



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 644 East 14th Street Owner LLC

ADDRESS 520 Madison Avenue, Suite 3501

CITY/TOWN New York, NY

ZIP CODE 10022

PHONE (646) 747-2235

FAX

E-MAIL ZKadden@madisonrealtycapital.com

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

☒ Yes ☐ No

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

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

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

(See Attachment 1)

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

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

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

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

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

RECEIVED

OCT 13 2021

BUR. OF TECH. SUPPORT

(See Attachment 2)

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			BTEX up to 332 ug/m3
Chlorinated Solvents	No exceedances **	No exceedances	PCE up to 50 ug/m3
Other VOCs	No exceedances **	No exceedances	n-Hexane up to 9,700 ug/m3
SVOCs	8 SVOCs, up to 18.3 mg/kg	5 SVOCs, up to 0.0923 ug/L	
Metals	Ba up to 460 mg/kg, Pb up to 775 mg/kg, Hg up to 1.42 mg/kg	Dissolved Sb, As, Mg, Mn, Na above Class GA standards	
Pesticides			Previous reports submitted
PCBs	No exceedances **		with this application are listed and summarized in
Other*			Attachment 3.

*Please describe: ** Relative to Restricted Residential Soil Cleanup Objectives

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

- **SAMPLE LOCATION** See attached Figures 1 (sample locations), 2 (soil exceedances), 3 (groundwater exceedances), and 4 (soil vapor sample results). Tax map and USGS Site location map are Figures 5 and 6, respectively.
- **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 type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Automotive service facility and auto parts store

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 644 East 14th Street Site				
ADDRESS/LOCATION 644 East 14th Street				
CITY/TOWN New York		ZIP CODE 10009		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York City (Manhattan)				
COUNTY New York		SITE SIZE (ACRES) 0.23		
LATITUDE (degrees/minutes/seconds) 40 ° 43 ' 42 "		LONGITUDE (degrees/minutes/seconds) 73 ° 58 ' 34 "		
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
644 East 14th Street		396	29	0.23
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <div style="text-align: right; margin-right: 50px;">If yes, identify census tract : <u>28</u></div> <div style="margin-top: 10px;"> Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100% </div>				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

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

Easement/Right-of-way Holder

Description

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

Type

Issuing Agency

Description

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

(See Attachment 4)

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 Zachary Kadden			
ADDRESS 520 Madison Avenue, Suite 3501			
CITY/TOWN New York, NY		ZIP CODE 10022	
PHONE (646) 747-2235	FAX	E-MAIL ZKadden@madisonrealtycapital.com	
NAME OF REQUESTOR'S CONSULTANT Spiro Dongaris, PE, Athenica Environmental Engineering PLLC			
ADDRESS 45-09 Greenpoint Avenue			
CITY/TOWN Long Island City, NY		ZIP CODE 11104	
PHONE (718) 784-7490	FAX (718) 784-4085	E-MAIL SDongaris@athenica.com	
NAME OF REQUESTOR'S ATTORNEY Scott Furman, Esq., Sive Paget Riesel			
ADDRESS 560 Lexington Avenue, 15th Floor			
CITY/TOWN New York, NY		ZIP CODE 10022	
PHONE (212) 421-2150	FAX (212) 421-1891	E-MAIL SFurman@sprlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME 644 East 14th Street Owner LLC		OWNERSHIP START DATE: 4/29/2020	
ADDRESS 520 Madison Avenue, Suite 3501			
CITY/TOWN New York, NY		ZIP CODE 10022	
PHONE (646) 747-2235	FAX	E-MAIL ZKadden@madisonrealtycapital.com	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
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. (See Attachment 5)			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Section VII. Requestor Eligibility Information (continued)

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

(See Attachment 6)

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

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

☐ Yes ☐ No

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

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

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

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.

(See Attachment 7)

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? R7-2 with C1-5 overlay

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

☒ Residential ☒ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☒ Vacant ☐ Recreational (check all that apply) (See Attachment 8)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☒ Residential ☒ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☒ No

(See Attachment 8)

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

☒ Yes ☐ No

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

☒ Yes ☐ No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title) of 644 East 14th Street Owner 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: 10/7/21

Signature: 

Print Name: David Speiser, Authorized Signatory

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>	
<p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p>	
<p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

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

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

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

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

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

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: 644 East 14th Street Site
City: New York

Site Address: 644 East 14th Street
County: New York **Zip:** 10009

Tax Block & Lot

Section (if applicable): **Block:** 396 **Lot:** 29

Requestor Name: 644 East 14th Street Owner LLC
City: New York, NY

Requestor Address: 520 Madison Avenue, Suite 3501
Zip: 10022 **Email:** ZKadden@madisonrealtycapital.com

Requestor's Representative (for billing purposes)

Name: Zachary Kadden **Address:** 520 Madison Avenue, Suite 3501
City: New York, NY **Zip:** 10022

Email: ZKadden@madisonrealtycapital.com

Requestor's Attorney

Name: Scott Furman, Esq., Sive Paget Riesel **Address:** 560 Lexington Avenue, 15th Floor
City: New York, NY **Zip:** 10022

Email: SFurman@sprlaw.com

Requestor's Consultant

Name: Spiro Dongaris, PE, Athenica Environmental Engineering PLLC **Address:** 45-09 Greenpoint Avenue
City: Long Island City, NY **Zip:** 11104

Email: SDongaris@athenica.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:

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

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

SECTION I REQUESTOR INFORMATION

Requestor Name

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

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

Address, etc.

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

Document Certification

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

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

SECTION II PROJECT DESCRIPTION

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III PROPERTY'S ENVIRONMENTAL HISTORY

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.

SECTION IV PROPERTY INFORMATION

Proposed Site Name

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

Site Address

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

Site Size

Provide the approximate acreage of the site.

GIS Information

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

Tax Parcel Information

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

1. Tax Map Boundaries

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

2. Map

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

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

4. Multiple applications

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

10. Property Description Narrative

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

Location

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

Site Features:

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

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

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

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

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

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

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

Environmental Assessment

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

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

A typical Environmental Assessment would look like the following:

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

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

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

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

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

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

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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

Owner Name, Address, etc.

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

Operator Name, Address, etc.

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

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

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

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

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

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

1. CERCLA / NPL Listing

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

2. Registry Listing

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

3. RCRA Listing

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

4. Registry / RCRA sites owned by volunteers

If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION VIII (continued)

5. Existing Order

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

6. Enforcement Action Pending

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

SECTION IX CONTACT LIST INFORMATION

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

SECTION X LAND USE FACTORS

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

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

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

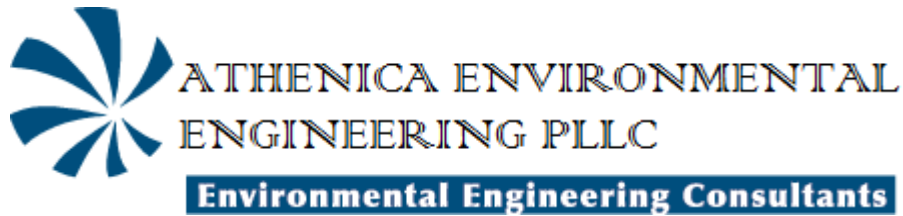
DETERMINATION OF A COMPLETE APPLICATION

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (continued)

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



ATTACHMENTS FOR BROWNFIELD CLEANUP PROGRAM APPLICATION 644 EAST 14TH STREET SITE, NEW YORK, NY 10009

Attachment 1 (Section I)

The requestor/applicant, 644 East 14th Street Owner LLC is authorized to conduct business in New York State. A copy of the business certification from the New York State Department of State is included at the end of this document. The LLC members are:

- Brian Shatz
- Joshua Zegen

Attachment 2 (Section II, Question 3)

The proposed redevelopment of the Site will consist of construction of a multi-story mixed-use (residential and commercial) building, with a full basement. The redevelopment will include affordable housing and a community facility. The footprint of the new building, including the basement, will cover the entire Site area, and will include excavation to a depth of approximately 12 feet below sidewalk level. The current zoning designation is R7-2 with a commercial overlay of C1-5, allowing for residential or mixed residential and commercial uses. The proposed use is consistent with existing zoning for the property. The Site redevelopment is expected to begin in 2021 and the Certificate of Completion is anticipated in December 2022.

Attachment 3 (Section III, Question 1)

Reports documenting three previous environmental sampling events are included as part of this application. These reports are:

1. *Limited Phase II Subsurface Investigation Report*, dated March 20, 2014 and prepared by Environmental Business Consultants. The scope of work for this investigation included advancing 6 soil borings (each collected from the upper 7 feet of material), laboratory analysis of 4 soil samples for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs), collection of 2 groundwater samples from existing monitoring wells located in the Site sidewalk, and analysis of the groundwater samples for VOCs. No VOCs were detected at concentrations above Restricted Residential Use Soil Cleanup Objectives (SCOs) in any of the soil samples. Several polycyclic aromatic hydrocarbons (PAHs) were detected at concentrations exceeding Restricted Residential Use SCOs. No VOCs were detected in either groundwater sample.
2. *Soil Investigation Report*, dated August 20, 2020 and prepared by Athenica Environmental Services, Inc. The scope of work for this investigation included collection and analysis of 5 shallow soil

samples, which were analyzed for VOCs, SVOCs, pesticides, PCBs, and metals. PAHs, barium, lead, and mercury were detected at concentrations exceeding Restricted Residential Use SCOs. Groundwater samples were not collected as part of the 2020 investigation.

3. *Phase II Environmental Site Assessment*, dated May 6, 2021 and prepared by Athenica Environmental Services, Inc. The scope of work for this investigation included advancing 8 additional soil borings; collection and laboratory analysis of 8 soil samples for VOCs, SVOCs, PCBs, and metals; installation and sampling of 2 temporary monitoring wells; sampling of the 2 existing monitoring wells; laboratory analysis of 4 groundwater samples for VOCs, SVOCs, and total and dissolved metals; installation of four temporary soil vapor probes; collection of four soil vapor samples and one outdoor ambient air sample; and laboratory analysis of 5 air samples for VOCs.

Seven PAHs were detected in six of the soil samples at concentrations above Restricted Residential Use SCOs, and lead (one sample) and mercury (two samples) were also detected at concentrations above Restricted Residential Use SCOs. No VOCs were detected in any of the groundwater samples at concentrations exceeding Class GA groundwater standards, and one sample contained five PAHs at concentrations above Class GA groundwater standards. The groundwater samples also contained 12 total metals and five dissolved metals at concentrations exceeding Class GA groundwater standards. Thirty-two VOCs were detected in the soil vapor samples, generally comprising petroleum-related compounds, at concentrations up to 9,700 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). The outdoor ambient air sample contained 19 VOCs, at concentrations up to $8.5 \mu\text{g}/\text{m}^3$.

Attachment 4 (Section IV, Question 10)

Location: The 644 East 14th Street Site is located in an urban area of New York County (Manhattan), and consists of a single parcel with an address of 644 East 14th Street. The Site is identified on the New York City Tax Map as Manhattan Block 396, Lot 29.

Site Features: Currently, the Site is a vacant lot, and previously maintained an automotive repair facility and auto parts store. Much of the Site has been partially excavated, as part of demolition of the prior Site building by a previous owner.

Current Zoning and Land Use: The current zoning designation for the Site is R7-2 with a commercial overlay of C1-5, allowing for residential or mixed residential and commercial uses. The Site is bounded to the north by East 14th Street, followed by a private housing complex (Stuyvesant Town); to the east by Avenue C, followed by a Con Edison facility; to the south by a parking lot and New York City Housing Authority (NYCHA) residential complex (Campos Plaza II); and to the west by 5-story residential buildings along East 14th Street. No sensitive receptors (such as schools, hospitals, and day-care facilities) were identified within a 500-foot radius of the Site.

Past Use of the Site: According to a December 2013 Phase I Environmental Site Assessment (ESA) report, as referenced in a March 20, 2014 Phase II ESA report (a copy of this report is included with this application), the Site was utilized for auto parts sales and automobile repair beginning in 1948; this

building was demolished sometime between 2014 and 2020. This report also notes that, prior to 1948, the Site was developed with one 6-story building and two 5-story buildings with multiple storefronts.

Site Geology and Hydrogeology: Based on information in the reports documenting the sampling programs conducted at the Site to date, the stratigraphy of the Site, beginning at sidewalk level, consists of approximately 6 feet of silty sand and fill (disintegrated brick, concrete, and glass shards) underlain by approximately 25 feet of fine sand with varying amounts of silt, or silt with trace to little sand. This material is underlain by till to a depth of approximately 65 feet below sidewalk level, where decomposed and solid bedrock (mica schist) were identified.

The depth to groundwater in the two existing monitoring wells at the Site ranged from 6 to 7 feet below sidewalk level. Groundwater flow beneath the Site is expected to be generally from west to east (i.e., toward the East River), but may vary due to tidal influences.

Environmental Assessment: The earliest known sampling program at the Site was the 2014 Phase II ESA that was conducted in response to the December 2013 Phase I ESA. Athenica conducted two subsequent sampling programs at the Site, one in August 2020 (soil sampling only) and one in April 2021 (soil, groundwater, and soil vapor/ambient air sampling). The reports documenting these investigations are included with this application. Based on the findings of the Site investigations, the primary contaminants of concern for the Site are SVOCs, in particular PAHs that are typically associated with petroleum, and metals in soil; PAHs in groundwater; and petroleum-related (VOCs in soil vapor. Samples locations are shown on Figure 1, and analytical results are summarized on Figure 2 (soil), Figure 3 (groundwater), and Figure 4 (soil vapor). *Soil* – The 2014 Site investigation included 6 soil borings and laboratory analysis of 4 soil samples, each collected from the upper 7 feet of material and analyzed for VOCs and SVOCs. No VOCs were detected at concentrations above Restricted Residential Soil Cleanup Objectives (SCOs) in any of the soil samples. Several PAHs were detected at concentrations exceeding Restricted Residential Use SCOs.

The 2020 investigation included collection and analysis of five shallow soil samples, which were analyzed for VOCs, SVOCs, pesticides, PCBs, and metals. PAHs, barium, lead, and mercury were detected at concentrations exceeding Restricted Residential Soil Cleanup Objectives SCOs.

Eight additional soil samples were collected during the 2021 investigation, for analysis of VOCs, SVOCs, PCBs, and metals. Seven PAHs were detected in six of these samples at concentrations above Restricted Residential Use SCOs, and lead (one sample) and mercury (two samples) were also detected at concentrations above Restricted Residential Use SCOs.

Groundwater – Two groundwater samples were collected as part of the 2014 Site investigation, from existing monitoring wells located in the Site sidewalk. Each sample was analyzed for VOCs, with no VOCs detected in either sample. Groundwater samples were not collected as part of the 2020 investigation.

The 2021 investigation included installation and sampling of two temporary monitoring wells, and sampling of the two existing monitoring wells at the Site. The four groundwater samples were analyzed for VOCs, SVOCs, and total and dissolved metals. No VOCs were detected in any of the groundwater samples at

concentrations exceeding Class GA groundwater standards, and one sample contained five PAHs at concentrations above Class GA groundwater standards. The groundwater samples also contained 12 total metals and five dissolved metals at concentrations exceeding Class GA groundwater standards.

Soil Vapor – The 2021 investigation included installation and sampling of four temporary soil vapor probes, and collection of four soil vapor samples and one outdoor ambient air sample at the Site. A total of 32 VOCs were detected in the soil vapor samples, generally comprising petroleum-related compounds, at concentrations up to 9,700 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). The outdoor ambient air sample contained 19 VOCs, at concentrations up to $8.5 \mu\text{g}/\text{m}^3$.

The soil, groundwater, and soil vapor data collected to date at the Site are summarized in the following tables.

Soil

Analyte Exceeding Restricted Residential Use SCO	Number of Exceedances	Maximum Detection *	Restricted Residential Use SCO *	Depth **
Benzo(a)anthracene	12	15.8	1	4-4.5
Benzo(a)pyrene	12	18.3	1	4-4.5
Benzo(b)fluoranthene	11	13.1	1	4-4.5
Benzo(k)fluoranthene	4	12.8	3.9	4-4.5
Chrysene	6	12.5	3.9	4-4.5
Dibenzo(a,h)anthracene	7	2.6	0.33	4-4.5
Indeno(123-cd)pyrene	12	12.9	0.5	4-4.5
Barium	1	460	400	4-4.5
Lead	1	428	400	4-4.5
Mercury	1	1.17	0.81	4-4.5

* Concentrations are milligrams per kilogram (mg/Kg or parts per million).

** Feet below sidewalk level.

Groundwater

Analyte Exceeding Class GA Water Quality Standard	Number of Exceedances	Maximum Detection *	Class GA Water Quality Standard *
Benzo(a)anthracene	1	0.0718	0.002
Benzo(a)pyrene	1	0.0718	0.002
Benzo(b)fluoranthene	1	0.0615	0.002
Benzo(k)fluoranthene	1	0.0615	0.002
Chrysene	1	0.0923	0.002
<i>Total Metals</i>			
Antimony	2	9.38	3
Arsenic	3	820	25
Barium	3	11,700	1,000
Cadmium	1	5.35	5
Chromium	3	822	50
Copper	3	4,710	200
Lead	4	26,900	25
Magnesium	3	110,000	35,000
Manganese	4	15,600	300
Nickel	2	943	100
Selenium	1	59.2	10
Sodium	4	340,000	20,000
<i>Dissolved Metals</i>			
Antimony	1	4.61	3
Arsenic	1	36.8	25
Magnesium	2	134,000	35,000
Manganese	3	1,110	300
Sodium	4	368,000	20,000

* Concentrations are micrograms per liter (µg/L, or parts per billion).

Soil Vapor/Outdoor Air

Detected Analyte	Number of Detections	Maximum Detection *	Medium of Maximum Detection
1,1,1-Trichloroethane	2	18	Soil vapor
1,2,4-Trimethylbenzene	5	45	Soil vapor
1,3,5-Trimethylbenzene	4	36	Soil vapor
1,3-Butadiene	1	6.1	Soil vapor
1,4-Dioxane	1	19	Soil vapor
2-Butanone	5	1,000	Soil vapor
2-Hexanone	3	78	Soil vapor
Acetone	5	690	Soil vapor
Benzene	5	64	Soil vapor
Carbon disulfide	4	90	Soil vapor
Carbon tetrachloride	1	0.34	Outdoor air
Chloroform	1	5.9	Soil vapor
Chloromethane	4	1.9	Soil vapor/Outdoor air
cis-1,2-Dichloroethene	1	2.5	Soil vapor
Cyclohexane	4	84	Soil vapor
Dichlorodifluoromethane	1	2.5	Outdoor air
Ethyl acetate	1	0.77	Outdoor air
Ethylbenzene	5	40	Soil vapor
Isopropanol	5	19	Soil vapor
Methyl methacrylate	1	1.1	Outdoor air
Methylene chloride	5	20	Soil vapor
n-Heptane	5	3,900	Soil vapor
n-Hexane	5	9,700	Soil vapor
o-Xylene	5	48	Soil vapor
m & p-Xylenes	5	100	Soil vapor
p-Ethyltoluene	4	51	Soil vapor
Propylene	2	130	Soil vapor
Styrene	1	3.9	Soil vapor
Tetrachloroethene	4	50	Soil vapor
Toluene	5	80	Soil vapor
Trichloroethene	1	1.3	Soil vapor
Trichlorofluoromethane (Freon 11)	1	1.1	Outdoor air

* Concentrations are micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).

As noted in the tables above, 7 PAHs and 3 metals were detected at concentrations exceeding Restricted Residential Use SCO in soil samples collected at the Site. The detected parameters, with the range of detected concentrations for each, include:

- Benzo(a)anthracene (0.0873 - 15.8 mg/Kg)
- Benzo(a)pyrene (0.0652 – 18.3 mg/Kg)
- Benzo(b)fluoranthene (0.136 – 13.1 mg/Kg)
- Benzo(k)fluoranthene (0.0597 - 12.8 mg/Kg)
- Chrysene (0.079 – 12.5 mg/Kg)
- Dibenzo(a,h)anthracene (0.205 – 2.6 mg/Kg)
- Indeno(123-cd)pyrene (0.0929 – 12.9 mg/Kg)
- Barium (58.2 – 460 mg/Kg)
- Lead (39.2 – 428 mg/Kg)
- Mercury (0.135 – 1.17 mg/Kg)

Groundwater samples contained 5 PAHs, 12 total metals, and 5 dissolved metals at concentrations exceeding Class GA Water Quality Standards. The detected parameters, with the range of detected concentrations for each, include:

- Benzo(a)anthracene (0.0718 µg/L)
- Benzo(a)pyrene (0.0718 µg/L)
- Benzo(b)fluoranthene (0.0615 µg/L)
- Benzo(k)fluoranthene (0.0615 µg/L)
- Chrysene (0.0923 µg/L)
- Total antimony (2.38 – 9.38 µg/L)
- Dissolved antimony (2.13 – 4.61 µg/L)
- Total arsenic (7.46 - 820 µg/L)
- Dissolved arsenic (1.14 – 36.38 µg/L)
- Total barium (78.2 – 11,700 µg/L)
- Total cadmium (0.837 – 5.35 µg/L)
- Total chromium (24.9 - 822 µg/L)
- Total copper (31.4 – 4,710 µg/L)
- Lead (48.5 – 26,900 µg/L)
- Total magnesium (24,000 – 110,000 µg/L)
- Dissolved magnesium (14,200 – 134,000 µg/L)
- Total manganese (1,330 – 15,600 µg/L)
- Dissolved manganese (216 – 1.110 µg/L)
- Total nickel (12.5 – 943 µg/L)
- Total selenium (1.07 – 59.2 µg/L)
- Total sodium (70,000 – 340,000 µg/L)
- Dissolved sodium (45,900 – 368,000 µg/L)

The soil vapor and outdoor air samples contained 32 VOCs. The detected compounds, with the range of detected concentrations for each, include:

- 1,1,1-Trichloroethane (12 - 18 µg/m³)
- 1,2,4-Trimethylbenzene (0.53 - 45 m³)
- Chloroform (5.9 µg/m³)
- Chloromethane (1.6 – 1.9 µg/ m³)

- 1,3,5-Trimethylbenzene (7.6 - 36 m³)
- 1,3-Butadiene (6.1 µg/m³)
- 1,4-Dioxane (19 µg/m³)
- 2-Butanone (1.3 – 1,000 µg/m³)
- 2-Hexanone (41 – 78 µg/m³)
- Acetone (7.6 - 690 µg/ m³)
- Benzene (0.58 - 64 µg/ m³)
- Carbon disulfide (9.2 - 90 µg/ m³)
- Carbon tetrachloride (0.34 µg/ m³)
- Chloroform (5.9 µg/ m³)
- cis-1,2-Dichloroethene (2.5 µg/ m³)
- Cyclohexane (4.4 - 84 µg/ m³)
- Dichlorodifluoromethane (2.5 µg/ m³)
- Ethyl acetate (0.77 µg/ m³)
- Ethylbenzene (0.46 - 40 µg/ m³)
- Isopropanol (4.4 - 19 µg/ m³)
- Methyl methacrylate (1.1 µg/ m³)
- n-Heptane (0.48 – 3,900 µg/ m³)
- n-Hexane (0.49 – 9,700 µg/ m³)
- o-Xylene (0.46 – 48 µg/ m³)
- m & p-Xylene (0.98 – 100 µg/ m³)
- p-Ethyltoluene (20 – 51 µg/ m³)
- Propylene (77 – 130 µg/ m³)
- Styrene 3.9 µg/ m³)
- Tetrachloroethene 0.73 – 50 µg/ m³)
- Toluene (1.5 -80 µg/ m³)
- Trichloroethene (1.3 µg/ m³)
- Trichlorofluoromethane (Freon 11, 1.1 µg/ m³)

As noted above, the highest concentrations of VOCs detected in soil vapor are associated with petroleum (benzene, toluene, ethylbenzene, xylenes (collectively, BTEX), n-heptane, and n-hexane), with the total concentrations of these parameters in soil vapor ranging from 224 µg/ m³ to 13,729 µg/ m³ (these VOCs totaled 5 µg/ m³ in the outdoor air sample).

Based on the presence of PAHs and metals at concentrations exceeding Restricted Residential Use SCOs throughout the Site, the soil contamination at the Site is considered to be widespread. The detected PAH concentrations are generally significantly above Restricted Residential Use SCOs and the detected concentrations of metals are generally slightly above Restricted Residential Use SCOs.

As PAHs were only detected at concentrations exceeding Class GA Water Quality Standards in only one groundwater sample, groundwater impacts by SVOCs is considered to be localized, with concentrations significantly above the standards. Metals were detected at concentrations exceeding GA Water Quality Standards in all groundwater samples, and metals-impacted groundwater is considered to be widespread, with concentrations significantly above the standards. However, as New York City prohibits the use of groundwater for water supply purposes, exposure of future Site occupants (after Site redevelopment) to the impacted groundwater is considered highly unlikely.

The soil vapor sample results show that petroleum-related compounds are present throughout the Site. The levels of petroleum-related VOCs (up to 13,729 µg/ m³) detected in soil vapor indicate that the potential for vapor intrusion into a building constructed at the Site is high.

Attachment 5 (Section VI)

Based on information obtained through the New York City Automated City Register Information System (ACRIS), previous and current owners of the Site are summarized in the following table. The recorded deed documenting ownership of the Site by the Requestor/Applicant is included at the end of this document. None of the identified previous owners have any relationship to the current Site owner/applicant, 644 East 14th Street Owner LLC. The most recent available addresses and, where obtainable, telephone numbers for previous owners are also shown in the following table.

Property	Owner	Period	Relationship to Current Owner/Applicant
644 East 14th Street	644 E. 14 th St Corp c/o Granett and Gold, PC 10 Columbus Circle, New York, NY 10019 Telephone number unknown	Unspecified – 1986	None
	Schottenstein Stores Corporation 1835 Burnet Avenue, Union, NJ 07083 Telephone number unknown	1986 – 1988	None
	R&S/Strauss, LLC 91A Brick Plant Road, South River, NJ 08882 (732) 390-9000	1988 – Unspecified	None
	R&S Liquidating Company, Inc. 91A Brick Plant Road, South River, NJ 08882 (732) 390-9000	Unspecified - 2000	None
	SBCG Strauss, LLC 1010 Northern Boulevard, Great Neck, NY 11021 Telephone number unknown	2000 – 2005	None
	Kimstrauss Unitary Business Trust 3333 New Hyde Park Road, New Hyde Park, NY 11042 Telephone number unknown	2005 – 2008	None
	14 Ave. C LLC c/o Arun Bhatia Development Corporation, 500 West 43 rd Street, New York, NY 10036 Telephone number unknown	2008 – 2014	None
	644 E 14 LLC 505 Flushing Avenue, Unit 1D, Brooklyn, NY 11205 Telephone number unknown	2014 – 2016	None
	644 E 14 th Realty LLC 485 Oak Glen Road, Howell, NJ 07731 Telephone number unknown	2016 - 2020	None
	644 East 14 th Street Owner LLC 520 Madison Avenue, Suite 3501, New York, NY 10022 (646) 747-2235	2020 - Present	Applicant

Based on information in the December 2013 Phase I ESA report (historic fire insurance maps and City directory listings), as referenced in a March 20, 2014 Phase II ESA report (a copy of this report is included with this application), previous operators of the Site parcels are summarized in the following table. None of these identified previous operators have any relationship to the current Site owner/applicant, and all previous operations ceased at each parcel prior to acquisition of the parcel by the current owner/applicant. Current addresses and telephone numbers for previous operators are unknown.

Operator/Use	Timeframe	Relationship to Current Owner/Applicant	Source
One 6-story and two 5-story buildings with multiple storefronts (building uses not listed)	1903 - 1920	None	Fire Insurance Maps
Lipschitz Jon Grocer	1927 - 1938	None	City Directories
Dependable Window Shades, Leonard Goldstone, Jack Gross Window Shades, Lipschitz Jon Grocer, Marvald Saml Electrician, Ralph Miller Glass, Triboro Glass Co	1942 - 1950	None	City Directories
One 6-story and two 5-story buildings with multiple storefronts (building uses not listed)	1944 - 1950	None	Fire Insurance Maps
Strauss Stores Corp / Strauss Discount Auto	1956 - 2013	None	City Directories
Auto Service Shop and one 1-story building	1971 - 2005	None	Fire Insurance Maps

Attachment 6 (Section VII, Volunteer Statement)

The applicant 644 East 14th Street Owner LLC seeks to enter into the Brownfield Cleanup Program (BCP) as a Volunteer.

Under ECL § 27-1405(1)(b) and 6 NYCRR §375-3.2(c)(2), a Volunteer is defined as follows: “Volunteer” shall mean an applicant other than a participant, including without limitation a person whose liability arises solely as a result of such person's ownership or operation of or involvement with the site subsequent to the disposal or discharge of contaminants, provided however, such person exercises appropriate care with respect to contamination found at the facility by taking reasonable steps to:

- (i) stop any continuing release;
- (ii) prevent any threatened future release; and
- (iii) prevent or limit human, environmental, or natural resource exposure to any previously released contamination.

644 East 14th Street Owner LLC does not have any relationship to any previous owners or operators of the Site, and did not own the Site during operations by any of the previous owners or occupants. All structures previously present at the Site had been demolished prior to purchase of the Site by the applicant

on April 29, 2020. As noted above, environmental investigations were conducted at the Site by Athenica Environmental Services, Inc. in August 2020 and April 2021. After confirmation of Site contamination and subsequent conversations with NYSDEC, applicant/current owner now seeks entry into the BCP to further investigate and remediate the Site.

Attachment 7 (Section IX, Contact List)

1. Local Officials	
Name and Title	Mailing Address
The Honorable Bill deBlasio Mayor, City of New York	City Hall New York, NY 10007
Alysha Lewis-Coleman Chair, Manhattan Community Board 3	59 East 4 th Street New York, NY 10003
Carolina Rivera New York City Council, District 2	254 East 4 th Street New York, NY 10009
Marisa Lago Chair, New York City Planning Board	120 Broadway New York, NY 10271

2. Site Occupants and Surrounding Property Owners		
Property Address	Occupant/Owner Name	Occupant/Owner Mailing Address
230 Avenue C (Block 988, Lot 1)	Consolidated Edison Company of New York, Inc.	4 Irving Place New York, NY 10003
214 Avenue C (Block 383, Lot 1)	Consolidated Edison Company of New York, Inc.	4 Irving Place New York, NY 10003
604 East 14th Street (Campos Plaza II Houses, Block 396, Lot 10)	New York City Housing Authority	90 Church Street New York, NY 10007
642 East 14th Street (Block 396, Lot 28)	642 East 14 th St LLC	157 East Houston Street New York, NY 10002
240 1 st Avenue (Stuyvesant Town Housing Development, Block 972, Lot 1)	BPP St Owner LLC	345 Park Avenue New York, NY 10154

3. News Media	
Outlet	Mailing Address
Patch	134 West 29 th Street New York, NY 10001
New York Daily News	270C Duffy Avenue Hicksville, NY 11801
ABC7	7 Lincoln Square New York, NY 10023

4. Public Water Supplier	
New York City Department of Environmental Protection	59-17 Junction Boulevard Flushing, NY 11373

5. Persons Who Requested to be Placed on the Contact List

Name	Mailing Address
No requests received	

6. Nearby Schools and Day Care Facilities

School/Day Care Facility	Administrator Name and Title	Mailing Address
None identified		

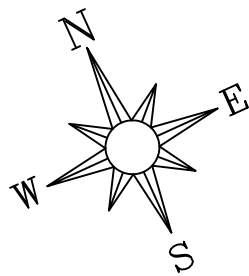
7. Document Repository

Location	Address
Tompkins Square Library	331 East 10 th Street New York, NY 10009 Written confirmation of acceptance as document repository is attached
Manhattan Community Board 3	59 East 4 th Street New York, NY 10003 Written confirmation of acceptance as document repository is attached

Attachment 8 (Section X, Questions 2 and 3)

There are currently no buildings at the Site. According to a December 2013 Phase I Environmental Site Assessment (ESA) report, as referenced in a March 20, 2014 Phase II ESA report (a copy of this report is included with this application), the Site was utilized for auto parts sales and automobile repair beginning in 1948; this building was demolished sometime between 2014 and 2020. This report also notes that, prior to 1948, the Site was developed with one 6-story building and two 5-story buildings with multiple storefronts.

The proposed redevelopment of the Site will consist of construction of a multi-story mixed-use (residential and commercial) building with a full basement, to include affordable housing and a community facility. The footprint of the new building, including the basement, will cover the entire Site area. The redevelopment plan includes excavation to a depth of approximately 12 feet below sidewalk level. The current zoning designation is R7-2 with a commercial overlay of C1-5, allowing for residential or mixed residential and commercial uses. The proposed use is consistent with existing zoning for the property.



East 14th Street

Site Sidewalk

Corner MW

Northwest MW

SV-1

SV-2

Ramp

SV-3

SB-A

Soil-2 (2020)

Soil-1 (2020)

SV-4

SB-E

B1 (2014)

Not Analyzed

SB-F

B3 (2014)

Soil-5 (2020)

SB-C / TW-1

Former Auto
Repair Portion

SB-B

B2 (2014)

Not Analyzed

SB-D / TW-2

SB-G

B4 (2014)

Soil-3 (2020)

Soil-4 (2020)

SB-H

B6 (2014)

B5 (2014)

Former Parking
(No Building)

Empty Lot MW
(Not Found)

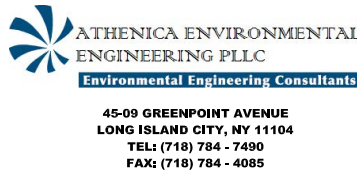
Avenue C

LEGEND:

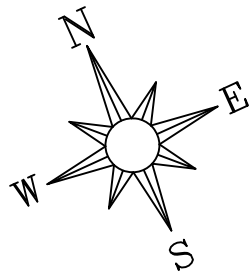
- Historic Monitoring Well Location
- Previous Soil Sample Location
- Soil Boring Location
- Soil Boring/ Temporary Well Location
- Soil Vapor Sample Location
- Ambient Air Sample Location

Notes:

- 8 Soil Samples (VOCs, SVOCs, PCBs, Metals)
- 4 GW Samples (VOCs, SVOCs, Total and Dissolved Metals)
- 4 Soil Vapor Samples (VOCs)
- 1 Ambient Air Sample (VOCs)



Date:	5/20/2021	Site: 644 East 14th Street, New York, NY 10009 Figure: 1 Title: Sample Location Map
Drawn by:	Evan Greenberg	
Checked by:	Kenneth P. Wenz Jr., PG, LEP	
Drawing Scale:	Not to scale	
Project No.:	21-132-0311	



East 1

Sample ID	Soil-2	
Sampling Date	August 10, 2020	
Semivolatile Organic Compounds:		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO ₂ (mg/kg)
Benzo(a)anthracene	15.8	1
Benzo(a)pyrene	16.4	1
Benzo(b)fluoranthene	12	1
Benzo(k)fluoranthene	10.8	3.9
Chrysene	12.5	3.9
Dibenzo(a,h)anthracene	2.65	0.33
Indeno(1,2,3-cd)pyrene	10.4	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO ₂		

Sample ID	Soil-1	
Sampling Date	August 10, 2020	
Semi-Volatile Organic Compounds:		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO ₂ (mg/kg)
Benzo(a)anthracene	14.7	1
Benzo(a)pyrene	18.3	1
Benzo(b)fluoranthene	13.1	1
Benzo(k)fluoranthene	12.8	3.9
Chrysene	11.2	3.9
Dibenzo(a,h)anthracene	2.6	0.33
Indeno(1,2,3-cd)pyrene	12.9	0.5
TAL Metals:		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO ₂ (mg/kg)
Barium	460	400
Lead	428	400
No other compounds detected in exceedance of Restricted Residential Use SCO ₂		

Sample ID	SB-A	
Sampling Date	April 21, 2021	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Benzo(a)anthracene	8.89	1
Benzo(a)pyrene	8.45	1
Benzo(b)fluoranthene	6.42	1
Benzo(k)fluoranthene	5.98	3.9
Chrysene	7.87	3.9
Dibenzo(a,h)anthracene	1.57	0.33
Indeno(1,2,3-cd)pyrene	4.35	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

Sample ID	SB-E	
Sampling Date	April 21, 2021	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Benzo(a)anthracene	3.23	1
Benzo(a)pyrene	2.66	1
Benzo(b)fluoranthene	2.12	1
Dibenzo(a,h)anthracene	0.371	0.33
Indeno(1,2,3-cd)pyrene	1.12	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

Sample ID	Soil-5	
Sampling Date	August 10, 2020	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Benzo(a)anthracene	12.5	1
Benzo(a)pyrene	14	1
Benzo(b)fluoranthene	10.1	1
Benzo(k)fluoranthene	9.02	3.9
Chrysene	10	3.9
Dibenzo(a,h)anthracene	2.29	0.33
Indeno(1,2,3-cd)pyrene	8.77	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

Sample ID	SB-B
Sampling Date	April 21, 2021
No compounds detected in exceedance of Restricted Residential Use SCOs	

Sample ID	SB-G
Sampling Date	April 21, 2021
No compounds detected in exceedance of Restricted Residential Use SCOs	

Sample ID	SB-D	
Sampling Date	April 21, 2021	
TAL Metals		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Lead	775	400
Mercury	1.15	0.81
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

Sample ID	Soil-3	
Sampling Date	August 10, 2020	
Semi-Volatile Organic Compounds:		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Benzo(a)anthracene	1.31	1
Benzo(a)pyrene	1.39	1
Indeno(1,2,3-cd)pyrene	0.898	0.5
TAL Metals:		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Mercury	1.17	0.81
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

Sample ID	B5
Sampling Date	March 13, 2014
No compounds detected in exceedance of Restricted Residential Use SCOs	

Sample ID	SB-F	
Sampling Date	April 21, 2021	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Benzo(a)anthracene	4.23	1
Benzo(a)pyrene	4.04	1
Benzo(b)fluoranthene	3.04	1
Dibenzo(a,h)anthracene	0.743	0.33
Indeno(1,2,3-cd)pyrene	2.27	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

Sample ID	SB-C	
Sampling Date	April 21, 2021	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCOs (mg/kg)
Benzo(a)anthracene	2.87	1
Benzo(a)pyrene	2.87	1
Benzo(b)fluoranthene	2.12	1
Indeno(1,2,3-cd)pyrene	1.90	0.5
TAL Metals		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCOs (mg/kg)
Mercury	1.15	0.81
No other compounds detected in exceedance of Restricted Residential Use SCOs		

Sample ID	B4
Sampling Date	March 13, 2014
No compounds detected in exceedance of Restricted Residential Use SCOs	

Sample ID	B3	
Sampling Date	March 13, 2014	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO ₂ (mg/kg)
Benzo(a)anthracene	2.3	1
Benzo(a)pyrene	2.1	1
Benzo(b)fluoranthene	2.6	1
Indeno(1,2,3-cd)pyrene	0.75	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO ₂		

Sample ID	Soil-4	
Sampling Date	August 10, 2020	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCOs (mg/kg)
Benzo(a)anthracene	1.92	1
Benzo(a)pyrene	2.04	1
Benzo(b)fluoranthene	1.55	1
Indeno(1,2,3-cd)pyrene	1.4	0.5
TAL Metals		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCOs (mg/kg)
Lead	405	400
No other compounds detected in exceedance of Restricted Residential Use SCOs		

Sample ID	SB-H	
Sampling Date	April 21, 2021	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCOs (mg/kg)
Benzo(a)anthracene	3.32	1
Benzo(a)pyrene	2.69	1
Benzo(b)fluoranthene	2.88	1
Dibenzo(a,h)anthracene	0.536	0.33
Indeno(1,2,3-cd)pyrene	1.55	0.5
No other compounds detected in exceedance of Restricted Residential Use SCOs		

Sample ID	B6	
Sampling Date	March 13, 2014	
Semi-Volatile Organic Compounds		
Compound	Result (mg/kg)	Part 375 Restricted Residential Use SCO _s (mg/kg)
Benzo(a)anthracene	1.6	1
Benzo(a)pyrene	4.4	1
Benzo(b)fluoranthene	4.6	1
Indeno(1,2,3-cd)pyrene	0.57	0.5
No other compounds detected in exceedance of Restricted Residential Use SCO _s		

LEGEND:



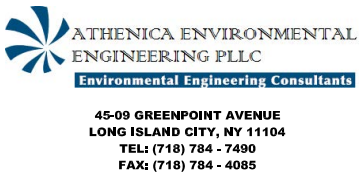
Previous Soil Sample Location



Soil Boring Location



Soil Boring/ Temporary Well Location



Notes:

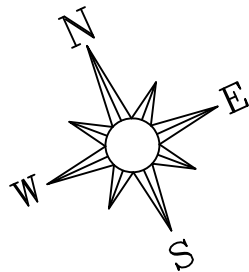
Compounds and metals listed exceed 6NYCRR Part 375 Restricted Residential Soil Cleanup Objectives

Date:	5/20/2021
Drawn by:	Evan Greenberg
Checked by:	Kenneth P. Wenz Jr., PG, LEP
Drawing Scale:	Not to scale
Project No.:	21-132-0311

Site: 644 East 14th Street, New York, NY 10009

Figure: 2

Title: Exceedances in Soil Samples



East 14th Street

Site Sidewalk

Corner MW

Northwest MW

Sample ID	Northwest MW
Sampling Date	April 21, 2021
No SVOCs were detected in exceedance of Class GA standards	

Sample ID	Corner MW
Sampling Date	April 21, 2021
No SVOCs were detected in exceedance of Class GA standards	

Ramp

Sample ID	TW-1
Sampling Date	April 21, 2021
No SVOCs were detected in exceedance of Class GA standards	

Sample ID	TW-2	
Sampling Date	April 21, 2021	
Compound	Result (ug/L)	TOGS Class GA Groundwater Quality Standards (ug/L)
Benzo(a)anthracene	0.0718	0.002
Benzo(a)pyrene	0.0718	0.002
Benzo(b)fluoranthene	0.0615	0.002
Benzo(k)fluoranthene	0.0615	0.002
Chrysene	0.0923	0.002
No other SVOCs were detected in exceedance of Class GA standards		

SB-C / TW-1

Former Auto
Repair Portion

SB-D / TW-2

Avenue C

Former Parking (No
Building)

Empty Lot MW
(Not Found)


LEGEND:



Historic Monitoring Well Location



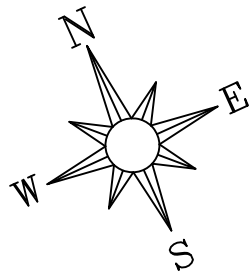
Soil Boring/ Temporary Well Location

 **ATHENICA ENVIRONMENTAL
ENGINEERING PLLC**
Environmental Engineering Consultants
45-09 GREENPOINT AVENUE
LONG ISLAND CITY, NY 11104
TEL: (718) 784 - 7490
FAX: (718) 784 - 4085

Notes:
Compounds listed exceed TOGS Class GA Groundwater Quality Standards for SVOCs. Exceedances of metals are not depicted.

Date: 5/20/2021
Drawn by: Evan Greenberg
Checked by: Kenneth P. Wenz Jr., PG, LEP
Drawing Scale: Not to scale
Project No.: 21-132-0311

Site: 644 East 14th Street, New York, NY 10009
Figure: 3
Title: Exceedances in Groundwater Samples



East 14th Street

Site Sidewalk

Sample ID	SV-1
Sampling Date	April 21, 2021
Dilution	62.16
Compound	Result (ug/m3)
1,1,1-Trichloroethane	18
1,2,4-Trimethylbenzene	24
1,3,5-Trimethylbenzene	7.6
2-Butanone	700
Acetone	380
Benzene	32
Carbon disulfide	64
cis-1,2-Dichloroethylene	2.5
Cyclohexane	84
Ethyl Benzene	10
Isopropanol	7.6
Methylene chloride	20
n-Heptane	3900
n-Hexane	9700
o-Xylene	16
p- & m- Xylenes	43
p-Ethyltoluene	20
Toluene	28

SV-1

SV-2

SV-3

Ramp

SV-4

Former Auto
Repair Portion

Former
Parking (No
Building)

AA-1



Sample ID	SV-2
Sampling Date	April 21, 2021
Dilution	8.12
Compound	Result (ug/m3)
1,1,1-Trichloroethane	12
1,2,4-Trimethylbenzene	38
1,3,5-Trimethylbenzene	11
2-Butanone	1000
2-Hexanone	78
Acetone	550
Benzene	13
Carbon disulfide	12
Chloroform	5.9
Chloromethane	1.7
Cyclohexane	51
Ethyl Benzene	11
Isopropanol	6.2
Methylene chloride	7.6
n-Heptane	40
n-Hexane	70
o-Xylene	19
p- & m- Xylenes	52
p-Ethyltoluene	30
Tetrachloroethylene	21
Toluene	29

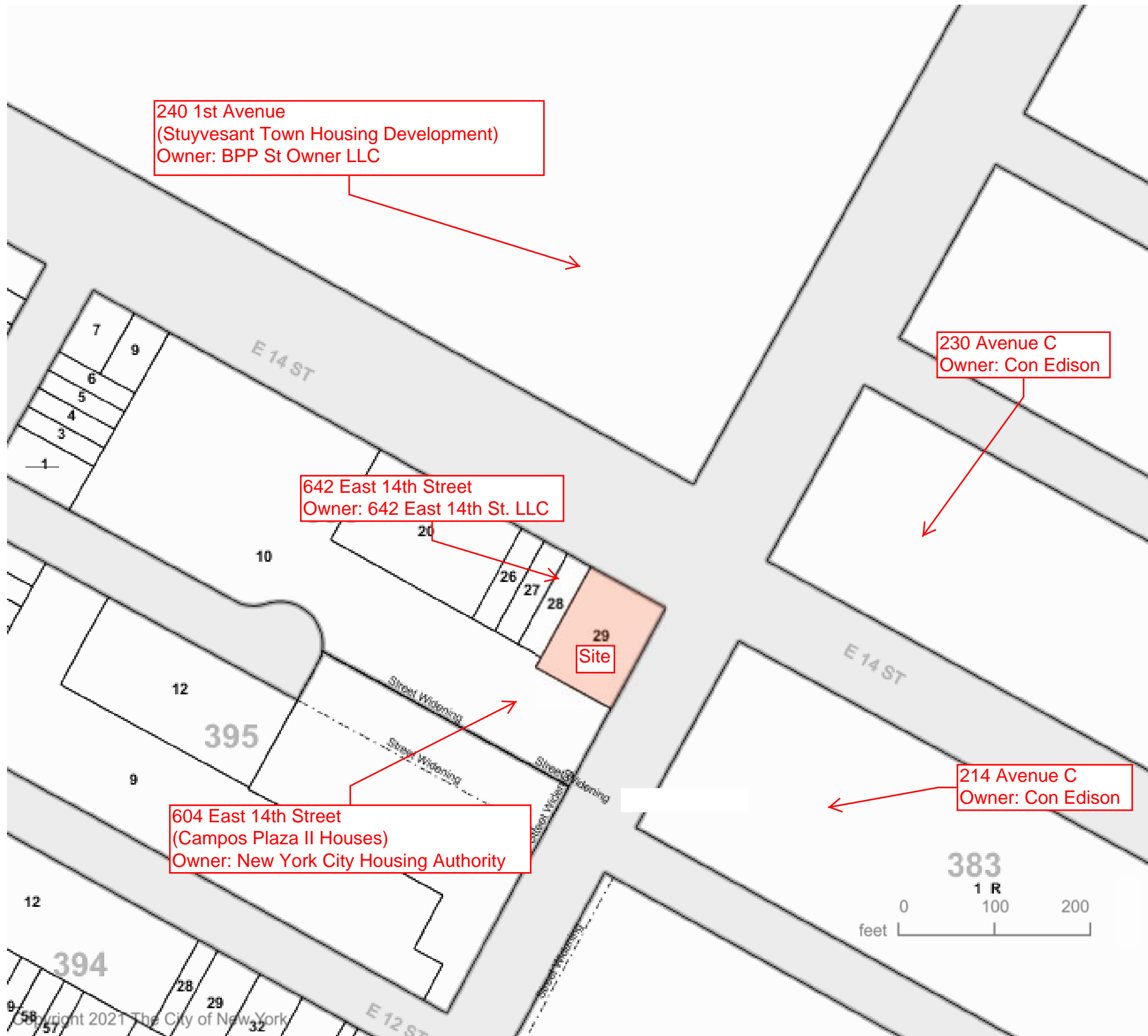
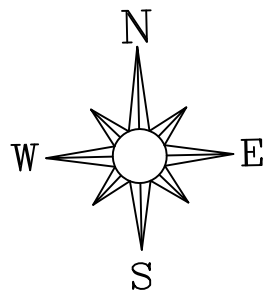
Sample ID	SV-3
Sampling Date	April 21, 2021
Dilution	7.775
Compound	Result (ug/m3)
1,2,4-Trimethylbenzene	45
1,3,5-Trimethylbenzene	31
1,4-Dioxane	19
2-Butanone	780
2-Hexanone	57
Acetone	690
Benzene	64
Carbon disulfide	90
Chloromethane	1.6
Cyclohexane	14
Ethyl Benzene	40
Isopropanol	19
Methylene chloride	7.8
n-Heptane	37
n-Hexane	49
o-Xylene	48
p- & m- Xylenes	100
p-Ethyltoluene	51
Propylene	130
Tetrachloroethylene	50
Toluene	80
Trichloroethylene	1.3

Sample ID	SV-4
Sampling Date	April 21, 2021
Dilution	9.184
Compound	Result (ug/m3)
1,2,4-Trimethylbenzene	45
1,3,5-Trimethylbenzene	36
1,3-Butadiene	6.1
2-Butanone	530
2-Hexanone	41
Acetone	320
Benzene	28
Carbon disulfide	9.2
Chloromethane	1.9
Cyclohexane	4.4
Ethyl Benzene	20
Isopropanol	12
Methylene chloride	12
n-Heptane	9
n-Hexane	12
o-Xylene	35
p- & m- Xylenes	73
p-Ethyltoluene	41
Propylene	77
Styrene	3.9
Tetrachloroethylene	14
Toluene	47

Sample ID	OA-1
Sampling Date	April 21, 2021
Dilution	1.07
Compound	Result (ug/m3)
1,2,4-Trimethylbenzene	0.53
2-Butanone	1.3
Acetone	7.6
Benzene	0.58
Carbon tetrachloride	0.34
Chloromethane	1.9
Dichlorodifluoromethane	2.5
Ethyl acetate	0.77
Ethyl Benzene	0.46
Isopropanol	4.4
Methyl Methacrylate	1.1
Methylene chloride	8.5
n-Heptane	0.48
n-Hexane	0.49
o-Xylene	0.46
p- & m- Xylenes	0.98
Tetrachloroethylene	0.73
Toluene	1.5
Trichlorofluoromethane (Freon 11)	1.1

LEGEND:

-  Soil Vapor Sample Location
-  Ambient Air Sample Location



LEGEND:



SITE LOCATION



45-09 GREENPOINT AVENUE
LONG ISLAND CITY, NY 11104
TEL: (718) 784 - 7490
FAX: (718) 784 - 4085

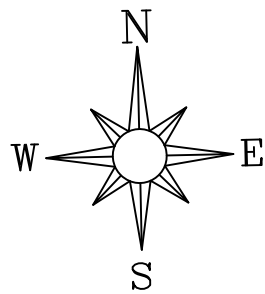
Site= Block 396, Lot 29

Date:	7/1/2021
Drawn by:	Evan Greenberg
Checked by:	Kenneth P. Wenz Jr., PG, LEP
Drawing Scale:	Not to scale
Project No.:	21-132-0311

Site: 644 East 14th Street, New York, NY 10009

Figure: 5

Title: Tax Map



LEGEND:



SITE LOCATION



**ATHENICA ENVIRONMENTAL
ENGINEERING PLLC**
Environmental Engineering Consultants

45-09 GREENPOINT AVENUE
LONG ISLAND CITY, NY 11104
TEL: (718) 784 - 7490
FAX: (718) 784 - 4085

Adapted from USGS Topographic Quadrangle Map for Brooklyn, 2019

Date: 7/1/2021

Drawn by: Evan Greenberg

Checked by: Kenneth P. Wenz Jr., PG, LEP

Drawing Scale: Not to scale

Project No.: 21-132-0311

Site: 644 East 14th Street, New York, NY 10009

Figure: 6

Title: USGS Site Location Map

October 20, 2021 | 3:52 pm

COVID-19 Vaccines

Booster doses are now available for eligible New Yorkers, including New Yorkers age 65 and older who got the Pfizer vaccine.

DETAILS >

Department of State
Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details

ENTITY NAME: 644 EAST 14TH STREET OWNER LLC
FOREIGN LEGAL NAME:
ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY
SECTIONOF LAW: 802 LLC - LIMITED LIABILITY COMPANY LAW
DATE OF INITIAL DOS FILING: 09/18/2019
EFFECTIVE DATE INITIAL FILING: 09/18/2019
FOREIGN FORMATION DATE: 09/10/2019
COUNTY: New York
JURISDICTION: Delaware, United States

DOS ID: 5623295
FICTITIOUS NAME: 644 EAST 14TH STREET OWNER LLC
DURATION DATE/LATEST DATE OF DISSOLUTION:
ENTITY STATUS: Active
REASON FOR STATUS:
INACTIVE DATE:
STATEMENT STATUS: CURRENT
NEXT STATEMENT DUE DATE: 09/30/2023
NFP CATEGORY:

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process Name and Address

Name: CT CORPORATION SYSTEM
Address: 28 LIBERTY STREET, NEW YORK, NY, United States, 10005

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Name and Address

Name:
Address:

Registered Agent Name and Address

Name: CT CORPORATION SYSTEM
Address: 28 LIBERTY STREET, NEW YORK, NY, 10005

Entity Primary Location Name and Address

Name:
Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

Share Value	Number Of Shares	Value Per Share

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy for 644 EAST 14TH STREET OWNER LLC, File Number 190918000386 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany,
on October 08, 2021.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

APPLICATION FOR AUTHORITY

190918000386

OF

644 East 14th Street Owner LLCUnder Section 802 of the Limited Liability Company Law

FIRST: The name of the limited liability company is: _____

644 East 14th Street Owner LLC

If the name does not contain a required word or abbreviation pursuant to Section 204 of the Limited Liability Company Law, the following word or abbreviation is added to the name for use in this state:

If the name of the limited liability company is unavailable, the fictitious name under which it will do business in New York is:

SECOND: The jurisdiction of organization of the limited liability company is:
DelawareThe date of its organization is: 9/10/2019THIRD: The county within this state in which the office, or if more than one office, the principal office of the limited liability company is to be located is:
New York

FOURTH: The secretary of state is designated as agent of the limited liability company upon whom process against it may be served. The post office address within this state to which the secretary of state shall mail a copy of any process against him or her is:

C T Corporation System, 28 Liberty Street, New York, New York 10005.

FIFTH: The name and street address within this state of the registered agent of the limited liability company upon whom and at which process against the limited liability company can be served is:

C T Corporation System, 28 Liberty Street, New York, New York 10005.SIXTH: The address of the office required to be maintained in the jurisdiction of formation by the laws of that jurisdiction or, if not so required, the address of the principal office of the limited liability company is:
1209 Orange Street, Wilmington, DE 19801

SEVENTH: The limited liability company is in existence in its jurisdiction of formation at the time of the filing of this application.

EIGHTH: (Complete the applicable statement)



The name and address of the authorized officer in the jurisdiction of formation where a copy of the articles of organization of the limited liability company is filed is (e.g. Secretary of State):

Secretary of State, Division of Corporations, John G Townsend Building

401 Federal Street, Suite 4, Dover, DE 19901



No public filing of the limited liability company's articles of organization is required by the laws of the jurisdiction of formation. The limited liability company shall provide, upon request, a copy thereof with all amendments thereof. The name and post office address of the person responsible for providing such copies is:



Name and Capacity of Signer

Brian Shatz, Authorized Signatory

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "644 EAST 14TH STREET OWNER LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWELFTH DAY OF SEPTEMBER, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.



7600431 8300

SR# 20197003263

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Jeffrey W. Bullock, Secretary of State

Authentication: 203581872

Date: 09-12-19

386

CT 07

FILED

2019 SEP 18 PM 1:17

Application for Authority

of

644 East 14th Street Owner LLC

(Entity Name)

11C

Under Section 802 of the Limited Liability Company Law

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

SEP 18 2019

Filed by:

Madison Realty Capital

(Name)

520 Madison Avenue, Suite 3501

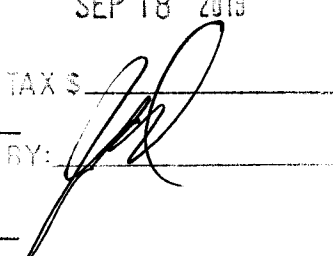
(Mailing address)

New York, New York 10022

(City, State and ZIP code)

TAX \$

BY:



RECEIVED

2019 SEP 18 PM 12:19

411

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy for 644 EAST 14TH STREET OWNER LLC, File Number 191120000715 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany,
on October 08, 2021.

A handwritten signature in black ink that reads 'Brendan C. Hughes'.

Brendan C. Hughes
Executive Deputy Secretary of State

191120000 715

New York State
Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231
www.dos.ny.gov

CERTIFICATE OF PUBLICATION OF

644 East 14th Street Owner LLC

(Name of Foreign Limited Liability Company)

Under Section 802 of the Limited Liability Company Law

The undersigned is the *(Check appropriate box)* ☐ Member ☐ Manager ☒ Authorized Person
of 644 East 14th Street Owner LLC

(Name of Foreign Limited Liability Company)

If the name of the foreign limited liability company has changed, the name under which it was
authorized is: _____

If applicable, the fictitious name the foreign limited liability company has agreed to use in this
state is: _____

The application for authority was filed by the Department of State on: 9/18/2019

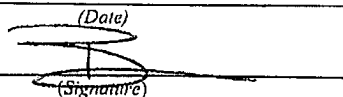
The published notices described in the annexed affidavits of publication contain all of the
information required by Section 802 of the Limited Liability Company Law.

The newspapers described in such affidavits of publication satisfy the requirements set forth in
the Limited Liability Company Law and the designation made by the county clerk.

I certify the foregoing statements to be true under penalties of perjury.

11/20/2019

X

(Date)

(Signature)

Brian Shatz

(Type or Print Name)

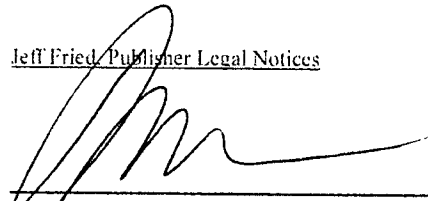
*Affidavit of Publication
Under Section 802 of the
Limited Liability Company Law*

*State of New York
County of New York, ss.:*

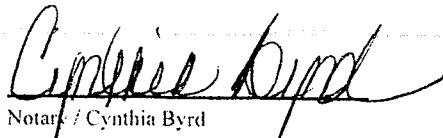
The undersigned is the principal clerk of the publisher of the NEW YORK LAW JOURNAL, a Daily Newspaper published in New York, New York. A notice regarding 644 East 14th Street Owner LLC was published in said newspaper once in each week for six successive weeks, commencing on 10/03/2019 and ending on 11/07/2019. The Text of the Notice as published in said newspaper is as set forth below. This newspaper has been designated by the Clerk of New York County for this purpose.

NOTICE OF QUALIFICATION of 644 East 14th Street Owner LLC. Authority filed with NY Secy of State (SSNY) on 9/18/19. Office location: New York County. LLC formed in Delaware (DE) on 9/10/19. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St. Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is CT Corporation System, 28 Liberty St. NY, NY 10005. Purpose: any lawful activity.
0000429615 o3-Th n7

Jeff Fried, Publisher Legal Notices


By: Brenda Estrada, Authorized Designee of the Publisher

SWORN TO BEFORE ME, this 7th day of November, 2019


Notary / Cynthia Byrd


**Cynthia Byrd
Notary Public, State of New York
No. 01BY6056945
Qualified in Kings County
Commission Expires April 9, 2023**

Affidavit of Publication
Under Section 802 of the
Limited Liability Company Law

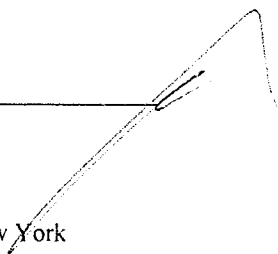
State of New York
County of Kings, ss.:

The Undersigned is the publisher of The Jewish Press, a weekly newspaper published in Brooklyn, New York. A notice regarding 644 East 14th Street Owner LLC was published in said newspaper once each week for six successive weeks, commencing on October 4, 2019 and ending November 8, 2019. The text of the notice as published in said newspaper is set forth below. This newspaper has been designated by the Clerk of New York for this purpose.

Naomi Klass Mauer, Publisher

By 
Rose Gluckman, Authorized Designee of the Publisher

Sworn to before me this this 5 day of Nov, 2019


Notary Public

Arthur Klass
Notary Public State of New York
No. 01KL4922689
Qualified in Kings County
Commission Expires 3/7/2022

Notice of Qualification of 644 East 14th Street Owner LLC. Authority filed with NY Secy of State (SSNY) on 9/18/19. Office location: New York County. LLC formed in Delaware (DE) on 9/10/19. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St. Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is CT Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity.

JP#55776 10/04/19,10/11/19,10/18/19,10/25/19,11/01/19,11/08/19

715

CERTIFICATE OF PUBLICATION OF

644 East 14th Street Owner LLC

(Name of Foreign Limited Limited Company)

Under Section 802 of the Limited Liability Company Law

Filed by: Madison Realty Capital
(Name)

520 Madison Avenue, Suite 3501
(Mailing address)

New York, New York 10022
(City, State and ZIP code)

2019 NOV 20 PM 5:49

FILED

Note: This form was prepared by the New York State Department of State for filing a certificate of publication for a foreign limited liability company. You are not required to use this form. You may draft your own form or use forms available from legal stationery stores. The Department of State recommends that legal documents be prepared under the guidance of an attorney. This certificate of publication, with the affidavits of publication of the newspapers annexed thereto, must be submitted with a \$50 filing fee payable to the Department of State.

(For office use only)

ICC

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED **NOV 20 2019**

TAX \$
BY:

[Signature]

776

RECEIVED

2019 NOV 20 PM 12:13

DRAWDOWN
Cst Ref:
12144793JC

Attach this page after the affidavits of publication.

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy for 644 EAST 14TH STREET OWNER LLC, File Number 210902000685 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany,
on October 08, 2021.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Biennial Statement
NYS Department of State
Division of Corporations, State Records &
Uniform Commercial Code
<http://www.dos.ny.gov>

BUSINESS NAME: 644 EAST 14TH STREET OWNER LLC
FILING PERIOD: 9/18/2021 12:00:00 AM

Part 1 - Service of Process Address (Address must be within the United States or its territories)

Name		
CT CORPORATION SYSTEM		
Address Line 1		
28 LIBERTY STREET		
Address Line 2		
City	State	Zip Code
NEW YORK	NY	10005

Signer Information

I affirm that the statements contained herein are true to the best of my knowledge, that I am authorized to sign this Biennial Statement and that my signature typed below constitutes my electronic signature.

Electronic Signature
PAIGE FRENTZEL
Capacity of Signer
AUTHORIZED PERSON

UNANIMOUS WRITTEN CONSENT OF MANAGERS

The undersigned (the “Sole Managers”), being the sole managers of Madison Realty Capital Debt Fund III GP LLC, the General Partner of Madison Realty Capital Debt Fund III LP, the Director and Sole Common Member of Madison Realty Capital Debt Fund III Holdings LLC, the sole member of 644 East 14th Street Holdings LLC, a Delaware limited liability company, the sole member of 644 East 14th Street Owner LLC, a Delaware limited liability company, (the “Company”), hereby consent to the following

WHEREAS, the Sole Managers on behalf of the Company, wish to appoint David Speiser as an Authorized Signatory of the Company;

NOW, THEREFORE, it is hereby:

RESOLVED, David Speiser is hereby appointed as an “Authorized Signatory” of the Company for purposes set forth herein, with full power to take such actions on behalf of the Company and to bind the Company (including by executing documents in such capacity or any other capacity as necessary) as he may deem necessary or appropriate for purposes set forth herein; and be it further

RESOLVED, that David Speiser be, and hereby is, authorized and directed to execute the Brownfield Cleanup Program Application Form attached hereto as Exhibit A, (the “Document”) and any and all documents required to be executed in connection therewith, in his capacity as Authorized Signatory and to take such other action as deemed necessary, proper, and advisable in connection therewith; and be it further

RESOLVED, that any actions taken or documents executed by David Speiser on behalf of the Company prior to the date hereof for purposes set forth herein are hereby ratified and approved in all respects; and be it further

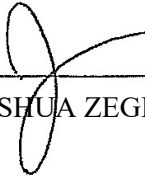
RESOLVED, that this Certificate of Written Consent may be executed in several counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same document. A facsimile or .pdf copy of this Certificate of Written Consent shall have the same force and effect as an original.

[SIGNATURE PAGE FOLLOWS]

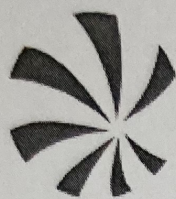
IN WITNESS WHEREOF, the undersigned have affixed their signatures to this Written Consent as of August 09, 2021.

A handwritten signature in black ink, appearing to be 'B. Shatz', written over a horizontal line.

BRIAN SHATZ

A handwritten signature in black ink, appearing to be 'J. Zegen', written over a horizontal line.

JOSHUA ZEGEN



ATHENICA ENVIRONMENTAL
ENGINEERING PLLC

Environmental Engineering Consultants

July 6, 2021

Ms. Corinne Neary
Tompkins Square Library
331 East 10th Street
New York, NY 10009

Re: Request to Accept Designation as a Document Repository for New York State Brownfield Cleanup Program Activities at 644 East 14th Street, New York, New York

Dear Ms. Neary:

Athenica Environmental Engineering PLLC is preparing an application for acceptance of the referenced Site into the New York State Brownfield Cleanup Program (BCP), as administered by the New York State Department of Environmental Conservation (NYSDEC). As part of that application, the NYSDEC requires designation of a document repository, where local residents can review plans, reports, and other documents associated with the BCP activities at the Site. We request that the Tompkins Square Library accept the designation as document repository for this Site.

Thank you for your consideration of this request. If agreed, please sign below and return the signed acceptance to us via email or fax. Please contact us at (718) 784-7490 if you have any questions or require additional information.

Sincerely,

ATHENICA ENVIRONMENTAL ENGINEERING PLLC

Kenneth P. Wenz, Jr., PG, LEP
Senior Project Manager

By signature below, the Tompkins Square Library accepts designation as a document repository for the 644 East 14th Street Site:

Accepted By:

(Signature)

Printed Name:

Roxmin Lopez

Title:

Office Aide

Date:

7/7/21



**ATHENICA ENVIRONMENTAL
ENGINEERING PLLC**

Environmental Engineering Consultants

July 6, 2021

Manhattan Community Board 3
59 East 4th Street
New York, NY 10003

Re: Request to Accept Designation as a Document Repository for New York State Brownfield Cleanup Program Activities at 644 East 14th Street, New York, New York

Athenica Environmental Engineering PLLC is preparing an application for acceptance of the referenced Site into the New York State Brownfield Cleanup Program (BCP), as administered by the New York State Department of Environmental Conservation (NYSDEC). As part of that application, the NYSDEC requires designation of document repositories, where local residents can review plans, reports, and other documents associated with the BCP activities at the Site. We request that Manhattan Community Board 3 accept designation as document repository for this Site. An additional repository has been requested at the Tompkins Square Library, 331 East 10th Street, New York, NY 10009.

Thank you for your consideration of this request. If agreed, please sign below and return the signed acceptance to us via email or fax. Please contact us at (718) 784-7490 if you have any questions or require additional information.

Sincerely,

ATHENICA ENVIRONMENTAL ENGINEERING, PLLC

Kenneth P. Wenz, Jr., PG, LEP
Senior Project Manager

By signature below, the Manhattan Community Board 3 accepts designation as a document repository for the 644 East 14th Street Site:

Accepted By:

(Signature)

Printed Name:

Title:

Date: