



REVISED BROWNFIELD CLEANUP PROGRAM APPLICATION

www.akrf.com

Date
January 3, 2019

Site Information:

151 Woodward Street, Queens, New York

Delivered to:

**Len Zinoman, Site Control Section; New York State
Department of Environmental Conservation**

On behalf of:

Animal Care and Control of New York City, Inc.



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
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January 3, 2019

Site Control Section
Attn: Len Zinoman
New York State Department of Environmental Conservation
Bureau of Technical Support
625 Broadway, 11th Floor
Albany, NY 12233-7020

Re: Revised Brownfield Cleanup Program Application
Queens Animal Shelter and Care Center

To Whom It May Concern:

Enclosed is the Revised Brownfield Cleanup Program (BCP) Application for the Queens Animal Shelter and Care Center redevelopment located at 151 Woodward Avenue in Queens, New York. As requested, one paper hardcopy of this Revised Application has been sent to your office along with a digital CD of the same.

We thank you for the opportunity to submit this Revised BCP Application on behalf of Animal Care and Control of New York City, Inc. and look forward to moving ahead with this program under the BCP. If you have any questions or need any additional detail regarding the completeness of this Application, please feel free to contact Deborah at (646) 388-9544, or Patrick at (646) 388-9784 or jdiggins@akrf.com if you have any questions.

Sincerely,
AKRF, Inc.

A handwritten signature in blue ink, appearing to read 'D. Shapiro'.

Deborah Shapiro, QEP
Vice President

A handwritten signature in blue ink, appearing to read 'J. Patrick Diggins'.

J. Patrick Diggins
Technical Director

cc: Risa Weinstock, Jennifer Piibe – Animal Care and Control of New York City, Inc.
Christine Chisolm, Rachel Goodfriend – A. Larovere Consulting
Michael Bogin, Sahana Rao – Sive, Paget & Riesel, P.C.

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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 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

Yes

No

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

Do all individuals that will be certifying documents meet the requirements detailed below?

Yes

No

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

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

N/A

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). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

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			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
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?*

(*answering No will result in an incomplete application)

Yes

No

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

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN		ZIP CODE		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY		SITE SIZE (ACRES)		
LATITUDE (degrees/minutes/seconds) ° ' "		LONGITUDE (degrees/minutes/seconds) ° ' "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column.ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address		Section No.	Block No.	Lot No. Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site.				Yes No
2. Is the required property map attached to the application? (application will not be processed without map)				Yes No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)				Yes No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one):		0-49%	50-99%	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)? Yes 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?				Yes 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.				Yes No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.				Yes 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
N/A

Description

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

Type

Issuing Agency

Description

See attached

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

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

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

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

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

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

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

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

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

Initials of each Requestor: JP _____

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			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.			
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). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? _____

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

Residential Commercial Industrial

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

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

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

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

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

Animal Care and Control

I hereby affirm that I am General Counsel (title) of of New York City, Inc. (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: 12-18-2018 Signature:  _____

Print Name: Jennifer Piibe _____

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 10

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input type="checkbox"/> Yes <input checked="" 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.	

JP

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:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****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: See attached supporting documentation.**Does Requestor Claim Affordable Housing Status:**

Yes

No

Planned, No Contract

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

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

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

SECTION I REQUESTOR INFORMATION

Requestor Name

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

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

Address, etc.

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

Document Certification

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

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

SECTION II PROJECT DESCRIPTION

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

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

Site Address

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

Site Size

Provide the approximate acreage of the site.

GIS Information

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

Tax Parcel Information

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

1. Tax Map Boundaries

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

2. Map

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

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SECTION IV (continued)

3. En-zone

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

4. Multiple applications

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

10. Property Description Narrative

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

Location

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

Site Features:

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

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

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

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

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

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

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SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

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

Environmental Assessment

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

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

A typical Environmental Assessment would look like the following:

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

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

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

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

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

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

Consultant and Attorney Name, Address, etc.

Provide requested information.

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

Owner Name, Address, etc.

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

Operator Name, Address, etc.

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

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

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

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

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

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

1. CERCLA / NPL Listing

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

2. Registry Listing

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

3. RCRA Listing

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

4. Registry / RCRA sites owned by volunteers

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

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SECTION VIII (continued)

5. Existing Order

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

6. Enforcement Action Pending

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

SECTION IX CONTACT LIST INFORMATION

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

SECTION X LAND USE FACTORS

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

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

SECTION XI SIGNATURE PAGE

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

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DETERMINATION OF A COMPLETE APPLICATION

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

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DETERMINATION OF A COMPLETE APPLICATION (continued)

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

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ATTACHMENTS

Attachment A – New York State Department of State’s Corporation and Business Entity Database Listings for the Requestors

Attachment B – Figures:

- Figure 1 – Site Location Map
- Figure 2 – Site Plan
- Figure 3 – Tax Map
- Figure 4 – Existing Land Use
- Figure 5 – Zoning Map
- Figure 6 – Soil Sample Concentrations Above NYSDEC UUSCOs and/or CSCOs
- Figure 7 – Groundwater Sample Locations Above NYSDEC TOGS
- Figure 8 – Soil Vapor Sample Concentrations

Attachment C – Site Survey Map

Attachment D – Previous Environmental Reports

Attachment E – Proposed Redevelopment Plans

Attachment F – Site Property Deeds

Attachment G – Site Access Agreement

Attachment H – Signed Document Repository Acknowledgement Letters

PART A

Section I. – Requestor Information

1. Requestor Information

Contact information and the names of members/owners of the Requestor are set forth below:

Entity Name/Applicant	Members/Owners	Contact Information
Animal Care and Control of New York City, Inc.	Risa Weinstock Aurora Velasquez	% Animal Care Centers of New York City Attn: Risa Weinstock 11 Park Place, Suite 805 New York, New York 10007

The NYS Department of State's Corporation and Business Entity Database information for the requestor is included as *Attachment A*. The entity is herein referred to as the "Requestor."

Section II - Project Description

The following figures are included in *Attachment B*:

- Figure 1 – Site Location
- Figure 2 – Site Plan
- Figure 3 – Tax Map
- Figure 4 – Existing Land Use
- Figure 5 – Zoning Map
- Figure 6 – Soil Sample Concentrations Above NYSDEC UUSCOs and/or CSCOs
- Figure 7 – Groundwater Sample Concentrations Above NYSDEC AWQS and/or Guidance Values
- Figure 8 – Soil Vapor Sample Concentrations

3. Remedial Investigation Report

A Final Remedial Investigation Report (RIR) is not included with this application. A Phase II Environmental Site Investigation (Phase II) was performed by Soil Mechanics, and summarized in a Phase II Report dated December 2008. A Phase I Environmental Site Assessment (Phase I ESA) dated May 2018 and a Phase II investigation was performed by Environmental Studies Corporation (ESC). The Phase II investigation was documented in a Phase II ESA Report (Phase II Report) dated June 2018. A Supplemental Subsurface (Phase II) Investigation was conducted at the Site by AKRF, Inc. (AKRF), and is documented in a Supplemental Phase II Report dated September 2018. The Phase II investigations that are being used to support this Brownfield Cleanup Program (BCP) Application and are included in *Attachment D*. To supplement the previous investigations completed at the Site, a Remedial Investigation Work Plan (RIWP) is also being submitted with this BCP Application.

4. Project Description

The Requestor plans to enter into the BCP as a Volunteer. The Site consists of approximately 1.0 acre located at 151 Woodward Avenue in the Ridgewood section of Queens, New York. The Site is identified by the City of New York as Tax Block 3376, Lots 1 and 7. Currently, the Site is occupied by Aalba Auto Salvage, Inc., an automobile wrecking yard and used auto parts facility; and Tire Wheel and Glass Depot, a tire and auto glass shop for Aalba Auto Salvage. The Site contains two permanent structures: a one-story masonry and wood frame garage used for storage, vehicle dismantling, and repairs; and a one-story masonry and steel frame garage building with a mezzanine. There is also a temporary office structure located in the northwest part of the Site. Exterior portions of the Site contain several steel shipping containers, racks and

shelving for auto parts, and open storage areas for cars and parts. The surrounding area comprises predominantly commercial and industrial uses, including an automobile wrecking yard, a commercial warehouse, a gasoline filling station, and auto repair shops. A Site Location map and Site Plan are included in *Attachment B* as *Figures 1* and *2*, respectively.

The Site is part of Queens Census Tract 539. According to the 2012-2016 American Community Survey (ACS) Profile data, 16.7% of the population in Census Tract 539 are living below the poverty line. The unemployment rate for Census Tract 539 is 5.3% compared to the New York City unemployment rate of 4.3% (as of August 2018) and the national unemployment rate of 3.7% (as of September 2018). As described in “Supplemental Questions” below, the Site currently meets the definition of “Underutilized,” as it is occupied by two structurally deficient permanent structures that comprise less than 50% of the allowable Floor Area Ratio (FAR).

Entry into the BCP would facilitate the remediation and redevelopment of the Site into the proposed Animal Shelter and Care Center. The development project consists of the demolition of the existing structures and construction of a three-story, 62,500-square-foot commercial building with an exterior parking lot. The proposed building will be utilized as an animal care center and community facility. This project, which will be funded by the New York City Department of Health and Mental Hygiene (NYC DOHMH), is part of the New York City Mayor’s Office initiative to build and/or maintain animal shelters in every New York City borough. The proposed Animal Shelter and Care Center would be the facility under the Mayor’s initiative in the Borough of Queens.

The first and second floors would contain offices and various animal amenity spaces, including treatment areas, surgery rooms, grooming, and medical and food supply storage. The third floor would be contain offices and a terrace.

The approximate gross square footage (gsf) of designated spaces is as follows:

- Commercial space: 62,500
- Vehicle parking: 11,910
- Total gross square footage of new building: 62,500

The proposed redevelopment plan including the zoning analysis is included in *Attachment E*. The Requestor plans on conducting all remedial investigation and remedial activities in accordance with Environmental Conservation Law (ECL) Article 27, Title 14, 6 New York Codes, Rules, and Regulations (NYCRR) 375-1.6(a), 375-3.6, and 375-6, and all applicable laws, rules, regulations, and guidance documents.

Estimated Project Schedule:

The remedial program is planned to begin in June 2019 and the Certificate of Completion (COC) is anticipated to be obtained by December 2020. The BCP project will likely include some or all of the activities listed below. This preliminary project schedule is subject to change.

Activity	Time To Complete
Submittal of BCP Application and Draft Remedial Investigation Work Plan (RIWP)	November 2018
30-day Completeness Review	December 2018
Remedial Investigation	December 2018
30-day Public Notice/Public Comment Period is Initiated	January 2019
BCA Execution	March 2019
Submittal and Approval of Citizen Participation Plan and Final RIWP	March 2019
Draft Remedial Investigation Report (RIR) and Draft Remedial Action Work Plan (RAWP) Submitted to NYSDEC	March 2019
45-day Public Comment Period for RIR and RAWP is Initiated	April 2019
Public Comment Period for RIR and RAWP Ends	May 2019
Final RIR and RAWP Submitted and DEC Issues Decision Document	June 2019
Issue Remedial/Construction Notice Fact Sheet	October 2019
Begin Redevelopment (Construction) with Implementation of RAWP	October 2019
Execution of Environmental Easement (if required)	April 2020
Draft Site Management Plan (SMP) Submitted to NYSDEC	July 2020
Draft Final Engineering Report and Fact Sheet	September 2020
Certificate of Completion and Fact Sheet	December 2020
Completion of Building	December 2021

Section III – Property Environmental History

The following figures are included in *Attachment B*:

- Figure 1 – Site Location
- Figure 2 – Site Plan
- Figure 3 – Tax Map
- Figure 4 – Existing Land Use
- Figure 5 – Zoning Map
- Figure 6 – Soil Sample Concentrations Above NYSDEC UUSCOs/RRSCOs
- Figure 7 – Groundwater Sample Concentrations Above NYSDEC TOGS
- Figure 8 – Soil Vapor Sample Concentrations

1. Environmental Reports

Copies of the following previous investigation reports for the Site are included as *Attachment D* (Electronic Copies only):

- Phase II Environmental Site Investigation Report, 151 Woodward Avenue, Flushing, NY, Soil Mechanics Environmental Services, December 2008.
- Phase I Environmental Site Assessment – 151 Woodward Avenue (A.K.A. 151-161 Woodward Avenue, 19-02 Through 19-08 Flushing Avenue & 19-01 Troutman Street, Queens, N.Y. 11385, (Block 3376, Lot #'s 1 & 7), Environmental Studies Corporation, Inc., May 2018.
- Phase II Environmental Site Assessment – 151 Woodward Avenue (A.K.A. 151-161 Woodward Avenue, 19-02 through 19-08 Flushing Avenue & 19-01 Troutman Street, Queens, N.Y. 11385, (Block 3376, Lots 1 & 7), Environmental Studies Corporation, Inc., June 2018.
- Supplemental Subsurface (Phase II) Investigation Report – Queens Animal Shelter, 151 Woodward Avenue, Queens, New York, AKRF, Inc., September 2018.

Summaries of previous investigations are provided below. The Requestor believes that there is sufficient information to proceed expeditiously with this BCP application. The Requestor, as a Volunteer under the BCP, seeks to enroll in the program to remediate the Site in a timely manner under the oversight of NYSDEC.

Phase II Environmental Site Investigation Report, 151 Woodward Avenue, Queens, N.Y. 11385, Block 3376, Lot #'s 1 & 7), Soil Mechanics, December 2008

Based on the results of a May 2007 Phase I ESA (report not provided for review), Soil Mechanics conducted a subsurface investigation at the Site on behalf of 59-15 Holding Corp. (the current property owner). The scope of work included the advancement of eight soil borings, installation of three temporary groundwater wells, and collection and analysis of eight soil samples and three groundwater samples. Findings of the investigation included:

- Numerous volatile organic compounds (VOCs) were detected in soil above their respective New York State Department of Environmental Conservation (NYSDEC) Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs) and Unrestricted Soil Cleanup Objectives (UUSCOs). The detected semivolatile organic compounds (SVOCs) primarily included polycyclic aromatic hydrocarbons (PAHs), which are commonly found in fill material in New York City. The metals chromium, cadmium, mercury, and lead were detected above their respective UUSCOs and/or RRSCOs, but below the Restricted Commercial Use Soil Cleanup Objectives (CSCOs), in several samples.
- The VOC methyl tert-butyl ether (MTBE) was detected above its NYSDEC Class GA Ambient Water Quality Standards (AWQS) and/or Guidance Value of 10 micrograms per liter (µg/L) in all three

groundwater samples at concentrations ranging from 111 µg/L to 1,557 µg/L. The metals arsenic, barium, chromium, mercury, and lead were detected above their respective AWQS in the groundwater samples.

Phase I Environmental Site Assessment, 151 Woodward Avenue (A.K.A. 151-161 Woodward Avenue, 19-02 through 19-08 Flushing Avenue & 19-01 Troutman Street, Queens, N.Y. 11385, Block 3376, Lot #'s 1 & 7), Environmental Studies Corporation, May 2018

A Phase I ESA of the Site was prepared by ESC in May 2018 on behalf of The Requestor. The Phase I ESA was performed in conformance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. The report identified the following Recognized Environmental Conditions (RECs):

- The presence of contaminants in excess of regulatory standards and guidelines found in soil and groundwater samples collected at the Site in 2008.
- The potential for additional contaminated soil and groundwater at the Site from current and historic automobile maintenance, wrecking, and salvage operations.
- The possible presence of one or more out-of-service petroleum underground storage tanks (USTs) that have not been closed or removed in accordance with applicable regulations.
- The potential for groundwater contamination from off-site sources in the immediate vicinity of the Site.

Phase II Environmental Site Assessment Report, 151 Woodward Avenue (A.K.A. 151-161 Woodward Avenue, 19-02 through 19-08 Flushing Avenue & 19-01 Troutman Street, Queens, N.Y. 11385, Block 3376, Lot #'s 1 & 7), Environmental Studies Corporation, June 2018

Based on the results of the May 2018 Phase I ESA, ESC conducted a subsurface investigation at the Site on behalf of The Requestor. The scope of work included the advancement of six soil borings, installation of two temporary groundwater wells, and collection and analysis of six soil samples, two groundwater samples, and two soil vapor samples. Findings of the investigation included:

- A geophysical survey identified the presence of an oil-water separator tank in the Tire Wheel and Glass Depot building located on Flushing Avenue.
- Petroleum-related VOCs were detected in several soil samples above their respective UUSCOs, including: 1,2,4-trimethylbenzene, ethylbenzene, toluene, total xylenes, and 2-butanone.
- PAHs including benzo(a)pyrene, benzo(k)fluoranthene, and indeno(1,2,3-cd)pyrene were detected above their respective UUSCOs in the soil samples. Benzo(a)pyrene was also detected above its CSCO in one soil sample (B-3 12 FT).
- The metals lead and mercury were detected above their respective UUSCOs, but below their respective CSCOs in several soil samples.
- The VOC MTBE was detected in both groundwater samples at concentrations of 260 µg/L and 240 µg/L, both exceeding its TOGS Guidance Value of 10 µg/L. Two SVOCs including diethyl phthalate and 2,6-dinitrotoluene were detected above their respective AWQS and/or Guidance Values.
- Several petroleum related compounds were detected in the two soil vapor samples collected at the Site. In addition, trichloroethene (TCE) was detected at a concentration of 170 micrograms per cubic meter (µg/m³) and cis-1,2-dichloroethylene was detected at a concentration of 90 µg/m³ in sample SV-1. According to the New York State Department of Health (NYSDOH) Soil Vapor/Indoor Air Matrices, both concentrations were above the sub-slab vapor concentration that would require “mitigation”.

Supplemental Subsurface (Phase II) Environmental Site Investigation Report, 151 Woodward Avenue, Queens, N.Y. 11385, Block 3376, Lot #'s 1 & 7), AKRF, Inc., September 2018

AKRF conducted a Supplemental Subsurface (Phase II) Investigation to further investigate whether current and historic uses at the Site had adversely affected the Site's subsurface. The scope of the investigation was based on the findings of a Phase I and Phase II ESA conducted at the Site by ESC in May and June 2018, respectively. Field activities included the advancement of seven soil borings with collection and analysis of nine soil samples; and the installation of three temporary groundwater monitoring wells with collection and analysis of three groundwater samples. Findings of the investigation included:

- The VOCs acetone, benzene, ethylbenzene, toluene, and total xylenes were detected in soil above their respective UUSCOs, but below their respective CSCOs in up to five shallow soil samples. The VOCs m,p-xylenes and MTBE were detected in groundwater at concentrations above their AWQS and/or Guidance Values of 5 µg/L and 10 µg/L, respectively. MTBE was detected in both groundwater samples at concentrations of 260 µg/L and 240 µg/L.
- Two SVOCs were detected above their respective CSCOs in two soil samples: benzo(a)pyrene was detected above its CSCO of 1 mg/kg in two samples at concentrations of 4.2 mg/kg and 1.3 mg/kg, respectively; and, dibenz(a,h)anthracene was detected above its CSCO of 0.56 mg/kg in one soil sample at a concentration of 1 mg/kg. Phenol was detected at a concentration of 5.5 µg/L in one ground water sample above the total phenolic compound AWQS of 1.0 µg/L.
- Two metals were detected in two soil samples above their respective CSCOs. Mercury was detected in one sample at a concentration of 3.3 mg/kg, above the CSCO of 2.8 mg/kg and copper was detected in one sample at a concentration of 391 mg/kg, above the CSCO of 270 mg/kg. Arsenic, barium, chromium, iron, lead, magnesium, manganese, mercury and selenium were detected above their respective AWQS and/or Guidance Values.
- Total PCBs were detected in one soil sample at a concentration of 8.7 mg/kg, above the total PCB CSCO of 1 mg/kg.

The petroleum-related VOCs and SVOCs detected in the shallow soil/fill and in groundwater samples are likely related to current and historic automobile uses at the Site. The detection of total PCBs, which exceeded the UUSCO and CSCO in one soil sample, is likely related to historic industrial uses at the Site. SVOC detections that exceeded the UUSCOs and/or CSCOs in the soil samples were mostly PAHs and are likely related to the presence of historic fill. Detections of metals that exceeded the UUSCOs and/or CSCOs in shallow soil samples are also likely related to the presence of historic fill at the Site. Iron and manganese are earthen metals that are expected to be present within the aquifer, and are generally not attributable to a Site-related discharge.

Section IV- Property Information

Site Tax Map Information

Parcel Address	Block No.	Lot No.	Acreage
1902 Flushing Avenue	3376	1	0.324
151 Woodward Avenue	3376	7	0.682
Total Acreage			0.986

2. Tax Map

A tax map of the Site and adjacent properties is provided as *Figure 3* in *Attachment B*. A Site survey map is included as *Attachment C*.

9. Permits Issued by NYSDEC or USEPA

- SWF – Aalba Automobile Wrecking Inc., located at 151 Woodward Avenue, is listed as an active Solid Waste Facility. The activity is identified as Vehicle Dismantling Facility.
- SPDES – A State Pollution Discharge Elimination System (SPDES) permit (permit number NYR00E025) is registered for Aalba Automobile Wrecking Inc. and Aalba Auto Salvage Inc. The permit reportedly expired on September 30, 2017.
- RGA LF – Aalba Automobile Wrecking Inc. was listed as a Recovered Government Archive (RGA) Solid Waste Facility between 2006 and 2012.

10. Property Description and Environmental Assessment

Location – The Site is located at 151 Woodward Avenue in the Ridgewood neighborhood of Queens, New York. The approximately 1.0-acre Site is bounded to the north by a shelving warehouse and distribution facility; to the east by Troutman Street, followed by a parking lot, unspecified storage, and multi-family residential buildings; to the south by Woodward Avenue, followed by residential and commercial buildings and a gasoline station; and to the west by Flushing Avenue, followed by mixed-use buildings with street-level commercial uses (auto repair/tire shop and deli) and an auto storage/junk yard. The surrounding area is primarily industrial, commercial, and residential in use. A Site Location Map is included as *Figure 1* in *Attachment B*.

Site Features – Currently, the Site is occupied by Aalba Auto Salvage, Inc., an automobile wrecking yard and used auto parts facility; and Tire Wheel and Glass Depot, a tire and auto glass shop for Aalba Auto Salvage. The Site contains two permanent structures: a one-story masonry and wood frame garage used for storage, vehicle dismantling, and repairs; and a one-story masonry and steel frame garage building with a mezzanine. There is also a temporary office structure located in the northwest part of the Site. Exterior portions of the Site contain several steel shipping containers, racks and shelving for auto parts, and open storage areas for cars and parts. The surrounding area comprises predominantly commercial and industrial uses, including an automobile wrecking yard, a commercial warehouse, a gasoline filling station, and auto repair shops.

Current Zoning and Land Use – The current zoning designation of the Site is M1-1 (manufacturing), and the Site is currently used for automobile maintenance and wrecking, a salvage yard, and tire and windshield repairs. The surrounding area is largely M1-1 (manufacturing) to the north, east, and west. Properties south of the Site include multi-family residential and mixed-use buildings zoned as R5B and R6B (residential) and a commercial overlay (C1-3) on the south- and east-adjacent blocks. Linden Hill Methodist Cemetery is located approximately 300 feet east of the Site. A Zoning Map is included on *Figure 5* in *Attachment B*.

Past Use of the Site – According to the New York City Department of Buildings (NYC DOB) records and historical sources (i.e., fire insurance maps, and city directories), the Site has been used for automotive, residential, and commercial purposes since approximately 1902. As early as 1902, the Site was occupied by commercial (retail) and residential buildings. Between 1914 and 1939, the Site was primarily identified as commercial-use, including retail and a restaurant. In 1960, New York City records indicated that permits were filed to convert the Site into an automobile garage and a 1962 City Directory listing identified the Site as an automobile wrecking corporation. The Site was utilized as an automobile wrecking facility between approximately 1962 and 2005. Currently, the Site is used as an automobile wrecking facility, as well as a used auto parts business and tire and glass sales depot.

Site Geology and Hydrology – Based on the U.S. Geological Survey (USGS), Brooklyn, New York 2013 Quadrangle map, the Site lies at an elevation between approximately 34 and 40 feet above the North American Datum of 1988 (an approximation of mean sea level). The Site surface topography slopes down from Troutman Street towards Flushing Avenue. Regional surface topography slopes downward to the northwest. Subsurface materials as described in the Supplemental Subsurface (Phase II) Investigation consisted of historic fill (comprising sand, silt, brick, gravel, glass, asphalt, and concrete) from the surface down to approximately 3 to 5 feet below grade across the Site. The fill material was generally underlain by apparent native material consisting of sand and silt layers with a minor gravel components to the boring terminus at 30 feet below grade.

During previous investigations, groundwater was encountered between approximately 19 and 23 feet below grade, as measured from temporary monitoring wells across the Site. Based on USGS mapping, groundwater is anticipated to flow in a northwesterly direction toward Newtown Creek, which is located approximately 1,600 feet northeast of the Site; however, actual groundwater flow direction may be affected by many factors, including subsurface openings or obstructions such as subway tunnels, basements, utilities, and other factors beyond the scope of this assessment. Groundwater in Queens is not used as a source of potable water.

Environmental Assessment – Based on the investigations conducted to date, the primary contaminants of concern for the Site are VOCs, SVOCs, PCBs, and metals.

Soil:

Soil samples collected during the June and August 2018 Phase II investigations were compared to the NYSDEC 6 NYCRR Part 375-6.8 UUSCOs and CSCOs.

- Two PAHs, a class of SVOCs commonly found in some petroleum products, coal ash, and historic fill material, were detected above their respective CSCOs in up to three samples. Benzo(a)pyrene was detected in three samples at 1.150 mg/kg, 1.3 mg/kg, and 4.2 mg/kg, above the CSCO of 1.0 mg/kg. Dibenzo(a,h)anthracene was detected in at least one sample at 1.0 mg/kg, above the CSCO of 0.56 mg/kg.
- Total PCBs were detected in two samples at 2.8 mg/kg and 8.7 mg/kg, above the total PCB CSCO of 1.0 mg/kg.
- The metals copper and mercury were each detected in one sample each at concentrations of 391 mg/kg and 3.3 mg/kg, above their CSCOs of 270 mg/kg and 2.80 mg/kg, respectively.

Groundwater:

Groundwater samples collected during the June and August 2018 Phase II Investigations were compared to the NYSDEC Technical and Operational Guidance Series (TOGS) Class GA Ambient Water Quality Standards (AWQS) and Guidance Values.

- The VOC MTBE was detected in all five groundwater samples at concentrations ranging from 50 µg/L to 590 µg/L, above the TOGS of 10 µg/L. M/p-xylenes were detected in sample GW-4 at a concentration of 7.4 µg/L, above the TOGS of 5 µg/L.
- The SVOC phenol, was detected at a concentration of 5.5 µg/L in sample GW-4, above the TOGS of 1 µg/L. 2,6-Dinitrotoluene was detected in sample GW-1 at a concentration of 19.6 µg/L, above the TOGS of 5 µg/L. Diethyl phthalate was detected in samples GW-1 and GW-2 at respective concentrations of 74.1 and 597 µg/L, above the TOGS of 50 µg/L.
- Up to nine metals were detected in the groundwater samples collected during previous investigations at concentrations above their respective TOGS, including, arsenic (maximum concentration of 53.2 µg/L), barium (maximum concentration of 2,740 µg/L), beryllium (maximum concentration of 21 µg/L), total chromium (maximum concentration of 456 µg/L), copper (maximum concentration 512 µg/L), iron (maximum concentration 664,000 µg/L), lead (maximum concentration 254 µg/L), magnesium (maximum concentration 125,000 µg/L), manganese (maximum concentration 35,400 µg/L), nickel (maximum concentration 493 µg/L), sodium (maximum concentration 58,900 µg/L), selenium (maximum concentration 125 µg/L), and thallium (maximum concentration 5.1 µg/L).

Soil Vapor:

Concentrations of VOCs detected in the soil vapor samples were compared to the NYSDOH Matrices from the 2006 *Guidance for Evaluating Soil Vapor Intrusion*, as revised through May 2017 updates.

Up to 27 VOCs were detected in the soil vapor samples collected during the June 2018 Phase II Investigation. VOCs associated with petroleum, including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, ethylbenzene, isopropanol, m,p-xylenes, n-heptane, n-hexane, o-xylene, and toluene were detected at individual concentrations up to 3,600 µg/m³. Chlorinated solvent-related VOCs, including carbon disulfide, carbon tetrachloride, chloroform, cis-1,2-dichloroethylene, ethyl acetate, methylene chloride, PCE, and TCE were detected at individual concentrations up to 2,600 µg/m³.

Cis-1,2-dichloroethene and TCE were detected in sample SV-1 at respective concentrations of 90 µg/m³ and 170 µg/m³. According to NYSDOH Soil Vapor/Indoor Air Matrix A, sub-slab soil vapor concentrations greater than 60 µg/m³ result in a “mitigate” action, even if the indoor air concentration is less than 0.2 µg/m³.

Soil, groundwater, and soil vapor sample results are summarized in *Figures 6, 7, and 8 in Attachment B*.

PART B

Section VI. – Previous Property Owners/Operators

Current owner(s):

The current owners of the Site (as defined herein), on which the proposed Brownfield Cleanup Program Site is located are 59-15 Holding Corp. (20% interest) and 35 Realty Holding Corp. (80% interest). The deeds for both Lots 1 and 7 are included in *Attachment F*.

Prior owner(s), known corporate members, and relationship to Requestor(s):

The Requestor does not have any relationship to prior or current owners. The Requestor plans to purchase the Site from the current owners. As the Requestor does not currently own the Site, an agreement signed by the current Site owners confirming proof of Site access is included in *Attachment G*.

Previous property owners and operators are not associated with the Requestor, and are listed below:

Table 2
Previous Property Owners/Operators

Entity Name	Years of Ownership / Operation	Status of Entity (Alive, Deceased, Active, Dissolved)	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor(s)	Owner/ Operator
Lot 1					
59-15 Holding Corp. (20% interest) and 35 Realty Holding Corp. (80% interest)	2007-Present	Active	4600 Metropolitan Avenue Ridgewood, NY 11385 (718) 381-9090	None	Owner
Aalba Auto Salvage, Inc. and Tire Wheel and Glass Depot	2007-Present	Active	1908 Flushing Avenue Ridgewood, NY 11385 (718) 417-6777	None	Operator
LoGrande Family LLC	2002-2007	Active	47-17 Kissena Boulevard Flushing, NY 11385 Phone number unknown	None	Owner/Operator
Maria P. LoGrande	Unknown to 2002	Unknown	16 Oakmont Avenue Seldon, NY Phone number unknown	None	Owner/Operator
Unknown (Prior to Maria P. LoGrande)	Unknown	Unknown	Unknown	Unknown	Owner/Operator

Lot 7					
59-15 Holding Corp. (20% interest) and 35 Realty Holding Corp. (80% interest)	2007-Present	Active	4600 Metropolitan Avenue Ridgewood, NY 11385	None	Owner
Aalba Auto Salvage, Inc. and Tire Wheel and Glass Depot	2007-Present	Active	1908 Flushing Avenue Ridgewood, NY 11385 (718) 417-6777	None	Operator
LoGrande Family LLC	2002-2007	Active	47-17 Kissena Boulevard Flushing, NY 11385 Phone number unknown	None	Owner/Operator
Maria LoGrande	Unknown to 2002	Unknown	Unknown	None	Owner
Grand Automobile wrecking Corp. (Part of Lot 7)	1971-2002	Dissolved	47-17 Kissena Boulevard Flushing, NY 11385 Phone number unknown	None	Owner/Operator
Frank M. LoGrande and Maria LoGrande	Unknown to 1971	Unknown	47-17 Kissena Boulevard Flushing, NY 11385 Phone number unknown	None	Owner/Operator

Section VII. – Requestor Eligibility Information

Volunteer Status

The Requestor is a Volunteer in accordance with ECL §27-1407 and 6 NYCRR §375-3.2.

In addition to the information provided in Section VII of the BCP Application, the Requestor does not have prior ownership interest in the Site and no relationship to any past Site owner or operator. The Requestor is a prospective developer/owner of the Site. The Requestor has obtained an access agreement from the current Site owner to investigate and remediate the Site in conjunction with redevelopment.

The Requestor has performed all appropriate inquiry prior to acquiring the Site, i.e., they retained a qualified environmental consultant to conduct a Subsurface (Phase II) Investigation and Supplemental Subsurface (Phase II) at the Site, and are voluntarily applying to be accepted into the New York State Brownfield Cleanup Program to undertake all required investigation and remediation of the Site prior to and/or concurrent with its redevelopment. The BCP Pre-Application meeting was held on September 7, 2018. The Requestor will take possession of the Site on May 15, 2019.

Accordingly, upon entry into the BCP the Requestor will take reasonable steps to (i) stop any continuing release; (ii) prevent any threatened future release; and (iii) prevent or limit human, environmental, or natural resource exposure to any previously released contamination. For all of the above reasons, the Requestors meet all statutory and regulatory requirements for entry into the BCP as Volunteers.

Proof of Access

An access agreement to implement the Remedial Investigation and remediation under the BCP between the

Requestor and the current Site owner is included in *Attachment G*.

Section IX. – Contact List Information

1. Local, State, and Federal Officials

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street, Room 517 New York, NY 10007
Hon. Letitia James Public Advocate 1 Centre Street, 15 th Floor North New York, NY 10007	Melinda Katz Queens Borough President Queens Borough Hall 120-55 Queens Boulevard Kew Gardens, NY 11424
Catherine Nolan State Assembly District 37 47-40 21 st Street, Room 810 Long Island City, NY 11101	Antonio Reynoso City Council District 34 244 Union Avenue Brooklyn, NY 11206
Commissioner NYC Department of City Planning 120 Broadway, 31 st Floor New York, NY 10271	NYC Department of City Planning Queens Borough Office 120-55 Queens Blvd., Room 201 Kew Gardens, NY 11424
Hon. Charles Schumer U.S. Senate 780 Third Avenue, Suite 2301 New York, NY 10017	Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, NY 10017
Rep. Nydia M. Velazquez 266 Broadway, Suite 201 Brooklyn, NY 11211	Hon. Governor Andrew M. Cuomo NYS State Capitol Building Albany, NY 12224
Mark McIntyre, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038	Mark Chambers, Director Mayor's Office of Sustainability 253 Broadway, 14 th Floor New York, NY 10007
Julie Stein Bureau of Environmental Planning and Assessment, 11 th Floor NYCDEP 59-17 Junction Boulevard Flushing, NY 11373	Hon. Audrey I. Pheffer Queens County Clerk 88-11 Sutphin Boulevard, Room 106 Jamaica, NY 11435
Vincent Sapienza Commissioner, NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373	Michael Gianaris New York State Senator, 12 th District 31-19 Newtown Avenue, Suite 402 Astoria, NY 11102
Gary Giordano District Manager, Queens Community Board 5 61-23 Myrtle Avenue Glendale, NY 11385	Vincent Arcuri, Jr. Chairperson, Queens Community Board 5 61-23 Myrtle Avenue Glendale, NY 11385

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site, Block 3376, Lots 1 and 7, is currently owned by 59-15 Holding Corp. and 35 Realty Holding Corp., located at 4600 Metropolitan Avenue, Ridgewood, NY 11385. A list of adjacent properties and owners/occupants is provided below:

Adjacent to the North:

Block 3376, Lot 15

Tri-Boro Shelving & Partition (Current Owner/Occupant)
19-40 Flushing Avenue
Flushing, NY 11385

Adjacent to the East:

Block 3377, Lot 3

Anmarco Corp. (Current Owner/Occupant)
19-20 Troutman Street
Flushing, NY 11385

Block 3377, Lot 1

Carlos Delgado Garcia (Current Owner)
175 Woodward Avenue
Flushing, NY 11385

Grand Auto Collision Inc. (Occupant)
175 Woodward Avenue
Flushing, NY 11385

Adjacent to the South:

Block 3395, Lot 16

SL Woodward Holdings LLC (Current Owner)
1881 Starr Street
Flushing, NY 11385

Block 3394, Lot 42

172 Woodward Ave., Corp. (Current Owner)
172 Woodward Avenue
Flushing, NY 11385

Rodriguez Deli Grocery (Occupant)
172 Woodward Avenue
Flushing, NY 11385

Block 3394, Lot 41

Elizabeth Torres (Current Owner)
162 Woodward Avenue
Flushing, NY 11385

Block 3394, Lot 40

Mirsad Cekic (Current Owner/Operator)
160 Woodward Avenue
Flushing, NY 11385

Block 3394, Lot 39

Deownarine Bhairo (Current Owner)
158 Woodward Avenue
Flushing, NY 11385

Current Occupant

158 Woodward Avenue
Flushing, NY 11385

Block 3394, Lot 38

Dragan Pantic (Current Owner)
156 Woodward Avenue
Flushing, NY 11385

Current Occupant

156 Woodward Avenue
Flushing, NY 11385

Block 3394, Lot 37

154 Woodward LLC (Current Owner)
154 Woodward Avenue
Flushing, NY 11385

Current Occupant

154 Woodward Avenue
Flushing, NY 11385

Block 3394, Lot 33

Flushing Realty Holding Corp. Partition (Current Owner)
1884 Flushing Avenue
Flushing, NY 11385

Sunoco Gas Station (Current Occupant)

1884 Flushing Avenue
Flushing, NY 11385

Adjacent to the West:

Block 3393, Lot 62

Willowen Management Corp. (Current Owner)
24 Woodward Avenue
Flushing, NY 11385

GW Manufacturing

24 Woodward Avenue
Flushing, NY 11385

Block 3375, Lot 89
 1907 Realty LLC (Current Owner)
 1907 Flushing Avenue
 Flushing, NY 11385

Ecua Tire Shop (Current Occupant)
 1907 Flushing Avenue
 Flushing, NY 11385

Block 3375, Lot 88
 1907 Realty LLC (Current Owner)
 1905 Flushing Avenue
 Flushing, NY 11385

D Deli Coffee Shop (Occupant)
 1905 Flushing Avenue
 Flushing, NY 11385

Block 3375, Lot 87
 MP2, LLC (Current Owner)
 1925 Flushing Avenue
 Flushing, NY 11385

Current Occupant
 1925 Flushing Avenue
 Flushing, NY 11385

3. Local News Media

New York Post 1211 Avenue of the Americas New York, NY 10036	New York Daily News 4 New York Plaza New York, NY 10004
New York 1 News 75 Ninth Avenue New York, NY 10011	The Queens Tribune 31-00 47 th Avenue, 3100B Long Island City, NY 11101
Times Ledger 41-02 Bell Boulevard, 2 nd Floor Bayside, NY 11361	Hoy 97-77 Queens Boulevard, Suite 800 Rego Park, NY 11374
Queens Chronicle 71-19 80 th Street, Suite 8-201 Glendale, NY 11385	

4. Public Water Supply

Public water is provided by the NYC Department of Environmental Protection (NYCDEP) Bureau of Environmental Planning and Analysis, 59-17 Junction Boulevard, 11th Floor, Flushing, New York 11373.

5. Additional Contacts

None

6. Nearby School and Day Care Centers

Daycares:

There are no daycare centers within 3,000 feet of the Site.

Schools:

Willoughby Junior High 162
1390 Willoughby Avenue
Brooklyn, NY 11237
Amanda Lazerson, Principal
(718) 821-4860
1,900 feet south of the Site

7. Document Repositories

Queens Library at Ridgewood
20-12 Madison Street
Ridgewood, NY 11385
(718) 821-4770

Gary Giordano
District Manager, Queens Community Board 5
61-23 Myrtle Avenue
Glendale, NY 11385
(718) 366-1834

Vincent Arcuri, Jr.
Chairperson, Queens Community Board 5
61-23 Myrtle Avenue
Glendale, NY 11385
(718) 366-1834

Letters signed by representatives of the designated document repositories are included in *Attachment H*.

8. Local Community Board

Gary Giordano
District Manager, Queens Community Board 5
61-23 Myrtle Avenue
Glendale, NY 11385
(718) 366-1834

Vincent Arcuri, Jr.
Chairperson, Queens Community Board 5
61-23 Myrtle Avenue
Glendale, NY 11385
(718) 366-1834

Section X. – Land Use Factors

1. Zoning

The Site is currently zoned as M1-1 (manufacturing). The proposed redevelopment will comply with the current zoning (M1-1), which allows for industrial and/or commercial uses. The zoning analysis showing compliance with the current zoning is included in *Attachment E*.

2. Current Site Use

The Site consists of two lots on an approximately 1.0 acre parcel. The Site is currently used as an automobile maintenance, wrecking, and salvage yard operated by Aalba Auto Salvage, Inc. and Tire Wheel and Glass Depot. An Existing Land Use map is included as *Figure 4* in *Attachment B*.

3. Proposed Site Use

The proposed redevelopment plan includes demolition of the existing structures and the construction of a two-story, 62,500-square-foot commercial building with an exterior parking lot. The new building will be used as an animal shelter and care center.

6. Community Master Plans, Local Waterfront Revitalization Plans, and/or Adopted Land Use Plans

The proposed redevelopment plan is consistent with existing zoning and land use patterns in the surrounding area, and there are no existing neighborhood plans or policies in affect that include the proposed redevelopment site. The neighborhood represented by Queens Community Board No. 5, where the proposed redevelopment site is located, currently has a number of capital projects; however, the proposed redevelopment site would not contradict or interrupt any of those projects.

ATTACHMENT A

NYS Department of State's Corporation and Business Entity Database Information

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through November 7, 2018.

Selected Entity Name: ANIMAL CARE AND CONTROL OF NEW YORK CITY, INC.

Selected Entity Status Information

Current Entity Name: ANIMAL CARE AND CONTROL OF NEW YORK CITY, INC.

DOS ID #: 1846490

Initial DOS Filing Date: AUGUST 23, 1994

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC NOT-FOR-PROFIT CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

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

ANIMAL CARE AND CONTROL OF NEW YORK CITY, INC.

ATTN EXECUTIVE DIRECTOR

11 PARK PLACE SUITE 805

NEW YORK, NEW YORK, 10007

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, 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
JUL 27, 2004	Actual	ANIMAL CARE AND CONTROL OF NEW YORK CITY, INC.
AUG 23, 1994	Actual	THE CENTER FOR ANIMAL CARE AND CONTROL, INC.

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.

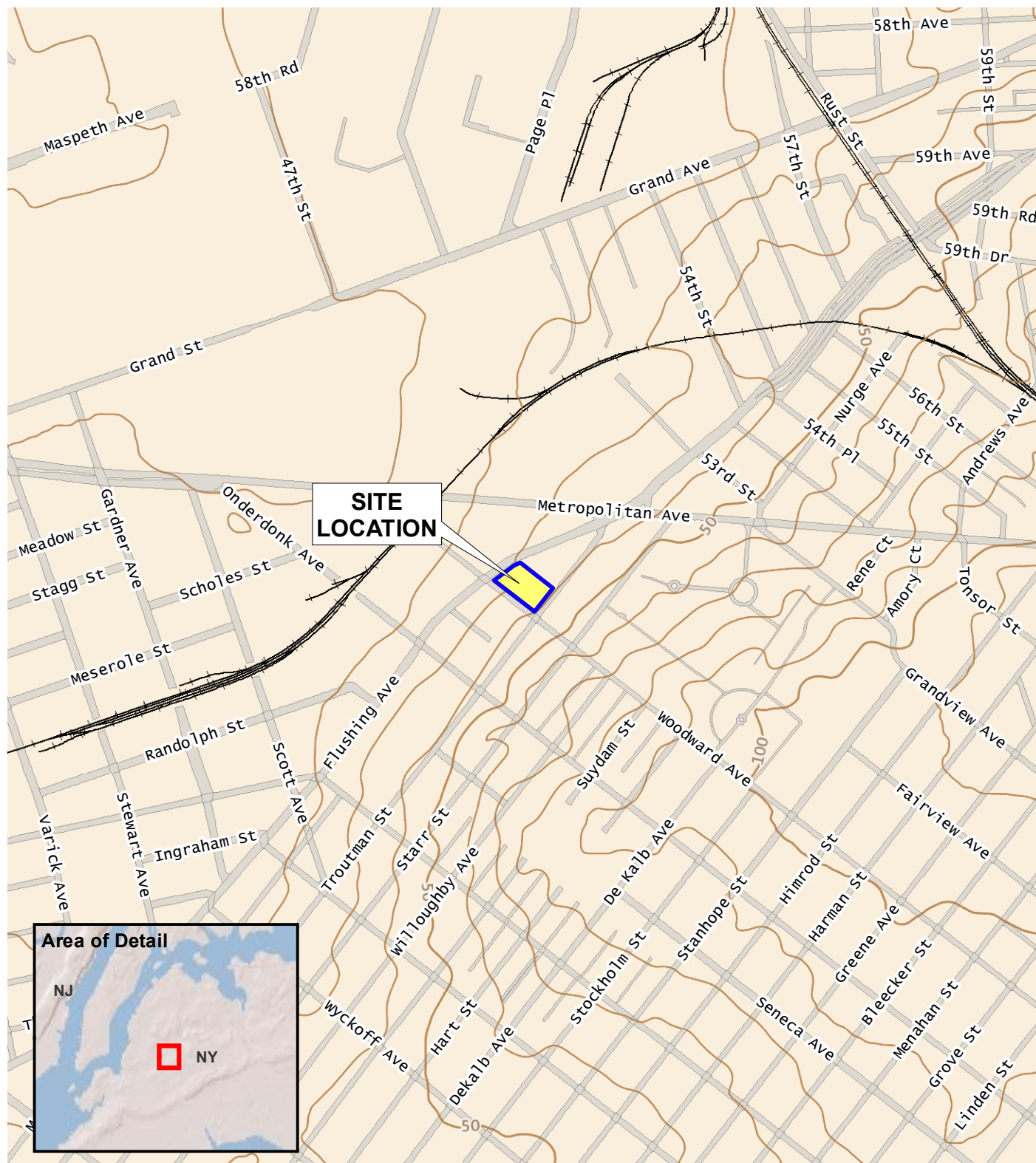
[Search Results](#) [New Search](#)

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

ATTACHMENT B

Figures

© 2018 AKRF. W:\Projects\180291 - QUEENS ANIMAL SHELTER\Technical\GIS and Graphics\Hazmat\180291_Fig 1 site loc map.mxd 11/16/2018 10:38:09 AM. dcolombini



0 800 1,600
SCALE IN FEET



440 Park Avenue South, New York, NY 10016

Queens Animal Shelter
151 Woodward Avenue
Queens, New York

SITE LOCATION

DATE

9/3/2018

PROJECT NO.

180291

FIGURE



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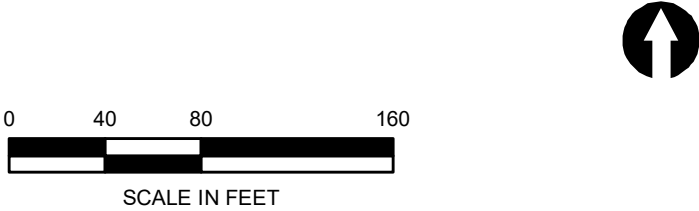
©2018 AKRF W:\Projects\180291 - QUEENS ANIMAL SHELTER\Technical\GIS and Graphics\Hazmat\1180291_Fig 2 Site Plan BCP.mxd 11/16/2018 11:51:50 AM dcolombini



Aerial Source:
2016 New York Statewide Digital Orthoimagery

LEGEND

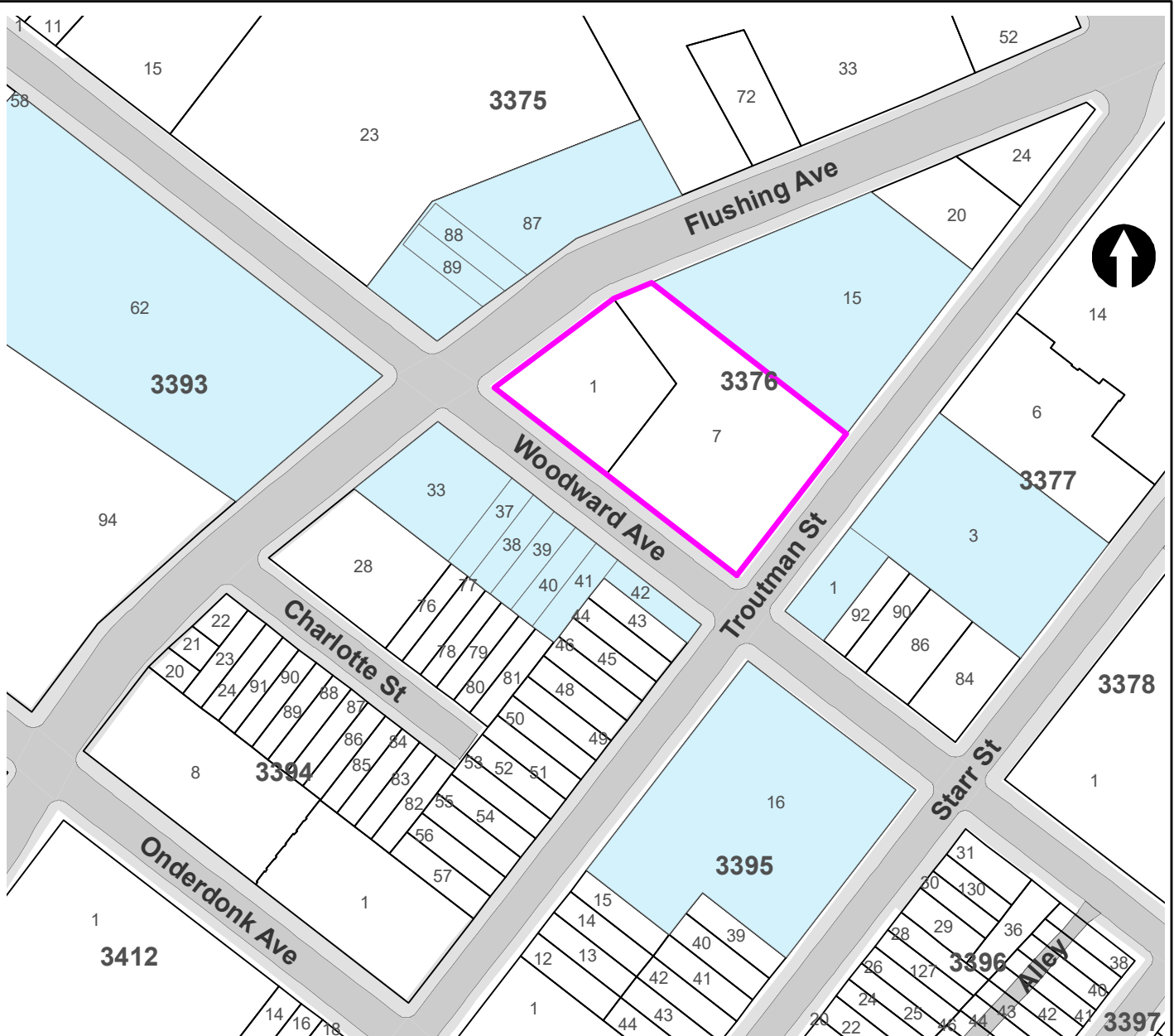
-  PROJECT SITE BOUNDARY
-  LOT BOUNDARY AND TAX LOT NUMBER
- 3376** BLOCK NUMBER



Queens Animal Shelter
151 Woodward Avenue
Queens, New York

SITE PLAN

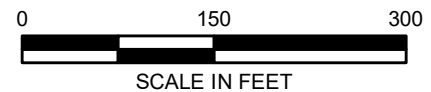
DATE
11/16/2018
PROJECT NO.
80619.78
Figure
2



Adjacent Property Owners		
Block	Lot	Owner Name
3376	15	Tri-Boro Shelving & Partition Corp.
3377	3	Anmarco Corp.
3377	1	Carlos Delgado Garcia
3395	16	SL Woodward Holdings LLC
3394	42	172 Woodward Ave., Corp.
3394	41	Elizabeth Torres
3394	40	Mirsad Cekic
3394	39	Deownarine Bhairo
3394	38	Dragan Pancic
3394	37	154 Woodward LLC
3394	33	Flushing Realty Holding Corp.
3393	62	Willowen Management Corp.
3375	87	MP2, LLC
3375	89	1907 Realty LLC
3375	88	1907 Realty LLC

LEGEND

- PROJECT SITE BOUNDARY
- ADJACENT PROPERTY OWNERS
- 7 LOT BOUNDARY AND TAX LOT NUMBER
- 3376** BLOCK NUMBER



Map Source:
NYCDCP (NYC Dept. of City Planning) GIS database



440 Park Avenue South, New York, NY 10016

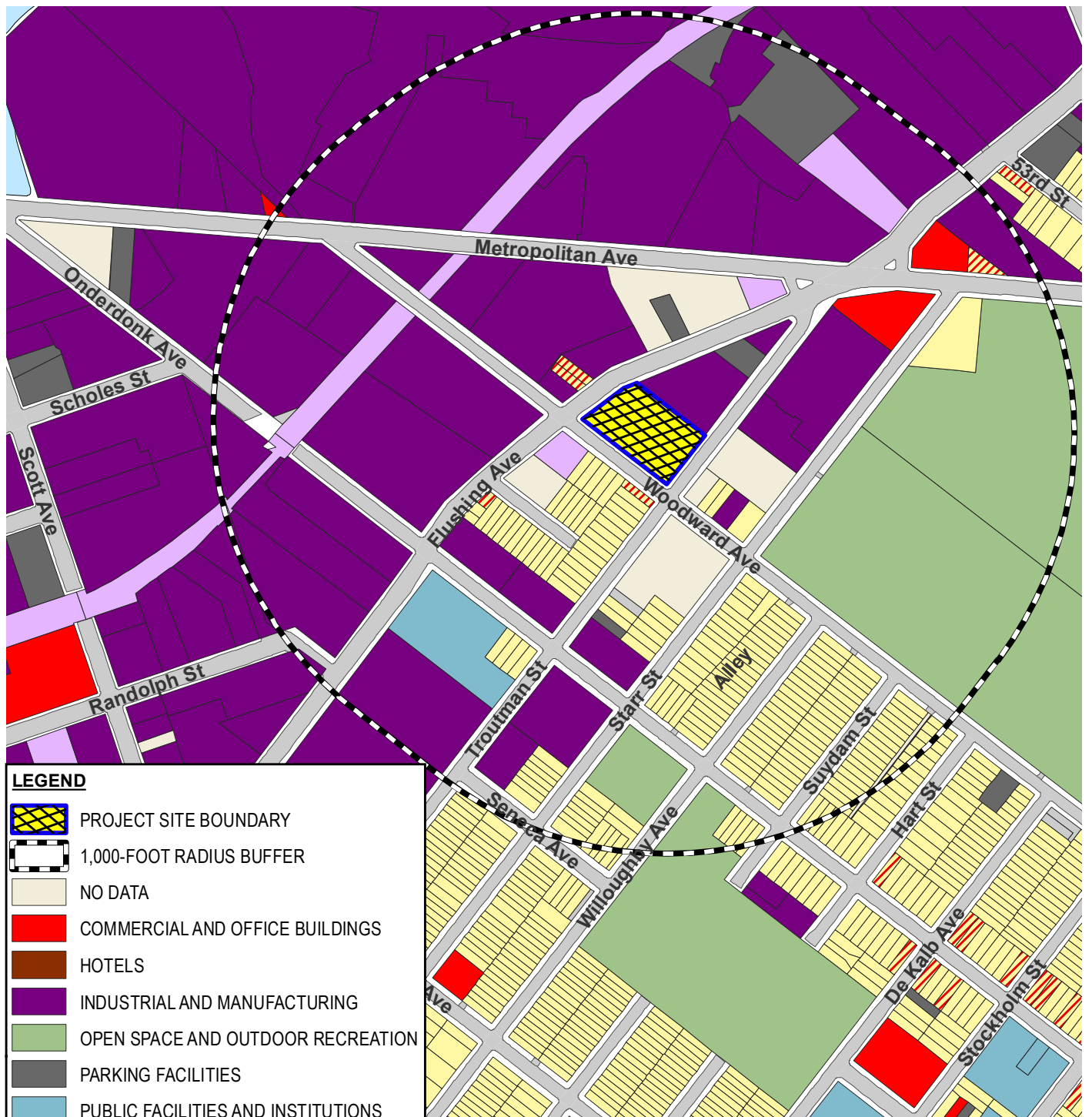
Queens Animal Shelter
151 Woodward Avenue
Queens, New York

TAX MAP

DATE
11/16/2018

PROJECT NO.
180291

FIGURE
3



LEGEND

-  PROJECT SITE BOUNDARY
-  1,000-FOOT RADIUS BUFFER
-  NO DATA
-  COMMERCIAL AND OFFICE BUILDINGS
-  HOTELS
-  INDUSTRIAL AND MANUFACTURING
-  OPEN SPACE AND OUTDOOR RECREATION
-  PARKING FACILITIES
-  PUBLIC FACILITIES AND INSTITUTIONS
-  RESIDENTIAL
-  RESIDENTIAL WITH COMMERCIAL BELOW
-  TRANSPORTATION AND UTILITY
-  VACANT LAND
-  VACANT BUILDING
-  UNDER CONSTRUCTION

Map Source:
NYCDP (NYC Dept. of City Planning) GIS database



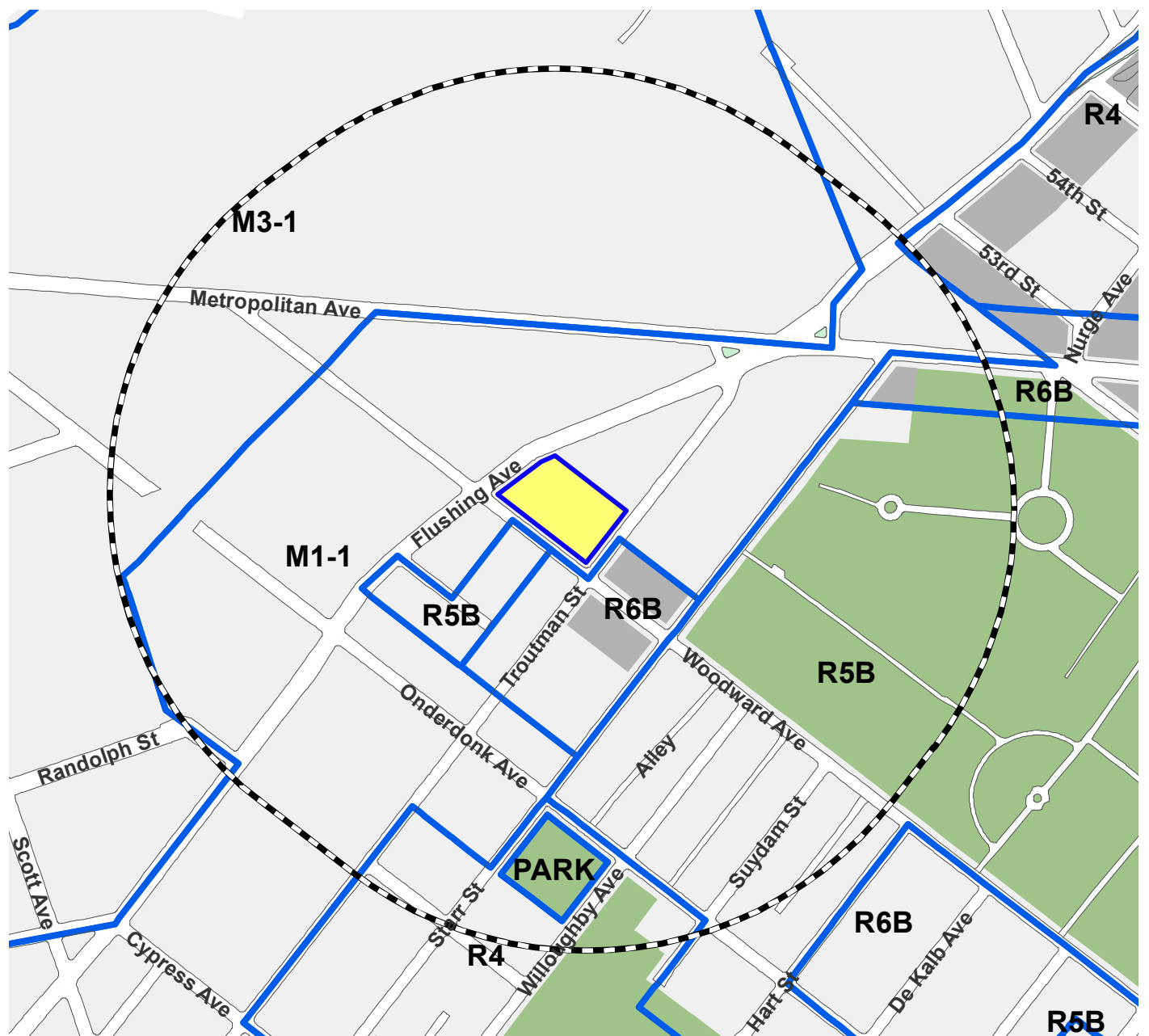
440 Park Avenue South, New York, NY 10016

Queens Animal Shelter
151 Woodward Avenue
Queens, New York

EXISTING LAND USE






DATE 11/16/2018
PROJECT NO. 180291
FIGURE 4

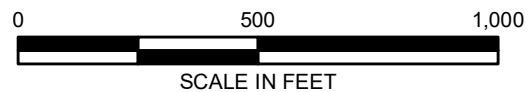
© 2018 AKRF. W:\Projects\180291 - QUEENS ANIMAL SHELTER\Technical\GIS and Graphics\Hazmat\180291_Fig 5 Zoning Map.BCP.mxd 11/16/2018 10:43:09 AM dcolombini



Source:
NYC Department of City Planning, Technical Review Division

LEGEND

-  PROJECT SITE BOUNDARY
-  1,000-FOOT RADIUS BUFFER
-  ZONING DISTRICTS
-  COMMERCIAL OVERLAY DISTRICTS
-  NYC OPEN SPACE



440 Park Avenue South, New York, NY 10016

Queens Animal Shelter
151 Woodward Avenue
Queens, New York

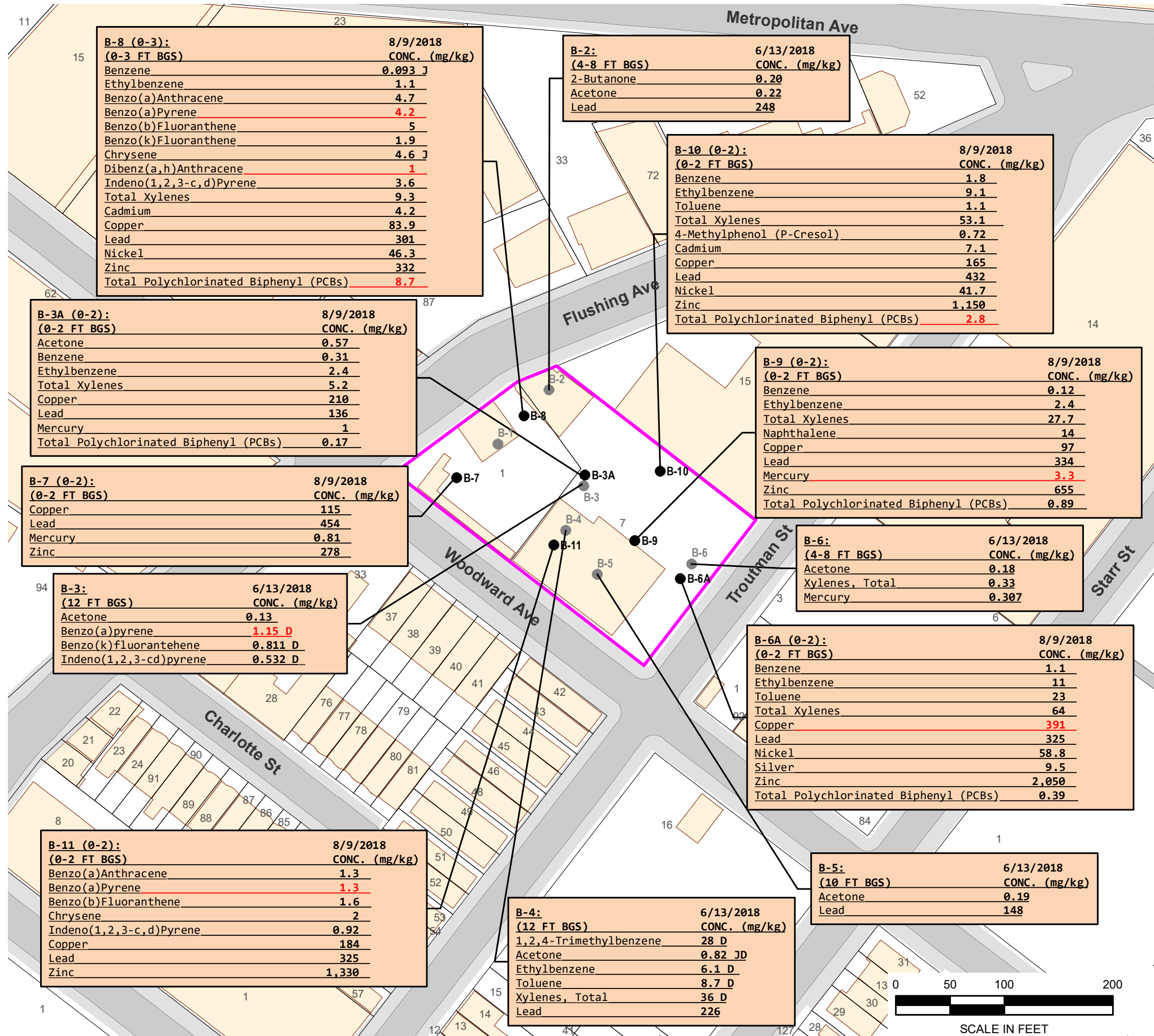
ZONING MAP

DATE
11/16/2018

PROJECT NO.
180291

FIGURE
5

© 2018 AKRF W:\Projects\180291 - QUEENS ANIMAL SHELTER\Technical\GIS and Graphics\Hazmat\Fig6 - SoilExceedancesBCP.mxd 11/16/2018 11:17:53 AM dcolombini



Map Source:
NYC DCP (NYC Dept. of City Planning) GIS database

LEGEND

- PROJECT SITE BOUNDARY
- SOIL BORING LOCATION
- PREVIOUS SOIL BORING (ENVIRONMENTAL CONSULTANTS CORPORATION - JUNE 2018)
- LOT BOUNDARY AND TAX LOT NUMBER
- BUILDING

	Part 375 Unrestricted Use (mg/kg)	Part 375 Commercial (mg/kg)
Volatile Organic Compounds		
1,2,4-Trimethylbenzene	3.6	190
Acetone	0.05	500
Benzene	0.06	44
Ethylbenzene	1	390
Toluene	0.7	500
Total Xylenes	0.26	500
Semivolatile Organic Compounds		
4-Methylphenol (P-Cresol)	0.33	500
Benzo(a)Anthracene	1	5.6
Benzo(a)Pyrene	1	1
Benzo(b)Fluoranthene	1	5.6
Benzo(k)Fluoranthene	0.8	56
Chrysene	1	56
Dibenz(a,h)Anthracene	0.33	0.56
Indeno(1,2,3-c,d)Pyrene	0.5	5.6
Naphthalene	12	500
Metals		
Cadmium	2.5	9.3
Copper	50	270
Lead	63	1,000
Mercury	0.18	2.8
Nickel	30	310
Silver	2	1,500
Zinc	109	10,000
PCBs		
Total Polychlorinated Biphenyl (PCBs)	0.1	1

SOIL

Part 375 Soil Cleanup Objectives:
Soil Clean-up Objectives listed in NYSDEC
(New York State Department of Environmental Conservation)
"Part 375" Regulations (6 NYCRR Part 375).

Exceedances of USCOs are highlighted in bold font.
Exceedances of USCOs and CSCOs are in red font.

mg/kg: milligrams per kilogram = parts per million (ppm)

J: The concentration given is an estimated value.
D: Analyte concentration obtained from dilution.

Sample ID	Sample Date	Concentration
B-10 (0-2): (0-2 FT BGS)	8/9/2018	CONC. (mg/kg)
Benzene		1.8
Ethylbenzene		9.1
Toluene		1.1
Total Xylenes		53.1
4-Methylphenol (P-Cresol)		0.72
Cadmium		7.1
Copper		165
Lead		432
Nickel		41.7
Zinc		1,150
Total Polychlorinated Biphenyl (PCBs)		2.8



440 Park Avenue South, New York, NY 10016

Queens Animal Shelter
151 Woodward Avenue
Queens, New York

SOIL SAMPLE CONCENTRATIONS ABOVE NYSDEC UUSCOs and/or CSCOs

DATE

11/16/2018

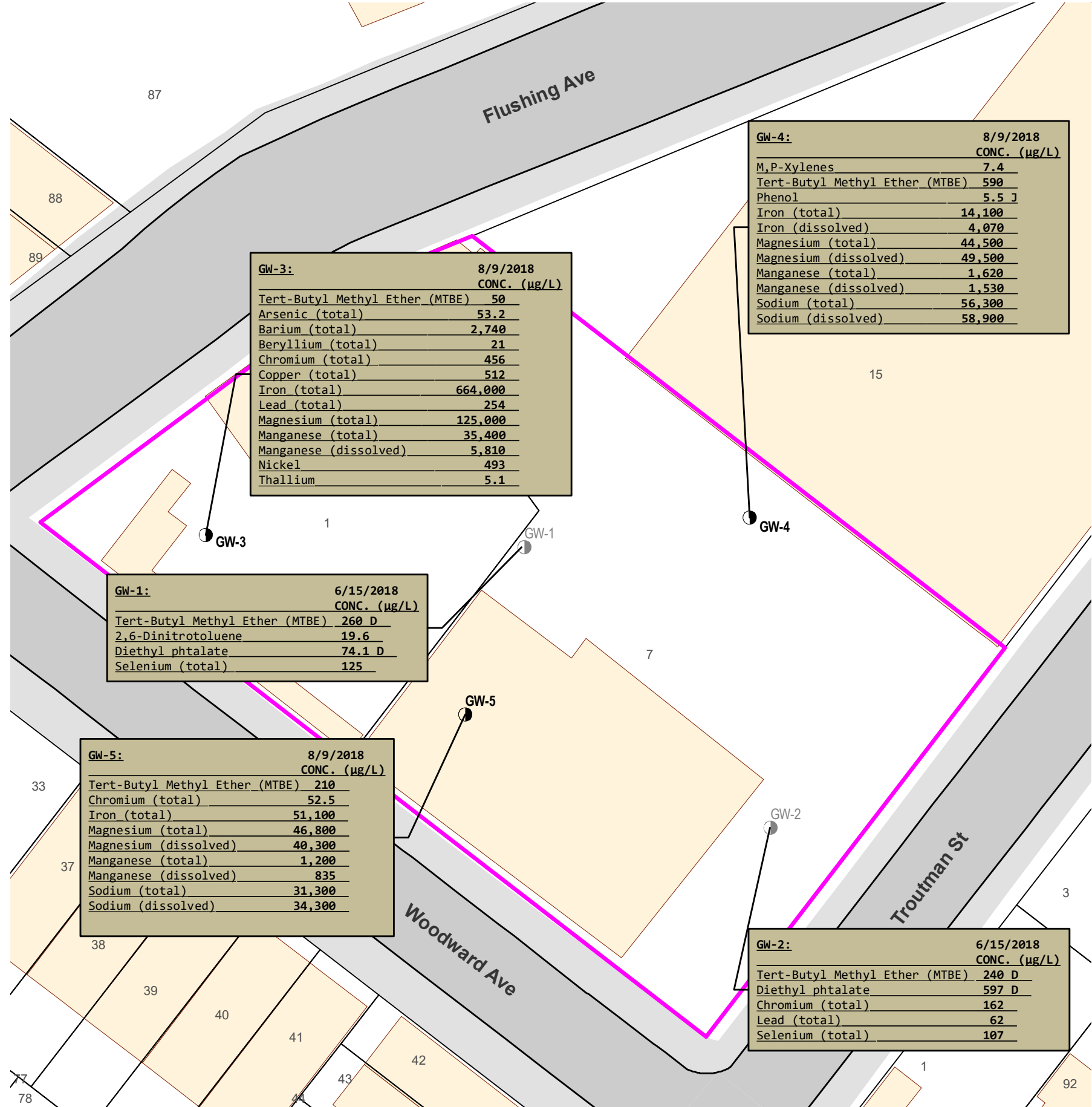
PROJECT NO.

180291

FIGURE

6

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Map Source:
NYC DCP (NYC Dept. of City Planning) GIS database

LEGEND

- PROJECT SITE BOUNDARY
- PREVIOUS GROUNDWATER SAMPLE (ENVIRONMENTAL CONSULTANTS CORPORATION - JUNE 2018)
- GROUNDWATER SAMPLE LOCATION
- LOT BOUNDARY AND TAX LOT
- BUILDING

NYSDEC TOGS Class GA AWQS (µg/L)

Metals	
Arsenic	25
Barium	1,000
Beryllium	3
Chromium, Total	50
Copper	200
Iron	300
Lead	25
Magnesium	35,000
Manganese	300
Nickel	100
Selenium	10
Sodium	20,000
Thallium	0.5
Semivolatile Organic Compounds	
2,6-Dinitrotoluene	5
Diethyl Phthalate	50
Phenol	1
Volatile Organic Compounds	
M,P-Xylenes	5
Tert-Butyl Methyl Ether	10

NYSDEC TOGS Class GA Ambient Water Quality Standard (AWQS):
New York State Department of Environmental Conservation (NYSDEC)
Technical and Operational Guidance Series (TOGS) (1.1.1):
Class GA Ambient Water Quality Standards and Guidance Values (AWQS)

ug/L : micrograms per Liter = parts per billion (ppb)

Exceedances of NYSDEC TOGS are shown in bold font.

J: The concentration given is an estimated value.
D : Analyte concentration obtained from dilution.

GW-3:		8/9/2018	Sample Date
		CONC. (µg/L)	
Sample ID	Tert-Butyl Methyl Ether (MTBE)	50	
	Arsenic (total)	53.2	
	Barium (total)	2,740	
	Beryllium (total)	21	
	Chromium (total)	456	
	Copper (total)	512	
	Iron (total)	664,000	
	Lead (total)	254	
	Magnesium (total)	125,000	
	Manganese (total)	35,400	
	Manganese (dissolved)	5,810	Concentration
	Nickel	493	
	Thallium	5.1	

0 20 40 80
SCALE IN FEET



440 Park Avenue South, New York, NY 10016

Queens Animal Shelter
151 Woodward Avenue
Queens, New York

GROUNDWATER SAMPLE CONCENTRATIONS ABOVE NYSDEC TOGS

DATE

11/16/2018

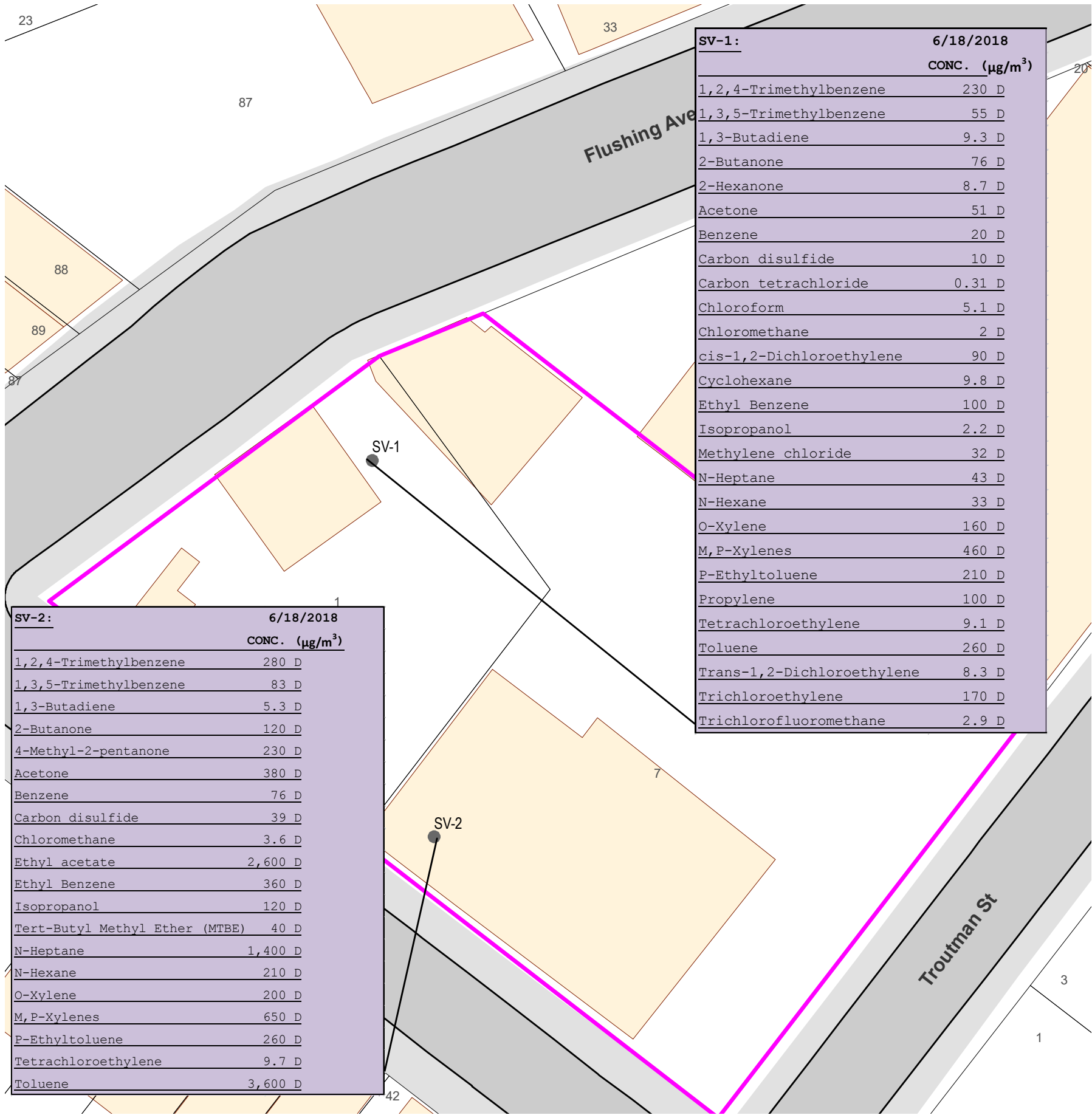
PROJECT NO.

180291

FIGURE

7

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Map Source:
NYC DCP (NYC Dept. of City Planning) GIS database

LEGEND

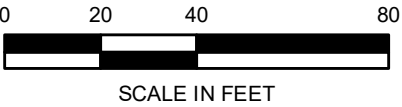
- PROJECT SITE BOUNDARY
- PREVIOUS SOIL VAPOR SAMPLE (ENVIRONMENTAL CONSULTANTS CORPORATION - JUNE 2018)
- LOT BOUNDARY AND TAX LOT NUMBER
- BUILDING

SOIL VAPOR

$\mu\text{g}/\text{m}^3$ - micrograms per cubic meter

D: Analyte concentration obtained from dilution.

SV-1:		6/18/2018
		CONC. ($\mu\text{g}/\text{m}^3$)
Sample ID	1,2,4-Trimethylbenzene	280 D
	1,3,5-Trimethylbenzene	83 D
	1,3-Butadiene	5.3 D
	2-Butanone	120 D
	4-Methyl-2-pentanone	230 D
	Acetone	380 D
	Benzene	76 D
	Carbon disulfide	39 D
	Chloromethane	3.6 D
	Ethyl acetate	2,600 D
	Ethyl Benzene	360 D
	Isopropanol	120 D
	Tert-Butyl Methyl Ether (MTBE)	40 D
	N-Heptane	1,400 D
	N-Hexane	210 D
	O-Xylene	200 D
	M,P-Xylenes	650 D
	P-Ethyltoluene	260 D
	Tetrachloroethylene	9.7 D
Analyte/Compound	Toluene	3,600 D



Queens Animal Shelter
151 Woodward Avenue
Queens, New York

AKRF
440 Park Avenue South, New York, NY 10016

SOIL VAPOR SAMPLE CONCENTRATIONS

DATE
11/16/2018
PROJECT NO.
180291
FIGURE
8

ATTACHMENT C
Site Survey Map

ARCHITECTURAL SURVEY

NOTES

ALL ELEVATIONS AND LEGAL GRADES SHOWN ON THIS SURVEY ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88 DATUM). TO CONVERT THIS DATUM TO THE QUEENS DATUM, SUBTRACT 1.62 FEET FROM EACH ELEVATION. ELEVATIONS WERE TAKEN WITH CARLSON GPS BRX6 UNIT USING GEOID12B MODEL THROUGH THE NYSNET SPATIAL REFERENCE NETWORK (CORS/REAL TIME NETWORK).

LEGAL GRADES ARE REFERRED TO THE TOP OF THE CURB AND ARE DERIVED FROM THE NEW YORK CITY SECTION MAPS.

INVERT ELEVATION ARE DERIVED FROM CITY AGENCY RECORDS WHEN NOT AVAILABLE BY FIELD SURVEY.

ONLY SEWER AND WATER UTILITIES ARE SHOWN. CONSULT WITH APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES PRIOR TO DESIGNING IMPROVEMENTS.

SUBSURFACE UTILITIES SHOWN ARE TAKEN FROM RECORDS OF GOVERNMENTAL AGENCIES AND UTILITY COMPANIES UNLESS OTHERWISE SHOWN.

COVER OR DEPTH OF UTILITIES IS NOT SHOWN AND MUST BE VERIFIED WITH PROPER AGENCIES PRIOR TO CONSTRUCTION OF PROJECT.

UNDERGROUND, OVERHEAD AND GROUND LEVEL UTILITIES ARE NOT GUARANTEED AS TO ACCURACY. EXACT LOCATION, TYPE OR USE, ACTIVE OR INACTIVE. VERIFICATION IS MANDATORY WITH MUNICIPAL AGENCIES, PUBLIC AND PRIVATE UTILITY COMPANIES PRIOR TO TAKING TITLE AND/OR DESIGN WORK. BOUNDARIES ARE NOT GUARANTEED UNLESS SO NOTED.

UNDERGROUND UTILITIES MUST BE VERIFIED AND MARKED OUT BEFORE CONSTRUCTION. ALL APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES MUST BE NOTIFIED AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION, EXCAVATION OR DEMOLITION AT OR NEAR THE PROPERTY IN ACCORDANCE WITH NYS CODE RULE 753.

ALL OPERATIONS OF UNDERGROUND FACILITIES AND ALL EXCAVATORS ARE OBLIGATED TO COMPLY WITH ARTICLE 36 OF THE GENERAL BUSINESS LAW AND WITH PROVISIONS OF INDUSTRIAL CODE PART (RULE NO. 35) BEFORE ANY EXCAVATION OR DEMOLITION IS COMMENCED. EVERY EXCAVATOR IS REQUIRED BY THESE LAWS TO GIVE ADVANCE NOTICE TO EVERY OPERATOR OF UNDERGROUND FACILITIES OF HIS INTENT TO PERFORM EXCAVATION OR DEMOLITION WORK IN THE SPECIFIED AREA.

EMPIRE STATE LAND SURVEYOR, P.C. AND FRANK GALLUZZO, PLS MAKES NO CLAIM AND DOES NOT GUARANTEE, THAT THE SEWERS SHOWN HEREON ARE PUBLIC AND THAT THE LOT OR LOTS DEPICTED ON THIS SURVEY WILL BE ABLE TO CONNECT TO SAME.

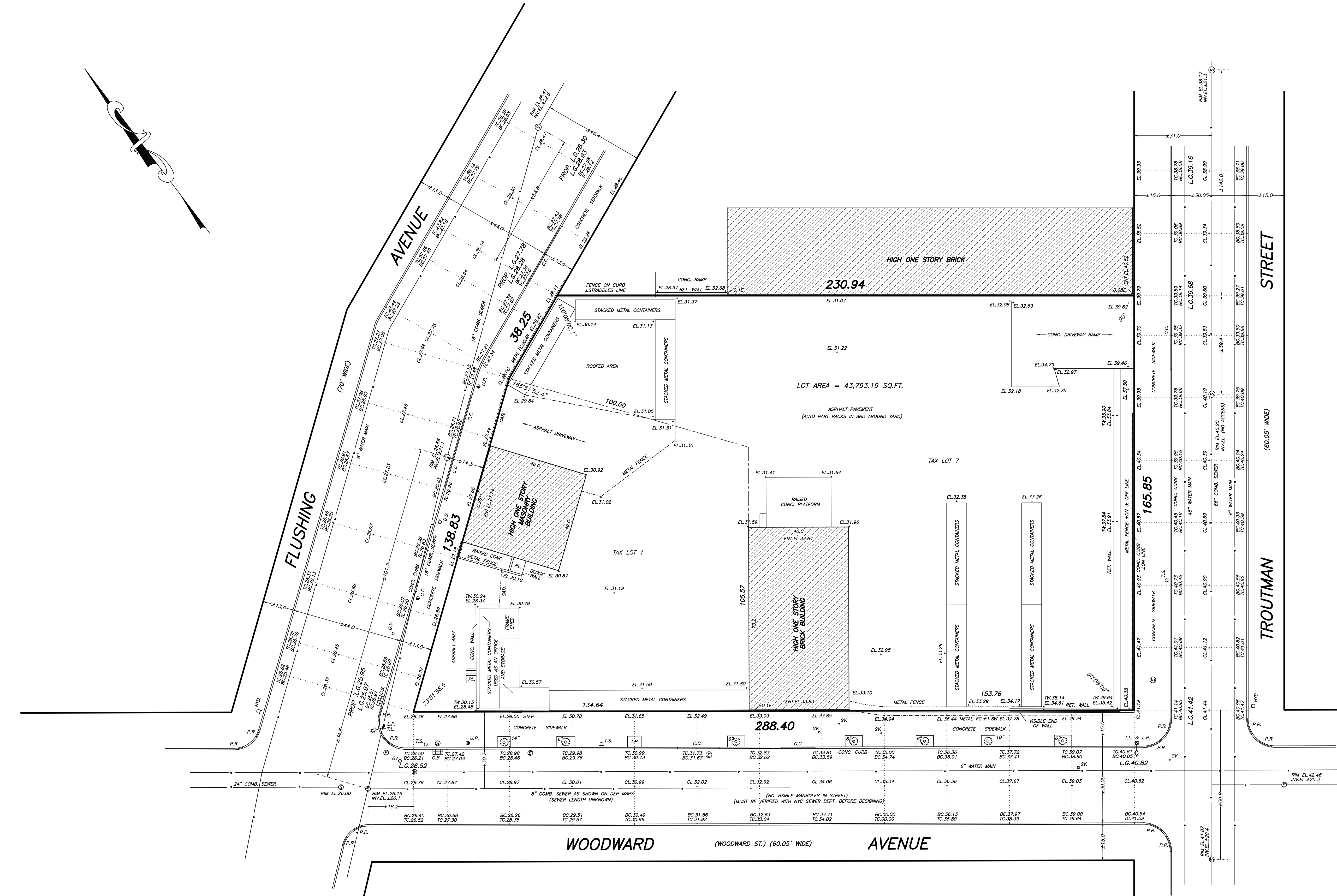
A THOROUGH INVESTIGATION BY THE OWNER, DEVELOPER AND/OR THE ARCHITECT MUST BE MADE WITH THE NEW YORK CITY SEWER DEPARTMENT ON THE FEASIBILITY TO CONNECT TO THE EXISTING SEWER LINES BEFORE PURCHASING AND/OR DESIGNING.

THIS SURVEY WAS PREPARED IN A ELECTRONIC MEDIA FORMAT, IT IS UNDERSTOOD AND AGREED THAT EMPIRE STATE LAND SURVEYOR, P.C. AND FRANK GALLUZZO, PLS UPON RELEASE OF THESE ELECTRONIC FILES NO LONGER MAINTAINS CONTROL OF ITS USE, REUSE OR MODIFICATION. ONLY THE DIMENSIONS SHOWN ON THE HARD COPY ORIGINAL RECORD SIGNED AND SEALED DOCUMENTS PREPARED BY THIS OFFICE WILL BE CERTIFIED FOR ACCURACY. THE USER OF THIS ELECTRONIC MEDIA ACCEPTS FULL RESPONSIBILITY AND LIABILITY FOR ANY CONSEQUENCES ARISING OUT OF USE OF THIS DATA.

PROPERTY LINE DIMENSIONS SHOWN ARE DERIVED FROM DEEDS AND TAX MAPS. THIS SURVEY IS SUBJECT TO ANY STATE OF FACTS THAT AN ABSTRACT OF TITLE MAY REVEAL.

THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR NATURAL WATER COURSES ON THE PROPERTY EXCEPT AS SHOWN ON THIS SURVEY.

THE USE OF ANY INFORMATION ON THIS SURVEY CONSTITUTES AN AGREEMENT TO ALL OF THE ABOVE.



LEGEND:

- TRAFFIC LIGHT
- FIRE HYDRANT
- LIGHT POLE
- CATCH BASIN
- TREE
- UTILITY POLE
- VALVES
- OVERHEAD SERVICE WIRES
- TRAFFIC SIGN
- LEGAL GRADES
- PEDESTRIAN RAMP
- TREE PIT
- CURB AND CURB CUT
- DRAIN
- BUS STOP SIGN
- TELEPHONE
- MANHOLES
- HANDICAP SPACE

UNAUTHORIZED ALTERATIONS AND/OR ADDITIONS TO THIS SURVEY BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, THE TITLE COMPANY, THE GOVERNMENTAL AGENCY AND THE LENDING INSTITUTION LISTED ON THIS SURVEY MAP. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS AND/OR SUBSEQUENT OWNERS. FENCE OFFSETS TAKEN AT FABRIC. ENCROACHMENTS OR WALLS BELOW SURFACE ARE NOT SHOWN. RIGHT OF WAYS AND/OR EASEMENTS OF RECORD NOT SHOWN ON THIS SURVEY ARE NOT CERTIFIED. OFFSETS AND DIMENSIONS HEREON ARE FOR A SPECIFIC PURPOSE AND ARE NOT TO BE USED IN THE ERECTION OF ADDITIONAL STRUCTURES, FENCES OR OTHER IMPROVEMENTS.

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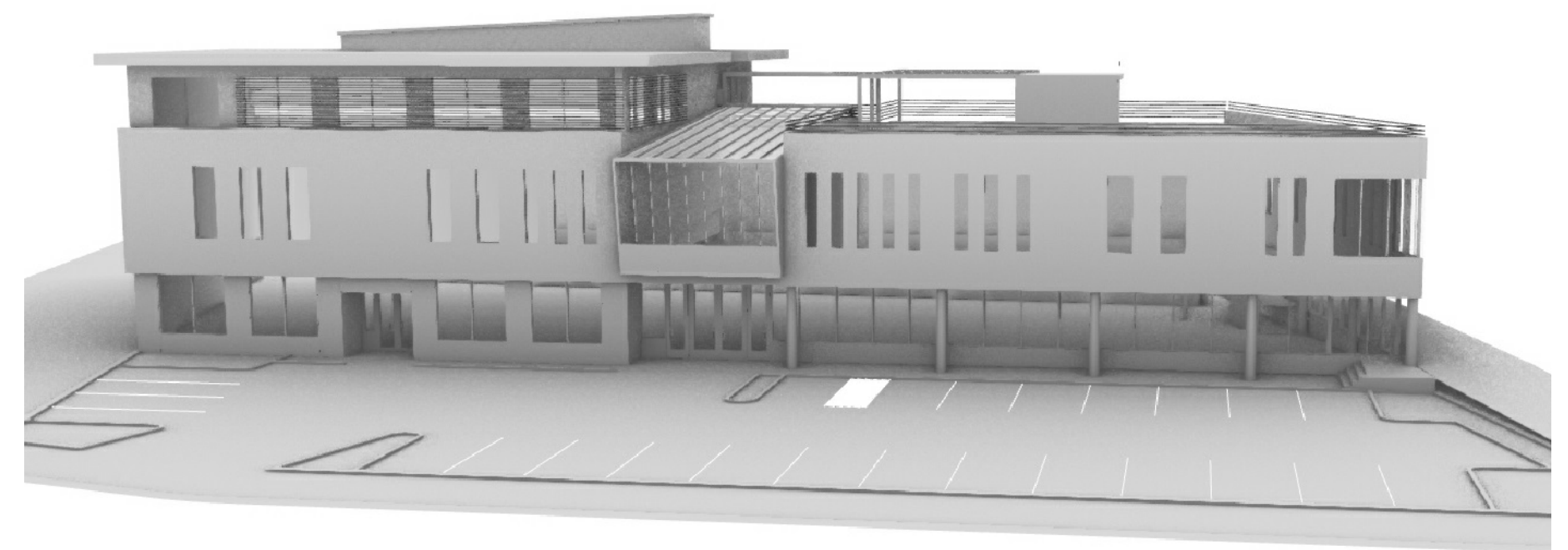
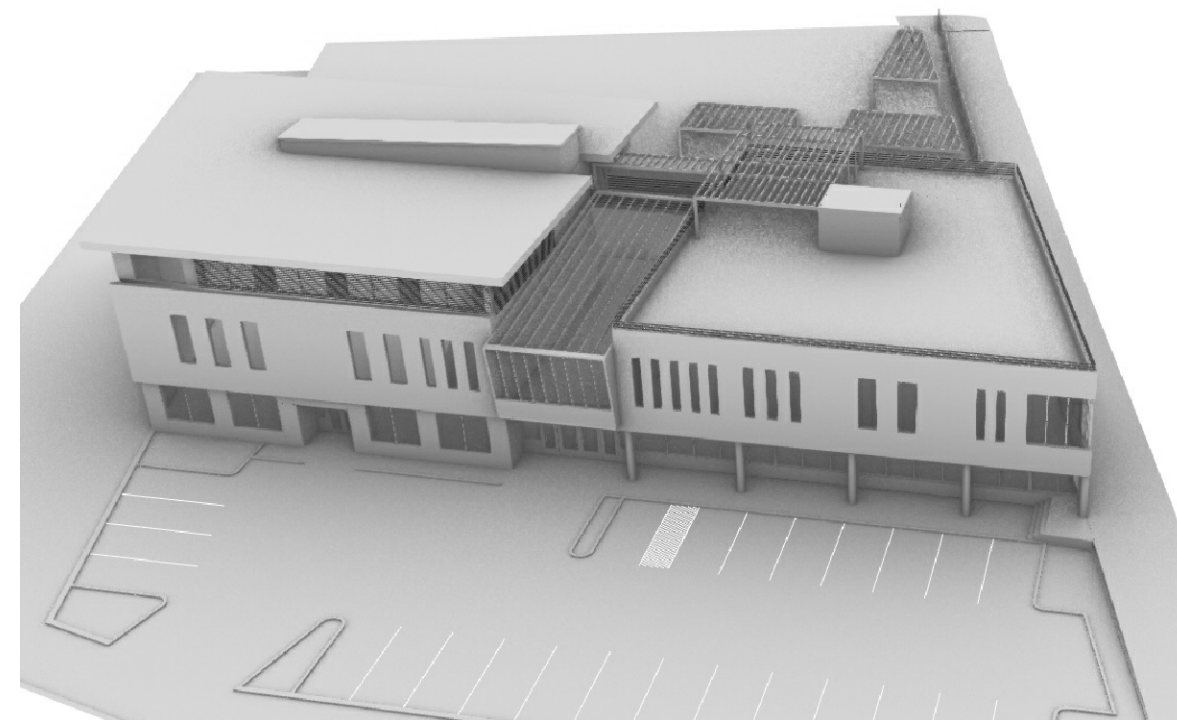
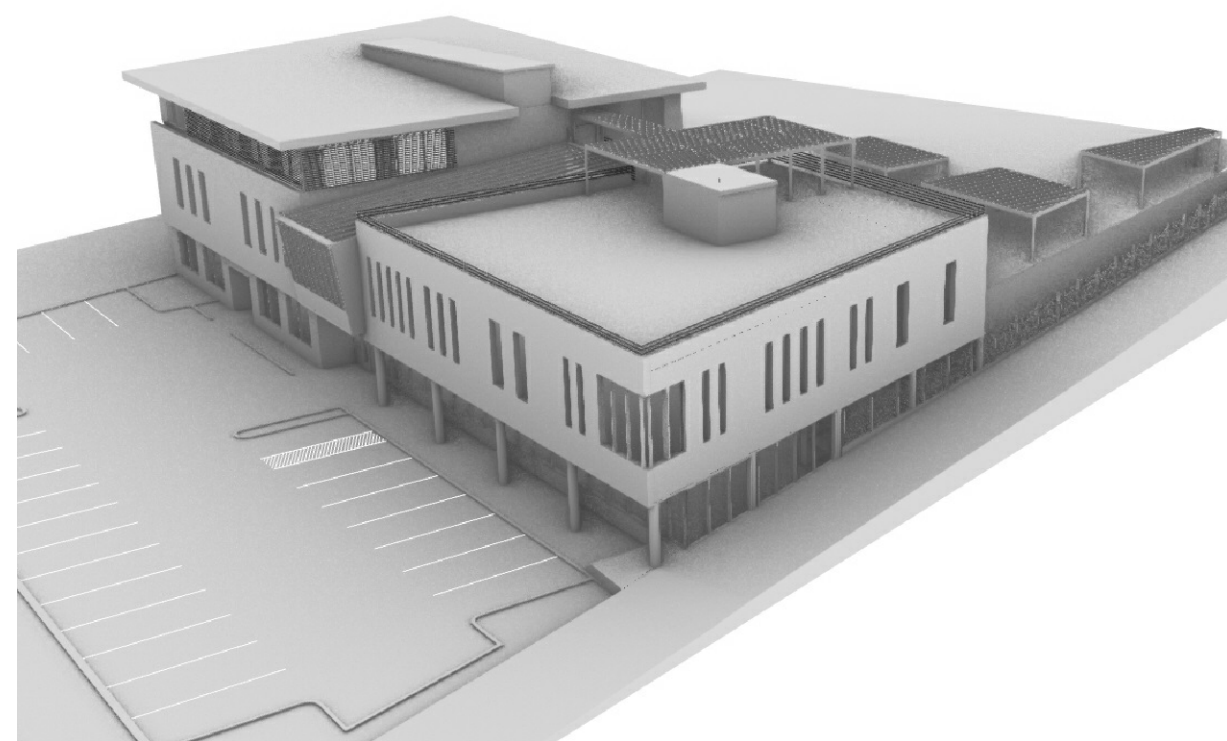
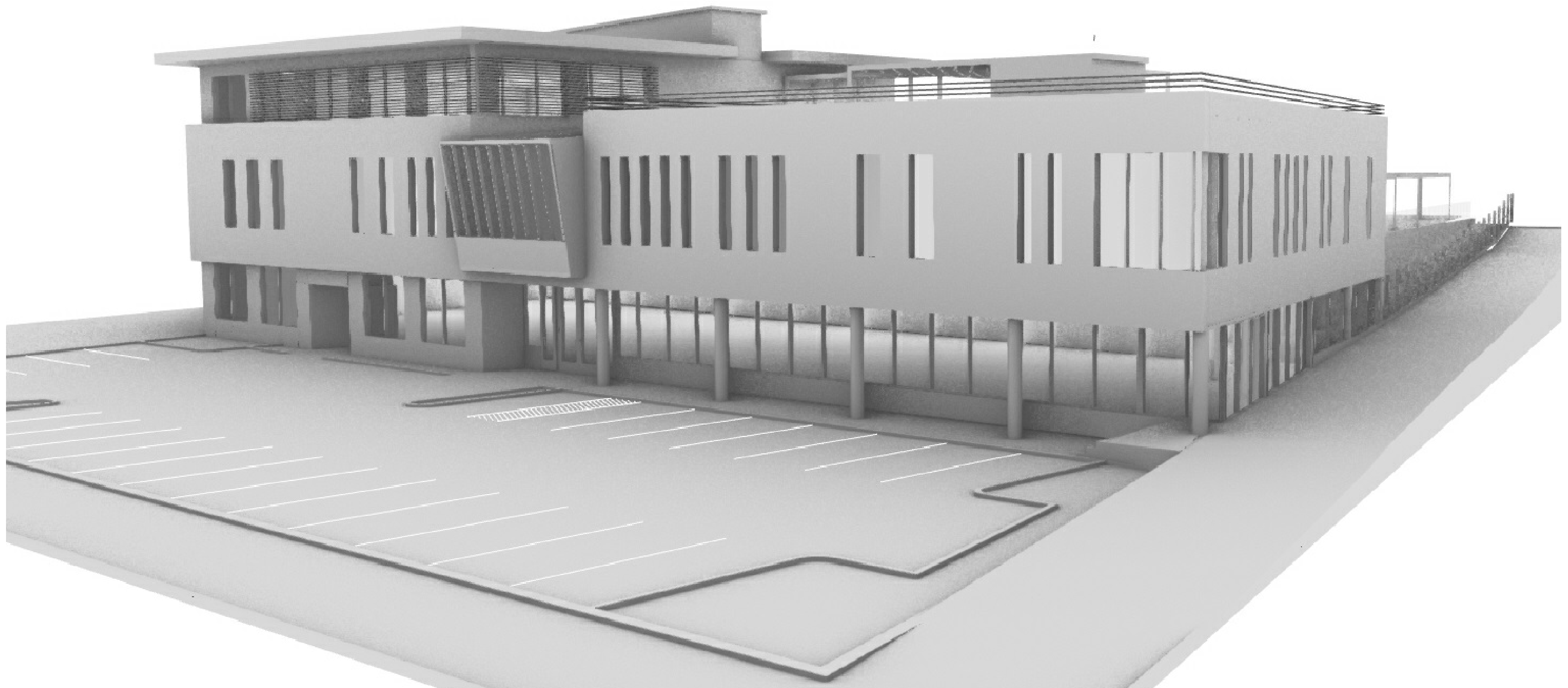


GRAPHIC SCALE 1"=20'

NO.	DATE	REVISION
		MAP OF PROPERTY SITUATED IN RIDGEWOOD QUEENS COUNTY, N.Y. TAX SECT.: 18 TAX BLOCK: 3376 TAX LOT(S): 1 & 7 Empire State Land Surveyor, P.C. Frank I. Galluzzo Professional Land Surveyor Records of Albert A. Bianco Stephen J. Reid - M. Berry Carman - G. W. Haviland Vandewater & Lapp - Robert E. Carlin - William J. Daly 1005 Glen Cove Avenue, Glen Head, NY, 11545 (516)-240-6901
	SURVEYED: MAY 4, 2018	

ATTACHMENT D
Previous Reports

ATTACHMENT E
Redevelopment Plans and Zoning Analysis



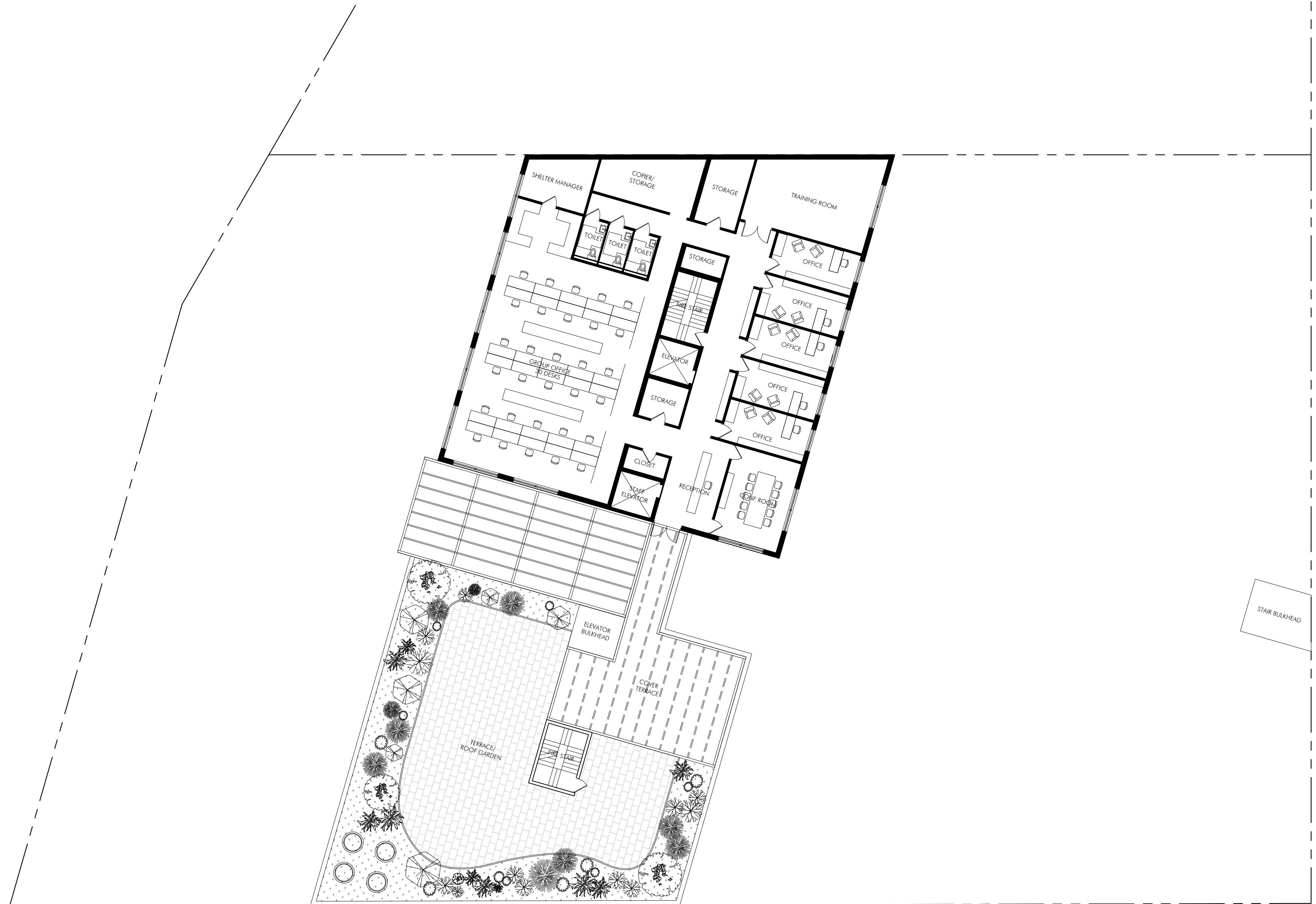
FLUSHING AVENUE

TROUTMAN STREET

WOODWARD AVENUE

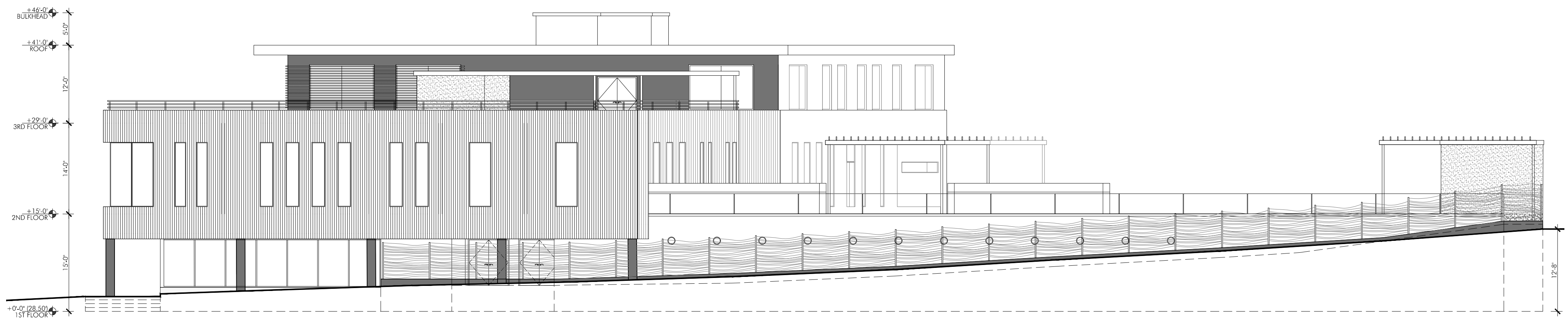




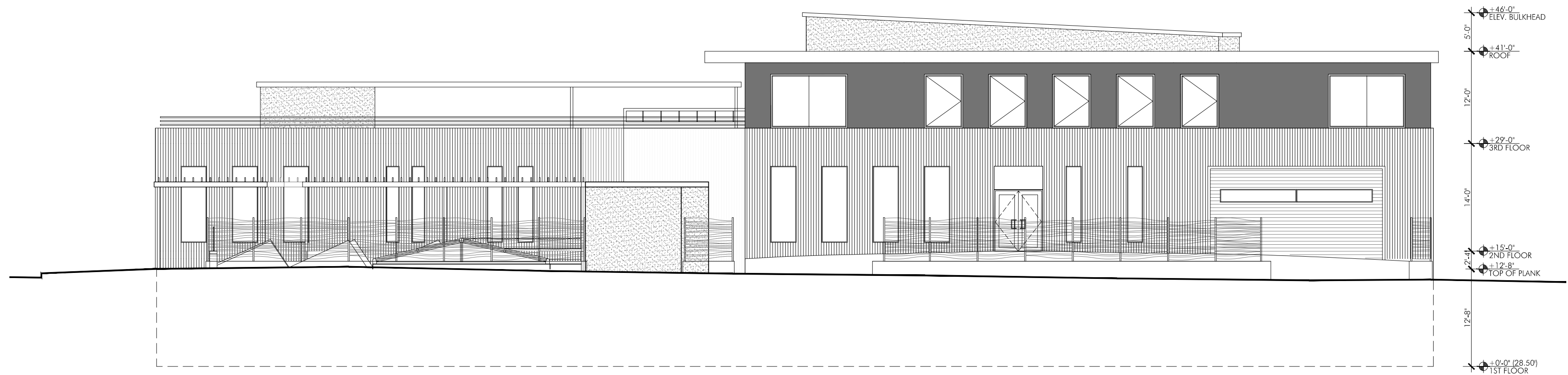




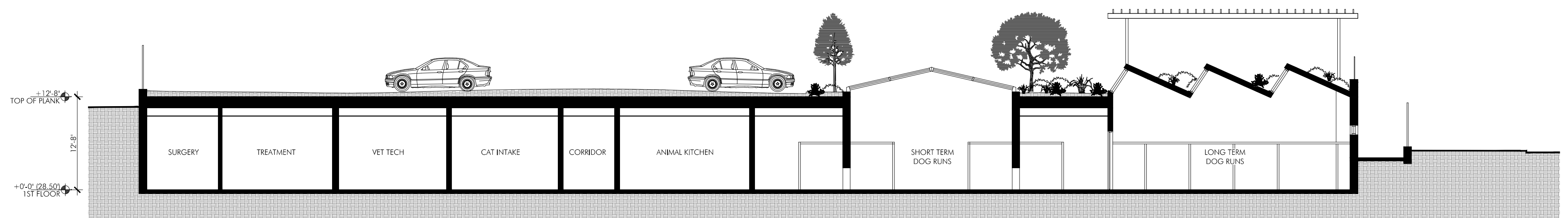
1 NORTH ELEVATION



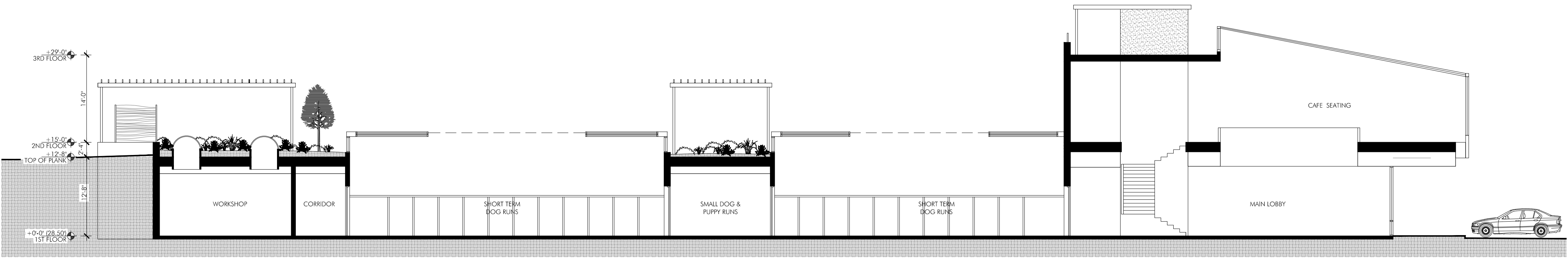
2 WEST ELEVATION



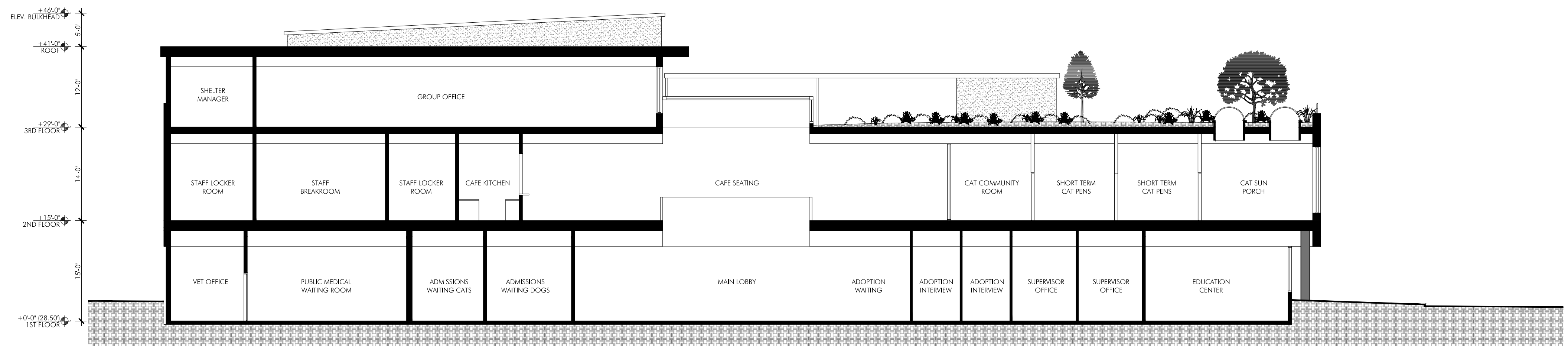
1 SOUTH ELEVATION



2 TRANSVERSE SECTION AT YARD



1 LONGITUDINAL SECTION



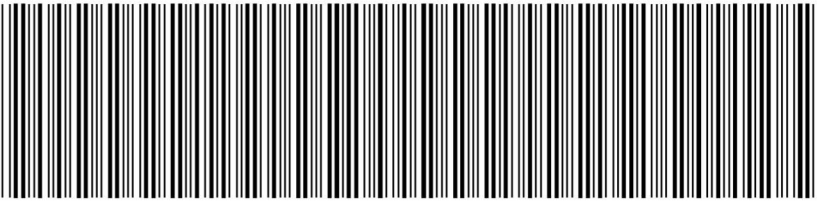






2 TRANSVERSE SECTION AT BUILDING

ZONING ANALYSIS

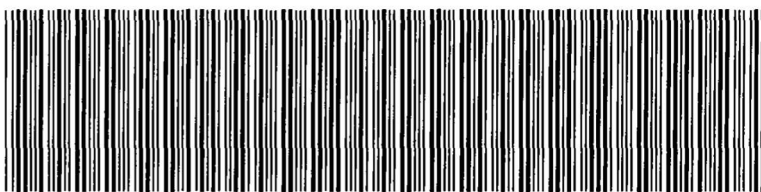
Street Address 1902-1906 Flushing Avenue
 AKA 151-161 Woodward Avenue
 1901 Troutman Street
 Block: 3376
 Lot: 1 & 7
 Zoning Map: 13b
 Zone: M1-1
 Lot Dimensions: 288.40' x 165.85' Irregular
 Lot Area: 43,793 sf

ZR	Item/Description	Permitted/Required	Existing/Proposed	Compliance and Notes
	USES		3	
42-00	Use Group 16A - Animal Pound	UG 4-14, 16 & 17	16A	Complies
	PERFORMANCE STANDARDS			
42-21	Noise			Complies
42-22	Vibration			Complies
42-23	Smoke, Dust & Other Particulate Matter			Complies
42-24	Odorous Matter			Complies
42-25	Toxic Noxious Matter			Complies
42-26	Radiation Hazards			Complies
42-27	Fire & Explosive Hazards			Complies
42-28	Humidity, Heat & Glare			Complies
	FAR			
43-12	Floor Area Ratio M1-1	1.00	0.68	Complies
	FLOOR AREA			
43-12	Allowable Floor Area	1.00 x 43,793 sf = 43,793 sf	29742.00	Complies
	YARD			
43-25	Side Yard	None	None	Complies
43-26	Rear Yard	20' beyond 100' of Street Line	None	Complies
43-28	Rear Yard Through Lot	Rear Yard Equivalent (b)	64'0"/92'3"	Complies
	HEIGHT AND SETBACK			
43-43	Initial Setback Distance Narrow Street	20 Feet	92'-3"/0/64'0"	Complies
	Initial Setback Distance Wide Street	15 Feet		
	Maximum Height of a Front Wall within			
	Initial Setback Distance	30' or 2 stories	28'/2 stories	Complies
	Sky Exposure Plane - Height Above Street Line	30 Feet	N/A	Complies
	Sky Exposure Plane	1 to 1	N/A	Complies
	PARKING			
44-21	Required Parking for Commercial			
	Use Group 16A PRC-C	1 per 600 sf of FA		
		600.00 / 29,742 sf = 50	50	Complies
44-52	Required Loading Berths for Commercial UG16A	1 Required	2	Complies
	BICYCLE PARKING			
44-60/36-70	Enclosed Bicycle Parking	None Required	0	Complies

ATTACHMENT F
Property Deeds

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.	 2007091800310001001E02DF																																								
RECORDING AND ENDORSEMENT COVER PAGE PAGE 1 OF 4																																									
Document ID: 2007091800310001 Document Date: 09-12-2007 Preparation Date: 09-18-2007 Document Type: DEED, OTHER Document Page Count: 2																																									
PRESENTER: ACE ABSTRACT, LLC. 31 STEWART STREET MB/ PICKUP - KAREN LEVINE FLORAL PARK, NY 11001 516-358-6005 WACE-211Q	RETURN TO: DEROSE & SURICO 213-44 38TH AVENUE BAYSIDE, NY 11361																																								
<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center; border-bottom: 1px solid black;">PROPERTY DATA</th> </tr> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Borough</th> <th style="text-align: left; border-bottom: 1px solid black;">Block</th> <th style="text-align: left; border-bottom: 1px solid black;">Lot</th> <th style="text-align: left; border-bottom: 1px solid black;">Unit Address</th> </tr> <tr> <td>QUEENS</td> <td>3376</td> <td>1 Entire Lot</td> <td>19-02 FLUSHING AVENUE</td> </tr> <tr> <td colspan="4" style="padding-left: 20px;">Property Type: OTHER</td> </tr> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Borough</th> <th style="text-align: left; border-bottom: 1px solid black;">Block</th> <th style="text-align: left; border-bottom: 1px solid black;">Lot</th> <th style="text-align: left; border-bottom: 1px solid black;">Unit Address</th> </tr> <tr> <td>QUEENS</td> <td>3376</td> <td>7 Entire Lot</td> <td>151 WOODWARD AVENUE</td> </tr> <tr> <td colspan="4" style="padding-left: 20px;">Property Type: OTHER</td> </tr> </table>		PROPERTY DATA				Borough	Block	Lot	Unit Address	QUEENS	3376	1 Entire Lot	19-02 FLUSHING AVENUE	Property Type: OTHER				Borough	Block	Lot	Unit Address	QUEENS	3376	7 Entire Lot	151 WOODWARD AVENUE	Property Type: OTHER															
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CROSS REFERENCE DATA CRFN _____ or Document ID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____																																									
<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center; border-bottom: 1px solid black;">PARTIES</th> </tr> <tr> <td style="width: 50%; vertical-align: top; padding: 2px;"> GRANTOR: LOGRANDE FAMILY LLC 47-17 KISSENA BOULEVARD FLUSHING, NY 11385 x Additional Parties Listed on Continuation Page </td> <td style="width: 50%; vertical-align: top; padding: 2px;"> GRANTEE: 59-15 HOLDING CORP., AS TO A 20% INTEREST 4600 METROPOLITAN AVENUE RIDGEWOOD, NY 11385 </td> </tr> </table>		PARTIES		GRANTOR: LOGRANDE FAMILY LLC 47-17 KISSENA BOULEVARD FLUSHING, NY 11385 x Additional Parties Listed on Continuation Page	GRANTEE: 59-15 HOLDING CORP., AS TO A 20% INTEREST 4600 METROPOLITAN AVENUE RIDGEWOOD, NY 11385																																				
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NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



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RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 4

Document ID: 2007091800310001

Document Date: 09-12-2007

Preparation Date: 09-18-2007

Document Type: DEED, OTHER

PARTIES

GRANTEE:

35 REALTY HOLDING CORP., AS TO A 80%
INTEREST
4600 METROPOLITAN AVENUE
RIDGEWOOD, NY 11385

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

Wace 2119

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

THIS INDENTURE, made the 12th day of September, in the year 2007

BETWEEN LO GRANDE FAMILY, LLC, having an office at 47-17 Kissena Boulevard, Flushing, New York 11355

party of the first part, and

59-15 HOLDING CORP., as to an undivided 20% interest and 35 REALTY HOLDING CORP., as to an undivided 80% interest, each having an address at 4600 Metropolitan Avenue, Ridgewood, New York 11385

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) DOLLARS paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of Queens, City and State of New York.

BEGINNING at the corner formed by the intersection of the northerly side of Troutman Street and the easterly side of Woodward Avenue;

RUNNING THENCE easterly along a line forming an interior angle of 90 degrees 08 minutes 09 seconds with the easterly side of Woodward Avenue, 165.85 feet along the northerly side of Troutman Street;

THENCE northerly at right angles to the northerly side of Troutman Street, 230.94 feet to the southerly side of Flushing Avenue;

THENCE northerly along the southerly side of Flushing Avenue, 38.25 feet to a point;

THENCE northwesterly along a line forming an interior angle of 165 degrees 51 minutes 52.4 seconds with the last mentioned course, 138.83 feet to the easterly side of Woodward Avenue;

THENCE southerly along the easterly side of Woodward Avenue, 288.40 feet to the point or place of BEGINNING.

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part from Maria P. Lo Grande by deed dated May 29, 2002, and recorded November 13, 2002 in Reel 6647, Page 2377.

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

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

IN PRESENCE OF:

LO GRANDE FAMILY, LLC

Michael P. Lo Grande

By:

Grace J. Lo Grande
Grace J. Lo Grande, Member

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Nassau, ss:

On the 12th day of September in the year 2007, before me, the undersigned, personally appeared GRACE LO GRANDE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DAVID CURRY
Notary Public, State of New York
No. 02011614000
Qualified in Suffolk County
Commission Expires May 07, 2011

State of New York, County of **SEP 21 2007**, ss:

On the _____ day of _____ in the year _____,
before me, the undersigned, a Notary Public in and for said State,
personally appeared _____

subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____,

(if the place of residence is in a city, include the street and street number if any, thereof).

that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the day of in the year ,
before me, the undersigned, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

* State of _____, County of _____, ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the _____ day of _____ in the year _____
before me the undersigned personally appeared _____

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

Bargain and Sale Deed with covenant against Grantors Acts

SECTION	18	18
BLOCK	3376	3376
LOT	7	1
COUNTY	QUEENS	QUEENS

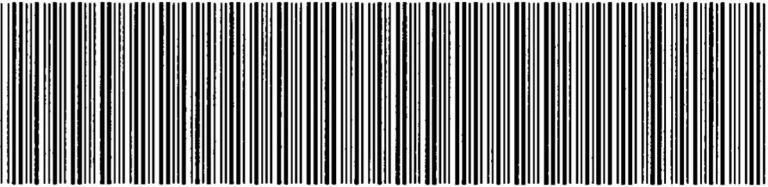
Title No. WACE-211Q

**LO GRANDE FAMILY, LLC
TO
59-15 HOLDING CORP., as to a 20% interest
and 35 REALTY HOLDING CORP., as to an
80% interest**

RETURN BY MAIL TO:

DISTRIBUTED BY

Vincent P. Surico, Esq.
DeRose & Surico
21-3-44 38th Avenue
Bayside, New York 11361

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER	 2007091800310001001SCC5E		
SUPPORTING DOCUMENT COVER PAGE PAGE 1 OF 1			
Document ID: 2007091800310001 Document Date: 09-12-2007 Preparation Date: 09-18-2007 Document Type: DEED, OTHER			
ASSOCIATED TAX FORM ID: 2007090400311			
<table><tr><td data-bbox="180 579 1299 703">SUPPORTING DOCUMENTS SUBMITTED: DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING RP - 5217 REAL PROPERTY TRANSFER REPORT</td><td data-bbox="1299 579 1438 703">Page Count 1 1</td></tr></table>		SUPPORTING DOCUMENTS SUBMITTED: DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING RP - 5217 REAL PROPERTY TRANSFER REPORT	Page Count 1 1
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CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER			BUYER'S ATTORNEY	
BUYER SIGNATURE <i>Angel M...</i>		DATE	LAST NAME	FIRST NAME
			718	279-2000
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
CITY OR TOWN	STATE	ZIP CODE	SELLER	
			<i>Grace J. ...</i>	
			SELLER SIGNATURE	DATE

2007090400311201



The City of New York
 Department of Environmental Protection
 Bureau of Customer Services
 59-17 Junction Boulevard
 Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service is located in the Borough of **QUEENS**
 Block: **3376** Lot: **1**
- (2) Account Number (if applicable):
 Meter Number (if available—include the letter):
- (3) Street Address of Property Receiving Service:
 Street **19-02 FLUSHING AVENUE** City **NY** State **NY** Zip **11385**
- (4) Full name, mailing address, home phone and business phone numbers of owner of property receiving service:
 (please provide information on owner ONLY; do NOT give information on property manager or tenant):
 Owner's Name Business: **59-15 HOLDING CORP., AS TO A 20% INTEREST**
 or Individual:
 (Last Name) (First Name) (MI)
 Street **4600 METROPOLITAN AVENUE** City **RIDGEWOOD** State **NY** Zip **11385**
 Home Phone(Numbers only): Business Phone(Numbers only):

Customer Billing Information:

PLEASE NOTE:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges.
- B. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, or the property being placed in a lien sale by the City.
- C. Original bills for water and/or sewer service will be mailed to the owner, at the owner's address specified on this form. DEP will provide a duplicate copy of bills to one other party (such as a managing agent) if so requested below, provided, however, that any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her/its liability to pay all outstanding water and sewer charges.
- (5) If you would like a duplicate copy of bills sent to another party, please check here ☐ and fill out the following information:
 Name of Party to Receive Duplicate Copies of Bills:
- (6) Mailing Address: Street City State Zip
- (7) Relationship to Owner (check one): Managing Agent ☐ Mortgagee ☐
 Tenant ☐ Other (please explain):

Owner's Approval

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A, B, C under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

(8) E-mail:

(9) Name of Owner:

(10) Signature:

Name and Title of Person Signing for Owner, if applicable:

Date(mm/dd/yyyy):



The City of New York
 Department of Environmental Protection
 Bureau of Customer Services
 59-17 Junction Boulevard
 Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service is located in the Borough of **QUEENS**
 Block: **3376** Lot: **7**
- (2) Account Number (if applicable):
 Meter Number (if available—include the letter):
- (3) Street Address of Property Receiving Service:
 Street **151 WOODWARD AVENUE** City **NY** State **NY** Zip **11385**
- (4) Full name, mailing address, home phone and business phone numbers of owner of property receiving service:
 (please provide information on owner ONLY; do NOT give information on property manager or tenant):
 Owner's Name Business: **59-15 HOLDING CORP., AS TO A 20% INTEREST**
 or Individual:
 (Last Name) (First Name) (MI)
 Street **4600 METROPOLITAN AVENUE** City **RIDGEWOOD** State **NY** Zip **11385**
 Home Phone(Numbers only): Business Phone(Numbers only):

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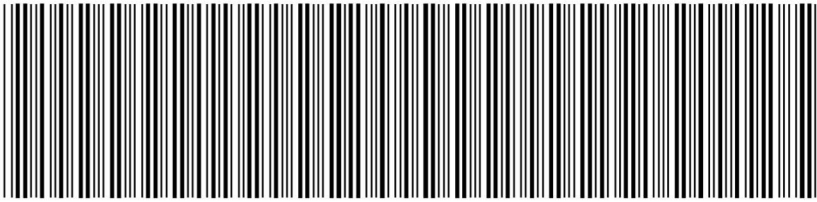






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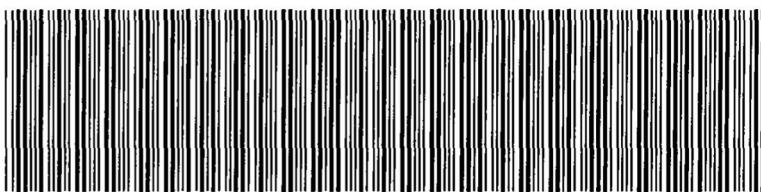
(8) E-mail:

(9) Name of Owner:

(10) Signature: 
 Name and Title of Person Signing for Owner, if applicable:
 Date(mm/dd/yyyy):

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.	 2007091800310001001E02DF																																							
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NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



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RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 4

Document ID: 2007091800310001

Document Date: 09-12-2007

Preparation Date: 09-18-2007

Document Type: DEED, OTHER

PARTIES

GRANTEE:

35 REALTY HOLDING CORP., AS TO A 80%
INTEREST
4600 METROPOLITAN AVENUE
RIDGEWOOD, NY 11385

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

Wace 2119

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

THIS INDENTURE, made the 12th day of September, in the year 2007

BETWEEN **LO GRANDE FAMILY, LLC, having an office at 47-17 Kissena Boulevard, Flushing, New York 11355**

party of the first part, and

59-15 HOLDING CORP., as to an undivided 20% interest and 35 REALTY HOLDING CORP., as to an undivided 80% interest, each having an address at 4600 Metropolitan Avenue, Ridgewood, New York 11385

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) DOLLARS paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of Queens, City and State of New York.

BEGINNING at the corner formed by the intersection of the northerly side of Troutman Street and the easterly side of Woodward Avenue;

RUNNING THENCE easterly along a line forming an interior angle of 90 degrees 08 minutes 09 seconds with the easterly side of Woodward Avenue, 165.85 feet along the northerly side of Troutman Street;

THENCE northerly at right angles to the northerly side of Troutman Street, 230.94 feet to the southerly side of Flushing Avenue;

THENCE northerly along the southerly side of Flushing Avenue, 38.25 feet to a point;

THENCE northwesterly along a line forming an interior angle of 165 degrees 51 minutes 52.4 seconds with the last mentioned course, 138.83 feet to the easterly side of Woodward Avenue;

THENCE southerly along the easterly side of Woodward Avenue, 288.40 feet to the point or place of BEGINNING.

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part from Maria P. Lo Grande by deed dated May 29, 2002, and recorded November 13, 2002 in Reel 6647, Page 2377.

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

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

IN PRESENCE OF:

LO GRANDE FAMILY, LLC

Michael P. Lo Grande

By:

Grace J. Lo Grande
Grace J. Lo Grande, Member

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Nassau, ss:

On the 12th day of September in the year 2007, before me, the undersigned, personally appeared GRACE LO GRANDE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DAVID CURRY
Notary Public, State of New York
No. 02011614000
Qualified in Suffolk County
Commission Expires May 07, 2011

State of New York, County of **SEP 21 2007**, ss:

On the _____ day of _____ in the year _____,
before me, the undersigned, a Notary Public in and for said State,
personally appeared _____

subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____,

(if the place of residence is in a city, include the street and street number if any, thereof).

that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the day of in the year ,
before me, the undersigned, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

* State of _____, County of _____, ss:

*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the _____ day of _____ in the year _____
before me the undersigned personally appeared _____

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

Bargain and Sale Deed with covenant against Grantors Acts

SECTION	18	18
BLOCK	3376	3376
LOT	7	1
COUNTY	QUEENS	QUEENS

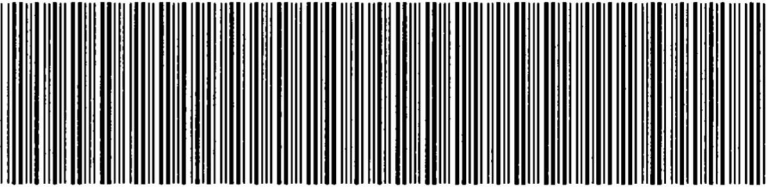
Title No. WACE-211Q

**LO GRANDE FAMILY, LLC
TO
59-15 HOLDING CORP., as to a 20% interest
and 35 REALTY HOLDING CORP., as to an
80% interest**

RETURN BY MAIL TO:

DISTRIBUTED BY

Vincent P. Surico, Esq.
DeRose & Surico
21-3-44 38th Avenue
Bayside, New York 11361

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER	 2007091800310001001SCC5E		
SUPPORTING DOCUMENT COVER PAGE PAGE 1 OF 1			
Document ID: 2007091800310001 Document Date: 09-12-2007 Preparation Date: 09-18-2007 Document Type: DEED, OTHER			
ASSOCIATED TAX FORM ID: 2007090400311			
<table><tr><td data-bbox="180 579 1299 703">SUPPORTING DOCUMENTS SUBMITTED: DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING RP - 5217 REAL PROPERTY TRANSFER REPORT</td><td data-bbox="1299 579 1438 703">Page Count 1 1</td></tr></table>		SUPPORTING DOCUMENTS SUBMITTED: DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING RP - 5217 REAL PROPERTY TRANSFER REPORT	Page Count 1 1
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PROPERTY INFORMATION

SALE INFORMATION

14. Check one or more of these conditions as applicable to transfer:

A	<input type="checkbox"/>	Sale Between Relatives or Former Relatives
B	<input type="checkbox"/>	Sale Between Related Companies or Partners in Business
C	<input type="checkbox"/>	One of the Buyers is also a Seller
D	<input type="checkbox"/>	Buyer or Seller is Government Agency or Lending Institution
E	<input type="checkbox"/>	Deed Type not Warranty or Bargain and Sale (Specify Below)
F	<input type="checkbox"/>	Sale of Fractional or Less than Fee Interest (Specify Below)
G	<input type="checkbox"/>	Significant Change in Property Between Taxable Status and Sale Dates
H	<input type="checkbox"/>	Sale of Business is Included in Sale Price
I	<input type="checkbox"/>	Other Unusual Factors Affecting Sale Price (Specify Below)
J	<input checked="" type="checkbox"/>	None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class Z, 9 16. Total Assessed Value (of all parcels in transfer) 5 5 5 3 0 0

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))


QUEENS 3376 1 || QUEENS 3376 7 ||

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER'S ATTORNEY

BUYER

 BUYER SIGNATURE _____ DATE _____

LAST NAME FIRST NAME

STREET NUMBER	STREET NAME (AFTER SALE)
1	1ST STREET
2	2ND STREET
3	3RD STREET
4	4TH STREET
5	5TH STREET
6	6TH STREET
7	7TH STREET
8	8TH STREET
9	9TH STREET
10	10TH STREET
11	11TH STREET
12	12TH STREET
13	13TH STREET
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19	19TH STREET
20	20TH STREET
21	21ST STREET
22	22ND STREET
23	23RD STREET
24	24TH STREET
25	25TH STREET
26	26TH STREET
27	27TH STREET
28	28TH STREET
29	29TH STREET
30	30TH STREET
31	31ST STREET
32	32ND STREET
33	33RD STREET
34	34TH STREET
35	35TH STREET
36	36TH STREET
37	37TH STREET
38	38TH STREET
39	39TH STREET
40	40TH STREET
41	41ST STREET
42	42ND STREET
43	43RD STREET
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45	45TH STREET
46	46TH STREET
47	47TH STREET
48	48TH STREET
49	49TH STREET
50	50TH STREET
51	51ST STREET
52	52ND STREET
53	53RD STREET
54	54TH STREET
55	55TH STREET
56	56TH STREET
57	57TH STREET
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59	59TH STREET
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63	63RD STREET
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91	91ST STREET
92	92ND STREET
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95	95TH STREET
96	96TH STREET
97	97TH STREET
98	98TH STREET
99	99TH STREET
100	100TH STREET

718 | 279-2000

CITY OR TOWN _____ STATE _____ ZIP CODE _____

AREA CODE TELEPHONE NUMBER

SELLER

W. V. H. 1

Wm. L. Stone

7007000400211701

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER			BUYER'S ATTORNEY	
BUYER SIGNATURE <i>Angel M...</i>		DATE	LAST NAME	FIRST NAME
			718	279-2000
STREET NUMBER	STREET NAME (AFTER SALE)		AREA CODE	TELEPHONE NUMBER
CITY OR TOWN	STATE	ZIP CODE	SELLER	
			SELLER SIGNATURE <i>Grace J. ...</i>	
			DATE	

2007090400311201



The City of New York
 Department of Environmental Protection
 Bureau of Customer Services
 59-17 Junction Boulevard
 Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service is located in the Borough of **QUEENS**
 Block: **3376** Lot: **1**
- (2) Account Number (if applicable):
 Meter Number (if available—include the letter):
- (3) Street Address of Property Receiving Service:
 Street **19-02 FLUSHING AVENUE** City **NY** State **NY** Zip **11385**
- (4) Full name, mailing address, home phone and business phone numbers of owner of property receiving service:
 (please provide information on owner ONLY; do NOT give information on property manager or tenant):
 Owner's Name Business: **59-15 HOLDING CORP., AS TO A 20% INTEREST**
 or Individual:
 (Last Name) (First Name) (MI)
 Street **4600 METROPOLITAN AVENUE** City **RIDGEWOOD** State **NY** Zip **11385**
 Home Phone(Numbers only): Business Phone(Numbers only):

Customer Billing Information:

PLEASE NOTE:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges.
- B. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, or the property being placed in a lien sale by the City.
- C. Original bills for water and/or sewer service will be mailed to the owner, at the owner's address specified on this form. DEP will provide a duplicate copy of bills to one other party (such as a managing agent) if so requested below, provided, however, that any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her/its liability to pay all outstanding water and sewer charges.
- (5) If you would like a duplicate copy of bills sent to another party, please check here ☐ and fill out the following information:
 Name of Party to Receive Duplicate Copies of Bills:
- (6) Mailing Address: Street City State Zip
- (7) Relationship to Owner (check one): Managing Agent ☐ Mortgagee ☐
 Tenant ☐ Other (please explain):

Owner's Approval

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A, B, C under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

(8) E-mail:

(9) Name of Owner:

(10) Signature: *Race J. L. Parodi*

Name and Title of Person Signing for Owner, if applicable:

Date(mm/dd/yyyy): 10/1



The City of New York
 Department of Environmental Protection
 Bureau of Customer Services
 59-17 Junction Boulevard
 Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service is located in the Borough of **QUEENS**
 Block: **3376** Lot: **7**
- (2) Account Number (if applicable):
 Meter Number (if available—include the letter):
- (3) Street Address of Property Receiving Service:
 Street **151 WOODWARD AVENUE** City **NY** State **NY** Zip **11385**
- (4) Full name, mailing address, home phone and business phone numbers of owner of property receiving service:
 (please provide information on owner ONLY; do NOT give information on property manager or tenant):
 Owner's Name Business: **59-15 HOLDING CORP., AS TO A 20% INTEREST**
 or Individual:
 (Last Name) (First Name) (MI)
 Street **4600 METROPOLITAN AVENUE** City **RIDGEWOOD** State **NY** Zip **11385**
 Home Phone(Numbers only): Business Phone(Numbers only):

Customer Billing Information:

PLEASE NOTE:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges.
- B. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, or the property being placed in a lien sale by the City.
- C. Original bills for water and/or sewer service will be mailed to the owner, at the owner's address specified on this form. DEP will provide a duplicate copy of bills to one other party (such as a managing agent) if so requested below, provided, however, that any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her/its liability to pay all outstanding water and sewer charges.
- (5) If you would like a duplicate copy of bills sent to another party, please check here ☐ and fill out the following information:
 Name of Party to Receive Duplicate Copies of Bills:
- (6) Mailing Address: Street City State Zip
- (7) Relationship to Owner (check one): Managing Agent ☐ Mortgagee ☐
 Tenant ☐ Other (please explain):

Owner's Approval

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A, B, C under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

(8) E-mail:

(9) Name of Owner:

(10) Signature: 
 Name and Title of Person Signing for Owner, if applicable:
 Date(mm/dd/yyyy):

ATTACHMENT G
Access Agreement

ACCESS AGREEMENT

ACCESS AGREEMENT made as of this 12 day of Sept. 2018, by and between 59-15 Holding Corp. and 35 Realty Holding Corp. ("Grantor"), having an address at 4600 Metropolitan Avenue, Ridgewood, NY 11385, and Animal Care and Control of New York City, Inc. ("Grantee"), having an address at 11 Park Place, New York, NY 10007.

WHEREAS, Grantor owns the real property located at 151 Woodward Avenue and 1902 Flushing Avenue, Ridgewood, NY 11385 (Block 3376, Lots # 1 and 7) ("Grantor's Property"), together with the building and improvements thereon ("Grantor's Building") (Grantor's Property and Grantor's Building shall be referred to collectively as Grantor's Property); and

WHEREAS, Grantor and Grantee are parties to that certain Contract of Sale whereby Grantee is to purchase Grantor's Property from Grantor; and

WHEREAS, Grantee is about to embark upon (1) architectural investigation in connection with the planned redevelopment of Grantor's Property upon acquisition by Grantee, and (2) work to investigate potential environmental contamination on Grantor's Property in connection with Grantee's application to the New York State Department of Environmental Conservation for entry into the Brownfields Cleanup Program (collectively, the "Work"); and

WHEREAS, Grantee requires access to Grantor's Property to the perform the Work; and

WHEREAS, Grantor has agreed to grant access to Grantor's Property and permit the performance of the Work, subject to the terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grantor hereby grants access to Grantor's Property solely for the purpose of the entry thereon by Grantee, its agents, employees, contractors and consultants (collectively, the "Grantee Related Parties" and each a "Grantee Related Party"), vehicles, equipment and materials reasonably required by Grantee in order to perform all tasks reasonable and necessary in connection with the Work.

2. Grantee Related Parties shall perform the Work in a workmanlike manner and in accordance with industry standards and in accordance with applicable laws, rules and regulations. The rights granted pursuant to paragraph 1 of this Agreement are nonexclusive, it being understood and agreed that Grantor, its agents, employees, workers, contractors and tenants will have full authority to come upon and have unfettered access to Grantor's Property during the performance of the Work. The performance of the Work will not interfere unreasonably with the quiet enjoyment of Grantor's Building and any work being performed on Grantor's Property by or at the direction of Grantor. Grantor agrees that it will use commercially

reasonable efforts to avoid unreasonable interference with Grantee's exercise of its rights hereunder.

3. All of the foregoing activities shall be performed at Grantee's sole cost and expense.

4. Grantee shall provide reasonable notice to Grantor, but in no event less than 24 hours, prior to Grantee's need for access to Grantor's Property to perform the Work, *provided, however*, that shorter notice may be required in the event of an emergency.

5. Grantee shall be responsible for obtaining all federal, state or local governmental approvals and providing all notices in relation to the Work. Grantor agrees to execute all reasonable, necessary and customary documents and provide any permission required, during the course of performing the Work to obtain any federal, state and/or local governmental or other approval required to perform the Work.

6. Upon completion of the activities requiring access to Grantor's Property, Grantee and/or Grantee Related Parties shall promptly remove all materials and restore Grantor's Property substantially to the condition it was in prior to such activities.

7. Grantee agrees to indemnify, defend and hold harmless Grantor from and against any and all claims, liabilities, damages, judgments, losses and expenses, including, without limitation, reasonable attorney's fees and court costs (collectively, the "Claims") which may be asserted against or sustained or suffered by Grantor arising out of or resulting from the performance of the Work on Grantor's Property, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, but only to the extent caused by the negligent acts or omissions of the Grantee, a Grantee Related Party or anyone for whose acts they may be liable.

8. All Grantee Related Parties entering upon Grantor's Property shall maintain in full force and effect the appropriate (a) Commercial General Liability Insurance; (b) Comprehensive Automobile Liability Insurance; (c) Worker's Compensation Insurance; and such additional coverage as required by applicable law. Grantor Parties, each as its interest may appear (collectively, "Additional Insureds"), shall be named as additional insured parties to the Grantee's insurance (with the exception of Worker's Compensation). Grantee shall deliver certificates of insurance evidencing the insurance required to be maintained hereunder.

9. This Agreement shall expire upon Grantee's written notification to Grantor that Grantee's Work has been completed and that access to Grantor's Property is no longer needed. Nothing contained herein shall be construed as precluding the parties from extending or reinstating this Agreement after completion of the Work.

10. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any proceedings initiated by either party to enforce the terms of or otherwise related to this Agreement shall be brought in the Supreme Court, State of New York.

IN WITNESS WHEREOF, this Agreement has been executed by Grantor and Grantee and is effective as of the date set forth above.

Grantor: 59-15 HOLDING CORP.

By: ✓ Angelo Marino
Name: ANGELO MARINO
Title: PRESIDENT

35 REALTY HOLDING CORP.

By: ✓ Angelo Marino
Name: ANGELO MARINO
Title: PRESIDENT

Grantee: ANIMAL CARE AND CONTROL OF
NEW YORK CITY, INC.

By: RLW
Name: RISA WEINSTOCK
Title: PRES. & CEO

ATTACHMENT H

Signed Document Repository Acknowledgement Letters



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

October 11, 2018

Mr. Gary Giordano
District Manager
Queens Community Board District 5
61-23 Myrtle Avenue
Glendale, NY 11385

Re: Document Repository for 1-51 Woodward Avenue, Ridgewood, New York 11385

Dear Mr. Giordano:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Animal Care Centers of New York for the project site located at 1-51 Woodward Avenue, Ridgewood, New York. As required by NYSDEC, Queens Community Board District 5 will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter via email to jdiggins@akrf.com. Please call me at (646) 388-9784 with any questions. Thank you.

Sincerely,
AKRF, Inc.

A handwritten signature in blue ink that reads "J. Patrick Diggins" with a stylized flourish at the end.

J. Patrick Diggins, P.G.
Technical Director

ACKNOWLEDGED AND ACCEPTED:

<u>GARY GIORDANO</u>	<u>DISTRICT MANAGER</u>	<u>Gary Giordano</u>
Name	Title	Signature



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

October 11, 2018

Library Manager
Queens Library at Ridgewood
20-12 Madison Street
Ridgewood, NY 11385

Re: Document Repository for 1-51 Woodward Avenue, Ridgewood, New York 11385

To Whom It May Concern:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Animal Care Centers of New York for the project site located at 1-51 Woodward Avenue in Ridgewood, New York. As required by NYSDEC, Queens Library at Ridgewood will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter via email to jdiggins@akrf.com. Please call me at (646) 388-9784 with any questions. Thank you.

Sincerely,
AKRF, Inc.

J. Patrick Diggins, P.G.
Technical Director

ACKNOWLEDGED AND ACCEPTED:

<u>Slaven Lee</u>	<u>Manager</u>	<u></u>
Name	Title	Signature