

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Brownfield Cleanup Agreement, or property that could affect an eligibil Such application must be submitted	uest major changes to the description on "BCA" (e.g., adding a significant amouslity determination due to contamination due to processed in the same manner are ent period. Is this an application to an	nt of new property, or adding levels or intended land use). s the original application,
Yes ✓ No	If yes, provide existing site r	number:
PART A (note: application is sepa	arated into Parts A and B for DEC rev	
Section I. Requestor Information	on - See Instructions for Further Gui	dance DEC USE ONLY BCP SITE #:
NAME 37-11 30th Street Holding	js LLC	
ADDRESS 38 East 29th Street, 9	th Floor	
CITY/TOWN New York	ZIP CODE 1	0016
PHONE (646) 762-1429	FAX (646) 558-2287	E-MAIL david@slatepg.com
If the requestor is a Corpord Department of State to conservation (DEC) with in NYS. Included in Attachment of Do all individuals that will be cert of Section 1.5 of DER-10: Department of State to conserve in the NYS Department of State to conserve in the NYS. Included in Attachment of Section 1.5 of DER-10: Individuals that will be certificated in the NYS. Included in Attachment of Section 1.5 of DER-10: Individuals that will be certificated in the NYS. Included in Attachment of Section 1.5 of DER-10: Individuals that will be certificated in the NYS. Included in Attachment of State to conserve in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of DER-10: Individuals that will be certificated in the NYS Department of Section 1.5 of De	ifying documents meet the requirement tifying BCP documents, as well as their Technical Guidance for Site Investigat tion Law. Documents that are not pro	ng authorization from the NYS is name must appear, exactly as given is Entity Database. A print-out of entity rk State Department of Environmental equestor is authorized to do business its detailed below? ✓ Yes No remployers, meet the requirements to and Remediation and Article 145
Section II. Project Description		
1. What stage is the project starti	ing at? Investigation	Remediation
	remediation stage, a Remedial Investig an must be attached (see <u>DER-10 / Tec</u> or further guidance).	
3. If a final RIR is included, pleas (ECL) Article 27-1415(2):	se verify it meets the requirements of Er	าvironmental Conservation Law
4. Please attach a short descripti	ion of the overall development project, i	including: Included in Attachment B
the date that the remedia	I program is to start; and	
the date the Certificate of	Completion is anticipated.	

Section III. Property's En	vironmental 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.									
following (please submit t 1. Reports: an example of	he information requeste of an Investigation Report e with the latest American	s are available to the requeston in this section in electronics a Phase II Environmental Society for Testing and Mater	ic format only): ite Assessment report						
		ANTS AND THE MEDIA WHICH D BE REFERENCED AND COPI							
Contaminant Category	Soil	Groundwater	Soil Gas						
Petroleum									
Chlorinated Solvents		X	X						
Other VOCs			X						
SVOCs									
Metals	X	X							
Pesticides									
PCBs									
Other*									
*Please describe:									
 SAMPLE LOCATION DATE OF SAMPLING KEY CONTAMINANT FOR SOIL, HIGHLIG FOR GROUNDWATE FOR SOIL GAS/ SOIL YORK STATE DEPA THESE DRAWINGS ARE TO THAT THE SITE IS IN NEED 	N G EVENT IS AND CONCENTRATION HT IF ABOVE REASONABI ER, HIGHLIGHT EXCEEDAN IL VAPOR/ INDOOR AIR, HI RTMENT OF HEALTH MAT D BE REPRESENTATIVE OF OF REMEDIATION UNDER GS SHOULD BE PREPARE S INCLUDED WITH THE AP	LY ANTICIPATED USE NCES OF 6NYCRR PART 703.5 GHLIGHT IF ABOVE MITIGATE RIX ALL DATA BEING RELIED UP THE BCP. DRAWINGS SHOU D IN ACCORDANCE WITH ANTE	E LEVELS ON THE NEW ON TO MAKE THE CASE LD NOT BE BIGGER THAN						
4. INDICATE PAST LAND U		•							
Coal Gas Manufacturing Salvage Yard Landfill	☐Bulk Plant ☐ Pip☐Tannery ☐ Ele	ricultural Co-op	Station						
Other: Plastics Manufacturing f	rom 1930s to 1980s (50-year p	eriod)							

Section IV. Property Information - See Instruction	s for Fu	rther Guida	nce Included	in Attachment D							
PROPOSED SITE NAME 37-11 30th Street											
ADDRESS/LOCATION 37-11 30th Street and 30-14 3	7th Ave	enue									
CITY/TOWN Long Island City ZIP C	ODE 11	101									
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Long	Island (City									
COUNTY Queens SITE SIZE (ACRES) 0.61											
LATITUDE (degrees/minutes/seconds) 40 ° 45 ' 17.26 "	LONGI -73	TUDE (degre	es/minutes/se 55		54.76 "						
COMPLETE TAX MAP INFORMATION FOR ALL TAX PAI BOUNDARIES. ATTACH REQUIRED MAPS PER THE AI				ROPERTY							
Parcel Address		Section No.	Block No.	Lot No.	Acreage						
37-11 30th Street			372	8	1.04						
30-14 37th Avenue			372	21	0.05						
Do the proposed site boundaries correspond to tag If no, please attach a metes and bounds description			unds?	Yes V	NO achment D						
Is the required property map attached to the applic (application will not be processed without map)	ation?			✓Yes [] No						
3. Is the property within a designated Environmental (See DEC's website for more information)	·	, -	Ye	es 🗸 No	6)?						
If yes, ic	dentify co	ensus tract :	Census T	ract 51							
Percentage of property in En-zone (check one):	0-49)% <u> </u>	50-99%	1 00%)						
4. Is this application one of multiple applications for a project spans more than 25 acres (see additional of											
If yes, identify name of properties (and site numbe applications:	rs if ava	ilable) in rela	ated BCP								
5. Is the contamination from groundwater or soil vaporable subject to the present application?	or solely	emanating f	rom propert	y other than Ye							
 Has the property previously been remediated purs ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation. 	uant to ⁻	Titles 9, 13, o	or 14 of ECL	Article 27, The Control of the Contr							
7. Are there any lands under water? If yes, these lands should be clearly delineated on	the site	map.		Υe	es 🗸 No						

Section IV. Property Information (co	ntinued)	
	g rights of way that would preclude reme	diation in these areas? ☐ Yes ✓ No
Easement/Right-of-way Holder		Description
List of Permits issued by the DEC of information)	or USEPA Relating to the Proposed Site	(type here or attach
<u>Type</u>	Issuing Agency	<u>Description</u>
the proper format of <u>each</u> narra Are the Property Description and	mental Assessment – please refer to ap tive requested. Environmental Assessment narratives in	
in the prescribed format?	ounties comprising New York City, is the	requestor seeking a
determination that the site is eligib	le for tangible property tax credits? stions on the supplement at the end of the	Ves No
12. Is the Requestor now, or will the that the property is Upside Dov	ne Requestor in the future, seek a det vn?	ermination Yes No
of the value of the property, as	Question 12, above, is an independent of the date of application, prepared to property is not contaminated, include	under the
participate in the BCP, the application	redit determination is not being requent ant may seek this determination at an g the BCP Amendment Application, g category.	y time before issuance of
If any changes to Section IV are requir	red prior to application approval, a new p	age, 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) DEC USE ONLY Section V. Additional Requestor Information BCP SITE NAME: See Instructions for Further Guidance BCP SITE #: NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE David Schwartz ADDRESS 38 East 29th Street, 9th Floor CITY/TOWN New York **ZIP CODE 10016** FAX (646) 558-2287 PHONE (646) 762-1429 E-MAIL david@slatepg.com NAME OF REQUESTOR'S CONSULTANT Michael Burke of Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. ADDRESS 21 Penn Plaza, 360 West 31st Street, 8th Floor CITY/TOWN New York **ZIP CODE 10001** FAX (212) 479-5444 PHONE (212) 421-2150 E-MAIL mburke@langan.com NAME OF REQUESTOR'S ATTORNEY Michael Bogin of Sive, Paget & Riesel, P.C. ADDRESS 560 Lexington Avenue, 15th Floor **ZIP CODE 10022** CITY/TOWN New York PHONE (212) 421-2150 FAX (212) 421-2035 E-MAIL mbogin@sprlaw.com Section VI. Current Property Owner/Operator Information – if not a Requestor CURRENT OWNER'S NAME and Street Corp. and Harvey S. Gordon, as Executor of the Estate of Robert W. See OWNERSHIP START DATE: 10/23/1979 ADDRESS 6 East 45th Street, Attn. Harvey Gordon CITY/TOWN New York **ZIP CODE 10017** PHONE (718) 683-5718 FAX E-MAIL CURRENT OPERATOR'S NAME SAME **ADDRESS** CITY/TOWN ZIP CODE FAX **PHONE** 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. Included in Attachment E 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". Included in Attachment F 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? 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

Se	ction VII. Requestor Eligibility Information (conti	nued)
5. 6. 7. 8.	any provision of the ECL Article 27; ii) any order or of title 14; or iv) any similar statute, regulation of the sexplanation on a separate attachment. Has the requestor previously been denied entry to the application, such as name, address, DEC assigned relevant information. Has the requestor been found in a civil proceeding the act involving the handling, storing, treating, disposing that the requestor been convicted of a criminal offer or transporting of contaminants; or ii) that involves a against public administration (as that term is used in laws of any state? Has the requestor knowingly falsified statements or jurisdiction of DEC, or submitted a false statement or connection with any document or application submittle the requestor an individual or entity of the type se failed to act, and such act or failure to act could be the Was the requestor's participation in any remedial proby a court for failure to substantially comply with an	tate or federal government? If so, provide an Yes ✓ No ne BCP? If so, include information relative to the site number, the reason for denial, and other Yes ✓ No o have committed a negligent or intentionally tortious g or transporting of contaminants? Yes ✓ No nse i) involving the handling, storing, treating, disposing violent felony, fraud, bribery, perjury, theft, or offense Article 195 of the Penal Law) under federal law or the Yes ✓ No concealed material facts in any matter within the remade use of or made a false statement in ted to DEC? Yes ✓ No to forth in ECL 27-1407.9 (f) that committed an act or ne basis for denial of a BCP application? Yes ✓ No rogram under DEC's oversight terminated by DEC or agreement or order?
11.	Are there any unregistered bulk storage tanks on-si	te which require registration?
	E REQUESTOR MUST CERTIFY THAT HE/SHE IS EITH TH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXE	HER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE S BELOW:
the dis res ari: inv	PARTICIPANT equestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or charge of petroleum or 2) is otherwise a person sponsible for the contamination, unless the liability ses solely as a result of ownership, operation of, or olvement with the site subsequent to the disposal chazardous 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.

Se	ction VII. Requestor Eligibility Information (continued)
	questor Relationship to Property (check one): Previous Owner ☐ Current Owner ☑ Potential /Future Purchaser ☐ Other
be	equestor is not the current site owner, proof of site access sufficient to complete the remediation must submitted . Proof must show that the requestor will have access to the property before signing the BCA d throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?
	✓ Yes No
No	te: a purchase contract does not suffice as proof of access.
Se	ction 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 #
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: 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.
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.
Se	ction IX. Contact List Information Included in Attachment G
<u>DE</u>	be considered complete, the application must include the Brownfield Site Contact List in accordance with FR-23 / Citizen Participation Handbook for Remedial Programs. Please attach, at a minimum, the names d addresses of the following: The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. 3. 4. 5. 6. 7.	Residents, owners, and occupants of the property and properties adjacent to the property. Local news media from which the community typically obtains information. The public water supplier which services the area in which the property is located. Any person who has requested to be placed on the contact list. The administrator of any school or day care facility located on or near the property. 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. Any community board located in a city with a population of one million or more, if the proposed site is
٥.	located within such community board's boundaries.

Section X. Land Use Factors	ded in Attachment H
 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 and appropriate zoning appropriate zoning and appropriate zoning appr	uthority.
2. Current Use: ☑Residential ☑Commercial ☐Industrial ☐Vacant ☐Recreational (cheapply) Attach a summary of current business operations or uses, with an emphasis on ider possible contaminant source areas. If operations or uses have ceased, provide the contaminant source areas.	
3. Reasonably anticipated use Post Remediation: ✓ Residential ✓ Commercial ☐ Industria that apply) Attach a statement detailing the specific proposed use.	I (check all
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. Included in Attachment H	V 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. Included in Attachment H	V 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 <i>DER-32</i> , <i>Brownfield Cleanup Program Applications and Agreements</i> ; 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 amAuthorized Signatory (title) of _37-11 30th Street Holdings 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:
SUBMITTAL INFORMATION: • Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Documen
Format (PDF), must be sent to:
o Chief, Site Control Section
New York State Department of Environmental Conservation
o Division of Environmental Remediation
o 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

BOT APP NOV 3	
Property is in Bronx, Kings, New York, Queens, or Richmond counties.	✓ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible property brownfield redevelopment tax credit.	y credit component of the Yes No
Please answer questions below and provide documentation necessary to su	ipport answers.
 Is at least 50% of the site area located within an environmental zone pursuant Please see <u>DEC's website</u> for more information. 	to NYS Tax Law 21(b)(6)? Yes No
2. Is the property upside down or underutilized as defined below? Upside	Down? ☐ Yes ✓ No
From ECL 27-1405(31): Underu	tilized? Yes 🗸 No
"Upside down" shall mean a property where the projected and incurred cost of remediation which is protective for the anticipated use of the property equals or expercent of its independent appraised value, as of the date of submission of the approximate the property equals or expercent of its independent appraised value, as of the date of submission of the approximate that it is the projected and incurred cost of the projected and in	xceeds seventy-five oplication
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility deterunderutilized category can only be made at the time of application)	mination for the
(I) "Underutilized" means, as of the date of application, real property of fifty percent of the permissible floor area of the building or buildings is certificated been used under the applicable base zoning for at least three years provided by 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 (ii) the proposed development could not take place without substantial gover certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the application; (b) a building is presently condemned, or presently exhibits documented stricertified by a professional engineer, which present a public health or safety (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, la land purchase cost exemption or waiver, or tax credit, or some combination governmental entity.	ied by the applicant to rior to the application, d industrial uses; ernment assistance, as ant: diately prior to the ructural deficiencies, as hazard; or

Sι	upplemental 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.
Fr	rom 6 NYCRR 375- 3.2(a) as of August 12, 2016:
se th	even of the environmental conservation law and section twenty-one of the tax law only, a project at is developed for residential use or mixed residential use that must include affordable esidential rental units and/or affordable home ownership units.
re re	(1) Affordable residential rental projects under this subdivision must be subject to a federal, ate, or local government housing agency's affordable housing program, or a local government's gulatory agreement or legally binding restriction, which defines (i) a percentage of the residential ntal units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum ercentage of the area median income based on the occupants' households annual gross income.
re	(2) Affordable home ownership projects under this subdivision must be subject to a federal, ate, or local government housing agency's affordable housing program, or a local government's egulatory agreement or legally binding restriction, which sets affordable units aside for home wners at a defined maximum percentage of the area median income.
sta	(3) "Area median income" means, for purposes of this subdivision, the area median income rethe primary metropolitan statistical area, or for the county if located outside a metropolitan attistical area, as determined by the United States department of housing and urban expenses or for a family of four, as adjusted for family size

BCP Application Summary (for DEC use only)			
Site Name: 37-11 30th Street City: Long Island City	Site Add County:	ress: ^{37-11 30th Street and 3} Queens	30-14 37th Avenue Zip: 11101
Tax Block & Lot Section (if applicable): Block:	372	Lot:	8
Requestor Name: 37-11 30th Street Holdings LL City: New York		Requestor Address: Zip: 10016	38 East 29th Street, 9th Floor Email: david@slatepg.com
Requestor's Representative (for billing purpos Name: David Schwartz Address: City: New York		h Street, 9th Floor Zip: 10016	Email: david@slatepg.com
Requestor's Attorney Name: Michael Bogin of Sive, Paget & Riesel, P.C. Address:	560 Lexington		
City: New York Requestor's Consultant		Zip : ₁₀₀₂₂	Email: mbogin@sprlaw.com
Name: Michael Burke of Langan Engineering, Environmental, Surveying and Landscape Address: City: New York Percentage claimed within an En-Zone:	21 Penn Pl)% agree	aza, 360 West 31st Street, Zip: 10001] < 50%	Email: mburke@langan.com
Requestor's Requested Status: Voluntee	er 🗌 F	articipant	
DER/OGC Determination: Agree Notes:	Disagre	е	
For NYC Sites, is the Requestor Seeking T	angible	Property Credits: 🔽	Yes No
Does Requestor Claim Property is Upside DER/OGC Determination: Agree		☐ Yes	
Does Requestor Claim Property is Under DER/OGC Determination: Agree		☐ Yes ☑ No☐ Undetermined	
Does Requestor Claim Affordable Housin DER/OGC Determination: ☐ Agree Notes:	g Status	_	

ATTACHMENT A SECTION I: REQUESTOR INFORMATION

A copy of the entity information for 37-11 30th Street Holdings LLC (Requestor) from the NYS Department of State Division of Corporations is included with this attachment. The proposed Brownfield Cleanup Program (BCP) site is currently owned by 37-21 30th Street Corp., a New York Corporation and Harvey S. Gordon, as Executor of the Estate of Robert W. See. Per the attached Memorandum of Contract of Sale dated November 22, 2017, 37-11 30th Street Holdings LLC is in the process of purchasing the proposed BCP site located at 37-11 30th Street (Block 372, part of Lot 8), and 30-14 37th Avenue, in Long Island City, New York 11101 (Block 372, Lot 21). The current property owner has provided authorization for 37-11 30th Street Holdings LLC to take all actions necessary to enter into and carry out the obligations of the BCP. A copy of the access agreement letter is included with this attachment.

The current members of 37-11 30th Street Holdings LLC are:

SPG 30th Street Investors LLC

NYS Department of State

Division of Corporations

Entity Information

1/31/2018

The information contained in this database is current through January 30, 2018.

Selected Entity Name: 37-11 30TH STREET HOLDINGS LLC

Selected Entity Status Information

Current Entity Name: 37-11 30TH STREET HOLDINGS LLC

DOS ID #: 5274124

Initial DOS Filing Date: JANUARY 25, 2018

NEW YORK County: **Jurisdiction: DELAWARE**

FOREIGN LIMITED LIABILITY COMPANY **Entity Type:**

Current Entity Status: ACTIVE

Selected Entity Address Information

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

C/O SLATE PROPERTY GROUP, LLC ATTN: MARTIN NUSSBAUM 38 EAST 29TH STREET 9TH FLOOR NEW YORK, NEW YORK, 10016

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

1/31/2018 **Entity 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

JAN 25, 2018 Actual

37-11 30TH STREET HOLDINGS LLC

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

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

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37-11 30th Street Holdings LLC C/O Slate Property Group 38 East 29th Street, 9th Floor New York, NY 10016

January 30, 2018

37-21 30th Street Corp., a New York Corporation and Harvey S. Gordon, as Executor of the Estate of Robert W. See 6 East 45th Street
New York, NY 10017

Re: Site Access to Perform Brownfield Cleanup Program Work
37-11 30th Street and 30-14 37th Avenue, Long Island City, New York 11101
Tax Block 372, Part of Lot 8, and Lot 21

Dear Sir or Madam:

37-11 30th Street Holdings LLC will be submitting an application to the Brownfield Cleanup Program (BCP) to the New Your State Department of Environmental Conservation. As the BCP applicant, they are required to seek access to the property from the current property owner for acceptance into the BCP. In order to file the application, we need written permission from you to access the property throughout the BCP Project. By execution of this site access agreement letter, you are hereby allowing site access for this purpose.

Sincerely,

37-11 30th Street Holdings LLC

David Schwartz, Authorized Signatory

As Site owner, I agree to allow 37-11 30th Street Holdings LLC, and its contractors, to enter 37-11 30th Street and 30-14 37th Avenue, Long Island City, NY 11101 (Tax Block 372, Part of Lot 8, and Lot 21), which is currently owned by 37-21 30th Street Corp., a New York Corporation and Harvey S. Gordon, as Executor of the Estate of Robert W. See, to perform the required BCP investigation and/or remediation work.

37-21 30th Street Corp., a New York Corporation and Harvey S. Gordon, as Executor of the Estate of Robert W. See

Harvey Gordon

ATTACHMENT B SECTION II: PROJECT DESCRIPTION

Purpose and Scope of the Project

The purpose of the project is to develop an underutilized, contaminated parcel of land into a viable residential, commercial, and light manufacturing space, while implementing remedial measures that are protective of human health and the environment.

Current plans call for the development to include abatement and demolition of the existing one-and partial three-story warehouse buildings within the northwest part of 37-11 30th Street (Tax Block 372, Lot 8) and demolition of the existing two-story residential building at 30-14 37th Avenue (Block 372, Lot 21). A new seven-story, mixed-use residential, commercial, and light manufacturing building will be constructed with a footprint of about 26,978 square feet. The new development will include one full cellar level and about 12,500 square feet of commercial/ retail areas, about 10,000 square feet of light manufacturing areas, about 2,500 square feet of parking, and about 1,800 square feet of residential amenity space on the first floor. The second through seventh floors of the new development will be occupied by 198 residential units, Thirty percent of which will be designated for affordable housing.

According to the New York City Planning Commission (NYCPC) Zoning Map 9b, dated June 24, 2014, the site is located in a M1-2 manufacturing and R6A residential district. M1-2 districts include 1- or 2-story warehouses with loading bays. Buildings in this district are often adjacent to residential or commercial districts and typically include light industrial uses, including most retail uses. R6A districts include a diverse mix of residential building types and heights to large-scale developments. Buildings in this district require the Quality Housing bulk regulations which produce high lot coverage, 6- to 8-story apartment buildings set at or near the street line. The proposed development of this property is consistent with the current zoning. The applicable zoning map is included in this attachment.

As a result of the City Environmental Quality Review (CEQR) process, the Block 372, Lot 21 was assigned an E-Designation (E-218) on October 7, 2008 by the New York City Department of City Planning (NYCDCP) as part of the Dutch Kills Rezoning (CEQR No. 08DCP021Q). The E-Designation requires coordination with the New York City Office of Environmental Remediation (OER) to obtain a Notice to Proceed (NTP) or a Notice of No Objection (NNO) prior to obtaining building permits. The E-Designation addresses environmental requirements for hazardous materials (Hazmat) and noise (window wall attenuation and alternative means of ventilation) during development.

Re-development construction and related spending will directly and indirectly support about 300 to 400 construction jobs. Ongoing commercial, manufacturing, and residential operations at the completed project site are projected to create about 5 to 10 full-time-equivalent jobs.

The scope of a site investigation will be detailed in a Remedial Investigation Work Plan (RIWP), which will be implemented to determine the nature and extent of soil, groundwater and soil vapor impacts from historical site use. The findings of the investigation will be documented in a Remedial Investigation Report (RIR) and future remediation plans to address the identified impacts will be detailed in a Remedial Action Work Plan (RAWP), which will be implemented concurrently with the contemplated development. The RIWP and RAWP will be prepared and submitted in accordance with New York State Department of Environmental Conservation (NYSDEC) guidelines.

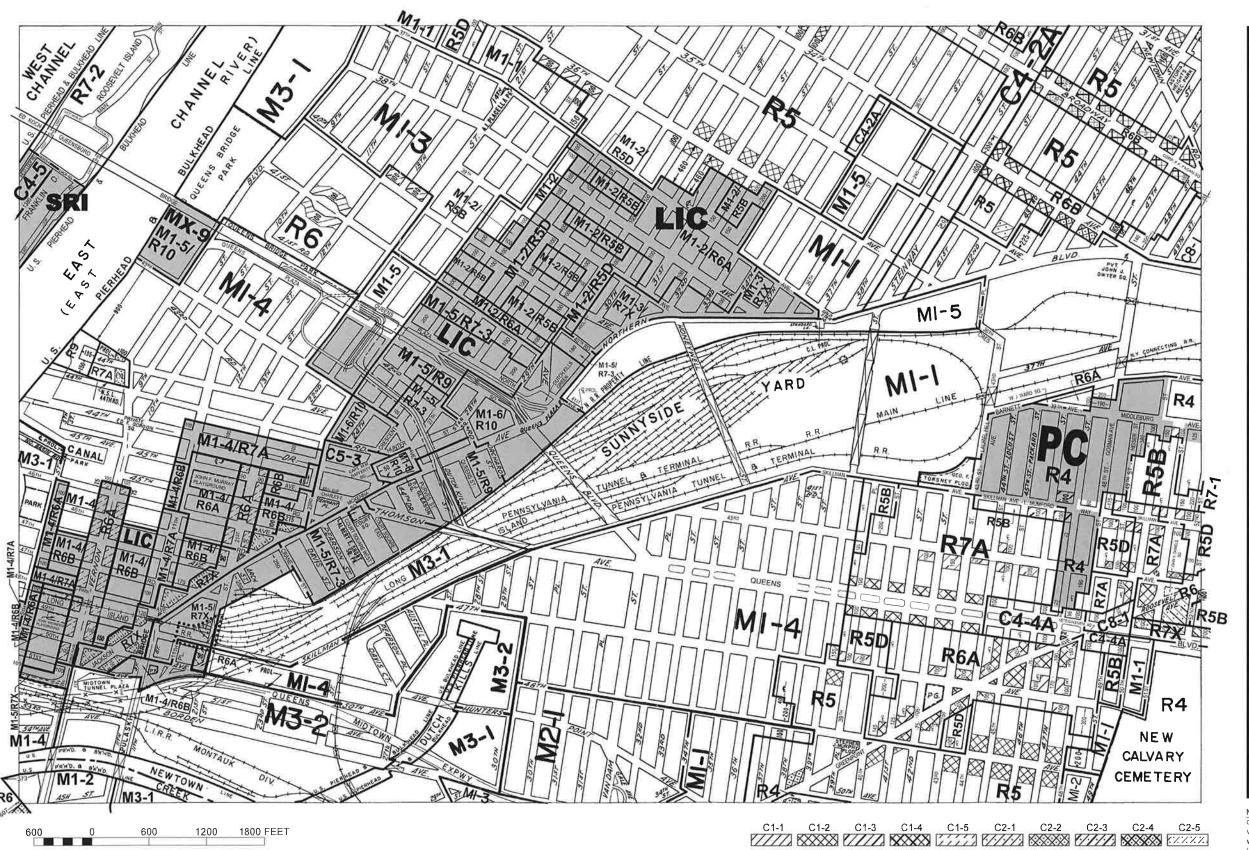
Estimated Project Schedule

Brownfield Cleanup Program Application 37-11 30th Street Long Island City, NY Attachment B - Section II: Project Description

	Estimated Project Schedule		2018										2019								
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Item	Action	A.	H >	AP	Ž	3 3	AU	SE	5 Z	DE DE	A	H	A A	Ž	3	A A	SE	8	2 2		
1	BCP Application Submission, NYSDEC Review, and BCA Execution										Г										
2	Preparation and Submission of RIWP and CPP										П										
3	NYSDEC & NYSDOH Review of RIWP and CPP		ĵ.																		
4	30-Day Public Comment Period for BCP Application and RIWP				B 930																
5	Implementation of Remedial Investigation										Г										
6	Preparation and Submission of RIR and RAWP																				
7	NYSDEC Review of RIR and RAWP																				
8	45-Day Public Comment Period for RAWP and Issuance of Decision Document																				
9	Implementation of RAWP with Engineering Oversight							30													
10	Preparation of an Environmental Easement, FER, and SMP (if required)									111											
11	NYSDEC & NYSDOH Review of FER (and SMP, if required)																				
12	NYSDEC Issues COC																101				

Notes:

- This is an estimated schedule; all items are subject to change.
- b) Completion of Item 9 refers to the completion of remediation and not the end of overall construction.
- c) BCP = Brownfield Cleanup Program
- d) NYSDEC = New York State Department of Environmental Conservation
- e) BCA = Brownfield Cleanup Agreement
- f) RIWP = Remedial Investigation Work Plan
- g) CPP = Citizen Participation Plan
- h) NYSDOH = New York State Department of Health
- i) RIR = Remedial Investigation Report
- j) RAWP = Remedial Action Work Plan
- k) FER = Final Engineering Report
- I) SMP = Site Management Plan
- m) COC = Certificate of Completion



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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

R - RESIDENTIAL DISTRICT

C - COMMERCIAL DISTRICT

M - MANUFACTURING DISTRICT



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

AREA(S) REZONED

Effective Date(s) of Rezoning:

07-24-2014 C 140275 ZMQ

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

MAP KEY	N		
8c	9a	9с	
8d	9b	9d	
12c	13a	13c	
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6

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

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

ATTACHMENT C SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

Item 1- Reports

Environmental reports prepared for the site include the following:

- April 8, 2014 Phase I Environmental Site Assessment, prepared by Hillman Consulting LLC
- July 7, 2014 Focused Subsurface Site Investigation, prepared by Merritt Environmental Consulting Corp.
- October 10, 2017 Figure 1: Site and Sampling Plan, and Soil, Groundwater, Sub-Slab Soil/Soil Vapor and Ambient Air Sample Analytical Results Tables, prepared by Hydro Tech Environmental Corp.

The reports are summarized below.

April 8, 2014 Phase I Environmental Site Assessment (ESA), prepared by Hillman Consulting LLC

The Phase I ESA was completed in general accordance with ASTM International (ASTM) Standard E1527-13 and the United States Environmental Protection (USEPA) All Appropriate Inquiries (AAI) Rule. The following recognized environmental conditions (RECs) were identified:

- Historical On-Site Operations: The site historically operated as a plastics manufacturer (The Marblette Corp. Mfg. of Plastic Materials) from at least 1930 to about 1980. During this time period, plastic was typically made using a mixture of synthetic chemicals, solvents, and petroleum products. Leaks or spills of petroleum products, solvents, and/or other hazardous materials associated with plastics manufacturing during the 50 years of on-site plastics manufacturing may have adversely affected soil, groundwater and/or soil vapor at the site.
- On-Site Petroleum Bulk Storage: Documents indicate two underground storage tanks (UST) (a 2,000-gallon, and 550-gallon USTs) and 5,000-gallon above-ground storage tank (AST) were closed-in-place at the site on July 7, 2000. Historical records documented the 5,000-gallon AST was installed in 1947, the 2,000-gallon UST was installed in 1933, and the 550-gallon UST was installed in 1941. According to historic Sanborn Fire Insurance Maps, a 10,000-gallon tank was also depicted within the site from 1947 to 1950; however the tank was not listed on any regulatory records. The property was listed in the Leaking Tanks (LTANK) database due to a tank test failure on April 21, 1998. According to records provided by NYSDEC, three soil borings were advanced in the vicinity of the tank in February 2000 as part of an investigation for a proposed building expansion. No evidence of impacts to the subsurface was noted during the

- investigation, and NYSDEC closed the LTANKS case on September 15, 2004; however, undocumented spills or releases of petroleum products associated with the tanks or piping may have adversely affected soil, groundwater, or soil vapor beneath the site.
- Current and Historical Uses of Nearby Properties: Historical uses of adjoining and surrounding properties included auto repair facilities (1936, 1947-1950, 1999-2010), gasoline filling stations (1947-1950, 1970-1996, 2001-2006) dry cleaners (2004-2009), and various manufacturing facilities (1970-1996, 2001-2006). Records identified multiple lots in the surrounding area assigned with an Environmental Designation (E-Designation) for Hazardous Materials. The Hazardous Materials E-Designation requires appropriate subsurface investigation and remediation, if necessary, of each property assigned prior to redevelopment. Undocumented spills or releases of petroleum products or hazardous substances associated with historical uses of nearby properties including petroleum bulk storage may have adversely affected groundwater or soil vapor beneath the site.

<u>July 7, 2014 Focused Subsurface Site Investigation, prepared by Merritt Environmental</u> Consulting Corp.

Merritt Environmental Consulting Corp. (Merritt) completed a Limited Subsurface Site Investigation at the site in June 2014 to determine if subsurface soil and groundwater conditions at the property were impacted as a result of the historical use as a plastics manufacturing and historical petroleum bulk storage on site. The investigation included a geophysical survey, advancement of six soil borings, installation of four temporary groundwater monitoring wells, and collection of soil and groundwater samples. Field observations and laboratory analytical results are summarized below:

- Geophysical Survey: The geophysical survey identified two subsurface anomalies in locations consistent with the reported closed-in-place 2,000-gallon, and 550-gallon USTs. The 2,000-gallon UST was identified in the sidewalk along 31st Street, which adjoins Lot 8 to the east. The 550-gallon UST was identified in the sidewalk along 30th Street, which adjoins Lot 8 to the west. Abandoned vent and fill lines were observed in the vicinity of the closed-in-place 5,000-gallon AST located in the east-central portion of Lot 8.
- <u>Soil</u>: Four soil borings were advanced up to 32 feet below grade surface (bgs) using a track-mounted GeoProbe[®] rig in the vicinity of an oil/water separator and closed-in-place 2,000-gallon UST (B-3), along the western portion of the site (B-4), and in the northwest exterior stockyard/ storage area (B-5 and B-6). Two soil borings (B-1 and B-2) were advanced to six feet bgs in the vicinity of the closed-in-place 5,000-gallon heating oil AST. No evidence of petroleum impacts (e.g., staining, odors or photoionization detector [PID] readings above background) was observed during the soil boring

investigation. Soil samples were analyzed for volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs) and polychlorinated biphenyls (PCBs). With the exception of methylene chloride (concentration of 0.004 milligrams per kilogram [mg/kg]), no VOCs were detected in soil samples collected. In addition, no SVOCs or PCBs were detected in soil samples collected.

• <u>Groundwater</u>: One VOC, chloroform (maximum concentration of 20 micrograms per liter [μg/L]), was detected in monitoring well B-3GW at a concentration above the New York Codes, Rules and Regulations (NYCRR) Part 703.5 Groundwater Quality Standards (GQS). Chlorinated VOCs (CVOCs) including tetrachloroethene (PCE) (concentration of 3.5 μg/L in monitoring well B-3GW) and 1,1,1-trichloroethane (concentration of 2.2 μg/L in monitoring well B-4GW) were detected in two monitoring wells along the eastern and western perimeters of the site, but at concentrations below the NYSDEC GQS.

October 10, 2017 Figure 1: Site and Sampling Plan, and Soil, Groundwater, Sub-Slab Soil/Soil Vapor and Ambient Air Sample Analytical Results Tables, prepared by Hydro Tech Environmental Corp.

Hydro Tech Environmental Corp. (Hydro Tech) performed a Limited Subsurface Investigation at the site in December 2017 to determine, to the extent practical, the nature and extent of contamination in soil, groundwater, and soil vapor at the site. The investigation included advancement of nine soil borings, installation of five groundwater monitoring wells, installation of six sub-slab soil vapor sampling points, installation of three soil vapor sampling points, and collection of soil, groundwater, soil vapor, sub-slab vapor, indoor air, and outdoor ambient air samples. Langan was provided with copies of the site sampling location plan, and analytical result summary tables for soil, groundwater, and soil vapor samples collected during the limited investigation. Laboratory analytical results are summarized below:

- <u>Soil</u>: Metals including copper, mercury and lead were detected at concentrations above
 Title 6 NYCRR Part 375 Restricted Use Restricted-Residential (RRU) Soil Cleanup
 Objectives (SCOs). Metals including barium, hexavalent chromium, and zinc were
 detected at concentrations above Part 375 Unrestricted Use (UU) SCOs. One VOC,
 acetone, was detected at a concentration above the Part 375 UU SCOs.
- <u>Groundwater</u>: Dissolved metals including magnesium, manganese, and sodium were detected at concentrations above the NYSDEC GQS. PCE was detected at concentrations ranging between 0.3 and 1.5 µg/L in three monitoring wells located in the west-central portion of the site (MW-3, MW-4, and MW-5). Detected concentrations of PCE in groundwater samples were below the NYSDEC GQS.
- <u>Indoor Air, Sub-Slab Vapor, and Soil Vapor</u>: Indoor air analytical results were compared to the Air Guidance Values (AGV) specified in the New York State Department of Health

(NYSDOH) guidance document. PCE was detected at a concentration of 68 micrograms per cubic meter (μ g/m³) in indoor air sample IA-1, and at 66 μ g/m³ in indoor air sample IA-2, which is two-times greater than the NYSDOH AGV of 30 μ g/m³. PCE concentrations detected in sub-slab vapor samples ranged from 7 μ g/m³ at SSB-6 to 12,000 μ g/m³ at SSB-1. Trichloroethene (TCE) concentrations above the NYSDOH AGV of 2 μ g/m³ were detected in three sub-slab vapor samples collected throughout the western part of Lot 8 (within the proposed BCP site boundary). TCE concentrations detected in sub-slab vapor samples ranged from 7.70 μ g/m³ at SSB-2 to 16 μ g/m³ at SSB-1.

In addition, NYSDOH provides decision matrices for eight chlorinated VOCs (carbon tetrachloride, 1,1-dichloroethene, cis-1,2-dichloroethene, TCE, methylene chloride, PCE, 1,1,1-trichloroethane, and vinyl chloride). The decision matrices recommend a range of activities (e.g., monitor, mitigate) based on the soil vapor and sub-slab and indoor air sample results collected. Two of the eight VOCs that can be evaluated using the NYSDOH decision matrices were detected in sub-slab soil vapor samples (PCE and TCE). Based on the concentrations detected, the NYSDOH decision matrices recommend mitigation for PCE and monitoring for TCE.

Item 2- Sampling Data

Contaminant concentrations detected above applicable regulatory standards for each media tested in 2014 and 2017 are summarized below. Laboratory analytical reports are included as attachments to the 2014 Focused Subsurface Site Investigation and 2017 Limited Subsurface Investigation.

Soil

Soil sample results were compared to the UU and RRU SCOs. Analytes detected above the UU SCOs are summarized below with those above the RRU SCOs shown in **bold**.

VOCs

• SP-5 (0'-2'): acetone (0.084 milligrams per kilogram [mg/kg])

SVOCs

None

Metals

- SP-1 (0'-2'): lead (203 mg/kg), **mercury (3.19 mg/kg)**, and zinc (142 mg/kg)
- SP-2 (0'-2'): lead (2,900 mg/kg)
- SP-4 (0'-2'): lead (176 mg/kg), mercury (0.35 mg/kg), and zinc (416 mg/kg)
- SP-4 (15'-17'): hexavalent chromium (1.67 mg/kg)

- SP-5 (0'-2'): zinc (121 mg/kg)
- SP-9 (0'-2'): barium (371 mg/kg), **copper (312 mg/kg)**, **lead (1,550 mg/kg)**, mercury (0.64 mg/kg), and zinc (713 mg/kg)
- SP-9 (15'-17'): copper (168 mg/kg), **lead (490 mg/kg)**, and zinc (215 mg/kg)

Pesticides

• None

PCBs

None

<u>Groundwater</u>

Groundwater sample results were compared to the NYCRR Part 703.5 GQS, and analytes detected above the regulatory criteria are summarized below.

VOCs

• B3-GW: chloroform (20 μg/L)

SVOCs

None

Dissolved Metals

- MW-1: magnesium (40,900 μg/L), manganese (968 μg/L), and sodium (309,000 μg/L)
- MW-2: magnesium (49,000 μg/L), manganese (359 μg/L), and sodium (247,000 μg/L)
- MW-3: manganese (634 μg/L), and sodium (153,000 μg/L)
- MW-4: sodium (67,500 μg/L)
- MW-5: sodium (30,600 μg/L)

Pesticides

None

PCBs

None

Soil Vapor

The following summarizes PCE concentrations in soil vapor above the AGVs:

- SSB-1: 12,000 μg/m³ (central-west part of the site)
- SSB-2: 1,000 μg/m³ (central-east part of the site)

- SSB-3: 500 μg/m³ (southwest part of the site)
- SSB-4: 840 μg/m³ (southeast part of the site)
- SSB-5: 4,300 μg/m³ (southwest part of the site)
- SV-1: 72 μg/m³ (north-central part of the site)
- SV-2: 2,400 μg/m³ (northwest part of the site)
- SV-3: 47 μg/m³ (central-west part of the site)

The following summarizes TCE concentrations in soil vapor above the AGVs:

- SSB-1: 16 μg/m³ (central-west part of the site)
- SSB-2: 7.70 μg/m³ (central-east part of the site)
- SSB-4: 13 μg/m³ (southeast part of the site)

The following summarizes total VOC concentrations in soil vapor, indoor air, and ambient air samples collected (excluding acetone, which is a common laboratory contaminant):

- SSB-1: 12,085 μg/m³ (central-west part of the site)
- SSB-2: 1,046 μg/m³ (central-east part of the site)
- SSB-3: 620 μg/m³ (southwest part of the site)
- SSB-4: 1,043 μg/m³ (southeast part of the site)
- SSB-5: 4,530 μg/m³ (southwest part of the site)
- SSB-6: 18 μg/m³ (northeast part of the site)
- SV-1: 437 μg/m³ (north-central part of the site)
- SV-2: 2,400 μg/m³ (northwest part of the site)
- SV-3: 126 μg/m³ (central-west part of the site)
- IA-1: 91 μg/m³ (indoor air, southwest part of the site)
- IA-2: 194 μg/m³ (indoor air, central part of the site)
- OA-1: 27 μg/m³ (ambient air, northwest part of the site)
- OA-2: 45 μg/m³ (ambient air, northeast part of the site)
- OA-3: 110 μg/m³ (ambient air, west-central part of the site)

The following summarizes petroleum-related VOC concentrations (benzene, toluene, ethylbenzene, xylenes [BTEX]) in indoor air, and ambient air samples collected:

- SSB-1: 55 μg/m³ (central-west part of the site)
- SSB-2: 14 µg/m³ (central-east part of the site)
- SSB-3: 120 μg/m³ (southwest part of the site)
- SSB-4: 190 µg/m³ (southeast part of the site)
- SSB-5: 230 μg/m³ (southwest part of the site)
- SV-1: 340 μg/m³ (north-central part of the site)
- IA-1: 12 μg/m³ (indoor air, southwest part of the site)
- IA-2: 27 μg/m³ (indoor air, central part of the site)
- OA-1: 6 μg/m³ (ambient air, northwest part of the site)
- OA-2: 8 μg/m³ (ambient air, northeast part of the site)
- OA-3: 19 μg/m³ (ambient air, west-central part of the site)

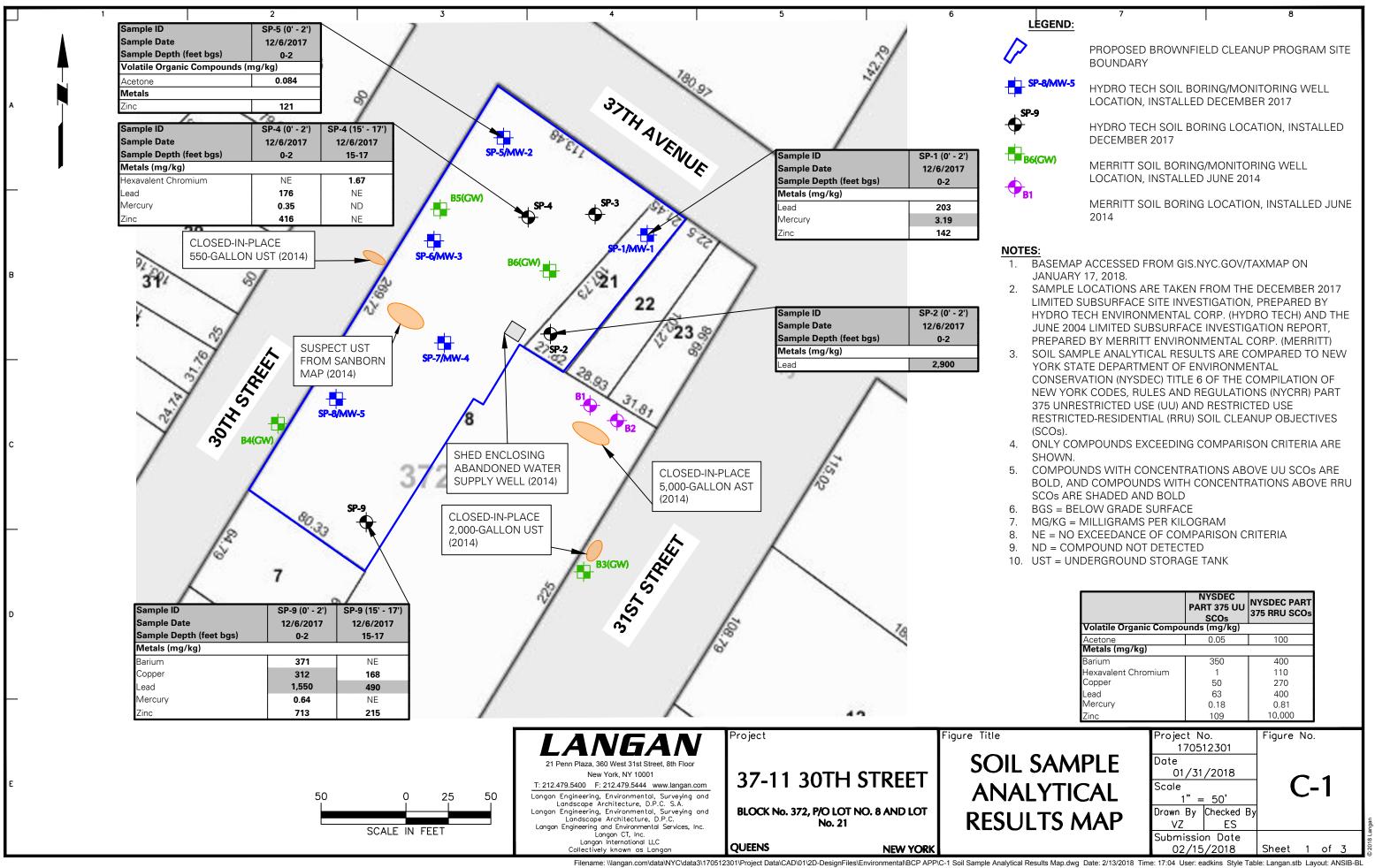
Item 3- Site Drawings

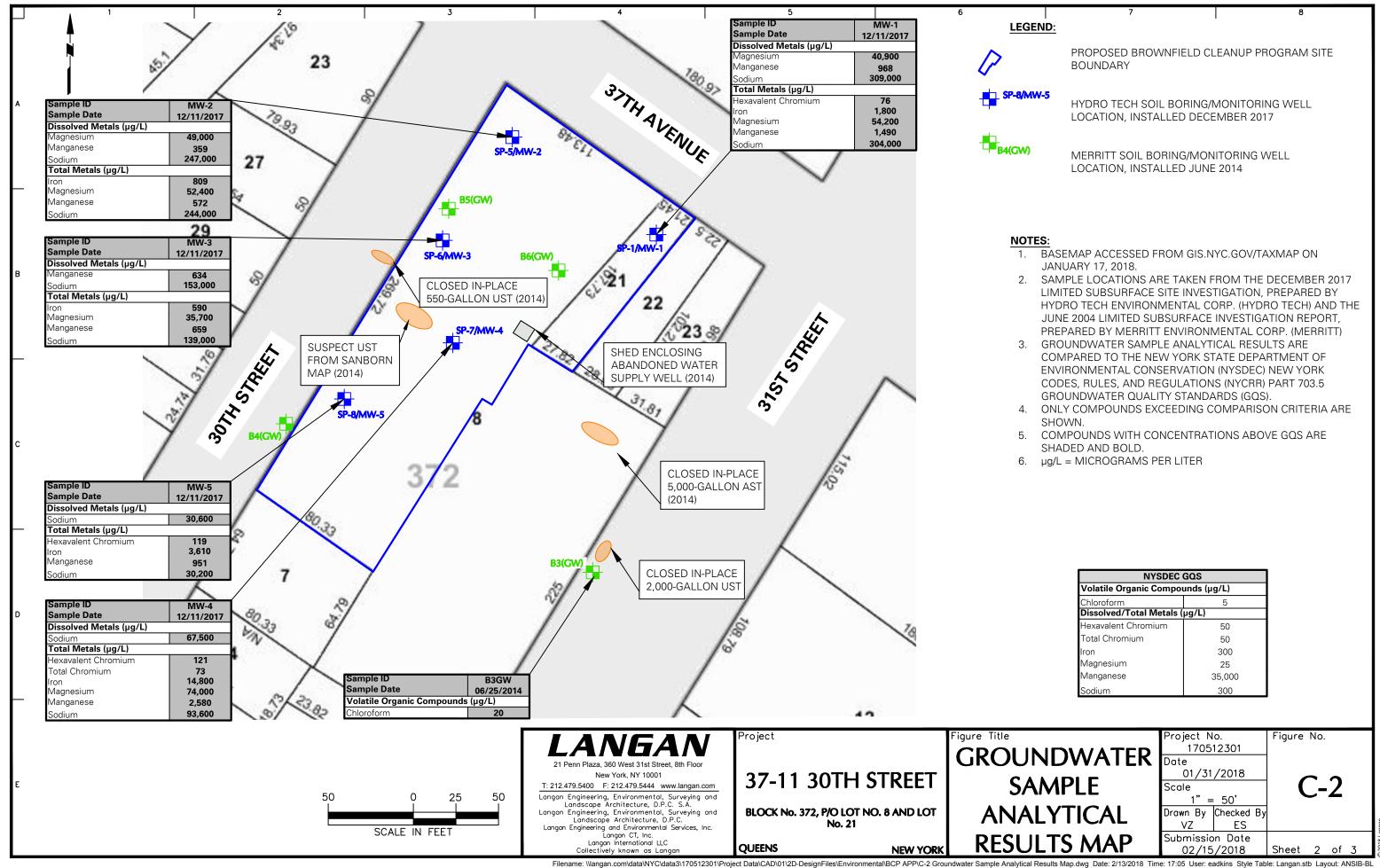
Figure C-1: Site Plan including soil boring locations advanced during previous limited subsurface investigations in 2014 and 2017. Analytical results exceeding the NYSDEC Title 6 NYCRR Part 375 UU SCOs are bolded. Analytical results exceeding the NYSDEC Title 6 NYCRR Part 375 RRU SCOs are shaded and bolded.

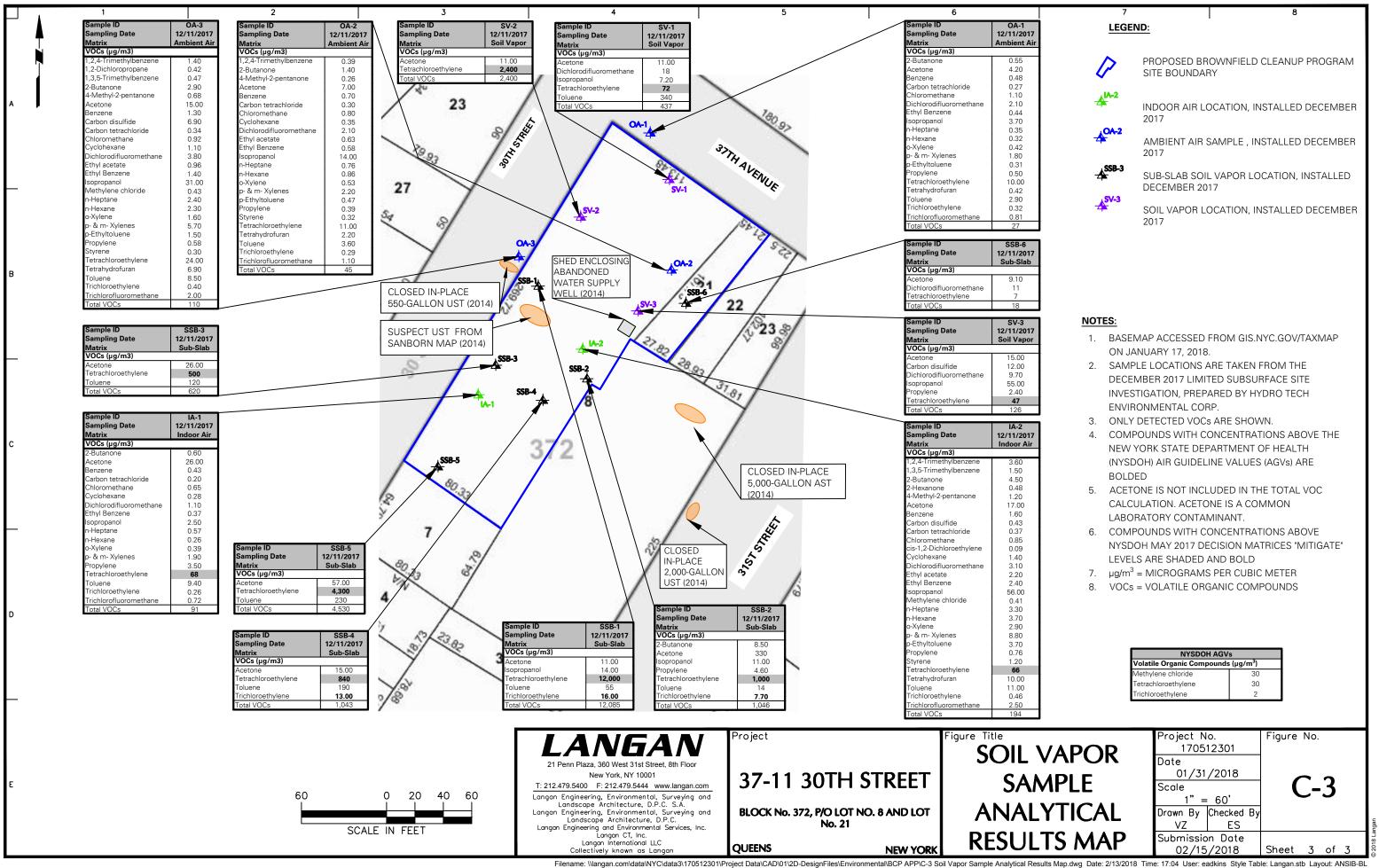
Figure C-2: Site Plan including monitoring well locations installed during previous limited subsurface investigations in 2014 and 2017. Analytical results exceeding the NYSDEC 6 NYCRR Part 703.5 GQS are shaded and bolded.

Figure C-3: Site Plan including sub-slab vapor, soil vapor, indoor air, and ambient air sampling locations from the 2017 subsurface site investigation. Analytical results of soil vapor, sub-slab vapor, and indoor air samples detected at concentrations above the NYSDOH AGVs are bolded. Analytical results of soil vapor, sub-slab vapor, and indoor air samples detected at concentrations above "mitigate" levels identified on the NYSDOH matrix guidelines are shaded and bolded.

FIGURES







PREVIOUS ENVIRONMENTAL REPORTS

(SEPARATE ATTACHMENT)

ATTACHMENT D SECTION IV: PROPERTY INFORMATION

<u>Item 1 – Metes and Bounds Description</u>

The 26,978-square-feet proposed BCP site is located at 37-11 30th Street and 30-14 37th Avenue, which corresponds with Queens Tax Block 372, a portion of Lot 8 and Lot 21, respectively. The developer anticipates partitioning Lot 8 into two tax parcels, the northeast portion of which will be the proposed BCP site. A metes and bounds description of the proposed BCP property is included as an attachment.

<u>Item 2 – Property Maps</u>

Figure D-1: Site Location Map is the required United States Geological Survey (USGS) 7.5-minute quadrangle map showing the location of the proposed BCP property.

Figure D-2: The Site Plan includes a 1,000-foot radius surrounding the proposed BCP property.

Figure D-3: Site Plan provides a property base map that shows map scale, north arrow orientation, date, and current New York City Tax Map boundaries with respect to the proposed BCP property boundary.

Figure D-4: Surrounding Land Use Map provides a property base map that shows proposed brownfield property boundary lines, with adjacent property owners clearly identified, and surrounding land uses.

Figure D-5: Site Plan provides the property location and extents of the En-Zone (Type AB) for Census Tract 51.

Item 3 – Environmental Zone

Based on the NYS Department of Labor's mapped boundaries for NYS Environmental Zones (En-Zones), 100 percent of the site is located within Census Tract 51, a designated En-Zone (Type AB). The site is located within a census tract that has a poverty rate of 31.7% and an unemployment rate of 18.8%; this data satisfies En-Zone criteria pursuant to Tax Law 21(b)(6). Figure D-5 shows the property boundary inside of the En-Zone.

<u>Item 10 - Property Description Narrative</u>

Location

The site is located in an urban area at 37-11 30th Street and 30-14 37th Avenue in the Long Island City neighborhood of Queens, New York, and is identified on the Queens Borough Tax Map as Block 372, Lot 21 and part of Lot 8. The 26,978-square-foot (0.61 acres) site is situated on the northwest corner of the block bound by 37th Avenue to the north, 31st Street to the east,

38th Avenue to the south, and 30th Street to the west. The elevated N and Q subway tracks run north-south above 31st Street, which are about 100 feet east of the proposed BCP property.

Site Features

The 26,978-square-foot (0.61 acres) site is developed with a two-story residential building in Lot 21 (30-14 37th Avenue) and a one-story and partial three-story warehouse building with multiple partial cellar levels and a stockyard/ storage area in the northern portion of Lot 8 (37-11 30th Street). The warehouse building on Lot 8 is vacant and was most recently occupied by a lighting, audio, and production rental and warehousing company. Lot 21 is vacant and was most recently used as a single-family residence. During the 2014 Limited Subsurface Investigation, one 550-gallon abandoned heating oil UST was encountered in the sidewalk along 30th Street, adjacent and to the west of the proposed BCP site. Historical Sanborn fire insurance maps suggest that another UST is present in Lot 8 within the proposed BCP site. In addition, a 5,000-gallon AST and 2,000-gallon UST were encountered in the east-central portion of Lot 8, adjoining the proposed BCP site to the east. These tanks within Lot 8 and adjoining the proposed BCP site were reportedly closed in place on July 7, 2000. An abandoned former water supply well is located near the northeast corner of the proposed BCP property in the stockyard/ storage area of Lot 8.

Current Zoning and Land Use

According to the New York City Planning Commission Zoning Map 9a, the site is located within the Long Island City Special Mixed Use Paired District (M1-2/R6A). This paired district promotes development and expansion of the longstanding mix of residential, commercial, industrial, and cultural use throughout the area. M1 districts typically include retail and light industrial uses such as woodworking shops, repair shops, and wholesale service and storage facilities, and R6A districts promote residential development. Zoning is consistent with the proposed mixed-use development. The surrounding area is primarily commercial and industrial, but also includes residential buildings, public facilities, day care centers, and schools.

As a result of the CEQR process, the Block 372, Lot 21 was assigned an E-Designation (E-218) on October 7, 2008 by the NYCDCP as part of the Dutch Kills Rezoning (CEQR No. 08DCP021Q). The E-Designation requires coordination with the NYC OER to obtain a NTP or a NNO prior to obtaining building permits. The E-Designation addresses environmental requirements for Hazmat and noise (window wall attenuation and alternative means of ventilation) during development.

Past Use of the Site

The site was an undeveloped vacant lot until at least 1915. The existing warehouse building at Lot 8 was constructed around 1920 and historically operated as a plastics manufacturer (The Marblette Corp. Mfg. of Plastic Materials) from at least 1930 to about 1980. Following 1980,

the site operated as a warehouse for audio and lighting equipment. Lot 21 was developed with a two-story residential dwelling as early as 1898.

From the 1930s through the 1980s, Marblette Corp. manufactured plastics, which primarily included production of synthetic resins. During this time period, plastic was typically made using a mixture of synthetic chemicals, solvents, and petroleum products. The confirmed presence of PCE in soil vapor at concentrations as high as 12,000 μ g/m³ indicate that accidental releases of solvents during the proposed BCP site's industrial past have impacted subsurface conditions. Although not previously analyzed, groundwater may be impacted with Perfluoralkyl Substances (PFAS) as a result of plastics manufacturing operations on site. In addition, mercury and lead in soil at concentrations that exceed the Part 375 Commercial Use SCOs indicate that soil quality was impacted during the 50 years of historical manufacturing. In addition, an abandoned water supply well was observed in the northwest portion of the site during the June/July 2014 Limited Subsurface Investigation by Merritt Environmental Consulting Corp. (Merritt). The water supply well was reportedly abandoned prior to 1980 when the site transitioned use from plastics manufacturing to warehousing. The water supply well may have drawn contaminants from adjoining industrial uses to the proposed BCP site.

Site Geology and Hydrogeology

Based on findings from the June 2014 Limited Subsurface Investigation by Merritt, the site is underlain by fill material predominantly consisting of sand with varying amounts concrete, brick, and debris. The fill was limited to the upper five feet in each of the six borings advanced at the property. Native deposits that predominantly consisted of fine- to coarse-grained sand with varying amounts silt and silty clay were observed below the fill. Bedrock was not encountered during the June 2014 Limited Subsurface Investigation; however, competent bedrock was encountered at depths ranging from about 40 to 50 feet bgs during a 2017 geotechnical investigation performed by Langan in the vicinity of the site.

Groundwater was observed at a depth of about 27 feet below grade surface (bgs) across the site footprint during the June 2014 Limited Subsurface Investigation. The inferred regional groundwater flow direction for the area surrounding the site is to the west-northwest towards the East River.

Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are CVOCs including TCE and PCE in soil vapor, and lead, copper and mercury in site soil. PFAS compounds may also be present in groundwater as a result of plastics manufacturing operations on site.

<u>Soil</u> – Lead and other heavy metals were detected at concentrations exceeding the NYSDEC Part 375 UU and RRU SCOs in samples collected from the northern stockyard/ storage area,

residence in Lot 21, and in the central portion of the existing warehouse in Lot 8. Lead concentrations ranged from 3.38 to 2,900 milligrams per kilogram (mg/kg), which is above the RRU SCO of 400 mg/kg. Mercury concentrations ranged from non-detect to 3.19 mg/kg, which is above the RRU SCO of 0.81 mg/kg. Copper concentrations ranged from 8.41 mg/kg to 312 mg/kg, which is above the RRU SCO of 270 mg/kg. None of the samples exceeded the UU or RRU SCOs for VOCs or SVOCs, with the exception of acetone in one soil sample (maximum concentration of 0.084 mg/kg).

<u>Groundwater</u> - Based on the June 2014 and December 2017 Limited Subsurface Investigations, the primary contaminants of concern for site groundwater include dissolved metals (magnesium, manganese, and sodium. One CVOC, chloroform, was detected in a groundwater sample collected in 2014 at a concentration of 20 μ g/L, which is above the NYCRR Part 703.5 GQS of 7 μ g/L. CVOCs including tetrachloroethene PCE and 1,1,1-trichloroethane were detected in groundwater samples, but at concentrations below the NYSDEC GQS.

Soil Vapor and Indoor Air – Indoor air analytical results were compared to the AGV specified in the NYSDOH guidance document. PCE was detected at concentrations ranging from 68 μ g/m³ to 66 μ g/m³ in indoor air samples collected, which is two-times greater than the NYSDOH AGV of 30 μ g/m³. PCE concentrations detected in soil vapor samples ranged from 7 μ g/m³ to 12,000 μ g/m³. TCE concentrations above the NYSDOH AGV of 2 μ g/m³ were detected in three soil vapor samples collected throughout the western part of Lot 8 (within the proposed BCP site boundary). TCE concentrations detected in soil vapor samples ranged from 7.70 μ g/m³ to 16 μ g/m³.

In addition, NYSDOH provides decision matrices for eight chlorinated VOCs (carbon tetrachloride, 1,1-dichloroethene, cis-1,2-dichloroethene, TCE, methylene chloride, PCE, 1,1,1-trichloroethane, and vinyl chloride). The decision matrices recommend a range of activities (e.g., monitor, mitigate) based on the soil vapor and sub-slab and indoor air sample results collected. Two of the eight VOCs that can be evaluated using the NYSDOH decision matrices were detected in sub-slab soil vapor samples (PCE and TCE). The NYSDOH decision matrix recommends mitigation for the PCE and TCE concentrations detected.



CITY & LAND SURVEYORS

116-20 METROPOLITAN AVE • RICHMOND HILL, NY 11418-1090 PHONE (718) 849-0600 • FAX (718) 849-0401 • EMAIL INFO ®MONTROSESURVEYING.COM

MSC SURVEY 41176-10 TAX BLOCK 372 PART OF TAX LOTS 8 & 21

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

BEGINNING at the corner formed by the intersection of the easterly side of 30^{th} Street (60 feet wide) with the southerly side of 37^{th} Avenue (75 feet wide);

RUNNING THENCE southerly along the easterly side of 30th Street, 269.72 feet to a point;

RUNNING THENCE easterly along a line forming an angle of 90 degrees 54 minutes 30 seconds on the northeast with the easterly side of 30th Street 80.40 feet to a point;

RUNNING THENCE northerly along a line forming an angle of 86 degrees 05 minutes 30 seconds on the northwest with the last mentioned course, 110.35 feet to a point;

RUNNING THENCE easterly at right angles to the last mentioned course, 8.62 feet to a point;

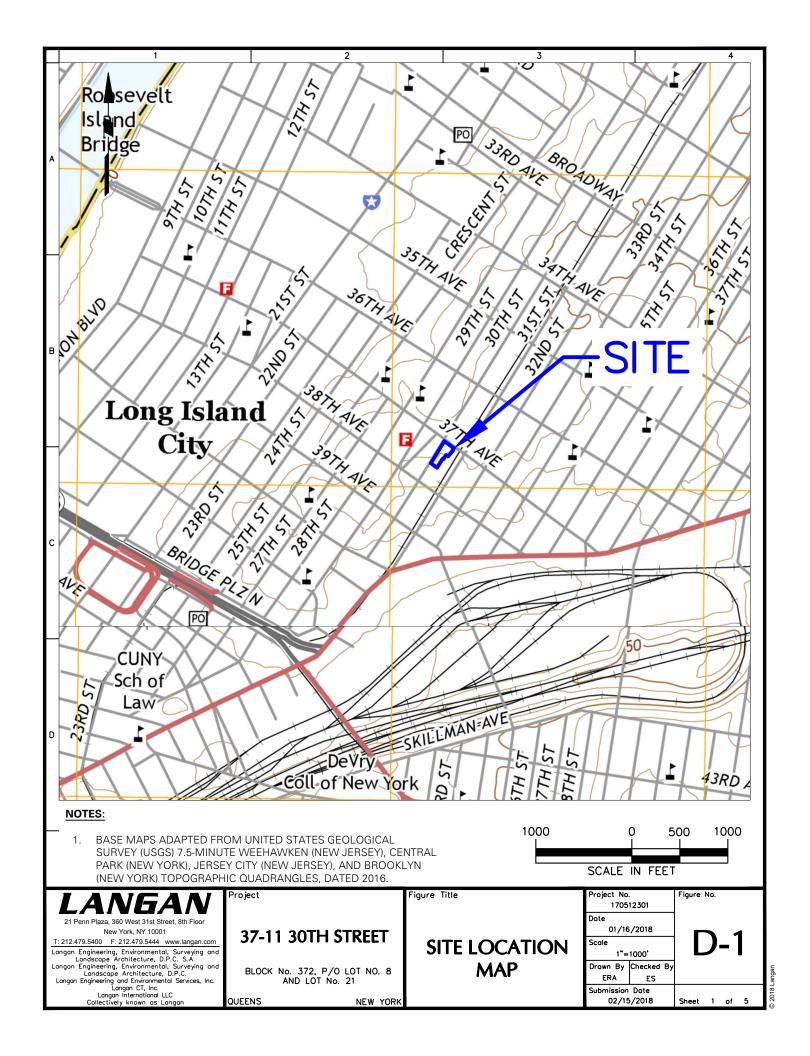
RUNNING THENCE northerly at right angles to the last mentioned course, 49.86 feet to a point;

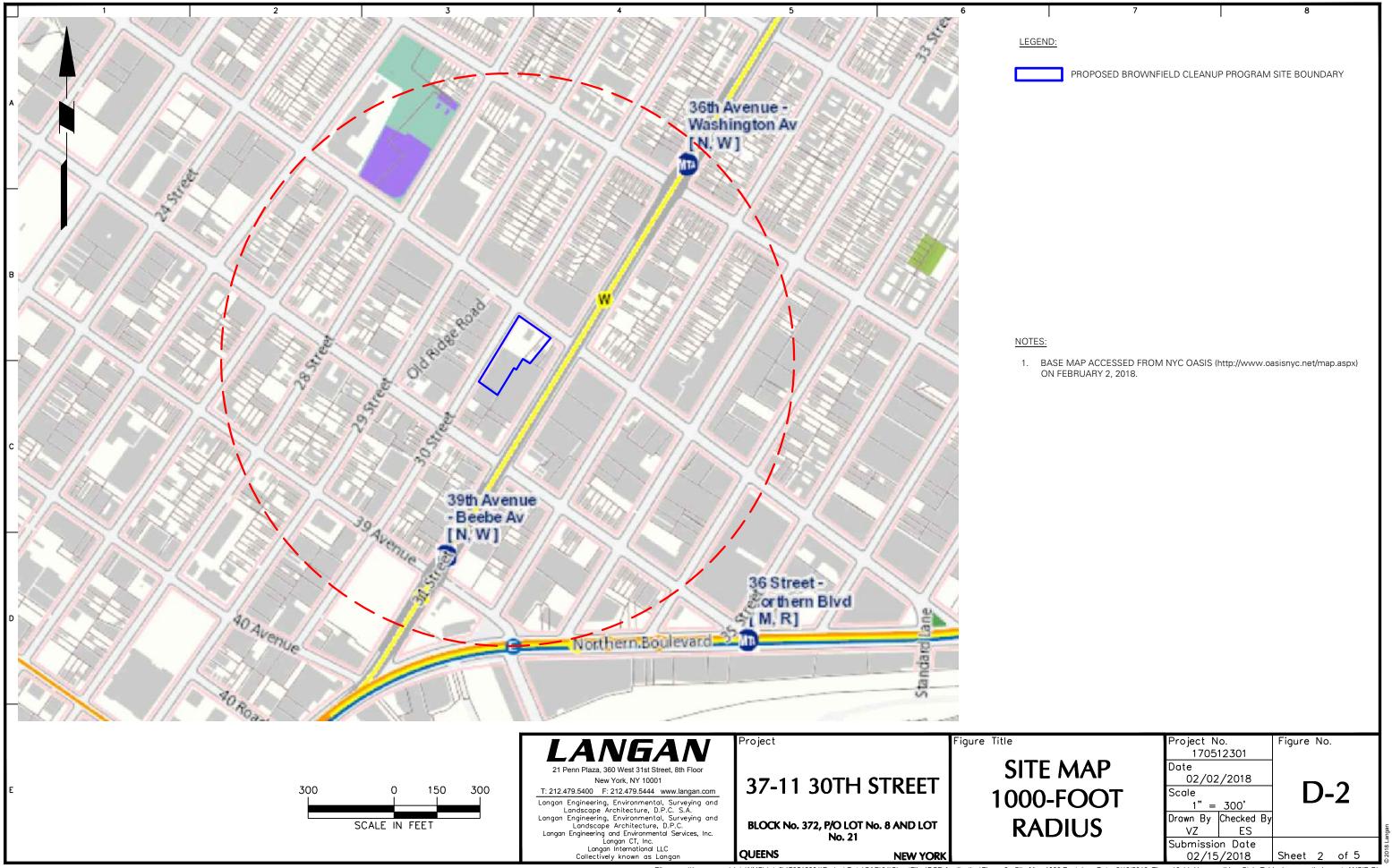
RUNNING THENCE easterly at right angles to the last mentioned course, 30.64 feet to a point;

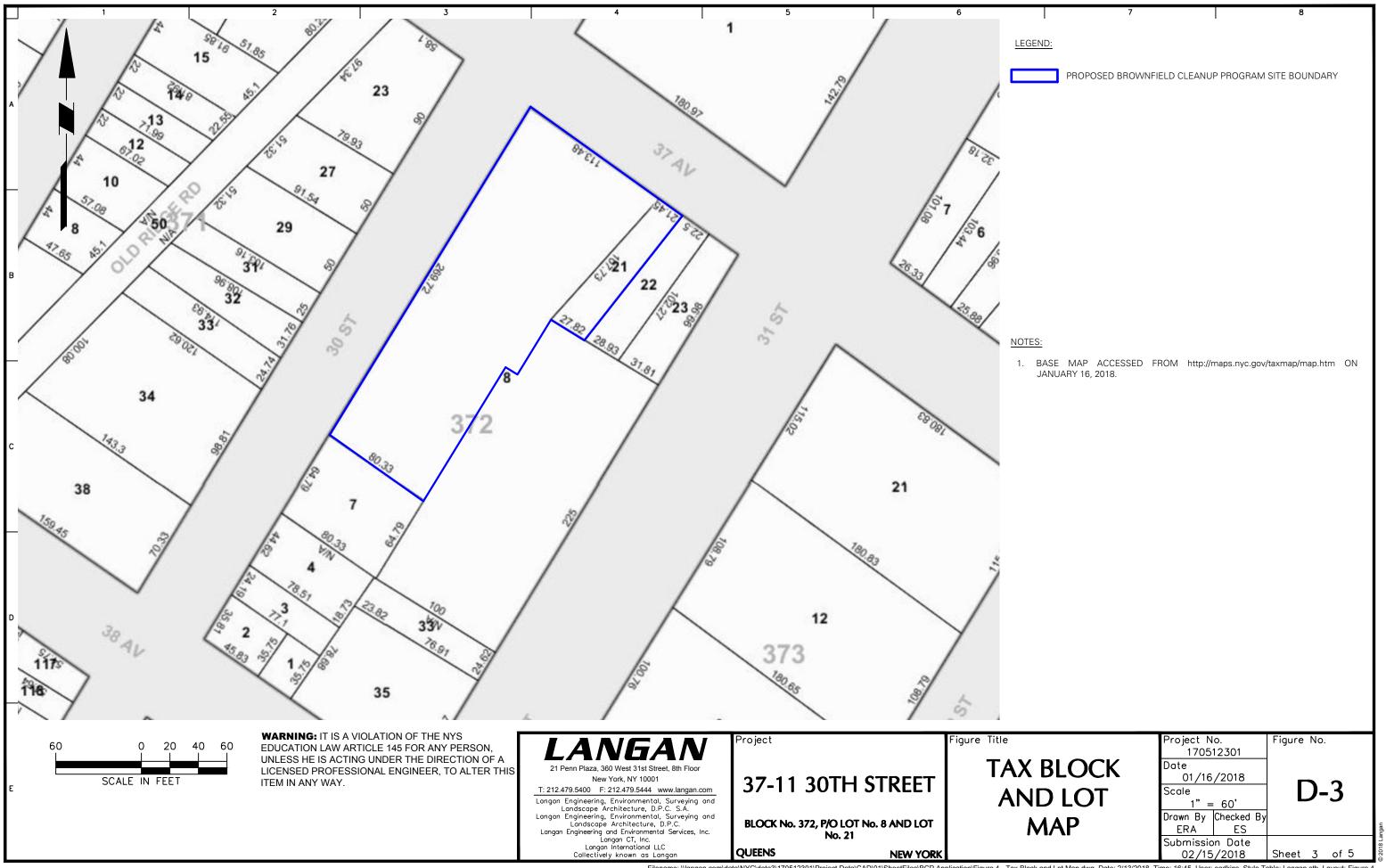
RUNNING THENCE northerly along a line forming an angle of 98 degrees 13 minutes 42 seconds on the northwest with the last mentioned course, 104.87 feet to the southerly side of 37th Avenue;

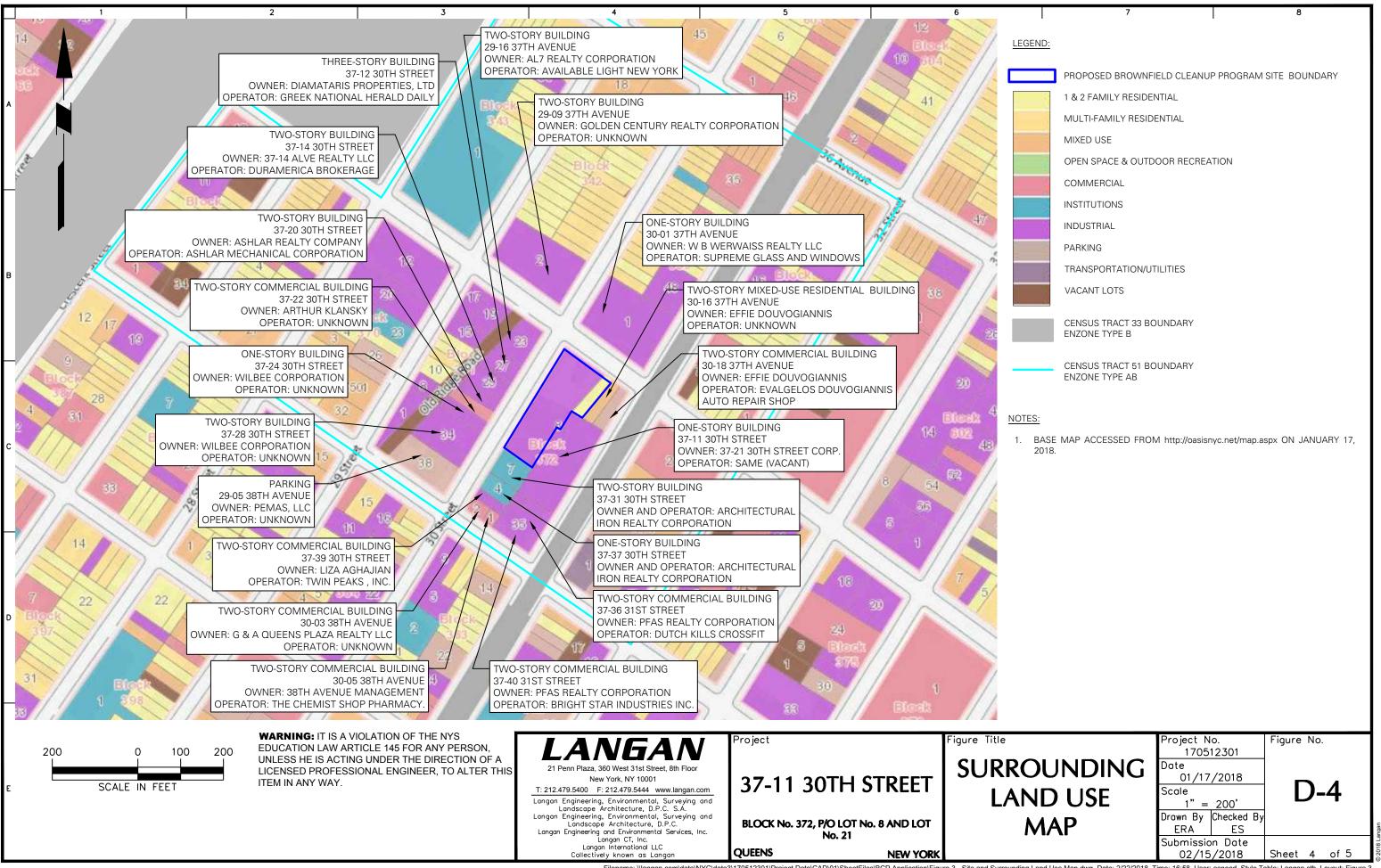
RUNNING THENCE westerly along the southerly side of 37th Avenue, 134.93 feet to the corner, point or place of BEGINNING.

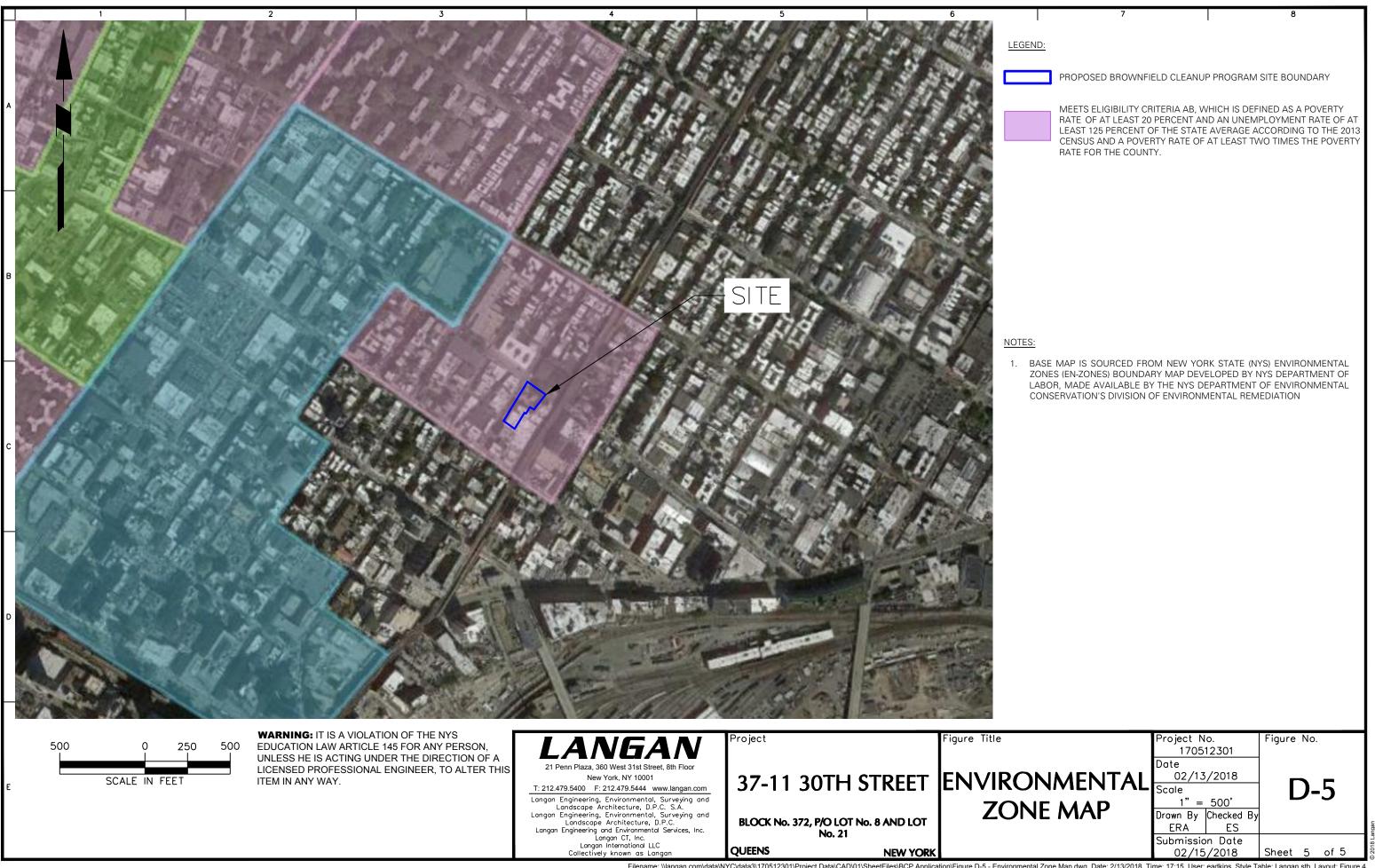
FIGURES











ATTACHMENT E SECTION VI: CURRENT PROPERTY OWNER / OPERATOR INFORMATION

Site Owner

37-21 30th Street Corp., a New York Corporation and Harvey S. Gordon, as Executor of the Estate of Robert W. See is the current owner of 37-11 30th Street (Lot 8) and 30-14 37th Avenue (Lot 21). A Memorandum of Contract of Sale dated November 27, 2017 identifies the future owner of the property (both lots) as 37-11 30th Street Holdings LLC (the Requestor). The current property owners provided authorization for 37-11 30th Street Holdings LLC to take all actions necessary to enter into and carry out the obligations of the BCP. A copy of the access agreement letter is included in Attachment A.

Site Operators

The site is currently vacant and was most recently occupied by See Factor Industry, Inc., a production warehousing company that specializes in lighting, staging, and event management.

Previous Site Owners

Block 372, Part of Lot 8				
Date	Document Type	First Party	Second Party	Relationship of First Party to Applicant
11/27/2017	Memorandum of Contract of Sale	37-21 30 th Street Corp. and Harvey S. Gordon, Executor of Robert W. See	37-11 30 th Street Holdings LLC	None
10/26/1979	DEED	Lynardane Corporation Product Realty Corporation	37-21 30 th Street Corporation	None
Pre 1979	Unknown	Unknown	Product Realty Corporation	Ownership records prior to 1979 were not readily available for review

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website: https://a836-acris.nyc.gov/DS/DocumentSearch/Index. An official Deed dated October 26, 1979 identifies the present owner of the property as 37-21 30th Street Corporation. Current and former addresses and telephone numbers of the previous property owners are not available. There is no relationship between the requestor's corporate members and any of the previous owners.

	Block 372, Lot 21			
Date	Document Type	First Party	Second Party	Relationship of First Party to Applicant
11/27/2017	Memorandum of Contract of Sale	37-21 30 th Street Corp. and Harvey S. Gordon, Executor of Robert W. See	37-11 30 th Street Holdings LLC	None
3/3/2008	DEED	Robert W. See Heather Ann See	Robert W. See	None
6/12/2002	DEED	Saravudh Sarrtsud Laddavan Sarrtsud	Robert W. See Heather Ann See	None
6/30/1995	DEED	Wilson Estrada Laura Estrada	Saravudh Sarrtsud Laddavan Sarrtsud	None
9/17/1981	DEED	Charles Gallagher Helen Gallagher	Wilson Estrada Laura Estrada	None
Pre 1981	Unknown	Unknown	Charles Gallagher	Ownership records prior to 1981 were not readily available for review

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website: https://a836-acris.nyc.gov/DS/DocumentSearch/Index. An official Deed dated March 3, 2008 identifies the present owner of the property as Robert W. See. Current and former addresses and telephone numbers of the previous property owners are not available. There is no relationship between the requestor's corporate members and any of the previous owners.

Previous Site Operators

Block 372, Part of Lot 8				
Name	Relationship to Property	Address and Phone Number	Relationship to Applicant	
See Factor Industry Inc.	Operator (1979 to 2017)	37-11 30 th Street Phone No. 718-784-4200	None	
Marblette Corporation Manufacturer of Plastic Materials	Operators (1930s to 1979)	37-21 30 th Street Phone No. Unknown	None	
McLaughlin's Garage	Operator (1915-Unknown)	37-21 30 th Street Phone No. Unknown	None	

Block 372, Part of Lot 8				
Name	Relationship to Property	Address and Phone Number	Relationship to Applicant	
From 1898 to 1915, the Sanborn® Maps show the property is vacant with a dwelling on the north side (no buildings or labels).				

Block 372, Lot 21			
Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
Residential-Use Tenants	Operator (about 1915 to present)	37-21 30 th Street Phone No. Unknown	None

From 1898 to 1915, the Sanborn® Maps show the property is vacant (no buildings or labels).

References:

- 1. Environmental Data Resources, Inc. March 2014 City Directory Abstract Report
- 2. Environmental Data Resources, Inc. March 2014 Certified Sanborn Map Report

ATTACHMENT F SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Status

Pursuant to ECL § 27-1405(1), 37-11 30th Street Holdings LLC is properly designated as a Volunteer because their liability arises solely from involvement with the site after discharge or disposal of contaminants at the site and there is no indication of any contribution to or exacerbation of site conditions during the time of Requestors involvement with the site. Currently, 37-11 30th Street Holdings LLC is in the process of purchasing the proposed BCP property, and as such the Requestor could not have contributed to the contamination at the property. As such, the Requestor is a Volunteer.

Requestor Relationship to Property

37-21 30th Street Corp., a New York Corporation and Harvey S. Gordon, as Executor of the Estate of Robert W. See is the current owner of 37-11 30th Street (Lot 8) and 30-14 37th Avenue (Lot 21). A Memorandum of Contract of Sale dated November 27, 2017 identifies the future owner of the property (both lots) as 37-11 30th Street Holdings LLC (the Requestor). The current property owners provided authorization for 37-11 30th Street Holdings LLC to take all actions necessary to enter into and carry out the obligations of the BCP. A copy of the access agreement letter is included in Attachment A.

ATTACHMENT G SECTION IX: CONTACT LIST INFORMATION

Item 1

Chief Executive Officer

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

New York City Planning Commission

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

Borough of Queens, Borough President

Melinda Katz 120-55 Queens Boulevard Kew Gardens, NY 11424 (718) 286-3000

Borough of Queens, Department of City Planning

Irving Poy 120-55 Queens Boulevard Kew Gardens, NY 11424 (718) 286-2860

Item 2

Residents, owners, and occupants of the site and properties adjacent to the site

Owner information is provided in Attachment A. The site is currently occupied by See Factor Industry, Inc., a production warehousing company that specializes in lighting, staging, and event management.

Adjacent properties include:

Evangelos Douvogiannis Auto Repair Shop

Effie Douvogiannis 30-16 37th Avenue Queens, NY 11101 (718)-937-1575

CT Brothers, LLC Imperial Mach Corporation 37-24 30th Street Queens, NY 11101 (718) 784-1021

Arthur Klansky 37-22 30th Street Queens, NY 11101 (718) 786-7200

37-14 Alve Realty LLC DurAmerica Brokerage 37-14 30th Street Queens, NY 11101 (718) 626-0700

AL7 Realty Corporation Available Light New York 29-20 37th Avenue Queens, NY 11101 (718) 707-9670 Architectural Iron Realty Inc. Architectural Iron Realty Corp.

37-31 30th Street Queens, NY 11101 (718) 937-5775

CT Brothers, LLC M & K 88 Cleaners 37-26/28 30th Street Queens, NY 11101 (718) 433-1889

Ashlar Realty Company, LLC Arthur Klansky 37-20 30th Street Queens, NY 11101 (718) 786-7200

Diamataris Properties Ltd. Greek National Gerald Daily 37-12 30th Street Queens, NY 11101 (718) 784-5255

WB Waerwaiss Realty LLC Supreme Glass 30-01 37th Avenue Queens, NY 11101 (718) 729-1520

Item 3

Local news media from which the community typically obtains information

Queens Gazette 42-16 34th Avenue Queens, NY 11101 (718) 361-6161

Item 4

Public Water Supply

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

NYCDEP

Vincent Sapienza, Acting Commissioner 59-17 Junction Boulevard Flushing, NY 11373

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

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

Item 5

Request for Contact

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

Item 6

Schools and Day Care Facilities

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

The Oliver Wendell Holmes Intermediate School 204 (about 650 feet north of the site)
Faye Erstejn-Kotzer, Principal
36-41 28th Street
Queens, NY 11106
(718) 937-1463

Queensbridge Early Childhood Development Center (about 775 feet west of the site) No specific contact name available 38-11 37th Street Queens, NY 11101 (718) 937-7640

PS 112 Dutch Kills (about 940 feet northwest of the site) Rafael Campos Gatjens, Principal 25-05 37th Avenue Queens, NY 11101 (718) 784-5250

Growing up Green Charter School (about 1,200 feet southwest of the site) Matthew Greenberg, Principal 39-37 28th Street Queens, NY 11101 (347) 642-4306

Baccalaureate School for Global Education (about 1,250 feet northeast of the site) Kelly Johnson, Principal 34-12 36th Avenue Queens, NY 11106 (718) 361-5275

Newcomers High School (about 1,550 feet southeast of the site) German Sarmiento, Principal 28-01 41st Avenue Queens, NY 11101 (718) 937-6005
PS 166 Henry Gradstein
(about 1,700 feet northeast of the site)
Jessica Geller, Principal
33-09 35th Avenue
Queens, NY 11106
(718) 786-6703

All Children's Child Care
(about 1,775 feet northeast of the site)
No specific contact name available
35-01 24th Street
Queens, NY 11106
(718) 707-0501

Academy for New Americans (about 1,900 feet southeast of the site) Betty Cartagena, Principal 30-14 30th Street Queens, NY 11102 (718) 956-4140

Andrew Landi Early Childhood Development Center (about 2,150 feet northeast of the site) No specific contact name available 21-20 35th Avenue Queens, NY 11106 (718) 806-1598

PS 111 Jacob Blackwell (about 2,350 feet northeast of the site) Dionne Jaggon, Principal 37-15 13th Street Queens, NY 11101 (718) 786-2073 Jackson Developmental Center and Children's Services (about 2,500 feet northeast of the site) No specific contact name available 36-02 14th Street Queens, NY 11106 (718) 779-8800

Item 7

Document Repository (e.g. local library)

Queens Library at Long Island City 37-44 21st Street Queens, NY 11101 Phone: (718) 752-3700

Queens Community Board 1 45-02 Ditmars Boulevard Queens, NY 11106 Phone: (718) 626-1021

Letters sent to the repositories acknowledging that both agree to act as a document repository for the project are included in this attachment.

Item 8 - Local Community Board

Queens Community Board 1

Joseph Risi, Chair 45-02 Ditmars Boulevard Queens, NY 11106

Phone: (718) 626-1021





February 5, 2018

Queens Public Library at Long Island City 37-44 21st Street Queens, NY 11101 Phone: (718) 752-3700

Re:

Brownfield Cleanup Program Application

37-11 30th Street Holdings LLC

37-11 30th Street and 30-14 37th Avenue Long Island City, New York 11101

To Whom it May Concern:

We represent 37-11 30th Street Holdings LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced site at 37-11 30th Street and 30-14 37th Avenue in Queens, New York. It is a NYSDEC requirement that we supply them a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. Please sign below if you are able to certify that your library would be willing and able to act as the public repository for this BCP project.

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

Brian Gochenaur

Senior Project Manager

Yes. Queens Public Library at Long Island City is willing and able to act as a public repository on behalf of 37-11 30th Street Holdings LLC, LLC in their cleanup of 37-11 30th Street and 30-14

37th Avenue under the NYSDEC BCP.

(Name)

(Title)

tebruary 13,2018





February 5, 2018

Joseph Risi Queens Community Board 1 45-02 Ditmars Boulevard Queens, NY 11106 Phone: (718) 626-1021

Re:

Brownfield Cleanup Program Application

37-11 30th Street Holdings LLC

37-11 30th Street and 30-14 37th Avenue Long Island City, New York 11101

Dear Mr. Risi:

We represent 37-11 30th Street Holdings LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced site at 37-11 30th Street and 30-14 37th Avenue in Queens, New York. It is a NYSDEC requirement that we supply them a letter certifying that the local community board is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. Please sign below if you are able to certify that your community board would be willing and able to act as the public repository for this BCP project.

Sincerely,

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

Brian Gochenaur

Senior Project Manager

Yes, Queens Community Board 1 is willing and able to act as a public repository on behalf of 37-11 30th Street Holdings LLC, LLC in their cleanup of 37-11 30th Street and 30-14 37th Avenue under the NYSDEC BCP.

(Date)

ATTACHMENT H SECTION X: LAND USE FACTORS

Item 1 - Current Zoning

According to the New York City Planning Commission Zoning Map 9a, the site is located within the Long Island City Special Mixed Use Paired District (M1-2/R6A). This paired district promotes development and expansion of the longstanding mix of residential, commercial, industrial, and cultural use throughout the area. M1 districts typically include retail and light industrial uses such as woodworking shops, repair shops, and wholesale service and storage facilities, and R6A districts promote residential development.

As a result of the CEQR process, the Block 372, Lot 21 was assigned an E-Designation (E-218) on October 7, 2008 by the NYCDCP as part of the Dutch Kills Rezoning (CEQR No. 08DCP021Q). The E-Designation requires coordination with the NYC OER to obtain a NTP or a NNO prior to obtaining building permits. The E-Designation addresses environmental requirements for Hazmat and noise (window wall attenuation and alternative means of ventilation) during development.

Item 2 - Current Use

The about 26,978-square-foot (0.61 acres) site is developed with a one-story and partial three-story warehouse building with multiple partial cellar levels and a stockyard/ storage area in Lot 8 (37-11 30th Street), and a two-story residential building in Lot 21 (30-14 37th Avenue). A lighting, audio, and production rental company most recently occupied the warehouse buildings in Lot 8, and the development in Lot 21 was mostly recently used as a single-family residence.

Item 3 - Intended Use Post-Remediation

The proposed redevelopment will include a new seven-story mixed-use commercial, manufacturing and residential building with one cellar level spanning the entire site footprint (about 27,000 square feet). Thirty percent of the residential units will be designated as affordable housing.

Item 5 - Consistency with Applicable Zoning Laws/Maps

This project responds to and is fully consistent with the goals of the City Council as embodied in the NYC Zoning Districts. The site is located within the Long Island City Special Mixed Use Paired District (M1-2/R6A). Multiple-story, mixed-use commercial and residential buildings are permitted in this M1-2/R6A district. The applicable zoning map is included in attachment B.

<u>Item 6 - Comprehensive Plans</u>

The proposed use is consistent with local and area plans.

ATTACHMENT I SUPPLEMENTAL QUESTIONS FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY

Item 1 – Environmental Zone

Based on the NYS Department of Labor's mapped boundaries for NYS Environmental Zones (En-Zones), 100 percent of the site is located within Census Tract 51, a designated En-Zone (Type AB). The site is located within a census tract that has a poverty rate of 31.7% and an unemployment rate of 18.8%; this data satisfies En-Zone criteria pursuant to Tax Law 21(b)(6). Figure D-2 shows the property boundary inside of the En-Zone.

Item 3 – Affordable Housing Project Determination

A new seven-story, mixed-use residential, commercial, and light manufacturing building will be constructed with a footprint of about 27,000 square feet. A total of 198 new residential units will be constructed, of which thirty percent (30%) will be designated affordable housing for tenants earning at or below the 130% area median income (AMI). The development is planned as Affordable Housing, and a copy of the regulatory agreement with 37-11 30th Street Holdings LLC will be provided to the NYSDEC at a later date prior to the issuance of a Certificate of Completion (COC).