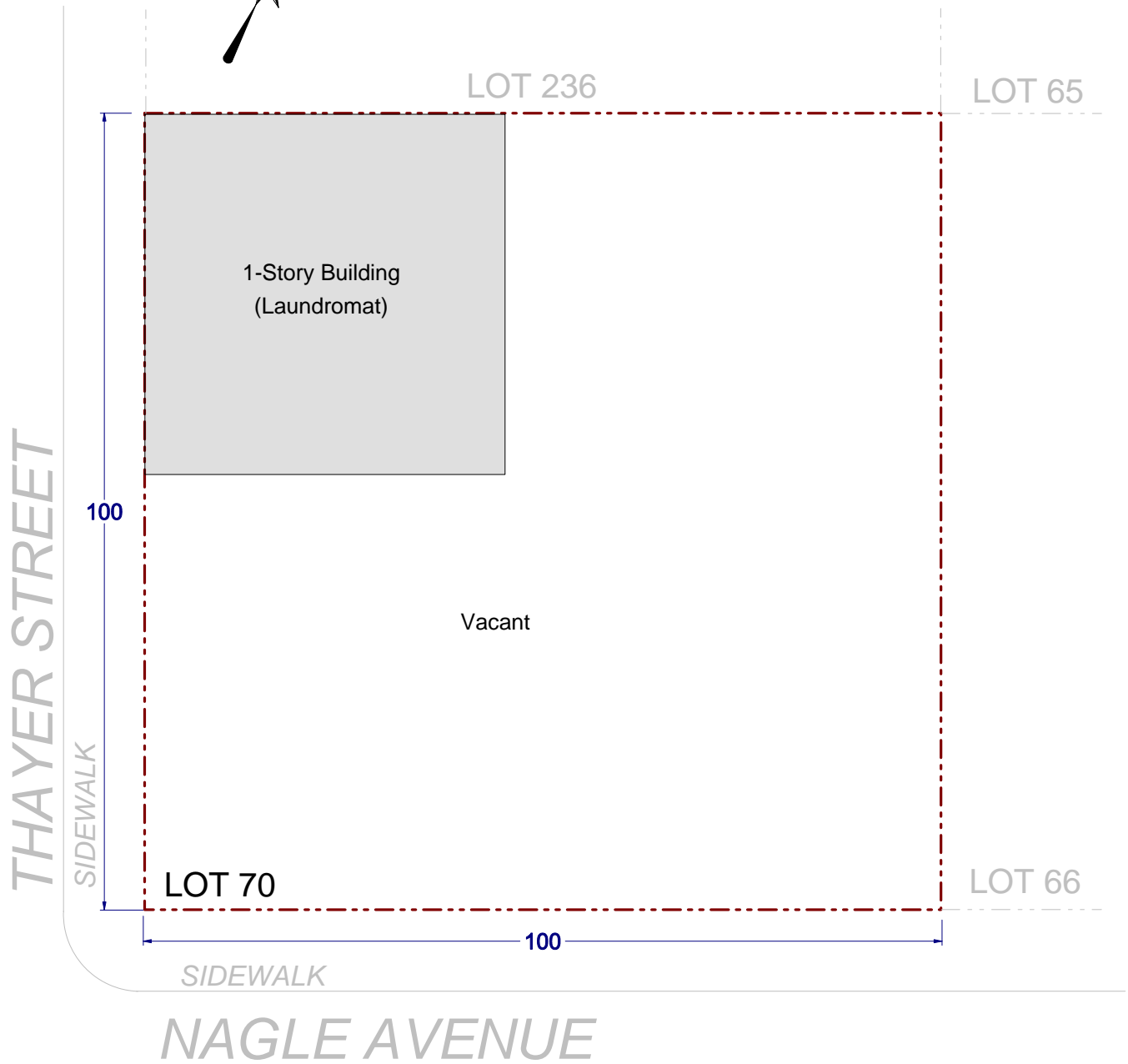
ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

148 Nagle Avenue
New York, NY

FIGURE 1

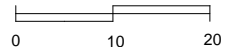
SITE LOCATION MAP



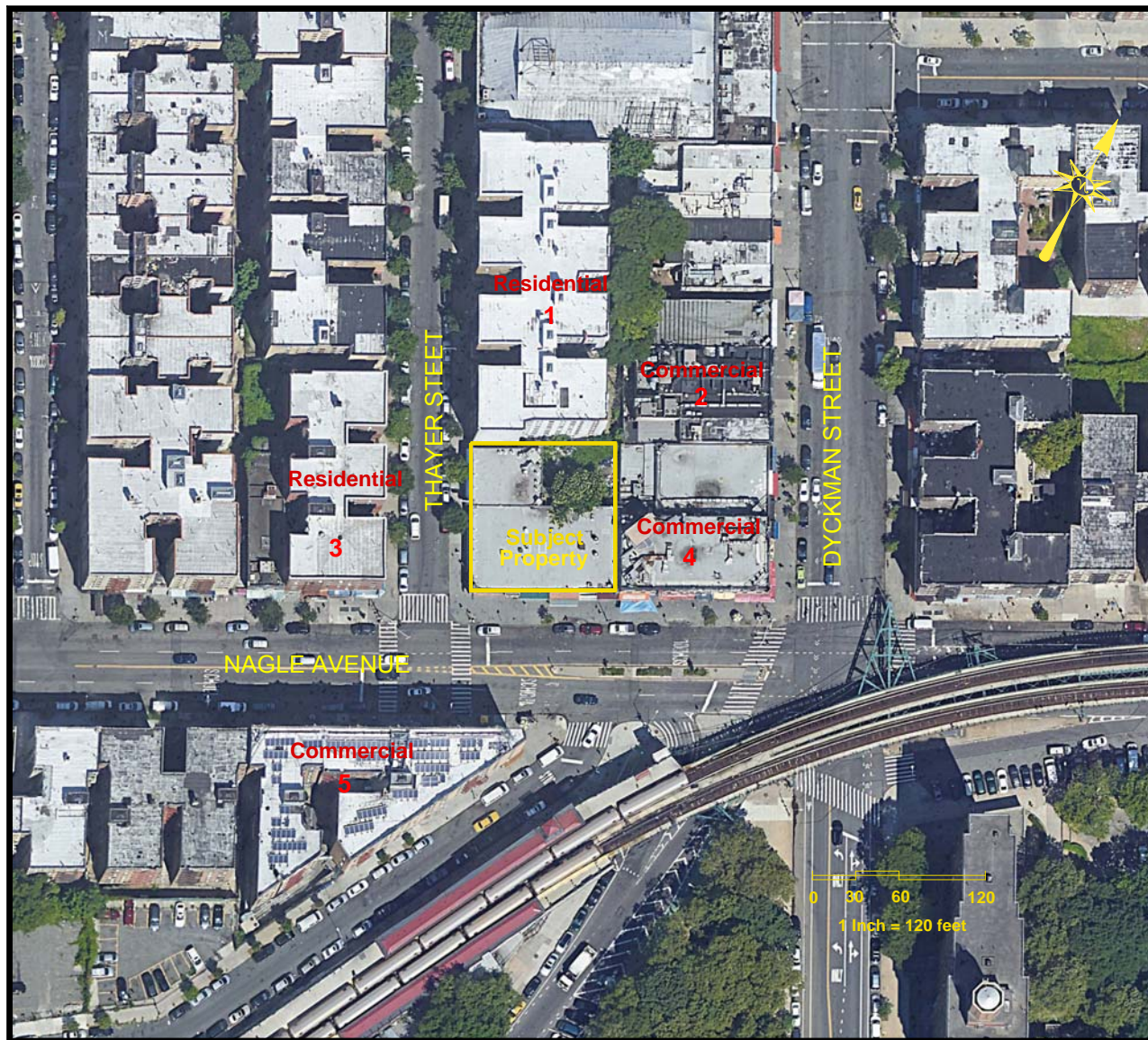
KEY:

 Property Boundary

SCALE:



Scale: 1 inch = 20 feet



ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

Figure No.
4

Site Name: 148 NAGLE AVENUE

Site Address: 148 NAGLE AVENUE, MANHATTAN, NY

Drawing Title: **ADJACENT PROPERTIES**





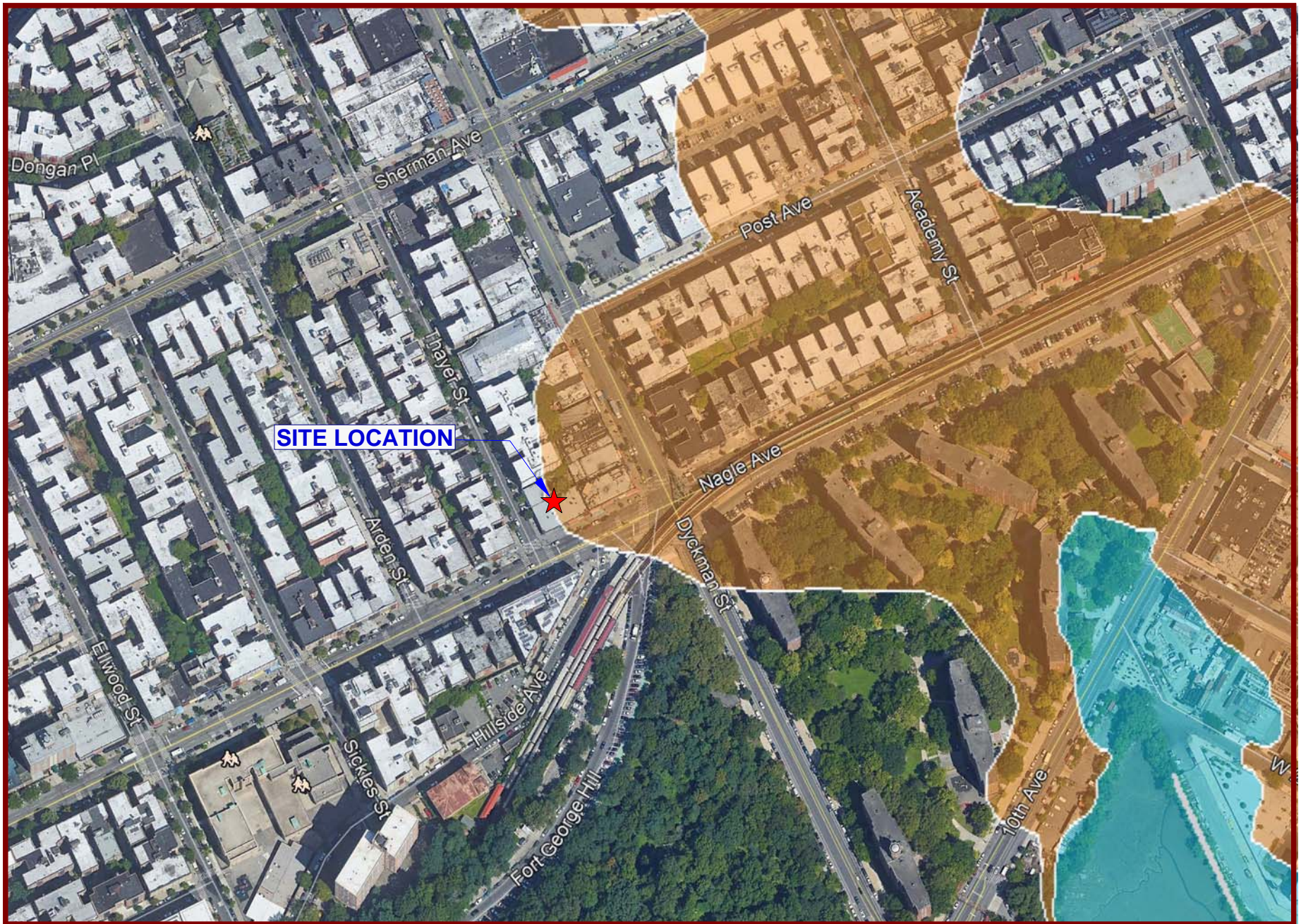


ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000
Fax 631.924.2870

FIGURE 7

POTENTIAL ENVIRONMENTAL
JUSTICE AREAS



ENVIRONMENTAL BUSINESS CONSULTANTS
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone: 631.504.6000
Fax: 631.924.2780

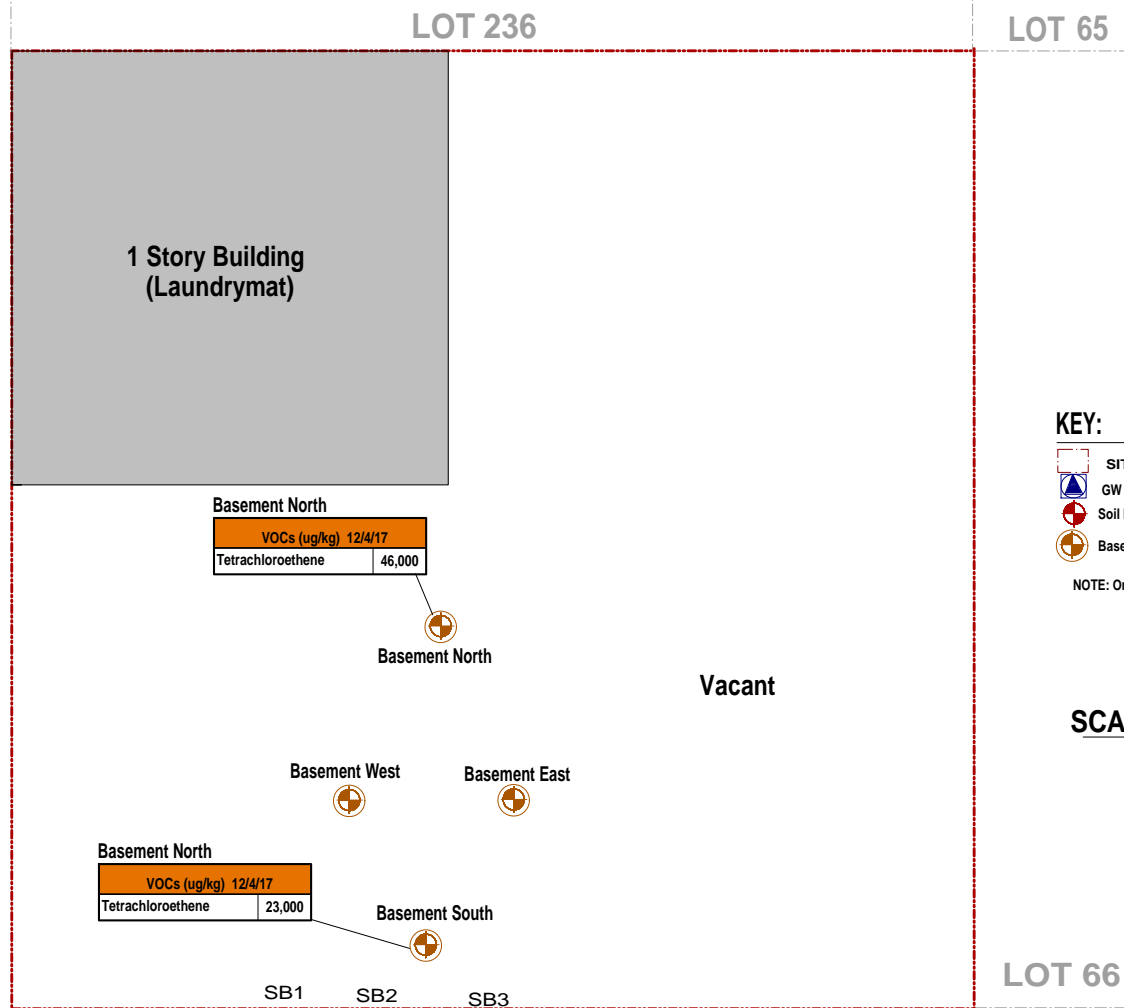
148 NAGLE AVENUE
MANHATTAN, NY

FIGURE 8

**FEMA FLOOD
ZONE MAP**

Thayer Street

SIDEWALK

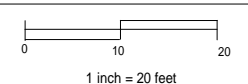


KEY:

- SITE BOUNDARY
- GW Sampling Location (EBC 4/18/18)
- Soil Boring Location (EBC 4/18/18)
- Basement Fill Sample - Approx. Location (Clean Harbors 12/4/17)

NOTE: Only Soil Results Above SCOs are Posted

SCALE:



GW1	
VOCs (ug/L) 4/18/18	
Tetrachloroethene	59
Trichloroethene	1.1

GW2	
VOCs (ug/L) 4/18/18	
Tetrachloroethene	740
Trichloroethene	11

GW3	
VOCs (ug/L) 4/18/18	
Tetrachloroethene	450
Trichloroethene	20

SIDEWALK

Nagle Avenue



ENVIRONMENTAL BUSINESS CONSULTANTS
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000
Fax 631.924.2780

FIGURE
9

Site Name: 148 NAGLE

Site Address: 148 NAGLE AVENUE, MANHATTEN, NY

Drawing Title: SOIL / GROUNDWATER SAMPLING RESULTS

APPENDIX A
Environmental Report (Digital Files on CD)

SPILL FILE INFORMATION &
CLEAN HARBORS BASEMENT SAMPLING
RESULTS

From: Ernie Spencer
To: shackett@robertehill.com
Cc: [Jeff Testa](#)
Subject: Regulatory Reporting Update for the New York, NY soil contamination incident
Date: Friday, November 17, 2017 7:59:39 PM

Mr. Hackett,

Please be advised that the Spill Center has reported this incident to the following Regulatory Agencies:

New York Department of Environmental Conservation
Report/Spill Number: 1707910

The New York County Office of Emergency Management (LEPC)
Report Number: None Assigned

Spill Center will prepare the written follow-up letters to Mr. Ryan Piper of the NY Department of Environmental Conservation and the LEPC.

Please contact me with any questions you may have.

Thank you,

Ernie Spencer, Compliance Associate
Spill Center, Inc.
One Cabot Road
Suite 200
Hudson, MA 01749
Telephone Number: 978-568-1922
Direct Dial Number: 978-763-8662
E-Mail Address: espencer@spillcenter.com



Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 2

Spill Number: 1707910

Spill Date/Time

Spill Date: 11/17/2017 **Spill Time:** 02:30:00 PM

Call Received Date: 11/17/2017 **Call Received Time:** 05:35:00 PM

Location

Spill Name: COMMERCIAL/RESIDENSE BLOCK

Address: 156-168 NAGLE AVE

City: MANHATTAN **County:** New York

Spill Description

Material Spilled **Amount Spilled** **Resource Affected**

unknown material UNKNOWN Soil

Cause: Unknown

Source: Unknown

Waterbody:

Record Close

Date Spill Closed: Not closed

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

Refine This Search

Job Description: Bronx Cleaners

For:

Clean Harbors Environmental Services Inc

116 Skyline Drive

South Plainfield, New Jersey 07080



SUMMARY OF ANALYTICAL RESULTS: 460-146241-1

Job Description: Bronx Cleaners

For:

Clean Harbors Environmental Services Inc

116 Skyline Drive

South Plainfield, New Jersey 07080

Client ID	NY NYSDEC	NY 375-6.8(a)	NY 375-6.8(b)	NY 375-6.8(b)	NY 375-6.8(b)	NY 375-6.8(b)	NY 375-6.8(b)	NY 375-6.8(b)	NY CP-51
Lab Sample ID	Recommended	UnRestricted	& CP-51 T-1	& CP-51 T-1	& CP-51 T-1	& CP-51 T-1	& CP-51 T-1	& CP-51 T-1	Table 2
Sampling Date	Soil Cleanup	Use Soil	Residential	Restricted Residential	Commercial	Industrial	Ecological Resources	GW	Criteria
Matrix	Objective	Cleanup	Soil Cleanup	Soil Cleanup	Soil Cleanup	Soil Cleanup	Soil Cleanup	Soil Cleanup	
Dilution Factor		Criteria	Criteria	Criteria	Criteria	Criteria	Criteria	Criteria	
Unit	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
VOA-8260C-SOIL									
SOIL BY 8260C									
1,1,1-Trichloroethane	NA	0.68	100	100	500	1000	NA	0.68	NA
1,1,2,2-Tetrachloroethane	NA	NA	35	NA	NA	NA	NA	0.6	NA
1,1,2-Trichloro-1,2,2-trifluoroethane	NA	NA	100	NA	NA	NA	NA	6	NA
1,1,2-Trichloroethane	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,1-Dichloroethane	NA	0.27	19	26	240	480	NA	0.27	NA
1,1-Dichloroethene	NA	0.33	100	100	500	1000	NA	0.33	NA
1,2,3-Trichlorobenzene	NA	NA	NA	NA	NA	NA	20	NA	NA
1,2,4-Trichlorobenzene	NA	NA	NA	NA	NA	NA	20	3.4	NA
1,2-Dibromo-3-Chloropropane	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,2-Dichlorobenzene	NA	1.1	100	100	500	1000	NA	1.1	NA
1,2-Dichloroethane	NA	0.02	2.3	3.1	30	60	10	0.02	NA
1,2-Dichloropropane	NA	NA	NA	NA	NA	NA	700	NA	NA
1,3-Dichlorobenzene	NA	2.4	17	49	280	560	NA	2.4	NA
1,4-Dichlorobenzene	NA	1.8	9.8	13	130	250	20	1.8	NA
1,4-Dioxane	NA	0.1	9.8	13	130	250	0.1	0.1	NA
2-Butanone (MEK)	NA	0.12	100	NA	NA	NA	NA	0.3	NA
2-Hexanone	NA	NA	NA	NA	NA	NA	NA	NA	NA
4-Methyl-2-pentanone (MIBK)	NA	NA	NA	NA	NA	NA	NA	1	NA
Acetone	NA	0.05	100	100	500	1000	2.2	0.05	NA
Benzene	0.06	0.06	2.9	4.8	44	89	70	0.06	0.06
Bromoform	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bromomethane	NA	NA	NA	NA	NA	NA	NA	NA	NA
Carbon disulfide	NA	NA	100	NA	NA	NA	NA	2.7	NA
Carbon tetrachloride	NA	0.76	1.4	2.4	22	44	NA	0.76	NA
Chlorobenzene	NA	1.1	100	100	500	1000	40	1.1	NA
Chlorobromomethane	NA	NA	NA	NA	NA	NA	NA	NA	NA
Chlorodibromomethane	NA	NA	NA	NA	NA	NA	10	NA	NA
Chloroethane	NA	NA	NA	NA	NA	NA	NA	1.9	NA
Chloroform	NA	0.37	10	49	350	700	12	0.37	NA
Chloromethane	NA	NA	NA	NA	NA	NA	NA	NA	NA
cis-1,2-Dichloroethene	NA	0.25	59	100	500	1000	NA	0.25	NA
cis-1,3-Dichloropropene	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyclohexane	NA	NA	NA	NA	NA	NA	NA	NA	NA
Dichlorobromomethane	NA	NA	NA	NA	NA	NA	NA	NA	NA
Dichlorodifluoromethane	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ethylbenzene	5.5	1	30	41	390	780	NA	1	1
Ethylene Dibromide	NA	NA	NA	NA	NA	NA	NA	NA	NA
Isopropylbenzene	2.3	NA	100	NA	NA	NA	NA	2.3	2.3
Methyl acetate	NA	NA	NA	NA	NA	NA	NA	NA	NA
Methyl tert-butyl ether	NA	0.93	62	100	500	1000	NA	0.93	0.93
Methylcyclohexane	NA	NA	NA	NA	NA	NA	NA	NA	NA
Methylene Chloride	NA	0.05	51	100	500	1000	12	0.05	NA
m-Xylene & p-Xylene	NA	NA	NA	NA	NA	NA	NA	NA	NA
o-Xylene	NA	NA	NA	NA	NA	NA	NA	NA	NA

Job Description: Bronx Cleaners

For:

Clean Harbors Environmental Services Inc

Styrene	NA	NA	NA	NA	NA	300	NA	NA
Tetrachloroethene	NA	1.3	5.5	19	150	300	2	1.3
Toluene	1.5	0.7	100	100	500	1000	36	0.7
trans-1,2-Dichloroethene	NA	0.19	100	100	500	1000	NA	0.19
trans-1,3-Dichloropropene	NA	NA	NA	NA	NA	NA	NA	NA
Trichloroethene	NA	0.47	10	21	200	400	2	0.47
Trichlorofluoromethane	NA	NA	NA	NA	NA	NA	NA	NA
Vinyl chloride	NA	0.02	0.21	0.9	13	27	NA	0.02
Total Conc	NA	NA	NA	NA	NA	NA	NA	NA

Highlighted Concentrations shown in bold type face exceed limits

* : LCS or LCSD is outside acceptance limits.

B : Compound was found in the blank and sample.

J : Result is less than the RL but greater than or equal to the MDL and the concentration is an approximate value.

U : Indicates the analyte was analyzed for but not detected.

Lab Contact:□

Angela Oviedo□

Project Management Assistant I□

(732)549-3900□

□

Laura Snead□

Senior Project Manager□

(732)549-3900

Job Description: Bronx Cleaners

For:

Clean Harbors Environmental Services Inc

116 Skyline Drive

South Plainfield, New Jersey 07080

NY CP-51	Basement North			Basement East			Basement South			Basement West		
Table 3	460-146241-1			460-146241-2			460-146241-3			460-146241-4		
Criteria	12/04/2017 16:00:00			12/04/2017 16:10:00			12/04/2017 16:20:00			12/04/2017 16:30:00		
	Soil			Soil			Soil			Soil		
	50			1			50			1		
mg/kg	mg/kg			mg/kg			mg/kg			mg/kg		
	Result	Q	MDL	Result	Q	MDL	Result	Q	MDL	Result	Q	MDL
NA	0.032	U	0.032	0.00023	U	0.00023	0.029	U	0.029	0.00027	U *	0.00027
NA	0.022	U	0.022	0.00021	U	0.00021	0.020	U	0.020	0.00025	U	0.00025
NA	0.039	U	0.039	0.00029	U	0.00029	0.036	U	0.036	0.00035	U	0.00035
NA	0.0092	U	0.0092	0.00017	U	0.00017	0.0084	U	0.0084	0.00020	U	0.00020
NA	0.028	U	0.028	0.00020	U	0.00020	0.025	U	0.025	0.00024	U	0.00024
NA	0.039	U	0.039	0.00022	U	0.00022	0.036	U	0.036	0.00026	U	0.00026
NA	0.040	U	0.040	0.00018	U	0.00018	0.037	U	0.037	0.00021	U	0.00021
NA	0.031	U *	0.031	0.000089	U	0.000089	0.028	U	0.028	0.00011	U	0.00011
NA	0.026	U	0.026	0.00045	U	0.00045	0.024	U	0.024	0.00053	U	0.00053
NA	0.025	U	0.025	0.00014	U	0.00014	0.023	U	0.023	0.00017	U	0.00017
NA	0.029	U	0.029	0.00029	U	0.00029	0.026	U	0.026	0.00034	U	0.00034
NA	0.021	U	0.021	0.00041	U	0.00041	0.019	U	0.019	0.00049	U	0.00049
NA	0.038	U	0.038	0.00015	U	0.00015	0.035	U	0.035	0.00018	U	0.00018
NA	0.038	U	0.038	0.000097	U	0.000097	0.035	U	0.035	0.00011	U	0.00011
NA	1.0	U	1.0	0.0089	U	0.0089	0.92	U	0.92	0.011	U	0.011
NA	0.25	U	0.25	0.0011	U	0.0011	0.23	U	0.23	0.0013	U	0.0013
NA	0.083	U	0.083	0.00076	U *	0.00076	0.076	U	0.076	0.00090	U	0.00090
NA	0.072	U	0.072	0.00064	U	0.00064	0.066	U	0.066	0.00076	U	0.00076
NA	0.12	U	0.12	0.0037	U	0.0037	0.11	U	0.11	0.011	U	0.0044
0.06	0.022	U	0.022	0.00025	U	0.00025	0.020	U	0.020	0.00030	U	0.00030
NA	0.021	U *	0.021	0.00041	U	0.00041	0.019	U	0.019	0.00049	U	0.00049
NA	0.021	U	0.021	0.00046	U	0.00046	0.019	U	0.019	0.00054	U	0.00054
NA	0.025	U	0.025	0.00026	U	0.00026	0.023	U	0.023	0.00031	U	0.00031
NA	0.038	U	0.038	0.00018	U	0.00018	0.035	U	0.035	0.00021	U	0.00021
NA	0.028	U	0.028	0.00017	U	0.00017	0.025	U	0.025	0.00020	U	0.00020
NA	0.034	U	0.034	0.00027	U	0.00027	0.032	U	0.032	0.00032	U	0.00032
NA	0.025	U	0.025	0.00019	U	0.00019	0.023	U	0.023	0.00022	U	0.00022
NA	0.042	U	0.042	0.00051	U	0.00051	0.039	U	0.039	0.00060	U	0.00060
NA	0.025	U	0.025	0.00031	U	0.00031	0.023	U	0.023	0.00037	U	0.00037
NA	0.025	U	0.025	0.00042	U *	0.00042	0.023	U	0.023	0.00050	U	0.00050
NA	0.030	U	0.030	0.00015	U	0.00015	0.027	U	0.027	0.00017	U	0.00017
NA	0.018	U	0.018	0.00027	U	0.00027	0.017	U	0.017	0.00031	U	0.00031
NA	0.030	U	0.030	0.00021	U	0.00021	0.027	U	0.027	0.00025	U	0.00025
NA	0.017	U	0.017	0.00025	U	0.00025	0.016	U	0.016	0.00030	U	0.00030
NA	0.016	U	0.016	0.00033	U *	0.00033	0.015	U	0.015	0.00039	U *	0.00039
1	0.034	U	0.034	0.00019	U	0.00019	0.032	U	0.032	0.00023	U	0.00023
NA	0.022	U	0.022	0.00017	U	0.00017	0.020	U	0.020	0.00021	U	0.00021
2.3	0.037	U	0.037	0.00012	U	0.00012	0.034	U	0.034	0.00014	U	0.00014
NA	0.067	U	0.067	0.0042	U	0.0042	0.061	U	0.061	0.0049	U	0.0049
NA	0.015	U	0.015	0.00012	U	0.00012	0.014	U	0.014	0.00014	U	0.00014
NA	0.025	U	0.025	0.00016	U	0.00016	0.023	U	0.023	0.00018	U	0.00018
NA	0.024	U	0.024	0.0018	U	0.00016	0.022	U	0.022	0.0035	U	0.00019
NA	0.032	U	0.032	0.00017	U	0.00017	0.029	U	0.029	0.00024	J B	0.00020
NA	0.037	U	0.037	0.000092	U	0.000092	0.034	U	0.034	0.00017	J	0.00011

Job Description: Bronx Cleaners

For:

Clean Harbors Environmental Services Inc

NA	0.020	U	0.020	0.00012	U	0.00012	0.018	U	0.018	0.00014	U	0.00014
NA	23		0.041	0.19		0.00014	46		0.038	0.054		0.00016
0.7	0.029	U	0.029	0.00061	U	0.00061	0.026	U	0.026	0.00072	U	0.00072
NA	0.021	U	0.021	0.00024	U	0.00024	0.019	U	0.019	0.00028	U	0.00028
NA	0.022	U	0.022	0.00026	U	0.00026	0.020	U	0.020	0.00031	U	0.00031
NA	0.058	J	0.025	0.00046	J	0.00014	0.13		0.023	0.00050	J	0.00017
NA	0.017	U	0.017	0.00039	U	0.00039	0.016	U	0.016	0.00047	U	0.00047
NA	0.023	U	0.023	0.00053	U	0.00053	0.021	U	0.021	0.00063	U	0.00063
NA	23.058			0.19226			46.13			0.06941		

APPENDIX B
Deed

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 2nd day of January, , nineteen hundred and ninety-seven
BETWEEN Thomas P. O'Malley, Jr., residing at 6029 North Meridian, City of
Indianapolis, County of Marion, State of Indiana

party of the first part, and Dyckman Crestview Realty, LLC, a limited liability
company organized under the laws of New York State, having its principal
place of business at 279 West 231st Street, Borough of the Bronx, City and
State of New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of _____
Ten (\$10.00)

dollars,

lawful money of the United States, to him

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever, an undivided one half interest in
the following described property:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Borough of Manhattan, City, County and State of New York,
bounded and described as follows: 148-168 N Agle AVE NYC.

BEGINNING at the intersection of the Westerly side of Dyckman Street and the
Northerly side of Nagle Avenue and running thence Northerly, along the Westerly
side of Dyckman Street, one hundred feet; thence Westerly, parallel with Nagle
Avenue, one hundred feet; thence Southerly, parallel with Dyckman Street, one
hundred feet to the Northerly side of Nagle Avenue and thence Easterly, along
the Northerly side of Nagle Avenue, one hundred feet to the point of beginning.

SUBJECT to easements for support in the walls running along the westerly line
of said premises and for the maintenance of five certain brick piers, which
piers encroach up to one and one-half inches on westerly side of said premises,
as more particularly described and contained in a certain agreement dated
October 25, 1923, between Crest View Realty Co., Inc., Tober Loona Realty
Corporation and the Greenwich Savings Bank.

SUBJECT also to water pipe sprinkler system easement respecting the adjoining
property, as more particularly described and contained in a certain agreement
dated July 10, 1965, signed by Margaret O'Malley and Mary F. Farley.

SUBJECT to existing tenancies.

TOGETHER with all right, title and interest of the parties of the first part of,
in and to the land lying in the streets and roads in front of and adjoining
said premises.

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

BEGINNING at the corner formed by the intersection of the northerly side of
Nagle Avenue with the easterly side of Thayer Street; running thence easterly
along the northerly side of Nagle Avenue, one hundred feet to the middle line of
the block between Thayer and Dyckman Streets; thence northerly along said middle
line of the block, one hundred feet; thence westerly and parallel with Nagle
Avenue, one hundred feet to the easterly side of Thayer Street, and thence
southerly along the easterly side of Thayer Street, one hundred feet to the
point or place of beginning.

SEE 24 24 PG 181

TOGETHER with easements for support in the walls running along the easterly line of said premises on the adjoining premises and for the maintenance of five certain brick piers which encroach beyond said easterly line up to one and one-half inches on the adjoining premises, as more particularly described and contained in a certain agreement dated October 25, 1923, between Crest View Realty Co., Inc., Tober Loona Realty Corporation, and the Greenwich Savings Bank.

TOGETHER with water pipe sprinkler system easement respecting the adjoining property as more particularly described and contained in a certain agreement dated July 10, 1965 signed by Margaret O'Malley and Mary F. Farley.

SUBJECT to existing tenancies.

TOGETHER with all the right, title and interest of the parties of the first part of, in and to the land lying in the streets and roads in front of and adjoining said premises.

BEING the same premises conveyed by Thomas P. O'Malley, executor of the estate of Margaret O'Malley to Thomas P. O'Malley by deed dated September 19, 1986, recorded March 1, 1986, in the Office of the Register of New York County in Reel 2298, Page 230.

REEL 2424 PG 182

REEL 2424 PG 1183

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

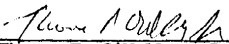
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:


Thomas P. O'Malley, Jr.

INDIANA
STATE OF NEW YORK, COUNTY OF MARION

On the 24th day of January, 1998, before me personally came Thomas P. O'Malley, Jr.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

ROBERT SPRAGGINS A. NOTARY
IN MARION COUNTY, INDIANA.

MY COMMISSION EXPIRES 10/24/2000

Robert Spraggins
ROBERT SPRAGGINS

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

ALL COUNTY ABSTRACT
87 COVERT AVE.
P.O. BOX 377
FLORAL PARK, N.Y.

CITY 1143-NY

SECTION 8
BLOCK 2174
LOT 66 & 70
COUNTY OR TOWN New York

Bargain and Sale Deed
WITHOUT COVENANT AGAINST GRANTOR'S ACTS
TITLE No.

Thomas P. O'Malley, Jr.

TO

Dyckman Crestview Realty, LLC

RETURN BY MAIL TO:

William P. Maloney, Esq.
Maloney & Porcelli
Attorneys at Law
225 Broadway
New York, New York Zip No. 10007-3065

Reserve this space for use of Recording Office.

**CITY REGISTER RECORDING AND ENDORSEMENT PAGE
- NEW YORK COUNTY -**

(This page forms part of the instrument)

Block(s) <u>2174</u>	Record & Return to: <u>Malone & Porcelli</u>
Lot(s) <u>66 & 70</u>	<u>225 Broadway, NYC 10007</u>
	Title/Agent Company name: <u>All County</u>
	Title Company number: <u>City 1145 NY</u>

OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

REEL 2424 PG 1185

Examined by (s): [Signature]

Mige Tax Serial No.	
Mige Amount	\$
Taxable Amount	\$
Exemption (s) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>	
Type: <small>CIRCLE ONE</small> <input checked="" type="checkbox"/> [339EE] <input type="checkbox"/> [255] <input type="checkbox"/> [OTHER]	
Dwelling Type: <input type="checkbox"/> [1 to 2] <input type="checkbox"/> [3] <input type="checkbox"/> [4 to 6] <input type="checkbox"/> [OVER 6]	

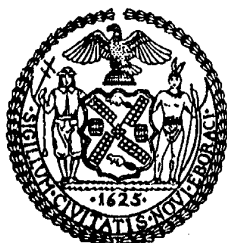
TAX RECEIVED ON ABOVE MORTGAGE ▼

County (basic)	\$
City (Add'l)	\$
Spec Add'l	\$
TASG	\$
MTA	\$
NYCTA	\$
TOTAL TAX	\$

Apportionment Mortgage (s) ☒ YES ☐ NO ☐

Joy A. Bobrow, City Register

City Register Serial Number	003914
Indexed By (s): <u>ll</u>	Verified By (s): <u>[Signature]</u>
Block(s) and Lot(s) verified by <u>[Signature]</u>	
Address <input checked="" type="checkbox"/> Tax Map <input type="checkbox"/>	
Extra Block(s)	Lot(s) <u>1</u>
Recording Fee <u>A</u>	\$ <u>45</u>
Affidavit Fee (C)	\$
TP-584/582 Fee (Y)	\$
RPTT Fee (R)	\$ <u>25</u>
HPD-A <input type="checkbox"/> HPD-C <input type="checkbox"/>	
New York State Real Estate Transfer Tax ▼	
\$ <u>2,000</u>	DEED 934033 \$45.00
Serial Number → <u>1256</u>	
New York City Real Property Transfer Tax	
Serial Number → <u>h 0940</u>	
New York State Gains Tax	
Serial Number →	



**RECORDED IN NEW YORK COUNTY
OFFICE OF THE CITY REGISTER**

1987 FEB 20 P 11:01

Witness My Hand and Official Seal

Joy A. Bobrow
City Register

CRGFM89N BPG 1793

APPENDIX C
Repository Acknowledgement Letter



ENVIRONMENTAL BUSINESS CONSULTANTS

July 13, 2018

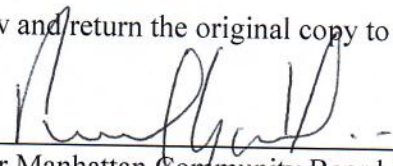
Manhattan Community Board 12
530 West 166th Street 6th Floor
New York, NY, 10032

**Re: NYS Brownfield Cleanup Program Application
148 Nagle Avenue, Manhattan, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, Brooklyn Community Board 12, located at 530 West 166th Street 6th Floor, New York, NY agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by:


for Manhattan Community Board 12

Date

7/18/18



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870



ENVIRONMENTAL BUSINESS CONSULTANTS

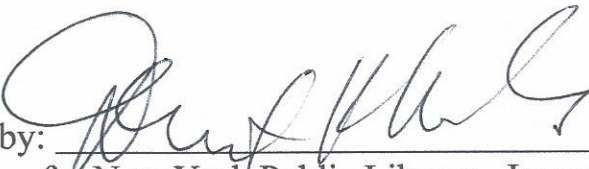
July 13, 2018

New York Public Library
Inwood Branch
4790 Broadway
New York, NY 10034

**Re: NYS Brownfield Cleanup Program Application
148 Nagle Avenue, Manhattan, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, the New York Public Library, Inwood Branch, located 4790 Broadway, New York, NY 10034 agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by:  Date 7/31/18
for New York Public Library - Inwood Branch



ENVIRONMENTAL BUSINESS CONSULTANTS

1800 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870

APPENDIX D
Authorization to Sign on Behalf of LLC

RESOLUTION ADOPTED BY
Dyckman Crestview Realty, LLC

The undersigned hereby certify that he(she) are duly appointed and acting members of Dyckman Crestview Realty, LLC, a New York limited liability company (the "Company"), and hereby certify as follows:

WHEREAS, the Company is the current fee owner of the property located at 148 Nagle Avenue, New York, New York (the "Site"), and

WHEREAS, the Company desires to apply for and enter the Site to the New York State Brownfield Cleanup Program ("BCP"); and

WHEREAS, the Company deems it advisable and in the best interests of the Company to submit a BCP Application to the New York State Department of Environmental Conservation and upon New York State Department of Environmental Conservation issuance of a Brownfield Cleanup Agreement to authorize and approve the execution and delivery of a Brownfield Cleanup Agreement to NYSDEC.

WHEREAS, the Company, for reasons of convenience and efficiency, deems it advisable and in the Company's best interest to allow Ann Kent, Manager, to execute the BCP Application, the Brownfield Cleanup Agreement and any other BCP related documents on behalf of the Company.

NOW, THEREFORE, BE IT RESOLVED, that Ann Kent is authorized to execute the BCP Application and the BCA on behalf of the Company and to undertake all measures necessary to fulfill the obligations under the BCA and the BCP (the "Consent"); and it is further

RESOLVED, that a facsimile copy of a signature shall be deemed an original signature under this Consent.

IN WITNESS WHEREOF, the undersigned has executed this written Consent in the capacity noted below as-of this ____ day of July 2018.

Dyckman Crestview Realty, LLC

By: Rose Mary O'Malley
Name: Rosemary O'Malley
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: Vincent Farley, Jr.
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: Richard Farley
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: John Farley
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: Margaret Farley Steele
Title: Member, Dyckman Crestview Realty, LLC

IN WITNESS WHEREOF, the undersigned has executed this written Consent in the capacity noted below as-of this ____ day of July 2018.

Dyckman Crestview Realty, LLC

By: _____

Name: Rosemary O'Malley

Title: Member, Dyckman Crestview Realty, LLC

By: Vincent W Farley Jr.

X Name: Vincent Farley, Jr.

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Richard Farley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: John Farley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Margaret Farley Steele

Title: Member, Dyckman Crestview Realty, LLC

IN WITNESS WHEREOF, the undersigned has executed this written Consent in the capacity noted below as-of this ____ day of July 2018.

Dyckman Crestview Realty, LLC

By: _____

Name: Rosemary O'Malley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Vincent Farley, Jr.

Title: Member, Dyckman Crestview Realty, LLC

By:  _____

Name: Richard Farley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: John Farley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Margaret Farley Steele

Title: Member, Dyckman Crestview Realty, LLC

Dyckman Crestview Realty, LLC

By: _____

Name: Rosemary O'Malley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Vincent Farley, Jr.

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Richard Farley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: John Farley

Title: Member, Dyckman Crestview Realty, LLC

By: _____

Name: Margaret Farley Steele

Title: Member, Dyckman Crestview Realty, LLC

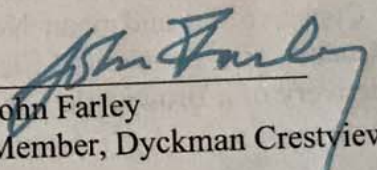
IN WITNESS WHEREOF, the undersigned has executed this written Consent in the capacity noted below as-of this ____ day of July 2018.

Dyckman Crestview Realty, LLC

By: _____
Name: Rosemary O'Malley
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: Vincent Farley, Jr.
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: Richard Farley
Title: Member, Dyckman Crestview Realty, LLC

By:  _____
Name: John Farley
Title: Member, Dyckman Crestview Realty, LLC

By: _____
Name: Margaret Farley Steele
Title: Member, Dyckman Crestview Realty, LLC