



# 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 9**

**Section I. Requestor Information - See Instructions for Further Guidance** DEC USE ONLY  
BCP SITE #:

NAME 79 Arverne Development LLC

ADDRESS 220-46 73rd Avenue

CITY/TOWN Bayside ZIP CODE 11364

PHONE 718-217-2811 FAX 718-468-8007 E-MAIL urikaufman50@gmail.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.

Do all individuals that will be certifying documents meet the requirements detailed below?  Yes  No  
• Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

**Section II. Project Description**

1. What stage is the project starting at?  Investigation  Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance).

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

4. Please attach a short description of the overall development project, including:  
• the date that the remedial program is to start; and  
• the date the Certificate of Completion is anticipated.



**Section III. Property's Environmental History**

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

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

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

\*Please describe: \_\_\_\_\_

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

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

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?  Yes  No  
 (\*answering No will result in an incomplete application)

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

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" 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: Permitted as a solid waste management facility, construction and demolition (C&D) transfer station (DEC Reg. No. 41W96)(closed 07/06/16).

Section IV. Property Information - See Instructions for Further Guidance																			
PROPOSED SITE NAME 3-60 Beach 79th Street																			
ADDRESS/LOCATION 3-60 Beach 79th Street (a/k/a 350 Beach 79th Street and N/A Rockaway Freeway)																			
CITY/TOWN Far Rockaway		ZIP CODE 11692																	
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City of New York / Borough of Queens																			
COUNTY Queens		SITE SIZE (ACRES) 1.34																	
LATITUDE (degrees/minutes/seconds) 40 ° 35 ' 27.80 "		LONGITUDE (degrees/minutes/seconds) 73 ° 48 ' 18.16 "																	
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.																			
<table border="1"> <thead> <tr> <th>Parcel Address</th> <th>Section No.</th> <th>Block No.</th> <th>Lot No.</th> <th>Acreage</th> </tr> </thead> <tbody> <tr> <td>3-60 Beach 79th St., Far Rockaway, NY 11692</td> <td>62</td> <td>16100</td> <td>18</td> <td>0.35</td> </tr> <tr> <td>3-60 Beach 79th St., Far Rockaway, NY 11692</td> <td>62</td> <td>16100</td> <td>20</td> <td>0.99</td> </tr> </tbody> </table>					Parcel Address	Section No.	Block No.	Lot No.	Acreage	3-60 Beach 79th St., Far Rockaway, NY 11692	62	16100	18	0.35	3-60 Beach 79th St., Far Rockaway, NY 11692	62	16100	20	0.99
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3-60 Beach 79th St., Far Rockaway, NY 11692	62	16100	20	0.99															
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach a metes and bounds description of the property.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																	
2. Is the required property map attached to the application? (application will not be processed without map)		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																	
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information)		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																	
If yes, identify census tract : <u>942.02</u>																			
Percentage of property in En-zone (check one):		<input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100%																	
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)?		<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? If yes, attach relevant supporting documentation.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																	
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																	



**Section IV. Property Information (continued)**

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

Easement/Right-of-way Holder

Description

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

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
No Current Permits		
Former NY Solid Waste Facility/Landfill (SWF/LF) for construction and demolition debris Permit # 41W96	DEC	Closed

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

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?  
 If yes, requestor must answer questions on the supplement at the end of this form.  Yes  No
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: zk \_\_\_\_\_



**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 **Uri Kaufman**

ADDRESS **220-46 73rd Avenue**

CITY/TOWN **Bayside** ZIP CODE **11364**

PHONE **718-217-2811** FAX **718-468-8007** E-MAIL **urikaufman50@gmail.com**

NAME OF REQUESTOR'S CONSULTANT **WCD Group / Attn: Henry Gold**

ADDRESS **1350 Broadway, Suite 1904**

CITY/TOWN **New York** ZIP CODE **10018**

PHONE **212-631-9000** FAX **212-631-8066** E-MAIL **hgold@wcdgroup.com**

NAME OF REQUESTOR'S ATTORNEY **Allen & Desnoyers LLP / Dale A. Desnoyers, Esq.**

ADDRESS **90 State Street, Suite 1009**

CITY/TOWN **Albany** ZIP CODE **12207**

PHONE **518-426-2288** FAX **518-426-2299** E-MAIL **dale@allendesnoyers.com**

**Section VI. Current Property Owner/Operator Information – if not a Requestor**

CURRENT OWNER'S NAME **79 ARVERNE DEVELOPMENT LLC** OWNERSHIP START DATE: **01/12/2018**

ADDRESS **220-46 73rd Avenue**

CITY/TOWN **Bayside** ZIP CODE **11364**

PHONE **718-217-2811** FAX **718-468-8007** E-MAIL **urikaufman50@gmail.com**

CURRENT OPERATOR'S NAME **N.A.**

ADDRESS

CITY/TOWN ZIP CODE

PHONE FAX E-MAIL

**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.**

**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".**

**Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)**

- If answering "yes" to any of the following questions, please provide an explanation as an attachment.
1. Are any enforcement actions pending against the requestor regarding this site?  Yes  No
  2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?  Yes  No
  3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.  Yes  No



**Section VII. Requestor Eligibility Information (continued)**

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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



## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

- Previous Owner  Current Owner  Potential /Future Purchaser  Other \_\_\_\_\_

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

- Yes  No

**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?  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_  Yes  No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_  Yes  No
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?  
If yes, please provide: Order # \_\_\_\_\_  Yes  No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
If yes, please provide explanation as an attachment.  Yes  No

## 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). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

## Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?  
 Residential    Commercial    Industrial  
 If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use:    Residential    Commercial    Industrial    Vacant    Recreational   (check all that apply)  
**Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.**

3. Reasonably anticipated use Post Remediation:    Residential    Commercial    Industrial (check all that apply)   **Attach a statement detailing the specific proposed use.**  
 If residential, does it qualify as single family housing?    Yes    No

4. Do current historical and/or recent development patterns support the proposed use?    Yes    No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.    Yes    No  
 The Site is zoned M1-1. This zoning category allows storage units, which is the use proposed by the Applicant. Attached is a copy of the zoning classification (See Exhibit K).

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.    Yes    No  
 See response to 5 above.



**XI. Statement of Certification and Signatures**

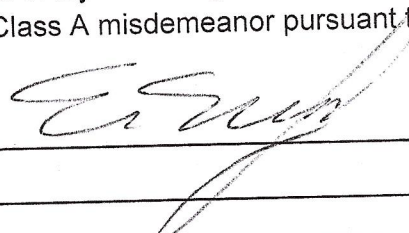
(By requestor who is an individual)

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 *Proposed 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 MANAGER/AUTHORIZED PERSON (title) of 79 ARVERDE DEVELOPMENT 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 *Proposed 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: FEB. 2, 2018 Signature:   
Print Name: URI KAUFMAN

**SUBMITTAL INFORMATION:**

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

**FOR DEC USE ONLY**  
BCP SITE T&A CODE: \_\_\_\_\_ LEAD OFFICE: \_\_\_\_\_

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY.** Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 9**

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 <a href="#">DEC's website</a> 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):**

"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.

**From 6 NYCRR 375-3.2(l) as of August 12, 2016:** (Please note: Eligibility determination for the underutilized category can only be made at the time of application)

**375-3.2:**

- (l) "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
  - (1) the proposed use is at least 75 percent for industrial uses; or
  - (2) at which:
    - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
    - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
    - (iii) one or more of the following conditions exists, as certified by the applicant:
      - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
      - (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
      - (c) there are no structures.

"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.



**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:** 3-60 Beach 79th Street  
**City:** New York

**Site Address:** 3-60 Beach 79th Street (a/k/a 350 Beach 79th Street and N/A Rockaway Freeway)  
**County:** Queens **Zip:** 11692

**Tax Block & Lot**  
**Section (if applicable):** 62 **Block:** 16100 **Lot:** 18

**Requestor Name:** 79 Arverne Development LLC **Requestor Address:** 220-46 73rd Avenue  
**City:** Bayside **Zip:** 11364 **Email:** urikaufman50@gmail.com

**Requestor's Representative (for billing purposes)**  
**Name:** Uri Kaufman **Address:** 220-46 73rd Avenue  
**City:** Bayside **Zip:** 11364 **Email:** urikaufman50@gmail.com

**Requestor's Attorney**  
**Name:** Allen & Desnoyers LLP / Dale A. Desnoyers, Esq. **Address:** 90 State Street, Suite 1009  
**City:** Albany **Zip:** 12207 **Email:** dale@allendesnoyers.com

**Requestor's Consultant**  
**Name:** WCD Group / Attn: Henry Gold **Address:** 1350 Broadway, Suite 1904  
**City:** New York **Zip:** 10018 **Email:** hgold@wcdgroup.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:**



**3-60 BEACH 79TH STREET  
QUEENS COUNTY, NEW YORK, NEW YORK  
BROWNFIELD CLEANUP PROGRAM  
APPLICATION ATTACHMENTS**

Attachment A – DOS Entity Information

Attachment B – Environmental Reports

Attachment C – Project Summary

Attachment D – Impacted Medium Site Drawings

Attachment E – Property Information

Attachment F – Site Survey

Attachment G – Property Description and Environmental Assessment

Attachment G1 – Past Owner Information

Attachment H – Volunteer Status Statement

Attachment I – Site Contact List

Attachment J – Current Use

Attachment K – Post-Cleanup Use

Attachment L – LLC Authorization



**ATTACHMENT A  
NEW YORK STATE CORPORATION**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through December 26, 2017.

---

Selected Entity Name: 79 ARVERNE DEVELOPMENT LLC

Selected Entity Status Information

**Current Entity Name:** 79 ARVERNE DEVELOPMENT LLC

**DOS ID #:** 5214791

**Initial DOS Filing Date:** OCTOBER 10, 2017

**County:** ALBANY

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

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

THE LIMITED LIABILITY COMPANY

90 STATE STREET 7TH FLOOR

ALBANY, NEW YORK, 12207

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this



information is not recorded and only available by  
[viewing the certificate.](#)

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

**Name History**

Filing Date	Name Type	Entity Name
OCT 10, 2017	Actual	79 ARVERNE DEVELOPMENT LLC

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

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

[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS](#)  
[Homepage](#) | [Contact Us](#)

**ATTACHMENT B  
ENVIRONMENTAL REPORTS**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**See Separate Document provided with the Application as per request  
of NYSDEC**



**ATTACHMENT C  
PROJECT DESCRIPTION**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section II. – Project Description**

**Anticipated Use:** The plan is to build a state-of-the-art self-storage facility on Lots 18 & 20 (vacant lots to the east of the existing building on lot 14). This is consistent with the current M1-1 zoning, which definition includes storage facilities.

**Features include:** the building will be a 4-story structure, raised above the flood plain on stilts (i.e. the first floor is above the 11' 6" flood elevation). The building will be set back 30 feet from the high water line of Barbadoes Basin.

**Development specifics:** The building will have an on-site office, with one loading dock, and two elevators.

**Estimated Costs:** It is estimated that the remedial program will cost approximately \$750,000.00 and the redevelopment will be approximately \$4,000,000.00.

**The date that the remedial program is anticipated to start is:** April 1, 2018

**The date that the Certificate of Completion is anticipated is:** December 2019.



**ATTACHMENT D**  
**IMPACTED MEDIUM SITE DRAWINGS**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

N

BARBADOES BASIN

IRREGULAR BULKHEAD WALL

LOT 14

LOT 18

LOT 20

HA1

B5

BUILDING

B24

B19

B23

B6

B3

B20

B4

B16

B25

SED1

SED2

B2

B22

B1

B21

ASPHALT PARKING LOT

YARD WITH MISCELLANEOUS MATERIALS

B10

B9A

B9

B27

B26

B14

B8

B28

B11

B13

B12

B18

B17

B7

BRANDRETH CREEK

BEACH CHANNEL DRIVE



Environmental Construction Management

WCD Group LLC  
1350 Broadway, Suite 1904  
New York, NY 10018-0891  
Phone: (212) 631-9000  
Fax: (212) 631-8066  
www.wcdgroup.com

CLIENT:

79 Avene Development LLC

No.	Revision/Issue	Date
1	Add Sampling Locations	11/8

PROJECT NAME AND ADDRESS

3-60 Beach 79th Street  
Far Rockaway,  
Borough of Queens,  
New York, NY

DRAWING TITLE

REMEDIAL  
INVESTIGATION  
SAMPLING LOCATIONS

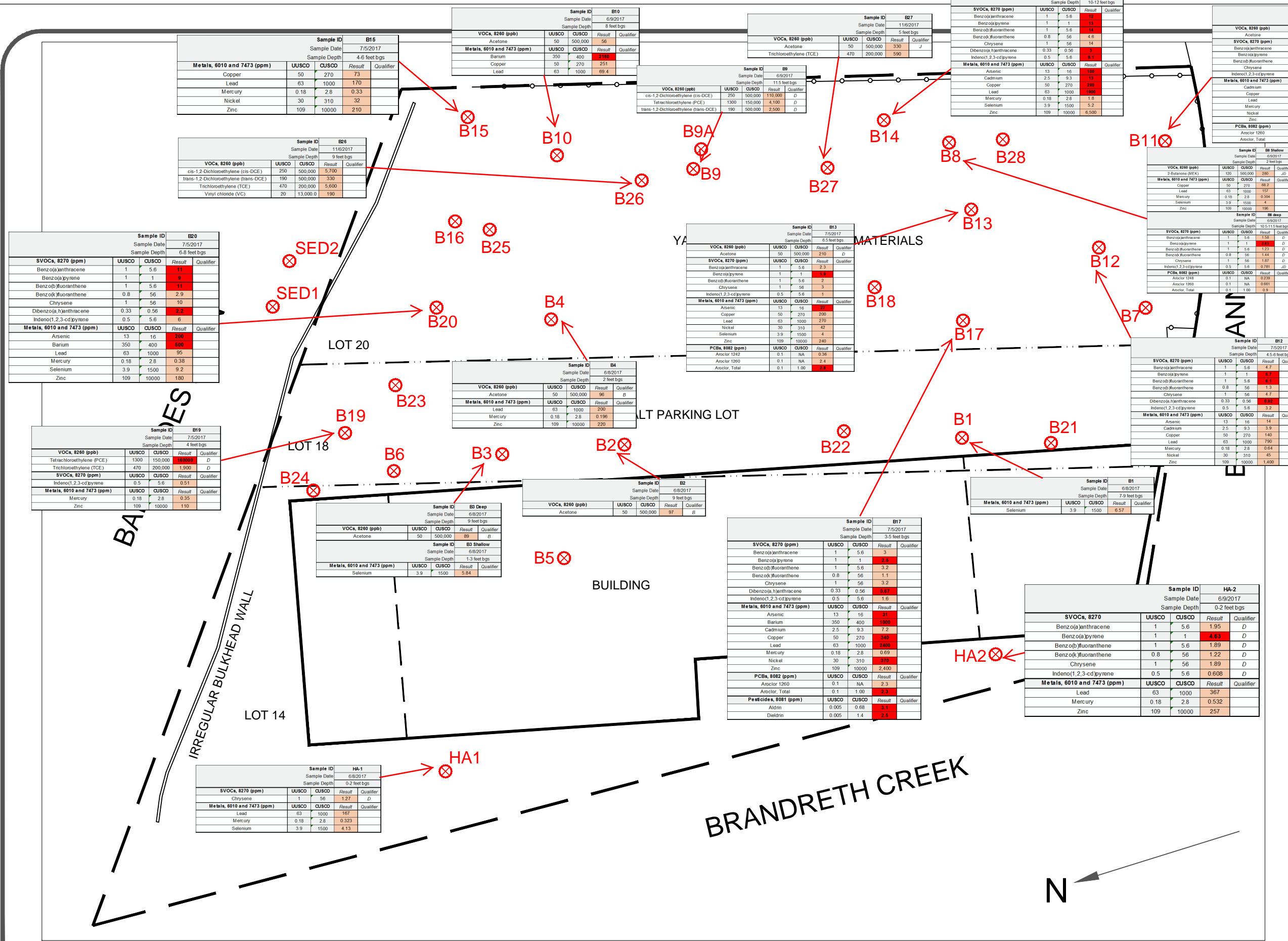
DRAWN BY: B. Zamorski

REVIEWED BY: H. Gold

Project 17-9838	Drawing Name rev 11/8/17
Date 6/21/17	Sheet No. Fig 4







Sample ID: B14			
Sample Date	Sample Depth	UUSCO	CUSCO
7/5/2017	10-12 feet bgs		
SVOCs, 8270 (ppm)			
Benz(a)anthracene	1	5.6	12
Benz(a)pyrene	1	1	13
Benz(b)fluoranthene	0.8	56	4.6
Chrysene	1	56	14
Dibenz(a,h)anthracene	0.33	0.56	3
Indeno(1,2,3-cd)pyrene	0.5	5.6	9.7
Metals, 6010 and 7473 (ppm)			
Arsenic	13	16	27
Cadmium	2.5	9.3	13
Copper	50	270	240
Lead	63	1000	190
Mercury	0.18	2.8	1.8
Selenium	3.9	1500	5.2
Zinc	109	10000	6500

Sample ID: B11			
Sample Date	Sample Depth	UUSCO	CUSCO
7/5/2017	3 feet bgs		
VOCs, 8260 (ppb)			
Acetone	50	500,000	110
SVOCs, 8270 (ppm)			
Benz(a)anthracene	1	5.6	2
Benz(a)pyrene	1	1	1.4
Benz(b)fluoranthene	1	5.6	2.4
Chrysene	1	56	2.5
Dibenz(a,h)anthracene	0.33	0.56	1.1
Indeno(1,2,3-cd)pyrene	0.5	5.6	1.1
Metals, 6010 and 7473 (ppm)			
Cadmium	2.5	9.3	2.6
Copper	50	270	240
Lead	63	1000	630
Mercury	0.18	2.8	1
Nickel	30	310	94
Zinc	109	10000	960
PCBs, 8082 (ppm)			
Ancior 1260	0.1	NA	0.12
Ancior Total	0.1	1.00	0.12

Environmental Construction Management

**WCD Group LLC**  
 1350 Broadway, Suite 1904  
 New York, NY 10018-0891  
 Phone: (212) 631-9000  
 Fax: (212) 631-8066  
 www.wcdgroup.com

Sample ID: B12			
Sample Date	Sample Depth	UUSCO	CUSCO
7/5/2017	4.5-6 feet bgs		
SVOCs, 8270 (ppm)			
Benz(a)anthracene	1	5.6	4.7
Benz(a)pyrene	1	1	4.1
Benz(b)fluoranthene	0.8	56	1.3
Chrysene	1	56	4.1
Dibenz(a,h)anthracene	0.33	0.56	0.92
Indeno(1,2,3-cd)pyrene	0.5	5.6	3.2
Metals, 6010 and 7473 (ppm)			
Arsenic	13	16	14
Barium	350	400	3.8
Copper	50	270	140
Lead	63	1000	760
Mercury	0.18	2.8	0.64
Nickel	30	310	45
Zinc	109	10000	1,400

CLIENT:  
**79 Avene Development LLC**

2 Add Sample Data		
1/24		
1 Add Sampling Locations		
11/8		
No.	Revision/Issue	Date

PROJECT NAME AND ADDRESS  
**3-60 Beach 79th Street**  
 Far Rockaway,  
 Borough of Queens,  
 New York, NY

DRAWING TITLE  
**Soil Exceedance Figure**

DRAWN BY: B. Zamorski

REVIEWED BY: H. Gold

Project 17-9838 Drawing Name

Date 6/21/17

Scale AS SHOWN Sheet No. Fig 5

**Analyte Above UUSCO**  
**Analyte Above CUSCO**

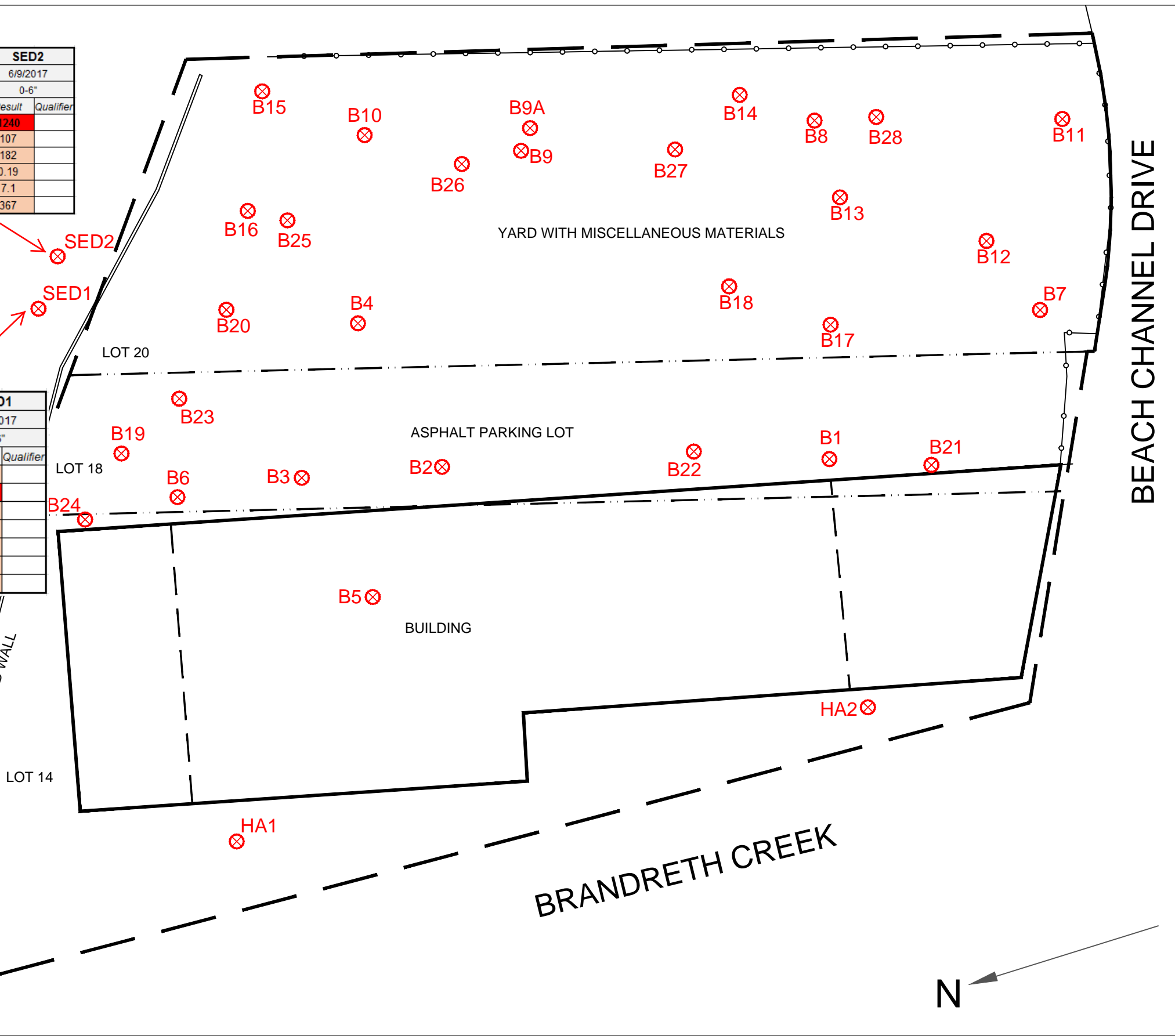


All data in mg/Kg (ppm)		Sample ID	SED2
U= Not Detected ≥ indicated value		Sample Date	6/9/2017
		Sample Depth	0-6"
Metals, 6010 and 7473	UUSCO	CUSCO	Result
Barium	350	400	1240
Copper	50	270	107
Lead	63	1000	182
Mercury	0.18	2.8	0.19
Selenium	3.9	1500	7.1
Zinc	109	10000	367

All data in mg/Kg (ppm)		Sample ID	SED1
U= Not Detected ≥ indicated value		Sample Date	6/9/2017
		Sample Depth	0-6"
Metals, 6010 and 7473	UUSCO	CUSCO	Result
Arsenic	13	16	13.5
Barium	350	400	2100
Copper	50	270	94.2
Lead	63	1000	139
Mercury	0.18	2.8	0.318
Selenium	3.9	1500	6.35
Zinc	109	10000	175

BASIN

IRREGULAR BULKHEAD WALL



Analyte Above UUSCO  
 Analyte Above CUSCO



**WCD GROUP**  
 For pivotal matters.  
 Environmental Construction Management  
 WCD Group LLC  
 1350 Broadway, Suite 1904  
 New York, NY 10018-0891  
 Phone: (212) 631-9000  
 Fax: (212) 631-8066  
 www.wcdgroup.com

CLIENT:  
 79 Avene Development LLC

2	Add Sed Results	1/24
1	Add Sampling Locations	11/8
No.	Revision/Issue	Date

PROJECT NAME AND ADDRESS  
 3-60 Beach 79th Street  
 Far Rockaway,  
 Borough of Queens,  
 New York, NY

DRAWING TITLE  
 Sediment Exceedance Figure

DRAWN BY: B. Zamorski

REVIEWED BY: H. Gold

Project 17-9838  
 Date 6/21/17

Drawing Name  
 Scale AS SHOWN  
 Sheet No. Fig 6





BRADOES BLVD

IRREGULAR BULKHEAD WALL

YARD WITH MISCELLANEOUS MATERIALS

ASPHALT PARKING LOT

BUILDING

BRANDRETH CREEK

EL DRIVE  
BEACH CH

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B25W	11/6/2017	10-15 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
5	<b>42</b>		
5	<b>8.4</b>		
2	<b>7.6</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B26W	11/6/2017	10-15 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
5	<b>2,300</b>		
10	<b>14</b>		J
5	<b>90</b>		
2	<b>1,800</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B27W	11/6/2017	10-15 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
10	<b>12</b>		
5	<b>7.4</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B11W	7/5/2017	7-12 feet bgs	
SVOCs			
AWQS	Result	Qualifier	
0.002	<b>3.2</b>		
0.002	<b>3.3</b>		
0.002	<b>3.2</b>		
Metals			
AWQS	Result	Qualifier	
25	<b>1,100</b>		
300	<b>600</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B23W	11/6/2017	5-10 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
5	<b>77</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B17W	7/5/2017	7-12 feet bgs	
Metals			
AWQS	Result	Qualifier	
25	<b>660</b>		
300	<b>520</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B24W	11/6/2017	5-10 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
5	<b>32</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B3 Water	6/8/2017	5-10 feet bgs	
Metals			
AWQS	Result	Qualifier	
25	<b>30.6</b>		
10	<b>115</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B22W	11/6/2017	5-10 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
5	<b>6.8</b>		
2	<b>12</b>		

All data in $\mu\text{g/L}$ (parts per billion, ppb)			
U= Not Detected $\geq$ indicated value			
Data above AWQS shown in <b>Bold</b>			
Sample ID	Sample Date	Sample Depth	
B1 Water	6/8/2017	5-10 feet bgs	
VOCs, 8260			
AWQS	Result	Qualifier	
5	<b>5.1</b>		
SVOCs			
AWQS	Result	Qualifier	
0.002	<b>0.05</b>		
0.002	<b>0.06</b>		
0.002	<b>0.07</b>		
Metals			
AWQS	Result	Qualifier	
10	<b>19.8</b>		



Environmental Construction Management

WCD Group LLC  
 1350 Broadway, Suite 1904  
 New York, NY 10018-0891  
 Phone: (212) 631-9000 Fax: (212) 631-8066  
 www.wcdgroup.com

CLIENT:

79 Avene Development  
 LLC

2	Add GW Data	1/24
1	Add Sampling Locations	11/8
No.	Revision/Issue	Date

PROJECT NAME AND ADDRESS

3-60 Beach 79th Street  
 Far Rockaway,  
 Borough of Queens,  
 New York, NY

DRAWING TITLE

Groundwater  
 Exceedance Figure

DRAWN BY: B. Zamorski

REVIEWED BY: H. Gold

Project 17-9838 Drawing Name

Date 6/21/17

Scale AS SHOWN Sheet No. Fig 7

Analyte Above AWQS



**ATTACHMENT E  
PROPERTY INFORMATION**

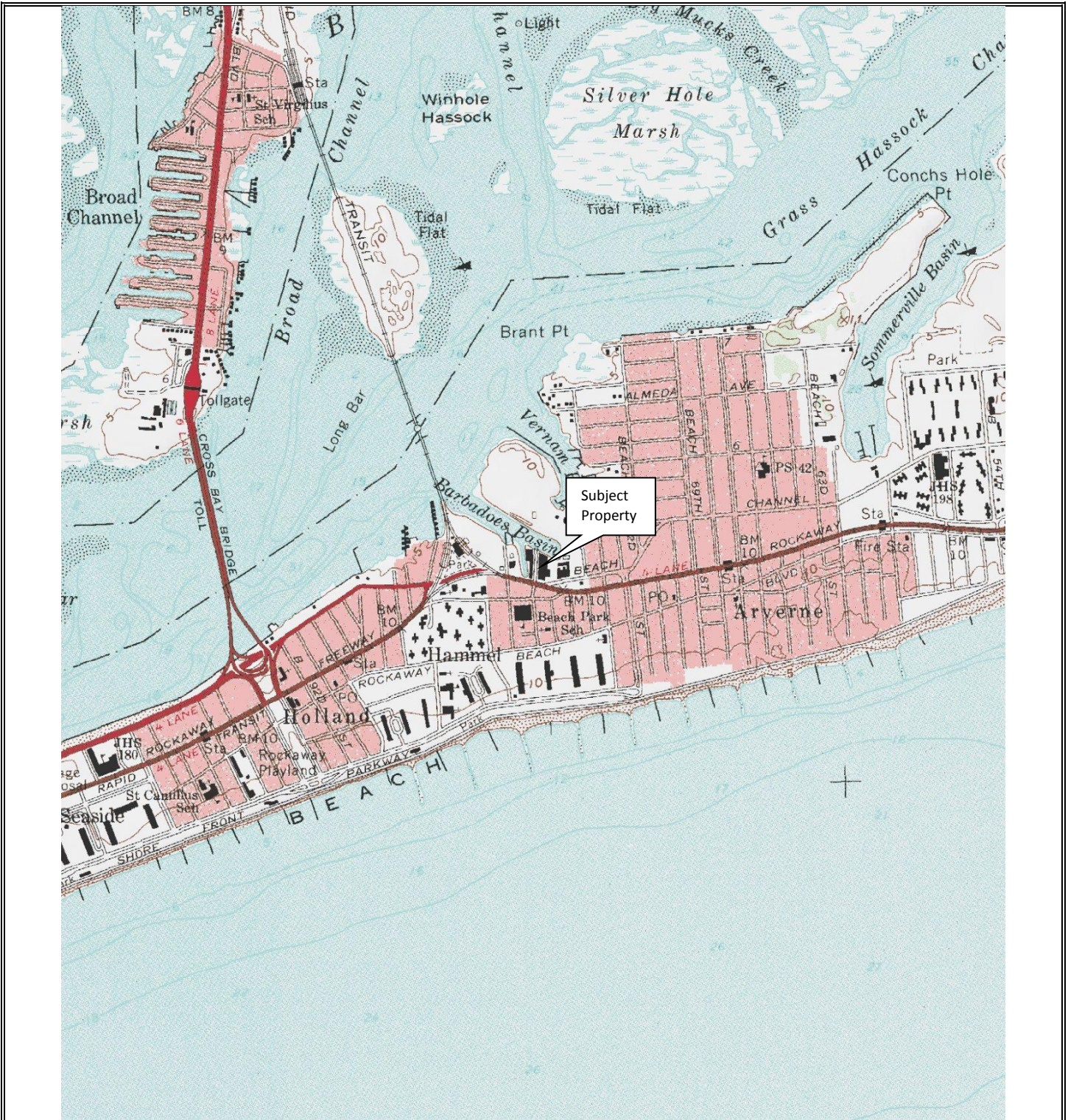
3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section IV. – Property Information - Parcel List**

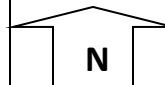
<b>Parcel Address</b>	<b>Section No.</b>	<b>Block No.</b>	<b>Lot No.</b>	<b>Acreage</b>	<b>Zoning</b>
3-60 Beach 79 <sup>th</sup> Street ( <i>partial</i> )	62	16100	18	.35	M1-1
3-60 Beach 79 <sup>th</sup> Street ( <i>partial</i> )	62	16100	20	.99	M1-1





Source: USGS Topographic Map of the Far Rockaway, New York Quadrangle, dated 1969, digital image provided by MyTopo.com

**U.S.G.S. Topographic Map**  
3-60 Beach 79<sup>th</sup> Street  
Far Rockaway  
Borough of Queens, New York



File No: 17-9838CM

February 2018

Scale: 1:24000





WCD Group, LLC  
 1350 Broadway, Suite 1904  
 New York, NY 10018-0891  
 Phone: 212.631.9000  
 Fax: 212.631.8066  
 www.wcdgroup.com

**Client:**  
 79 Avenue Development LLC

**Project Location:**  
 3-60 Beach 79th Street  
 Far Rockaway, New York

**Photo Description:**  
**SITE**  
**BOUNDARY**  
**MAP**

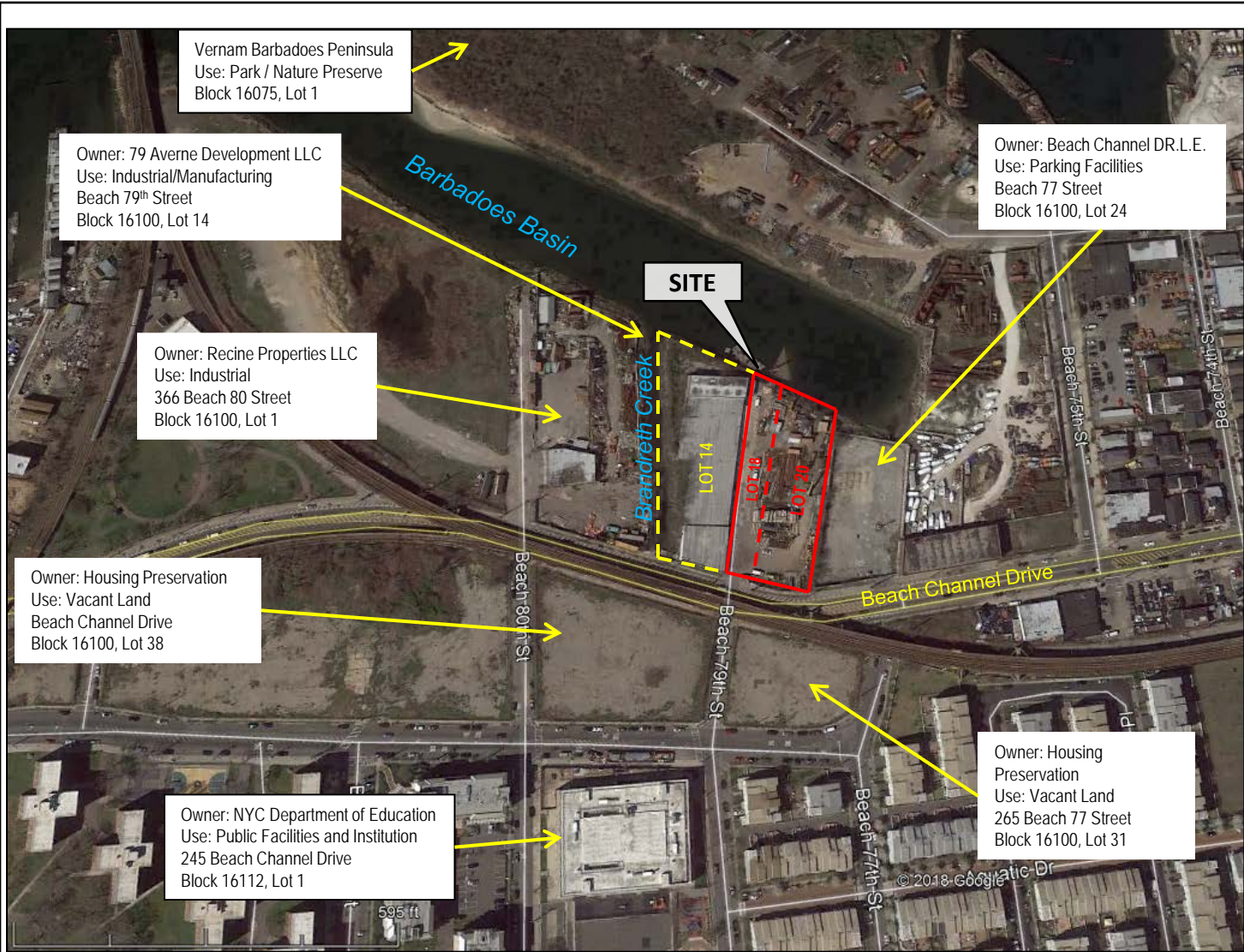
**Date:** 1/31/2018

**Project No.:** 17-9838CM

**Source:** Google Earth

**Figure 1**





For pivotal matters.™

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 1350 Broadway, Suite 1904  
 New York, NY 10018-0891  
 Phone: 212.631.9000  
 Fax: 212.631.8066  
 www.wcdgroup.com

**Client:**  
 79 Avenue Development LLC

**Project Location:**  
 3-60 Beach 79<sup>th</sup> Street  
 Far Rockaway, New York

**Photo Description:**  
**SURROUNDING  
 LAND USAGE**

**Date:** 1/31/2018

**Project No.:** 17-9838CM

**Source:** Google Earth

**Figure 2**









# 3-60 Beach 79th Street Far Rockaway, NY

Enzone Map - Census Tract 942.02

## Legend

-  3-60 Beach 79th St
-  Census Tract



Google Earth

© 2017 Google  
© SPOT IMAGE

2000 ft

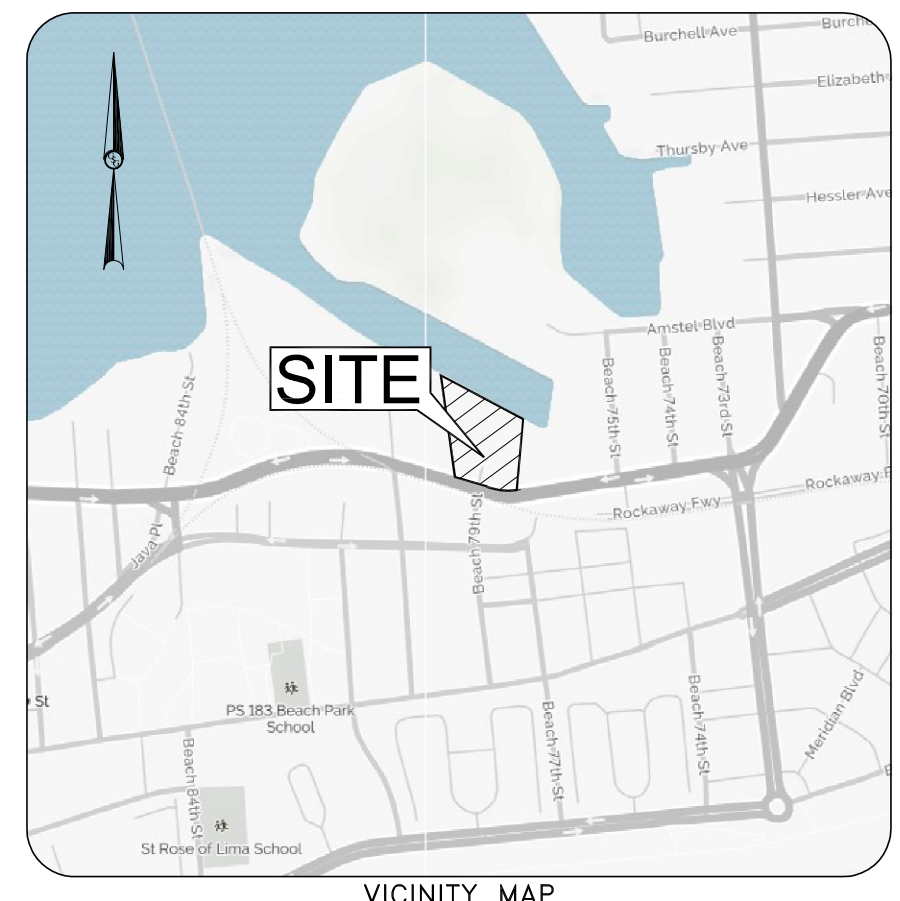
**ATTACHMENT F  
SITE SURVEY**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York



REEL 4616, PG. 2453



# BRANDRETH CREEK

# ROCKAWAY FREEWAY

# BEACH 79TH STREET

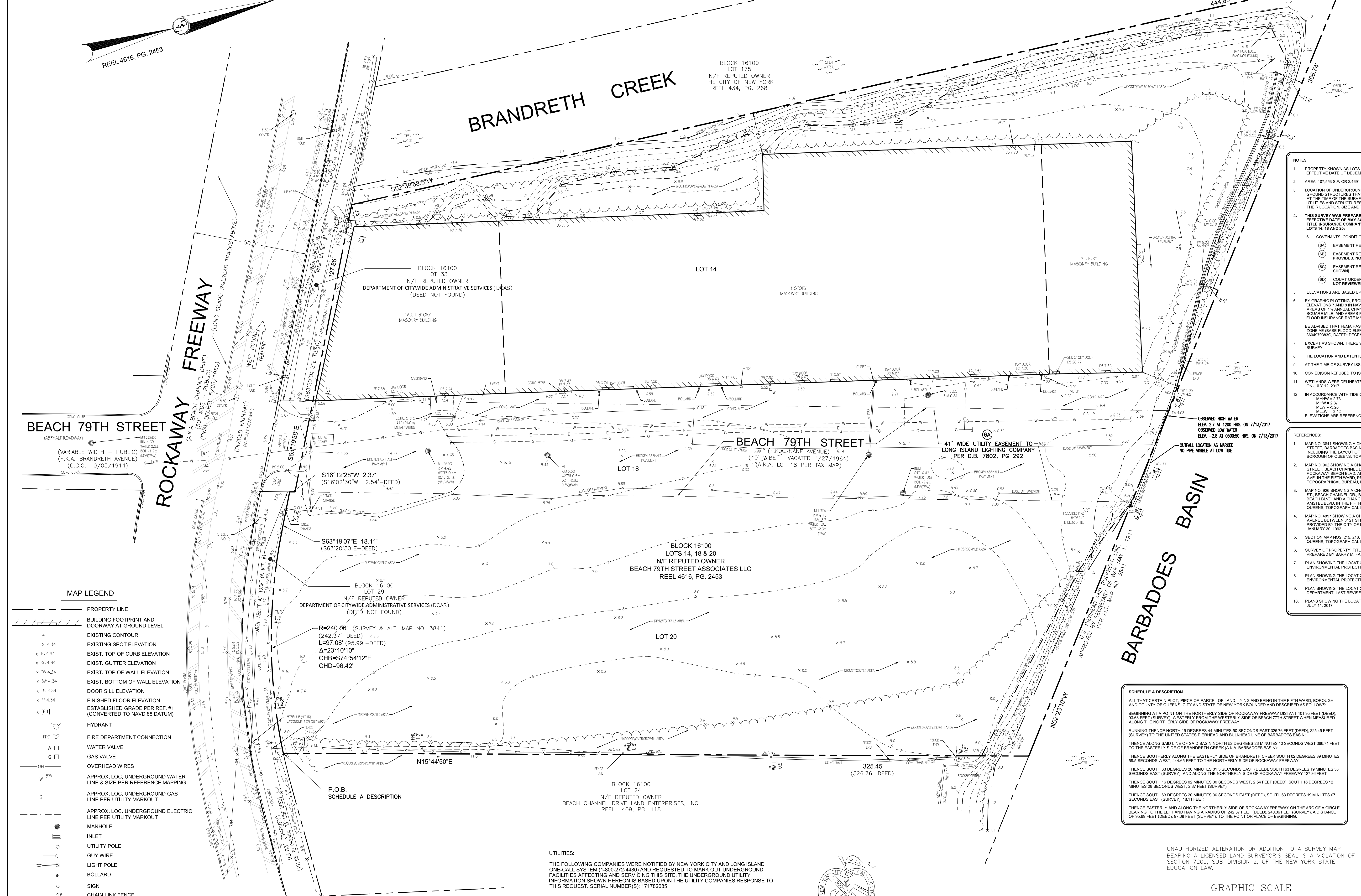
# BEACH 79TH STREET

# BARBADOES BASIN

# BEACH 77TH STREET

**MAP LEGEND**

- PROPERTY LINE
- BUILDING FOOTPRINT AND DOORWAY AT GROUND LEVEL
- EXISTING CONTOUR
- EXISTING SPOT ELEVATION
- EXIST. TOP OF CURB ELEVATION
- EXIST. GUTTER ELEVATION
- EXIST. TOP OF WALL ELEVATION
- EXIST. BOTTOM OF WALL ELEVATION
- DOOR SILL ELEVATION
- FINISHED FLOOR ELEVATION
- ESTABLISHED GRADE PER REF. #1 (CONVERTED TO NAVD 83 DATUM)
- HYDRANT
- FIRE DEPARTMENT CONNECTION
- WATER VALVE
- GAS VALVE
- OVERHEAD WIRES
- APPROX. LOC. UNDERGROUND WATER LINE & SIZE PER REFERENCE MAPPING
- APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY MARKOUT
- APPROX. LOC. UNDERGROUND ELECTRIC LINE PER UTILITY MARKOUT
- MANHOLE
- INLET
- UTILITY POLE
- GUY WIRE
- LIGHT POLE
- BOLLARD
- CHAIN LINK FENCE
- NO PIPES VISIBLE
- FILLED WITH WATER
- DNOTES TREE AND TRUNK DIAMETER
- WETLANDS FLAG AND IDENTIFICATION NO.
- TITLE REPORT EXCEPTION NUMBER



- NOTES:**
- PROPERTY KNOWN AS LOTS 14, 18 & 20, IN BLOCK 16100 AS DESIGNATED ON THE NEW YORK CITY DIGITAL TAX MAP, HAVING AN EFFECTIVE DATE OF DECEMBER 9, 2008.
  - AREA: 107,553 S.F. OR 2.4681 AC.
  - LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE TRAIL AND UTILITY MARK-OUTS DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
  - THIS SURVEY WAS PREPARED WITH REFERENCE TO A TITLE COMMITMENT FOR TITLE INSURANCE (TITLE NO. LAA2326) WITH AN EFFECTIVE DATE OF MAY 24, 2017, PREPARED BY LANDMARK ABSTRACT AGENCY, LLC AS AGENTS FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WHERE THE FOLLOWING SURVEY RELATED EXCEPTIONS APPEAR IN SCHEDULE B FOR BLOCK 16100, LOTS 14, 18 AND 20:
    - COVENANTS, CONDITIONS, EASEMENTS, LEASES, AGREEMENTS OF RECORD, ETC., MORE FULLY SET FORTH AS FOLLOWS:
      - (A) EASEMENT RECORDED IN REEL 7802 PAGE 292 (SHOWN)
      - (B) EASEMENT RECORDED IN REEL 4484 PAGE 201 (DOCUMENT PROVIDED ILLEGIBLE, PAGES 201-214, WERE NOT PROVIDED, NOT REVIEWED, NOT SHOWN)
      - (C) EASEMENT RECORDED IN REEL 4484 PAGE 216 (PAGES 217-226, 228 AND 229 WERE NOT PROVIDED, NOT REVIEWED, NOT SHOWN)
      - (D) COURT ORDER VS LOT 20 RECORDED IN REEL 806 PAGE 107. (DAMAGE MAPS CITED IN DOCUMENT WERE NOT PROVIDED, NOT REVIEWED, NOT SHOWN)
  - ELEVATIONS ARE BASED UPON NAVD 83 DATUM.
  - BY GRAPHIC PLOTTING, PROPERTY IS LOCATED IN FLOOD HAZARD ZONE AE (BASE FLOOD ELEVATIONS 8 AND 9 IN NAVD 29 DATUM; ELEVATIONS 7 AND 8 IN NAVD 88 DATUM) AND PARTIAL LOCATED IN FLOOD HAZARD ZONE X (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 300607030E, MAP RECEIVED SEPTEMBER 3, 2007.
  - EXCEPT AS SHOWN, THERE WERE NO VISIBLE STREAMS OR NATURAL WATER COURSES IN THE PROPERTY AT THE TIME OF FIELD SURVEY.
  - THE LOCATION AND EXTENTS OF UNDERGROUND TANKS AND VAULTS, IF ANY EXIST, HAVE NOT BEEN DETERMINED BY THE SURVEYOR.
  - AT THE TIME OF SURVEY INSURANCE, NATIONAL GRID HAD NOT YET PROVIDED UNDERGROUND GAS PLANS FOR THIS SITE.
  - CON EDITION REFUSED TO ISSUE UNDERGROUND ELECTRIC PLANS FOR THIS PROJECT.
  - WETLANDS WERE DELINEATED BY CAPITAL ENVIRONMENTAL CONSULTANTS, INC. AND FIELD LOCATED BY GALLAS SURVEYING GROUP ON JULY 12, 2017.
  - IN ACCORDANCE WITH TIDE GAUGE PID K1218, THE TIDE ELEVATIONS IN THIS VICINITY ARE:
    - MHW = 2.73
    - MFLW = 2.37
    - MLW = 3.20
    - MLLW = 3.42
 ELEVATIONS ARE REFERENCED TO NAVD 88.

- REFERENCES:**
- MAP NO. 3841 SHOWING A CHANGE IN THE STREET SYSTEM HERETOFORE LAID OUT WITHIN THE TERRITORY BOUNDED BY 64TH STREET, BARBADOES BASIN, BLDG. 8, 79TH STREET, ROCKAWAY FREEWAY, B, 77TH STREET AND BEACH CHANNEL DRIVE INCLUDING THE LAYOUT OF PARKS IN THE FIFTH WARD, PROVIDED BY THE CITY OF NEW YORK, OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, TOPOGRAPHICAL BUREAU, DATED: JUNE 1, 1992.
  - MAP NO. 902 SHOWING A CHANGE IN THE STREET SYSTEM HERETOFORE LAID OUT WITHIN THE TERRITORY BOUNDED BY BEACH 86TH STREET, BEACH CHANNEL DRIVE, BEACH CHANNEL DR., PROLONGED, FAR ROCKAWAY BRANCH OF U.L.R., BEACH 79TH ST. AND ROCKAWAY BEACH CHANNEL DRIVE, BEACH CHANNEL DR., PROLONGED, FAR ROCKAWAY BRANCH OF U.L.R., FROM BEACH 77TH ST. TO AMTTEL BLDG. IN THE FIFTH WARD, PROVIDED BY THE CITY OF NEW YORK, OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, TOPOGRAPHICAL BUREAU, DATED: MARCH 24, 1909.
  - MAP NO. 926 SHOWING A CHANGE IN THE STREET SYSTEM HERETOFORE LAID OUT WITHIN THE TERRITORY BOUNDED BY BEACH 86TH ST., BEACH CHANNEL DR., BEACH CHANNEL DR., PROLONGED, FAR ROCKAWAY BRANCH OF U.L.R., BEACH 77TH ST. AND ROCKAWAY BEACH CHANNEL DRIVE, BEACH CHANNEL DR., PROLONGED, FAR ROCKAWAY BRANCH OF U.L.R., FROM BEACH 77TH ST. TO AMTTEL BLDG. IN THE FIFTH WARD, PROVIDED BY THE CITY OF NEW YORK, OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, TOPOGRAPHICAL BUREAU, DATED: JANUARY 28, 1909.
  - MAP NO. 4897 SHOWING A CHANGE IN LEGAL GRADES ON VAN DAM STREET BETWEEN THOMSON AVENUE AND 47TH AVENUE, 47TH AVENUE BETWEEN 31ST STREET AND VAN DAM STREET AND ON VAN DAM STREET BETWEEN 31ST STREET AND VAN DAM STREET, PROVIDED BY THE CITY OF NEW YORK, OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, TOPOGRAPHICAL BUREAU, DATED: JANUARY 30, 1902.
  - SECTION MAP NOS. 216, 218, 219 PROVIDED BY THE CITY OF NEW YORK, OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, TOPOGRAPHICAL BUREAU.
  - SURVEY OF PROPERTY, TITLE NO. ITA3188-Q-12-S, TAX BLOCK NO. 16100, LOT NO. 14, 18 & 20, COUNTY OF QUEENS, ARVERNE, PREPARED BY BARRY M. FAHRER, DATED: JANUARY 21, 2013, JOB NO. 20130023.
  - PLAN SHOWING THE LOCATION OF UNDERGROUND SEWER LINES PROVIDED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWER OPERATIONS, MAP PRINTED: JUNE 28, 2017.
  - PLAN SHOWING THE LOCATION OF UNDERGROUND WATER LINES PROVIDED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWER OPERATIONS, MAP PRINTED: JUNE 28, 2017.
  - PLAN SHOWING THE LOCATION OF UNDERGROUND FIBER OPTIC CABLES PROVIDED BY THE NEW YORK CITY FIRE DEPARTMENT, LAST REVISED: FEBRUARY 29, 1992, MAP NO. 86.
  - PLANS SHOWING THE LOCATION OF UNDERGROUND TELEPHONE LINES PROVIDED BY EMPIRE CITY SUBWAY CO. LTD., MAPS RECEIVED: JULY 11, 2017.

**SCHEDULE A DESCRIPTION**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, LYING AND BEING IN THE FIFTH WARD, BOROUGH AND COUNTY OF QUEENS, CITY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY SIDE OF ROCKAWAY FREEWAY DISTANT 101.95 FEET (DEED), 50.63 FEET (SURVEY), WESTERLY FROM THE WESTERLY SIDE OF BEACH 77TH STREET WHEN MEASURED ALONG THE NORTHERLY SIDE OF ROCKAWAY FREEWAY:

RUNNING THENCE NORTH 15 DEGREES 14 MINUTES 50 SECONDS EAST 326.76 FEET (DEED), 326.45 FEET (SURVEY) TO THE UNITED STATES PERIHEAD AND BULHEAD LINE OF BARBADOES BASIN;

THENCE ALONG SAID LINE OF SAID BASIN NORTH 02 DEGREES 23 MINUTES 10 SECONDS WEST 366.74 FEET TO THE EASTERLY SIDE OF BRANDRETH CREEK (A.K.A. BARBADOES BASIN);

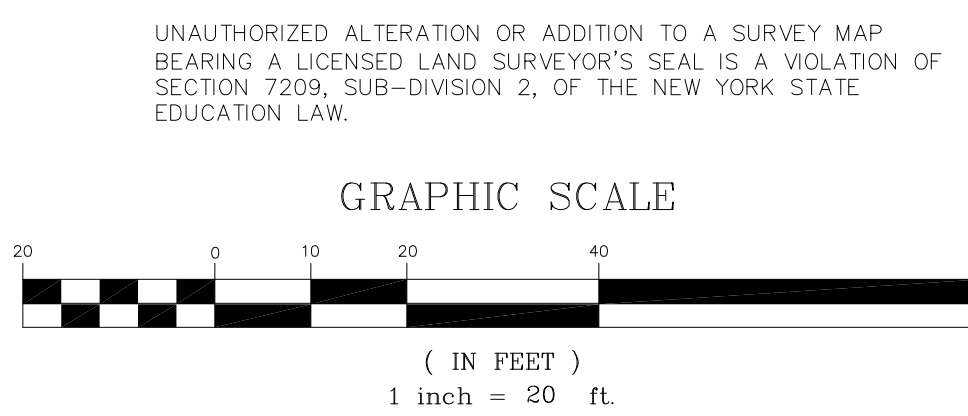
THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF BRANDRETH CREEK SOUTH 02 DEGREES 39 MINUTES 58 SECONDS EAST, 444.65 FEET TO THE NORTHERLY SIDE OF ROCKAWAY FREEWAY;

THENCE SOUTH 63 DEGREES 20 MINUTES 01 0 SECONDS EAST (DEED), SOUTH 63 DEGREES 10 MINUTES 58 SECONDS EAST (SURVEY), AND ALONG THE NORTHERLY SIDE OF ROCKAWAY FREEWAY 07 FEET;

THENCE SOUTH 16 DEGREES 02 MINUTES 30 SECONDS WEST, 2.54 FEET (DEED), SOUTH 16 DEGREES 12 MINUTES 28 SECONDS WEST, 2.37 FEET (SURVEY);

THENCE SOUTH 63 DEGREES 20 MINUTES 30 SECONDS EAST (DEED), SOUTH 63 DEGREES 19 MINUTES 07 SECONDS EAST (SURVEY), 18.11 FEET;

THENCE EASTERLY AND ALONG THE NORTHERLY SIDE OF ROCKAWAY FREEWAY ON THE ARC OF A CIRCLE BEARING TO THE LEFT AND HAVING A RADIUS OF 242.37 FEET (DEED), 240.26 FEET (SURVEY), A DISTANCE OF 96.99 FEET (DEED), 97.26 FEET (SURVEY), TO THE POINT OF PLACE OF BEGINNING.



**UTILITIES:**

THE FOLLOWING COMPANIES WERE NOTIFIED BY NEW YORK CITY AND LONG ISLAND ONE-CALL SYSTEM (1-800-272-4480) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 171762685

UTILITY COMPANY	PHONE NUMBER
CONSOLIDATED EDISON CO. OF N.Y.	(800) 778-8140
NATIONAL GRID	(800) 262-8600
LONG ISLAND POWER AUTHORITY	(800) 262-8600
VERIZON COMMUNICATIONS	(855) 661-6233

**NOTE: ALL UTILITY COMPANIES DID NOT RESPOND TO MARKOUT REQUEST.**

**ALT/ANSPS LAND TITLE SURVEY**  
**LOTS 14, 18 & 20, BLOCK 16100**  
 350 BEACH 79TH STREET  
 ROCKAWAY  
 BOROUGH AND COUNTY OF QUEENS  
 CITY AND STATE OF NEW YORK

**GALLAS SURVEYING GROUP**

2865 U.S. ROUTE 1  
 NORTH BRUNSWICK, NJ 08902  
 TELE: 732-422-6700  
 FAX: 732-940-8786  
 www.gallasurvey.com

DATE	SCALE	DRAWN:	CHECKED:
10-23-2017	1"=20'	E.A.R./C.J.L.	G.S.G./J.R.T.
FIELD DATE	FIELD BOOK	PAGE	FIELD CROW
07-12-2017	80	54-56	P.P./O.D.
07-13-2017			

FILE NO.: **G17145** DRAWING NAME/SHEET NO. G17145A.DWG 1 OF 1

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALT/ANSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 8, 9 AND 13 OF TABLE THEREOF. THE FIELD WORK WAS COMPLETED ON 07/13/2017.

**GREGORY S. GALLAS** DATE

NEW YORK PROFESSIONAL LAND SURVEYOR #50124



**ATTACHMENT G**  
**PROPERTY DESCRIPTION**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section IV. – Property Information**

10.) Property Description and Environmental Assessment

**Location:** The Site, located at 3-60 Beach 79<sup>th</sup> Street, Far Rockaway, in the Arverne neighborhood in Queens, New York (identified as Borough of Queens tax lot parcels: Block 16100, Lots 18 and 20), is an approximately 1.34-acre parcel located on the northern side of Beach Channel Drive.

**Site Features:** The Site has no buildings but does have an asphalt parking lot and grassy open area. The Site is adjacent to the Barbados Basin.

**Current Zoning and Land Use:** The Site is currently inactive and contains no buildings. The grassy area of the Site is used for storage of miscellaneous material. The Site zoning is “M1-1.” M1-1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Upon information and belief, the nearest residential area is 0.3 miles south at 2-99 Beach 79<sup>th</sup> Street.

**Past Use of the Site:** Historical industrial occupants of the Site from prior to 1894 to present include an ice factory, a coal yard, a bike corporation, and various manufacturing businesses. A gasoline tank was shown on the western portion of the subject property in the 1933 Sanborn Fire Insurance Map (Sanborn Map) when it was utilized as a coal yard.

**Site Geology and Hydrogeology:** The site is underlain by historic fill that rests on natural clay and soil sand deposits. The historic fill contains elevated concentrations of various metals, semi-volatile compounds, PCB and pesticides, as is typical of historic fill encountered in the New York Metropolitan Area. The Property and surrounding areas are underlain by sediments of the Magothy formation, Upper Cretaceous in age. Predominant sediment types include clay, silt, sand, and gravel. Depth to groundwater on the subject property is approximately five (5) feet below grade and flows generally to the north towards Barbados Basin. The perimeter of the subject property is located within the 100-year FEMA Flood Zone and the center of the subject property is located within the 500-year FEMA Flood Zone.

**Environmental Assessment:** The Phase I and Phase II reports prepared by the current owner for the property identified that the property has been used for industrial purposes since at least 1894, including a coal yard and various manufacturing businesses. The primary constituents of concern are PCE and its breakdown products:

**Soil:** PCE is found in soils on the Site above the soil cleanup objectives for commercial use in the parking lot close to the Barbados Basin. In addition, elevated PAHs above the commercial soil cleanup objectives were present in fill material encountered at the southeastern corner and western and northern perimeters of the Site. Localized pesticide (Aldrin and Dieldrin) and PCB (Total PCBs were detected in fill and black native soil at the southern portion of the Site [2.8



ppm and 2.3 ppm] exceedances were found slightly over the commercial soil cleanup objectives. Elevated metal concentrations of arsenic, lead, copper, nickel, mercury, selenium, zinc and barium were detected throughout the Site, particularly in fill material, although generally below the commercial soil cleanup objectives.

Groundwater: Groundwater was generally encountered between 12 and 14 feet below grade. TCE, PCE, cis-DCE and vinyl chloride are found in groundwater exceeding groundwater standards (5 ppb for TCE, PCE and cis-DCE; 2 ppb for vinyl chloride) with a maximum cis-DCE concentration of 2,300 ppb and a maximum vinyl chloride concentration of 1,800 ppb).

Soil Vapor & Indoor Air: no soil vapor data has been collected to date.

**ATTACHMENT G1  
PAST OWNER INFORMATION**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**3-60 BEACH 79<sup>TH</sup> STREET**

**BROWNFIELD CLEANUP APPLICATION**

**SECTION VI. –OWNER/OPERATOR INFORMATION**

**CURRENT OWNER/OPERATOR INFORMATION:**

79 Arverne Development LLC is the owner of all of the parcels. 79 Arverne Development LLC has no relationship to any prior owner. There are no current operators.

**PAST OWNER/OPERATOR INFORMATION:**

**OWNERS:**

**Property:** 3-50 & 3-60 Beach 79<sup>th</sup> Street, Arverne, NY 11693  
**Section, Block & Lot:** 62-16100-18 & 20

**Title History:**

<b>Date</b>	<b>Record Type</b>	<b>Party 1</b>	<b>Party 2</b>	<b>Status of Party 2 Entity (Alive, Deceased, Active, Dissolved)</b>	<b>Relationship to Requestor</b>
01/12/2018	Deed	Beach 79 St. Associates LLC 31 Garden Lane Lawrence, NY 11559	79 Arverne Development LLC 220-46 73rd Avenue, Bayside, NY 11364	Active	None (Requestor is Party 2)
4/28/1997	Deed	Beach 79 St. Associates 31 Garden Lane Lawrence, NY 11559	Beach 79 St. Associates LLC 31 Garden Lane Lawrence, NY 11559	Active	None
12/16/1985	Deed	Ross Bicycles Inc. <sup>1</sup> 3-50 Beach 79 <sup>th</sup> St. Rockaway Beach, NY 11693	Beach 79 St. Associates 31 Garden Lane Lawrence, NY 11559	Inactive (Dissolved 12/23/1992)	None
	Deed		Ross Bicycles Inc. 3-50 Beach 79 <sup>th</sup> St. Rockaway Beach, NY 11693	Inactive (Dissolved – went bankrupt)	None

- <sup>1</sup> The Chain Bike Corporation moved its bicycle manufacturing operations from the Williamsburg section of Brooklyn to the Site at Beach 79<sup>th</sup> Street sometime around 1960 (the Chain Bike Corporation, incorporated on October 31, 1946, changed its name to Ross Bicycles, Inc., on June 28, 1982).

**OPERATORS:**

None Known.



**ATTACHMENT H**  
**VOLLUNTEER STATUS STATEMENT**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section VII. – Volunteer Status Statement**

Requestor is a volunteer to the BCP with any liability arising solely as a result of its acquiring ownership of the site subsequent to any disposal, discharge or release of contaminants on the site. Requestor has conducted no operations at the site and contamination found on the site is historical in nature. Prior to purchasing the property, Requestor carried out all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial and customary standards and practices; and took 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. The environmental data and reports from those inquiries indicated contamination on the property. Requestor promptly called in a “spill” to the NYSDEC Hotline and provided copies of environmental reports to the NYSDEC attached hereto as Exhibit B. Requestor promptly scheduled a BCP pre-application meeting with NYSDEC- Region 2. Subsequent to the pre-application meeting, Requestor purchased this property on January 12, 2018. Since acquiring the property, Requestor has draft a remedial investigation work plan and assembled the instant application. Requestor has not identified any continuing discharges or threatened future releases which require immediate action. Requestor has taken all 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. As such, Requestor meets the statutory definition of a Volunteer.

**ATTACHMENT I  
CONTACT LIST INFORMATION**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York



**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section IX. Site Contact List**

1. Chief Executive Officer and Planning Board Chairperson of each county, city, town and village in which the property is located.

William DeBlasio  
 NYC Mayor  
 City Hall  
 New York, NY 10007

Melinda Katz  
 Queens Borough President  
 120-65 Queens Blvd.  
 Kew Gardens, NY 11424

Marisa Lago, Chair  
 New York City Planning Commission  
 120-55 Queens Blvd., Room 201  
 Kew Gardens, NY 11424

Department of City Planning  
 City of New York  
 Attn: Director  
 22 Reade Street  
 New York, NY 10007

2. Residents, owners, and occupants of the property and properties adjacent to the property.

Owner	Section	Block	Lot	Property Address	Mailing Address
79 Arverne Development LLC (Applicant)	62	16100	14	3-60 Beach 79 <sup>th</sup> Street, New York, NY 11692	220-46 73 <sup>rd</sup> Avenue Bayside, NY 11364
City of New York	62	16100	175	Beach Channel Dr. Far Rockaway, NY 11693 (Canal & Channel)	City Hall, New York, NY 10007

Beach Channel Dr. Land Enterprises, Inc.	62	16100	24	3-02 Beach 77 <sup>th</sup> Street, Far Rockaway, NY 11692	691 Columbia Street, Brooklyn, NY 11231
City of New York, Office of Housing Preservation & Development	62	16100	31	2-65 Beach Channel Dr., Far Rockaway, NY 11693	City Hall, New York, NY 10007
City of New York, Office of Housing Preservation & Development	62	16100	38	Beach Channel Dr., Far Rockaway, NY 11693	City Hall, New York, NY 10007

3. Local news media from which the community typically obtains information.

The Wave (newspaper)  
88-08 Rockaway Beach Blvd.  
Rockaway Beach NY, 11693-0097

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

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

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

N/A

6. The administrator of any school or day care facility located on or near the property.

Hammels-Arverne Day Care Center  
216 Beach 87 Street  
Rockaway Beach Blvd. NY 11693

Theresa Andersen  
Principal  
St. Rose of Lima (PK-8)  
130 Beach 84th Street  
Rockaway Beach, NY 11693

Sheila S. Gonzalez  
Principal  
St Camillus School (K-8)  
185 Beach 99th Street  
Rockaway Beach, NY 11691

Jessica Romero  
Principal  
PS 183 Dr. Richard R. Green (PK-8)  
2-45 Beach 79th Street  
Rockaway Beach, NY 11693

7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.

Queens Library at PENINSULA  
92-25 Rockaway Beach Boulevard  
Rockaway Beach, NY 11693  
(718) 634-1110

Queens Community Board 14  
Jonathan Gaska  
District Manager  
1931 Mott Avenue, Room 311  
Far Rockaway, NY 11691  
T: (718) 471-7300

**Please see repository acknowledgement letters attached.**

8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Delores Orr  
Chairperson  
Queens Community Board 14  
1931 Mott Avenue  
Far Rockaway, NY 11691



[Print](#) | [Close Window](#)

**Subject:** RE: Request for Repository Service - NYS DEC Brownfield Cleanup Program

**From:** "Allison, Matthew" <Matthew.Allison@queenslibrary.org>

**Date:** Thu, Jan 25, 2018 12:14 pm

**To:** "patrick@allendesnoyers.com" <patrick@allendesnoyers.com>

**Cc:** "Buron, Nick H" <Nick.H.Buron@queenslibrary.org>, "Kim, Sung Mo" <SungMo.Kim@queenslibrary.org>, "Magazinnik, Tatyana" <Tatyana.Magazinnik@queenslibrary.org>

Mr. Kehoe,

I checked with the administration and I'm glad to report that we can be a repository for your DEC reports. Depending on the size of the binders we'll keep it in the staff area but it'll be available for request by the public. If possible can we have a memory stick with the information? Our public computers do not have a cd drive.

Thanks for your time,

Matt

Matthew Allison

Community Library Manager for Queens Library

Peninsula Community Library

92-25 Rockaway Beach Blvd

Rockaway Beach NY, 11693

(718) 634-1110

---

**From:** patrick@allendesnoyers.com [patrick@allendesnoyers.com]

**Sent:** Tuesday, January 23, 2018 4:57 PM

**To:** Allison, Matthew

**Subject:** Request for Repository Service - NYS DEC Brownfield Cleanup Program

Dear Mr. Allison,

The law firm of Allen & Desnoyers represents a client that is submitting an application to the NYS Department of Environmental Conservation (DEC) for acceptance into the Brownfield Cleanup Program (BCP), in connection with a proposed development at 3-60 Beach 79th Street, which is within the service area for the Queens Public Library, Peninsula Branch.

In connection with the BCP application, the NYS DEC requires that the applicant identify a public repository (usually the local library branch) where local residents may, if they desire, review the project documents (typically environmental reports prepared by environmental engineers). Normally the volume of documents consists of 4 to 6 bound or stapled environmental reports, which would be made available for public viewing during the course of the project cleanup (generally 18 to 24 months). Where possible, electronic copies of the reports will be provided to the repository (on CD or memory stick) to reduce the amount of paper to be handled or stored. All the library needs to do is to make the documents available for public review.

Please accept this email as our formal request to the Queens Public Library, Peninsula Branch, to serve as the public repository for public documents related to the 3-60 Beach 79th Street project, in connection with the aforementioned BCP application.

Please respond by return email with acknowledgement that the Queens Public Library, Peninsula Branch, will serve as the public document repository for this BCP project. (We require a written (email) confirmation from the library to include in the BCP application to be submitted to NYS DEC.)

I appreciate your attention to this request. Should you required any further information concerning this request, please do not hesitate to contact me by return email, or by telephone at (518) 426-2288.

Sincerely,

**Patrick Kehoe**

Patrick L. Kehoe  
Partner  
Allen & Desnoyers, LLP  
90 State Street  
Suite 1009  
Albany, New York 12207  
(P) (518) 426-2288  
(C) (518) 441-3654  
patrick@allendesnoyers.com  
www.allendesnoyers.com

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----- Original Message -----

Subject: RE: Brownfield Redevelopment - 3-60 Beach 79th St  
From: "Queens Community Board 14" <[cbrock14@nyc.rr.com](mailto:cbrock14@nyc.rr.com)>  
Date: Thu, February 22, 2018 2:27 pm  
To: <[patrick@allendesnoyers.com](mailto:patrick@allendesnoyers.com)>

Ok no problem

**From:** [patrick@allendesnoyers.com](mailto:patrick@allendesnoyers.com) [<mailto:patrick@allendesnoyers.com>]  
**Sent:** Thursday, February 22, 2018 1:36 PM  
**To:** [cbrock14@nyc.rr.com](mailto:cbrock14@nyc.rr.com)  
**Subject:** Brownfield Redevelopment - 3-60 Beach 79th St

Dear Mr. Gaska (District Manager, Queens Community Board 14),

It was a pleasure speaking to you on the telephone earlier. As I explained, this law firm represents a client that will be applying to the State's Brownfield Redevelopment Program (BCP) to clean-up a property located on Beach 79th Street. One of the requirements of the BCP is for the applicant to identify a local repository for certain documents connected with the project, where members of the public can review the documents if they wish. The Peninsula Branch of the NYC Public Library has agreed to serve as one such repository, however, the NYS Department of Environmental Conservation (NYS DEC) has asked us to inquire whether CB 14 would agree to serve as a repository as well, and you graciously agreed that that CB 14 would be willing to do so.

As we discussed, the volume of paper typically consists of a series of environmental reports, which in this instance I would predict would be less than 12 inches in width. We will try to send documents on electronic storage (CD or thumb drive) whenever possible.

Thank you for your assistance with this matter. **If you would please reply to this email** with your consent to have CB 14 serve as a public document repository for this project, so we may include your written consent with the BCP application, I would greatly appreciate it.

Sincerely,

Patrick Kehoe

**Patrick L. Kehoe**  
**Partner**  
**Allen & Desnoyers LLP**  
**90 State Street**  
**Suite 1009**



**ATTACHMENT J  
CURRENT USE SUMMARY**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section X. Land Use Factors – Current Site Use**

The Site is comprised of an approximately 1.34 -acre area comprised of an asphalt parking lot and grass yard. The Site is presently used for storage of miscellaneous material.

The Site that is subject of this application consists of two lots (Block 19100, Lots 18 & 20). Historically these lots were owned and/or utilized in conjunction with the adjacent Lot 14, which consists of a building at the subject property is constructed of concrete block walls, a concrete slab, and a wooden roof.

Prior to its current use, the Site was the location of the Chain Bicycle Company (aka, Ross Bicycles) from approximately 1960 to 1980. Upon information and belief, based upon review of the aerial photographs provided as an Addendum to the Phase I, it appears that buildings were constructed and utilized on the Site between at least 1894 through 1966. At some point between 1966 and 1984, the structures on the Site were removed, and it appears the Site has been used as parking and storage since at least 1984.

The following table sets forth prior known uses on the Site based upon information contained in Sanborn Certified Maps:

<b>Date</b>	<b>Operation/Past Use</b>
1894	Arverne Ice Corp.
1901	Arverne Ice Corp.
1912	John R. Murphy Ice Factory
1933	Vacant & Dilapidated Structure
1960	Chain Bike Corporation
1981	Vacant

**ATTACHMENT K  
POST-CLEANUP USE**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York



**3-60 Beach 79<sup>th</sup> Street**  
**Brownfield Cleanup Application**  
**Section X. Land Use Factors – Post-Cleanup Use**

The project will consist of a state-of-the-art self-storage facility on Lots 18 & 20 (vacant lots to the east of the existing building on lot 14). This is consistent with the current M1-1 zoning, which definition includes storage facilities. The building will be a 4-story structure, raised above the flood plain on stilts (i.e. the first floor is above the 11' 6" flood elevation). The building will be set back 30 feet from the high water line of Barbados Basin. The building will have an on-site office, with one loading dock, and two elevators. The building will be staffed by one employee and customers will come and go on an as-needed basis to access storage units.

**ATTACHMENT L  
LLC AUTHORIZATION**

3-60 BEACH 79TH STREET  
Brownfield Cleanup Program Application

3-60 Beach 79th Street, Queens County, New York, New York

**CONSENT  
TO THE ADOPTION OF RESOLUTIONS  
BY THE SOLE MEMBER OF  
79 ARVERNE DEVELOPMENT LLC**

The undersigned, being the sole member of 79 Arverne Development LLC, a New York limited liability company (the "Company"), hereby consents to and approves the adoption of the following resolutions and the actions contemplated hereby, such resolutions to have the same force and effect as if duly adopted at a meeting of the Company duly called and held on the date hereof:

**BE IT RESOLVED**, that the Company be and hereby is authorized and empowered to apply for and enter into a Brownfield Site Cleanup Agreement (the "Agreement") with the New York State Department of Environmental Conservation ("NYSDEC") with respect to the property at 3-60 Beach 79<sup>th</sup> Street (the "Property"); and it is further

**RESOLVED**, that Uri Kaufman ("Authorized Person") be and hereby is authorized and empowered and directed to do all things that may be necessary and/or proper to enter into the Agreement, including executing the Agreement, and Environmental Easement and/or any other instrument, document and/or agreement as the NYSDEC and the Authorized Person shall determine to be necessary, useful and/or required in furtherance of or in order to give effect to the purpose and/or intent of the Agreement and resolutions set forth herein; and it is further

**RESOLVED**, that any act of the Authorized Person, acting alone, on behalf of the Company, taken prior to the date hereof which would have been authorized by the foregoing resolutions, be and the same hereby are individually and/or collectively ratified, confirmed, adopted and approved.

**IN WITNESS WHEREOF**, the undersigned sole member has executed this Consent as of this 2<sup>nd</sup> day of February 2018.

**79 Arverne Development LLC**

By: UNION ALLIED CONSULTING  
LLC, MEMBER

By: Jacqueline Cohen  
Name: Jacqueline Cohen  
Title: Manager