



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 10*

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. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. **Included in Attachment A**

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

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

Section II. Project Description

1. What stage is the project starting at?

Investigation

Remediation

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

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No

3. 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.

Included in Attachment B

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). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).** Included in Attachment C

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 Included in Attachment C
- 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					Included in Attachment D	
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 proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column.ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.						
Parcel Address	Included in Attachment D		Section No.	Block No.	Lot No.	Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site.					Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)					Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)					Yes	No
If yes, identify census tract : _____						
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? If yes, attach relevant supporting documentation.					Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.					Yes	No

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

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**? Included in Attachment D

Yes No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No

If yes, requestor must answer questions on the supplement at the end of this form.

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: _____

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		<small>DEC USE ONLY</small> 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 Included in Attachment E			
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	
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". <div style="text-align: center; border: 1px solid red; padding: 2px; margin: 5px 0;">Included in Attachment E</div> 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.			
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	Included in attachment F
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Note: a purchase contract does not suffice as proof of access.

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

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? Yes No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? Yes No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? Yes No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? Yes No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information	Included in Attachment G
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Included in Attachment G

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

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

Section X. Land Use Factors		Included in Attachment H
<p>1. What is the current municipal zoning designation for the site? _____</p> <p>What uses are allowed by the current zoning? (Check boxes, below)</p> <p>Residential Commercial Industrial</p> <p>If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>		
<p>2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)</p> <p>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.</p>		
<p>3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) Attach a statement detailing the specific proposed use.</p> <p>If residential, does it qualify as single family housing? Yes No</p>		
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 _____ authorized signatory _____ (title) of 266 West 96th Street Associates 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: 11-15-18

Signature:  _____

Print Name: HAROLD Fetscher

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 10

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:

ATTACHMENT A

SECTION I: REQUESTOR INFORMATION

ATTACHMENT A

SECTION I: REQUESTOR INFORMATION

Business Entity Information

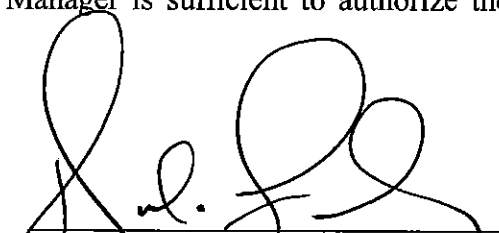
A copy of the entity information for 266 West 96th Street Associates LLC (Requestor) from the NYS Department of State Division of Corporations is included with this attachment. The Requestor intends to purchase the properties located on Manhattan Borough Tax Block 1243, Lots 57, 59, and 60. Access agreements between the Requester and the property owners of Lots 57, 59 and 60 are included in Attachment F.

SFA Holdings LLC is the sole member of 266 West 96th Street Associates LLC.

WRITTEN CONSENT OF THE MANAGER

The undersigned, being the manager of 266 West 96th Street Associates LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Fetner Manager LLC is a representative of the Company and has the full power and authority on behalf of the Company, as an Authorized Signatory, to:
 - a. Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");
 - b. Enter into agreements with the New York State Department of Environmental Conservation (the "DEC") in connection with the Company's participation in the BCP;
 - c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, easements and tax returns;
 - d. Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.
2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the Manager of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.
3. The undersigned hereby represents and warrants that (i) the undersigned is the Manager of the Company; and (ii) the consent of the Manager is sufficient to authorize the Company to take the aforementioned actions.



Fetner Manager LLC, Manager
By:

Harold Fetner, Authorized Signatory

Dated: 3/22/19
New York, NY

ATTACHMENT C

SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

ATTACHMENT D

SECTION IV: PROPERTY INFORMATION

ATTACHMENT D

SECTION IV: PROPERTY INFORMATION

Location

Below is the tax parcel information for the proposed brownfield site:

Parcel Address	Section No.	Block No.	Lot No.	Acerage
266 West 96th Street	1	1243	57	0.12
268 West 96th Street	1	1243	59	0.058
270 West 96th Street	1	1243	60	0.065

The proposed brownfield site is located at 266-270 West 96th Street (latitude 40°47'41.3", longitude -73°58'21.9") in the Upper West Side neighborhood of New York, New York, and is identified as Borough of Manhattan Tax Block 1243, Lots 57, 59, and 60. The site is about 10,600 square feet in area (+0.243 acres) and sits at an elevation of about 60 feet above mean sea level (msl), and the surrounding area slopes gradually to the west-northwest towards the Hudson River according to the United States Geological Survey (USGS) Central Park Quadrangle 7.5-minute Series Topographic Map. Figure D-1 is a digital Tax Map from the New York City Department of Finance showing the proposed brownfield site boundary and corresponding tax block and lots. Figure D-2 shows the location of the proposed brownfield site on a USGS 7.5-Minute Quadrangle Map.

Site Features

The site is located in an urban developed area of New York, New York that is generally covered with roads, walkways and buildings. The site is bound by West 96th Street followed by a 35-story mixed-use commercial/residential building and a 6-story multifamily residential building to the north, a 2-story commercial building to the east, 6- and 15-story residential buildings to the south, and 13- and 15-story residential buildings to the west. Lot 57 is improved with a vacant three-story building with a cellar level that most recently operated as a power substation for the New York City Metro Transit Authority (MTA). Lots 59 and 60 are improved with two-story commercial buildings with full cellars and exterior patio spaces operated by the Salvation Army and National Association for the Advancement of Colored People (NAACP), respectively.

Current Zoning and Land Use

The proposed brownfield site is located in a Residential District (R10A). The site is undergoing CEQR and ULURP as a requirement for the disposition of Lot 57 without the restrictions

established in a prior disposition approval by the City Planning Commission. The adjoining parcels and surrounding area are used for commercial, residential and institutional purposes. Figure D-3 provides a property base map that shows i) a distance of at least 1,000 feet around the proposed brownfield site; and ii) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways. Figure D-4 provides a property base map that shows i) proposed brownfield site boundary, with adjacent property operators, addresses and owners identified; and ii) surrounding property land uses.

Historical Site Use

Historical operations at the proposed brownfield site include a power substation from 1912 to 2005 (Lot 57); an upholstery store from 1951 to 1973, and the Salvation Army from 1973 to present (Lot 59); and a single family dwelling in 1902, followed by a multi-family dwelling space from 1912 to 1928, unidentified commercial entities from 1951 to the mid-1970s, and the NAACP from 1978 to present (Lot 60).

Site Geology and Hydrogeology

According to Langan's May 2018 Subsurface Investigation Letter Report, the subsurface strata beneath the proposed brownfield site consists of historic fill material generally characterized by brown, fine- to medium-grained sand with varying amounts of silt, gravel, clay, asphalt, concrete, brick, and glass extending to depths of about 3 to 8 feet below cellar grade. The fill material is underlain by native soil generally consisting of medium-dense fine-grained silty sand with varying amounts of gravel and clay. According to the USGS Bedrock and Engineering Geologic Maps of New York County and Parts of Kings and Queens Counties, New York, and parts of Bergen and Hudson Counties, New Jersey, dated 1994, the site is underlain by the Middle Ordovician to Lower Cambrian-Ordovician Hartland Formation, which generally consists of muscovite-biotite-quartz schist.

Groundwater was not encountered during Langan's subsurface investigation. Groundwater flow at the site is inferred to flow toward the north-northwest towards the Hudson River.

Environmental Assessment

The primary contaminants of concern are SVOCs, pesticides, and metals in historic fill, and petroleum-related VOCs and CVOCs in soil vapor. Maximum concentrations are provided for analytes that exceed the RRU SCOs in soil.

Soil – Seventeen SVOCs: Methylphenol, 3-Methylphenol/4-Methylphenol, acenaphthene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, dibenzo(a,h)anthracene,

dibenzofuran, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, phenol, and pyrene were identified above Part 375 UU SCOs in samples collected from the fill interval across the site footprint. Ten of the SVOCs, benzo(a)anthracene (max. 130 milligrams per kilogram [mg/kg]), benzo(a)pyrene (max. 130 mg/kg), benzo(b)fluoranthene (max. 140 mg/kg), benzo(k)fluoranthene (max. 25 mg/kg), chrysene (max. 130 mg/kg), dibenzo(a,h)anthracene (max. 23 mg/kg), fluoranthene (max. 270 mg/kg), indeno(1,2,3-cd)pyrene (max. 72 mg/kg), phenanthrene (max. 290 mg/kg), and pyrene (max. 300 mg/kg) were identified above RRU SCOs. One pesticide, 4,4'-DDT, was detected at concentrations above UU SCOs in a soil sample collected from northern portion of the site. Lastly, four metals (copper, lead, mercury, and zinc) were detected at concentrations above UU SCOs in soil samples collected across the site.

Soil Vapor - Petroleum-related VOCs and CVOCs were detected in soil vapor samples collected site-wide at concentrations above those detected in the ambient air sample. When applied to the New York State Department of Health Soil Vapor/ Indoor Air Matrices, the recommended outcome range for cis-1,2-dichloroethene, tetrachloroethene (PCE), and trichloroethene (TCE) detected in soil vapor samples is "no further action" to "mitigate". Although not a direct comparison standard, PCE (max. 569 micrograms per cubic meter [$\mu\text{g}/\text{m}^3$]) and TCE (max. 31.8 $\mu\text{g}/\text{m}^3$) were detected in soil vapor at concentrations above their respective AGVs. Total VOCs were detected at a maximum concentration of 2,304 $\mu\text{g}/\text{m}^3$.

ATTACHMENT E

SECTION VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

ATTACHMENT E

SECTION VI: PRIOR OWNER AND OPERATOR INFORMATION

Ownership and Operator Records

The Current Property Owner/Operator information for the proposed brownfield site are as follows:

Lot 57	
Current Owner Name:	NYC Housing Preservation & Development
Address:	100 Gold Street
City/Town:	New York
Zip Code:	10038
Phone	212-863-6300
E-mail:	goldbear@hpd.nyc.org
Current Operator's Name:	Vacant
Lot 59	
Current Owner Name:	Salvation Army - Greater New York division
Address:	120 W 14th Street
City/Town:	New York
Zip Code:	10011
Phone	212-337-7200
E-mail:	n/a
Current Operator's Name:	Salvation Army
Address:	268 West 96th Street
City/Town:	New York
Zip Code:	10025
Phone:	800-728-7825
E-mail:	n/a
Lot 60	
Current Owner Name:	NAACP Roy Wilkins, Inc.
Address:	444 Madison Avenue, Suite 701
City/Town:	New York
Zip Code:	10022
Phone	212-644-1857
E-mail:	ezim@hزلaw.com
Current Operator's Name:	NAACP Mid Manhattan Branch
Address:	270 West 96th Street
City/Town:	New York
Zip Code:	10025
Phone:	212-749-2323
E-mail:	n/a

Ownership records for the site were researched on the Automated City Register Information System (ACRIS) website. Available chain of title information for Lot 60 is summarized below:

Date	Document Type	First Party	Second Party
11/17/1975	DEED	Edward S. Gordon	NAACP Mid Manhattan Et. Al
07/08/1970	DEED	270 West 96 th Street Corp.	Edward S. Gordon
01/09/1986	DEED	Kathe H. Frederick	270 West 96 th Street Corp.

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website:
<https://a836-acris.nyc.gov/DS/DocumentSearch/Index>.

Chain of title information for Lots 57 and 59 are not available on ACRIS. Information regarding the acquisition of Lots 57 and 59 by the most recent ownership is not available.

Current and former addresses and telephone numbers of the previous property owners are not available.

Lot 57 is improved with a vacant three-story building with a cellar level that most recently operated as a power substation for the New York City Metro Transit Authority. Lots 59 and 60 are improved with two-story commercial buildings with full cellars and exterior patio spaces operated by the Salvation Army and NAACP, respectively.

Previous operators of the property include:

Name	Relationship to Property	Last Known Contact Information	Relationship to Applicant
Lot 57			
The City of New York HPD	Operator (Prior to 1980 - present)	100 Gold Street New York, NY 10038 Tel: 212-863-6300	None
Inter Rapid Transit Company/MTA	Operator (1904 – 1970s) (est.)	2 Broadway New York, NY 10004 Tel: 1-877-690-5116	None
Lot 59			
Salvation Army	Operator (1973 - Present)	120 W. 14th Street, New York, NY 10011 Tel: (212) 337-7200	None

Commercial and residential entities	Operator (1927 - 1973)	Not available	None
Between 1902 and 1912, the site was vacant. No additional information is available for the site between 1912 and 1927.			
Lot 60			
NAACP	Operator (1978 - Present)	270 W 96th St, New York, NY 10025 Tel: (212)-749-2323	None
Operator information not available from 1968 to 1978			
West End Cleaners	Operator (1950 - 1968)	Not available	None
Balkan Arts Dance Studio	Operator (1968)	Not available	None
Operator information not available from 1936 to 1968			
Commercial entities	Operator (1927 - 1936)	Not available	None
In 1902, a two-story building identified as a store was located on the site. Between 1912 and 1922, a five-story residential building was identified.			

There is no relationship between the Requestor's corporate members and any of the current or previous owners or operators.

ATTACHMENT F

SECTIONS VII AND VIII: REQUESTOR AND PROPERTY ELIGIBILITY INFORMATION

Pursuant to ECL §27-1405(1), 266 West 96th Street Associates LLC is properly designated as a Volunteer because any liability will arise solely from ownership of the proposed brownfield site. A Phase I Environmental Site Assessment and a subsurface investigation, which identified concentrations of contaminants in soil and soil vapor above applicable regulatory criteria for the intended future use of the site, was completed as part of due diligence prior to the Requestor's acquisition of the property. Soil vapor contamination appears to be related to the historic use of the site as a dry cleaner.

Proof of Site Access

Lots 57, 59 and 60 are owned by the NYC HPD, Salvation Army and NAACP Mid Manhattan Et. Al, respectively. 266 West 96th Street Associates LLC has access agreements for each parcel that allow for the Requestor to have unfettered access to the site for investigation and remediation under the BCP. Copies of the access agreements are provided.

September 27, 2018

Kelly A. Lewandowski, P.E. Site
Control Section
New York State Department of Environmental Conservation
650 Broadway 11th Fl.
Albany, NY 12233

RE: Proof of Site Access
Block 1243, Lot 57
Borough of the Manhattan

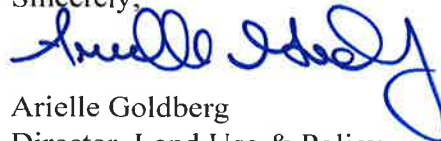
Dear Ms. Lewandowski,

I am writing in regard to 266 West 96th Street Associates LLC's application to the Brownfield Cleanup Program ("BCP"). 266 West 96th Street Associates LLC ("Applicant") and its contractors will have access to the above referenced lot also known as part of the 266-270 West 96th Street project (the "Development Site") as described in this letter.

The Development Site is currently owned by the City of New York (the "City"). The City, acting by and through its Department of Housing Preservation and Development ("HPD") has authorized 266 West 96th Street Associates LLC to apply for funding to develop the Site, and is working with the team toward a closing of project financing and the commencement of remediation and construction. In accordance with a license agreement between 266 West 96th Street Associates LLC and the City, HPD will provide access to the Development Site to complete investigation activities required by the New York State Department of Environmental Conservation under the BCP prior to the City's conveyance of the site and the commencement of remediation and construction.

Please accept this letter to serve as **proof of site access**. If you have any further questions, please feel free to contact the HPD Director of Manhattan Planning, Veanda Simmons at 212-863-6520

Sincerely,



Arielle Goldberg
Director, Land Use & Policy
Planning & Predevelopment



266 West 96th Street Associates LLC
c/o Fetner Properties LLC
675 Third Avenue, Suite 2800
New York, NY 10017

September 17, 2018

266 West 96th Street Associates LLC
c/o Fetner Properties LLC
675 Third Avenue, Suite 2800
New York, NY 10017

Re: Site Access for Brownfield Cleanup Program Work
NAACP Roy Wilkins Center, Inc.
270 W 96th Street
New York, NY 10025
Block 1243, Lot 60

Dear Sir or Madam:

As you are aware, 266 West 96th Street Associates LLC will be submitting an application to the Brownfield Cleanup Program (BCP) for three properties located at 266-270 West 96th Street (Block 1243, Lots 57, 59, and 60) in the New York, New York. Lot 60 is currently owned by your company. As the BCP applicant, we are required to seek access from the current property owner for acceptance into the BCP. In order to file the application, we need written permission from you to access Lot 60 throughout the BCP Project. By execution of this site access agreement letter, you are hereby allowing site access for this purpose.

Sincerely,

266 West 96th Street Associates LLC

By: 

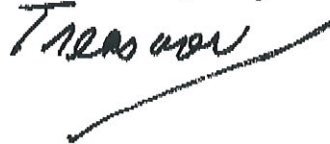
Hal Fetner, Authorized Signatory

As owner of Lot 60, I agree to allow 266 West 96th Street Associates LLC, and its contractors, to enter 270 West 96th Street, New York, New York 10025 (Block 1243, Lot 60), which is currently owned by NAACP Roy Wilkins Center, Inc. to perform the required BCP investigation and/or remediation work.

NAACP Roy Wilkins Center, Inc.

By: 

Authorized Signatory


Treasurer

**266 West 96th Street Associates LLC
c/o Fetner Properties LLC
675 Third Avenue, Suite 2800
New York, NY 10017**

September 26, 2018

266 West 96th Street Associates LLC
c/o Fetner Properties LLC
675 Third Avenue, Suite 2800
New York, NY 10017

Re: Site Access for Brownfield Cleanup Program Work
Salvation Army
268 West 96th Street
New York, NY 10025
Block 1243, Lot 59


Dear Sir or Madam:

As you are aware, 266 West 96th Street Associates LLC will be submitting an application to the Brownfield Cleanup Program (BCP) for three properties located at 266-270 West 96th Street (Block 1243, Lots 57, 59, and 60) in the New York, New York. Lot 59 is currently owned by your company. As the BCP applicant, we are required to seek access from the current property owner for acceptance into the BCP. In order to file the application, we need written permission from you to access Lot 59 throughout the BCP investigation. No remediation work will begin until 266 West 96th Street Associates LLC acquires the property. By execution of this site access agreement letter, you are hereby allowing site access for this purpose.

Sincerely,

266 West 96th Street Associates LLC


By:


Hal Fetner, Authorized Signatory

As owner of Lot 59, I agree to allow 266 West 96th Street Associates LLC, and its contractors, to enter 268 West 96th Street, New York, New York 10025 (Block 1243, Lot 59), which is currently owned by Salvation Army to perform the required BCP investigation. No remediation work will begin until 266 West 96th Street Associates LLC acquires the property.

Salvation Army

By:


Authorized Signatory

Adolph M. Orlando
Second Assistant Secretary - Property

ATTACHMENT G

SECTION IX: CONTACT LIST INFORMATION

ATTACHMENT G

SECTION IX: CONTACT LIST INFORMATION

Item 1 Response

Chief Executive Officer

Mayor Bill de Blasio
City Hall
260 Broadway Avenue
New York, New York 10007

New York City Planning Commission Chair

Marisa Lago
Department of City Planning
22 Reade Street
New York, NY 10007-1216

Borough of Manhattan, Borough President

Gale A. Brewer
1 Centre Street, 19th Floor
New York, NY 10007

Borough of the Manhattan, Department of Planning

Marisa Lago, Chair
120 Broadway, 31th Floor
New York, New York 10271

Item 2 Response

Residents, owners, and occupants of the site:

266 West 96th Street

The site is improved with a vacant three-story building with a cellar level owned by the New York City Department of Housing Preservation and Development (NYCHPD) with a mailing address of:

100 Gold Street
New York, NY 10038

268 West 96th Street

The site is improved with two-story buildings with a full cellar and exterior patio spaces level owned and operated by the Salvation Army with a mailing address of:

120 W. 14th Street
New York, NY 10011

270 West 96th Street

The site is improved with two-story buildings with a full cellar and exterior patio spaces level owned and operated by the National Association for the Advancement of Colored People (NAACP) with a mailing address of:

270 W 96th Street
New York, NY 10025

Adjacent properties include:

Residential/Commercial Buildings
241 West 96th Street
New York, NY 10025
Owner: The Columzia Poido
Address not available

Residential Building
740 West End Avenue
New York, NY 10025
Owner: Wolk Properties LLC
740 West End Avenue
New York, NY 10025

Residential Building
720 West End Avenue
New York, NY 10025
Owner: BRCE West End Avenue Owner, LLC
855 Third Avenue, 24th Floor
New York, NY 10022

Residential Building
736 West End Avenue
New York, NY 10025
Owner: 736 West End Ave Associates
277 Park Avenue
New York, NY 10172

Commercial Building
2551 Broadway
New York, NY 10025
Owner: 2551 BWY II LLC
805 Third Avenue, 7th Floor
New York, NY 10022

Residential Building
255 West 95th Street
New York, NY 10025
Owner: 255 W 95th Street Apt Corp
255 West 95th Street
New York, NY 10025

Item 3 Response

Local news media from which the community typically obtains information:

Local Newspaper

The Spirit
333 Seventh Avenue
New York, NY 10001

Local Television
Pix 11
220 East 42nd Street
New York, NY 10017

Item 4 Response

The public water supplier which services the area in which the property is located:

The responsibility for supplying water in New York City is shared between the NYC Department of Environmental Protection (NYCDEP), the Municipal Water Finance Authority, and the New York City Water Board:

NYCDEP
Vincent Sapienza, Commissioner
59-17 Junction Boulevard
Flushing, NY 11373

New York City Municipal Water Finance Authority
255 Greenwich Street, 6th Floor
New York, NY 10007

New York City Department of Environmental Protection
Bureau of Environmental Planning and Analysis
59-17 Junction Boulevard, 11th Floor
Flushing, NY 11373

Item 5 Response

Any person who has requested to be placed on the contact list:

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

Item 6 Response

The administrator of any school or day care facility located on or near the site:

There are no schools or day care facilities located on the site. The following are schools or day care facilities located within a ½-mile radius of the site:

Emily Dickinson School P.S. 75 (approximately 0.03 feet west of the site)

Administrator: Robert K. O'Brien

735 West End Avenue
New York, NY 10025
212-866-5400

Alfred E Smith School P.S. 163 (approximately 100 miles northeast of the site)

Administrator: Donny Lopez

163 W 97th Street
New York, NY 10025
212-678-2854

The Richard Rodgers School of the Arts and Technology P.S. 166 (approximately 0.38 miles south of the site)

Administrator: Debra Mastriano

132 W 89th Street
New York, NY 10024
(212) 678-2829

Community Action School (approximately 0.23 miles southeast of the site)

Administrator: Andrew Sullivan

154 W 93rd Street
New York, NY 10025
(212) 678-5888

The Lillian Weber School of The Arts (approximately 0.43 miles southeast of the site)

Administrator: Evelyn Lolis

32 W 92nd Street
New York, NY 10025
(212) 799-2534

The Bloomingdale School (approximately 0.47 miles northeast of the site)

Administrator: Natalia Russo

150 W 105th Street
New York, NY 10025
(212) 678-2857

Purple Circle Early Childhood Program (approximately 0.23 miles north of site)

Administrator: Elaine Karas

251 W 100th Street
New York, NY 10025
(212) 866-9193

My Little Language School Bilingual Montessori (approximately 0.23 miles northeast of site)

Administrator: Joyce Elwick

225 W 99th Street
New York, NY 10025
(646) 389-7552

New York City Housing Authority's Douglass II Day Care Center (approximately 0.42 miles north of site)

Administrator: Not Identified

820 Columbus Avenue
New York, NY 10025
(212) 427-8542

Montclare Children's School (approximately 0.15 miles east of site)

Administrator: Cathy Makropoulos

747 Amsterdam Avenue
New York, NY 10025
(212) 865-4020

Chabad of the West Side (approximately 0.15 miles east of site)

Administrator: Rabbi Shlomo Kugel

166 W 97th Street
New York, NY 10025
(212) 864-5010

The Studio School (approximately 0.19 miles east southeast of site)

Administrator: Susan Fry Mamis

117 W 95th Street
New York, NY 10025
(212) 678-2416

River Park Nursery School (approximately 0.15 miles east southeast of site)

Administrator: Desiré J. Ford

711 Amsterdam Avenue
New York, NY 10025
(212) 663-1205

The Goddard School (approximately 0.15 miles south of site)

Administrator: Dr. Bill Swan

2495 Broadway
New York, NY 10025
(212) 712-2727

West Side Montessori School (approximately 0.19 miles southwest of site)

Administrator: Mimi Basso

309 W 92nd Street
New York, NY 10025
(212) 662-8000

Riverside Montessori School (approximately 0.19 miles southwest of site)

Administrator: Candace La Douceur

202 Riverside Drive
New York, NY 10025
(212) 665-1600

La Escuelita (approximately 0.19 miles northwest of site)

Administrator: Kelley Grant

225 W 99th Street
New York, NY 10025
(212) 877-1100

Goddard Riverside Community Center (approximately 0.47 miles southeast of site)

Administrator: Roy Baptiste

593 Columbus Avenue
New York, NY 10024
(212) 873-6600

Item 7 Response

The location of the document repository for the project (e.g. local library):

St. Agnes Library
444 Amsterdam Avenue
New York, NY, 10024
(212) 621-0619

A letter from the library acknowledging that it agrees to act as a document repository for the project is included in this attachment.

Item 8 Response

The local community board is Manhattan Community Board No. 7.

Manhattan Community Board No. 7

Roberta Semer, Chair
250 W. 87th Street
New York, NY
212-362-4008

ATTACHMENT H

SECTION X: LAND USE FACTORS

ATTACHMENT H

SECTION X: LAND USE FACTORS

Current Zoning

The proposed brownfield site is located in a residential district (R10A). The R10A district is subject to Quality Housing contextual regulations. The Quality Housing Program encourages development consistent with the character of many established neighborhoods. The Program's bulk regulations set height limits and allow high lot coverage buildings that are set at or near the street line. The Quality Housing Program also requires amenities relating to interior space, recreation areas and landscaping.

Current Use

Lot 57 is improved with a vacant three-story building with a cellar level that most recently operated as a power substation for the NYC MTA. Lots 59 and 60 are improved with two-story commercial buildings with full cellars and exterior patio spaces operated by the Salvation Army and NAACP, respectively.

Historical Use

Lot 57 was occupied by a power substation (1912 - 2005); Lot 59 was operated as an upholstery store (1951 - 1973) and the Salvation Army (1973 to present); and Lot 60 was occupied by a single family dwelling (1902), a multi-family dwelling space (1912 - 1928), unidentified commercial entities (1951 – mid-1970s), and the NAACP (1978 to present).

Intended Use Post-Remediation

The proposed redevelopment will be a 23-story mixed-use commercial and residential building with a full cellar level that will occupy the entire site footprint. About thirty-five percent of the residential units will be affordable housing.

Consistency with Applicable Zoning Laws/Maps

The site is currently zoned as an R10A Residential District. The site is undergoing CEQR and ULURP as a requirement for the disposition of Lot 57 without the restrictions established in a prior disposition approval by the City Planning Commission. The current zoning map is included in this attachment. Post-CEQR/ULURP, the proposed development will be consistent with the zoning for the proposed brownfield site.

Comprehensive Plans

The proposed use is consistent with local and area plans.

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R - RESIDENTIAL DISTRICT

C - COMMERCIAL DISTRICT

M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

06-26-2014 C 130208 3MM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see

APPENDIX C.
For a list of lots subject to "D"

restrictive declarations, see
APPENDIX D
For inclusion, please

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):

5 CORRECTED 9-19-17

ZONING MAP

5d

	5c	6a
	5d	6b
8a	8c	9a

© Copyrighted by the City of New York

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

