



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 One45 Lenox LLC		
ADDRESS 55 Broadway		
CITY/TOWN New York		ZIP CODE 10002
PHONE 646-228-4080	FAX	E-MAIL tnadal@pointfive.com
<p>Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> 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. SEE ATTACHMENT A <p>Do all individuals that will be certifying documents meet the requirements detailed below? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Documents that are not properly certified will be not approved under the BCP. 		

Section II. Project Description	
1. What stage is the project starting at?	<input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Remediation
<p>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.</p>	
2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Please attach a short description of the overall development project, including:	
<ul style="list-style-type: none"> the date that the remedial program is to start; and the date the Certificate of Completion is anticipated. <p style="text-align: right;">SEE ATTACHMENT B</p>	

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish 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
Chlorinated Solvents			X
Other VOCs			
SVOCs	X	X	
Metals	X	X	
Pesticides			
PCBs			
Other*			

*Please describe: SEE ATTACHMENT C

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

SEE ATTACHMENT C

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

- | | | | |
|---|--|---|---|
| <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 checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: SEE ATTACHMENT C

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME 691 Lenox Avenue - Phase 1

ADDRESS/LOCATION 691 Lenox Avenue

CITY/TOWN New York ZIP CODE 10030

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York

COUNTY New York SITE SIZE (ACRES) 0.79

LATITUDE (degrees/minutes/seconds) 40 ° 49 ' 13.2 "	LONGITUDE (degrees/minutes/seconds) -73 ° 56 ' 13.0 "
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Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
SEE ATTACHMENT D				

- Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
If no, please attach an accurate map of the proposed site.
- Is the required property map attached to the application? Yes No
(application will not be processed without map)
- Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
(See [DEC's website](#) for more information) Yes No
If yes, identify census tract : 232
Percentage of property in En-zone (check one): 0-49% 50-99% 100%
- Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____
- Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No
- Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No
If yes, attach relevant supporting documentation.
- Are there any lands under water? Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

<u>Easement/Right-of-way Holder</u>	<u>Description</u>
NONE	NONE

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

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
NONE	NONE	NONE

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

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

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

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

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

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

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? Yes No

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

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

Initials of each Requestor: _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Tristan Nadal, Lenox 145 DM LLC		
ADDRESS 233 Broadway, 11th Floor		
CITY/TOWN New York		ZIP CODE 10279
PHONE 646-228-4080	FAX	E-MAIL tnadal@pointsfive.com
NAME OF REQUESTOR'S CONSULTANT Mimi S. Raygorodetsky, Langan Engineering, Environmental, Surveying, Landscape Architecture, and Geology, D.P.C.		
ADDRESS 21 Penn Plaza, 360 West 31st Street, 8th Floor		
CITY/TOWN New York		ZIP CODE 10001
PHONE 212-479-5400	FAX 212-479-5441	E-MAIL mraygorodetsky@langan.com
NAME OF REQUESTOR'S ATTORNEY Michael Bogin, Sive Paget & Riesel, P.C.		
ADDRESS 560 Lexington Avenue, 15th Floor		
CITY/TOWN New York		ZIP CODE 10022
PHONE 646-378-7210	FAX 212-421-2035	E-MAIL mbogin@sprlaw.com
Section VI. Current Property Owner/Operator Information – if not a Requestor		
CURRENT OWNER'S NAME SEE ATTACHMENT E		OWNERSHIP START DATE:
ADDRESS		
CITY/TOWN		ZIP CODE 11210
PHONE	FAX	E-MAIL
CURRENT OPERATOR'S NAME SEE ATTACHMENT E		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
<p>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</p> <p>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</p>		
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407) SEE ATTACHMENT F		
<p>If answering "yes" to any of the following questions, please provide an explanation as an attachment.</p> <p>1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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</p> <p>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</p>		

Section VII. Requestor Eligibility Information (continued)

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

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

PARTICIPANT

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

VOLUNTEER

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

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

SEE EXHIBIT E FOR DETAILS

Requestor Relationship to Property (check one):

- Previous Owner Current Owner Potential /Future Purchaser Other _____

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

- Yes No

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

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

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

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

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

Section X. Land Use Factors		SEE ATTACHMENT H
<p>1. What is the current municipal zoning designation for the site? <u>C8-3 and R7-2/C1-4</u></p> <p>What uses are allowed by the current zoning? (Check boxes, below)</p> <p><input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial</p> <p>If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>		
<p>2. Current Use: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Recreational (check all that apply)</p> <p>Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.</p>		
<p>3. Reasonably anticipated use Post Remediation: <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial (check all that apply) Attach a statement detailing the specific proposed use.</p> <p>If residential, does it qualify as single family housing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>4. Do current historical and/or recent development patterns support the proposed use?</p> <p>SEE ATTACHMENT H</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>SEE ATTACHMENT H</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>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.</p> <p>SEE ATTACHMENT H</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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 Managing Partner (title) of One45 Lenox 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: 4/21/21 Signature: Bruce J. Teitelbaum

Print Name: Bruce J. Teitelbaum

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.

BCP App Rev 11

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
From ECL 27-1405(31):	
<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>	
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2:	
<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: 691 Lenox Avenue - Phase 1
City: New York

Site Address: 691 Lenox Avenue
County: New York **Zip:** 10030

Tax Block & Lot Section (if applicable):

Block:

Lot:

Requestor Name: One45 Lenox LLC
City: New York

Requestor Address: 55 Broadway
Zip: 10002 **Email:** tnadal@pointsfive.com

Requestor's Representative (for billing purposes)

Name: Tristan Nadal, Lenox 145 DM LLC
City: New York

Address: 233 Broadway, 11th Floor
Zip: 10279

Email: tnadal@pointsfive.com

Requestor's Attorney

Name: Michael Bogin, Sive Paget & Riesel, P.C.
City: New York

Address: 560 Lexington Avenue, 15th Floor
Zip: 10022

Email: mbogin@sprlaw.com

Requestor's Consultant

Name: Mimi S. Raygorodetsky, Langan Engineering, Environmental, Surveying, Lands
City: New York

Address: 21 Penn Plaza, 360 West 31st Street, 8th Floor
Zip: 10001

Email: mraygorodetsky@langan.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:

ATTACHMENT A
SECTION I: REQUESTOR INFORMATION

NYS Department of State - Business Entity Information

A copy of the entity information for One45 Lenox LLC (Requestor) from the New York State Department of State Division of Corporations is included with this attachment. The Requestor is a limited liability company, and the members of the Requestor are Lenox by the Bridge LLC, 110 West 145 LLC, 124 West 145 LLC, and 150 West 145 LLC. Co-owners of the Requestor are Lenox by the Bridge Holdings LLC, CT CMF Holdings LLC, and 124 West 145 Holdco LLC. An organizational chart detailing full LLC membership is included with this attachment.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 8, 2021.

Selected Entity Name: ONE45 LENOX LLC

Selected Entity Status Information

Current Entity Name: ONE45 LENOX LLC

DOS ID #: 5280576

Initial DOS Filing Date: FEBRUARY 05, 2018

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

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

ONE45 LENOX LLC
85 DELANCEY STREET
NEW YORK, NEW YORK, 10002

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
FEB 05, 2018	Actual	ONE45 LENOX LLC

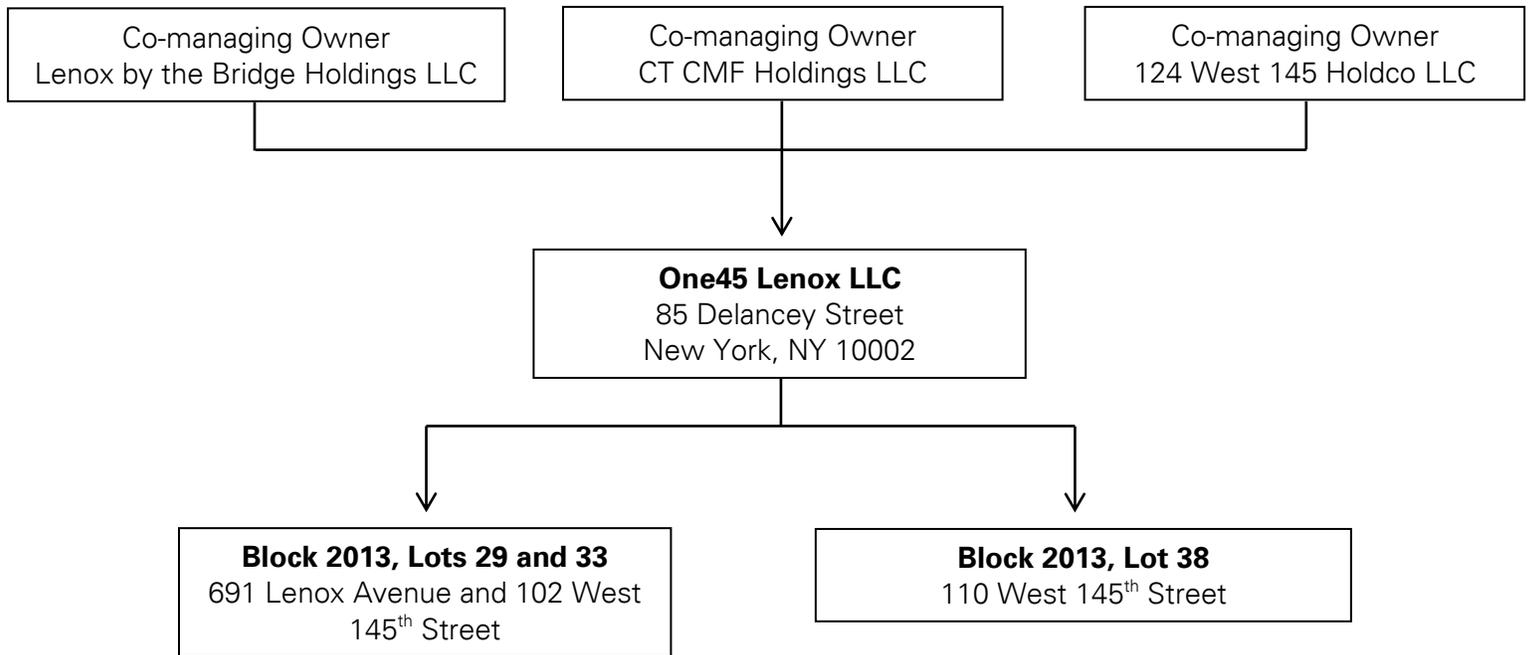
A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

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

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Owners and Members of Requestor



BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S ACTS

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

THIS INDENTURE, made the 21st day of May, 2021

BETWEEN

LENOX BY THE BRIDGE LLC, a New York limited liability company
having its principal address at 85 Delancey Street, New York, New York 10002,

party of the first part, and

ONE45 LENOX LLC, a New York limited liability company
having its principal address at 85 Delancey Street, New York, New York 10002,

party of the second part.

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of New York, City and State of New York, County of New York bounded and described more particularly as set forth in Schedule A annexed hereto and made a part hereof;

See **SCHEDULE A** annexed hereto.

PREMISES being known as 685-689 Malcolm X Boulevard, a/k/a 101-107 West 144th Street, a/k/a 104 West 145th Street & 689-695 Malcolm X Boulevard, a/k/a 689-695 Lenox Avenue, a/k/a 100-102 West 145th Street, New York, New York, Block 2013, Lots 29 & 33, New York County.

Being and intended to be the same premises conveyed to Lenox By The Bridge LLC by deed from Kansas Fried Chicken, Inc, successor by merger with Bullard Purchasing and Sales, Inc, dated March 16, 2015 and recorded April 1, 2015 in the Office of the City Register of the City of New York in CRFN 2015000108841.

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

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to the premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

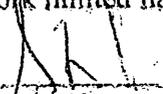
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

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

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

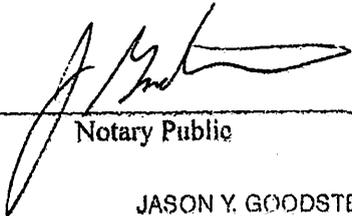
IN PRESENCE OF:

LENOX BY THE BRIDGE LLC,
a New York limited liability company

By: 
Name: Steven Neuman
Title: Authorized Signatory

STATE OF NEW YORK)
COUNTY OF NASSAU) ss:

On the day of May in the year 2021, before me, the undersigned, personally appeared STEVEN NEUMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

JASON Y. GOODSTEIN
Notary Public, State of New York
No. 02GO6029786
Qualified in Nassau County 21
Commission Expires August 30, 2008

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

TITLE NO.

LENOX BY THE BRIDGE LLC

- to -

ONE45 LENOX LLC

STATE OF NEW YORK)
COUNTY OF) ss:

On the ___ day of [] in the year 2021, before me, the undersigned, personally appeared [], personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SECTION:
BLOCK: 2013
LOTS: 29 & 33
COUNTY: New York

TAX BILLING ADDRESS:

685-689 Malcolm X Boulevard, a/k/a 101-107
West 144th Street, a/k/a 104 West 145th
Street & 689-695 Malcolm X Boulevard, a/k/a
689-695 Lenox Avenue, a/k/a 100-102 West
145th Street, New York, New York

RETURN BY MAIL TO:

ONE45 LENOX LLC
85 Delancey Street
New York, New York 10002

RIVERSIDE ABSTRACT, LLC
As Agent for
STEWART TITLE INSURANCE COMPANY
LEGAL DESCRIPTION

Title No.: RANY-42073

Parcel I:

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

BEGINNING at the corner formed by the intersection of the westerly side of Lenox Avenue with the northerly side of West 144th Street;

RUNNING THENCE northerly along the westerly side of Lenox Avenue, 99 feet 11 inches to the center line of the block;

THENCE westerly along said center line of block 48 feet 2 inches;

THENCE northerly and parallel with Lenox Avenue and through a party wall, 99 feet 11 inches to the southerly side of West 145th Street;

THENCE westerly along the southerly side of West 145th Street, 51 feet 10 inches;

THENCE southerly again parallel with the westerly side of Lenox Avenue, 199 feet 10 inches to the northerly side of West 144th street;

THENCE easterly along the northerly side of West 144th Street 100 feet to the corner, the point or place of **BEGINNING**.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2013, Lot 29, New York County and also known as Parcel I: 685 Malcolm X Boulevard, New York, NY 10037.

Parcel II:

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

BEGINNING at the corner formed by the intersection of the westerly side of Lenox Avenue with the southerly side of West 145th Street;

RUNNING THENCE: westerly along the southerly side of West 145th Street, 48 feet 2 inches;

THENCE southerly parallel with the westerly side of Lenox Avenue and through a party wall, 99 feet 11 inches to the center line of the block;

THENCE easterly and parallel with the southerly side of West 145th Street and along the center line of the block, 48 feet 2 inches to the westerly side of Lenox Avenue;

THENCE northerly along the westerly side of Lenox Avenue, 99 feet 11 inches to the corner, the point or place of **BEGINNING**

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2013, Lot 33, New York County and also known as Parcel II: 691 Malcolm X Boulevard AKA 102 West 145th Street, New York, NY 10037.

DEED
effective as of May 25, 2021

THIS INDENTURE, made this 13th day of May, 2021

BETWEEN Crotona 1967 Corp., a New York Corporation, with a principal place of business at 21 South End Avenue, New York, NY 10280

party of the first part, and

One45 Lenox LLC, a New York Limited Liability Company, with a principal place of business at 85 Delancy Street, New York, NY 10002

party of the second part,

WITNESETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

See Schedule A

Being the same premises described in the deed to the grantor herein, dated 05/16/2000 and recorded 06/13/2000 in the New York County Clerk's Office at Reel 3115 Page 1144.

SAID PREMISES being known as 108-112 West 145th Street, New York, NY.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying

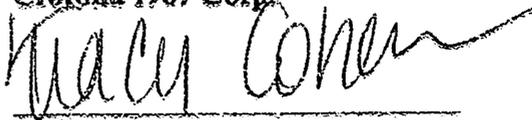
the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

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

IN PRESENCE OF:

Crotona 1967 Corp.

A handwritten signature in cursive script that reads "Tracy Cohen". The signature is written in dark ink and is positioned above a horizontal line.

Tracy Cohen, President

**Riverside Abstract, LLC
as Agent for
Stewart Title Insurance Company**

SCHEDULE A DESCRIPTION

Title No.: **RANY-43300**

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

BEGINNING at a point on the westerly side of West 145th Street, distant 100 feet westerly from the corner formed by the intersection of the southerly side of West 145th Street with the southerly side of Lenox Avenue;

RUNNING THENCE southerly parallel with Lenox 99 feet 11 inches to the center line of the block;

THENCE westerly along the center line of the block, 160 feet;

THENCE northerly and again parallel with Lenox Avenue, 99 feet 11 inches to the southerly side of West 145th Street; and

THENCE easterly along the southerly side of West 145th Street, 160 feet to the point or place of **BEGINNING**.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2013, Lot 38, New York County and also known as 110-112 West 145th Street, New York, NY 10039.

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

Title No.: RANY-43300

Crotona 1967 Corp.

to

**Block 2013
Lot 38
City or Town New York
County New York**

One45 Lenox LLC

RETURN BY MAIL TO:

**Jason Goodstein, Esq.
Goodstein PLLC
30 Wall Street, 8th Floor
New York, NY 10005**

ATTACHMENT B

SECTION II: PROJECT DESCRIPTION

Item 3 – Project Description

Purpose and Scope of Project

The proposed BCP site is located at 691 Lenox Avenue in the Harlem neighborhood of New York, New York and is identified as Block 2013, Lots 29 and 33 and part of Lot 38 on the Manhattan Borough Tax Map (the site). The site is about 34,400 square feet and is currently improved with one-story commercial buildings on Lots 29 and 38 and a vacant parcel on Lot 33. The site is considered “691 Lenox Avenue - Phase 1” in part of a larger, two part development property known as “One45”. The second half of the development property, known as “691 Lenox Avenue - Phase 2”, adjoins 691 Lenox Avenue - Phase 1 and comprises Block 2013, Lots 44, 50 and the rest of Lot 38.

The purpose of the project is to redevelop these disparate, environmentally impacted and underutilized properties into an integrated mixed-use development that includes affordable housing, market rate housing, retail space, and a museum, while implementing remedial measures that are protective of human health and the environment. The proposed plan includes the construction of a 28-story residential tower with commercial space and a museum. The development will include up to 327 residential units (25% affordable), a Museum of Civil Rights, office space, and retail space at grade.

According to the New York City Department of City Planning (NYCDCP) Zoning Map 6a, dated December 19, 2017, the site is currently located in a C8-3 commercial district and R7-2/C1-4 mixed-use district and is proposed to be rezoned to a C4-6 general commercial district, pursuant to a Uniform Land Use Review Procedure (ULURP) process that is currently underway. ULURP Certification is anticipated in September 2021. The applicable zoning map is included in this attachment.

Estimated Project Schedule

The estimated project schedule is included in this attachment. Design, rezoning and permitting is ongoing for the project, and remediation is scheduled to begin in Q3 2022. The Certificate of Completion is anticipated in 2024.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

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

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT

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

 AREA(S) REZONED

Effective Date(s) of Rezoning:
06-26-2019 C 190207 ZMX

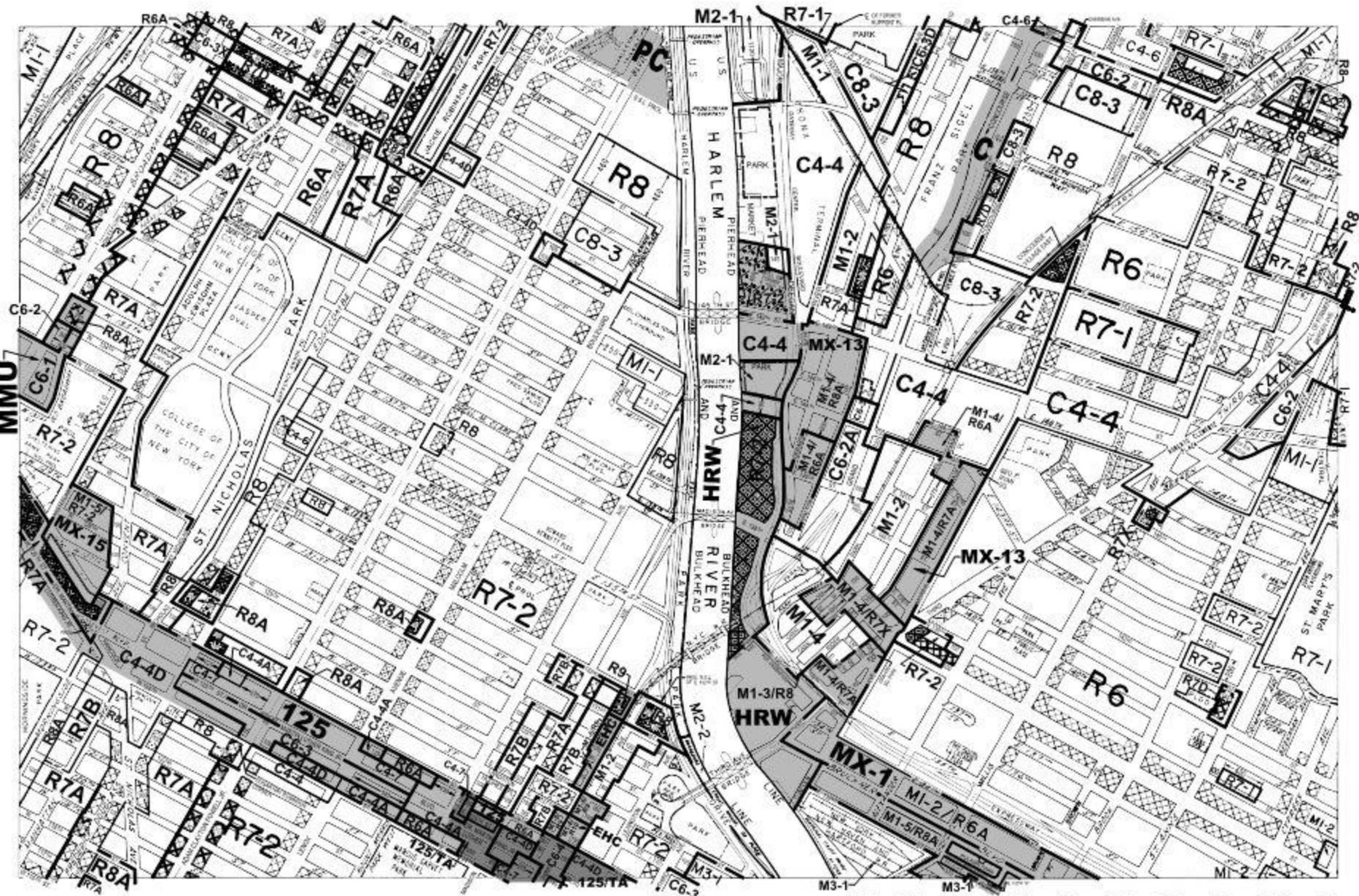
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

MAP KEY

	3b	3d
5c	6a	6c
5d	6b	6d

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



600 0 600 1200 1800 FEET

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

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

ZONING MAP 6a

ATTACHMENT C

SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

Item 1 – Previous Environmental Reports

The following environmental reports and related documents were reviewed and are summarized below:

- *Phase I Environmental Site Assessment (ESA) Report, prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan), dated November 10, 2020*
- *One45 – Phase 1 - Phase II Environmental Site Investigation (ESI) Report, prepared by Langan, dated February 24, 2021*

The above-listed reports are available as a digital downloadable link provided below and provided as separate files on CD.

Digital Download Link:

<https://clients.langan.com/Sharing/filessharing/ViewPosted?transactionHash=466094328>

Phase I ESA Report, prepared by Langan, dated November 10, 2020

The Phase I ESA was prepared in accordance with ASTM International E1527-13 Standard Practice for Environmental Site Assessments and the United States Environmental Protection Agency (USEPA) All Appropriate Inquiry (AAI) Rule. This Phase I ESA identified the following RECs:

- Historical Subject Property Use/Operations:
 - The site was developed circa 1920 with auto garages and auto repair shops (current Lots 29 and 38) and a hotel and store (current Lot 33). One 1,000-gallon buried gasoline tank is noted in the 1939 Sanborn Map on Lot 38; however, the exact location is not depicted. One additional gasoline tank (of unknown size) is depicted on the northern part of Lot 29 in the 1939 Sanborn Map. Historical photographs from the 1940s show auto repair, oil service, radiator service, and gas stations on Lot 38 and a tire shop on Lot 29. The auto repair use was no longer shown on Lot 29 in Sanborn Maps after 1950.
- Historical Use of Adjoining and Surrounding Properties:
 - Automotive repair facilities, underground petroleum bulk storage, gasoline filling stations, car wrecking, junk yards, tire repair facilities, radiator repair facilities, and blacksmiths were identified on adjoining and surrounding properties.

This Phase I ESA also identified the following environmental concerns:

- Buildings at the site were constructed circa 1920 (Lots 29) and 1972 (Lot 38). Based on the age of the buildings, asbestos containing materials, lead-based paint, and/or equipment containing polychlorinated biphenyls may be present.
- The west-adjointing “Phase 2” site, identified as Block 2013, Lots 44 and 50 and part of Lot 38 on the Manhattan Borough Tax Map, was formerly occupied by a gasoline filling station (1939 to 2016) and is currently occupied by an active Mobil-branded gas station with an automotive repair garage (1939 to present). Lot 50 was previously subject to two consent orders issued by the New York State Department of Environmental Conservation (NYSDEC) related to petroleum bulk storage (PBS) compliance and the investigation and remediation of petroleum spills. Several closed petroleum spills are associated with Lots 44 and 50. Past remediation activities included removal of underground storage tanks (UST) and associated appurtenances/piping (Lots 44 and 50), excavation and disposal of petroleum-impacted soil (Lots 44 and 50), product extraction from on- and off-site recovery wells (Lot 50), and operation of an air sparging/soil vapor extraction (AS/SVE) system (Lot 50). Although the consent orders and petroleum spill listings were closed, past investigation and remediation activities were limited in scope (i.e., only targeted petroleum compounds) and available reports indicate residual contamination exists.

Phase II ESI Report, prepared by Langan, dated February 24, 2021

Langan performed a Phase II ESI to: 1) investigate RECs identified in the November 10, 2020 Phase I ESA prepared by Langan, 2) assess potential impacts to soil, groundwater, and soil vapor at the site, and 3) evaluate site eligibility for enrollment in the NYSDEC BCP. The investigation consisted of completion of a geophysical survey to clear boring locations and identify subsurface anomalies, advancement of 11 soil borings, 3 temporary monitoring wells, and 2 soil vapor points, and collection and laboratory analysis of 14 grab soil samples, 3 groundwater samples, and 2 soil vapor samples. Laboratory analytical results are summarized in Item 3 of this attachment. The findings of the investigation include:

- The stratigraphy at the site consisted of a historic fill layer observed from surface grade to a maximum depth of 18 feet below sidewalk grade (bsg) and consisted of varying amounts of sand, silt, gravel, brick, coal, slag, asphalt, ceramics, wood, and concrete. The historic fill layer is underlain by native soil consisting of varying amounts of sand, clay, gravel, silt and organics. Groundwater was observed at about 11.5 to 13.5 feet bsg. Bedrock was not encountered during the Phase II ESI; however, bedrock was encountered at depths ranging from 50 to 150 feet bsg during Langan’s preliminary geotechnical exploration completed in September-October 2020.
- Semivolatile organic compounds (SVOC), polychlorinated biphenyls (PCB), and metals were identified at concentrations above the Title 6 of the Official Compilation of the New

York Codes, Rules and Regulations (6 NYCRR) Part 375 Unrestricted Use (UU) and/or Restricted Use – Restricted Residential (RURR) Soil Cleanup Objectives (SCO). Volatile organic compounds (VOC) were not detected above their UU or RURR SCOs. Toxicity characteristic leachate procedure (TCLP) metals were not identified at concentrations above the United States Environmental Protection Agency (USEPA) Resource Conservation and Recovery Act (RCRA) Code of Federal Regulations (CFR) Part 261 Maximum Concentration of Contaminants for the Toxicity Characteristic.

- SVOCs and metals in groundwater exceeded the NYSDEC Title 6 NYCRR Part 703.5 and the Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (SGVs) for Class GA waters. VOCs and PCBs were not detected above the NYSDEC SGVs.
- Petroleum-related compounds benzene, toluene, ethylbenzene, and xylenes (collectively referred to as BTEX) and chlorinated VOCs were detected in soil vapor samples. Soil vapor sample results were evaluated using the Decision Matrices and the Air Guideline Values (AGV) in the New York State Department of Health (NYSDOH) Guidance for Evaluating Soil Vapor Intrusion. Three VOCs addressed by the NYSDOH Decision Matrices, including carbon tetrachloride, trichloroethylene (TCE), and tetrachloroethylene (PCE), were detected in soil vapor samples. Carbon tetrachloride and TCE were detected at concentrations for which the recommendations range from “no further action” to “identify source and resample or mitigate.” PCE was detected at concentrations for which the recommendations range from “no further action” to “mitigate”. TCE was detected at concentrations exceeding the NYSDOH AGV of 2 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). PCE was detected at concentrations exceeding the NYSDOH AGV of $30 \mu\text{g}/\text{m}^3$.

Item 2 - Sampling Data

The full laboratory analytical data reports for soil, groundwater, and soil vapor from the Phase II ESI report are attached. Soil, groundwater, and soil vapor analytical summary tables are included as part of the Phase II ESI Report.

Item 3 - Impacted Media

Analytical data exceeded the applicable regulatory standards (RURR SCOs) for the intended future use of the site (residential). Figures summarizing the detected concentrations of each contaminant by media type are included in this attachment. Sample analytical results from the Phase II ESI performed by Langan are compared to the following criteria and summarized below by matrix. Only detected concentrations above regulatory criteria are shown. Maximum concentration tables below summarize the maximum concentration levels of contaminants of concern detected in samples collected from the Phase II ESI.

- Soil sample results were compared to the NYSDEC 6 NYCRR Part 375 UU and RURR SCO. Analytes detected at concentrations above the RURR SCOs are shown in **bold**.
- Groundwater sample results were compared to the NYSDEC SGVs for Class GA water.
- Soil vapor sample results were evaluated using the NYSDOH AGVs and Decision Matrices for Sub-Slab Vapor and Indoor Air as set forth in the NYSDOH October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York and subsequent updates (2013, 2015 and 2017).

Soil

- SVOCs: **benzo(a)anthracene**, **benzo(b)fluoranthene**, and **indeno(1,2,3-cd)pyrene**

Analyte	Maximum Concentrations Detected Above UU SCO (milligrams per kilogram [mg/kg])	UU and RURR SCOs (mg/kg)
Benzo(a)anthracene	1.2 in PH1_SB01_9-11	UU: 1 RURR: 1
Benzo(b)fluoranthene	1.2 in PH1_SB01_9-11	UU: 1 RURR: 1
Indeno(1,2,3-cd)pyrene	1.9 in PH1_SB08_1-3	UU: 0.5 RURR: 0.5

- Metals: barium, trivalent chromium, **copper**, lead, mercury, nickel, and zinc

Analyte	Maximum Concentrations Detected above UU SCO (mg/kg)	UU and RURR SCOs (mg/kg)
Barium	396 in PH1_SB03_11-13	UU: 350 RURR: 400
Chromium, Trivalent	44 in PH1_SB02_0-2	UU: 30 RURR: 180
Copper	828 in PH1_SB04_0-2	UU: 50 RURR: 270
Lead	316 in PH1_SB02_0-2	UU: 63 RURR: 400
Mercury	0.543 in PH1_SB05_7-9	UU: 0.18 RURR: 0.81
Nickel	48.9 in PH1_SB02_0-2	UU: 30 RURR: 310
Zinc	272 in PH1_SB04_0-2	UU: 109 RURR: 10,000

Groundwater

- SVOCs: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene

Analyte	Maximum Concentrations Detected above NYSDEC SGVs (micrograms per liter [µg/L])	NYSDEC SGVs (µg/L)
Benzo(a)anthracene	0.53 in PH1_MW03_101620	0.002
Benzo(a)pyrene	0.69 in PH1_MW03_101620	0
Benzo(b)fluoranthene	0.71 in PH1_MW03_101620	0.002
Benzo(k)fluoranthene	0.27 in PH1_MW03_101620	0.002
Chrysene	0.52 in PH1_MW03_101620	0.002
Indeno(1,2,3-c,d)pyrene	0.54 in PH1_MW03_101620	0.002

- Metals (total): iron, lead, magnesium, manganese, and sodium
- Metals (dissolved): iron, magnesium, manganese, and sodium

Analyte	Maximum Concentrations Detected above NYSDEC SGVs (µg/L)	NYSDEC SGVs (µg/L)
Iron	30,100 in PH1_MW05_101520	300
Iron (Dissolved)	28,400 in PH1_MW05_101520	300
Lead	74.44 in PH1_MW03_101620	25
Magnesium	48,600 in PH1_MW02_101420	35,000
Magnesium (Dissolved)	47,400 in PH1_MW02_101420	35,000
Manganese	2,622 in PH1_MW05_101520	300
Manganese (Dissolved)	2,786 in PH1_MW05_101520	300
Sodium	207,000 in PH1_MW03_101620	20,000
Sodium (Dissolved)	215,000 in PH1_MW03_101620	20,000

Soil Vapor

Three VOCs addressed by the NYSDOH Decision Matrices, carbon tetrachloride, TCE, and PCE, were detected in soil vapor samples. Carbon tetrachloride and TCE were detected at concentrations for which the recommendations range from “no further action” to “identify source and resample or mitigate.” PCE was detected at concentrations for which the recommendations range from “no further action” to “mitigate”. TCE was detected at concentrations exceeding the NYSDOH AGV of 2 µg/m³ (2.21 µg/m³ in PH1_SV04_101820 and 4 µg/m³ in PH1_SV02_101320). PCE was detected at concentrations exceeding the NYSDOH AGV of 30 µg/m³ (146 µg/m³ in PH1_SV02_101320 and 290 µg/m³ in PH1_SV04_101820). Petroleum-related VOCs, including total benzene, toluene, ethylbenzene, and xylenes, were detected in soil vapor.

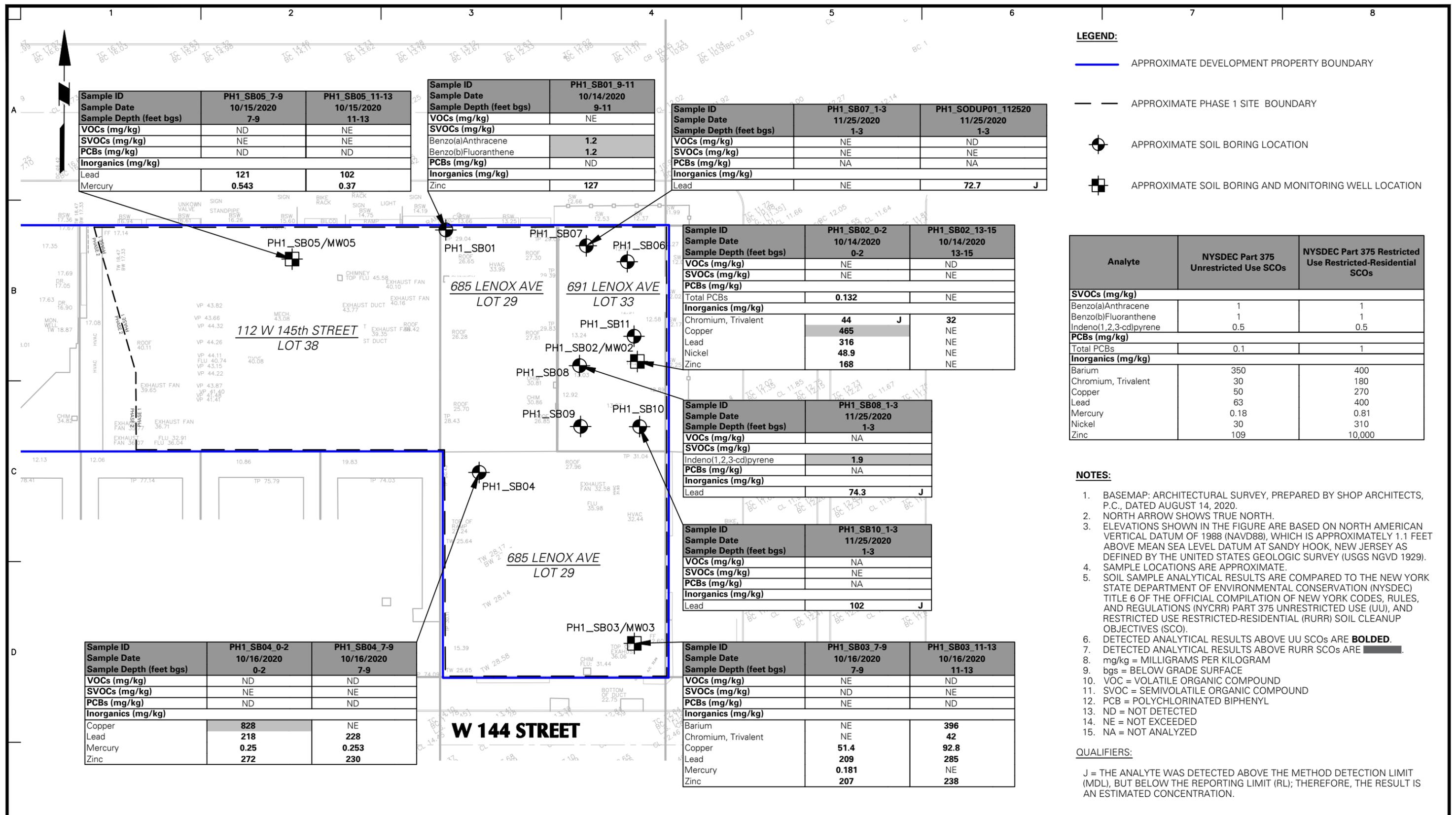
Item 3 – Attachments

- Figure C-1: Soil Sample Analytical Results Map
- Figure C-2: Groundwater Sample Analytical Results Map
- Figure C-3: Soil Vapor Sample Analytical Results Map

Item 4 - Past Land Uses

Historical operations at the site include a gasoline storage and auto repair facility on Lot 38 (1939 to 2005), commercial stores and community facilities on Lot 29, and a hotel on Lot 33 (1939-2005). Lots 29 and 38 historically contained at least one gasoline tank. The hotel structure historically present on Lot 33 was demolished in 2019.

The site is currently improved with one-story commercial buildings on Lots 29 and p/o 38 and comprises vacant, fenced land on Lot 33. The commercial space on Lot 29 is occupied by retail stores, a nail salon, an Islamic religious center, a vacant pharmacy, a restaurant, and a community center. The commercial space on Lot 38 is occupied by retail stores, a vacant laundromat, and restaurants.



- LEGEND:**
- APPROXIMATE DEVELOPMENT PROPERTY BOUNDARY
 - APPROXIMATE PHASE 1 SITE BOUNDARY
 - APPROXIMATE SOIL BORING LOCATION
 - APPROXIMATE SOIL BORING AND MONITORING WELL LOCATION

Analyte	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Restricted Use Residential SCOs
SVOCs (mg/kg)		
Benzo(a)Anthracene	1	1
Benzo(b)Fluoranthene	1	1
Indeno(1,2,3-cd)pyrene	0.5	0.5
PCBs (mg/kg)		
Total PCBs	0.1	1
Inorganics (mg/kg)		
Barium	350	400
Chromium, Trivalent	30	180
Copper	50	270
Lead	63	400
Mercury	0.18	0.81
Nickel	30	310
Zinc	109	10,000

- NOTES:**
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 - NORTH ARROW SHOWS TRUE NORTH.
 - ELEVATIONS SHOWN IN THE FIGURE ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), WHICH IS APPROXIMATELY 1.1 FEET ABOVE MEAN SEA LEVEL DATUM AT SANDY HOOK, NEW JERSEY AS DEFINED BY THE UNITED STATES GEOLOGIC SURVEY (USGS NGVD 1929).
 - SAMPLE LOCATIONS ARE APPROXIMATE.
 - SOIL SAMPLE ANALYTICAL RESULTS ARE COMPARED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) TITLE 6 OF THE OFFICIAL COMPILATION OF NEW YORK CODES, RULES, AND REGULATIONS (NYCRR) PART 375 UNRESTRICTED USE (UU), AND RESTRICTED USE RESTRICTED-RESIDENTIAL (RURR) SOIL CLEANUP OBJECTIVES (SCO).
 - DETECTED ANALYTICAL RESULTS ABOVE UU SCOs ARE **BOLDED**.
 - DETECTED ANALYTICAL RESULTS ABOVE RURR SCOs ARE .
 - mg/kg = MILLIGRAMS PER KILOGRAM
 - bgs = BELOW GRADE SURFACE
 - VOC = VOLATILE ORGANIC COMPOUND
 - SVOC = SEMIVOLATILE ORGANIC COMPOUND
 - PCB = POLYCHLORINATED BIPHENYL
 - ND = NOT DETECTED
 - NE = NOT EXCEEDED
 - NA = NOT ANALYZED

QUALIFIERS:

J = THE ANALYTE WAS DETECTED ABOVE THE METHOD DETECTION LIMIT (MDL), BUT BELOW THE REPORTING LIMIT (RL); THEREFORE, THE RESULT IS AN ESTIMATED CONCENTRATION.

Sample ID	PH1_SB05_7-9	PH1_SB05_11-13
Sample Date	10/15/2020	10/15/2020
Sample Depth (feet bgs)	7-9	11-13
VOCs (mg/kg)	ND	NE
SVOCs (mg/kg)	NE	NE
PCBs (mg/kg)	ND	ND
Inorganics (mg/kg)		
Lead	121	102
Mercury	0.543	0.37

Sample ID	PH1_SB01_9-11
Sample Date	10/14/2020
Sample Depth (feet bgs)	9-11
VOCs (mg/kg)	NE
SVOCs (mg/kg)	
Benzo(a)Anthracene	1.2
Benzo(b)Fluoranthene	1.2
PCBs (mg/kg)	ND
Inorganics (mg/kg)	
Zinc	127

Sample ID	PH1_SB07_1-3	PH1_SODUP01_112520
Sample Date	11/25/2020	11/25/2020
Sample Depth (feet bgs)	1-3	1-3
VOCs (mg/kg)	NE	ND
SVOCs (mg/kg)	NE	NE
PCBs (mg/kg)	NA	NA
Inorganics (mg/kg)		
Lead	NE	72.7 J

Sample ID	PH1_SB02_0-2	PH1_SB02_13-15
Sample Date	10/14/2020	10/14/2020
Sample Depth (feet bgs)	0-2	13-15
VOCs (mg/kg)	NE	ND
SVOCs (mg/kg)	NE	NE
PCBs (mg/kg)		
Total PCBs	0.132	NE
Inorganics (mg/kg)		
Chromium, Trivalent	44 J	32
Copper	465	NE
Lead	316	NE
Nickel	48.9	NE
Zinc	168	NE

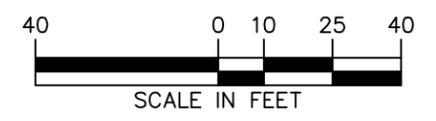
Sample ID	PH1_SB08_1-3
Sample Date	11/25/2020
Sample Depth (feet bgs)	1-3
VOCs (mg/kg)	NA
SVOCs (mg/kg)	
Indeno(1,2,3-cd)pyrene	1.9
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Lead	74.3 J

Sample ID	PH1_SB10_1-3
Sample Date	11/25/2020
Sample Depth (feet bgs)	1-3
VOCs (mg/kg)	NA
SVOCs (mg/kg)	NE
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Lead	102 J

Sample ID	PH1_SB04_0-2	PH1_SB04_7-9
Sample Date	10/16/2020	10/16/2020
Sample Depth (feet bgs)	0-2	7-9
VOCs (mg/kg)	ND	ND
SVOCs (mg/kg)	NE	NE
PCBs (mg/kg)	ND	ND
Inorganics (mg/kg)		
Copper	828	NE
Lead	218	228
Mercury	0.25	0.253
Zinc	272	230

Sample ID	PH1_SB03_7-9	PH1_SB03_11-13
Sample Date	10/16/2020	10/16/2020
Sample Depth (feet bgs)	7-9	11-13
VOCs (mg/kg)	NE	ND
SVOCs (mg/kg)	ND	NE
PCBs (mg/kg)	NE	ND
Inorganics (mg/kg)		
Barium	NE	396
Chromium, Trivalent	NE	42
Copper	51.4	92.8
Lead	209	285
Mercury	0.181	NE
Zinc	207	238

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<p>Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p>	<p>Project 691 LENOX AVENUE - PHASE 1 BLOCK No. 2013, LOT No. 29, 33, AND P/O 38 MANHATTAN NEW YORK</p>	<p>Figure Title SOIL SAMPLE ANALYTICAL RESULTS MAP</p>	<p>Project No. 170635401</p>	<p>Figure No. C - 1</p>
	<p>Date 2/5/2021</p> <p>Drawn By RB</p> <p>Checked By WK</p>			

Sample ID	PH1_MW05_101520
Sample Date	10/15/2020
VOCs (µg/L)	NE
SVOCs (µg/L)	
Benzo(b)Fluoranthene	0.02 J
PCBs (µg/L)	ND
Inorganics (µg/L)	
Iron	30,100
Iron (Dissolved)	28,400
Manganese	2,622
Manganese (Dissolved)	2,786
Sodium	157,000
Sodium (Dissolved)	160,000

Sample ID	PH1_MW02_101420
Sample Date	10/14/2020
VOCs (µg/L)	NE
SVOCs (µg/L)	
Benzo(a)Anthracene	0.05 J
Benzo(a)Pyrene	0.03 J
Benzo(b)Fluoranthene	0.03 J
Benzo(k)Fluoranthene	0.02 J
Chrysene	0.04 J
Indeno(1,2,3-c,d)Pyrene	0.02 J
PCBs (µg/L)	ND
Inorganics (µg/L)	
Iron	1,830
Iron (Dissolved)	595
Magnesium	48,600
Magnesium (Dissolved)	47,400
Manganese	1,232
Manganese (Dissolved)	1,135
Sodium	142,000
Sodium (Dissolved)	140,000

Sample ID	PH1_MW03_101620
Sample Date	10/16/2020
VOCs (µg/L)	NE
SVOCs (µg/L)	
Benzo(a)Anthracene	0.53
Benzo(a)Pyrene	0.69
Benzo(b)Fluoranthene	0.71
Benzo(k)Fluoranthene	0.27
Chrysene	0.52
Indeno(1,2,3-c,d)Pyrene	0.54
PCBs (µg/L)	ND
Inorganics (µg/L)	
Iron	5,810
Lead	74.44
Sodium	207,000
Sodium (Dissolved)	215,000

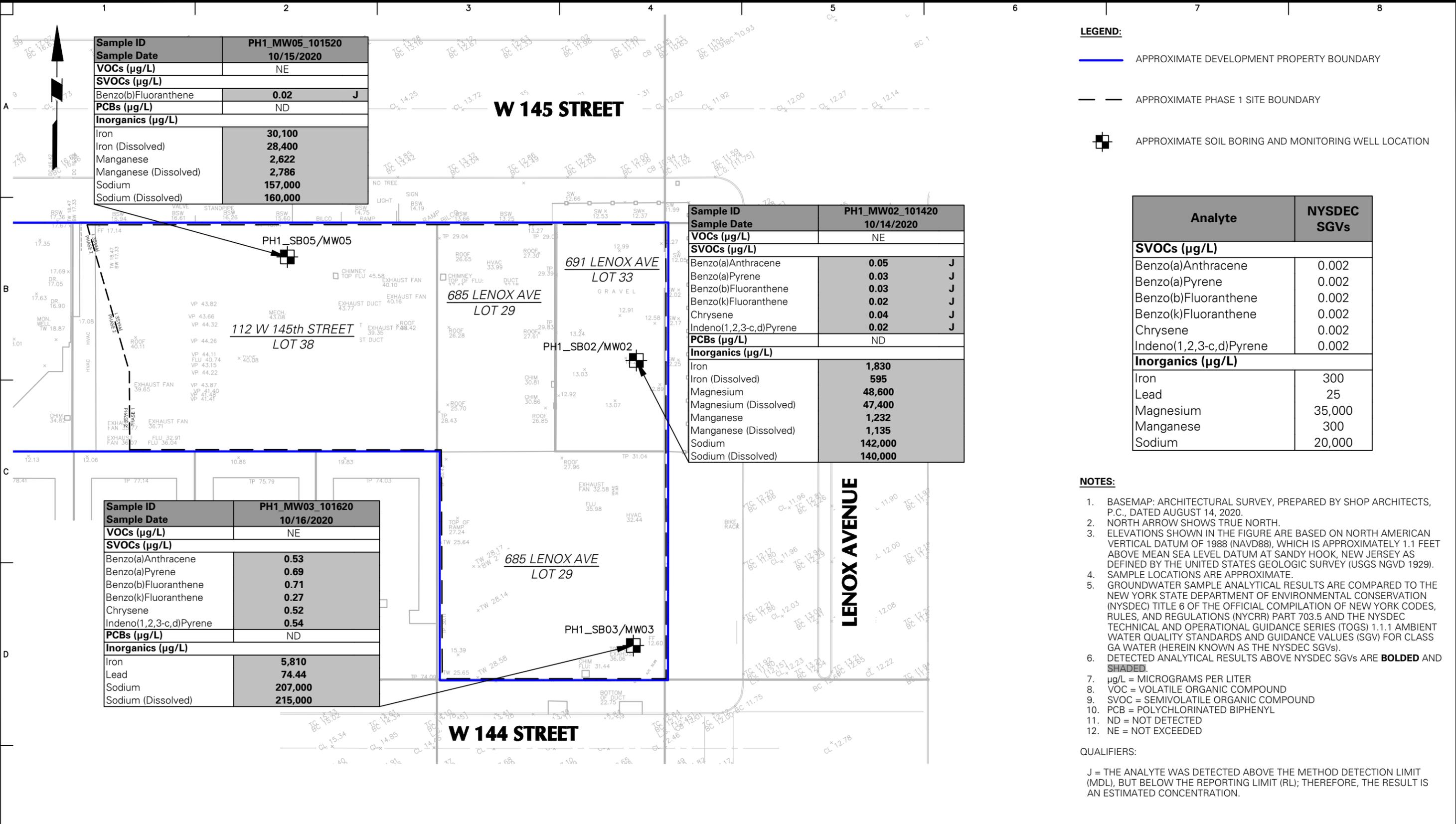
- LEGEND:**
- APPROXIMATE DEVELOPMENT PROPERTY BOUNDARY
 - - - APPROXIMATE PHASE 1 SITE BOUNDARY
 - ⊕ APPROXIMATE SOIL BORING AND MONITORING WELL LOCATION

Analyte	NYSDEC SGVs
SVOCs (µg/L)	
Benzo(a)Anthracene	0.002
Benzo(a)Pyrene	0.002
Benzo(b)Fluoranthene	0.002
Benzo(k)Fluoranthene	0.002
Chrysene	0.002
Indeno(1,2,3-c,d)Pyrene	0.002
Inorganics (µg/L)	
Iron	300
Lead	25
Magnesium	35,000
Manganese	300
Sodium	20,000

- NOTES:**
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 - SAMPLE LOCATIONS ARE APPROXIMATE.
 - GROUNDWATER SAMPLE ANALYTICAL RESULTS ARE COMPARED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) TITLE 6 OF THE OFFICIAL COMPILATION OF NEW YORK CODES, RULES, AND REGULATIONS (NYCRR) PART 703.5 AND THE NYSDEC TECHNICAL AND OPERATIONAL GUIDANCE SERIES (TOGS) 1.1.1 AMBIENT WATER QUALITY STANDARDS AND GUIDANCE VALUES (SGV) FOR CLASS GA WATER (HEREIN KNOWN AS THE NYSDEC SGVs).
 - DETECTED ANALYTICAL RESULTS ABOVE NYSDEC SGVs ARE **BOLDED** AND **SHADED**.
 - µg/L = MICROGRAMS PER LITER
 - VOC = VOLATILE ORGANIC COMPOUND
 - SVOC = SEMIVOLATILE ORGANIC COMPOUND
 - PCB = POLYCHLORINATED BIPHENYL
 - ND = NOT DETECTED
 - NE = NOT EXCEEDED

QUALIFIERS:

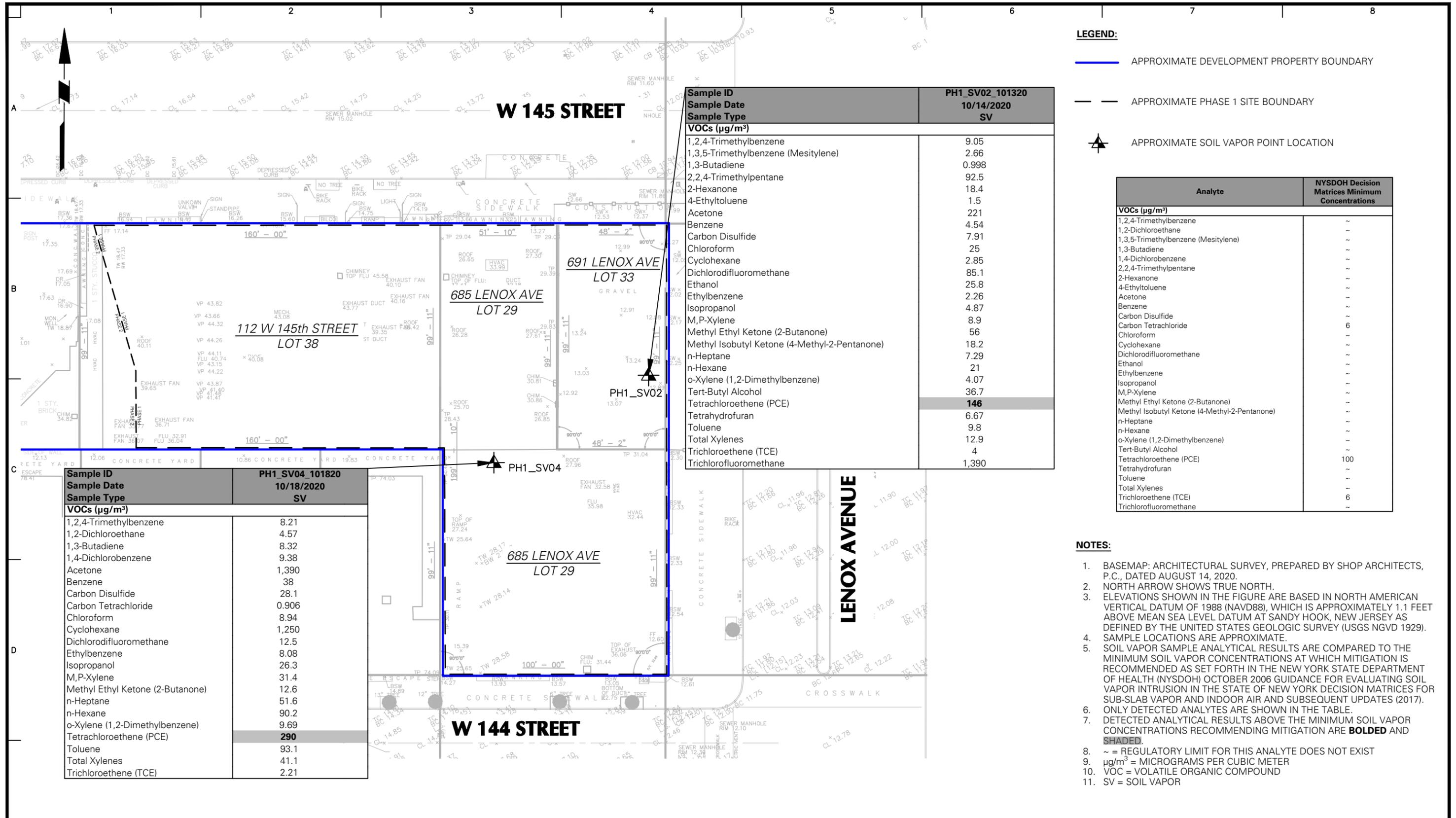
J = THE ANALYTE WAS DETECTED ABOVE THE METHOD DETECTION LIMIT (MDL), BUT BELOW THE REPORTING LIMIT (RL); THEREFORE, THE RESULT IS AN ESTIMATED CONCENTRATION.



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<p>LANGAN Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p>	<p>Project 691 LENOX AVENUE - PHASE 1 BLOCK No. 2013, LOT No. 29, 33, AND P/O 38 MANHATTAN NEW YORK</p>	<p>Figure Title GROUNDWATER SAMPLE ANALYTICAL RESULTS MAP</p>	<p>Project No. 170635401</p>	<p>Figure No. C - 2</p>
			<p>Date 2/5/21</p> <p>Drawn By RB</p> <p>Checked By WK</p>	



LEGEND:

- APPROXIMATE DEVELOPMENT PROPERTY BOUNDARY
- - - APPROXIMATE PHASE 1 SITE BOUNDARY
- ▲ APPROXIMATE SOIL VAPOR POINT LOCATION

Sample ID	PH1_SV02_101320
Sample Date	10/14/2020
Sample Type	SV
VOCs (µg/m³)	
1,2,4-Trimethylbenzene	9.05
1,3,5-Trimethylbenzene (Mesitylene)	2.66
1,3-Butadiene	0.998
2,2,4-Trimethylpentane	92.5
2-Hexanone	18.4
4-Ethyltoluene	1.5
Acetone	221
Benzene	4.54
Carbon Disulfide	7.91
Chloroform	25
Cyclohexane	2.85
Dichlorodifluoromethane	85.1
Ethanol	25.8
Ethylbenzene	2.26
Isopropanol	4.87
M,P-Xylene	8.9
Methyl Ethyl Ketone (2-Butanone)	56
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	18.2
n-Heptane	7.29
n-Hexane	21
o-Xylene (1,2-Dimethylbenzene)	4.07
Tert-Butyl Alcohol	36.7
Tetrachloroethene (PCE)	146
Tetrahydrofuran	6.67
Toluene	9.8
Total Xylenes	12.9
Trichloroethene (TCE)	4
Trichlorofluoromethane	1,390

Analyte	NYSDOH Decision Matrices Minimum Concentrations
VOCs (µg/m³)	
1,2,4-Trimethylbenzene	~
1,2-Dichloroethane	~
1,3,5-Trimethylbenzene (Mesitylene)	~
1,3-Butadiene	~
1,4-Dichlorobenzene	~
2,2,4-Trimethylpentane	~
2-Hexanone	~
4-Ethyltoluene	~
Acetone	~
Benzene	~
Carbon Disulfide	~
Carbon Tetrachloride	6
Chloroform	~
Cyclohexane	~
Dichlorodifluoromethane	~
Ethanol	~
Ethylbenzene	~
Isopropanol	~
M,P-Xylene	~
Methyl Ethyl Ketone (2-Butanone)	~
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	~
n-Heptane	~
n-Hexane	~
o-Xylene (1,2-Dimethylbenzene)	~
Tert-Butyl Alcohol	~
Tetrachloroethene (PCE)	100
Tetrahydrofuran	~
Toluene	~
Total Xylenes	~
Trichloroethene (TCE)	6
Trichlorofluoromethane	~

Sample ID	PH1_SV04_101820
Sample Date	10/18/2020
Sample Type	SV
VOCs (µg/m³)	
1,2,4-Trimethylbenzene	8.21
1,2-Dichloroethane	4.57
1,3-Butadiene	8.32
1,4-Dichlorobenzene	9.38
Acetone	1,390
Benzene	38
Carbon Disulfide	28.1
Carbon Tetrachloride	0.906
Chloroform	8.94
Cyclohexane	1,250
Dichlorodifluoromethane	12.5
Ethylbenzene	8.08
Isopropanol	26.3
M,P-Xylene	31.4
Methyl Ethyl Ketone (2-Butanone)	12.6
n-Heptane	51.6
n-Hexane	90.2
o-Xylene (1,2-Dimethylbenzene)	9.69
Tetrachloroethene (PCE)	290
Toluene	93.1
Total Xylenes	41.1
Trichloroethene (TCE)	2.21

- NOTES:**
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 - SAMPLE LOCATIONS ARE APPROXIMATE.
 - SOIL VAPOR SAMPLE ANALYTICAL RESULTS ARE COMPARED TO THE MINIMUM SOIL VAPOR CONCENTRATIONS AT WHICH MITIGATION IS RECOMMENDED AS SET FORTH IN THE NEW YORK STATE DEPARTMENT OF HEALTH (NYSDOH) OCTOBER 2006 GUIDANCE FOR EVALUATING SOIL VAPOR INTRUSION IN THE STATE OF NEW YORK DECISION MATRICES FOR SUB-SLAB VAPOR AND INDOOR AIR AND SUBSEQUENT UPDATES (2017).
 - ONLY DETECTED ANALYTES ARE SHOWN IN THE TABLE.
 - DETECTED ANALYTICAL RESULTS ABOVE THE MINIMUM SOIL VAPOR CONCENTRATIONS RECOMMENDING MITIGATION ARE **BOLDED** AND **SHADED**.
 - ~ = REGULATORY LIMIT FOR THIS ANALYTE DOES NOT EXIST
 - µg/m³ = MICROGRAMS PER CUBIC METER
 - VOC = VOLATILE ORGANIC COMPOUND
 - SV = SOIL VAPOR

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Project
691 LENOX AVENUE - PHASE 1
 BLOCK No. 2013, LOT No. 29, 33, AND P/O 38
 MANHATTAN NEW YORK

Figure Title
SOIL VAPOR SAMPLE ANALYTICAL RESULTS MAP

Project No.
 170635401
 Date
 2/5/21
 Drawn By
 RB
 Checked By
 WK

Figure No.
C - 3

ATTACHMENT D SECTION IV: PROPERTY INFORMATION

The Reference Point for the given latitude (40° 49' 13.2") and longitude (-73° 56' 13.0") is the approximate center of the site on Lot 29. A metes and bounds description is provided in this attachment.

Item 1 – Tax Map Boundary

The table below contains acreage, block and lot information for tax parcels included within the site boundary.

Parcel Address	Block	Lot	Acreage
685 Lenox Avenue	2013	29	0.34
691 Lenox Avenue		33	0.11
112 West 145 Street		p/o 38	0.35 (of a total Lot acreage of 0.37)

An application to merge tax lots (i.e. RP-602) was submitted to the New York City Department of Finance (NYCDOF) on May 28, 2021.

Item 2 – Property Map

Figure D-1 is a Digital Tax Map from the NYCDOF showing the proposed brownfield site boundary.

Figure D-2 is a Site Location Map showing the location of the proposed brownfield site.

Figure D-3 provides a site base map that shows i) a distance of at least 1,000 feet around the proposed brownfield site; and ii) map scale, north arrow orientation, date, and location of the site with respect to adjacent streets and roadways.

Figure D-4 provides a site base map that shows i) proposed brownfield site boundary lines, with adjacent site owners clearly identified; and ii) surrounding site land uses.

Item 10 - Property Description and Environmental Assessment

Location

The site is located at 691 Lenox Avenue (latitude 40°49'13.2", longitude -73°56'13.0") in the Harlem neighborhood of Manhattan, New York. The site encompasses the following tax lots: Block 2013, Lot 29 (about 15,000 square feet); Lot 33 (about 5,000 square feet); and part of Lot 38 (about 14,400 square feet); and occupies a total area of about 34,400 square feet (± 0.8 acres).

The site is bound by West 145 Street to the north; Lenox Avenue to the east; multi-family residential buildings and West 144 Street to the south; and an out-of-service gas station, an active gas station, and multi-family residential buildings to the west. According to the United States Geology Survey (USGS) 7.5-Minute Quadrangle Map, the site elevation is about 10 to 15 feet above mean sea level (msl). Figure D-1 is a Digital Tax Map from the New York City Department of Finance showing the site boundaries of the current tax blocks and lots. Figure D-2 shows the location of the site on its USGS 7.5-Minute Quadrangle Map.

Site Features/Current Zoning and Land Use

The current commercial/retail uses of each tax lot on the site are as follows:

- Lot 29 – one-story commercial buildings occupied by a nail salon, an Islamic religious center, a vacant pharmacy, a restaurant, and a community center
- Lot 33 – Vacant, fenced land
- Lot 38 – one-story commercial buildings occupied by retail stores, a vacant laundromat, and restaurants

According to the New York City Department of City Planning (NYCDCP) Zoning Map 6a, dated December 19, 2017, the site is currently located in a C8-3 commercial district and R7-2/C1-4 mixed-use district and is proposed to be rezoned to a C4-6 general commercial district, pursuant to a Uniform Land Use Review Procedure (ULURP). The ULURP is currently underway and certification is expected in September 2021.

The adjoining parcels are used for residential and commercial purposes, with the surrounding area generally consisting of residential, commercial, light industrial, and institutional (schools and churches) use. Figure 3 provides a site base map that shows map scale, north arrow orientation, date, and location of the site with respect to adjacent streets and roadways, as well as a 1,000-foot radius around the site. Figure 4 provides the proposed brownfield site boundary lines, with the adjacent property owners, property operators, addresses, and surrounding property land uses.

Past Uses of the Site

Historical operations at the site include a gasoline storage and auto repair facility on Lot 38 (1939 to 2005), commercial stores and community facilities on Lot 29, and a hotel on Lot 33 (1939-2005). Lots 29 and 38 historically contained at least one gasoline tank. The hotel structure historically present on Lot 33 was demolished in 2019.

Site Geology and Hydrogeology

Based on the Phase II Environmental Site Investigation (ESI) Report, prepared by Langan, dated February 24, 2021, the general stratigraphy at the site consists of a historic fill layer observed from surface grade to a maximum depth of 18 feet below sidewalk grade (bsg) and comprises

varying amounts of sand, silt, gravel, brick, coal, slag, asphalt, ceramics, wood, and concrete. The historic fill layer is underlain by native soil consisting of varying amounts of sand, clay, gravel, silt and organics. Based on the Phase 1 Geotechnical Engineering Report, prepared by Langan, dated November 19, 2020, bedrock was encountered at about 150 feet bsg in the western portion of the site and at about 50 feet bsg in the eastern portion of the site.

Groundwater was encountered at about 11.5 to 13.5 feet bsg and presumably flows northeast towards the Harlem River.

Environmental Assessment

The primary contaminants of concern include semivolatile organic compounds (SVOC) and metals in soil; SVOCs and metals in groundwater; and petroleum-related and chlorinated VOCs in soil vapor. Soil sample results were compared to Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (6 NYCRR) NYSDEC Part 375 Unrestricted Use (UU) and Restricted Use Restricted-Residential (RURR) Soil Cleanup Objectives (SCO). Groundwater sample results were compared to the NYSDEC Title 6 NYCRR Part 703.5 and the Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (SGVs) for Class GA water. Soil vapor sample results were evaluated using the New York State Department of Health (NYSDOH) Air Guideline Values (AGV) and the Decision Matrices for Sub-Slab Vapor and Indoor Air as set forth in the NYSDOH October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York and subsequent updates (2013, 2015, 2017). Analytes detected above the regulatory criteria are summarized below, and soil samples with analytes detected above RURR SCOs are shown in **bold**. Maximum concentration tables below summarize the maximum concentration levels of contaminants of concern detected in samples collected from the Phase II ESI.

Soil

- SVOCs – **benzo(a)anthracene**, **benzo(b)fluoranthene**, and **indeno(1,2,3-cd)pyrene**

Analyte	Maximum Concentrations Detected Above UU SCO (milligrams per kilogram [mg/kg])	UU and RURR SCOs (mg/kg)
Benzo(a)anthracene	1.2 in PH1_SB01_9-11	UU: 1 RURR: 1
Benzo(b)fluoranthene	1.2 in PH1_SB01_9-11	UU: 1 RURR: 1
Indeno(1,2,3-cd)pyrene	1.9 in PH1_SB08_1-3	UU: 0.5 RURR: 0.5

- Metals – barium, trivalent chromium, **copper**, lead, mercury, nickel, and zinc

Analyte	Maximum Concentrations Detected above UU SCO (mg/kg)	UU and RURR SCOs (mg/kg)
Barium	396 in PH1_SB03_11-13	UU: 350 RURR: 400
Chromium, Trivalent	44 in PH1_SB02_0-2	UU: 30 RURR: 180
Copper	828 in PH1_SB04_0-2	UU: 50 RURR: 270
Lead	316 in PH1_SB02_0-2	UU: 63 RURR: 400
Mercury	0.543 in PH1_SB05_7-9	UU: 0.18 RURR: 0.81
Nickel	48.9 in PH1_SB02_0-2	UU: 30 RURR: 310
Zinc	272 in PH1_SB04_0-2	UU: 109 RURR: 10,000

Groundwater

- SVOCs – benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene

Analyte	Maximum Concentrations Detected above NYSDEC SGVs (micrograms per liter [µg/L])	NYSDEC SGVs (µg/L)
Benzo(a)anthracene	0.53 in PH1_MW03_101620	0.002
Benzo(a)pyrene	0.69 in PH1_MW03_101620	0
Benzo(b)fluoranthene	0.71 in PH1_MW03_101620	0.002
Benzo(k)fluoranthene	0.27 in PH1_MW03_101620	0.002
Chrysene	0.52 in PH1_MW03_101620	0.002
Indeno(1,2,3-c,d)pyrene	0.54 in PH1_MW03_101620	0.002

- Metals (total) – iron, lead, magnesium, manganese, and sodium
- Metals (dissolved) – iron, magnesium, manganese, and sodium

Analyte	Maximum Concentrations Detected above NYSDEC SGVs (µg/L)	NYSDEC SGVs (µg/L)
Iron	30,100 in PH1_MW05_101520	300
Iron (Dissolved)	28,400 in PH1_MW05_101520	300
Lead	74.44 in PH1_MW03_101620	25
Magnesium	48,600 in PH1_MW02_101420	35,000
Magnesium (Dissolved)	47,400 in PH1_MW02_101420	35,000

Analyte	Maximum Concentrations Detected above NYSDEC SGVs ($\mu\text{g/L}$)	NYSDEC SGVs ($\mu\text{g/L}$)
Manganese	2,622 in PH1_MW05_101520	300
Manganese (Dissolved)	2,786 in PH1_MW05_101520	300
Sodium	207,000 in PH1_MW03_101620	20,000
Sodium (Dissolved)	215,000 in PH1_MW03_101620	20,000

Soil Vapor

Three VOCs addressed by the NYSDOH Decision Matrices, carbon tetrachloride, trichloroethylene (TCE), and tetrachloroethylene (PCE), were detected in soil vapor samples. Carbon tetrachloride and TCE were detected at concentrations for which the recommendations range from “no further action” to “identify source and resample or mitigate.” PCE was detected at concentrations for which the recommendations range from “no further action” to “mitigate”. TCE was detected at concentrations exceeding the NYSDOH AGV of 2 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) (2.21 $\mu\text{g}/\text{m}^3$ in PH1_SV04_101820 and 4 $\mu\text{g}/\text{m}^3$ in PH1_SV02_101320). PCE was detected at concentrations exceeding the NYSDOH AGV of 30 $\mu\text{g}/\text{m}^3$ (146 $\mu\text{g}/\text{m}^3$ in PH1_SV02_101320 and 290 $\mu\text{g}/\text{m}^3$ in PH1_SV04_101820). Total benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected in soil vapor at a maximum concentration of 180.28 $\mu\text{g}/\text{m}^3$.

Evaluation

Analytical data from soil, groundwater, and/or soil vapor samples collected from across the site exceeded the applicable regulatory standards for the intended future use of the site. The source of SVOCs, and metals in soil, SVOCs and metals in groundwater, and petroleum-related VOCs in soil vapor are likely related to historical use of the property.

TRUE NORTH SURVEYORS, P.C. JOHN VIDA, P.L.S.

**111 Kosciuszko Road
Whitehouse Station, NJ 08889
Phone (908) 534-6248**

Metes & Bounds
Proposed Site 1
Borough of Manhattan, New York

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

Beginning at the corner formed by the intersection of the westerly side of Lenox Avenue with the southerly side of 145th Street;

Running thence southerly along the westerly side of Lenox Avenue, 199 feet 10 inches to the intersection of the westerly side of Lenox Avenue with the northerly side of 144th Street;

Thence westerly along the northerly side of 144th Street at right angles with the preceding course, 100 feet 0 inches;

Thence northerly at right angles with the preceding course, 99 feet 11 inches to the centerline of the block;

Thence westerly along the center line of the block at right angles with the preceding course, 131 feet 11 3/4 inches;

Thence northerly at right angles with the preceding course, 34 feet 11 inches to a point;

Thence northwesterly at an exterior angle of 160 degrees 0 minutes 0 seconds with the preceding course 69 feet 2 inches to a point;

Thence easterly along the southerly side of 145th Street having an interior angle of 70 degrees 0 minutes 0 seconds with the preceding course, 255 feet 7 5/8 inches to the point and place of Beginning.



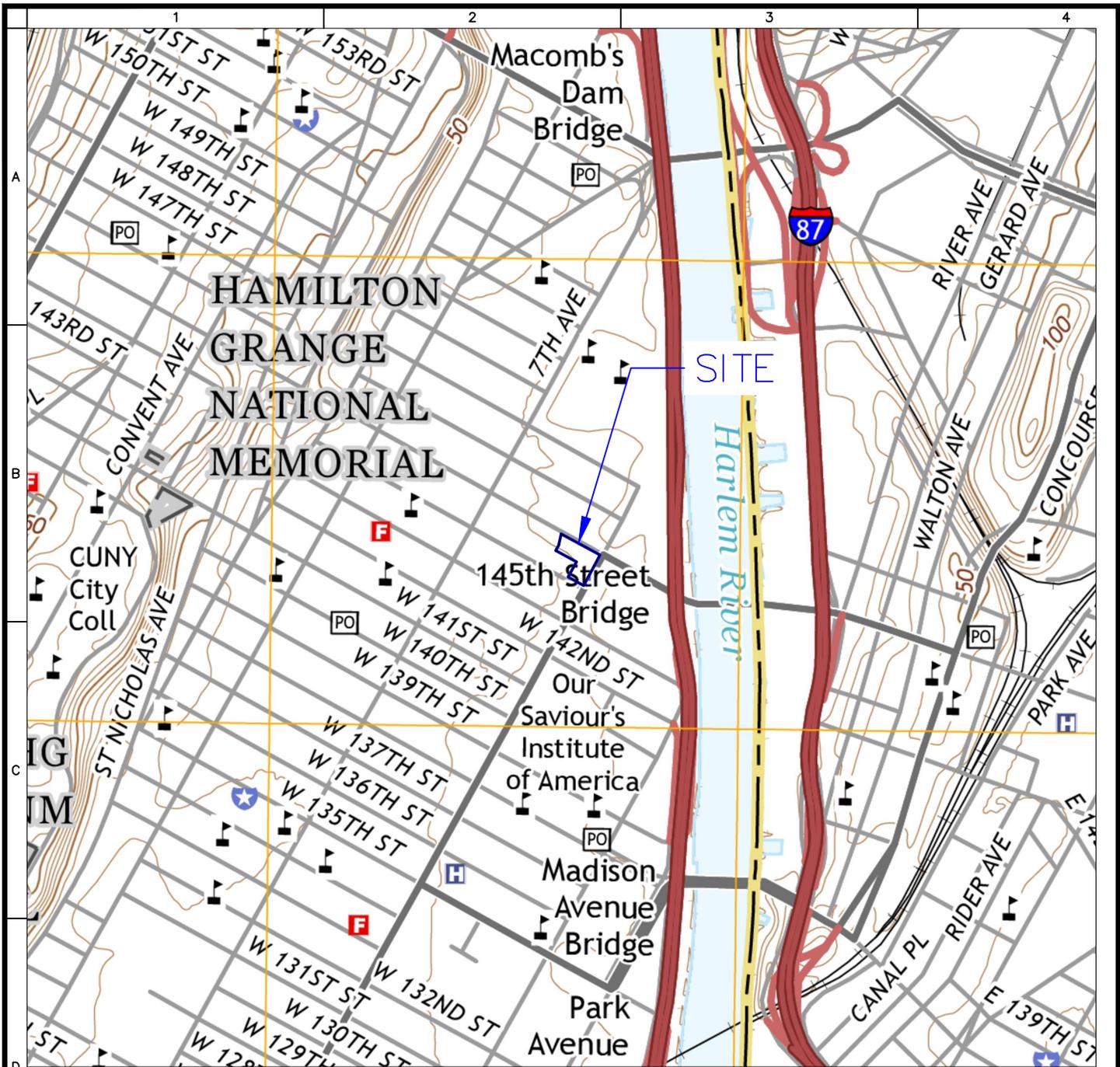
- LEGEND:**
- APPROXIMATE SITE BOUNDARY
 - TAX BLOCK BOUNDARY
 - 50** TAX BLOCK NUMBER
 - TAX LOT BOUNDARY
 - 50** TAX LOT NUMBER

- NOTES:**
1. BASEMAP ACCESSED FROM GIS.NYC.GOV/TAXMAP ON JANUARY 7, 2021.
 2. NORTH ARROW SHOWS TRUE NORTH.
 3. THE SITE CONSISTS OF TAX BLOCK 2013, LOTS 29, 33, AND PART OF 38.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



<p>LANGAN Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p>	Project	Figure Title	Project No.	Figure No.
	691 LENOX AVENUE - PHASE 1	TAX MAP	170635401	D - 1
	BLOCK No. 2013, LOT No. 29, 33, AND P/O 38		Date 1/7/2021	
	MANHATTAN NEW YORK		Drawn By RB	
			Checked By WK	



LEGEND

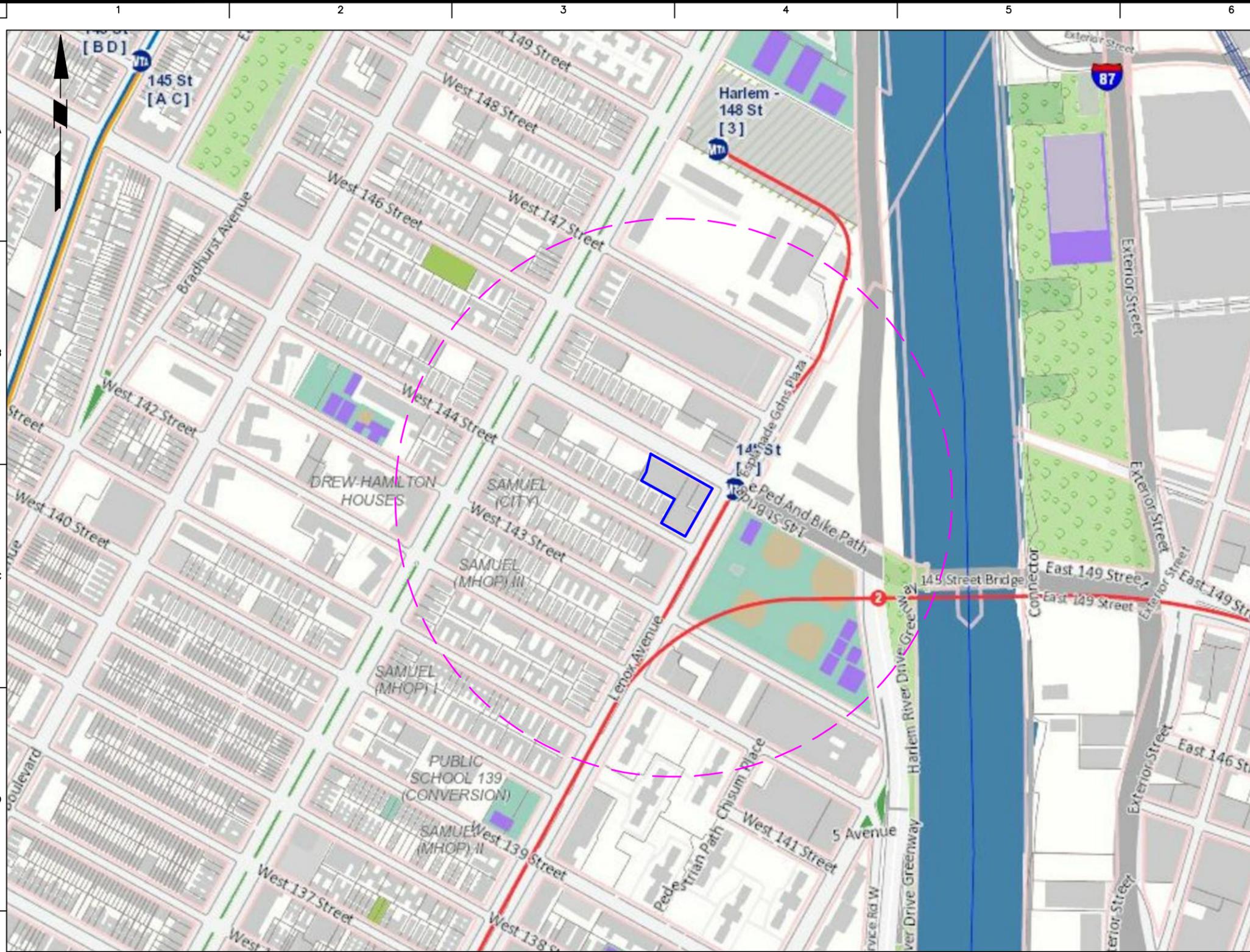
 APPROXIMATE SITE BOUNDARY

NOTES:

1. BASE MAP SOURCE: UNITED STATES GEOLOGICAL SURVEY TOPOGRAPHIC MAP, CENTRAL PARK QUADRANGLE, 2016
2. NOT TO SCALE.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

 Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com	Project 691 LENOX AVENUE - PHASE 1 BLOCK No. 2013, LOT No. 29, 33, AND P/O 38 MANHATTAN NEW YORK	Figure Title SITE LOCATION MAP	Project No. 170635401 Date 1/7/2021 Drawn By RB Checked By WK	Figure No. D - 2
--	--	--	--	----------------------------



LEGEND:
 APPROXIMATE SITE BOUNDARY
 1,000-FOOT RADIUS

NOTES:
 1. BASEMAP ACCESSED FROM WWW.OASISNYC.NET/MAPS ON JANUARY 7, 2021.
 2. NORTH ARROW SHOWS TRUE NORTH.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



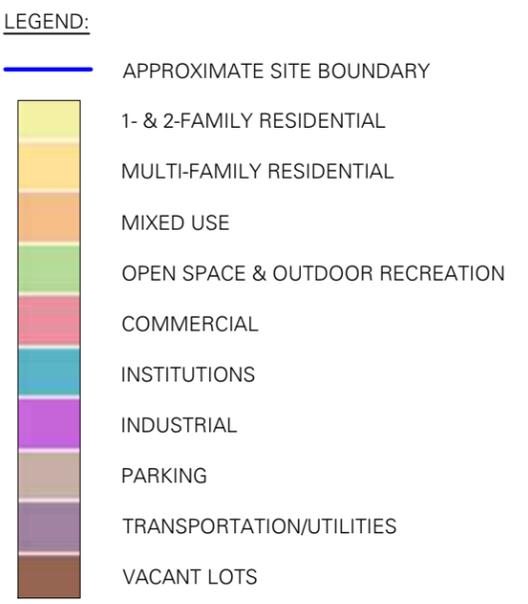
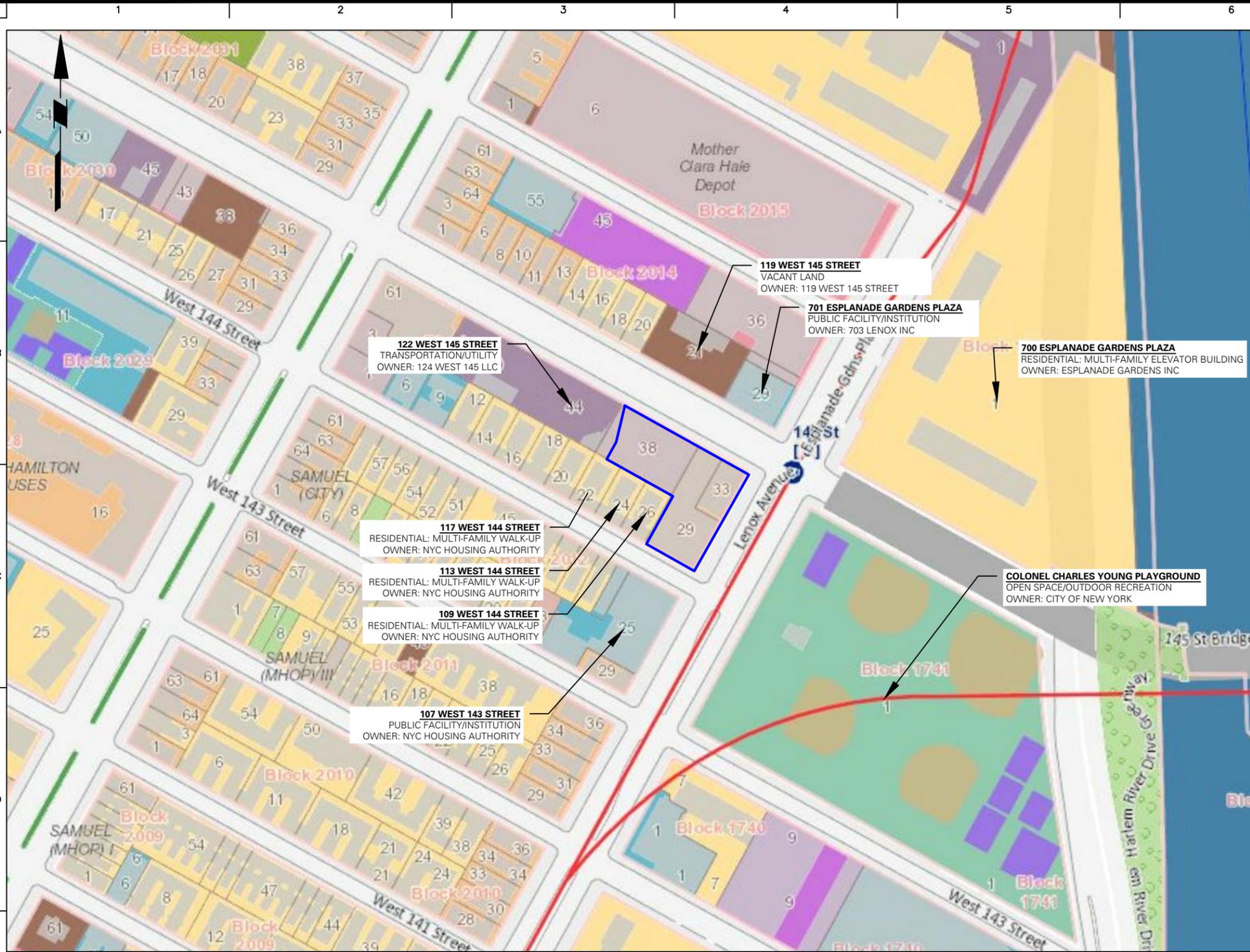
LANGAN
 Langan Engineering, Environmental, Surveying,
 Landscape Architecture and Geology, D.P.C.
 21 Penn Plaza, 360 West 31st Street, 8th Floor
 New York, NY 10001
 T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
**691 LENOX AVENUE -
 PHASE 1**
 BLOCK No. 2013, LOT No.
 29, 33, AND P/O 38
 MANHATTAN NEW YORK

Figure Title
**SURROUNDING
 LAND USE MAP**

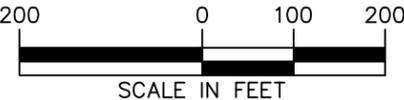
Project No.	170635401
Date	1/7/2021
Drawn By	RB
Checked By	WK

Figure No.
D - 3



- NOTES:**
1. BASEMAP ACCESSED FROM WWW.OASISNYC.NET/MAPS ON JANUARY 7, 2021.
 2. NORTH ARROW SHOWS TRUE NORTH.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



LANGAN
 Langan Engineering, Environmental, Surveying,
 Landscape Architecture and Geology, D.P.C.
 21 Penn Plaza, 360 West 31st Street, 8th Floor
 New York, NY 10001
 T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
**691 LENOX AVENUE -
 PHASE 1**
 BLOCK No. 2013, LOT No.
 29, 33, AND P/O 38
 MANHATTAN NEW YORK

Figure Title
**ADJOINING
 PROPERTY AND
 SURROUNDING
 LAND USE MAP**

Project No. 170635401	D - 4
Date 1/7/2021	
Drawn By RB	
Checked By WK	

ATTACHMENT E

SECTION VI: PRIOR OWNER AND OPERATOR INFORMATION

Site Owner

The Requestor is the current owner of Lots 29, 33, and 38. The contact information for the current owner of the site and the previous owner of Lot 38 is provided below:

Owners Representative: Tristan Nadal
Lenox 145 DM LLC
233 Broadway, 11th Floor
New York, NY 10279
Phone: 212-889-9005

Requestor: One45 Lenox LLC
85 Delancey Street
New York, NY 10002

Previous Owner of Lot 38: Stanford Cohen
110 West 145 LLC
P.O. Box 179
Cedarhurst, NY 11516

The site is currently improved with one-story commercial buildings on Lots 29 and p/o 38 and comprises vacant, fenced land on Lot 33. The commercial space on Lot 29 is occupied by retail stores, a nail salon, an Islamic religious center, a vacant pharmacy, a restaurant, and a community center. The commercial space on Lot 38 is occupied by retail stores, a vacant laundromat, and restaurants.

Proposed Tax Lot Merger

A Lot Merger Application (RP-602) was submitted to the New York City Department of Finance (NYCDOF) on May 28, 2021. Once approved, a survey of the property to incorporate the new lot boundary will be performed.

The Tax Lot Merger is anticipated to happen in July 2021 prior to execution of the Brownfield Cleanup Agreement (BCA), thus it is requested that the New York State Department of Environmental Conservation (NYSDEC) consider the site as a single tax lot for purposes of BCP eligibility.

Previous Site Owners

Available ownership records prior to the City of New York were ascertained through the New York City Department of Finance Automated City Register Information System (ACRIS) website (<http://a863-acris.nyc.gov/DS/DocumentSearch/Index>) and are summarized in the following table.

Block/Lot	Date	Document Type	First Party	Second Party	Relationship to Applicant
Block 2013 Lot 29	5/8/1968	Deed	Vitan Properties, Inc.	A H M Realty Co.	None
	6/17/1969	Deed	A H M Realty Co.	Kansas Realty Co.	None
	9/25/1969	Deed	Nathan B Fogelson	Kansas Realty Co.	None
	8/6/1970	Deed	Kansas Realty Co,	Bullard Purchasing & Sales	None
	4/1/2015	Deed	Kansas Fried Chicken Inc.	Lenox by the Bridge, LLC.	Member of Requestor
	5/21/2021	Transfer of Deed	Lenox by the Bridge, LLC.	One45 Lenox LLC	Requestor
Block 2013 Lot 33	6/17/1968	Deed	Thern Properties, Inc.	A H M Realty Co.	None
	6/9/1969	Deed	A H M Realty Co.	Kansas Realty Co.	None
	9/25/1969	Deed	Nathan B Fogelson	Kansas Realty Co.	None
	8/6/1970	Deed	Kansas Realty Co,	Bullard Purchasing & Sales	None
	4/1/2015	Deed	Kansas Fried Chicken Inc.	Lenox by the Bridge, LLC.	Member of Requestor
	5/21/2021	Transfer of Deed	Lenox by the Bridge, LLC.	One45 Lenox LLC	Requestor
Block 2013 Lot 38	7/12/1971	Deed	L B Oil Co, Inc.	Rock Oil Co, Inc.	None
	12/8/1986	Deed	Rock Oil Co, Inc.	Rock-Arizona Associates	None
	5/16/2000	Deed	Rock-Arizona Associates	Crotona 1967 Corp	None
	4/20/2018	Memorandum of Contract	Crotona 1967 Corp	110 West 145 LLC	Member of Requestor
	5/25/2021	Deed	Crotona 1967 Corp	One45 Lenox LLC	Requestor

Site Operators

Block/Lot	Date	Name	Relationship to Site	Phone Number and Address	Relationship to Applicant
Block 2013, p/o Lot 29	2015	Kansas Fried Chicken	Previous Operator	Unknown 103 W 144th Street New York, NY 10039	None
	N/A	Step-1 Deli Grocery	Current Operator	Unknown 685 Lenox Avenue New York, NY 10039	None

		Rainbow Nail Spa	Current Operator	Unknown 685 Lenox Avenue New York, NY 10039	None
		Sweet Mama's	Current Operator	212-939-9383 689 Lenox Avenue New York, NY 10039	None
		Candy Grocery	Current Operator	Unknown 104 W 145th Street New York, NY 10039	None
		Timbuktu Islamic Center Inc	Current Operator	Unknown 103 W 145th Street New York, NY 10039	None
Block 2013, p/o Lot 33	2015	Kansas Fried Chicken	Previous Operator	Unknown 102 W 145th Street New York, NY 10039	None
	N/A	Sneaker Q	Previous Operator	Unknown 102 W 145th Street New York, NY 10039	None
Block 2013, p/o Lot 38	N/A	Green Laundry	Previous Operator	Unknown 110 W 145th Street New York, NY 10039	None
		Dunkin' Donuts	Current Operator	212-234-3440 110 W 145th Street New York, NY 10039	None
		99 Cent Wonder	Current Operator	Unknown 110 W 145th Street New York, NY 10039	None
		King's Pizza of Harlem	Current Operator	212-283-0182 110 W 145th Street New York, NY 10039	None
		Harlem Express Wines & Liquors	Current Operator	212-694-6619 110 W 145th Street New York, NY 10039	None

ATTACHMENT F
SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Status

Pursuant to ECL § 27-1405(1), One45 Lenox LLC (Requestor) is properly designated as a Volunteer because its liability arises solely from involvement with the site subsequent to discharge or disposal of contaminants at the site. Requestor no relationship with prior owners or operators of Lots 29, 33, and 38 prior to site ownership. Since Requestor became the owner of Lots 29 and 33 on April 1, 2015, operations on Lots 29 include a nail salon, an Islamic religious center, a vacant pharmacy, a restaurant, and a community center. Lot 33 has been vacant. The Requestor acquired Lot 38 on May 25, 2021 and site use has not changed. These uses are not related to contamination at the site.

Low levels of tetrachloroethylene (PCE) vapor contamination is present at the site. The concentrations are within the same order of magnitude as the upper limit for “No Further Action” and the threshold level for “Monitor,” based on NYSDOH’s Indoor Air Matrix for PCE. Requestor did not place these contaminants at the site, and there is nothing in the site history identifying their use on these lots. PCE was not detected in soil or groundwater samples collected during the Phase II Environmental Site Investigation (ESI). PCE concentrations are likely the result of vapor migration from off site and, in any event, do not pose a material risk of exposure to tenants or visitors to the site.

Since taking ownership of the site, the current owner has exercised appropriate care with respect to contamination at the site by maintaining the existing impervious cover system, implementing housekeeping practices to manage current site uses, and completing a Phase II ESI to evaluate current site conditions. Upon discovering conclusive evidence of contamination at the site, Requestor sought to enter the Brownfield Cleanup Program (BCP). By conducting investigation and remediation under the BCP, Requestor intends to exercise appropriate care with respect to any past discharge or disposal of hazardous waste at the site, including stopping any continuing discharge; preventing any threatened future release; and preventing and limiting human, environmental, or natural resource exposure to any previously released petroleum and/or hazardous waste. For the foregoing reasons, Requestor qualifies as a Volunteer.

ATTACHMENT G

SECTION IX: CONTACT LIST INFORMATION

Item 1 – Chief Executive Officer and Planning Board Chairperson

Chief Executive Officer

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

New York City Planning Commission

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

Borough of Manhattan, Borough President

Gale Brewer
431 West 125th Street
New York, NY 10027

Item 2 – Residents, Owners, and Occupants of the Property and Adjacent Properties

Residents, owners, and occupants of the site:

The Requestor is the listed owner of Lots 29, 33, and 38. An application to merge tax lots (i.e. RP-602) was submitted to the New York City Department of Finance (NYCDOF) on May 28, 2021. The current operators of each lot comprising the site are listed below:

- Lot 29 - Step-1 Deli Grocery, Rainbow Nail Spa, Sweet Mama's, Candy Grocery, and Timbuktu Islamic Center Inc
- Lot 33 - Vacant
- Lot 38 - Dunkin' Donuts, 99 Cent Wonder, King's Pizza of Harlem, and Harlem Express Wines & Liquors

The contact information for the owner's representative is:

Tristan Nadal, Lenox 145 DM LLC
233 Broadway, 11th Floor
New York, NY 10279
212-889-9005

Adjacent property owners include:

Direction	Block	Lot	Owner	Occupants
North	2014	21	119 West 145 Street LLC 119 West 145 Street New York, NY 10030	Vacant Lot
		29	703 Lenox LLC 703-705 Lenox Avenue New York, NY 10030	Public Facility/ Institution 701 Esplanade Gardens Plaza New York, NY 10030
Northeast	1744	1	Esplanade Gardens Inc 2569 Adam Clayton Powell Jr Blvd New York, NY 10039	Residential Building 700 Esplanade Gardens Plaza New York, NY 10030
West	2013	44	124 West 145 LLC 85 Delancey Street New York, NY 10002	Vacant Lot 122 West 145th Street New York, NY 10039
Southwest	2013	22	New York City Housing Authority 250 Broadway New York, NY 10007	Residential Building 117 West 144th Street New York, NY 10030
		24		Residential Building 113 West 144th Street New York, NY 10030
		26		Residential Building 109 West 144th Street New York, NY 10030
East	1741	1	City of New York	Open Space/Outdoor Recreation Colonel Charles Young Playground New York, NY 10030

Item 3 – Local News Media

Local news media from which the community typically obtains information:

Harlem Community News
 206 W 148th Street
 Manhattan, NY 10039

Item 4 – Public Water Supplier

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

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

NYCDEP
 Emily Lloyd, Commissioner
 59-17 Junction Boulevard
 Flushing, NY 11373

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

New York City Water Board
Department of Environmental Protection
59-17 Junction Boulevard, 8th Floor
Flushing, NY 11373

Item 5 – Contact List

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

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

Item 6 – School Administrators

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

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

Name (Approximate distance from site)	Address	Administrator
P.S. 194 Countee Cullen (approximately 0.20 miles west of the site)	244 West 144 th Street Manhattan, NY 10030	Kerianne Harrison Principal Phone: 212-690-5954
P.S. 200 The James Mccune Smith School (approximately 0.25 miles northeast of the site)	2589 Adam C Powell Blvd Manhattan, NY 10039	Renee Belton Principal Phone: 212-491-6636
Saint Charles Borromeo School (approximately 0.30 miles west of the site)	218 West 142 nd Street Manhattan, NY 10030	Natalia Rodrigo Principal Phone: 212-368-6666
St. Mark the Evangelist School (approximately 0.34 miles south of the site)	55 West 138 th Street Manhattan, NY 10037	Dominic Fanelli Principal Phone: 212-283-4848
Thurgood Marshall Academy Lower School (approximately 0.36 miles north of the site)	282 West 151 st Street Manhattan, NY 10039	Dawn Brooks DeCosta Principal Phone: 212-368-8731
P.S. 123 Mahalia Jackson (approximately 0.44 miles west of the site)	301 West 140 th Street Manhattan, NY 10030	Melitina Hernandez Principal Phone: 212-342-6200
P.S. 197 John B Russwurm (approximately 0.45 miles south of the site)	2230 5 th Avenue Manhattan, NY 10037	Natasha Spann Principal Phone: 212-690-5960
Health Opportunities High School (approximately 0.48 miles southeast of the site)	350 Gerard Avenue Bronx, NY 10451	Andrew Clayman Principal Phone: 718-401-1826

Item 7 – Document Repositories

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

Countee Cullen Library

Nicole Nelson, Library Manager
104 West 136th Street
New York, NY 10030
212.491.2070

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

The local community board is Manhattan Community Board 10.

Manhattan Community Board 10

Shatic Mitchell, District Manager
215 West 125th Street, 4th Floor
New York, NY 10027
212.749.3105

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

January 21, 2021

Manhattan Community Board 10
215 West 125th Street, 4th Floor
New York, NY 10027

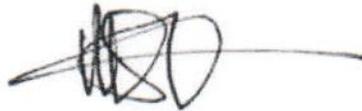
**RE: Brownfield Cleanup Program Application
One45 Lenox LLC
One45 – Phase 1 Development Site
691 Lenox Avenue
New York, NY 10030**

To whom it may concern:

We represent One45 Lenox LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced site. The NYSDEC requires a letter certifying that the local community board is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. Please sign below and return if you are able to certify that you would be willing and able to act as a temporary public repository for this BCP project.

Sincerely,

**Langan Engineering, Environmental, Surveying, Landscape
Architecture and Geology, D.P.C.**



Mimi S. Raygorodetsky
Principal

Yes, the Manhattan Community Board 10 is willing and able to act as a public repository on behalf of One45 Lenox LLC in their cleanup of One45 – Phase 1 Development Site under the NYSDEC BCP.

Shatic Mitelesh

(Name)

District Manager

(Title)

3/16/21

(Date)

April 12, 2021

Nicole Nelson
Library Manager
Countee Cullen Library
104 West 136th Street
New York, NY 10030

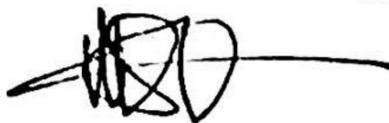
**RE: Brownfield Cleanup Program Application
 One45 Lenox LLC
 691 Lenox Avenue – Phase 1 Development Site
 691 Lenox Avenue
 New York, NY 10030**

To whom it may concern:

We represent One45 Lenox LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced site. The NYSDEC requires a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. The New York Public Library will be provided with a link to the files, once available, which will make the documents available to the public via digital download link until the project's completion within the BCP or until December 31, 2024, whichever occurs first. The Site's involvement with the BCP will vary dependent on time to completion of remediation and receiving the certificate of completion from the NYSDEC; at this time, the Site is in the application phase. If accepted into the BCP, a certificate of completion is expected by December 2024. Please sign below and return if you are able to certify that your library would be willing and able to act as the temporary public repository for this BCP project.

Sincerely,

**Langan Engineering, Environmental, Surveying, Landscape
Architecture and Geology, D.P.C.**



Mimi S. Raygorodetsky
Principal

Yes, the Countee Cullen Library is willing and able to act as a public repository on behalf of One45 Lenox LLC in their cleanup of the 691 Lenox Avenue – Phase 1 Development Site under the NYSDEC BCP until the project's completion within the BCP or until December 31, 2024, whichever occurs first.

Nicole Nelson
(Name)
Library Manager
(Title)

April 12, 2021
(Date)

ATTACHMENT H

SECTION X: LAND USE FACTORS

Item 1 – Current Zoning

According to the New York City Department of City Planning (NYCDCP) Zoning Map 6a, dated December 19, 2017, the site is located C8-3 commercial district and R7-2/C1-4 mixed-use district and is proposed to be rezoned to a C4-6 general commercial district, pursuant to a Uniform Land Use Review Procedure (ULURP). The ULURP is currently underway and certification is anticipated in September 2021. The New York City Department of City Planning (NYCDCP) received the pre-application statement (PAS) but has yet to issue a CEQR number. The NYCDCP issued a blueprint review number for the project (P2018MO215).

The applicable zoning map is provided in this attachment. The surrounding parcels are located in residential, manufacturing, and commercial zoning districts.

Item 2 – Current Use

The proposed BCP site includes Lot 29, 33, and part of Lot 38. The current and historical uses are outlined below:

- Lot 29 - historically contained a gasoline tank; the commercial space is occupied by retail stores, a nail salon, an Islamic religious center, a vacant pharmacy, a restaurant, and a community center.
- Lot 33 was historically occupied by a hotel (1939-2005) and the structure on this tax lot was demolished in 2019; Lot 33 is now vacant.
- Lot 38 was used for gasoline storage and auto repair (1939 to 2005); the commercial space is now occupied by retail stores, a vacant laundromat, and restaurants

Historic land filling and any of the uses outlined above may have contributed to the identified on-site contamination.

Item 3 – Intended Use Post Remediation

Phase 1 of the proposed mixed-use development at One45 will comprise a 28-story building and include up to 327 residential units (25% affordable), the Museum of Civil Rights, including galleries, lecture and seminar facilities, and interactive multimedia exhibits, retail space, and office space.

Item 4 – Historical and/or Recent Development Patterns

The proposed post-remediation mixed commercial/residential development is consistent with historical and current development patterns in Harlem. Properties in the vicinity of the proposed site have included residential and commercial tenants since the mid-1800s.

Item 5 – Consistency with Applicable Zoning Laws/Maps

The proposed development site is located within a C8-3 commercial district and R7-2/C1-4 mixed-use district and is proposed to be rezoned to a C4-6 general commercial district, pursuant to a ULURP. The ULURP is currently underway and certification is expected in September 2021. The proposed future use is consistent with the proposed rezoning designation (C4-6).

Item 6 – Consistency with Comprehensive Community Master Plans

The proposed use is consistent with the anticipated NYCDCP C4-6 general commercial district zoning guidelines.