



Brownfield Cleanup Program Application

430 West 207th Street
Block 2203 Lot 9
New York, New York 10034

May 24, 2021

Prepared for:

Inwood Lot 9 Associates LLC
111 Eighth Avenue, Suite 1500
New York, New York 10011

Prepared by:

**Roux Environmental Engineering
and Geology, D.P.C.**
209 Shafter Street
Islandia, New York 11749



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 11*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Inwood Lot 9 Associates LLC

ADDRESS 111 Eighth Avenue, Suite 1500

CITY/TOWN New York

ZIP CODE 10011

PHONE (212) 220-9945

FAX

E-MAIL gtsapelas@tacon.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

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

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

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

Section II. Project Description **Appendix B**

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 **Not Applicable**

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.

Section III. Property's Environmental History Appendix C

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and 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). Please do not submit paper copies of supporting documents.**

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

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum		X	X
Chlorinated Solvents			
Other VOCs			
SVOCs	X	X	
Metals	X	X	
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**

Figures 5, 6, and 7

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):**

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Swimming Pool/Bath House, Grocery Store, Parking lot, Commercial

Section IV. Property Information - See Instructions for Further Guidance Appendix D				
PROPOSED SITE NAME 430 West 207th Street				
ADDRESS/LOCATION 430 West 207th Street				
CITY/TOWN New York		ZIP CODE 10034		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York City				
COUNTY New York		SITE SIZE (ACRES) 1.376		
LATITUDE (degrees/minutes/seconds) 40 ° 51 ' 49.77 "		LONGITUDE (degrees/minutes/seconds) 73 ° 55 ' 6.43 "		
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. see Appendix D				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
430 West 207 Street	Manhattan	2203	9	1.38
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map) See Figure 2				
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> <div style="text-align: right;">If yes, identify census tract : <u>299</u></div> <div style="margin-top: 10px;"> Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100% </div>				
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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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) **None**

Type

Issuing Agency

Description

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

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ 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 **Not Applicable**

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		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE George Tsapelas			
ADDRESS 111 Eighth Avenue, Suite 1500			
CITY/TOWN New York		ZIP CODE 10011	
PHONE (212) 220-9945	FAX	E-MAIL gtsapelas@tacon.com	
NAME OF REQUESTOR'S CONSULTANT Jessica L. Taylor, P.G./Roux Environmental Engineering and Geology, D.P.C.			
ADDRESS 209 Shafter Street			
CITY/TOWN Islandia		ZIP CODE 11749	
PHONE 631-232-2600	FAX 631-232-9898	E-MAIL jtaylor@rouxinc.com	
NAME OF REQUESTOR'S ATTORNEY David Yudelson, Esq./Sive, Paget & Riesel, PC			
ADDRESS 560 Lexington Avenue			
CITY/TOWN New York		ZIP CODE 10022	
PHONE 646-378-7219	FAX	E-MAIL dyudelson@sprlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor Appendix E			
CURRENT OWNER'S NAME West 207 Grocery Owners, LLC		OWNERSHIP START DATE: 3/2013	
ADDRESS c/o Ed Balazs, AAG Management, 421 Seventh Ave, 15th Floor			
CITY/TOWN New York		ZIP CODE 10001	
PHONE 212-564-7250	FAX	E-MAIL ebalazs@aagmgmt.com	
CURRENT OPERATOR'S NAME Shop Fair			
ADDRESS 430 West 207th Street			
CITY/TOWN New York		ZIP CODE 10034	
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".			
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) Appendix F			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site 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 **Appendix F**

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 Ground Lessee

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 **Appendix F**

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 **Appendix G**

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

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **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 Appendix H

1. What is the current municipal zoning designation for the site? R8A, C2-4

What uses are allowed by the current zoning? (Check boxes, below)

☒ Residential ☒ Commercial ☐ Industrial

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

See attached Appendix H.

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See attached Appendix H.

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

See attached Appendix H.

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hererby 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 Inwood Lot 9 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: 4/12/2021 Signature:  _____

Print Name: Charles Bendit _____

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

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.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: 430 West 207th Street

City: New York

Site Address: 430 West 207th Street

County: New York

Zip: 10034

Tax Block & Lot

Section (if applicable): Manhattan

Block: 2203

Lot: 9

Requestor Name: Inwood Lot 9 Associates LLC

City: New York

Requestor Address: 111 Eighth Avenue, Suite 1500

Zip: 10011

Email: gtsapelas@tacon.com

Requestor's Representative (for billing purposes)

Name: George Tsapelas

Address: 111 Eighth Avenue, Suite 1500

City: New York

Zip: 10011

Email: gtsapelas@tacon.com

Requestor's Attorney

Name: David Yudelson, Esq./Sive, Paget & Riesel, PC

Address: 560 Lexington Avenue

City: New York

Zip: 10022

Email: dyudelson@sprlaw.com

Requestor's Consultant

Name: Jessica L. Taylor, P.G./Roux Environmental Engineering and Geology, D.P.C.

Address: 209 Shafter Street

City: Islandia

Zip: 11749

Email: jtaylor@rouxinc.com

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

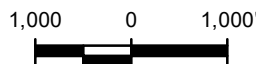
Notes:

FIGURES

1. Site Location Map
2. Tax Map
3. Existing Conditions and Adjacent Property Owners
4. Surrounding Land Use
5. Soil Sample Locations and Exceedances
6. Groundwater Sample Locations and Exceedances
7. Soil Vapor Sample Locations and Detections



QUADRANGLE LOCATION



Title:

SITE LOCATION MAP

430 WEST 207TH STREET
MANHATTAN, NEW YORK

Prepared for:

TACONIC INVESTMENT PARTNERS, LLC



Compiled by: D.M.

Date: 03/02/21

FIGURE

Prepared by: M.S.R.

Scale: AS SHOWN

Project Mgr: V.S.

Project: 2477.0008Y000

File: 2477.0008Y110.1.mxd

1



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LEGEND

- BCP SITE BOUNDARY
- 2203 9 BLOCK LOT

NOTE

1. SOURCE - NEW YORK CITY DEPARTMENT OF INFORMATION AND TECHNOLOGY




Title:

TAX MAP

430 WEST 207TH STREET
MANHATTAN, NEW YORK

Prepared for:

TACONIC INVESTMENT PARTNERS, LLC

	Compiled by: D.M.	Date: 03/03/21	FIGURE 2
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: V.S.	Project: 2477.0008Y000	
	File: 2477.0008Y110.2.mxd		



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LEGEND

BCP SITE BOUNDARY

NOTE

1. SOURCE - NEW YORK CITY DEPARTMENT OF INFORMATION AND TECHNOLOGY



Title:
**EXISTING CONDITIONS AND
ADJACENT PROPERTY OWNERS**

430 WEST 207TH STREET
MANHATTAN, NEW YORK

Prepared for:
TACONIC INVESTMENT PARTNERS, LLC







ROUX	Compiled by: D.M.	Date: 03/02/21	FIGURE 3
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: V.S.	Project: 2477.0008Y000	
	File: 2477.0008Y110.3.mxd		



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LEGEND

-  BCP SITE BOUNDARY
-  MULTI-FAMILY WALK-UP BUILDINGS
-  MULTI-FAMILY ELEVATOR BUILDINGS
-  MIXED RESIDENTIAL & COMMERCIAL BUILDINGS
-  COMMERCIAL & OFFICE BUILDINGS
-  INDUSTRIAL & MANUFACTURING
-  TRANSPORTATION & UTILITY
-  PUBLIC FACILITIES & INSTITUTIONS
-  OPEN SPACE & OUTDOOR RECREATION
-  PARKING FACILITIES
-  VACANT LAND

NOTE

1. SOURCE - NEW YORK CITY DEPARTMENT OF INFORMATION AND TECHNOLOGY



Title:

SURROUNDING LAND USE

430 WEST 207TH STREET
MANHATTAN, NEW YORK

Prepared for:

TACONIC INVESTMENT PARTNERS, LLC



Compiled by: D.M.	Date: 03/02/21
Prepared by: M.S.R.	Scale: AS SHOWN
Project Mgr: V.S.	Project: 2477.0008Y000
File: 2477.0008Y110.4.mxd	

FIGURE

4

RX-30	2/11/21	2/11/21
Depth (ft bls)	0.5 - 2.5	2.5 - 4.5
VOCs	NE	NE
SVOCs	NE	NE
Indeno(1,2,3-C,D)Pyrene	NE	0.57
Metals	NE	NE
PCBs, Total	ND	ND
Pesticides	ND	ND

MR-7	8/2/18
Depth (ft bls)	0.5 - 2.5
VOCs	NE
SVOCs	NE
Metals	NE
Lead	82.4
Zinc	175

RX-31	2/11/21	2/11/21
Depth (ft bls)	0.5 - 2.5	5 - 7
VOCs	NE	ND
SVOCs	NE	NE
Benzo(B)Fluoranthene	1.1	NE
Indeno(1,2,3-C,D)Pyrene	0.61	NE
Metals	NE	NE
Chromium	35.7	NE
Copper	63.6	NE
Lead	88.4	NE
Zinc	139	NE
PCBs, Total	ND	ND
Pesticides	ND	ND

RX-15	01/13/2021
Depth (ft bls)	2 - 4
VOCs	NE
SVOCs	NE
Metals	NE
PCBs, Total	ND
Pesticides	NE

RX-17	01/13/2021
Depth (ft bls)	2 - 4
VOCs	NE
Acetone	0.054
SVOCs	NE
Metals	NE
PCBs, Total	NE
Pesticides	NE

MR-12	7/24/18	7/24/18
Depth (ft bls)	1.25 - 3	3 - 4
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NS
Pesticides	ND	NS

RX-9	10/1/18
Depth (ft bls)	1.0 - 2.5
VOCs	NE
SVOCs	NE
Metals	NE
Pesticides	NE

RX-10	10/1/18
Depth (ft bls)	1.0 - 3.0
VOCs	NE
SVOCs	NE
Metals	NE

RX-16	01/13/2021
Depth (ft bls)	1.5 - 3.5
VOCs	NE
SVOCs	NE
Metals	NE
PCBs, Total	ND
Pesticides	0.0034 J

RX-33	2/10/21	2/10/21
Depth (ft bls)	0.5 - 2.5	9 - 11
VOCs	ND	NE
SVOCs	NE	NE
Benzo(A)Anthracene	1.1	NE
Benzo(A)Pyrene	1.1	NE
Benzo(B)Fluoranthene	1.4	NE
Indeno(1,2,3-C,D)Pyrene	0.64	NE
Metals	NE	NE
Chromium	52.3	NE
Copper	NE	NE
Lead	87.5	87.8
Nickel	31.2	NE
Zinc	273	187
PCBs, Total	ND	ND
Pesticides	ND	ND

RX-32	2/10/21	2/10/21	2/10/21
Depth (ft bls)	0.5 - 2.5	0.5 - 2.5 DUP	4 - 6
VOCs	NE	NE	NE
SVOCs	NE	NE	NE
Indeno(1,2,3-C,D)Pyrene	NE	NE	0.53
Metals	NE	NE	NE
Lead	NE	NE	346
Zinc	NE	NE	323
PCBs, Total	ND	ND	ND
Pesticides	ND	ND	ND

RX-12	10/1/18
Depth (ft bls)	2.5 - 4.0
VOCs	NE
SVOCs	NE
Metals	NE
Lead	94.7
Mercury	0.25
Zinc	206
Pesticides	NE

B-101	7/9/11
Depth (ft bls)	4.8-6.1
VOCs	NE
SVOCs	ND
Metals	NE

RX-24	01/12/2021	01/12/2021
Depth (ft bls)	0 - 2	5 - 7
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Lead	83.8	NE
PCBs, Total	NE	ND
Pesticides	NE	NE

RX-6	9/28/18	9/28/18	9/28/18
Depth (ft bls)	0.5 - 2.5	9 - 11	14 - 16
VOCs	NE	NE	NE
SVOCs	NE	NE	NE
Metals	NE	NE	NE
Copper	72.5	NE	NS
Lead	345	NE	NS
Zinc	298	NE	NS

RX-23	01/12/2021	01/12/2021
Depth (ft bls)	0 - 2	3 - 5
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Cadmium	NE	4
Copper	NE	85
Lead	NE	200
Mercury	NE	0.6
Zinc	NE	412
PCBs, Total	ND	ND
Pesticides	NE	NE

RX-18	01/11/2021	01/11/2021
Depth (ft bls)	2 - 4	6 - 8
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Barium	NE	405
Cadmium	3.4	NE
Copper	64.9	NE
Lead	406	497
Zinc	818	351
PCBs, Total	NE	NE
Polychlorinated Biphenyl (PCBs)	0.19	ND
Pesticides	NE	NE
P,P'-DDE	0.004 J	0.0042 J
P,P'-DDT	0.0037 JP	ND

RX-19	01/11/2021	01/11/2021
Depth (ft bls)	0 - 2	6 - 8
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Cadmium	NE	94.1
Lead	NE	87.8
Zinc	163	176
PCBs, Total	ND	ND
Pesticides	NE	NE
P,P'-DDE	ND	0.041
P,P'-DDT	ND	0.014

RX-20	01/11/2021	01/11/2021
Depth (ft bls)	2 - 4	5 - 7
VOCs	NE	NE
SVOCs	NE	NE
Benzo(A)Anthracene	1.4	11
Benzo(A)Pyrene	1.9	13
Benzo(B)Fluoranthene	2.3	15
Benzo(K)Fluoranthene	NE	5.3
Chrysene	1.2	10
Dibenz(A,H)Anthracene	NE	2
Indeno(1,2,3-C,D)Pyrene	1	8.4
Metals	NE	NE
Chromium, Total	NE	37.3
Copper	153	NE
Lead	170	129
Zinc	722	310
PCBs, Total	NE	NE
Polychlorinated Biphenyl (PCBs)	0.37	ND
Pesticides	NE	NE
P,P'-DDE	NE	0.0037 J

MR-4	7/24/18	7/24/18
Depth (ft bls)	1 - 1.5	9.5 - 11
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Lead	141	NE
Zinc	274	178

RX-4	9/28/18	9/28/18
Depth (ft bls)	0.5 - 2.5	9.5 - 11.5
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Arsenic	13.1	NE
Barium	967	NE
Cadmium	21	ND
Chromium	42.8	NE
Copper	520	NE
Lead	1790	NE
Mercury	0.5	NE
Nickel	164	NE
Zinc	19200	NE

B-104	10/14/11
Depth (ft bls)	8.0-10.0
VOCs	NE
SVOCs	NE
Metals	NE

B-105	10/24/11
Depth (ft bls)	8.0-10.0
VOCs	NE
SVOCs	NE
Metals	NE
Lead	70.6

RX-21	01/11/2021	01/11/2021	01/11/2021
Depth (ft bls)	0 - 2	0 - 2 DUP	5 - 7
VOCs	NE	NE	NE
SVOCs	NE	NE	NE
Metals	NE	NE	NE
Copper	52.5	51.2	NE
Lead	206	159	NE
Mercury	0.5	0.37	NE
Zinc	281	241	NE
PCBs, Total	NE	NE	ND
Pesticides	NE	NE	NE
P,P'-DDE	0.0078	0.0079	ND
P,P'-DDT	0.0066 JP	0.012	ND

RX-22	01/11/2021	01/11/2021
Depth (ft bls)	0 - 2	2 - 4
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Lead	174	NE
Zinc	194	NE
PCBs, Total	ND	ND
Pesticides	NE	NE

RX-25	01/12/2021	01/12/2021
Depth (ft bls)	0 - 2	5 - 7
VOCs	NE	NE
SVOCs	NE	NE
Benzo(A)Pyrene	NE	1.1
Benzo(B)Fluoranthene	NE	1.3
Indeno(1,2,3-C,D)Pyrene	NE	0.56
Metals	NE	NE
Lead	64.2	65.5
Zinc	NE	140
PCBs, Total	ND	ND
Pesticides	NE	NE

MR-14	7/30/18	7/30/18
Depth (ft bls)	1 - 1.5	5 - 6
VOCs	NE	NE
SVOCs	NE	NE
Metals	NE	NE
Lead	NE	162
Silver	ND	39.5
Zinc	NE	366
Pesticides	NE	ND

MR-12	SOIL BORING AND TEMPORARY MONITORING WELL LOCATION AND DESIGNATION
RX-7	SOIL BORING LOCATION AND DESIGNATION
B-101	SOIL BORING AND TEMPORARY MONITORING WELL LOCATION AND DESIGNATION (INSTALLED BY STANTEC, 2011)
RX-18	SOIL BORING LOCATION AND DESIGNATION (INSTALLED BY ROUX, 2021)
V-4	SOIL VAPOR SAMPLING LOCATION AND DESIGNATION
	CATCH BASIN
	SITE
	GROCERY STORE FOOTPRINT
	GROCERY STORE BASEMENT
	ELEVATOR

TYPICAL DATA BOX INFORMATION			
SAMPLE ID#	RX-10	10/1/18	SAMPLE DATE
ANALYTES	Depth (ft bls)	1.0 - 3.0	SAMPLE DEPTH (FT)
	VOCs	NE	CONCENTRATION (mg/kg)
	SVOCs	NE	
	Metals	NE	

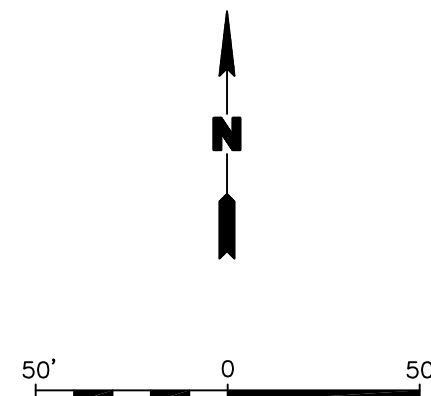
Parameter	NYSDEC Part 375 UUSCOs (mg/kg)	NYSDEC Part 375 RRSCOs (mg/kg)
VOCs		
Acetone	0.05	NE
Benzene	0.06	NE
Ethylbenzene	1	NE
SVOCs		
Benzo(A)Anthracene	1	1
Benzo(A)Pyrene	1	1
Benzo(B)Fluoranthene	1	1
Benzo(K)Fluoranthene	0.8	3.9
Chrysene	1	3.9
Dibenz(A,H)Anthracene	0.33	0.33
Indeno(1,2,3-C,D)Pyrene	0.5	0.5
Metals		
Arsenic	13	16
Barium	350	400
Cadmium	2.5	4.3
Chromium	30	180
Copper	50	270
Lead	63	400
Mercury	0.18	0.81
Nickel	30	310
Silver	2	180
Zinc	109	10000
PCBs, Total		
Polychlorinated Biphenyl (PCBs)	0.1	NE
Pesticides		
P,P'-DDE	0.0033	NE
P,P'-DDT	0.0033	NE

CONCENTRATIONS IN mg/kg

mg/kg - MILLIGRAMS PER KILOGRAM
 UUSCOs - NYSDEC PART 375 UNRESTRICTED USE SOIL CLEANUP OBJECTIVES
 RRSCOs - NYSDEC PART 375 RESTRICTED RESIDENTIAL SOIL CLEANUP OBJECTIVES
 NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 DUP - DUPLICATE SAMPLE
 PCBs - POLYCHLORINATED BIPHENYLS
 VOCs - VOLATILE ORGANIC COMPOUNDS
 SVOCs - SEMIVOLATILE ORGANIC COMPOUNDS
 NE - NO EXCEEDANCE
 ND - NO DETECTION
 NS - NOT SAMPLED
 ft bls - FEET BELOW LAND SURFACE

RESULTS SHOWN IN **BOLD** TYPE EXCEED NYSDEC PART 375 UNRESTRICTED USE SOIL CLEANUP OBJECTIVES

RESULTS WITH GRAY BACKGROUND EXCEED NYSDEC PART 375 RESTRICTED RESIDENTIAL SOIL CLEANUP OBJECTIVES



Title:

SOIL SAMPLE LOCATIONS AND EXCEEDANCES

460 WEST 207TH STREET
MANHATTAN, NEW YORK

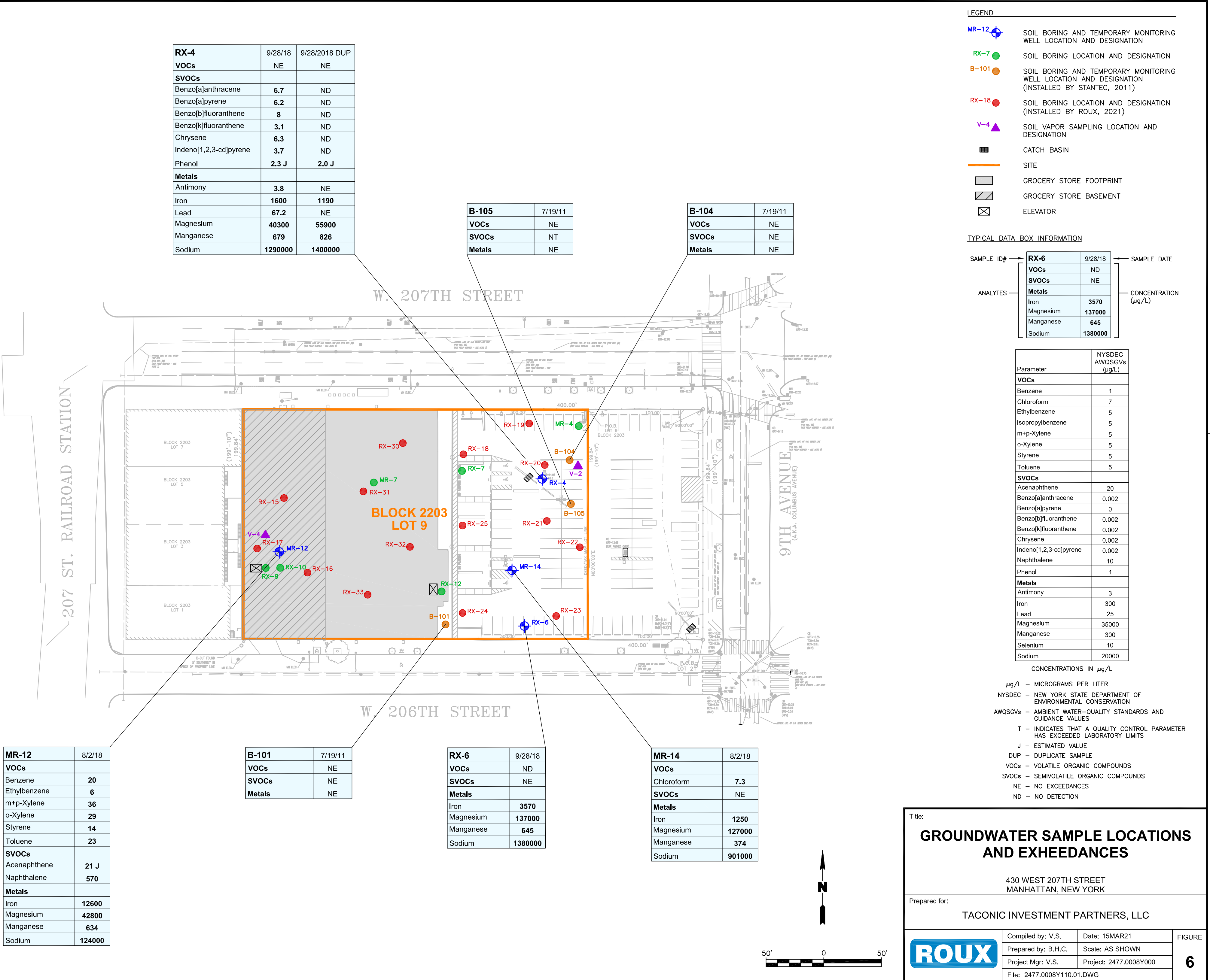
Prepared for:
TACONIC INVESTMENT PARTNERS, LLC

Compiled by: V.S.
Prepared by: G.M.
Project Mgr: V.S.
File: 2477.0008Y110.01.DWG

Date: 15MAR21
Scale: AS SHOWN
Project: 2477.0008Y000

FIGURE
5

V:\CAD\PROJECTS\2477\0008Y110\2477.0008Y110.01.DWG



Title:

GROUNDWATER SAMPLE LOCATIONS AND EXHEEDANCES

430 WEST 207TH STREET
MANHATTAN, NEW YORK

Prepared for:

TACONIC INVESTMENT PARTNERS, LLC

ROUX

Compiled by: V.S.
Prepared by: B.H.C.
Project Mgr: V.S.
File: 2477.0008Y110.01.DWG

Date: 15MAR21
Scale: AS SHOWN
Project: 2477.0008Y000

FIGURE
6

V-4	8/2/18
Depth (ft bls)	1.5-2
VOCs	
1,2,4-Trimethylbenzene	4.5
1,3-Butadiene	0.71 J
2-Butanone (MEK)	4.7
Acetone	46
Benzene	7
Bromodichloromethane	93
Butane	90
Carbon disulfide	42
Carbon tetrachloride	0.84
Chlorobenzene	1.4 J
Chlorodifluoromethane	24
Chloroform	320
Chloromethane	2.0 J
Cyclohexane	5.7
Dibromochloromethane	8.2
Ethylbenzene	180
Isooctane	460
Isopropylbenzene	6.8
m+p-Xylene	410
Methyl Methacrylate	44
Methylene chloride	2.6 J
n-Hexane	12
o-Xylene	380
p-Isopropyltoluene	15
Styrene	13
Tetrachloroethene	0.75 J
Toluene	14
Trichloroethene	1.2
Trichlorofluoromethane	21
Xylenes (total)	790

V-2	8/2/18
Depth (ft bls)	4.5-5
VOCs	
2-Butanone (MEK)	21 J
Benzene	23
Butane	130
Carbon disulfide	18 J
Chloroform	30
Cyclohexane	29
Ethylbenzene	10 J
Isooctane	2600
Isopropylbenzene	15 J
m+p-Xylene	22 J
N-HEPTANE	100
n-Hexane	87
n-Propylbenzene	14 J
o-Xylene	8.7 J
Tetrachloroethene	47
Toluene	1600
Xylenes (total)	30 J

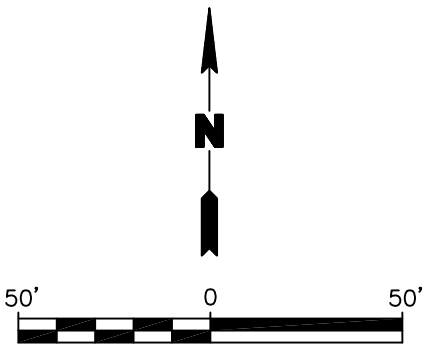
LEGEND	
MR-12	SOIL BORING AND TEMPORARY MONITORING WELL LOCATION AND DESIGNATION
RX-7	SOIL BORING LOCATION AND DESIGNATION
B-101	SOIL BORING AND TEMPORARY MONITORING WELL LOCATION AND DESIGNATION (INSTALLED BY STANTEC, 2011)
RX-18	SOIL BORING LOCATION AND DESIGNATION (INSTALLED BY ROUX, 2021)
V-4	SOIL VAPOR SAMPLING LOCATION AND DESIGNATION
	CATCH BASIN
	SITE
	GROCERY STORE FOOTPRINT
	GROCERY STORE BASEMENT
	ELEVATOR

TYPICAL DATA BOX INFORMATION

SAMPLE ID#	V-2	8/2/18	SAMPLE DATE
	Depth (ft bls)	4.5-5	SAMPLE DEPTH
ANALYTES	VOCs		CONCENTRATION (µg/m³)
	2-Butanone (MEK)	21 J	
	Benzene	23	
	Butane	130	
	Carbon disulfide	18 J	
	Chloroform	30	
	Cyclohexane	29	
	Ethylbenzene	10 J	
	Isooctane	2600	
	Isopropylbenzene	15 J	
	m+p-Xylene	22 J	
	N-HEPTANE	100	
	n-Hexane	87	
	n-Propylbenzene	14 J	
	o-Xylene	8.7 J	
	Tetrachloroethene	47	
	Toluene	1600	
	Xylenes (total)	30 J	
CONCENTRATIONS IN µg/m³			

µg/m³ - MICROGRAMS PER CUBIC METER
VOCs - VOLATILE ORGANIC COMPOUNDS
J - ESTIMATED VALUE

ft bls - feet below land surface
Note that V-4 depth is indicated as depth below the cellar slab.



Title:

SOIL VAPOR SAMPLE LOCATIONS AND DETECTIONS

430 WEST 207TH STREET
MANHATTAN, NEW YORK

Prepared for:

INWOOD LOT 9 ASSOCIATES LLC

ROUX

Compiled by: V.S.
Prepared by: B.H.C.
Project Mgr: V.S.
File: 2477.0008Y110,01.DWG

Date: 11MAY21
Scale: AS SHOWN
Project: 2477.0008Y000

FIGURE
7

- A. Requestor Information
- B. Property Description
- C. Property's Environmental History
- D. Property Information
- E. Current Property Owner-Operator Information
- F. Requestor Eligibility Information and Volunteer Statement
- G. Contact List Information
- H. Land Use Factors

Requestor Information

Department of State

Existing Corporations and Businesses ▶

Corporation & Business Entity Database Search

Selected Entity Name: INWOOD LOT 9 ASSOCIATES LLC

Selected Entity Status Information

Current Entity Name: INWOOD LOT 9 ASSOCIATES LLC

DOS ID #: 6003704

Initial DOS Filing Date: MAY 03, 2021

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN 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 HIRSCHEN SINGER & EPSTEIN LLP

902 BROADWAY, 13TH FLOOR

NEW YORK, NEW YORK, 10010

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
MAY 03, 2021	Actual	INWOOD LOT 9 ASSOCIATES 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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Department of State

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Property Description

Appendix B – Project Description
430 West 207th Street
430 West 207th Street, Manhattan New York 10034
BCP Application – Section II, Question 3

The Site proposed for entry into the Brownfield Cleanup Program (BCP) is located at 430 West 207th Street in the Inwood section of Manhattan New York (Site), as shown on Figure 1. The Site is Tax Block 2203, Lot 9 (Figure 2) in New York County and encompasses approximately 1.38-acres of land. The Site is currently used as a grocery store and associated parking lot with one building. The one-story grocery store contains a partial basement and rooftop parking. There are two hydraulic elevators within the building on Lot 9, one from the rooftop parking to the first floor that is not in use, and a freight elevator from the first floor to the basement. The Site is bounded by West 207th Street and the 207th Street Train Yard Facility and a gasoline station across the street to the north, West 206th Street and residential apartment buildings to the south, a parking lot and 9th Avenue, beyond which is a commercial use building and the Harlem River, to the east, and residential and commercial use buildings to the west, as shown on Figure 3.

Proposed Development Plan

The development proposal plan includes the construction of a new building covering the entire footprint of the Site. The commercial base will provide retail spaces along West 207th Street. This building will be part of New York City Housing Preservation and Development (NYC HPD) sponsored affordable housing programs. The development will include affordable and market rate housing. Residential amenities will include community rooms, laundry facilities, a fitness center and other spaces as directed by the client. Parking to meet residential and retail parking requirements will be provided at grade and in the cellar. The cellar will also contain retail storage, utility service rooms, and residential back of house. Owners and land use descriptions for properties in the surrounding area are shown on Figures 3 and 4, respectively.

Projected Schedule

Timeframe	Description
March 2021	Submit BCP Application and Interim Remedial Measure/ Remedial Investigation Work Plan (IRM/RIWP) to NYSDEC
July 2021	Begin IRM and conduct RI Field Work
September 2021	Submit combined Remedial Investigation Report (RIR)/Remedial Action Work Plan (RAWP) to NYSDEC
January 2022	Finalize and certify RIR/RAWP, NYSDEC prepares Decision Document and Approval and issues Fact Sheet approving Construction
2023	Anticipated Certificate of Completion

Property's Environmental History
(Previous Reports Provided as Separate Files)

Appendix C – Property's Environmental History

430 West 207th Street
430 West 207th Street, Manhattan New York 10034
BCP Application - Section III

The following previous environmental investigations that have been conducted at the Site are attached for review in Appendix C and on the enclosed CD:

- **Phase I Environmental Site Assessment (ESA)**, prepared by EBI Consulting (EBI), dated October 7, 2010
- **Phase II ESA**, prepared by Stantec, dated December 8, 2011
- **Subsurface Investigation Report (SIR)**, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated December 19, 2018
- **Remedial Investigation Report (RIR)**, prepared by Roux, dated June 12, 2019
- **New York State Department of Environmental Conservation (NYSDEC) Brownfields Cleanup Program (BCP) Eligibility Soil Sampling for 430 West 207th Street, New York, New York**, performed by Roux Environmental Engineering and Geology, D.P.C., January/February 2021

A summary of the findings from assessments of the Site is provided below.

Phase I ESA, prepared by EBI, dated October 7, 2010

Several recognized environmental conditions (RECs) were identified in the EBI Phase I ESA. The ESA encompassed both Lot 9 and Lot 21 within Tax Block 2203, but for the purposes of this application, only Lot 9 is discussed below. The RECs are summarized as follows:

RECs

- The potential presence of fill material is a REC for Lot 9. Urban sites such as the Site have typically been filled with material imported from off-site sources during development. Such fill material may have unknown origins and has the potential to exhibit contaminant concentrations above regulatory cleanup criteria.
- Two freight elevators with below-grade hydraulic cylinders service the grocery store at the Site. The elevators are reportedly maintained by a local maintenance company. Inspection of the elevator mechanical rooms did not reveal staining or other evidence of a release of hydraulic fluid; however, based on the hydraulic cylinders being located below grade and the potential presence of polychlorinated biphenyls (PCBs) in the hydraulic fluid, the presence of the two elevators is considered a REC.

Phase II ESA, prepared by Stantec, dated December 8, 2011

Stantec performed a Phase II ESA in December 2011, which is described in the Stantec report provided in Appendix C. The ESA encompassed both Lot 9 and Lot 21 within Tax Block 2203, but for the purposes of this application, only Lot 9 is discussed below. A summary of findings is provided below:

Soil/Fill

According to the Stantec Phase II ESA, PID readings in soil samples collected at the Site were consistently measured at levels between 0.3 and 1.1 ppmv. VOC, SVOC, and metals exceedances of Unrestricted Use Soil Cleanup Objectives (UUSCOs) within the boundaries of the Site are depicted on Figure 5.

Groundwater

According to the Stantec Phase II ESA, VOCs, SVOCs, and metals analyzed in groundwater did not exceed NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs). Locations within the boundaries of the Site are depicted on Figure 6.

Appendix C – Property's Environmental History

430 West 207th Street

430 West 207th Street, Manhattan New York 10034

BCP Application - Section III

Elevator Inspections

In August 2011, Stantec met with an elevator vendor to inspect the two elevators located in the Site building. The elevator located on the western side of the building (Figure 5) is an 8'x8' freight elevator at the rear of the building near the loading dock. When the elevator was raised and secured to reveal the pit, the pit had approximately 4 inches of water accumulated above the concrete floor. There was a 5-gallon bucket set in the pit, which purpose Stantec reported was apparently to capture leaking hydraulic fluid. The origins of the observed water could not be established and it had a sheen. A sample of this water was collected in a one liter amber glass container and during transit (approximately 2-3 hours), a distinct layer of oil separated from the water within the glass bottle. Stantec instructed the laboratory to analyze the oil matrix layer for PCBs by EPA Method 8082. No PCBs were detected above laboratory reporting limits in this oil matrix sample.

Remedial Investigation Report (RIR), prepared by Roux, dated June 12, 2019

Roux performed an investigation of soil, groundwater, and soil vapor at the Site in June 2019, which is described in the RIR prepared for the New York City Mayor's Office of Environmental Remediation and provided in Appendix C. The RIR encompassed both Lot 9 and Lot 21 within Tax Block 2203, but for the purposes of this application, only Lot 9 is discussed below. A summary of findings is provided below:

Soil/Fill

According to the RIR for the Site, the following analytes in soil exceeded NYSDEC Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs):

Metals

- Barium, cadmium, copper, lead, and zinc.

Exceedances of RRSCOs and UUSCOs within the boundaries of the Site are depicted on Figure 5.

Groundwater

According to the RIR for the Site, the following analytes in groundwater exceeded NYSDEC AWQSGVs:

VOCs

- Benzene, chloroform, ethylbenzene, m+p xylene, o-xylene, toluene, and styrene.

SVOCs

- Acenaphthene, naphthalene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, indeno(1,2,3-cd)pyrene, and phenol.

Metals (total)

- Lead, antimony, iron, magnesium, manganese, and sodium.

Exceedances of AWQSGVs within the boundaries of the Site are depicted on Figure 6.

Soil Vapor

Soil vapor samples collected showed moderate levels of petroleum related VOCs and low levels of CVOCs. According to the RIR for the Site, the following analytes were detected in soil vapor samples that were collected as part of the December 2018 SIR:

VOCs

- 1,2,4-trimethylbenzene, 1,3-butadiene, 2-butanone, n-hexane, p-isopropyltoluene, acetone, benzene, bromodichloromethane, butane, carbon disulfide, carbon tetrachloride, chloroform, chlorobenzene, chlorodifluoromethane, chloromethane, cyclohexane, dichlorodifluoromethane, ethylbenzene, isopropylbenzene, methyl methacrylate, methylene chloride, total xylenes,

Appendix C – Property’s Environmental History

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isooctane, styrene, tetrachloroethene (PCE), toluene, trichloroethene (TCE), and trichlorofluoromethane

Detections of analytes in soil vapor within the boundaries of the Site are depicted on Figure 7. As a note, Category B data packages are available for this data and will be used during preparation of a RIR, including a DUSR, for the Site.

NYSDEC BCP Eligibility Soil Sampling, performed by Roux, January/February 2021

Roux performed a subsurface soil investigation in January/February 2021. Fifteen soil borings (RX-15 through RX-25, RX-30 through RX-33) were advanced during the investigation of the Site. Similar to previous investigations, groundwater was encountered between 9 and 12 feet below land surface (ft bls). Subsurface materials generally contained urban fill materials (consisting of sand, gravel, brick, concrete, slag, tile, and glass), to depths ranging from 3 to 11 feet ft bls. Fill materials overlies native fine to coarse sand with some gravel and silt. Brown to dark grey organic-rich silt and clay lenses were observed at several locations (RX-16, RX-17, RX-21, RX-23, RX-24, and RX-30).

Included in Appendix C2 is the Roux Sampling Protocol Documents, which details procedures that are implemented during soil sampling at sites. As described in the guidance, any asphalt, concrete, root zone, gravel or surficial material near the shallow soil sample is removed prior to sampling collection.

A total of 29 soil samples including associated quality assurance/quality control (QA/QC) samples were collected in laboratory-supplied containers and submitted for analysis of VOCs, SVOCs, metals, pesticides, and PCBs. A summary of findings of detected compounds and comparison to NYSDEC Part 375 RRSCOs for soil is provided below:

Soil Results

The following metals and SVOCs are the primary contaminants of concern and exceeded the NYSDEC Part 375 RRSCOs:

SVOCs:

- Benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and indeno(1,2,3-c,d)pyrene.

Metals:

- Barium, cadmium, and lead.

Exceedances of the RRSCOs and UUSCOs within the boundaries of the proposed Site are graphically depicted on Figure 5. As a note, Category B data packages are available for this data and will be used during preparation of a RIR, including a DUSR, for the Site.

SOIL RRSCO EXCEEDANCE SUMMARY

The proposed Site redevelopment plan is to provide affordable and market rate multifamily housing, therefore the available soil data was compared to the NYSDEC RRSCOs. Based on the proposed post-redevelopment Site use, soil exceedances of RRSCOs serve as the threshold for the Site’s entry into the NYSDEC BCP. A summary of the RRSCO exceedances in soil on the proposed Site (Block 2203, Lot 9) is presented below. Additional soil sampling and analysis is planned as part of the Remedial Investigation upon acceptance into the NYSDEC Brownfields Cleanup Program. Exceedances of the RRSCOs within the boundaries of the proposed Site are graphically depicted on Figure 5.

Appendix C – Property's Environmental History

430 West 207th Street
 430 West 207th Street, Manhattan New York 10034
 BCP Application - Section III

Semivolatile Organic Compounds (SVOCs)

Laboratory analytical data for the exceedances of RRSCOs for SVOCs are summarized below with the maximum concentration and location noted in red text.

Analyte	Number of RRSCO Exceedances	Location of SCO Exceedance	Concentrations (mg/kg or ppm)	RRSCO (mg/kg or ppm)
Benzo(a)anthracene	3	RX-20 (2-4 ft bls) <u>RX-20 (5-7 ft bls)</u> RX-33 (0.5-2.5 ft bls)	1.4 <u>11</u> 1.1	1
Benzo(a)pyrene	4	RX-20 (2-4 ft bls) <u>RX-20 (5-7 ft bls)</u> RX-25 (5-7 ft bls) RX-33 (0.5-2.5 ft bls)	1.9 <u>13</u> 1.1 1.1	1
Benzo(b)fluoranthene	5	RX-20 (2-4 ft bls) <u>RX-20 (5-7 ft bls)</u> RX-25 (5-7 ft bls) RX-31 (0.5-2.5 ft bls) RX-33 (0.5-2.5 ft bls)	2.3 <u>15</u> 1.3 1.1 1.4	1
Benzo(k)fluoranthene	1	<u>RX-20 (5-7 ft bls)</u>	<u>5.3</u>	3.9
Chrysene	1	<u>RX-20 (5-7 ft bls)</u>	<u>10</u>	3.9
Dibenzo(a,h)anthracene	1	<u>RX-20 (5-7 ft bls)</u>	<u>2</u>	0.33
Indeno(1,2,3-C,D)Pyrene	7	RX-20 (2-4 ft bls) <u>RX-20 (5-7 ft bls)</u> RX-25 (5-7 ft bls) RX-30 (2.5-4.5 ft bls) RX-31 (0.5-2.5 ft bls) RX-32 (4-6 ft bls) RX-33 (0.5-2.5 ft bls)	1 <u>8.4</u> 0.56 0.57 0.61 0.53 0.64	0.5

Metals

Laboratory analytical data for the exceedances of RRSCOs for metals are summarized below with the maximum concentration and location noted in red text.

Analyte	Number of RRSCO Exceedances	Location of SCO Exceedance	Concentrations (mg/kg or ppm)	RRSCO (mg/kg or ppm)
Barium	2	RX-18 (6-8 ft bls) <u>RX-4 (0.5-2.5 ft bls)</u>	405 <u>967</u>	400
Cadmium	2	<u>RX-19 (6-8 ft bls)</u> RX-4 (0.5-2.5 ft bls)	<u>94.1</u> 21	4.3
Copper	1	<u>RX-4 (0.5-2.5 ft bls)</u>	<u>520</u>	270
Lead	3	RX-18 (2-4 ft bls) RX-18 (6-8 ft bls) <u>RX-4 (0.5-2.5 ft bls)</u>	406 497 <u>1,790</u>	400
Zinc	1	<u>RX-4 (0.5-2.5 ft bls)</u>	<u>19,200</u>	10,000

Property Information

Appendix D – Property Description Narrative

430 West 207th Street

430 West 207th Street, Manhattan New York 10034

BCP Application - Section IV, Question 10

Location

The Site is located at 430 West 207th Street, New York, New York encompassing New York City Tax Map Block 2203, Lot 9. The Site is bounded to the south by West 206th Street, to the north by West 207th Street, to the west by commercial buildings, and to the east by a parking lot. A Site Location Map is provided as Figure 1.

Parcel Address	Block No.	Lot No.	Acreage
430 West 207 th Street	2203	9	1.38

Site Features

The Site includes 1.38 acres of land and is currently comprised of a grocery store and associated parking lot with one building. The one-story grocery store contains a partial basement on the western side and rooftop parking. Further details on historic Site use are discussed in the *Past Use of the Site* section below.

Current Zoning and Land Use

The current property zoning is R8A for residential use with a C2-4 commercial overlay, and the Site is within the Special Inwood District. R8A districts typically result in high lot coverage apartment buildings of roughly 12 to 14 stories, set at or near the street line. The floor area ratio in R8A districts is 6.02. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 120 feet, or 95 feet if providing a qualifying ground floor. On a wide street, the street wall must extend along the entire width of the zoning lot and at least 70% of the street wall must be within eight feet of the street line. The area between a building's street wall and the street line must be planted and the building must have interior amenities pursuant to the Quality Housing Program. Typical retail uses included in C2-4 commercial overlay areas include neighborhood grocery stores, restaurants and beauty parlors and may also include uses such as funeral homes and repair services. In mixed residential / commercial buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

The area surrounding the Site is an urban area comprised primarily of commercial and multi-family residential properties (Figure 3). The Site (Block 2203, Lot 9) is adjoined by the following: West 207th Street and the 207th Street Train Yard Facility and a gasoline station across the street to the north, West 206th Street to the south, a parking lot and 9th Avenue, beyond which is a commercial use building and the Harlem River to the east, and residential and commercial use buildings to the west.

Past Use of the Site

Based on a review of Historic Sanborn fire insurance maps, aerial photographs, topographic maps, city directories, and New York City Assessor's and Building Department records, the following Site history was established. From approximately 1896 through 1925, Block 2203, Lot 9 (Site) and the surrounding area existed as undeveloped land. The Site was developed in 1926 into Miramar Bath House, which consisted of a three-story commercial building on the eastern portion of the Site with a large swimming pool on the northwest side and an undeveloped sunbathing area to the south. The Site remained unchanged and no further development occurred on the Site through 1968. In 1969, the Site was redeveloped and a supermarket was built. The Site did not see further redevelopment and the supermarket with adjoining parking lot remain on Site. The Site is currently owned by West 207 Grocery Owners, LLC.

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430 West 207th Street
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BCP Application - Section IV, Question 10

Site Geology & Hydrogeology

Based on previous environmental reports and investigations performed by Roux and other consultants, subsurface materials generally contain urban fill materials (consisting of sand, gravel, brick, concrete, slag, tile, and glass), from the surface to depths ranging from 3 to 9 feet below surface (ft bls). Fill materials overlie native fine to coarse sand with some gravel and silt. Brown to dark grey organic-rich silt and clay lenses were observed at several locations. Bedrock was encountered between 20 and 80 ft bls during the geotechnical investigation performed in conjunction with Roux's 2018 subsurface investigation.

Groundwater was encountered between 9 and 12 ft bls. Under natural, undisturbed conditions, shallow groundwater flow generally follows the topography of the land surface. Based on the surrounding topography, the presumed groundwater flow in the vicinity of the Site is in an east-southeasterly direction towards the Harlem River, located approximately 580 feet to the east of the Site. Groundwater flow direction is likely influenced by subsurface utilities, subway tunnel dewatering, lithology, and other subsurface features.

Environmental Assessment

Based upon investigations conducted to date, the primary contaminants of concern for the Site include a subset of semivolatile organic compounds (SVOCs) known as polycyclic aromatic hydrocarbons (PAHs) and metals in soil; volatile organic compounds (VOCs), SVOCs, and metals in groundwater; and petroleum-related compounds in soil vapor.

Soil – Concentrations of compounds in exceedance of NYSDEC Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Residential Soil Cleanup Objectives (RRSCOs) are shown on Figure 5. PAHs including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and indeno(1,2,3-c,d)pyrene were detected above their respective RRSCOs predominantly in intervals of historic fill on Site at depths ranging between 0.5 to 7 ft bls. Soil sample RX-20 (5-7 ft bls) contained the highest concentrations of the above listed PAHs and is located in the northeastern portion of the Site beneath the parking lot. This sample exceeded RRSCOs by one order of magnitude (i.e., benzo(a)anthracene concentration of 11 mg/kg compared to RRSCO of 1 mg/kg) while other samples with RRSCO SVOC concentrations slightly exceeded RRSCOs (i.e., RX-20 [2-4 ft bls] had a benzo(a)anthracene concentration of 1.4 mg/kg compared to RRSCO of 1 mg/kg). Metals including barium, cadmium, copper, lead, and zinc were detected above their respective RRSCOs in several soil samples collected between 0.5 and 8 ft bls. The highest concentrations of these five metals were detected in soil samples RX-4 (0.5-2.5 ft bls), located adjacent to RX-20, and RX-19 (6-8 ft bls), also located in the northeastern portion of the Site (Figure 5). The soil sample collected from RX-4 (0.5-2.5 ft bls) significantly exceeded lead and zinc RRSCOs (400 mg/kg and 10,000 mg/kg respectively) with concentrations of 1,790 mg/kg lead and 19,200 mg/kg zinc. This sample also exceeded the RRSCO of 400 mg/kg for barium with a concentration of 967 mg/kg. Sample RX-19 (6-8 ft bls) significantly exceeded the RRSCO of 4.3 mg/kg for cadmium with a concentration of 94.1 mg/kg.

Groundwater – Concentrations of compounds in exceedance of NYSDEC Part 375 Ambient Water Quality Standards and Guidance Values (AWQSGVs) are shown on Figure 6. VOCs exceeded AWQSGVs in groundwater samples collected in the west area of the Site include benzene, chloroform, ethylbenzene, m+p xylene, o-xylene, toluene, and styrene. The highest concentrations of petroleum-related VOCs were detected in groundwater sample MR-12, collected from the basement of the building in the western portion of the Site, which is also on the upgradient of groundwater flow direction. Chloroform slightly exceeded its AWQSGV (7 µg/L) in sample MR-14 with a concentration of 7.3 µg/L. SVOCs exceeded AWQSGVs in the west and northeast areas of the site and include acenaphthene, naphthalene, benzo(a)anthracene, benzo(a)pyrene,

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benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, indeno(1,2,3-c,d)pyrene, and phenol. The greatest concentrations of acenaphthene and naphthalene were also detected in sample MR-12, containing a naphthalene concentration of 570 µg/L, significantly higher than the AWQSGV of 10 µg/L for this compound. The greatest concentrations of above listed PAHs were detected in sample RX-4. Metals exceeding AWQSGVs throughout the Site include lead, antimony, iron, magnesium, manganese, and sodium. Iron, magnesium, manganese, and sodium exceeded AWQSGVs in samples MR-12, RX-6, MR-14, and RX-4. In groundwater sample RX-4, antimony and lead also slightly exceeded AWQSGVs (Figure 6).

Soil Vapor – Two soil vapor samples collected at the Site detected numerous petroleum-related and chlorinated VOCs (CVOCs). Soil vapor samples collected showed low levels of CVOCs and moderate levels of petroleum related VOCs. Several compounds detected are included in the Air Guidance Values and Matrices included in the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006 (including May 2017 updated matrices). These compounds which were detected on the Site include trichloroethene (TCE), tetrachloroethene (PCE), carbon tetrachloride, and methylene chloride. The highest detection of TCE was 1.2 µg/m³ in V-4 and the highest detection of PCE was 47 µg/m³ in V-2, which are both low detections. According to the NYSDOH matrices, these compounds were not detected at concentrations that require mitigation. The highest levels of isooctane and toluene were detected at 2,600 µg/m³ and 1,600 µg/m³, respectively, in sample V-2. Total xylenes were measured at a concentration of 790 µg/m³ in sample V-4. There are no guidance values for petroleum-related VOCs in New York.

Current Property Owner-Operator Information

Appendix E – Previous Property Owners and Operators

430 West 207th Street
430 West 207th Street, Manhattan, New York 10034
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410 West 207th Acquisition LLC has been a tenant on the Site since December 1, 2015. There is no relationship to any other previous owners and operators.

**PREVIOUS OPERATOR'S INFORMATION FROM OCTOBER 2010 PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**430 West 207th Street
Block 2203, Lot 9
430 West 207th Street, Manhattan, New York 10034**

Period	Operator	Source	Relationship to Requestor
Approximately 1896-1925	N/A – Undeveloped Land	Phase I ESA	N/A
1926-1968	Miramar Bath House <i>-Contact Information Not Available</i>	Phase I ESA	None
1969-2010	Pathmark Supermarket Building <i>Pathmark Stores Inc.</i>	Phase I ESA	None

PREVIOUS OWNERS INFORMATION FROM NEW YORK CITY TAX RECORDS

**430 West 207th Street
Block 2203, Lot 9
430 West 207th Street, Manhattan, New York 10034**

Period	Owner	Source	Relationship to Requestor
Unknown-9/13/1966	Midtown Properties, Inc. 225 West 57 th St, New York, NY 617-834-4071	NYC ACRIS	N/A
9/13/1966-10/21/1968	Bannockburn Realty Corp. No. 3 Commerce Drive, Cranford, NJ	NYC ACRIS	None
10/21/1968	Supermarkets General Corp. 3 Commerce Drive, Cranford, NJ	NYC ACRIS	None
10/21/1968-3/19/2013	Bridge Stuart Inc. (merged with Supermarkets General Corp.) 2 Paragon Drive, Montvale, NJ	NYC ACRIS	None
3/19/2013-Present	West 207 Grocery Owners, LLC 421 Seventh Ave, 15 th Floor, New York, NY	NYC ACRIS	Landlord
12/1/2015-12/20/2018	410 West 207 th Acquisition LLC (as Leaseholder) 600 Madison Ave, 3 rd Fl., New York, NY	NYC ACRIS	Tenant
12/20/2018-Present	410 West 207 th Acquisition LLC (as Leaseholder) 111 Eighth Ave, Suite 1500, New York, NY	NYC ACRIS	Requestor

Appendix E – Previous Property Owners and Operators

430 West 207th Street
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**PREVIOUS OPERATORS' INFORMATION FROM SANBORN FIRE INSURANCE
MAPS**

430 West 207th Street

Block 2203, Lot 9

430 West 207th Street, Manhattan, New York 10034

Period	Operator	Source	Relationship to Requestor
1893	Unimproved land	Sanborn Maps	None
1900	Unimproved land	Sanborn Maps	None
1913	Unimproved land	Sanborn Maps	None
1935, 1950	The northeastern portion of the property is improved with a 3-story structure and swimming pool, occupied by Miramar Baths (bath house)	Sanborn Maps	None
1968 - 2005	The property is developed with a supermarket building	Sanborn Maps	None

PREVIOUS OPERATORS' INFORMATION FROM CITY DIRECTORIES

430 West 207th Street

Block 2203, Lot 9

430 West 207th Street, Manhattan, New York 10034

Period	Operator	Source	Relationship to Requestor
1920, 1923, 1934	No listing for the periods listed	R.L. Polk & Co.	None
1927, 1938, 1942, 1947, 1950, 1956, 1958, 1968	No listing for the periods listed	New York Telephone	None
1931	No listing for the periods listed	Manhattan and Bronx Directory Publishing Company Residential Directory	None
1996	No listing for the periods listed	NYNEX Telephone	None
1963	Miramar Swimming Pool	New York Telephone	None
1973, 1978, 1983	Pathmark of Inwood	New York Telephone	None
1988, 1993, 1998	Pathmark Inwood/Pathmark of Inwood	NYNEX Telephone	None
2000	Pathmark of Inwood	Cole Information Services	None
2006	Pathmark of Inwood	Hill-Donnelly Information Services	None

Requestor Eligibility Information and Volunteer Statement

Appendix F – Requestor Eligibility Information and Volunteer Statement

430 West 207th Street
430 West 207th Street, Manhattan, New York 10034
BCP Application – Section VII

Based on the environmental history discussed in the preceding Appendix, Block 2203, Lot 9 (Site), located at 430 West 207th Street, was developed as early as 1926 with a 3-story structure and swimming pool, occupied by Miramar Baths. The swimming pool was removed and the property was redeveloped in approximately 1968 with a Pathmark grocery store and parking lot. Although the grocery store has changed names several times, no other significant on-Site commercial uses were noted. The Site is currently asphalt paved adjacent to the grocery store with no vegetation. The Site is currently owned by West 207 Grocery Owners, LLC. Inwood Lot 9 Associates LLC (Requestor) holds a long-term ground lease on the Site. Access to the Site to facilitate investigation, remediation and the right, if necessary, to record an easement, is provided in the Site Access Agreement attached to this Appendix. The Site has continued to operate as a grocery store and paid parking lot by others.

Contaminants present in impacted Site soils consist predominantly of semivolatile organic compounds (SVOCs) and metals in exceedance of Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Residential Soil Cleanup Objectives (RRSCOs). Testing to date has not shown the presence of volatile organic compounds (VOCs), pesticides, or polychlorinated biphenyls (PCBs) in excess of RRSCOs.

There is currently a parking attendant office operating at all times on the West 207th Street entrance to the Site parking lot. The presence of the building and asphalt covering the entire surface of the Site prevents human with contact or environmental exposure to impacted Site soils. Accordingly, the Requestor's liability would arise solely as a result of its lease of the Site. Furthermore, the Requestor has no connection with any previous release of hazardous substances on the Site. As such the Requestor is a Volunteer.

ACCESS AGREEMENT

ACCESS AGREEMENT made as of this 21 day of May 2021, by and between WEST 207TH GROCERY OWNERS, LLC, a New York limited liability company ("**Landlord**"), and INWOOD LOT 9 ASSOCIATES LLC, a Delaware limited liability company, having an address at c/o Taconic Investment Partners, 111 Eighth Avenue, Suite 1500, New York, New York 10011 ("**Tenant**").

WHEREAS, Landlord owns the real property located at 430 West 207th Street, New York, New York, also known as Block 2203, Lot 9, on the Tax Map of New York, New York County ("Lot 9" or "**Landlord's Property**"); and

WHEREAS, Landlord leased Landlord's Property to Tenant pursuant to that certain (i) Lease by and between Landlord and A&P REAL PROPERTY, LLC, a Delaware limited liability company (the "Prior Tenant"), dated March 19, 2013 ("Original Lease"), as subsequently (ii) amended pursuant to that certain First Amendment to Lease, date December 1st, 2015, a Memorandum of which is recorded in the City Register of the City of New York ("City Register") in CRFN 20190000003136 (the "First Amendment"), and (iii) subsequently assigned by Prior Tenant to 410 West 207th Acquisition LLC, a Delaware limited liability company ("207th Acquisition") pursuant to that certain Assignment and Assumption, dated December 1, 2015 (the "2015 Assignment of Lease"), and (iv) which the Landlord and 207th Acquisition subsequently entered into a Second Amendment and Extension of Lease, dated December 20, 2018, a Memorandum of which is recorded in the City Register in CRFN 20190000003136 (the "Second Amendment"), and (v) which 207th Acquisition subsequently assigned its leasehold ground tenancy interest to and was assumed by the Tenant, pursuant to that certain Assignment and Assumption of Ground Lease, dated April 5, 2021, and a Memorandum of which is submitted for recording (the "2021 Assignment of Lease" and together with Original Lease, the First Amendment, the 2015 Assignment of Lease, and Second Amendment, collectively, the "Ground Lease").

WHEREAS, pursuant to rights and obligations of Tenant under Section 36.B of the Ground Lease concerning Hazardous Materials remediation, the Tenant applied to have Landlord's Property accepted into the New York State Brownfield Cleanup Program ("**BCP**") and upon acceptance seeks to pursue remediation in accordance with the requirements of the BCP and Ground Lease; and

WHEREAS, following admission of Landlord's Property to the BCP Tenant may carry out investigatory, remedial and other related tasks required by the BCP (collectively, the "**Work**"); and

WHEREAS, Landlord, at Tenant's request, affirms Tenant's rights for such access to conduct the Work pursuant to Section 36.B of the Ground Lease.

NOW, THEREFORE, in consideration of the foregoing and for good and valuable consideration, the receipt of which is hereby acknowledged, Landlord and Tenant agree as follows:

1. In addition to and not in contravention with the terms of the Ground Lease, the Landlord hereby recognizes Tenant's rights of access and use upon, into, under or through Landlord's Property for the purpose of complying with Environmental Laws, which shall include the entry thereon by Tenant, its agents, employees, architects, engineers, contractors and consultants (collectively, the "**Tenant Related Parties**" and each a "**Tenant Related Party**"), vehicles, equipment and materials required by Tenant to satisfy tasks and obligations required by any Brownfield Cleanup Agreement entered into between Tenant and the New York State Department of Environmental Conservation.

2. Tenant Related Parties shall perform the Work in a workmanlike manner and in accordance with industry standards and in accordance with applicable laws, rules and regulations. Landlord, its agents, employees, workers, contractors and tenants will have full authority to come upon and have unfettered access to Landlord's Property during the performance of the Work. Tenant shall provide copies of the Work plans prior to the commencement of the Work.

3. All of the foregoing activities shall be performed at Tenant's sole cost and expense.

4. Tenant shall be responsible for obtaining all federal, state or local governmental approvals and providing all notices in relation to the Work. Tenant shall provide copies of said approvals and notices upon their issuance to (or by) Tenant.

5. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any proceedings initiated by either party to enforce the terms of or otherwise related to this Agreement shall be brought in the Supreme Court, State of New York.

IN WITNESS WHEREOF, this Agreement has been executed by Landlord and Tenant and is effective as of the date set forth above.

LANDLORD:

TENANT:

WEST 207TH GROCERY OWNERS, LLC

INWOOD LOT 9 ASSOCIATES LLC

By: _____

Name:

Title:

By: Andy Zlotnick

Name: Andrew Zlotnick

Title: Authorized Signatory

IN WITNESS WHEREOF, this Agreement has been executed by Landlord and Tenant and is effective as of the date set forth above.

LANDLORD:

TENANT:

WEST 207TH GROCERY OWNERS, LLC

INWOOD LOT 9 ASSOCIATES LLC

By: 

By: _____

Name: Arnold Gornowicz

Name: Andrew Zlotnick

Title: Member

Title: Authorized Signatory

Contact List Information

Appendix G - Site Contact List

430 West 207th Street
430 West 207th Street, Manhattan New York 10034
BCP Application – Section IX

i. Local and State Officials

Councilman Ydanis Rodriguez
10th Council District
618 West 177th Street, Ground Floor
New York, NY 10033
Tel: 917-521-2616
Fax: 917-521-1293

Senator Robert Jackson
31st Senatorial District
5030 Broadway, Suite 701
New York, NY 10034
Tel: 212-5440173
Fax: 212-544-0256

Assemblywoman Carmen N. De La Rosa
72nd Assembly District
210 Sherman Ave, Ste A7C
New York, NY 10034
Tel: 212-544-2278

Hon. Kirsten E. Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017
Tel: 212-688-6262
Fax: 866-824-6340

Acting District Attorney Cyrus Vance, Jr.
Manhattan County District Attorney
530 West 166th St, Suite 600A
New York, NY 10032
Tel: 212-335-3320

Hon. Andrew M. Cuomo
Governor of New York State
NYS State Capital Building
State Street and Washington Avenue
Albany, NY 12224

Congressman Adriano Espaillat
13th Congressional District
720 West 181st St, Suite 2
New York, NY 10033
Tel: 212-497-5959

Manhattan Borough President
Gale Brewer
431 West 125th Street
New York NY 10027
Tel: 212-531-1609
Fax: 212-669-4305

NYS Comptroller Thomas DiNapoli
59 Maiden Lane-30th Floor
New York, NY 10038
212-417-5180
Fax: 212-417-5176

Hon. Mayor Bill de Blasio
New York City Hall
New York, NY 10007
Phone: 212-718-7585
Fax: 212-406-3587

NYC Comptroller Scott Stringer
1 Centre Street
New York, NY 10007
212-669-3916

Public Advocate Jumaane D. Williams
Community Affairs
1 Centre Street, 15th Floor
New York, NY 10007
212-669-7200
Fax: 212-669-4701

Hon. Charles E. Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017-2110
212-486-4430
Fax: 212-486-7693

Hon. Letitia James
NYS Attorney General
Office of the Attorney General
The Capitol
Albany, NY 12224

Hon. Milton Tingling
Count Clerk of New York County
New York County Courthouse
60 Centre Street, Room 161
New York, NY 10007
Tel: 646-386-5955

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ii. Current Site Owner/Operator

Current Site Owner

West 207 Grocery Owners, LLC
430 West 207th Street
New York, NY 10034

Current Site Operator

410 West 207 Acquisition LLC
c/o Taconic Investment Partners
111 Eighth Avenue, Suite 1500
New York, NY 10011

iii. Current Owners and Occupants of the Subject Site and Adjacent Sites

Subject Site Owner:

Block 2203, Lot 9

West 207 Grocery Owners, LLC
430 West 207th Street
New York, NY 10034

Adjacent Properties to the West

Block 2203, Lot 7

TENTH AVENUE REALTY CORP
3867 10th Avenue
New York, NY 10034

Adjacent Properties to the North:

Block 2189, Lot 1R

NYC TRANSIT
10 Avenue
New York, NY 10034

Block 2203, Lot 5

3859 TENTH AVE CORP
3863 10th Avenue
New York, NY 10034

Block 2189, Lot 60

HESS RETAIL STORES LLC
401 West 207th St
New York, NY 10034

Block 2203, Lot 3

3859 TENTH AVE CORP
3859 10th Avenue
New York, NY 10034

Adjacent Properties to the South

Block 2202, Lot 9R

420 WEST 206 STREET OWNERS CORP
416 West 206th St
New York, NY 10034

Block 2203, Lot 1R

449 WEST 206TH STREET HEIGHTS
ASSOCIATES LLC
3855 10th Avenue
New York, NY 10034

Block 2202, Lot 17

3815 9TH AVE INC
414 West 206th St
New York, NY 10034

Adjacent Properties to the East

Block 2203, Lot 21

ALTSCHULER, MORRIS
408 West 207th St
New York, NY 10034

iv. Religious Authorities/Police and Fire Departments

FDNY Engine 95/Ladder 36
29 Vermilyea Ave
New York, NY 10034

Church of The Good Shepherd
4967 Broadway
New York, NY 10034

New York City Police Department 34th Precinct
4295 Broadway
New York, NY 10033

Our Lady Queen of Martyrs Roman Catholic
Church
91 Arden Street
New York, NY 10040

Fundacio Cristianos Por la Democracia
572 West 187th St
New York, NY 10033

Rocky Mt Baptist Church
37 Hillside Avenue
New York, 10040

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Holy Trinity Episcopal Church
20 Cumming St
New York, NY 10034

Mt Washington Presbyterian Church
84 Vermilyea Avenue
New York, NY 10034
Dyckman Spanish Seventh-Day Adventist
Church
111-113 Vermilyea Avenue
New York, NY 10034

Everyday Christian Church
4862 Broadway
New York, NY 10034
Christ Crucified Fellowship Church
433 West 204th Street
New York, NY 10034

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

v. Parks and Recreation

NYC Parks and Recreation
Inwood's North Cove
9th Avenue
New York, NY 10034

NYC Parks and Recreation
Isham Park
Isham St
New York, NY 10034

NYC Parks and Recreation
Dyckman Park
Nagle Ave
New York, NY 10034

NYC Parks and Recreation
Inwood Hill Park
Payson Ave & Seaman Ave
New York, NY 10034

vi. Day Cares and Schools

New York City Housing Authority's Dyckman
Day Care Center
3732 10th Avenue
New York, NY 10034

Aura's Bright Children Daycare
13-19 Cumming St
New York, NY 10034

Little Red Daycare
176 Nagle Ave
New York, NY 10034

Little Tots Daycare
514 W 211th St
New York, NY 10034

Galex Family Daycare
449 W 206th St
New York, NY 10034

Step By Step Group Family Day Care
4966 Broadway
New York, NY 10034

EKG Family WeeCarer
584 Academy St #5
New York, NY 10034

Smart Start Learning Center WeeCare
125 Seaman Ave #2h
New York, NY 10034

The Playpen Daycare
107 Post Ave #2b
New York, NY 10034

Happy Shiny Faces Daycare
136 Seaman Ave
New York, NY 10034

My Little Dream Daycare
71 Vermilyea Ave
New York, NY 10034

Inwood Academy for Leadership Charter School
433 W 204th St
New York, NY 10034

Treehouse Daycare
11 Seaman Ave
New York, NY 10034

Our Lady Queen of Martyrs School
71 Arden St
New York, NY 10040

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The Equity Project Charter School
153 Sherman Ave
New York, NY 10034

Inwood Academy for Leadership
3898 10th Ave
New York, NY 10034

Washington Heights Academy
202 Sherman Ave
New York, NY 10034

High School for Excellence and Innovation
650 Academy St
New York, NY 10034

Muscota New School
4862 Broadway
New York, NY 10034

vii. Local Water Supply

New York City Water Supply
New York City Department of Environmental
Protection
415 E 203rd St
The Bronx, NY 10467

Vincent Sapienza, Acting Commissioner
New York City Public Water Supply System
Department Commissioner
59-17 Junction
Boulevard
Flushing, NY 11373

viii. Local News and Media

Manhattan Times
5030 Broadway, Suite 801
New York, NY 10034

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

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

Hoy Nueva York
1 Metro Tech Center, 18th Floor
Brooklyn, NY 11201

The Harlem Community News
P.O.Box #1775
New York, NY 10027

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

Latino Intelecto Newspapers
4 Payson Ave
New York, NY 10034

ix. Any Person, Community Based Organization, BOA Group, or Local Media Who Has Requested to be placed on the contact list

No persons have requested to be on the Site Contact List.

Appendix G - Site Contact List

430 West 207th Street
430 West 207th Street, Manhattan New York 10034
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x. Document Repository

Manhattan Community Board District 12
Chairperson: Eleazar Bueno
District Manager: Ebenezer Smith
530 West 166th Street
New York, NY 10032
Phone: (212) 568-8500
Fax: (212) 740-8197
E-Mail (Ebenezer Smith): ebsmith@cb.nyc.gov
E-mail (Paola Garcia): pgarcia01@cb.nyc.gov
E-mail (Shinelle Paniagua):
shpaniagua@cb.nyc.gov

Inwood Library
4857 Broadway
New York, NY 10034
Phone: 212-942-2445
Manager, Danita Nichols
E-mail: danitanichols@nypl.org

See attached documentation confirming Inwood Library's acceptance as a document repository. Community Board 12 has been unresponsive to calls and emails. Roux and the Requestor will continue to pursue the Community Board as a repository location and advise if approval occurs.

From: [Daniel Miserendino](#)
To: [Valerie Sabatasso](#)
Subject: Fwd: Document repository at Inwood Library: Block 2203, Lot 9: 430 West 207th St, New York, NY 10034
Date: Thursday, April 29, 2021 10:09:28 AM

Daniel Miserendino | Staff Geologist

[209 Shafter Street, Islandia, New York 11749](#)

Main: [\(631\) 232-2600](#) | Direct: [\(631\) 630-2413](#) | Mobile: [\(914\) 419-8452](#)

Email: dmiserendino@rouxinc.com | Website: www.rouxinc.com

Begin forwarded message:

From: Danita Nichols <danitanichols@nypl.org>
Date: April 29, 2021 at 10:05:58 AM EDT
To: Daniel Miserendino <dmiserendino@rouxinc.com>
Subject: Document repository at Inwood Library: Block 2203, Lot 9: 430 West 207th St, New York, NY 10034

This message originated outside your organization. Please use caution!

Hello. Just notifying you that we can still be used as a document repository for the above project.

Danita

--

Danita Nichols
Library Manager
Pronouns: She/Her

Inwood Library
The New York Public Library
4857 Broadway, Manhattan, NY 10034
212-942-2445
nypl.org

Land Use Factors

Appendix H – Land Use Factors

430 West 207th Street
430 West 207th Street, Manhattan New York 10034
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2. Current Use

The Site is currently used as a grocery store and associated parking lot with one building. The one-story grocery store contains a partial basement and rooftop parking. There are two hydraulic elevators within the building on Lot 9, one from the rooftop parking to the first floor that is not in use, and a freight elevator from the first floor to the basement. The elevators utilize belowground hydraulic cylinders.

3. Reasonably Anticipated Use Post Remediation

The development proposal plan includes the construction of a new building covering the entire footprint of the Site. The commercial base will provide retail spaces along West 207th Street. This building will be part of New York City Housing Preservation and Development (NYC HPD) sponsored affordable housing programs. The development will include affordable and market rate housing. Residential amenities will include community rooms, laundry facilities, a fitness center and other spaces as directed by the client. Parking to meet residential and retail parking requirements will be provided at grade and in the cellar. The cellar will also contain retail storage, utility service rooms, and residential back of house.

4. Do current historical and/or recent development patterns support the proposed use?

The contemplated future use as affordable and market rate housing units with community facilities and a commercial base with retail spaces supports the current development patterns promoting a revitalized neighborhood and promoting neighborhood needs.

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below or attach additional information and documentation if necessary.

Yes, the proposed mixed-use as affordable and market rate housing, community facilities, and commercial space is consistent with the current property zoning.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?

The Special Inwood District, encompassing the Inwood neighborhood, was established in 2018 as part of the Inwood NYC Action Plan to promote the development of affordable housing, encourage economic development that benefits the local community, facilitate the development of open space along the Harlem River and preserve community character west of 10th Avenue. The Special District regulations aim to create walkable inviting streets. The Special District also establishes a Waterfront Action Plan to build out public waterfront open space along the Harlem River. The proposed redevelopment of the Site is consistent with this plan and the current zoning.