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November 3, 2016

Honorable Melinda Katz
Queens Borough President
120-55 Queens Boulevard
Kew Gardens, NY 11424

Re: Environmental Easement
Notice to Municipality
34-11 Beach Channel Drive, Far Rockaway, Queens, New York
NYS DEC Brownfield Cleanup Program Site C241141

Dear Ms. Katz:

Attached please find a copy of an Environmental Easement granted to the New York State Department of Environmental Conservation ("Department") on: October 4, 2016, by: Rockaway Seagirt Housing Development Fund Corp for the property at: 34-11 Beach Channel Drive, Far Rockaway, City of New York, Queens County, New York, Tax Map No.: Block 15950, Lots 24, NYSDEC Site No: C241141.

This Environmental Easement restricts future use of the above-referenced property to restricted residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) or industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). Although a Track 4 site-specific clean-up achieved restricted residential clean-up objectives, some residual contamination remains in soil, groundwater, and soil vapor at the site. The Environmental Easement incorporates the Site Management Plan (SMP) which sets forth the institutional and engineering controls required to be in place at the site to ensure long-term management of residual contamination. These institutional and engineering controls include, but are not limited to,: (1) a site-wide cap consisting of building foundations, a paving system of at least six inches and/or two feet of clean soil that meets the Division of Environmental

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Remediation criteria for backfill underlain by a demarcation layer; (2) vapor barriers in on-site building without underground parking and the continuous operation of the active sub-slab depressurization systems; (3) treatment of the groundwater with chemical oxidants and monitoring of the groundwater; and (4) a prohibition on the use of groundwater as a source of potable or process water without necessary water quality treatment as determined by New York State Department of Health or Queens County Department of Health, and the written approval of the New York State Department of Environmental Conservation.

Article 71, Section 71-3607 of the New York State Environmental Conservation Law requires that:

1. Whenever the Department is granted an Environmental Easement, it shall provide each affected local government with a copy of such easement and shall also provide a copy of any documents modifying or terminating such environmental easement.
2. Whenever an affected local government receives an application for a building permit or any other application affecting land use or development of land that is subject to an Environmental Easement and that may relate to or impact such easement, the affected local government shall notify the Department and refer such application to the Department. The Department shall evaluate whether the application is consistent with the Environmental Easement and shall notify the affected local government of its determination in a timely fashion, considering the time frame for the local government's review of the application. The affected local government shall not approve the application until it receives approval from the Department.

An electronic version of every environmental easement that has been accepted by this Department is available to the public at: <http://www.dec.ny.gov/chemical/36045.html>

If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

Jon Schuyler Brooks

Jon Schuyler Brooks

JSB: mp
Enclosure